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**Christopher Weed**

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**Christopher Manning Weed**

**Brothers at Odds: Kyrgyzstan-Kazakhstan  
Relations Since 2010**

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**Author:** Christopher Weed

**Supervisor:** PhDr. Slavomír Horák, Ph.D.

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## **Abstract**

Bilateral relations between the Central Asian nations of Kyrgyzstan and Kazakhstan have developed acrimonious tendencies since Kyrgyzstan's latest political revolution in 2010. This thesis studies the actual mechanisms and bodies conducting statecraft while also examining the impetus and nature of relations for the past seven years. Content analysis of governmental bodies and legislation, bloc protocols, journalistic articles, and interviews conducted by various media outlets were utilized to develop a comprehensive understanding of how and why these countries cooperate or attempt to influence each other. The data gathered in this analysis posits that the presidential administrations of both countries, rather than respective government ministries, continue to wield tremendous influence in bilateral relations. Moreover, the very nature of Kyrgyzstani politics is antithetical to Kazakhstan's authoritarian model thus initiating punitive border measures by the Kazakhstani government.

## **Keywords**

Kyrgyzstan, Kazakhstan, International Relations, EEU, Borders, Central Asia

## **Abstrakt**

Bilaterální vztahy mezi středoasijskými státy Kyrgyzstánem a Kazachstánem se od nejnovější politické revoluce v Kyrgyzstánu v roce 2010 vyvíjely prudkým směrem. Tato práce zkoumá skutečné mechanismy a orgány provádějící státní správu, přičemž zároveň zkoumá hybné síly a povahu vztahů za posledních sedm let. Obsahová analýza vládních dokumentů a právních předpisů, protokolů politických bloků, novinářských článků a rozhovorů prováděných různými médii byla využita k ucelenému pochopení toho, jak a proč tyto země spolupracují nebo se pokoušejí navzájem ovlivňovat. Údaje shromážděné v této analýze předpokládají, že obrovský vliv v bilaterálních vztazích

mají nadále spíše než příslušná ministerstva prezidentské administrativy obou zemí, zatímco samotná povaha kyrgyzské politiky je zcela v rozporu s kazachstánským autoritářským modelem, a tak kazachstánská vláda iniciuje represivní hraniční opatření.

## **Klíčová slova**

Kyrgyzstán, Kazachstán, Mezinárodní Vztahy, EAHU, Hranice, střední Asie

## **Declaration of Authorship**

1. The author hereby declares that he compiled this thesis independently, using only the listed resources and literature.
2. The author hereby declares that all the sources and literature used have been properly cited.
3. The author hereby declares that the thesis has not been used to obtain a different or the same degree.

19-06-2017

Prague



Christopher Weed

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**Name:**

Christopher Weed

**Program:**

BECES

**E-mail:**

chrismweed@gmail.com

**Dissertation Title:**

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doc. PhDr. Jiri Vykoukal

**Dissertation Supervisor:**

PhDr. Slavomír Horák

**Description of the Topic (max 20 lines):**

International relations and geopolitics within Central Asia have predominantly been examined through the lens of external actors (Russia, China, US), otherwise known as Great Game politics. While this is nonetheless important, little is written on foreign relations between the Central Asian states themselves. This leaves a glaring hole in academia as to how Central Asian governments, in particular the Kyrgyzstan-Kazakhstan relationship, communicate and interact with each other. Also, this typical relationship between nation-states has an interesting dichotomy. Since both nations' governments are patrimonial in nature, the informal institutions and means of conducting statecraft are just as critical, if not more so, than the formal institutions identifiable in all countries. This use of formal and informal structures in regards to international relations in Central Asia is an area that is important for analysis, as it will assist others in understanding the evolving regimes in the area.

**Aim of Dissertation (10 lines):**

The aim of the dissertation is to examine the Kyrgyzstan-Kazakhstan relationship in regards to international relations. It will seek to bring to light how the two countries use formal and informal structures to communicate and conduct normal affairs in the realm of economics, politics, and regional cooperation. Likewise, it will identify old and new players in the national settings that have been or are integral to state relations, as personalities are more important than government agencies or other institutional bodies.

**Research Question(s) (max 10 lines):**

Through which channels (formal and informal) are state relations conducted and to what degree? Do vertical relationships of patrimonialism allow for bridging in regards to foreign relations? To what extent do international organizations (SCO, CIS, EEU, CSTO) provide a venue for bilateral relations?

**Proposed Theory and Methodology:**

The Realist theory in international relations will be the chosen method in which to study Kyrgyzstan-Kazakhstan relations as this is the closest mode of thought in line with the regimes. State sovereignty and regime survival are inextricably linked thus making state affairs personal. Realism dictates the need to advance material interests in order to maintain survival, which echoes the patrimonial systems inherent in both countries.

**Proposed Structure (15 lines):**

The dissertation will be divided thematically pertaining to key periods within the countries' relationship (EEU integration, dynastic family unions, etc.) with each section enlightening on both formal and informal means of state interaction. The timeline will be from independence to the present though this may be shortened if more material sources make this approach untenable.

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## List of Abbreviations

CIS	Commonwealth of Independent States
CU	Customs Union
EurAsEC	Eurasian Economic Community
EEU	Eurasian Economic Union
IC	Intergovernmental Council
IPC	Inter-parliamentary Council
JK	Jogorku Kenesh
KG	Kyrgyzstan
KZ	Kazakhstan
OSCE	Organization for Security and Co-operation in Europe
MP	Member of Parliament
PA	Presidential Administration
PM	Prime Minister
SIC	Supreme Interstate Council

## Introduction

This thesis seeks to study the mechanisms, dominant issues, and current atmosphere of bilateral relations between Kyrgyzstan and Kazakhstan since 2010. This year was chosen specifically because of several factors that heavily influenced the direction of diplomacy between the two Central Asian nations. The political revolution that removed Kurmanbek Bakiyev from power, Kyrgyzstan's adoption and subsequent experimentation with parliamentary democracy (Central Asia's first), and Kazakhstan's noninvolvement in the affair despite its chairmanship of the Organization for Security and Co-operation in Europe had far reaching consequences for the succeeding seven years.

Kyrgyzstan and Kazakhstan had little experience in international diplomacy until the dissolution of the Soviet Union in 1991. Upon attaining independence, both countries quickly established official relations on October 15, 1992.<sup>1</sup> Much of the 1990's and 2000's were spent building rapport and a working relationship between Kyrgyzstan's first president, Askar Akaev, and Kazakhstan's Nursultan Nazarbaev. Relations between the two were based on a myriad of themes. The most obvious similarity between the two governments was the nature of their politics. Eric McGlinchey points to Kyrgyzstan and Kazakhstan specifically as "neopatrimonial in that, in contrast to the patrimonial state of the past, they exhibit albeit in varying degrees, the characteristic of modern state bureaucracies - professional militaries, a trained and technocratic administrative staff, and industrial economies."<sup>2</sup> Other initial factors at play were the shared historical, linguistic, and cultural roots between the two countries' dominant ethnic groups, which many might consider to be overly influential given the region's dominance of ethnic clans and kinship groups.<sup>3</sup> Nevertheless, these shared traits are not monolithic as there are also commonalities by way of diversity.

Unlike Tajikistan, Uzbekistan, and Turkmenistan, which have largely homogenous populations, Kyrgyzstan and Kazakhstan contain far more heterogeneous and polyglot populations. In Kazakhstan, ethnic minorities comprise 37% of the total

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<sup>1</sup> Embassy of the Republic of Kazakhstan in the Kyrgyz Republic, "Information on Kazakh-Kyrgyz Relations", accessed May 5, 2017, <http://www.kaz-emb.kg/en/pages/15>.; Embassy of the Kyrgyz Republic in the Republic of Kazakhstan, "On Relations of the Kyrgyz Republic and the Republic of Kazakhstan", accessed May 5, 2017, <http://www.kyrgyzembs.kz/index.php/ru/o-sotrudnichestve-kr-i-rk>.

<sup>2</sup> Eric McGlinchey, *Chaos, Violence, Dynasty: Politics and Islam in Central Asia* (Pittsburgh, PA: University of Pittsburgh Press, 2011), 8.

<sup>3</sup> *Ibid*, 41.

population whereas they constitute 29% in Kyrgyzstan.<sup>4</sup> Also, when compared to other countries in the region they are far more productive in the realms of statecraft and business. Kazakhstan is the third-largest contributor of foreign direct investment in Kyrgyzstan, behind only China and Canada.<sup>5</sup> Likewise, Kyrgyzstani citizens constitute the largest number of foreign workers in Kazakhstan after China.<sup>6</sup> Both countries have substantial stakes in each other's welfare, which results in a very straightforward and pragmatic approach when dealing with constructive or conflicting issues.

With the eventual ouster of Akaev in the Tulip Revolution, the last iteration of the color revolutions between 2003-2005 ushered Kurmanbek Bakiev into Kyrgyzstan's presidency. This saw the first closure of the border at Kazakhstan's behest in order to contain the political upheaval roiling Kyrgyzstan at that time.<sup>7</sup> Over the next five years, Astana and Bishkek continued building ties though emphasis on cooperation shifted towards security matters as Bakiev increasingly sought to consolidate power and quell political dissent to a degree that even greater than his predecessor. Eventually, his strong-arm tactics led to a bloody revolt and his subsequent fleeing of the country on April 7, 2010.<sup>8</sup>

In response to the political instability following Bakiev's flight, the Kazakhstani government closed the border for a second time consequently impeding Kyrgyzstan's economic trade at a time when the international economy was suffering from a deep and protracted recession.<sup>9</sup> Kyrgyzstan afterwards adopted a parliamentary form of governance, the brainchild of Ata-Meken party leader Omurbek Tekebaev, which basically codified and brought out of the shadows the already existing patronage and client systems at play. These two acts, along with the resulting caustic rhetoric from government officials and citizens alike on both sides, had a tremendous impact on

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<sup>4</sup> "The World Factbook," Central Intelligence Agency, accessed May 06, 2017, <https://www.cia.gov/library/publications/the-world-factbook/fields/2075.html#kz>.

<sup>5</sup> Andrew Kuchins, Jeffrey Mankoff, and Oliver Backes, *Central Asia in a Reconnecting Eurasia: Kyrgyzstan's Evolving Foreign Economic and Security Interests* (Washington, D.C.: Center for Strategic and International Studies, 2015), 6.

<sup>6</sup> *Labor Migration and Human Capital of Kyrgyzstan: Impact of the Customs Union*, EDB Centre for Integration Studies, 2013, 4-6, accessed May 6, 2017, [http://www.eabr.org/general/upload/CII%20-%20izdania/Proekti%20i%20dokladi/Kyrgyzstan%20%20CU/EDB\\_Centre\\_Report\\_13\\_Analytical%20Resume\\_Eng\\_1.pdf](http://www.eabr.org/general/upload/CII%20-%20izdania/Proekti%20i%20dokladi/Kyrgyzstan%20%20CU/EDB_Centre_Report_13_Analytical%20Resume_Eng_1.pdf).

<sup>7</sup> Tatyaa Serochtanova and Raushan Nourshayeva, "Astana closes borders with Kyrgyzstan, Kazakh banks freeze offices in Bishkek," March 23, 2005, accessed May 6, 2017, <http://www.kase.kz/news/show/170936>.

<sup>8</sup> Luke Harding, "Ousted Kyrgyzstan president begins new life in Belarus," *The Guardian*, April 20, 2010, accessed May 06, 2017, <https://www.theguardian.com/world/2010/apr/20/kyrgyzstan-president-bakiyev-exile-belarus>.

<sup>9</sup> "Borders with Kazakhstan, Uzbekistan closed, Chinese border closed for Kyrgyz citizens," *AKIpress News Agency*, April 20, 2010, accessed May 06, 2017, <http://akipress.com/news:163981/>.

Kyrgyzstan-Kazakhstan relations and set the tone of cross-border ties for the next seven years.

## **Research Questions**

The literature examines in great detail bilateral relations between Kazakhstan and Kyrgyzstan, with emphasis on post-2010 affairs. How are Kyrgyzstan-Kazakhstan relations now and through which mechanisms or bodies do they function? Why does the border continue to be used as a tool in statecraft? Why does Kazakhstan continue to pursue a policy of “antagonism” towards Kyrgyzstan in bilateral relations?

To answer these questions, this thesis takes a strong look at the formal government bodies that are key and most actively trumpeted by each government’s respective administrations in building and maintaining cross-border ties. This will mainly include the presidential administrations, parliaments and their committees, and government ministries. Also, the continued primacy of the border as a linchpin in bilateral relations will be examined. Beginning with Kazakhstan’s closing of the border after the April 2010 revolution in Kyrgyzstan, the border and its crossings have played a crucial role in affairs between the two states and this has taken on even greater significance now that both are full members of the Eurasian Economic Union. Having to incorporate supranational obligations within bilateral discussions and disagreements ushers in unique and oftentimes vexing situations. Lastly, Kazakhstan’s propensity for a discordant position, vis-à-vis said border, results from intransigent feelings concerning the advent of Kyrgyzstan’s recently continued experimentation with democratization. While not largely constituting an immediate and pressing threat, Astana’s disagreement with Bishkek’s governmental trajectory has resulted in a less than positive reception and is a determining factor of the overall atmosphere in the relationship.

## **Hypotheses**

This thesis seeks to test out the following hypotheses:

*H<sub>1</sub>: The presidential administrations continue to play the most dominant role in bilateral relations with government ministries and inter-parliamentary associations coming in a distant second and third.*

*H<sub>2</sub>: The border continues to be a point of contention in bilateral relations as it is the only instrument where both actors can apply leverage and have influence on the affairs of its neighbor.*

*H<sub>3</sub>: Kazakhstan is antagonistic towards Kyrgyzstan because of the political threat posed by Kyrgyzstan's continued foray into pluralistic politics, notably its experimentation with parliamentary democracy.*

## **Methodology**

This thesis primarily relies on qualitative analysis of a strictly longitudinal nature of cross-border relations between Kyrgyzstan and Kazakhstan since 2010. The most dominant materials for sources are news reports from Central Asian and international organizations, journal articles, and relevant legislative acts pertaining to the official formation of bilateral relations and its continued dealings. These legislative acts (treaties, accords, and agreements) are of particular importance as they are the basis for formal ties and channels and are the means by which statecraft, at least in the publicly viewable realm, is conducted and executed. Informal ties are also recognized as a significant and influential means in bilateral relations but this facet of cross-border ties is outside the purview of this thesis. Efforts to cover this topic would undoubtedly take years and would constitute a substantial work in and of itself that would balloon the proposed hypotheses at hand. Also, I am simply unable to penetrate the shadowy groups and vertical networks that make up this part of Central Asian politics as I am not originally from the region nor an ethnic affiliate/clan member, which makes such an endeavor nigh to impossible.

The theoretical basis of this thesis relies on realism but in a non-normative explanatory manner as posited by Gleason et al.<sup>10</sup> Instead of the standard “power” approach, which many in international relations feel is connoted by realism, realist doctrine in this case is used to examine possible diplomatic avenues for weak states such as cooperation, integration, and power sharing agreements where the military sphere of national power is not able to be realistically applied. Furthermore, this thesis precludes the notion that influence by either of the subject countries’ militaries is virtually

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<sup>10</sup> Gregory Gleason, Asel Kerimbekova, and Svetlana Kozhirova, "Realism and the Small State: Evidence from Kyrgyzstan," *International Politics* 45, no. 1 (2007): accessed May 7, 2017, doi:10.1057/palgrave.ip.8800218.

nonexistent and that all attempts at statecraft are wholly nonviolent and diplomatic in nature.

Originally, the methodology and material of this thesis was heavily dependent upon in-person interviews of local, regional, and international experts. As research progressed, this took on a lesser and lesser role due to several outside factors. Largely a lack of proper funding and time led to interviews being emphasized less. This was also impacted by my decision to instead focus more on formal mechanisms and platforms of international relations. As almost all legislation is published online and readily accessible, this proved to be a much better option. However, interviews need not be wholly excluded from the source materials as several Central Asian news outlets published transcripts from interviews with former presidents, ambassadors, regional experts, and everyday citizens, thus providing a much more comprehensive pool of subjects than I originally planned to question.

### **Research Significance**

At the moment, little is actually known as to how Central Asian states conduct bilateral relations. While many regional experts can attest to the superficial attitude exhibited between countries, these experts have less understanding of how formal statecraft is conducted. This stems largely from the focus on personalities without taking into consideration the means, i.e. government structures and protocols, by which these personalities seek to induce change. As previously stated by McGlinchey, these neopatrimonial countries have the accouterments of modern nation-states while still maintaining the informal structures of patrimonial societies.<sup>11</sup> Examining the means by which Kyrgyzstan and Kazakhstan actually communicate and attempt to resolve arising issues can shed light on the development and possible maturity of post-Soviet government structures and their respective versions of nuanced diplomacy.

Since 2001, analysis of international relations in Central Asia stems largely from the examination of Central Asian states interacting with external actors. America's Global War On Terror and the need for military bases in the region to conduct operations in Afghanistan brought renewed attention to Central Asia.<sup>12</sup> The increased scrutiny and involvement from other regional powers, such as China and Russia, revived

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<sup>11</sup> McGlinchey, *Chaos, Violence, Dynasty*. 8.

<sup>12</sup> Svante E. Cornell, "The United States and Central Asia: In the Steppes to Stay?," *Cambridge Review of International Affairs* 17, no. 2 (2004): , accessed May 6, 2017, doi:10.1080/0955757042000245870.

the “Great Game” as the overarching theme for analysis.<sup>13</sup> While this attention is meaningful for renewing interest in Central Asian affairs, it nonetheless relegated the region to being a pawn of outside powers rather than as an area of its own consequential importance. Viewing international relations in Central Asia with an outward looking perspective ignores the intra-regional dynamism and evolution of these states.<sup>14</sup> For the past 25 years they have learned lessons in conducting statecraft and are applying their conclusions towards their own foreign policy objectives and decision-making with other Central Asian neighbors. Focusing on intra-regional politics and bilateral relations can contribute to our understanding, implementation, and practice of IR in Central Asia.

As both Kyrgyzstan and Kazakhstan are full members of several supranational organizations in Eurasia, namely the Shanghai Cooperation Organization and the Eurasian Economic Union, any bilateral disputes or disagreements can potentially have a domino effect on other member states. With the border being a hot button issue, especially in regards to trade and health management, punitive measures inflicted by either state can generate economic and social ramifications for fellow countries dependent on the flow of goods or services. Since the EEU is already having a difficult time simply getting off the ground, the impact of bilateral disputes or tiffs on supranational organizations is not be sneered at and can possess far reaching consequences for the bloc’s health and development.<sup>15</sup>

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<sup>13</sup> For more on the new “Great Game” see Alexander Cooley’s *Great Games, Local Rules: The New Great Power Contest in Central Asia*; Lutz Kleveman’s *The New Great Game*; Sally N. Cummings’ *Understanding Central Asia: Politics and Contested Transformations*; Dianne L. Smith’s *Central Asia: A New Great Game?*; Thomas Fingar’s *The New Great Game: China and South and Central Asia in the Era of Reform*

<sup>14</sup> David Denoon, ed., *China, the United States, and the Future of Central Asia* (New York: New York University Press, 2015); Tom Wood, TOSCCA Workshop: Kyrgyzstan at the Cross-Roads, working paper, St. Antony's College, Oxford University (2006).

<sup>15</sup> Areg Galstyan, "Is the Eurasian Economic Union Slowly Coming Apart?," March 29, 2017, accessed May 06, 2017, <http://nationalinterest.org/feature/the-urasian-economic-union-slowing-coming-apart-19947>.

## Literature Review

This chapter will present a brief overview of the literature used to structure this study on Kyrgyzstan-Kazakhstan bilateral relations. First, realist prescriptions for the small state will be discussed to explain the reasoning behind pragmatic decision-making in foreign policy objectives that have fostered periodic attempts at increased regional cooperation. Second, international relations in Central Asia will be examined to demonstrate the conceptual development and dominant themes influencing statecraft between Kyrgyzstan and Kazakhstan. Third, general post-Soviet regime dynamics will be discussed to understand the regional political trends at play and comprehend why Kyrgyzstan and Kazakhstan are polar opposites in regards to regime stability.

### Realism and Cooperation

Realism as a means of political thought has been the gold standard for centuries in pertaining to international relations, diplomacy, and national interests. As defined by Gregory Gleason, “it is the idea that the state of nature in international relations is highly competitive and limited by reliable constraints imposed by a legitimate authority.”<sup>16</sup> This does not necessarily denote chaos but simply the state of nature in international affairs. Realist thinking assumes that countries seek security above all else while other goals are secondary (land, wealth, etc.). Well-known tropes, such as “might makes right”, convey the dominant theme inherent in this theoretical construct, power. According to Hans Morgenthau, countries trying to reach their goals on the international stage do so by means of power.<sup>17</sup> However, literature dealing with realism and small states is incredibly deficient. This is not surprising as military force is not automatically the preferred or even available method in which to induce change for small states such as Kyrgyzstan and Kazakhstan. The literature present though attempts to flip realism’s prevailing argument on its head by providing strategies that contradict the realist explanation of international dynamics.

Gleason et al. argue that realist prescriptions for seeking power can actually influence actors to pursue avenues of collaboration, integration, and aggregation since

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<sup>16</sup> Gleason et al. "Realism and the Small State: Evidence from Kyrgyzstan," 42.

<sup>17</sup> Hans J. Morgenthau, *Politics Among Nations: the Struggle for Power and Peace* (New York: Knopf, 1954), 27.

the military option is not truly viable let alone preferred.<sup>18</sup> Realist doctrine would instead motivate small states with limited resources to coalesce in order to compound their minute influence. In essence, states such as Kyrgyzstan and Kazakhstan should not act like large countries but rather pursue different strategies to increase their positioning in the world.

Knowing their weak geopolitical positioning post-independence, both nations sought to hinder outside influences and competing ideologies by means of collaboration. Diplomats in Kyrgyzstan and Kazakhstan understood this lesson, which is why economic and security cooperation and agreements were prolific from the early 1990's to the mid-2000's. Integration and collaboration on these matters would actually enhance national sovereignty rather than undermine it, which is what the dominant perception of realist thinking would argue against. According to Gulnara Dadabayeva, "Kazakhstan's regional foreign policy since 1993 came to exhibit a strong preference for an integration process among the Central Asian states."<sup>19</sup> This was understood most of all by Umirserik Kasenov, Kazakhstan's foreign policy architect, who posited that,

"the strengthening of poorly developed state sovereignty in Central Asia is possible only if national development of the former Soviet Asian republics proceeds in parallel with the deepening of inter-state cooperation and integration. The effective functioning of the institutions of Central Asian integration and policy coordination will make possible the acceleration of economic development of each of the individual government of Central Asia and at the same time will solve the existing and emerging contradictions among them."<sup>20</sup>

Both nations proceeded on a vibrant campaign of joining and/or founding organizations such as the Commonwealth of Independent States, the CIS Collective Security Treaty, the Central Asian Union (later to transform into the Eurasian Economic Community "EurAsEC"), and the Shanghai Forum (later to become the Shanghai Five and subsequent Shanghai Cooperation Organization). Established in 1994, the Central Asian Union was born out of such realist thinking as it was the first supranational organization that was wholly focused on Central Asian states. It was one of the few success stories because its impetus would lead to the foundation of EurAsEc, which later became the institutional basis for the Customs Union. This collectivization of economic trajectories had the ambitious goal of increasing intra-regional trade while

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<sup>18</sup> Gleason et al. "Realism and the Small State: Evidence from Kyrgyzstan", 40.

<sup>19</sup> Gulnara Dadabayeva and Aigul Adibayeva, "Mackinder's Legacy Today: New Challenges for Kazakhstan," in *Central Asia in International Relations: The Legacies of Halford Mackinder* (London: Hurst & Co., 2013), 252.

<sup>20</sup> U. T. Kasenov, *Bezopasnost' Central'noi Azii: national'nye, regional'nye i global'nye problemy* (Almaty: Universitet "Kaïnar", 1998), 199.

marginalizing external actors, i.e. Russia and China, whose sheer economic weight could dominate foreign policy decisions. Dividends paid off for Kyrgyzstan and Kazakhstan as trade and investment grew at a decent rate.<sup>21</sup> Cooperation also led to greater regional ties as both Akaev and Nazarbaev were by far the most well-traveled in regards to visiting other Central Asian capitals.<sup>22</sup> According to Alexey Dundich, the Central Asian states wanted “to play in the international arena as a collective actor, thereby combining great economic opportunities and consolidating their political position.”<sup>23</sup>

However, these bandwagoning strategies soon became normal regional affairs with little influence thus losing their initial impetus and reasoning for existence. Upon attaining relative stability and control in their respective countries, Nazarbaev and Akaev simply sought to maintain the *status quo*. In so doing, partnerships and coalitions become derelict and spaces for contestation rather than cooperation when a common goal is lost.<sup>24</sup> As William Riker points out, “since there is no way for such a coalition to win anything, the coalition disintegrates as each member begins to seek to win something from other members.”<sup>25</sup> Consequently, this led to worries about foreign meddling or impingement upon a neighbor’s domestic and foreign policies. Combined with the growing trend towards personality politics, realist inspired integration and cooperation policies were jettisoned.

Realist foreign policy was unable to compete with the growing predominance of personality politics. While attempts at economic and security integration and cooperation strengthened a participating state’s sovereignty, the recognized importance of this political feature meant that fellow Central Asian states might jeopardize their neighbor’s sovereignty if given the chance. Personal paranoia caused Central Asian-led regional organizations to become the victims of exclusivist policies. Different models of economic development, foreign policy objectives, and domestic political

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<sup>21</sup> Alexander Cooley, *Great Games, Local Rules: The New Great Power Contest in Central Asia* (New York, NY: Oxford University Press, 2012), 149.

<sup>22</sup> Leila Zakhirova, "Is There a Central Asia? State Visits and an Empirical Delineation of the Region’s Boundaries," *The Review of Regional Studies* 42, no. 1 (2013): 40-42, accessed May 9, 2017, <http://journal.srsa.org/ojs/index.php/RRS/article/view/42.1.3>.

<sup>23</sup> Alexey Dundich, "The Heartland Today: Cooperation and the Struggle for Power," in *Central Asia in International Relations: The Legacies of Halford Mackinder* (London: Hurst & Co., 2013), 239.

<sup>24</sup> Gleason et al. “Realism and the Small State”, 44.

<sup>25</sup> William H. Riker, *The Theory of Political Coalitions* (New Haven & London: Yale University Press, 1962), 21.

considerations sometimes ran counter to those of neighboring states.<sup>26</sup> As John Anderson explains, “cooperation was sometimes rendered problematic by the different political styles of the region’s leaders, with countries such as Kazakhstan and Kyrgyzstan having to pay more attention to public opinion on issues such as sending their soldiers to defend Tajik borders.”<sup>27</sup> As a result, Central Asian attempts at regional integration largely failed to protect its interests as a whole.<sup>28</sup>

While Kyrgyzstan and Kazakhstan continued to work together occasionally on regional integration, most agreements never got off the ground or were paper tigers at best. A real world understanding of the representative countries’ tenuous positions dominated diplomatic attempts at integration on the bilateral and multilateral stages, predominantly from 1994 to 2005. However, an increasing trend of personal politics nixed future endeavors for the time being along with Kyrgyzstan’s recognition that ties with Kazakhstan “could not secure and defend its own security interests, [so] it increasingly sought to draw Russia back into a key role in the region.”<sup>29</sup> Realist prescriptions for the small state morphed into a double-edged sword as Kyrgyzstan and Kazakhstan pursued joint economic and securities ventures but such policies were eventually abandoned by the same rationale that directed them to cooperate in the first place.

### **International Relations within Central Asia**

Halford Mackinder first put Central Asia center stage in 1904 with his concept of the “Heartland”.<sup>30</sup> In the first true piece of geopolitical analysis, Mackinder posited the geocentric notion that Central Asia was the pivot region for continental (Russia, Germany, Austria-Hungary) and maritime powers (Great Britain, United States) and that whoever held sway here would be the geopolitical equivalent of *primus inter pares*. Obviously, this work was greatly influenced by the “Great Game”, which saw the British and Russian empires competing for influence and de facto control of Central

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<sup>26</sup> Galym Zhussipbek, "Exclusivist Identities in Central Asia: Implications for Regional Stability and Coopertaion," in *Nationalism and Identity Construction in Central Asia: Dimensions, Dynamics, and Directions* (London: Lexington Books, 2015), 138.

<sup>27</sup> John Anderson, *The International Politics of Central Asia* (Manchester: Manchester University Press, 1999), 200.

<sup>28</sup> Martin Spechler, "Regional Cooperation in Central Asia: Promises and More Promises," *The Fletcher Journal of Development Studies* 16, (2000).

<sup>29</sup> Gleason et al. "Realism and the Small State: Evidence from Kyrgyzstan", 49.

<sup>30</sup> Halford J. Mackinder, "The Geographical Pivot of History," *The Geographical Journal* 23, no. 4 (1904), accessed May 9, 2017, doi:10.2307/1775498.

Asia and outlying regions. Dundich explains that, “during [Mackinder’s] lifetime, the heartland was politically and economically backward and its polities only pawns on someone else’s grand chessboard, not players themselves. In Mackinder’s view, great powers would never countenance the possibility of a self-sufficient heartland because of its strategic importance.”<sup>31</sup> In taking this particular angle, Mackinder planted and nurtured the long-lasting point of view that international relations in Central Asia would always be by or in conjunction with external actors. The notion that the region’s constituents would be able to conduct their own affairs, let alone develop personalized forms of international negotiating, was largely unthinkable. In so doing, this geopolitical mindset would be overwhelmingly prevalent even a hundred years later.

Independence derived from the dissolution of the Soviet Union in 1991 certainly ushered in a series of challenges and opportunities for the new nations of Kyrgyzstan and Kazakhstan. Regional ties as a basis for bilateral relations were not necessarily so cut and dry initially as “in Soviet humanitarian and geography a conjecture term, ‘Kazakhstan and Middle Asia’ (*Kazakhstan i Srednyaya Aziya*), existed.”<sup>32</sup> Instead of Kazakhstan originally being on par with the other four Central Asian republics as we think now, Soviet thinking instead separated it as a special case in the region that straddled both the East and West. Conjoined with the task that each state must now build its foreign policy from scratch, this historical and political separation may have contributed to Kazakhstan’s development of its idea of Eurasianism as a foreign policy doctrine. As international relations became more developed in Central Asia in the early 1990’s, the concept of sovereignty took on greater and greater currency and became the linchpin for relations. Bilateral relations decisions were made according to whether they impinged upon or enhanced the nation’s sovereignty. Even if natural ties strongly inclined countries to build closer relationships, a fear of subservience or dominance by any new ‘big brothers’ compelled leaders to forego mutually beneficial relations.<sup>33</sup>

Nonetheless, Kyrgyzstan and Kazakhstan were not afraid to learn and became adept at “norm localization”. This is the process by which these two countries “borrowed foreign ideas about authority and legitimacy and fitted them into indigenous

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<sup>31</sup> Alexey Dundich, "The Heartland Today: Cooperation and the Struggle for Power," 239.

<sup>32</sup> Gulnara Dadabayeva and Aigul Adibayeva, "Mackinder’s Legacy Today: New Challenges for Kazakhstan," 250.

<sup>33</sup> Anderson, *The International Politics of Central Asia*, 188.

traditions and practices.”<sup>34</sup> From the Western world, a poignant example would be placing themselves in the international antiterrorism effort in order to quell local political and social dissent in the name of making the world a safer place. Another example comes from Russia’s concept of “sovereign democracy”. In tandem with neopatrimonialism, sovereign democracy insists that the state retain firm control of democratic institutions and norms while refraining from or even being openly hostile towards independent verification. This concept of democracy was used in Central Asia “to oppose Western standards of democracy in the name of respecting local cultures and political traditions.”<sup>35</sup>

Accordingly, Alexander Cooley wrote that international relations in Central Asia took on a local aspect with an elite-centered perspective, which reflects Acharya’s idea of “norm localization”. This can be distilled into three basic rules governing foreign relations. First, regime survival is the most imperative consideration when developing policymaking. Kyrgyzstan and Kazakhstan both independently came to the same idea where domestic and external threats were not considered separate but conflated to be one and the same.<sup>36</sup> This mindset no longer facilitated differentiations between political opponents and terrorists but also incorporated foreign domestic disturbances into external threats. When Kyrgyzstan’s first two presidencies collapsed in 2005 and 2010, Nazarbaev viewed them as destabilizing threats to his own system rather than as localized pushback by Kyrgyzstani citizen’s and elites against overtly kleptocratic regimes.<sup>37</sup>

Second, patronage politics are the ties that bind elites, therefore countries, in the region. Cooley believes that clientelism within and across borders ensures that private holdings and agenda displace the public good. During Bakiev’s tenure, Kyrgyzstan repeatedly sold electricity to Kazakhstan illegally despite rolling blackouts in many regions of the country and spiking household costs.<sup>38</sup> Third, elites play a brokering role with neighbors and other foreign actors. This is not a form of “norm localization” but was a normative approach developed during the Soviet times. Central Asian elites and

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<sup>34</sup> Amitav Acharya, "How Ideas Spread: Whose Norms Matter? Norm Localization and Institutional Change in Asian Regionalism," *International Organization* 58, no. 02 (2004): 244, accessed May 9, 2017, doi:10.1017/s0020818304582024.

<sup>35</sup> Cooley, *Great Games, Local Rules*, 10.

<sup>36</sup> Marshall Poe, dir., "Alexander Cooley "Great Games, Local Rules" November 11, 2014, accessed May 9, 2017, <https://itunes.apple.com/us/podcast/new-books-in-russian-and-urasian-studies/id422306010?mt=2>.

<sup>37</sup> *Ibid*

<sup>38</sup> Cooley, *Great Games, Local Rules*, 26.

policymakers became adept at dealing with Moscow as they assured the Politburo of their unflinching loyalty, ideological commitment, and acquiescence to demands coming from the center while raiding state coffers without mercy. Upon independence, these lessons were not only applied in-house but also in dealings with neighbors.

### **Post-Soviet Regime Dynamics**

To understand politics in Kyrgyzstan and Kazakhstan, it is important to understand the political climate in which these affairs are conducted and the inherent regime logic at play. Much of the literature on post-Soviet politics in Central Asia considers elite-led politics and disunity as a unifying theme at the base of nearly all research. With near unanimity, scholars describe Kyrgyzstan and Kazakhstan as being neopatrimonial states. In a system of this type, corruption pervades the entire society. The economy and state largely function as a pyramid scheme with the executive sending patronage down to clients who in turn send rents and political support to the executive patron. No sector of the economy is free from rent seeking and embezzlement in a neopatrimonial state.<sup>39</sup> Neopatrimonial political relations are largely functions of “private interests, personal connections, favors, promises, and privileges.”<sup>40</sup> Using what he calls the perestroika legacy model, McGlinchey argues that Kyrgyzstan and Kazakhstan are polar opposites in how their regime types came to and solidified power. Kazakhstan is a classic case as Nazarbaev himself was appointed by Gorbachev in order to quell public backlash from Gennady Kolbin’s appointment. Once independent, Narzabaev had a centralized state and functioning vertical of patronage, which allowed for firm control of the elite cadres with little threat of possible dissent in the ranks, as there was a ready supply of other capable technocrats should a client choose to dissent.<sup>41</sup> Unlike Kazakhstan, McGlinchey believes that Kyrgyzstani elite disunity and political competition appeared due to a combination of Gorbachev era reforms and Akaev liberalization. He postulates that elite disunity made elite payoffs prohibitively expensive, which prevented Kyrgyzstani presidents from effectively creating a single, unified power vertical as found in neighboring Kazakhstan and Uzbekistan.<sup>42</sup>

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<sup>39</sup> Marlene Laruelle. “Discussing Neopatrimonialism and Patronal Presidentialism in the Central Asian Context.” *Demokratizatsiya*, 20, no. 4 (2012). 305.

<sup>40</sup> Erica Marat, “Kyrgyzstan: A Parliamentary System Based on Inter-Elite Consensus,” *Demokratizatsiya* 20, no. 4 (2012): 327.

<sup>41</sup> McGlinchey, *Chaos, Violence, Dynasty*, (chapter 1, section 1).

<sup>42</sup> *Ibid*, (chapter 1, section 2).

While McGlinchey's work predominantly focuses on the methods by which the Kyrgyzstani and Kazakhstani states manage elite disunity and disloyalty, Scott Radnitz adds a new aspect to the understanding of Kyrgyzstani elite politics, which is nonexistent in neighboring Kazakhstan. Radnitz lends less emphasis to investigating how the Kyrgyzstani elites are controlled by the state and more on how the Kyrgyzstani elites themselves use subversive clientelism to mobilize their constituencies in what he describes as the mass mobilization infrastructure linking elites with each other horizontally and vertically to their clients. Because the state is generally weak, the elites largely succeeded in supplanting the state outside of the capital during the economic liberalization and privatization of the 1990s. If the elites are threatened collectively, they are incentivized to coalesce and mobilize their individual constituencies en masse as was done so effectively in the 2005 and 2010 revolutions.<sup>43</sup>

Taking a new perspective apart from the prevailing literature, Henry Hale writes that neopatrimonialism is too focused on power, clientelism empowers the client too much, and informal politics fail to consider the fact that informal politics can be formalized. Instead he offers a system of patronal politics that focuses on the predominant role of patrons and the larger dynamics of neopatrimonialism, clientelism, and informal politics simultaneously. For Hale, only in taking such a broader view can one truly discern the functioning of the single-pyramid system in Kazakhstan or the competing-pyramids in Kyrgyzstan. At the core of patronal politics is expectation. Power and influence in this system are based on the elites' expectation of future rewards and the certainty of future punishment. The expectation of a patron's power empowers the patron, and the minute this power is in doubt, regime instability is introduced. For this reason, social upheaval and massive civil unrest has occurred at times in Kyrgyzstani history in which the power of the president was in doubt due to perceived lame duck status and public opinion was at a low ebb.<sup>44</sup> Juxtapose this with Kazakhstan's near monolithic elite stability. Elite withdrawal from patronage structures is at the behest of Nazarbaev rather than elite dissention, thus eliminating any doubt as the foci of power and significantly raising the stakes for elite risk-taking.<sup>45</sup>

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<sup>43</sup> Scott Radnitz, *Weapons of the Wealthy: Predatory Regimes and Elite-Led Protests in Central Asia* (Ithaca: Cornell University Press, 2010), 197.

<sup>44</sup> Henry E. Hale, *Patronal Politics: Eurasian Regime Dynamics in Comparative Perspective* (Cambridge: Cambridge University Press, 2015), 12.

<sup>45</sup> *Ibid.*, 65.

Although 2010 was not the first time a Kyrgyzstani president had been deposed by large-scale civil unrest and mass mobilization, the ensuing changes to the Kyrgyzstani constitutional order resulted in a fairly significant break from the pre-2010 regime. Kyrgyzstan abruptly shifted from a presidential system dominated by a single-power pyramid to a divided executive system with the informal rules of competing-power pyramids formalized in the constitution. This fundamental change to the constitution changed the perceived expectations of where power resided in Kyrgyzstani politics. The power of a constitution in a patronal system is in its ability to define expectations. Constitutions are less important for the formal rules they set forth but rather for the fact that they influence “expectations regarding how informal (para-constitutional) politics is organized.”<sup>46</sup> The formal rules set forth by the constitution are often reflections of where power currently lies within the political structure, which are further reinforced by the expectation of future power. Hale describes this dynamic and the role of expectations in producing and perpetuating political power as being similar to that of the collective action dilemma during a bank run.

The divided-executive system enshrined in the 2010 Kyrgyzstani constitution separates certain aspects of political power between the executive and legislative branches, which in turn gives room for competing networks to form and struggle for power. If separate elite pyramids hold the legislature and presidency, then the system allows space for additional competing pyramids to form, playing the president and prime minister off of each other. This larger space for competition lends a more democratic appearance to the proceedings and allows for dissent and opposition journalism<sup>47</sup>.

The distinction between Kyrgyzstani politics before and after 2010 is truly profound in that it was not simply a change in government but, according to many political scientists, it was truly a regime change. While many of today’s elites in Kyrgyzstan have remained relevant since the Akaev and Bakiev eras, it is important to disaggregate the state, regime, and government. The state is the locus of power and most permanent of the three. It is the power ministries, the legislature, and the state institutions, whereas the government is comprised of the elites and political actors in

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<sup>46</sup> *Ibid*, 77.

<sup>47</sup> *Ibid*, 80-81.

power. As such it is the most volatile and prone to change of the three aspects.<sup>48</sup> The key difference between 2005 and 2010 was in the change of regime. Not simply a group of political actors as is commonly thought, the regime actually refers to the rules and systems of governance in place that dictate how, when, and why one may use and access power and is dependent on everyone within the system to accept the rules of the regime as well as accept the government's rules as binding. The governments of Akaev and Bakiev were largely similar in their approach to governing and their authoritarian styles. It was not until the presidential system was shelved in exchange for an empowered parliament that Kyrgyzstan truly witnessed a regime change.<sup>49</sup>

As a result of this regime change, the informal rules that had led to two revolutions against a single-power pyramid were enshrined in the formal constitution. According to Erica Marat, the 2010 Constitution can best be described as a compromise among the elites behind the 2005 and 2010 revolutions. In an effort to learn from modern Kyrgyzstani history, the new constitution shifted the balance of power specifically to prevent any one network from capturing control as Akaev and Bakiev had before and set out to regulate and tame the inter-elite competition that had led directly to two revolutions. Marat considers this to be “regulated neopatrimonialism”<sup>50</sup> and writes that, while not necessarily democratic at its core, the 2010 constitution may effectively prevent one-party rule from dominating Kyrgyzstani politics once more.<sup>51</sup>

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<sup>48</sup> Sally Cummings et al., “State, Regime, and Government in the Kyrgyz Republic (1991–2010): Disaggregating a Relationship.” *East European Politics*, 29, no. 4 (2013). 447-448.

<sup>49</sup> *Ibid.*, 458.

<sup>50</sup> Marat, “Kyrgyzstan: A Parliamentary System Based on Inter-Elite Consensus.” 327.

<sup>51</sup> *Ibid.*, 344.

## Previous Iterations of Bilateral Relations

This chapter seeks to give background on Kyrgyzstan-Kazakhstan bilateral relations from independence to shortly after the 2010 regime change in Kyrgyzstan. Discussing previous iterations of cross-border ties will shed light upon attempted trajectories and lessons learned. During Akaev's regime, normal ties with Nazarbaev were established but attempts at dynastic associations gave foreign policy decisions between the two a uniquely Central Asian flavor. Under Bakiev, cross-border politics mainly encompassed a security aspect with both leaders seeking to strengthen their holds on power during seemingly inauspicious times. Lastly, the events and negotiations in the months following the 2010 revolution in Kyrgyzstan are covered as this time was critical in influencing the mood and nature of relations with Kazakhstan until now.

While this chapter may take on a predominantly Kyrgyzstani perspective, this is not in exclusion of Kazakhstan and its importance to the relationship. It is simply formulated in this manner because, while Kazakhstan under Nazarbaev has remained a near constant in its course since independence, Kyrgyzstan's erratic political nature and multiple presidencies make it the variable by which change can be judged.

### Relations under Askar Akaev

Bilateral relations between Kyrgyzstan and Kazakhstan initially began at the same starting point, as both countries were newly independent and developing foreign policy objectives from scratch. While building a rapport with foreign donors and powers, neighborly relations were critical as a myriad of issues needed to be dealt with. Two treaties cemented basic relations, the *Treaty on Eternal Friendship between the Republic of Kazakhstan and the Kyrgyz Republic*<sup>52</sup> and the *Treaty on Allied Relations between the Kyrgyz Republic and the Republic of Kazakhstan*.<sup>53</sup> While the former includes the usual boilerplate, bureaucratic jargon and promises of neighborly relations conducted in good faith along with promises to enhance ties in the future, the latter is noteworthy for its establishment of governmental working groups that will be covered later in this thesis.

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<sup>52</sup> Treaty of Eternal Friendship between the Republic of Kazakhstan and the Kyrgyz Republic (*Договор о вечной дружбе между Республикой Казахстан и Кыргызской Республикой*). April 8, 1997. [http://base.spininform.ru/show\\_doc.fwx?rgn=4014](http://base.spininform.ru/show_doc.fwx?rgn=4014).

<sup>53</sup> Treaty on Allied Relations between the Kyrgyz Republic and the Republic of Kazakhstan, (*Договор о союзнических отношениях между Кыргызской Республикой и Республикой Казахстан*), December 25, 2003. [http://base.spininform.ru/show\\_doc.fwx?rgn=7399](http://base.spininform.ru/show_doc.fwx?rgn=7399)

These include the Supreme Interstate Council, the Kyrgyz-Kazakh Intergovernmental Council, and the Kyrgyzstan and Kazakhstan Council of Foreign Ministers.<sup>54</sup> One area of marked workmanship and improvement was in the delimitation and demarcation of the shared border.

Both soon convened to remedy border issues, which stemmed from the Soviet legacy. Given the fact that the borders of Soviet republics were largely meaningless, it was never truly an issue if they failed to parallel natural geographic features or bisected large ethnic groups. This all changed, of course, with the dissolution of the Soviet Union as once insignificant administrative lines became real political points of contention. Also, Central Asian leaders often possessed opposing territorial claims as the ambiguous situation allowed for potential land seizures in some regions. However, Kyrgyzstan and Kazakhstan were the only two countries to actually gather and strive for a resolution.

The first treaty to tackle the issue was the *Agreement between the Republic of Kazakhstan and the Kyrgyz Republic on the Kazakh-Kyrgyz State Border*.<sup>55</sup> Beginning with Article 1, the accord lays out in minute detail the exact limitations of the mutual border with Khan Tengri constituting the origin of measurement. This tangible success was followed up by the *Agreement Between the Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan Concerning Checkpoints Across the State Border*.<sup>56</sup> This legislation was significant for several reasons. It provided the physical demarcation of the border by dictating the placement of concrete markers with the cost being evenly split between the two countries but, more importantly, it also formalized and established procedures for border checkpoints. Though seemingly benign and normal in state affairs, this rapid progress was unique for Central Asia, especially considering the topic, and Kyrgyzstan and Kazakhstan were the first countries

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<sup>54</sup> Embassy of the Kyrgyz Republic in the Republic of Kazakhstan.

<http://www.kyrgyzemb.kz/index.php/ru/o-sotrudnichestve-kr-i-rk>

<sup>55</sup> Agreement between the Republic of Kazakhstan and the Kyrgyz Republic on the Kazakh-Kyrgyz state border, (*Договор между Республикой Казахстан и Кыргызской Республикой о казахстанско-кыргызской государственной границе*), December 15, 2001.

[http://base.spinform.ru/show\\_doc.fwx?rgn=4900](http://base.spinform.ru/show_doc.fwx?rgn=4900)

<sup>56</sup> Agreement between the Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan Concerning Checkpoints Across the State Border, (*Соглашение между Правительством Кыргызской Республики и Правительством Республики Казахстан о пунктах пропуска через государственную границу*), December 25, 2003. [http://base.spinform.ru/show\\_doc.fwx?rgn=7406](http://base.spinform.ru/show_doc.fwx?rgn=7406)

in the region to officially resolve all border claims and boundaries.<sup>57</sup> While headway was made at the time concerning the nuts and bolts of bilateral relations between Kyrgyzstan and Kazakhstan, it was the personal machinations of Akaev and Nazarbaev themselves, which ushered in a more intimate approach to statecraft.

Given both countries' neopatrimonial natures and propensity for using the state as vehicles for personal gain rather than as public bodies, it was nonetheless surprising when it was announced in 1998 that Aidar Akaev, son of Kyrgyzstani president Askar Akaev, and Alia Nazarbaeva, daughter of Kazakhstani president Nursultan Nazarbaev, were to be married. Dubbed the "royal wedding of Central Asia", it demonstrated the personal ties and durability of kleptocratic regimes.<sup>58</sup> The ceremony was held in Cholpon-Ata and was administered by renowned Kyrgyzstani writer Chingiz Aitmatov.<sup>59</sup> While the marriage did not last long and no children were born of it, it nonetheless sheds light on the personal influences involved in bilateral relations.<sup>60</sup> Another instance of personal cross-border ties was the marriage of Bermet Akaev and Kazakhstani citizen Adil Tojgonbaev. Much like her father, Bermet was involved in political affairs, but Adil had bigger plans given his strategic positioning thanks to his wife and father-in-law. According to local journalists, Adil "oversaw virtually every profitable industry in Kyrgyzstan, controlling in particular the market for alcohol, [and] owned several broadcasting companies and popular newspapers, including 'Evening Bishkek.'"<sup>61</sup> The marriage ran the same course as Aidar and Alia's with Adil eventually finding himself sought after by the Kyrgyzstani authorities. Seeking refuge in his native Kazakhstan from criminal charges, Astana flatly refused Bishkek's extradition requests.<sup>62</sup> This is worth noting as it demonstrates that not all personal ties or connections between Kyrgyzstan and Kazakhstan were inviolate. Astana was clearly willing to spoil some goodwill with Bishkek in exchange for one of its own. Despite the closeness that developed between the two leaders and their obvious resolution of thorny

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<sup>57</sup> "Delimitation and Demarcation of State Border." Ministry of Foreign Affairs of the Republic of Kazakhstan. January 30, 2014. Accessed May 10, 2017. <http://mfa.gov.kz/index.php/en/foreign-policy/current-issues-of-kazakhstan-s-foreign-policy/delimitation-and-demarcation-of-state-border>.

<sup>58</sup> Eric W. Sievers, *The Post-Soviet Decline of Central Asia: Sustainable Development and Comprehensive Capital* (London: RoutledgeCurzon, 2003), 79.

<sup>59</sup> "Nazarbaev's Son, Akaev's Daughter Married," *The Jamestown Monitor* 4, no. 140 (July 22, 1998), accessed May 10, 2017, <https://jamestown.org/program/nazarbaevs-son-akaevs-daughter-are-married/>.

<sup>60</sup> "Youngest daughter of Nursultan Nazarbayev gave birth to a daughter," *Tengri News*, July 20, 2011, accessed May 10, 2017, [https://en.tengrinews.kz/kazakhstan\\_news/Youngest-daughter-of-Nursultan-Nazarbayev-gave-birth-to-a-3283/](https://en.tengrinews.kz/kazakhstan_news/Youngest-daughter-of-Nursultan-Nazarbayev-gave-birth-to-a-3283/).

<sup>61</sup> Cholpon Orozobekova, "The Deep Roots Of Nepotism In Central Asia," *RFE/RL*, December 15, 2010, accessed May 11, 2017, [https://www.rferl.org/a/deep\\_roots\\_of\\_nepotism\\_in\\_central\\_asia/2249061.html](https://www.rferl.org/a/deep_roots_of_nepotism_in_central_asia/2249061.html).

<sup>62</sup> *Ibid*

bilateral issues, endangering bilateral cooperation by pursuing individual interests was not out of the realm of possibility.

Lastly, both the Akaev and Nazarbaev regimes shared remarkable similarities in their monopolization of wealth. Nazarbaev was especially adept at consolidating oil and gas wealth pulled from Kazakhstan's western regions and using this money to strengthen the established power vertical. Akaev on the other hand, though lacking Kazakhstan's natural mineral and resource wealth, used funds leveraged from international donors and later lucrative fuel contracts for the United States' Manas Air Base to bolster his position in the country.<sup>63</sup> Where the two differed was in their willingness to accrue assets to the point of disrupting their patronage systems. Unlike Nazarbaev, Akaev and his family became so rapacious that elite supporters eventually defected in droves and subsequently became opposition members when it was evident that the presidential family had no interest in sharing state resources.

The resulting Tulip Revolution saw the removal of Askar Akaev on March 24, 2005. In response to the political turmoil in Kyrgyzstan, Kazakhstan made a unilateral decision to close the border immediately.<sup>64</sup> This is a direct breach of Article VI of the *Agreement between the Republic of Kazakhstan and the Kyrgyz Republic on the Kazakh-Kyrgyz State Border* which reads that whoever "initiates such limitations or movement along checkpoints must notify the other Party through diplomatic channels no later than 24 hours before the planned time of their introduction along with the reasons and timing of their actions."<sup>65</sup> The closure of the border was meant to stymie the possible spillover of the latest Color Revolutions, which had previously taken place in Georgia in 2003 and Ukraine in 2004. Shortly afterwards, Nazarbaev himself lamented the fact that "Kyrgyzstan...is suffering, as are the poor people of Georgia; we are seeing what is happening in Ukraine. Of course we need to consider good advice, but we also recognize what is specific to democracy in our own country, which never in history has had a democratic tradition."<sup>66</sup> This episode is important for two reasons. First, the unilateral decision by Kazakhstan to shut down the border crossings not only violated treaty obligations with Kyrgyzstan but also set a precedent that would be exercised increasingly in the future. The fact that Kyrgyzstan was not in a position to adequately

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<sup>63</sup> McGlinchey, *Chaos, Violence, Dynasty*, 98.

<sup>64</sup> Serochtanova, "Astana closes borders with Kyrgyzstan, Kazakh banks freeze offices in Bishkek."

<sup>65</sup> Agreement between the Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan Concerning Checkpoints Across the State Border.

<sup>66</sup> Cooley, *Great Games, Local Rules*, 112.

protest perhaps emboldened Kazakhstan to continue exercising this option in future disputes. Second, the removal of Akaev and Nazarbaev's immediate response showcases the anxiety and fear that such political change emanating from Kyrgyzstan was not in Kazakhstan's interest and put them on edge. Even though bilateral relations between Bishkek and Astana were productive and very personal at times during the Akaev era, the manner in which this relationship ended certainly influenced the trajectory of Kyrgyzstan-Kazakhstan relations under Kyrgyzstan's new president, Kurmanbek Bakiev.

### **Relations under Kurmanbek Bakiev**

Kurmanbek Bakiev was appointed acting president by the Jogorku Kenesh following Akaev's sudden departure and was elected as Kyrgyzstan's second president on July 10, 2005, with 89% of the vote.<sup>67</sup> Originally from the south of the country, Bakiev promised to usher in reforms and severely curtail the nepotism and blatant corruption that was rampant under Akaev. However, such promises did not last long. Essentially it was more of the same as Bakiev and his son, Maksim, pursued and accumulated state resources with the same vim and vigor as Akaev and his son, Aidar.<sup>68</sup> The prized possession in this hunt was, again, the lucrative fuel contracts at Manas. The manner of Bakiev's ascent to the presidency and his avaricious desire for more wealth had a tremendous effect on Kyrgyzstan-Kazakhstan cross-border ties for the next five years.

Upon Bakiev's assuming office, ties were quickly restored with Kazakhstan though the nature of the official and personal relationship between Bakiev and Nazarbaev was much more formal. At the behest of Nazarbaev, Bakiev was invited for his first official state visit on July 4, 2006. While in Astana, both presidents signed the *Joint Declaration of the President of the Kyrgyz Republic, Kurmanbek Bakiev, and the President of Kazakhstan, Nursultan Nazarbyev, on Further Deepening Bilateral Relations Between the Kyrgyz Republic and the Republic of Kazakhstan*, which reiterated commitments and goals for increased cross-border trade and mutual investments in each other's business spheres.<sup>69</sup> Despite this olive branch and seemingly

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<sup>67</sup> "Bakiev sworn in as Kyrgyz leader," *BBC News*, August 14, 2005, accessed May 11, 2017, <http://news.bbc.co.uk/2/hi/asia-pacific/4150084.stm>.

<sup>68</sup> McGlinchey, *Chaos, Violence, Dynasty*, 103.

<sup>69</sup> Joint Declaration of the President of the Kyrgyz Republic, Kurmanbek Bakiev, and the President of Kazakhstan, Nursultan Nazarbaev, on Further Deepening Bilateral Relations Between the Kyrgyz Republic and the Republic of Kazakhstan, (*Совместная Декларация Президента Кыргызской Республики К.С.Бакиева и Президента Республики Казахстан Н.А.Назарбаева о дальнейшем*

opportune chance for more productive ties, the states negated this hope and continued on a further downward trajectory with private motives now clearly taking over those of the nation. Gone were the personal and familial ties that had once bound the two countries and instead were two leaders who sought to continue accruing massive amounts of wealth and the means to secure those assets and their positions. Unsurprisingly, two of the most notable instances of state corruption in Central Asia occurred during this period, the Giffen Affair for Kazakhstan and Mina Corp. for Kyrgyzstan.

James Giffen was an American businessman who in the early 90's advised Nursultan Nazarbaev and eventually became the gatekeeper to Kazakhstan's oil wealth. Giffen assisted the Kazakhstani state by arranging introductions and deals with American oil companies. For every successfully negotiated contract, Giffen's company, Mercator, would receive a cut of the overall deal while at the same time funneling additional portions of the contract away from state coffers and into undeclared Swiss bank accounts held by Kazakhstan's elite, including Nazarbaev and his family.<sup>70</sup> Swiss and American authorities eventually got wind of these murky transactions and proceeded to open a criminal case into Mercator's business dealings. American prosecutors claimed that over the years Mercator had accumulated at least \$67 million from brokering fees associated with massive oil contracts.<sup>71</sup> More importantly, they also discovered that Nazarbaev and two senior politicians had received hidden payments totaling \$78 million since 1995.<sup>72</sup> Fearful that U.S. prosecutors would seize his assets and spoil his country's fledgling reputation, Narzabaev brokered a deal where the uncovered funds would be dispersed to benefit underprivileged Kazakhstani children.<sup>73</sup> While never admitting publicly that these accounts were actually his, Nazarbaev probably felt that this was the best course in which to save face. Echoing this extent of personal cooptation of public resources, Bakiev pursued the same tactic with U.S. military fuel contracts.

With American and NATO forces heavily invested in Afghanistan, the Manas Air Base outside Bishkek was an important logistical base for men and material. Like in

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углублении двусторонних отношений между Кыргызской Республикой и Республикой Казахстан), July 4, 2006. [http://base.spinform.ru/show\\_doc.fwx?rgn=13913](http://base.spinform.ru/show_doc.fwx?rgn=13913)

<sup>70</sup> Steve LeVine, *The Oil and the Glory: the Pursuit of Empire and Fortune on the Caspian Sea* (New York: Random House, 2007), 288-289.

<sup>71</sup> *Ibid.*, 377.

<sup>72</sup> *Ibid.*, 378.

<sup>73</sup> Cooley, *Great Games, Local Rules*, 140.

most cases, fuel resupply was outsourced to local entities so these multi-million dollar contracts were intensely tempting for the newly elected Bakiev. Taking a page out of Akaev's playbook, Bakiev appointed his son, Maksim, to oversee the acquisition via a recently founded company, Mina Corp. According to U.S. intelligence officials, "they simply changed the names of the companies but the scheme remained the same."<sup>74</sup> The monopoly on fuel contracts eventually netted the Bakiev family around \$8 million dollars a month during their tenure, and was only truly discovered after they had been chased from the country.<sup>75</sup> The degree to which the public coffers were pilfered during this time period was staggering. Both Bakiev and Nazarbaev's personal proclivities for patrimonial enrichment eventually led them to find ways to secure that wealth from prying eyes. In 2009, the Shanghai Cooperation Organization provided them a means to do just that.

The Shanghai Five was initially founded in 1996 to settle border demarcation and delimitation between China and its Central Asian neighbors. In 2001, this group transformed into the current Shanghai Cooperation Organization, which took on a much more security and economic-centered role for member states. According to one newspaper, this shift in objectives was to "help special services of the member states to bypass obstacles presented by national legislation and by the norms of international law on giving up suspects."<sup>76</sup> While the Chinese sought to crush Uighur dissent in Xinjiang and other nearby regions, Central Asian states used the organization as a means to quash political opponents or quell inquisitive journalists at home. The key piece of legislation that facilitated these actions was the *Convention of the Shanghai Cooperation Organization against Terrorism* in 2009.<sup>77</sup> According to Articles 14-18, not only were security services of member states allowed to operate on another country's territory without notice or reasoning, but an extradition request from a member state must be answered by the recipient within 72 hours lest the recipient be reprimanded.<sup>78</sup> The ability for state security services to operate on foreign territory meant that individuals who provoked the ire of Central Asia's leaders were no longer safe by hopping borders

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<sup>74</sup> Andrew E. Kramer, "Fuel Sales to U.S. at Issue in Kyrgyzstan," *New York Times*, April 11, 2010, accessed May 11, 2017, <http://www.nytimes.com/2010/04/12/world/asia/12manas.html>.

<sup>75</sup> *Ibid*

<sup>76</sup> "State Security Without Borders" (*GB bez granits*). *Novaya Gazeta*, August 21, 2008. Accessed May 11, 2017.

<sup>77</sup> Convention of the Shanghai Cooperation Organization against Terrorism, 2009.

<http://eng.sectsco.org/documents/>

<sup>78</sup> *Ibid*

or even staying in the region. One case in particular sheds light on the confluence of economic and security ties between Kyrgyzstan and Kazakhstan.

On December 16, 2009, Kyrgyzstani journalist Gennady Pavlyuk, known for his investigative journalism involving elite corruption of the Bakiev regime, went to Almaty from Bishkek one weekend but never returned.<sup>79</sup> The next day his body was found outside a building with his arms and legs bound with duct tape, as he had been thrown from the six-story building in which he was staying.<sup>80</sup> The subsequent investigation was unsurprisingly filled with delays and uncoordinated efforts by the Kyrgyz and Kazakh General Prosecutors.<sup>81</sup> However, three men were convicted and sentenced to 17 years in prison by a Kazakhstani court in 2011.<sup>82</sup> Interestingly, one of those convicted was a former Kyrgyzstani security services officer.

The time and subject of the murder of this journalist raises some interesting points. First, the fact that Gennady Pavlyuk was a well-known journalist that often challenged Bakiev's decision-making and routinely investigated instances of political corruption certainly attracted Bishkek's attention. Two other investigative journalists, Alisher Saipov and Almaz Tashiev, had already been killed during Bakiev's time as president so the fact that Kyrgyzstan was increasingly unsafe for journalists was well established.<sup>83</sup> Second, this was occurring at a time in which Bakiev was extremely active in skimming profits off jet fuel contracts through his son's business front. The timing is worthy of note as this was shortly after the adoption of the 2009 SCO protocol, which allowed the security services of SCO member states to traverse and hunt wanted individuals on each other's territory without impunity. Hardly surprising that a Kyrgyzstani journalist would be sought after in Almaty, which is just a three-hour drive from the border. Lastly, while security services were able to roam freely, it is highly unlikely that this murder was ad hoc and not sanctioned at the highest levels by both Kyrgyzstan and Kazakhstan since Kazakhstan would obviously need to initiate the

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<sup>79</sup> "Prominent Kyrgyz Journalist Killed in Kazakhstan." *Committee to Protect Journalists*. December 22, 2009, Accessed May 11, 2017. <https://cpj.org/2009/12/prominent-kyrgyz-journalist-killed-in-kazakhstan.php>.

<sup>80</sup> Farangis Najibullah. "Death Of Kyrgyz Journalist Follows Disturbing Pattern." *RadioFreeEurope/RadioLiberty*. December 23, 2009. Accessed May 11, 2017. [https://www.rferl.org/a/Violent\\_Death\\_Of\\_Kyrgyz\\_Journalist\\_Follows\\_A\\_Disturbing\\_Pattern/1910726.html](https://www.rferl.org/a/Violent_Death_Of_Kyrgyz_Journalist_Follows_A_Disturbing_Pattern/1910726.html).

<sup>81</sup> "Kazakh General Prosecutor's Office has not forwarded criminal case on Gennady Pavlyuk's murder to Kyrgyz Prosecutor's Office." *AKIpress News Agency*. December 29, 2009. Accessed May 11, 2017. <http://akipress.com/news:124871/>.

<sup>82</sup> "Three Sentenced In Kazakhstan For Kyrgyz Journalist's Murder," October 12, 2011, accessed May 16, 2017, [https://www.rferl.org/a/three\\_sentenced\\_in\\_kazakhstan\\_kyrgyz\\_journalists\\_murder/24356279.html](https://www.rferl.org/a/three_sentenced_in_kazakhstan_kyrgyz_journalists_murder/24356279.html).

<sup>83</sup> Najibullah, "Death Of Kyrgyz Journalist Follows Disturbing Pattern."

investigation given that it would occur on their territory. This unfortunate situation gives strong credence to the view that both Kyrgyzstan and Kazakhstan were partnering on security matters at the time. While personal enrichment and protecting illegally accumulated funds largely constituted bilateral ties between 2005-2010, domestic policy was one area where both countries and leaders developed issues and confrontations.

Both leaders possessed diametrically opposed strategies regarding domestic policy. Since Kazakhstan's independence, Nazarbaev had taken great pains to cultivate his inclusive policy of "Eurasianism". This was largely necessary at the time since ethnic Kazakhs constituted a minority (40.1%) in the state post-independence.<sup>84</sup> Later this concept not only "developed its own ideological genealogy [but became] based on Nazarbayev's personal legitimacy."<sup>85</sup> It evolved into a robust domestic and foreign policy tool that invoked the geographic and ethnic situation of Kazakhstan as being at the crossroads of East and West, Europe and Asia, Russia and the East. Unlike Nazarbaev, Bakiev took a far different approach, as ethnic nationalism became the basis of Kyrgyzstan's domestic agenda. Erica Marat highlights that "the introduction of 'Manasology' (*manasovedenie*) as a required course in all schools, elevating the status of the Kyrgyz language, celebrating Kyrgyz cultural heritage in public events, and calling for ethnic Kyrgyz to be considered a privileged group" were hallmarks of Bakiev's tenure.<sup>86</sup> Adakhan Madumarov, then Head of State Ideology from 2006-07, unequivocally embodied ethnic nationalism when he stated that "Kyrgyzstan is indeed our common home, but other [ethnic groups] here are tenants."<sup>87</sup> Such a statement explicitly demonstrates that each country's domestic policies were diametrically opposed and could not be relied upon for the maintaining let alone strengthening of ties.

Eventually, the ties that bound Kyrgyzstan and Kazakhstan together during Bakiev's time in office were not enough to offset the rising public and elite discontent boiling in Kyrgyzstan. On April 6, protests broke out in front of Talas oblast's

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<sup>84</sup> Sally N. Cummings, *Kazakhstan: Power and the Elite* (London: I.B. Tauris, 2005), 2.

<sup>85</sup> Marlene Laruelle, *Eurasia, Eurasianism, Eurasian Union: Terminological Gaps and Overlaps*, publication no. 366, July 2015, 2-3, accessed May 11, 2017, [http://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm366\\_Laruelle\\_July2015.pdf](http://www.ponarseurasia.org/sites/default/files/policy-memos-pdf/Pepm366_Laruelle_July2015.pdf).

<sup>86</sup> Erica Marat, "We Disputed Every Word," in *Kyrgyzstan beyond "Democracy Island" and "Failing State"*, ed. Marlene Laruelle and Johan Engvall (London: Lexington Books, 2015), 213.

<sup>87</sup> Kabulov, Egamberdi. "Kyrgyzstan: Human Rights Activists Are Concerned about Rise in Social Nationalist Trends." *Fergana News*. March 05, 2007, Accessed May 11, 2017. <http://www.fergananews.com/articles/4953>.

administrative headquarters with protestors reaching Bishkek the following day.<sup>88</sup> Running battles between protestors, riot police, and sharpshooters posted on the White House roof lasted for most of the day with Bakiev and his associates eventually fleeing to his native Jalal-Abad and then Minsk.<sup>89</sup> With Bakiev successfully removed, the interim government quickly moved to establish a functioning governing structure. The decisions taken by it in the coming weeks and months and Kazakhstan's responses to Kyrgyzstan's new trajectory would have ramifications for bilateral relations to the present day.

### **Relations under Roza Otunbaeva**

With the interim government in Kyrgyzstan quickly consolidating power following the bloody ouster of Kurmanbek Bakiev, oppositionist Roza Otunbaeva was thrust into the caretaker role of interim president. Hardly a political neophyte, she had previously served as foreign minister and ambassador to the US (1992-94) and the UK (1997-2002) under the Akaev regime and was also a founding member of Bakiev's Ata-Jurt party.<sup>90</sup> She was eventually elected to parliament as an opposition member in 2007, where she stayed until the April 7 events. However, since her new position relied upon elite consensus rather than formal or structural consolidation, her task of organizing the various government factions was unsurprisingly difficult. According to Erica Marat, "competition, suspicions, and personal intrigues plagued the interim leaders, with each trying to insert their own cadres into the new government. While Otunbaeva enjoyed the support of many in Bishkek and beyond, most of the decisions made by the provisional government were made without her knowledge. She often served as a mediator for competing interests."<sup>91</sup> However, with unenviable circumstances surrounding the newly appointed president, Kazakhstan and its chairmanship of the OSCE at the time further complicated matters for both Kyrgyzstan and Kazakhstan.

Kazakhstan had much to celebrate on January 1, 2010. It became the first country in Central Asia elected to chair the OSCE, which was a political coup for

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<sup>88</sup> Murat Laumulin, "April 2010 in Kyrgyzstan: As Seen from Kazakhstan," *Central Asia and the Caucasus* 11, no. 2 (2010): 33, accessed May 15, 2017, <http://cyberleninka.ru/article/n/april-2010-in-kyrgyzstan-as-seen-from-kazakhstan>.

<sup>89</sup> Harding, "Ousted Kyrgyzstan president begins new life in Belarus."

<sup>90</sup> McGlinchey, *Chaos, Violence, Dynasty*, 99.

<sup>91</sup> Erica Marat, "Kyrgyzstan: A Parliamentary System Based on Inter-Elite Consensus", 333.

Astana.<sup>92</sup> Kazakhstan was an interesting choice given that, even those monitored by the OSCE itself, no elections in Kazakhstan's history have ever been declared "free and fair".<sup>93</sup> Nonetheless, this was a political and foreign policy victory for Nazarbaev as it provided a degree of legitimation for his vision and trajectory of Kazakhstan's domestic and foreign politics. Meanwhile, the choice made by Kazakhstan in the immediate wake of Bakiev's removal is a poignant demonstration of the path of Kyrgyzstan-Kazakhstan relations and how it would deal with the unstable country in the future.

Following the same protocols it initiated in the wake of the Tulip Revolution, Kazakhstan again made a unilateral decision to close all border crossings and checkpoints with Kyrgyzstan on April 7.<sup>94</sup> The initial Kazakhstani reports stated that the shuttering of the border was due to stem a possible weapons glut in Kyrgyzstan but there was another proposed reasoning for it.<sup>95</sup> Kyrgyzstani businessman Uluk Kydyrbaev suggested that one prevailing reason for the continued closed border was because Astana was waiting to see if Kazakhstani investments and business assets were to be seized or nationalized by the new government in Bishkek.<sup>96</sup> Seeing as Kazakhstan is the third largest contributor of FDI in Kyrgyzstan, this idea appears to hold water. In light of this, it was imperative that Bishkek appease Astana and sway them to reopen the border.

Since Kyrgyzstan's economy relies heavily on exporting its good and products north via Kazakhstan, it was imperative for the interim government to solidify its control and reopen the country's economic lifeline. While Otunbaeva and other opposition figures achieved political consolidation relatively quickly, the border remained closed for weeks and even months, which was a distinct break from 2005. According to news reports, Nazarbaev and Otunbaeva had verbally agreed to reopen the border on May 11, but Astana reneged on the arrangement and maintained shuttered

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<sup>92</sup> "Kazakhstan takes over OSCE Chair, seeks to strengthen Organization and advance dialogue on future European security architecture." *Organization for Security and Co-Operation in Europe*. January 1, 2010, Accessed May 12, 2017. <http://www.osce.org/cio/51810>.

<sup>93</sup> "Elections in Kazakhstan." *Elections in Kazakhstan | OSCE*. Accessed May 12, 2017. <http://www.osce.org/odihr/elections/kazakhstan>.

<sup>94</sup> "Kazakhstan 'Breaks Pledge' To Reopen Border With Kyrgyzstan." *RadioFreeEurope/RadioLiberty*. May 12, 2010, Accessed May 12, 2017.

[http://www.rferl.org/content/Kazakhstan\\_Breaks\\_Pledge\\_To\\_Reopen\\_Border\\_With\\_Kyrgyzstan\\_/2040238.html](http://www.rferl.org/content/Kazakhstan_Breaks_Pledge_To_Reopen_Border_With_Kyrgyzstan_/2040238.html).

<sup>95</sup> "Bishkek Suffering from De-Facto Trade Embargo Following Upheaval." *EurasiaNet.org*. May 02, 2010. Accessed May 12, 2017. <http://www.eurasianet.org/node/60965>.

<sup>96</sup> *Ibid.*

border crossings.<sup>97</sup> Omurbek Tekebaev, then interim government deputy head, responded that the closed border was tantamount to an “economic embargo”, which would depress and further weaken the already seething and suffering Kyrgyzstani state.<sup>98</sup> Eventually the border was reopened in late May pending further deliberations but the damage, both economically and politically, was already done. While some politicians were flummoxed as to why the border was closed for so long, the main motive rests upon Kyrgyzstan’s new political direction.

After removing two authoritarian presidents from office, the powers that be in Kyrgyzstan decided to take their country in a different political trajectory by adopting parliamentary democracy. The brainchild of Omurbek Tekebaev, the intent of the new form of government was to avoid a winner-take-all system that had become the hallmark of the Akaev and Bakiev regimes.<sup>99</sup> To make this a reality, they merely codified the preexisting patronal apparatuses between the elites and society and formally made them the structures by which Kyrgyzstan would be governed. Instead of one single vertical of power, there would now be smaller competing groups with the intent that no single group could dominate another. According to Henry Hale, “the president would no longer appoint or remove the prime minister, with only parliament having the right, but would be limited to a single six-year term in office. Additionally, no party would be allowed to win a majority large enough to change the constitution unilaterally.”<sup>100</sup> In essence, the new constitution being developed was meant to disperse power among competing elites and interests groups rather than allow it to be concentrated in the hands of one person, as was the case in previous presidencies. Of course, not everyone in the region was pleased, least of all Kazakhstan.

Cooley points out that “many did not think it feasible or appropriate for the Central Asian country to pursue an experiment in parliamentary democracy, as the Kyrgyz were intending to do. Kyrgyz interim leaders received similar messages from other Central Asian states, chief among them Kazakhstan.”<sup>101</sup> The issue at hand is actually not the formation of democratic institutions but rather perception. Nazarbaev saw Kyrgyzstan’s instability and push for pluralistic politics as a consequence of nongovernmental forces and weak economic factors rather than as the persistence of

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<sup>97</sup> "Kazakhstan 'Breaks Pledge' To Reopen Border With Kyrgyzstan."

<sup>98</sup> *Ibid.*

<sup>99</sup> Marat, "Kyrgyzstan: A Parliamentary System Based on Inter-Elite Consensus", 335.

<sup>100</sup> Hale, *Patronal Politics*, 319.

<sup>101</sup> Cooley, *Great Games, Local Rules*, 130.

autocratic regimes much like his own.<sup>102</sup> The fact that authoritarian figures with complete control over the country were overthrown not once but twice was too close to home. Consequently, Nazarbaev moved to “consolidate his control over formal and informal institutions, in line with some of the ‘lessons’ of Kyrgyzstan and demonstrating clearly what ‘reform’ or ‘democratization’ means in the Kazakh environment.”<sup>103</sup>

Kyrgyzstan now formally enshrined their competing-power pyramids in the government apparatus, while at the same time providing increased opportunities for elites to move between patronage verticals. Nazarbaev was exceedingly wary of this fact, as he feared infection within his own state where rival networks and elites could emerge to challenge his position.<sup>104</sup> Also, from a relational standpoint with Kyrgyzstan, dealing with a government bureaucracy is much more cumbersome and ineffectual than directly with a fellow authoritarian. When Otunbaeva assumed the interim presidency, Kazakhstan was not impressed and insisted that the new leader should “be strong and charismatic enough to rally all the healthy political forces and continue the historic mission of building a strong political system and sustainable economic and social sphere in Kyrgyzstan.”<sup>105</sup> In response, Kazakhstan took an antagonistic footing towards its southern neighbor by instituting ad hoc border closures. It is no surprise then that occurrences of border shutdowns skyrocketed after 2010.<sup>106</sup> In a succinct instance of political analysis, Executive Director of the Institute of Management and Kyrgyzstani native Azamat Attokurov understood that “if we are politically beneficial for Kazakhstan, if we do something to please them, they will open the border. If not, the complexities will continue.”<sup>107</sup> While the new system was not a direct threat to Nazarbaev, he considered it as such because the ascension of realistically functioning

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<sup>102</sup> Catherine Putz, "Nazarbayev Speaks: Warns of a Color Revolution in Kazakhstan." *The Diplomat*. June 09, 2016, Accessed May 14, 2017. <http://thediplomat.com/2016/06/nazarbayev-speaks-warns-of-a-color-revolution-in-kazakhstan/>.

<sup>103</sup> Paul Kubicek, "Are Central Asian leaders learning from upheavals in Kyrgyzstan?," *Journal of Eurasian Studies* 2, no. 2 (2011): 122, doi:10.1016/j.euras.2011.03.002.

<sup>104</sup> *Ibid*, 121.

<sup>105</sup> Laumulin, "April 2010 in Kyrgyzstan: As Seen from Kazakhstan," 38.

<sup>106</sup> Myles Smith, "Increasing Restrictions, Falling Trade Characterize Kyrgyzstan-Kazakhstan Border," *EurasiaNet.org*, December 8, 2010, accessed May 16, 2017, <http://www.eurasianet.org/node/62533>.; Julia Kostenko, "Kazakhstan without warning closes the border with Kyrgyzstan to conduct anti-terrorism training exercises," *24.kg*, October 26, 2014, accessed May 16, 2017, <https://24.kg/archive/en/news-stall/172890-news24.html/>.

<sup>107</sup> "Kyrgyzstan - Kazakhstan: best frenemies," interview by Tatyana Kudryavtseva, *24.kg*, June 16, 2016, accessed May 14, 2017, <https://24.kg/archive/en/perekrestok/180836-news24.html/>.

pluralistic politics in Central Asia is antithetical to Kazakhstan's system of one-man rule.

This frenetic period was of particular importance for several reasons. First, Kazakhstan's chairmanship of the OSCE put it in a valuable position in which to help ease the political turmoil in Kyrgyzstan following the ouster of Bakiev, but little, if anything, was actually done by Astana to resolve the conflict though Kazakhstan was exceedingly outspoken about their efforts. Commenting on Kazakhstan's efforts in April and May, one regional expert stated "in fact they've done very little [concerning Kyrgyzstan]. They seem to be mostly interested in somehow burnishing their own image."<sup>108</sup> This is in keeping with Astana's view of the OSCE chairmanship being predominantly validation and legitimization of Nazarbaev's leadership rather than as a platform in which to help or initiate genuine change. Second, the unofficial "economic embargo" severely depressed an already weakened Kyrgyzstani economy, thus making recovery even that much more difficult. The fact that the border knowingly remained closed and that Astana reneged on a previous agreement to reopen flies in the face of some experts who posited that Kazakhstan did everything in its power to restart trade relations with the new regime in Bishkek.<sup>109</sup> Lastly, the introduction of an increasingly independent parliament in Kazakhstan's backyard was viewed as an inherent threat, which resulted in antagonistic policies emanating towards Kyrgyzstan. Even though economic and political leverage from Kazakhstan would prove insufficient in motivating Kyrgyzstan to abandon its efforts, Astana nevertheless established the methods with which it would deal with its neighbor in the near future. Speaking in 2017, Nazarbaev briefly explained his actions for closing the border during this chaotic period for the two Central Asian neighbors and stated unequivocally "if the situation repeats in the future, we will close the border again."<sup>110</sup>

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<sup>108</sup> Lillis, Joanna. "Kazakhstan Shows More Style than Substance in Addressing Kyrgyz Crisis." *Uzbektragedy.com*. July 6, 2010. Accessed May 12, 2017. <http://uzbektragedy.com/?p=527>.

<sup>109</sup> *The OSCE and the 2010 Crisis in Kyrgyzstan*. Report. Center for Strategic and International Studies. May 14, 2010, 4. Accessed May 12, 2017. [https://csis-prod.s3.amazonaws.com/s3fs-public/legacy\\_files/files/publication/051810\\_CSIS-IND\\_Task\\_Force\\_Final\\_Case\\_Study.pdf](https://csis-prod.s3.amazonaws.com/s3fs-public/legacy_files/files/publication/051810_CSIS-IND_Task_Force_Final_Case_Study.pdf).

<sup>110</sup> Podolskaya, Darya. "Nursultan Nazarbayev explains why border with Kyrgyzstan was closed." *24.kg*. March 25, 2017. Accessed May 12, 2017. [https://24.kg/english/47544\\_Nursultan\\_Nazarbayev\\_explains\\_why\\_border\\_with\\_Kyrgyzstan\\_was\\_closed/](https://24.kg/english/47544_Nursultan_Nazarbayev_explains_why_border_with_Kyrgyzstan_was_closed/).

## State of Affairs

This chapter sets out to analyze the dominant organizations and mechanisms currently tasked with or carrying out bilateral relations between Kyrgyzstan and Kazakhstan. Each section will cover a specific sector of government and will include relevant legislation and instances of interaction. Each section will end with an overview of the relevancy of the mechanism in the current state of affairs between Kyrgyzstan and Kazakhstan.

### Presidential Administrations

The president and their administration are principally the main entities conducting statecraft in Central Asia, as authoritarian rulers dominate most countries (i.e. Nazarbaev) and take personal control of foreign policy. While this was the case in Kyrgyzstan prior to 2010, the new governing system introduced by the 2010 constitution has diminished the powers of the president while elevating those of the prime minister, which makes current Kyrgyzstani president Almazbek Atambaev's bargaining position with Kazakhstani president Nursultan Nazarbaev asymmetric. Unlike Nazarbaev's powers as president,<sup>111</sup> Atambaev must seek approval from not only the Jogorku Kenesh but also explicitly from the prime minister as well.<sup>112</sup> However, this has not prevented him from challenging the new constitution and its delegation of authority. In the past few years, Atambaev has steadily strove to increase his personal position at the cost of governmental progress.<sup>113</sup> The dominant body by which these two heads of state convene is the Supreme Interstate Council (SIC).

With the *Treaty on Allied Relations between the Kyrgyz Republic and the Republic of Kazakhstan* performing as the relational basis,<sup>114</sup> the SIC was founded as a platform in which both heads of state could discuss bilateral relations directly.<sup>115</sup>

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<sup>111</sup> *Constitution of the Republic of Kazakhstan (Section 3, Article 44)*, Accessed May 13, 2017. <http://www.parlam.kz/en/constitution>

<sup>112</sup> *Constitution of the Kyrgyz Republic (Sec. 3, Article 64, Paragraph 6, Lines 1-3)*, Accessed May 13, 2017. [http://www.gov.kg/?page\\_id=263&lang=ru](http://www.gov.kg/?page_id=263&lang=ru)

<sup>113</sup> "Kyrgyzstan: Departing President Lays Ground for Transition," EurasiaNet.org, November 22, 2016, accessed May 17, 2017, <http://www.eurasianet.org/node/81411>.

<sup>114</sup> Embassy of the Kyrgyz Republic in the Republic of Kazakhstan. <http://www.kyrgyzembs.kz/index.php/ru/o-sotrudnichestve-kr-i-rk>

<sup>115</sup> On approval of the Supreme Interstate Council of the Kyrgyz Republic and the Republic of Kazakhstan and the Regulations on the Board of Ministers of Foreign Affairs of the Kyrgyz Republic and the Republic of Kazakhstan, (*Об утверждении Положения о Высшем Межгосударственном Совете*

Beginning with its first meeting in 2008, the Supreme Interstate Council has convened five times since its regulations stipulate that a meeting must be held every two years.<sup>116</sup> Even despite his deep misgivings with Kyrgyzstani domestic politics, Nazarbaev met with Kyrgyzstani President Otunbaeva in 2011<sup>117</sup> and subsequently met with Atambaev three times during his tenure. Between 2012-2015, the council's greatest tangible activity to date was the signing of several bilateral agreements and initiatives: "On cooperation in fighting illicit drugs trafficking", "On the construction of schools in the Kyrgyz Republic", "On the coordination of radio frequencies", and the protocol for the agreement on the establishment of a joint investment fund.<sup>118</sup> The last is interesting as it is a Kazakhstani initiative aimed at aiding Kyrgyzstan.

In 2007, Nazarbaev proposed to then President Bakiev a joint effort to found an investment fund for Kyrgyzstan though it was only implemented at the SIC in 2012 under Atambaev's tenure.<sup>119</sup> It was founded with a proposed starting capital of \$100 million and was explicitly design to be implemented only in Kyrgyzstan. According to then Ambassador of Kazakhstan to Kyrgyzstan Beibit Isabayev, its main objective is to develop the "Kyrgyz economy through the implementation of priority economic projects, specifically development of small and medium businesses. I want to make a point: the fund is not meant for 'filling the gaps' in the state budget of Kyrgyzstan, but solely for the implementation of cost-effective projects."<sup>120</sup> The first tranche of \$30 million was delivered with over 82 proposed projects slated for evaluation.<sup>121</sup> However, it seems the rest of the funds failed to materialize as a high level delegation from Bishkek in 2014 highlighted their desire to see the Kazakh-Kyrgyz Investment Fund

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*Кыргызской Республики и Республики Казахстан и Положения о Совете министров иностранных дел Кыргызской Республики и Республики Казахстан*), April 26, 2007.

[http://base.spinform.ru/show\\_doc.fwx?rgn=81544#A4IZ0LXKLS](http://base.spinform.ru/show_doc.fwx?rgn=81544#A4IZ0LXKLS)

<sup>116</sup> Kazakhstan - Kyrgyz relations. *Ministry of Foreign Affairs Republic of Kazakhstan*, October 23, 2014, Accessed May 13, 2017. <http://www.mfa.kz/index.php/en/consular-issues12/for-foreign-nationals/wishing-to-visit-kazakhstan/16-materials-english/2184-kazakhstan-kyrgyz-relations>.

<sup>117</sup> "Kazakh-Kyrgyz relations to develop in the spirit of good neighborly relations and unity, President Roza Otunbayeva," interview by Arnur Rakhymbekov, *Kazinform*, January 31, 2011, accessed May 13, 2017, <http://www.inform.kz/eng/article/2346321>.

<sup>118</sup> "Kazakhstan-Kyrgyzstan: unwavering friendship," interview by Maxim Skuchalin, *Kazworld.info*, November 6, 2012, accessed May 13, 2017, <http://kazworld.info/?p=25136>.

<sup>119</sup> "Official Presentation of Kazakh-Kyrgyz Investment Fund in Bishkek." *The Gazette of Central Asia*. August 18, 2012, Accessed May 13, 2017. <http://gca.satrapia.com/official-presentation-of-kazakh-kyrgyz-investment-fund-in-bishkek>.

<sup>120</sup> "Kazakhstan-Kyrgyzstan: unwavering friendship".

<sup>121</sup> *Ibid.*

revived.<sup>122</sup> More than likely the promised funds were pilfered and dispersed among the elites in government.

One other interesting aspect regarding meetings of the Supreme Interstate Council is the fact that their meetings tow in their wake ministers from various government agencies that would not otherwise normally meet. During Nazarbaev's first visit to Kyrgyzstan in 2012, he was accompanied by the Minister of Industry and News Technologies, Asset Issekeshov, Minister of Education and Science, Bakytzhan Zhumagulov, Minister of Transport and Communication, Askar Zhumagaliyev, and other members of the Kazakh government.<sup>123</sup> Likewise, on several occasions Speaker of the Jogorku Kenesh, A. Zheenbekovym, and Kyrgyzstani Foreign Minister, Erlan Abdyldaev accompanied Atambaev.<sup>124</sup> While not directly initiating these meetings, the SIC provides a means for ministers of various Kyrgyzstani and Kazakhstani government agencies to assemble and conduct bilateral talks, which builds needed rapport for cooperation in the future even if that scenario is highly unlikely indeed. Though it is entirely plausible that random government ministers would not meet with their foreign counterparts on a regular basis, the fact that the Ministers of Foreign Affairs are within this group is revealing.

The mission of a ministry of foreign affairs is to promote the interests of the country abroad. Given that Kyrgyzstan and Kazakhstan have substantial economic and political ties to each other, one would assume that these individuals would meet on a regular basis and influence foreign relations. However, that does not appear to be the case. Kyrgyzstan and Kazakhstan's Ministers of Foreign Affairs have conducted strictly bilateral meetings only three times between 2013 and 2017.<sup>125</sup> The meetings are all described in the same with the ministers "discussing a wide range of issues" but lacking details or specific policies. While it may seem odd that foreign ministers of neighboring countries should visit so seldom for direct talks, the reasoning appears to be that they prefer a multilateral format. Most meetings between the Foreign Ministers occur on the

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<sup>122</sup> "Visit Increases Kazakhstan, Kyrgyzstan Cooperation." *The Astana Times*. July 21, 2014. Accessed May 13, 2017. <http://astanatimes.com/2014/07/visit-increases-kazakhstan-kyrgyzstan-cooperation/>.

<sup>123</sup> "Nazarbayev arrives in Kyrgyzstan with state visit for first time in 20 years." *Tengrinews.kz*. August 22, 2012, Accessed May 13, 2017. [https://en.tengrinews.kz/politics\\_sub/Nazarbayev-arrives-in-Kyrgyzstan-with-state-visit-for-first-12395/](https://en.tengrinews.kz/politics_sub/Nazarbayev-arrives-in-Kyrgyzstan-with-state-visit-for-first-12395/).

<sup>124</sup> Embassy of the Republic of Kazakhstan in the Kyrgyz Republic. <http://www.kaz-emb.kg/en/pages/15>.

<sup>125</sup> *Ibid.*; "On the official visit of the Minister of Foreign Affairs of the Kyrgyz Republic to the Republic of Kazakhstan," Mfa.gov.kg, October 17, 2016, accessed May 17, 2017, <http://mfa.gov.kg/ministr/view/idnews/132>; "Bilateral Meeting of the Head of Ministry of Foreign Affairs with Minister of Foreign Affairs of Kazakhstan," Mfa.gov.kg, April 22, 2017, , accessed May 17, 2017, <http://www.mfa.gov.kg/news/print/idnews/3462>.

sidelines of regional organization summits such as the CIS, CSTO, and SCO rather than in bilateral face-to-face talks.<sup>126</sup> Much as one would expect, these summits largely end with boilerplate statements of greater cooperation and building ties but do not result in any really outcomes. In essence, one can surmise that even the Foreign Ministers of Kyrgyzstan and Kazakhstan do not carry much weight in bilateral relations and predominantly act at the behest of the president.

The presidential administrations appear to be extremely active bodies for conducting international relations in direct and indirect manners. Even though some agreements and treaties never get off the ground, their merit is not the focus here. Instead, the moderately high levels of proposals and degree to which they are envisioned should demonstrate the level and frequency of talks between the two administrations. The fact that their meetings also allow for various government ministers to converse on detailed policies is also important in maintaining relations between the two nation-states.

### **Prime Ministers**

Prime Ministers, as opposed to Presidents, usually take on a much smaller role in developing and maintaining bilateral relations in Central Asia. However, with Kyrgyzstan now a parliamentary democracy, the Kyrgyzstani Prime Minister is theoretically able to initiate and build more robust ties given their legal powers, which makes their colleague's position in Kazakhstan asymmetric in exercisable powers thus echoing the disparity in the Supreme Interstate Council.<sup>127</sup> Regardless, the Prime Ministers of Kyrgyzstan and Kazakhstan convene regularly in their specific bilateral forum, the Intergovernmental Council (IC).

The council was established by the *Agreement between the Government of the Republic of Kazakhstan and the Government of the Kyrgyz Republic on the Creation of the Kazakh-Kyrgyz Intergovernmental Council* and also replaced the previously

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<sup>126</sup> Altair Nurbekov, "CIS Council of Foreign Ministers Address Border Security, Disaster Prevention," The Astana Times, April 05, 2015, accessed May 17, 2017, <http://astanatimes.com/2015/04/cis-council-of-foreign-ministers-address-border-security-disaster-prevention/>; "Press Release on the Shanghai Cooperation Organisation's Council of Foreign Ministers Meeting," The Shanghai Cooperation Organization, April 21, 2017, accessed May 17, 2017, <http://eng.sectso.org/news/20170421/258932.html>; "Session of the CSTO Council of Foreign Ministers In Yerevan," Katehon, July 04, 2016, accessed May 17, 2017, <http://katehon.com/news/session-csto-council-foreign-ministers-yerevan>.

<sup>127</sup> "Kyrgyzstanis Consider Increasing Prime Minister's Power," VOA, December 10, 2016, accessed May 17, 2017, <http://www.voanews.com/a/kyrgyzstan-constitutional-referendum/3631597.html>.

appointed Intergovernmental Kazakh-Kyrgyz Joint Commission.<sup>128</sup> According to Article 2, the heads of government are to meet once a year with the location alternating between capitals and they are tasked with discussing such wide ranging policy areas as trade, sports, and migration among others.<sup>129</sup>

With Kyrgyzstan and Kazakhstan's Prime Ministers gathering on a far more regular basis, one would assume that the IC would prove to be a better vehicle for proposing and initiating cross-border ties. Unfortunately, there is little actually produced by these links. While some Kyrgyzstani analysts labeled one meeting of the IC on September 16, 2011 as a "breakthrough in all areas of bilateral relations", there were no follow up details as to the content of the meeting.<sup>130</sup> In the fourth meeting of the council, then Prime Minister of Kazakhstan Serik Akhmetov ambiguously emphasized the importance of the meeting by stating "it will give an additional impetus to bilateral relations".<sup>131</sup> This too was wearily short on details, but one bright spot of bilateral action taken by the council was its proposal and adoption of an action plan on cooperation for 2012-15.<sup>132</sup> While this was one instance of actual bilateral development, it seems that it may be the extent to which the Intergovernmental Council builds and maintains bilateral relations.

From the minimal data and examples available, it is fair to surmise that the IC is not the primary mechanism for conducting bilateral relations between Kyrgyzstan and Kazakhstan. This is interesting because it convenes more often than the biannual SIC yet has far less to show for its efforts. It might be fair to assume that the IC meetings are not a complete waste of time because they might be venues in which ideas can be posited or discussed that are then proposed on more serious levels when the heads of state meet. Overall, it appears that the heads of government possess minimal influence in developing ties between Kyrgyzstan and Kazakhstan.

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<sup>128</sup> Agreement between the Government of the Republic of Kazakhstan and the Government of the Kyrgyz Republic on the Creation of the Kazakh-Kyrgyz Intergovernmental Council, (*Соглашение между Правительством Республики Казахстан и Правительством Кыргызской Республики о создании казахстанско-кыргызского Межправительственного Совета*), April 17, 2008. [http://base.spinform.ru/show\\_doc.fwx?rgn=22468](http://base.spinform.ru/show_doc.fwx?rgn=22468).

<sup>129</sup> *Ibid.*

<sup>130</sup> Embassy of the Republic of Kazakhstan in the Kyrgyz Republic. <http://www.kaz-emb.kg/en/pages/15>.

<sup>131</sup> "Serik Akhmetov attends 4th meeting of Kazakhstan-Kyrgyzstan Intergovernmental Council," Government of the Republic of Kazakhstan, November 1, 2013, accessed May 13, 2017, <http://www.government.kz/en/novosti/6065-serik-akhmetov-attends-4th-meeting-of-kazakhstan-kyrgyzstan-intergovernmental-council.html>.

<sup>132</sup> "On Relations of the Kyrgyz Republic and the Republic of Kazakhstan".

## Parliaments

The most recently established bilateral forum for Kyrgyzstan and Kazakhstan is the Inter-parliamentary Council. Originally beginning as the Inter-parliamentary Commission on Cooperation in 2009, the Inter-parliamentary Council (IPC) seeks to bring together members of Kyrgyzstan's Jogorku Kenesh and Kazakhstan's Majlis.<sup>133</sup> The council was founded at the behest of the Supreme Interstate Council, and both nations' Speakers head the group with deputy parliamentarians constituting committee chairs.<sup>134</sup> While parliamentarians are not immune from overtly and absurdly lauding the new group as a new leap forward in bilateral relations, it nonetheless was started with a very specific mission that is pertinent for both countries.

Unlike the IC's vaguely worded mandate, the IPC was specifically formulated to discuss and provide legislative support for bilateral relations, specifically issues relating to the Eurasian Economic Union integration process.<sup>135</sup> The year in which it was founded was particularly salient as Kyrgyzstan officially joined the EEU in 2015.<sup>136</sup> One of the many hurdles facing Kyrgyzstan before and after its ascension were issues with adopting and dovetailing legislation with EEU requirements related to the border, migration, customs fees, and health measures. Interestingly, meetings of the IPC specifically discuss pertinent issues such as registration procedures for Kyrgyzstani citizens, the impact of EEU ascension, and Kazakhstan's experience as a founding member of the trade bloc.<sup>137</sup> While no specific recommendations or policy proposals have resulted from this gathering thus far, it is nonetheless telling that such a newly convened body should actually discuss such important topics relating to both countries.

Much like the IC, the IPC does not appear to have the power or influence to dictate policy decisions when it comes to foreign relations between Kyrgyzstan and Kazakhstan. Details are relatively nonexistent regarding policy memos or any other tangible outcomes of meetings. However, the IPC's specific mandate of discussing

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<sup>133</sup> "Kazakhstan and Kyrgyzstan Signed Agreement on Inter-parliamentary Council," *Kazpravda.kz*, accessed May 13, 2017, <http://www.m.kazpravda.kz/news/view/50555/>.

<sup>134</sup> Embassy of the Republic of Kazakhstan in the Kyrgyz Republic. <http://www.kaz-emb.kg/en/pages/15>.

<sup>135</sup> Klara Tishkambayeva, "MPs offered to establish a council," *Kazpravda.kz*, accessed May 13, 2017, <http://www.kazpravda.kz/en/articles/view/mps-offered-to-establish-a-council/?print=yes>.

<sup>136</sup> "Kyrgyzstan Becomes Full-Fledged Member Of Eurasian Economic Union." *RadioFreeEurope/RadioLiberty*. August 12, 2015, Accessed May 13, 2017.

<https://www.rferl.org/a/kyrgyzstan-eurasian-economic-union/27184629.html>.

<sup>137</sup> "Parliamentarians of Kyrgyzstan and Kazakhstan discussed issues of cooperation." *Rus.kg*. September 13, 2014, Accessed May 13, 2017. [http://rus.kg/news\\_rus/cccr\\_rus/27864-parlamentarii-kyrgyzstana-i-kazahstana-obsudili-voprosy-sotrudnichestva.html](http://rus.kg/news_rus/cccr_rus/27864-parlamentarii-kyrgyzstana-i-kazahstana-obsudili-voprosy-sotrudnichestva.html).

EEU protocols and harmonization of legislation does make it quite relevant for the time, especially for Kyrgyzstan. This differs immensely from the IC's vaguely worded mission of "enhancing bilateral ties". Since the IPC was created at the command of the SIC, it will more than likely provide recommendations to the heads of state for proposing and adopting legislation concerning trade and EEU membership requirements.

## Border Policy

This chapter seeks to evaluate how the border is used as a tool in bilateral relations. First, it will analyze Kyrgyzstan and Kazakhstan's membership in the Eurasian Economic Union and how the ascension process impacted cross-border ties. Second, current issues and circumstances involving the Kyrgyzstan-Kazakhstan state border will be examined along with why these issues arise in the first place. Third, attempts at resolution will be studied in order to understand if border relations have improved, degraded, or remained neutral. Each section will include a brief overview and commentary regarding the theme and its impact on Kyrgyzstan-Kazakhstan bilateral relations.

## EEU Membership

Bluntly stated, the goal of the Eurasian Economic Union and its predecessors has always been "regional protectionism".<sup>138</sup> The EEU is an economic integration project originally founded by Russia, Belarus, and Kazakhstan in 2010 as the Customs Union, which then evolved into the Common Economic Space in 2012, and then took its present form in 2014. While Russia originally had aspirations for the organization to be a political union as well, Belarusian and Kazakhstani fears and trepidations over the possible usurpation of sovereignty checked such advances and kept the association purely economic.<sup>139</sup> Since Kazakhstan is a founding member, it is only natural to suspect that its reasoning lies within its continued foreign policy doctrine of Eurasianism.

The crucial moment for Kazakhstan's move towards Eurasian integration was during the Novo-Orgayova speech, which Nazarbaev delivered at Moscow State University in 1994. In it Nazarbaev called for a reunification of the post-Soviet states into a Eurasian Union on a strictly economic level.<sup>140</sup> Supported by his elite cadres in Kazakhstan and by other attempts at regional integration (primarily EurAsEC), Kazakhstan soon became one of the leaders of Eurasian cooperation, as it "wanted to

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<sup>138</sup> "Ordinary Protectionism." *Kommersant*. April 9, 2010, Accessed May 14, 2017. <http://kommersant.ru/doc/1351120>.

<sup>139</sup> Ardak Yesdauletova and Aitmukhanbet Yesdauletov, "The Eurasian Union: Dynamics And Difficulties Of The Post-Soviet Integration," *Trames Journal of the Humanities and Social Sciences* 18, no. 1 (2014): 4, doi:10.3176/tr.2014.1.01.

<sup>140</sup> Murat Laumulin, "Eurasian Integration: Views and Opinions," *Central Asia and the Caucasus* 15, no. 3 (2014): 44, doi:14046091.

gain a foothold in the region as a serious political and economic player.”<sup>141</sup> However, since its ascension and membership in the various organizations leading up to and including the EEU, the ride has not necessarily been as smooth or productive as Nazarbaev would have liked. Kazakhstan has actually lost trade by double-digit figures over the years both within and outside the EEU, while at the same time suffering crippling currency devaluations due to Russia’s continued economic crisis.<sup>142</sup> Because of this, Kazakhstan’s trade with its neighbors, most notably Kyrgyzstan, has suffered dramatically with knock-on effects negatively impacting other trade partners. Also, increased customs and tariffs duties imposed by the EEU’s protectionist policies meant that the Kyrgyzstan-Kazakhstan border was constantly fluctuating in regards to protocols and duties, which further exacerbated ties and limited the scope by which the countries could trade. Before, Kazakhstan had maintained relatively low tariffs, but EEU regulations stipulated that duties levied on external imports be a significant 10.6% by the end of 2014, effectively liquidating a significant amount of trade with nonmember nations.<sup>143</sup> Eventually, Kyrgyzstan was proposed membership by Russia in 2012. Nevertheless, Kyrgyzstan’s ascension to the EEU was wholly different and possessed divergent reasons than Kazakhstan.

Whereas Kazakhstan founded/joined the EEU in order to produce tangible results from its decades-old Eurasianist policies, Kyrgyzstan’s aims focused on “traditional cross-border and domestic trade of services and goods, the development of its industries and local businesses as well as security, and migration flows where Russia and Kazakhstan are the prime receivers of Kyrgyz labor migrants.”<sup>144</sup> While the economy does play a factor, labor migration is far and away the most important aspect. 90% of all Kyrgyzstani labor migrants work in Russia with another 8% in Kazakhstan.<sup>145</sup> As one Kyrgyzstani migrant worker commented:

“All migrants are waiting for the Kyrgyz Republic to join the Customs Union – all of these migration issues would be solved, allowing people to work without hindrance in Customs Union countries. I think the opportunity for workers to move freely will change the current situation of having to constantly leave the country and come back again,

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<sup>141</sup> Areg Galstyan, "Is the Eurasian Economic Union Slowly Coming Apart?,"

<sup>142</sup> "Is Kazakhstan Getting Eurasian Union Blues?" EurasiaNet.org. March 08, 2016, Accessed May 14, 2017. <http://www.eurasianet.org/node/77731>.

<sup>143</sup> Eli Keene, "Kyrgyzstan and the Customs Union," Carnegie Endowment for International Peace, May 1, 2012, accessed May 14, 2017, <http://carnegieendowment.org/2012/05/01/kyrgyzstan-and-customs-union-pub-47991>.

<sup>144</sup> Diana T. Kudaibergenova, "Eurasian Economic Union integration in Kazakhstan and Kyrgyzstan," *European Politics and Society* 17, no. 1 (2016): 99, doi:10.1080/23745118.2016.1171286.

<sup>145</sup> *Ibid*, 105.

register every three months, and so on. Kazakhstan is a Customs Union member and Kazakhs are free to work in Russia as they like, which is very convenient.”<sup>146</sup>

Exclusion from these markets was simply neither feasible nor realistic if was Kyrgyzstan to survive. Also, easing the registration process would eliminate everyday hassles facing nearly all Kyrgyzstani labor migrants and thus make the experience much more palatable. Likewise, it was also understood that membership in the EEU, while benefiting labor migration to a great extent, would effectively quash the lucrative re-export market emanating from China.

Two factors contributed to Kyrgyzstan’s re-export potential, its shared border with China and its WTO membership. According to Chinese statistics, direct imports to Kyrgyzstan are worth approximately \$10 billion with 95% of good passing through the territory being re-exported to CU countries.<sup>147</sup> The overall contribution of the re-export market to the Kyrgyzstani economy was also not negligible. The two largest markets, Kara-Suu in Osh and Dordoi in Bishkek, alone accounted for 33% of GDP.<sup>148</sup> Unfortunately, because most of the goods travel to third-party nations via Kazakhstan, the re-export trade was already beginning to suffer when Kazakhstan joined the CU in 2010.<sup>149</sup> Many traders, experts, and policymakers understood clearly that joining the EEU and adopting its common customs tariff policies would effectively doom this large sector of the Kyrgyzstani economy. However, preserving the re-export market would neutralize remittances from Russia and Kazakhstan, which account for approximately 40-45% of GDP as well. Essentially, Kyrgyzstan was caught between a rock and a hard place regarding EEU ascension and its subsequent benefits and downsides. This was readily apparent during the negotiations as tensions within Kyrgyzstani political circles flared.

During Kyrgyzstan’s initial negotiations of CU/EEU membership, then Prime Minister Joomart Otorbaev called the proposed roadmap “unacceptable” and that it

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<sup>146</sup> *Ibid*, 106.

<sup>147</sup> Anna Yalovkina, "Kyrgyzstan joins the Customs Union, and business finds itself in stand-by mode," *OpenDemocracy*, June 22, 2015, accessed May 14, 2017, <https://www.opendemocracy.net/anna-yalovkina/as-kyrgyzstan-joins-customs-union-business-finds-itself-in-standby-mode>.

<sup>148</sup> Cholpon Orozbekova, "Joining Russia's Customs Union Would Be A Disaster For Kyrgyzstan," *RadioFreeEurope/RadioLiberty*, November 16, 2010, , accessed May 14, 2017, [https://www.rferl.org/a/Joining\\_Russias\\_Customs\\_Union\\_Would\\_Be\\_A\\_Disaster\\_For\\_Kyrgyzstan/2222052.html](https://www.rferl.org/a/Joining_Russias_Customs_Union_Would_Be_A_Disaster_For_Kyrgyzstan/2222052.html).

<sup>149</sup> "Kyrgyzstan Braces for Customs Union Tax Hikes." *EurasiaNet.org*. August 18, 2014, Accessed May 14, 2017. <http://www.eurasianet.org/node/69611>.

would generate “social problems and instability” in the country.<sup>150</sup> Accusing Russia and other member states of excluding Kyrgyzstani experts from the process, tensions were already apparent even before joining the organization. Facing criticism from constituents at home, Otorbaev simply admitted that Kyrgyzstan is “a small economy joining a big union and will have similar benefits [as other members]. We expect more positives than negatives, but there is no alternative.”<sup>151</sup> Atambaev reiterated this same viewpoint several years later in an interview though his remarks took a particular jab at Kazakhstan while also bringing up the past. When asked if Russian interests were to blame for Kyrgyzstan’s problems in the EEU, Atamabaev responded:

“We have to trade with somebody, we have to work with our neighbors somehow. If we had not entered the Eurasian Economic Union we would have been at risk of a blockade. In 2010, when Kazakhstan blockaded us for one and a half months, we even had casualties,” he said. “We have six million people. What are supposed to do — shut ourselves off and survive like we’re in the jungle or something? We have to develop, we need a market.”<sup>152</sup>

Understandably, many in Kazakhstan were nonplused concerning the comments, especially about the line that implied their culpability for deaths in the immediate wake of Bakiev’s deadly ouster. Still, these opinions shared by the Prime Minister and President are important for several reasons. First, it demonstrates the prevailing mindset in Kyrgyzstan that it was forced into EEU membership by Russia and Kazakhstan based on economic and national security reasons whereby ascension or failure to do so would effectively terminate one of Kyrgyzstan’s two most lucrative moneymaking sectors. Ironically, Nazarbaev himself stated in an op-ed for *Izvestia* in 2011 that integration must be voluntary since each state must realize the importance of its decision and membership.<sup>153</sup> Second, Kyrgyzstan’s dependence on its border with Kazakhstan as a lifeline reopened old wounds stemming from the political turmoil of 2010 when Kazakhstan unilaterally closed the border despite it breaching an internationally recognized treaty. Knowing that they must join or die, Atambaev conceded that Kyrgyzstan must work with a belligerent neighbor in order to survive lest they succumb to the “law of the jungle”. Third, these outbursts were also contributable to the fact that

<sup>150</sup> "Kyrgyz Customs-Union Plan 'Unacceptable.'" *RadioFreeEurope/RadioLiberty*. December 11, 2013, Accessed May 14, 2017. <https://www.rferl.org/a/25197475.html>.

<sup>151</sup> David Trilling, "Kyrgyzstan Has “No Alternative” to Closer Russia Ties – Prime Minister," *EurasiaNet.org*, November 16, 2014, accessed May 14, 2017, <http://www.eurasianet.org/node/70966>.

<sup>152</sup> Aktan Rysaliev, "Kyrgyzstan: President's Remarks Ruffle Feathers in Kazakhstan," *EurasiaNet.org*, February 20, 2017, accessed May 14, 2017, <http://www.eurasianet.org/node/82496>.

<sup>153</sup> Murat Laumulin. “Returning to a Place That No Longer Exists. Can the Soviet Union be Revived or a Viable Alliance Created in Its Place?” *Russia in Global Affairs*. March 25, 2012, Accessed May 14, 2017. <http://eng.globalaffairs.ru/number/Returning-to-a-Place-That-No-Longer-Exists-15502>.

despite plaudits of “mutual connections and strong bilateral relations”, it was Nazarbaev who was the last holdout and signatory to Kyrgyzstan’s accession agreement.<sup>154</sup> This stonewalling and foot-dragging by Astana was understandably irritating to Bishkek, especially given the fact that Kazakhstan was consistently reiterating that it wanted to assist Kyrgyzstan as much as possible.

Overall, bilateral relations between Kyrgyzstan and Kazakhstan have been greatly affected by the Eurasian Economic Union both before and after Kyrgyzstan’s ascension. While founding and joining the EEU was a tangible realization of domestic and foreign policy for Kazakhstan, it nonetheless made trade with its southern neighbor extremely difficult due to the imposition of significantly high customs duties. Instead of making up this lost ground with increased intra-EEU trade, Kazakhstan found itself losing economically both inside and outside the trading bloc. Kyrgyzstan, on the other hand, felt compelled to join due to political pressure and the demands of economic survival. Despite assurances from Astana that it was supportive of the process, Bishkek constantly found this to be the contrary. Also, Bishkek had to choose between securing rights for its migrant laborers or maintaining its re-export market, both of which are dependent on Astana and its border policies. Eventually, human migration trumped the export of goods, but cross-border ties suffered due to a lack of a perceived win-win situation. The long negotiation and ascension process and eventual membership of both Central Asian states in the EEU gave rise to new obstacles and complications revolving around the border.

### **Dominant Bilateral Issues**

Even though both Kyrgyzstan and Kazakhstan are now fully-fledged members of the Eurasian Economic Union, problems continue to persist in part due to their EEU membership, particularly on issues involving their mutual border. Migration, sanitation requirements, unimplemented laws, and unilateral Kazakhstani border closings continue to plague relations between these Central Asian countries.

According to the Eurasian Economic Union’s founding treaty, the trade bloc is meant to ensure the “free movement of goods, services, capital and labor within its

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<sup>154</sup> Catherine Putz, "Kazakh-Kyrgyz Border Opened, But (Figurative) Roadblocks Remain," *The Diplomat*, August 24, 2015, accessed May 14, 2017, <http://thediplomat.com/2015/08/kazakh-kyrgyz-border-opened-but-figurative-roadblocks-remain/?allpages=yes&print=yes>.

borders, as well as coordinated, agreed or common policy.”<sup>155</sup> Labor here is the specific focal point as complications regarding that issue continue to creep into cross-border dialogue. Issues arise from the fact that labor migration is affected by both bilateral agreements between Kyrgyzstan and Kazakhstan and the supranational agreements and requirements of the EEU. The most recent bilateral agreement regarding migration is the *Agreement Between the Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan Concerning the Procedure for Stay of Citizens of the Kyrgyz Republic in the Republic of Kazakhstan and the Citizens of the Republic of Kazakhstan in the Kyrgyz Republic*.<sup>156</sup> This treaty stipulates that citizens are simply required to register according to the laws of the country they are visiting and that registration may not exceed 90 days upon crossing the border.<sup>157</sup> At the time of the signing, Kazakhstani citizens were allowed to stay in Kyrgyzstan for 30 days prior to registering whereas Kyrgyzstani citizens were only allowed five days.<sup>158</sup> This disparity did not go unnoticed and was a topic raised shortly after Kyrgyzstan joining the EEU. A new agreement to establish reciprocal registration policies was signed on October 17, 2016 with the aim of being implemented six months later. However, much like in the case of Kyrgyzstan’s EEU ascension, Kazakhstan failed to ratify the agreement and is currently still mulling it over.<sup>159</sup> This, understandably, has infuriated Kyrgyzstani citizens and officials alike.

According to Ulan Shamshiev, Chief Specialist of Migration Policy Development, Kyrgyzstan has “ratified the agreement. Our President has signed it. Kazakhstan has not yet completed its procedures, so the considered treaty has not come into force.”<sup>160</sup> At the moment, the legislation is being considered by the Majlis and then, if passed, will go before Nazarbaev to be signed into law. This flies in the face of

<sup>155</sup> Treaty on the Eurasian Economic Union (*Part 1, Section 1, Article 1, Paragraph 1*), May 29, 2014. <https://docs.eaeunion.org/en-us/pages/displaydocument.aspx?s=bef9c798-3978-42f3-9ef2-d0fb3d53b75f&w=632c7868-4ee2-4b21-bc64-1995328e6ef3&l=540294ae-c3c9-4511-9bf8-aaf5d6e0d169&entityid=3610>

<sup>156</sup> Agreement Between the Government of the Kyrgyz Republic and the Government of the Republic of Kazakhstan Concerning the Procedure for Stay of Citizens of the Kyrgyz Republic in the Republic of Kazakhstan and the Citizens of the Republic of Kazakhstan in the Kyrgyz Republic, (*Соглашение между Правительством Кыргызской Республики и Правительством Республики Казахстан о порядке пребывания граждан Кыргызской Республики в Республике Казахстан и гражданах Республики Казахстан на Кыргызской Республики*), May 11, 2012. [http://base.spininform.ru/show\\_doc.fwx?rgn=54146](http://base.spininform.ru/show_doc.fwx?rgn=54146)

<sup>157</sup> *Ibid*, (Article 1).

<sup>158</sup> Dzanibekova, Nurjamal. "Kyrgyzstanis still unable to stay in Kazakhstan without 30 day registration. Why?" *Kloop.kg*. May 04, 2017. Accessed May 14, 2017. <https://kloop.kg/blog/2017/05/04/kyrgyzstansy-poka-ne-mogut-nahoditsya-v-kazahstane-30-dnej-bez-registratsii-pochemu/>.

<sup>159</sup> *Ibid*.

<sup>160</sup> *Ibid*.

one of the basic tenants of the EEU's mission (i.e. "coordinated, agreed, or common policy") while at the same time demonstrating the bilateral processes still at work on the ground. In spite of failures to implement the agreement there is little recourse available to Kyrgyzstan due to its economic position. Deputy Head of the State Migration Service A. Asanbaev points out that there is little immediate hope of reciprocity or any streamlining of rules because historically "there is migration growth towards Kazakhstan, that is, this is happening in spite of the crisis. But except simplifying the procedures of stay in the Union countries, the two main issues remained unresolved."<sup>161</sup>

Another issue currently affecting cross-border ties is the veterinary and phytosanitary measures required for exporting goods per the laws of the EEU. In an almost laughable episode, problems with sanitary standards affected Kyrgyzstan-Kazakhstan customs the very day they were supposed to be a thing of the past. In a live broadcast from Cholpon-Ata on October 12, 2015, Nazarbaev and Atambaev held a grandiose ceremony lauding Kyrgyzstan's official membership in the EEU by watching 190 transports cross the border without interference.<sup>162</sup> However, visitors to the border the next day discovered that nothing had changed as Kazakhstani customs and border agents were not letting goods pass unimpeded as the Presidents seemingly had promised just the day before.<sup>163</sup> Kazakhstani officials responded to queries by stating that bilateral border protocols would stay in place for at least 100 days.<sup>164</sup> When pushed further, Saktash Khasenov, Chairman of the Kazakh Ministry of Agriculture's Veterinary Control and Supervision Committee, stated that Kazakhstan "opposes removing veterinary controls for the time being, as Kyrgyzstan is not ready to ensure an appropriate level of security."<sup>165</sup> Eurasian Economic Commission Minister Danil Ibraev warned Kyrgyzstani exporters that "even with the all-EEU certificate in hand, exporters could face barriers from officials in [Kazakhstan] citing ad hoc health concerns in line with their national legislation."<sup>166</sup> While Kazakhstani authorities might claim legitimate concerns relating to health and safety standards, a dearth of laboratories in Kyrgyzstan

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<sup>161</sup> Abdrisaev, Ermek. "Condition of Kyrgyz migrants in Russia and Kazakhstan after accession to the EEU." *Kabar.kg*. May 31, 2016, Accessed May 14, 2017. <http://old.kabar.kg/eng/analytics/full/16037>.

<sup>162</sup> "Kazakh-Kyrgyz borders opened with Kyrgyzstan's accession to EEU." *Tengrinews.kz*. August 14, 2015, Accessed May 14, 2017. [https://en.tengrinews.kz/politics\\_sub/Kazakh-Kyrgyz-boards-opened-with-Kyrgyzstans-accession-to-261568/](https://en.tengrinews.kz/politics_sub/Kazakh-Kyrgyz-boards-opened-with-Kyrgyzstans-accession-to-261568/).

<sup>163</sup> "Kyrgyzstan Stumbles at Start to Eurasian Union Era." *EurasiaNet.org*. August 12, 2015, Accessed May 14, 2017. <http://www.eurasianet.org/node/74661>.

<sup>164</sup> *Ibid.*

<sup>165</sup> Putz, "Kazakh-Kyrgyz Border Opened, But (Figurative) Roadblocks Remain".

<sup>166</sup> "Kyrgyzstan Stumbles at Start to Eurasian Union Era."

makes complying with EEU and Kazakhstani policies that much more difficult and troublesome.

In order to even import goods from member states, traders and manufacturers must subject samples to stringent laboratory tests under EEU criteria, which in some cases is even regarded as stricter than those of the European Union.<sup>167</sup> This problem is exacerbated by anyone wishing to export from Kyrgyzstan, as there are only a handful of facilities even capable of such analysis. According to Kyrgyzstani economist Kubanychbek Idinov, the problem lies in that Kyrgyzstan has “left out veterinary diagnostics following years of independence. We did not train specialists; youth did not enroll in veterinary departments during that time. And many previous professionals are not in the country.”<sup>168</sup> This problem was alleviated for a short time as Kazakhstan formally suspended its phytosanitary requirements for two years on November 19, 2015.<sup>169</sup> Unfortunately, just six months later they were reinstated after customs officials supposedly discovered parasites in a shipment of potatoes, thus sparking another closure of the border and reintroduction of health and safety checks.<sup>170</sup> This, along with insufficient budgetary funds, compounds issues already complicating cross-border trade. In order to help, Russia and Kazakhstan pledged \$300 million for the building of laboratories and personnel trainings though those workers and facilities cannot be expected to come online immediately.<sup>171</sup> Kyrgyzstan expects 13 new labs by the end of 2017.<sup>172</sup> While both sides are at fault for these conflicts over health and safety measures, unilateral action on the part of Kazakhstan causes Kyrgyzstan to chafe at the asymmetrical border relationship.

Seeing as there are obvious issues with the Kyrgyzstan-Kazakhstan border, both bilaterally and within the EEU, efforts aimed at resolving these problems are extremely important in maintaining and even expanding ties. While there are examples of such endeavors, they are surprisingly few and far between.

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<sup>167</sup> Yalovkina, "Kyrgyzstan joins the Customs Union, and business finds itself in stand-by mode".

<sup>168</sup> Kudryavtseva, "Kyrgyzstan - Kazakhstan: best frenemies."

<sup>169</sup> "Ambassador of Kazakhstan: Kyrgyzstan has made an objective choice in favor of the EAEC." Interview by Alexander Tusov. *Evening Bishkek*. December 7, 2015, Accessed May 14, 2017.

[http://www.vb.kg/doc/330304\\_posol\\_kazahstana\\_kyrgyzstan\\_sdelal\\_obektivnyy\\_vybor\\_v\\_storony\\_eaes.html](http://www.vb.kg/doc/330304_posol_kazahstana_kyrgyzstan_sdelal_obektivnyy_vybor_v_storony_eaes.html).

<sup>170</sup> Gaziza Baituova, "Kazaks and Kyrgyz Struggle With Eurasian Integration," *Institute for War and Peace Reporting*, September 29, 2016, , accessed May 14, 2017, <https://iwpr.net/global-voices/kazaks-and-kyrgyz-struggle-eurasian>.

<sup>171</sup> Yalovkina, "Kyrgyzstan joins the Customs Union, and business finds itself in stand-by mode".

<sup>172</sup> "The opening of phytosanitary laboratories in the country is the result of Kyrgyzstan's accession to EEU." *Kabar.kg*. March 9, 2017, Accessed May 14, 2017. <http://kabar.kg/eng/news/zheenbekov-the-opening-of-phytosanitary-laboratories-in-the-country-is-the-result-of-kyrgyzstans-accession-to-eeu/>.

One area where real world cross-border ties can be improved is on the border itself. Guards, customs officials, and border agents from Kyrgyzstan and Kazakhstan work alongside each other on a daily basis so professional rapport is important should any conflict or stressful situation arise. Confidence-building measures are a tried and true method used by countries around the world and both countries attempted to do so earlier on or at least superficially. During the Akaev era, Kyrgyzstan and Kazakhstan signed a memorandum on conducting confidence-building measures in 2001.<sup>173</sup> The agreement goes on to explain in detail information sharing protocols, declaring “non-use of force”, and establishment of friendly contacts. The Jogorku Kenesh soon ratified the agreement with Askar Akiev signing it into law. However, Kazakhstan was not so quick to rush, especially over a topic as contentious as the border. It was not until 14 years and three Kyrgyzstani presidents later that Nazarbaev affixed his signature to the accord.<sup>174</sup> The date of Kazakhstan’s eventual ratification is interesting as it is just before Kyrgyzstan’s EEU ascension. With Kyrgyzstan joining, Kazakhstan would be forced to face border and policy harmonization issues whether it wanted to or not. While attempts to resolve issues have been achingly slow at the bilateral level, they are also similar in speed at the multilateral level.

The Eurasian Economic Commission is the permanent regulatory body of the EEU and settles all disputes within the trade bloc. The EEC is comprised of 10 members with one member as chairman.<sup>175</sup> While it can issue non-binding recommendations, any decisions related to trade within the EEU are binding and immediately implemented.<sup>176</sup> Because of its powers, Kyrgyzstan has been attempting to seek redress of issues related to their border with Kazakhstan. In November 2016 at a meeting of the Eurasian Intergovernmental Council, Kyrgyzstan’s Prime Minister Sooronbay Jeenbekov complained loudly that “Kyrgyz products cannot get into the common market of the Eurasian Economic Union” because of Kazakhstan’s border

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<sup>173</sup> Agreement Between the Republic of Kazakhstan and the Kyrgyz Republic on Confidence-Building Measures in the Border Area, (*Соглашение между Республикой Казахстан и Кыргызской Республикой о мерах доверия в районе границы*), December 15, 2001. [http://base.spininform.ru/show\\_doc.fwx?rgn=75182](http://base.spininform.ru/show_doc.fwx?rgn=75182)

<sup>174</sup> "Kazakhstan ratifies border agreement with Kyrgyzstan." *Vestnik Kavkaza*. June 9, 2015. Accessed May 14, 2017. <http://vestnikkavkaza.net/news/politics/72284.html>.

<sup>175</sup> "About the Eurasian Economic Commission." Eurasian Economic Commission, 2017. Accessed May 14, 2017. <http://www.eurasiancommission.org/en/Pages/about.aspx>.

<sup>176</sup> "The Eurasian Economic Commission presents the results of work for 2014 and the plans for 2015." Eurasian Economic Commission. February 6, 2015. Accessed May 14, 2017. <http://www.eurasiancommission.org/en/nae/news/Pages/02-06-2015-1.aspx>.

policies.<sup>177</sup> Because this is a recurring theme, EEU members have told Kyrgyzstan to settle the matter bilaterally. Exasperatingly, when Bishkek approaches Astana to sort out the matter, Astana sends the matter back before the commission.<sup>178</sup> This ouroboros is noteworthy for two points. First, the commission exists solely to mitigate disputes within the EEU yet it abstains from actually acting in its proscribed role and requests member states to settle the matter bilaterally. Such action is extremely baffling given that the EEC can issue binding decisions that would settle the matter conclusively. Second, it demonstrates the mindsets that Kyrgyzstan and Kazakhstan possess when it comes to the border. Kyrgyzstan seems ready and willing to resolve outstanding border issues in any way it can, which is why it appears to be running in circles, but Kazakhstan, on the other hand, prefers deferment or arbitration though this last factor seems entirely implausible given the EEC's deference. However, tempers do sometimes flare. Since Kazakhstan "intermittently imposes bans on the import of Kyrgyz agricultural goods on grounds of health and safety, Kyrgyzstan has conversely threatened to tighten registration rules for visiting citizens of Kazakhstan."<sup>179</sup> Despite this unproductive tit for tat and because of its geographic and prevailing economic position, Kazakhstan possesses little incentive to solve problems stemming from the border with Kyrgyzstan.

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<sup>177</sup> Catherine Putz. "Kyrgyzstan Gripes About EEU Access." *The Diplomat*. November 18, 2016, Accessed May 14, 2017. <http://thediplomat.com/2016/11/kyrgyzstan-gripes-about-eeu-access/>.

<sup>178</sup> *Ibid.*

<sup>179</sup> Rysaliev, "Kyrgyzstan: President's Remarks Ruffle Feathers in Kazakhstan."

## Analysis

Kyrgyzstani-Kazakhstani bilateral relations have certainly undergone dramatic changes since 2010. The goal of this thesis was to surmise what areas of government most often participate in conducting bilateral negotiations while at the same time understanding how the border affects the bilateral relationship. Also, the atmosphere pervading relations has fluctuated between optimistic and downright acrimonious. Compared to the previous Kyrgyzstani administrations, has Kazakhstan's position towards Kyrgyzstan and its government changed over the past seven years? Is the border a direct cause of conflict or is it rather a point in which to influence the politics and direction of the neighboring country?

In the preceding chapters, I have presented the material used to conceptualize and format this thesis, discussed previous Kyrgyzstani administration's relations with Kazakhstan, covered current government entities that are the most active in constructing cross-border ties, and analyzed the state border's position in bilateral and multilateral arrangements. Based on the information gathered, I will now set out to prove or disprove the hypotheses earlier outlined in the beginning of the thesis.

***H<sub>1</sub>:** The presidential administrations continue to play the most dominant role in bilateral relations with government ministries and inter-parliamentary associations coming in a distant second and third.*

The information presented in this thesis corroborates the assertion that the presidential administrations of Kyrgyzstan and Kazakhstan are the most influential and active government bodies conducting bilateral relations. The Presidents and their administrations have discussed and created the most important and binding agreements by far in comparison to other bilateral assemblies. Agreements and protocols dealing with migration, border policy, and the formation of other bilateral councils are a direct result of the Supreme Interstate Council's meetings. The biannual council meetings also indirectly influence relations as ministers from the respective countries escort the Presidents and hold sessions with their foreign counterparts. While this aspect does not produce any tangible or meaningful results towards meeting concrete objectives, it

nonetheless is a venue in which formal and informal associations between ministries can be formed and strengthened should the need ever arise for mutual cooperation.

Also, since Kazakhstan has a highly centralized system of governance predicated on the orders and whims of the Kazakhstani President, their foreign policy relies heavily on Nazarbaev to determine areas of interaction. Likewise, his refusal to deal with anyone but Atambaev may also be a subtle approach to undermining Kyrgyzstan's more pluralistic state as this gives Atamabaev more publicity while relegating the prime minister to the sidelines. On the other hand, Kyrgyzstan's continued reliance on the presidential administration to conduct statecraft is in part due to political inertia inherited from the Akaev and Bakiev and that the position of the presidency is the only stable political position within the Kyrgyzstani government. In conjunction with these factors is also Atambaev's proclivity for challenging the prime minister and coopting formal and informal powers into his office. With a political system where Prime Ministers come and go with relative frequency, the only person able to direct a stable form of foreign policy is the President, which is why he and his administration possess the prerogative for directing diplomacy.

Though a distant second, the Inter-parliamentary Council is the next most influential structure primarily due to its specific mandate. Its purpose of harmonizing conflicting or disjointed legislation between the Kyrgyzstani and Kazakhstani legislatures regarding EEU rules lends direction and prestige to the body, which is normally lacking in similar assemblies. Its position as a purely consultative body for the Supreme Interstate Council means that while it does not have a direct impact on cross-border ties, it can influence dialogue and actions taken at the highest level with regard to trade and border policy.

Lastly, the Prime Ministers in the Intergovernmental Council lack any real or imaginary influence. This is particularly problematic for Kyrgyzstan because the Prime Minister now officially holds greater powers within the government than the President. However, due to the format of the group, this means that meetings are asymmetric with the weaker Kazakhstani Prime Minister hindering any ability for the Kyrgyzstani Prime Minister to induce change in foreign relations. Also, much like in the case of the President, historical inertia within Kyrgyzstan means that the President will continue to head diplomatic efforts until new political traditions and norms can be formed and strengthened.

*H<sub>2</sub>: The border continues to be a point of contention in bilateral relations as it is the only instrument where both actors can apply leverage and have influence on the affairs of its neighbor.*

The examples of ad hoc border closures and responses from government officials and average citizens provided in the thesis prove that the state border continues to be a political and economic tool. The near two month “economic embargo” following the 2010 revolution was a break from 2005. Before, closing the border was simply used to ensure that political turmoil did not spill over into Kazakhstan, but 2010 was different not only in its duration but also in that it cemented border closings as a political tool for Kazakhstan whenever events or actions taken by Kyrgyzstan were not to their liking. The fact that Article VI of the *Agreement between the Republic of Kazakhstan and the Kyrgyz Republic on the Kazakh-Kyrgyz State Border* is routinely violated appears to not be grounds for argument or a means of redress even by the victim. Conversely, Kyrgyzstan’s threats to impose stricter registration regulations for visiting Kazakhstani citizens demonstrates that not only do issues emanate from the border but that even punitive measures rely upon the border to be enforced. Along with worries of an infringement of national sovereignty and nature of the modern nation-state, this cyclical paradigm shows that the border remains the only tool available to both countries where leverage can be applied to induce change in one another.

Accession to the Eurasian Economic Union further compounds issues because of perceived expectations that common policy will be adopted and disparate positions harmonized. However, bilateral agreements continue to interfere with or are given deference by the Eurasian Economic Commission, which further confuses the already muddled environment. Kyrgyzstan’s accession ceremony in Cholpon-Ata in 2015 shows protocols and agreements are ignored or not fully implemented even after public announcements and ceremonies stating that they are. This oftentimes confusing milieu of legislative and organizational commitments and protocols for the easing of trade relations means that deficiencies inherent in bilateral relations impede supranational obligations and vice versa.

*H<sub>3</sub>: Kazakhstan is antagonistic towards Kyrgyzstan because of the political threat posed by Kyrgyzstan’s continued foray into pluralistic politics, notably its experimentation with parliamentary democracy.*

While direct data providing a smoking gun is scarce, the information presented regarding neopatrimonial regime tendencies and Nazarbaev's comments validate the supposition that Kazakhstan views Kyrgyzstan's experimentation with parliamentary democracy as a threat for two reasons.

First, with the overthrow of Akaev in 2005 and Bakiev in 2010, Kyrgyzstani politics showed that highly centralized authoritarian regimes are not invulnerable to social and political changes. Like Hale postulated, the political landscape in Kyrgyzstan changed from a *single-power pyramid* to a *competitive-power pyramid* thus diffusing influence while at the same time allowing political elites to defect without fear of retribution.<sup>180</sup> Such an occurrence in Kazakhstan would effectively annihilate Nazarbaev's personal position and vertical power structure. Elites would no longer be in lock step with the ruling regime but instead would have increased incentives to defect to an alternate and competing vertical of power. This was not lost on him, which is why he not only instituted further restrictions on civil liberties in Kazakhstan but also sought to marginalize and impede progress in Kyrgyzstan. Naturally, this policy of marginalization adopted an antagonistic mindset in regards to border policy and personal comments uttered by President Nazarbaev himself.

Second, Kazakhstan expressed apprehension at Kyrgyzstan's decision to experiment with parliamentary democracy as actual progress towards pluralistic politics and institutions by a neighbor would highlight deficiencies in the Kazakhstani system. "Free and fair" elections and openness of political expression, both necessary in a parliamentary democracy, in Kyrgyzstan are directly opposed to Kazakhstan's "democratic norms" as unpredictable electoral outcomes mean that political choices are outside the state's control. Instead, Kazakhstan relies on a form of "sovereign democracy" where Nazarbaev overwhelmingly influences and dictates the rules of elections and other democratic processes, which are characteristically autocratic. Astana's insistence that stability trump all other conditions for the state means that control is of the utmost importance when it comes to the populace. Kyrgyzstan's recent foray into pluralistic politics endangers Kazakhstan's authoritarian model thus eliciting an inimical attitude.

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<sup>180</sup> Henry E. Hale, *Patronal Politics: Eurasian Regime Dynamics in Comparative Perspective* (Cambridge: Cambridge University Press, 2015).

## Conclusions

This thesis set out to analyze the status of and mechanisms responsible for Kyrgyzstan-Kazakhstan bilateral relations since 2010. With both the Akaev and Bakiev regimes consisting of strong single-pyramid verticals of power, they conducted statecraft on par with Nazarbaev since both countries were controlled by highly centralized regimes. These relations primarily took on dynastic, security, and personal economic priorities with the state itself being secondary in nature. Regardless, relations were productive compared to other Central Asian states until Kyrgyzstan's revolution in 2010. This ushered in not only a new form of governance in Bishkek, but also significantly altered the nature of bilateral relations to today.

Since 2010, presidential administrations still conduct bilateral relations to the greatest extent due to historical political inertia and the stability inherent in the positions. The Supreme Interstate Council continues to be the most productive platform and its convening also draws government ministers from the respective countries who would not otherwise meet and discuss relevant issues. The Inter-parliamentary Council has great potential due to its specialized mission but results are so far not forthcoming. Because both Parliaments possess weak positions even in their home countries, little is to be expected from their participation in international relations. Lastly, the Prime Ministers and Intergovernmental Council can be credited with almost no tangible impact. This is unfortunate given Kyrgyzstan's move to enhance the power of the office, but the council is only as strong as its weakest part. Due to the Kazakhstani Prime Minister being inherently weak, the Intergovernmental Council appears to only be a venue where the main talking points in the Supreme Interstate Council are reiterated. With Kyrgyzstan waffling between Prime Ministers on a consistent basis and Nazarbaev not looking to relinquish the office anytime soon, the Presidency and Supreme Interstate Council continue to conduct statecraft to a large degree.

What was initially meant to stem political turmoil in Kyrgyzstan has now become the tool by which diplomacy is carried out. Today, ad hoc unilateral border closings, changing health and safety protocols, and threats to alter migration policies now pervade Kyrgyzstani-Kazakhstani relations. Relations have taken on an acrimonious air with little divergence from the current state of affairs being seen. Instead, conflicting views and positions over the border along with multinational

commitments further muddle the picture and make straightforward constructive dealings night to impossible. Kyrgyzstan will continue to push for better relations at the border in order to secure its economic lifeline and protect migrants working in Kazakhstan and other EEU countries. Kazakhstan, while not being able to rid Kyrgyzstan of its current form of government without military force, will continue to use its political and geographic supremacy as leverage to chastise or influence Kyrgyzstan's direction or policy choices when deemed fit. Unfortunately, citizens are caught in the middle and must suffer under elite machinations and power plays.

It is my hope that this thesis has contributed to our understanding of how Central Asian states, specifically Kyrgyzstan and Kazakhstan, interact with each other on the international stage. While it is unlikely that ties will improve dramatically over the next 5-10 years, what this thesis stresses is that countries' attitudes towards each other can change, for better or worse, in the blink of an eye.

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