International Organizations and State Failure Prevention

The Dilemma of the OSCE Operations in Kyrgyzstan and Tajikistan 1998–2017
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Steve Schlegel

International Organizations and State Failure Prevention

The Dilemma of the OSCE Operations in Kyrgyzstan and Tajikistan 1998–2017

Nomos
Acknowledgments

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Steve Schlegel

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<th>Description</th>
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<tr>
<td>ATS</td>
<td>Austrian schilling</td>
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<tr>
<td>BTI</td>
<td>Bertelsmann Stiftung’s Transformation Index</td>
</tr>
<tr>
<td>CA</td>
<td>Central Asia</td>
</tr>
<tr>
<td>CALO</td>
<td>Central Asia Liaison Office (of the OSCE)</td>
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<tr>
<td>CPI</td>
<td>Corruption Perception Index</td>
</tr>
<tr>
<td>CPC</td>
<td>Conflict Prevention Centre (of the OSCE)</td>
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<tr>
<td>CSCE</td>
<td>Conference on Security and Co-operation in Europe</td>
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<tr>
<td>CSI</td>
<td>Community Security Initiative</td>
</tr>
<tr>
<td>DPT</td>
<td>Democratic Party of Tajikistan</td>
</tr>
<tr>
<td>ECA</td>
<td>Europe and Central Asia</td>
</tr>
<tr>
<td>EU</td>
<td>European Union</td>
</tr>
<tr>
<td>EULEX Kosovo</td>
<td>European Union Rule of Law Mission in Kosovo</td>
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<tr>
<td>FSI</td>
<td>Failed State Index/Fragile State Index (renamed in 2014)</td>
</tr>
<tr>
<td>GDP</td>
<td>Gross Domestic Product</td>
</tr>
<tr>
<td>GKNB</td>
<td>Государственный комитет национальной безопасности (State Committee of National Security; official acronym of the Kyrgyz Secret Service)</td>
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<tr>
<td>IAEA</td>
<td>International Atomic Energy Agency</td>
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<tr>
<td>IJU</td>
<td>Islamic Jihad Union</td>
</tr>
<tr>
<td>ILO</td>
<td>International Labour Organization</td>
</tr>
<tr>
<td>IMF</td>
<td>International Monetary Fund</td>
</tr>
<tr>
<td>IMU</td>
<td>Islamic Movement of Uzbekistan</td>
</tr>
<tr>
<td>IOM</td>
<td>International Organization for Migration</td>
</tr>
<tr>
<td>IRPT</td>
<td>Islamic Renaissance Party of Tajikistan</td>
</tr>
<tr>
<td>ISIS</td>
<td>Islamic State of Iraq and Syria</td>
</tr>
<tr>
<td>IWPR</td>
<td>Institute for War and Peace Reporting</td>
</tr>
<tr>
<td>KGB</td>
<td>Комитет государственной безопасности (Committee for State Security, official acronym of the Soviet Secret Service)</td>
</tr>
<tr>
<td>MoI</td>
<td>Ministry of the Interior</td>
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<tr>
<td>NATO</td>
<td>North Atlantic Treaty Organization</td>
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<tr>
<td>NBT</td>
<td>National Bank of Tajikistan</td>
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<tr>
<td>NGO</td>
<td>Non-Governmental Organization</td>
</tr>
<tr>
<td>OCEEA</td>
<td>Office of the Co-ordinator of the OSCE Economic and Environmental Activities</td>
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<tr>
<th>Abbreviation</th>
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<tr>
<td>ODIHR</td>
<td>Office for Democratic Institutions and Human Rights (of the OSCE)</td>
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<tr>
<td>OMON</td>
<td>Отряд Милиции Особого Назначения (Special Purpose Police Unit; used in most post-Soviet States)</td>
</tr>
<tr>
<td>OSCE</td>
<td>Organization for Security and Co-operation in Europe</td>
</tr>
<tr>
<td>PDPT</td>
<td>People’s Democratic Party of Tajikistan</td>
</tr>
<tr>
<td>SCNS</td>
<td>State Committee of National Security (Official acronym of the Tajik Secret Service)</td>
</tr>
<tr>
<td>SNB</td>
<td>Служба национальной безопасности (National Security Service; official acronym of the Kyrgyz Secret Service under Bakiev; later renamed GKNB)</td>
</tr>
<tr>
<td>SPMU</td>
<td>Strategic Police Matters Unit (of the OSCE Secretariat)</td>
</tr>
<tr>
<td>TALCO</td>
<td>Tajik Alumin Company</td>
</tr>
<tr>
<td>TSARII</td>
<td>Центральное агентство развития, инвестиций и инноваций (Central Agency for Development, Investment and Innovation in Kyrgyzstan under Bakiev)</td>
</tr>
<tr>
<td>UNDP</td>
<td>United Nations Development Programme</td>
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<tr>
<td>UNDPA</td>
<td>United Nations Department of Political Affairs</td>
</tr>
<tr>
<td>UNMIK</td>
<td>United Nations Mission in Kosovo</td>
</tr>
<tr>
<td>UNMOT</td>
<td>United Nations Mission of Observers in Tajikistan</td>
</tr>
<tr>
<td>UNODC</td>
<td>United Nations Office on Drugs and Crime</td>
</tr>
<tr>
<td>UNTOP</td>
<td>United Nations Tajikistan Office of Peace Building</td>
</tr>
<tr>
<td>USA</td>
<td>United States of America</td>
</tr>
<tr>
<td>USAID</td>
<td>United States Agency for International Development</td>
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<tr>
<td>USCIRF</td>
<td>United States Commission on International Religious Freedom</td>
</tr>
<tr>
<td>USD</td>
<td>United States Dollar</td>
</tr>
<tr>
<td>USSR</td>
<td>Union of Soviet Socialist Republics</td>
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<tr>
<td>UTO</td>
<td>United Tajik Opposition</td>
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1. Introduction: *Weak States* as a Challenge for International Security

While *weak, failing, and failed states* can by no means be considered new phenomena in world politics – in fact they have existed since the emergence of the modern state – they did not become a focal area of research or of politics until the end of the Cold War.\(^1\) The consequences of state failures like the humanitarian catastrophes in Somalia, Ruanda, and the former Yugoslavia forced fragile states into the public debate. After the terrorist attacks on September 11, 2001, the perspective changed once again.\(^2\) After that, the so-called *failed states* have not only been seen as locations of regrettable, but in the end negligible human suffering, but also as “threats to global security and well-being, from transnational terrorism to international crime, humanitarian catastrophes, regional instability, global pandemics, mass migration and environmental degradation.”\(^3\)

By now, there is almost no national or multinational security strategy that forgoes defining *failed states* as a security risk.\(^4\) During the last 20 years, several external interventions into *failed states* occurred. However, according to Brock et al., “there is no evidence that international society has the capacity (within a meaningful time frame) to make fragile states strong, viable and capable of serving their populations. The resulting hesitant engagement is fraught with problems. As we have seen in the unhappy cases of the Democratic Republic of the Congo, Afghanistan and Haiti, even decades-long, expensive interventions may not lead to stronger and more viable states and may at times do even more harm than good.”\(^5\)

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1. For notable exceptions see e.g. Jackson/Rosberg 1982. / Migdal 1988.
authors conclude that “[…] interventions themselves most often enhance fragility, prevent normal political developments and at best threaten and at worst destroy the trust and institution building required to address problems of fragility.”

In the light of such failing interventions into ongoing conflicts, the former president of the World Bank, Robert Zoellick, consequently argues in favor of supporting fragile states to prevent them from failing in the first place: “Today, post-conflict peacebuilding and reconstruction efforts have received the bulk of development assistance. This is understandable. It is hard to get donors to pay attention to something that has not yet happened. But conflict prevention must be a better way to ensure stability and peace than picking up the pieces after conflict has destroyed societies, institutions and lives.”

Yet, such an approach would need an elaborate understanding of the root causes of state failure, going beyond the collection of unconnected data. One of the first persons to foresee the state failure debate, the journalist Robert Kaplan, acknowledged: “In 1994, immediately after this article [= “The coming anarchy”, St.Sch.] was published, I began a journey by land – roughly speaking – from Egypt to Cambodia: through the Near East, Central Asia, the Indian sub-continent, and Southeast Asia. [...] By the time I reached Cambodia, I realized that while I could still identify the destructive powers that I had seen in Africa, I understood their root causes less than I thought I did.” However, while the lack of understanding for root causes admitted by the journalist Kaplan in 1996 is excusable, the academics Milliken/Krause, Carment/Prest/Samy as well as Brock et al. still criticize the current lack of theoretical cohesion between the respective academic studies – even though fragile statehood has by now become a focal area of research more than one decade later.

Furthermore, while research on post-conflict peacebuilding in failed states remains a growing academic field, the topic of how to prevent weak states from failing remains under-researched, with only a few notable ex-
1. Introduction: Weak States as a Challenge for International Security

ceptions taking on this specific perspective.\textsuperscript{11} Using these observations as starting points, this work aims to contribute to theory building in the field of fragile statehood, especially in the field of conflict prevention. Therefore, it will be based upon a qualitative model developed by Rotberg and later refined by Schneckener, which has been largely ignored by a professional world relying mainly on quantitative analyses.\textsuperscript{12} One of the core points of this model, which will be discussed in detail later, is the differentiation of fragile states into \textit{weak}, \textit{failing}, and \textit{failed states}.

\textit{Weak states} can be described as overall stable states for which becoming a \textit{failing state} is a realistic worst-case scenario. The aim of this work is to examine which options and limitations external actors have when attempting to support such \textit{weak states}. To achieve this aim, the work of the Organization for Security and Co-operation in Europe (OSCE) in the Central Asian (CA) states Kyrgyzstan and Tajikistan will be analyzed using the method of focused, structured comparison by George/Bennett. There are three reasons for using these cases for analysis:

1. The former poorhouses of the Soviet Union, Tajikistan and Kyrgyzstan, can be seen as ideal types of so-called \textit{weak states}, as will be shown in Chapter 4.

2. By comparing the three dimensions of fragile statehood with the three dimensions of the OSCE’s work, a striking congruency can be identified at least on the conceptual level. Thus, even though the OSCE is one of the most under-researched international organizations, it has the potential to address all dimensions of fragile statehood.

3. Field missions of international organizations aiming to stabilize so-called \textit{weak states} are a relatively new phenomenon in world politics. Such engagement of international organizations is in most cases either not comprehensive enough to be considered a “field mission” or deployed re-actively, after a \textit{weak state} has spiraled into a \textit{failing state}. The OSCE’s field missions in Kyrgyzstan and Tajikistan can currently

\textsuperscript{11} Cf. Schneckener 2006, p. 16. / A similar approach is suggested, but not implemented by Carment and Risse/Leibfried; cf. Carment 2004, p. 145; Risse/Leibfried 2011, p. 269.

\textsuperscript{12} See Chapter 3.2.
be considered the longest ongoing comprehensive and preventive operations in the world.

Thus, while this work is based on a two-case comparison, which limits the empirical transferability to other cases, it can be seen as a first step to opening up the under-researched field of structural prevention of state failure. On the one hand, political practitioners are often faced with the need for decisions without having a theoretical base. As UN Secretary General Ban Ki Moon said, “[p]olicy, however, cannot wait until the knowledge base is perfected.”

On the other hand, Menkhaus describes the stabilization of fragile states as a so-called “wicked problem,” meaning that “[e]very solution to a wicked problem is a ‘one-shot operation’ – that is, there is no opportunity to learn by trial and error […]”. However, if it is impossible to learn by trial and error within the attempt to stabilize a fragile state while that fragile state at the same time remains a threat to international security, it is paramount to come to a more systematic understanding of fragile statehood by learning from a variety of cases. Combining both observations with the mixed record of post-conflict peacebuilding as well as imminent crisis reaction to failing or failed states (e.g. Afghanistan, DR Congo, Mali, Libya, Ukraine), the shift of focus towards weak states becomes understandable.

Scope and hypotheses of this work

This study aims to contribute to theory building in the field of fragile statehood theory to increase our knowledge on how state failure can be prevented in the first place as well as to examine the options and limitations of external support for such weak states. To achieve this, it will incorporate both a conceptual as well as an empirical level of analysis. In order to make a structured approach towards these levels of analysis possible, four hypotheses have been formulated, which will be tested in the course of this study:

1. If the central dilemmas of weak statehood exist, the symptomatic factors of weak statehood can also be identified. Kyrgyzstan and Tajikistan are both weak states in the sense of the model developed in this work.

13 United Nations, General Assembly Resolution A/63/677, para. 44.
14 Menkhaus 2010, p. 86.
1. Introduction: Weak States as a Challenge for International Security

2. If a state is a *weak state* in the sense of the developed model, neither the central dilemmas of a *weak state* nor the symptomatic factors derived directly from these dilemmas can be influenced by the OSCE.

3. However, the type of the *weak state’s* core dilemma does make a difference. If the state’s weakness mainly derives from the State Leader’s Dilemma, the OSCE can even less influence symptomatic factors than in a state where the state’s weakness derives from the Liberalization Dilemma.

4. As the OSCE cannot access the core dilemmas of weak statehood, the mission itself falls into a dilemma: In order to at least be able to prevent a *weak state* from becoming a *failing state*, it must stay in the country for as long as possible. In turn, to stay in the country for as long as possible, it has to forgo fostering reforms that are against the interest of the host government, consequently rendering the OSCE unable to contribute to the development of the *weak state* in question towards a *consolidated state*.

Based upon these hypotheses, the structure of the following study has been developed:

Chapter 2 will outline the research design of this study, including a discussion of emerging problems when researching conflict prevention. Furthermore, it will elaborate on why the method of focused, structured comparison was chosen instead of other methods and finally, it will give a more detailed explanation of the case selection.

Chapter 3 will then clarify the spectrum of fragile statehood, including a clear definition of how to distinguish *consolidated, weak, failing*, and *failed states*. Furthermore, the model of state functions borrowed from Schneckener and Rotberg will be refined by combining it with the concept of the Internal Security Dilemma described by Job, the State Leader’s Dilemma described by Migdal, and the Liberalization Dilemma described by Paris. This way, the interconnectedness of these functions as well as the dynamics between them can be modeled. In the end, the possible transformation of a *weak state* into a *consolidated or failing state* by a so-called upward or downward spiral of state stability will be discussed.

Chapter 4 will provide a detailed analysis and classification of the states Kyrgyzstan and Tajikistan, applying the model developed in Chapter 3, therefore testing hypothesis 1.
1. Introduction: Weak States as a Challenge for International Security

Chapter 5 then will take this analysis as a starting point and shift the focus of analysis on the work of the OSCE’s field mission in both countries, hereby testing hypothesis 2 and 3.

Chapter 6 will draw conclusions from the previous chapters and hence will evaluate hypothesis 4.

In conclusion, Chapter 7 will provide an outlook both towards further possible research steps as well as implications for policy makers based on the findings of this study.
2. Research Design

Before the theoretical framework for this work is introduced, several considerations regarding the research design of this study need to be discussed to clarify its scope and limitations. These considerations include the methodological paradox of researching issues of prevention, the method selection followed by the selection of cases as well as a note on data collection. Afterwards, Chapter 3 will deal with the actual development of the theoretical model used in this study and with the operationalization of this model.

2.1 The methodological paradox of researching conflict prevention

As the explicit aim of this study is to contribute to the field of conflict prevention by analyzing the prevention of state failure, it has to be noted first that researching questions of prevention is met with a fundamental paradox: It is impossible to find empirical proof that the non-occurrence of violent conflict is the direct result of successful conflict prevention.\(^{15}\) Could it not also be that the conflict at hand was less likely to escalate than other conflicts in the first place? Or that the preventive measures taken by outside actors contributed to de-escalation, but the crucial efforts were made by the conflict parties themselves, making it impossible to precisely evaluate the “success” of the preventive measures? Of course, it is also possible that preventive action really did prevent a violent conflict, but in this case successful prevention at the same time destroys any proof of its success as the prevented conflict never occurred.\(^{16}\) In such cases, a counterfactual analysis is impossible; contrary e.g. to chemical experiments, in the course of which a certain reaction can be repeated over and over while adding or not adding specific reagents. Thus, any study aiming to contribute to conflict prevention research has to find a way of dealing with this paradox.


To complicate matters even more, prevention itself has to be considered an extremely broad study field with various possible starting points, methods, and time frames, as illustrated by Lund’s fire prevention analogy: “Fire prevention methods differ in their strategies toward the problem, such as enforcing fire codes on house builders, requiring fire-proof materials, educating home dwellers to install fire alarms, speeding up fire engine response times, and locking up convicted pyromaniacs (but definitionally exclude fighting a raging fire).”\(^17\) The same applies to conflict prevention. While every approach to conflict prevention has its own values, not all of them can be covered in the same study. Furthermore, while studies on every subtype of prevention have to deal with the aforementioned paradox, every possible subtype requires a specific research design to deal with it. Therefore, the broad field of conflict prevention itself must first be broken down into subtypes in order to be able to specify the limits of the method developed in the next chapter.

To narrow down the field of conflict prevention, this study follows an approach that George/Bennett call block building, which allows to systematically specify the context to which results may transferred.\(^18\) The authors suggest structuring a complex field of study into various subtypes or “building blocks,”\(^19\) each filling “a ‘space’ in the overall theory or in a typological theory. In addition, the component provided by each building block is itself a contribution to theory; though its scope is limited […]. Its generalizations are more narrow and contingent than those of the general ‘covering laws’ variety that some hold up as the ideal, but they are also more precise and may involve relations with higher probabilities. In other words, the building block is self-sufficient; its validity and usefulness do not depend upon the existence of other studies of different subclasses of that general phenomenon.”\(^20\)

Therefore, within the scope of this work, the research field of conflict prevention will be distinguished according to a typology comprising two dimensions: The first dimension looks at whether the preventive measures are used to decrease the structural risk of violent conflict occurring or
whether they are meant to defuse an acute crisis,\textsuperscript{21} and the second looks at whether the preventive measures are employed comprehensively, meaning involving several policy dimensions, or whether they are employed in a selective way. Thus, four subclasses of the complex field of conflict prevention can be identified.

First, there are measures aimed at decreasing structural risks of violent conflict by employing a comprehensive set of actions. Prime examples for this subtype are the OSCE Field Operations analyzed in a later chapter of this work. Second, there are measures aimed at decreasing structural risks of violent conflict by employing selective means. Examples for this subtype are bilateral development programs in specific economic or political sectors as well as specific capacity building efforts such as stand-alone rule-of-law programs. Third, there are measures aimed at defusing ongoing crises by employing comprehensive means. A prime example for this subtype is the combination of preventive military deployment in Macedonia in 2001 and efforts of preventive diplomacy at the same time leading to the Ohrid Agreement, which probably prevented a Macedonian civil war. Fourth, there are measures aimed at defusing ongoing crises by employing selective means. Notable examples are fact-finding missions conducted to investigate incidents that could potentially lead to the escalation of a conflict, attempts of preventive diplomacy by third-party mediators, sanctions against potential conflict parties or preventive military deployments to deter a violent escalation. The following matrix sums up the four subclasses in the field of conflict prevention:

<table>
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<th>Acute</th>
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<tr>
<td>Comprehensive</td>
<td>Preventive political field missions</td>
<td>Preventive military deployment combined with preventive diplomacy</td>
</tr>
<tr>
<td>Selective</td>
<td>Development aid, specific capacity building programs</td>
<td>Preventive diplomacy, fact-finding missions, sanctions, preventive military deployment</td>
</tr>
</tbody>
</table>

Figure 1: Typology of conflict prevention; author’s own compilation.

2. Research Design

While studies of all of these four types of conflict prevention will find themselves in the situation of having to deal with the paradoxical immeasurability of a prevention’s degree of success, an approach of assessment will take a different form according to which subtype is being investigated. Thus, as this work aims to analyze the structural efforts of comprehensive field missions, the approach sketched out in the next subchapter will be transferable only to other studies dealing with the first subtype.

2.2 Method selection

As a starting point for method selection, three approaches discussed in the current literature dealing with the question of how to select indicators for analysis will be briefly considered in the following: mandate achievement, missed opportunities, and effectiveness of policy instruments.

The first approach – mandate achievement – seems, at first glance, to be tempting to use when explicitly focusing on the work of international organizations based on mandates. Mandates hold an official status; they offer goals defined more or less clearly by the organization and can therefore be transformed into measurable indicators. However, mandate achievement has been criticized by Stedman to be an unreliable indicator to measure the work of international organizations because mandates can be purposely worded by international organizations in a very modest way in the first place, aiming “to inflate their success rate by purposely minimizing performance goals […].”\(^\text{22}\) In other cases, missions can also be overburdened with unachievable mandates, making it almost impossible to compare several field missions by comparing the number of goals by mandate they achieved.\(^\text{23}\) Therefore, mandate achievement, an easily measurable indicator at first glance, is rejected as an approach for this study.

The second approach is to use a research design focused on the process of escalation of violent conflicts, trying to identify so-called “missed opportunities”\(^\text{24}\) for prevention as discussed by Jentleson. However, such an approach is limited by two inherent drawbacks: Firstly, while missed op-

\(^{22}\) Downs/Stedman 2002, p. 45.
\(^{23}\) Cf. ibid, p. 46.
opportunities for preventive action might be identified, it cannot be assessed whether this preventive action would have been successful or not as “one can never be entirely confident in the conclusions drawn from what-might-have-been-scenarios […].” Second, and closely related to the first approach, conclusions drawn from the identification of missed opportunities in a past case can hardly be transferred to policy advice on how to act in a present case. Thus, while the ex-post analysis of missed opportunities has an epistemological value, it is not considered suitable for the aims of this study.

Instead, Lund suggests a third approach, which consists of “examining the effects in one or more emerging conflict settings when certain policy instruments are introduced.” Such an approach, however, comes with an inherent drawback: Evaluating the efficiency of a specific policy instrument for conflict prevention is almost impossible as, on the one hand, the evaluation of efficiency would require reliable quantitative data, which in many possible cases is hard to collect, while, on the other hand, the causal connection between policy instrument and successfully prevented conflict cannot be identified due to the paradox of researching prevention. Thus, the only possible research design would be a comparative study, based on a design using a controlled comparison in which two almost identical cases, which both are at risk of violent conflict and of which one escalates and one is prevented by external action, would be analyzed. However, the empirical world does not offer suitable cases for such a research design.

Therefore, in this study, a fourth approach is created by a combination of elements of Jentleson’s and Lund’s approaches. This approach in turn is built on three steps:

The first step follows some of Jentleson’s considerations. As there is already a vast body of literature on state failure available, dilemmas and processes causing or contributing to state failure can be identified. Of course, one has to agree with Lund “that systemic factors do not directly cause violent conflicts. General poverty does not start wars, people do –

when they act coercively to preserve their privileges, or seek to violently reverse their oppression and misery.”

The correlation that most failing states belong to the group of the poorest countries in the world (with the notable exception of Ukraine) does not mean that all countries with low economic indicators will inevitably become failing states sooner or later.

In fact, several of the poorest countries of the world have remained stable over decades. Similarly, arbitrary thresholds set up in indices defining every state as failed when it undercuts a certain score can easily be over-interpreted. Nevertheless, one has to consider such structural aspects as factors contributing to conflict escalation.

Therefore, a theoretical model identifying processes destabilizing a weak state will be developed. The core of this model will be a set of three mutually reinforcing structural dilemmas. The interdependences between these dilemmas and other symptomatic factors of weak statehood deducted from an established body of secondary literature will be analyzed to identify all processes perpetuating the status of a weak state or contributing to state failure.

In a second step, an empirical analysis will be conducted to find out which of these dilemmas and processes can be influenced by an external actor at all. While it seems tempting to analyze the question of the extent to which processes can be influenced, such an approach would require the existence of a way to measure effectiveness. However, the measurement of effectiveness of administrative reforms still lacks a theoretical basis, as “service sector productivity is inherently hard to measure.” Furthermore, the quantitative data required for such an approach would not be available in most cases, while qualitative assessment of project success by means of interviewing the persons that have conducted these very projects would be inaccurate. Therefore, an approach based on measuring effectiveness is unsuitable for assessing whether external programs contribute to prevention of state failure or not. Instead, the analysis of whether specific processes can be influenced by external actors at all allows for a Popperian logic of falsification, as it is, in the case of this study, clearly

32 See Chapter 3.
33 See Chapter 3.3.
34 Cf. Ebinger 2013, p. 38.
possible to identify those processes that are beyond the OSCE’s capabilities.\textsuperscript{37}

In a \textit{third} step, it can then be assessed if and to what extent these processes that are beyond the OSCE’s influence are major contributing factors in the destabilization of a state when additional triggering effects occur.\textsuperscript{38} To conduct such an assessment, these symptomatic factors of weak statehood beyond reach will be analyzed from two perspectives: First, whether it is possible that they contribute directly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force,\textsuperscript{39} as this is the major contributing effect fostering the three dilemmas of a \textit{weak state}. Second, it will be analyzed to which extent they influence the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force indirectly. If the OSCE is either unable to influence all of those symptomatic factors directly contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force, or if it is unable to influence most of those symptomatic factors contributing to the same effect indirectly, it will be safe to assume that it could not prevent a state failure in the event that additional triggering effects occur. If it is able to influence those symptomatic factors directly contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force, but not those contributing indirectly, it might stall a further deterioration from \textit{weak state} to \textit{failing state} but be unable to contribute to the development towards a \textit{consolidated state}. Only if the OSCE is able to contribute to symptomatic factors indirectly contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force in all three state functions can it also contribute to a development towards a \textit{consolidated state}. This way, an estimation to which extent external actors can contribute to the stabilization of a fragile state would be possible without having to judge whether a state failure was prevented or not – which in turn solves the methodological paradox of researching prevention for this particular study.

As such an approach requires a methodology in which one “can look at a large number of intervening variables and inductively observe any unex-

\begin{itemize}
\item \textsuperscript{37} Cf. Rudolf/Lohmann 2003, p. 6.
\item \textsuperscript{38} See Chapter 3.5.
\item \textsuperscript{39} See Chapter 3.4.
\end{itemize}
pected aspects of the operation of a particular causal mechanism," a case study-based inquiry has to be considered the most suitable approach to test the developed hypotheses. However, not all conceivable case study designs are equally suited for such an inquiry. Moreover, due to their inherent methodological constraints, none of the standard case study designs (single case study, classical controlled comparison, large-n comparative study) is considered suitable for the research objectives at hand:

First, single case studies lack transferability to different cases as “social reality is not reasonably treated as being produced by deterministic processes.” Furthermore, as a successful prevention of state failure cannot be measured directly, no existing empirical case could be considered a so-called “crucial case” which would make a test of contradicting theories possible to conduct, as none of these empirical cases would allow for analytical judgment to be made. In this particular research design, it would be impossible to analyze the relevance of different constellations of the three dilemmas mentioned before using a single case study. Therefore, single case studies on the prevention of state failure should be considered mainly plausibility probes “to determine whether more intensive and laborious testing is warranted.”

Second, classical comparative research designs like the most similar case design or the most dissimilar case design share two inherent flaws, making them unsuited for this particular study. First, both are suited specifically to explain certain outcomes which in turn necessarily need to be directly measurable. However, the prevention of state failure cannot be assessed directly, as has been shown in the previous subchapter. Second, the most similar case design requires “two cases resembling each other in every aspect but one,” while the most dissimilar case design would require cases resembling each other in no other aspects but one. Both preconditions are hardly to be found in the empirical world, making this formalistic approach unsuited for this study.

Third, King/Keohane/Verba argue that even for qualitative case studies the principle of “[t]he more, the better” should be the guideline for case

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40 Cf. George/Bennett 2005, p. 21.
42 Ibid., p. 209.
43 George/Bennett 2005, p. 75.
44 Ibid., p. 152.
45 King/Keohane/Verba 1994, p. 216.
2.2 Method selection

selection. However, the number of existing empirical cases of a certain phenomenon is limited. Furthermore, in the specific area of conflict prevention, the field of research was explicitly narrowed down as the paradox of researching conflict prevention cannot be tackled for every type of preventive action in the same way. Moreover, as the principal level of analysis within a given subtype of prevention has to be the state level, increasing the number of cases by analyzing sub-state entities like regions as proposed by King/Keohane/Verba to solve the problem of insufficient numbers of cases cannot be transferred to this study. The same applies to their suggestion of adding historical cases to the comparison, as comprehensive field missions deployed to weak states are a relatively new phenomenon in world politics. Thus, a comparative method suitable for drawing as much relevant information as possible out of a limited number of existing cases has to be found.

One way to analyze a small number of cases and to be able to draw conclusions valuable to other scholars’ subsequent cumulative research projects is the method of structured, focused comparison developed by George/Bennett. “Structured” in terms of George/Bennett means analyzing all cases using exactly the same criteria, allowing for a standardized comparison between the cases. Meanwhile, “focused” means that all cases will be analyzed with the same theoretical foundation providing a transparent “set of data requirements,” allowing to draw conclusions for general theory-building beyond the particular cases at hand. While one has to consider this approach to be minimalistic to a certain extent, it is able to deal with the drawbacks of the classical approaches while avoiding using a simple descriptive and atheoretical procedure that is neither comparable to past nor useful for future research to build upon.

Similar to formalistic controlled comparison designs, this approach is based on dependent and independent variables as well as fixed parameters. Within this study, the dependent variable to be explained is the ability of external actors to influence symptomatic factors which can destabilize a state. The independent variables are basically constituted by the

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46 See Chapter 3.1.
48 Cf. ibid., pp. 221/222.
49 Cf. George/Bennett 2005, p. 70.
50 Ibid., p. 70.
51 Cf. ibid., p. 79.
three central dilemmas influencing processes linked to the corresponding state functions: the Internal Security Dilemma, the State Leader’s Dilemma, and the Liberalization Dilemma. However, as will be shown in Chapter 3.3.2, the State Leader’s Dilemma can be seen as a result of reactions to the Internal Security Dilemma, while the Liberalization Dilemma can be seen as a result of reactions to the State Leader’s Dilemma, which in turn can lead to the Internal Security Dilemma again. Furthermore, as will be shown in Chapter 3.4, different dilemmas influence different symptomatic factors. Therefore, case selection should represent the variance in which of these three mutually reinforcing dilemmas causes most of the specific symptomatic factors. As the Internal Security Dilemma is distinctive in cases in which the Gewaltmonopol (the monopoly on the legitimate use of force) is already crumbling,\textsuperscript{52} therefore constituting failing states, cases which vary in whether the State Leader’s Dilemma or the Liberalization Dilemma is more distinctive are to be preferred as these are the cases that constitute weak states. In terms of parameters, both cases will be influenced by the Internal Security Dilemma and share a similar geographical and historical context.

However, as will be shown in the next subchapter, finding cases that fit these requirements includes narrowing down systematically a wide range of cases that seem eligible at first glance, with only a very limited selection of suitable cases remaining after applying all criteria. Furthermore, one should keep in mind that, because of all the methodological problems described in the last two subchapters, research on conflict prevention still has to be considered a “low information setting,”\textsuperscript{53} i.e. the testing of the hypotheses within this research design will only strengthen or weaken the developed theoretical framework, but not establish a completely new theory based on only one comparative study.\textsuperscript{54}

### 2.3 Case selection

First of all, it must be noted that the term preventive political field mission, which has been established in Chapter 2.1, has not been defined yet. While classical peacekeeping missions based on a uniformed military

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\textsuperscript{52} See Chapter 3.3.1.
\textsuperscript{53} Gisselquist 2014, p. 477.
\textsuperscript{54} Cf. ibid., p. 478.
component can by now be considered well-defined both in international law as well as in political science studies, Johnstone observed that, “[t]he term ‘political mission’ is not well-specified,”\(^5\) arguing in favor of defining them by their function, not by mandate or composition. Thus, as a first step, I will follow Gowan, who defines political missions as “primary civilian missions”\(^6\) and distinguishes between those that “are tasked with indirectly contributing to stable and sustainable politics such as promoting good governance, justice or security sector reform […]”\(^7\) and those with “clear mandates to guide and sustain mediation processes.”\(^8\) Transferring these two types of definition to the typology of preventive measures, the first can be easily placed into the ideal type of comprehensive and structural prevention, while the second can clearly be placed into the ideal type of selective and acute prevention. However, while an academically suitable definition of the ideal type of a preventive political field mission can be easily set up by using the first part of Gowan’s definition, matching currently deployed real-world missions with this definition is harder than it seems at first glance.

First, as the former UN Special Representative Ian Martin stresses, all modern UN missions include civilian components with e.g. capacity building functions, regardless of their position in the conflict cycle (preventive, peacekeeping, peacebuilding).\(^9\) Thus, as the transition from one mission type to another is very fluid, it is extremely hard to classify a specific mission and particularly to distinguish between a post-conflict peacebuilding mission and a preventive mission, as peacebuilding by definition is a means to prevent a renewal of a conflict that has ended.\(^10\) Second, different international organizations use different terminologies to classify their missions internally, which are neither congruent to the definition introduced above nor complementary to each other.

In the UN terminology on the one hand, peacekeeping mission and special political mission are solely budgetary categories, showing only whether the mission is paid for from the peacekeeping budget or the regu-
lar budget, without regard for the function of the mission.\footnote{Cf. Call 2011, p. 10.} Furthermore, political missions of the UN, while often lacking a clear mandate for structural conflict prevention, are at the same time often tasked with coordinating activities of other UN agencies, like UNDP or UNHCR, making them de facto missions which still can be classified as belonging to the field of comprehensive, structural prevention.

In the current OSCE terminology on the other hand, the term mission is historically reserved for field operations in conflict and post-conflict environments, while other field operations lack a consistent terminology and are given a wide range of denominations (e.g. centre, office, presence, project co-ordinator, etc.).\footnote{Cf. OSCE Network of Think Tanks and Academic Institutions 2014, p. 11.} However, despite this relatively clear-cut distinction in terminology between “missions” and other field operations, they are actually not that different from each other in terms of structure, size, or mandate, as they are usually civilian, rather small (less than 60 international staff members and up to 140 national staff members), and are deployed with the consent of the host state for a pre-defined duration (even though the one-year mandates are usually extended).

Last, while the number of civilian EU missions deployed has increased vastly over the last two decades, all of these missions are too narrow in their scope to be considered “comprehensive.” Therefore, even though some missions have tasks similar to those of some branches of UN and OSCE missions, they cannot be considered comparable to them from a methodological perspective. Regardless of their official denomination within their organization’s terminology, all missions that can be considered preventive comprehensive political field missions are listed in the following table:\footnote{Sorted in alphabetical order of host states. Field operations which can be classified both as preventive as well as post-conflict peacebuilding are written in \textit{italics}.}
## 2.3 Case selection

<table>
<thead>
<tr>
<th>Mission</th>
<th>International Organization</th>
<th>Host state</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSCE Presence in Albania</td>
<td>OSCE</td>
<td>Albania</td>
<td>1997-</td>
</tr>
<tr>
<td>OSCE Office in Yerevan</td>
<td>OSCE</td>
<td>Armenia</td>
<td>1999-2017</td>
</tr>
<tr>
<td>OSCE Office in Baku</td>
<td>OSCE</td>
<td>Azerbaijan</td>
<td>1999-2014</td>
</tr>
<tr>
<td>OSCE Project Coordinator in Baku</td>
<td>OSCE</td>
<td>Azerbaijan</td>
<td>2014-2015</td>
</tr>
<tr>
<td>Advisory and Monitoring group in Belarus</td>
<td>OSCE</td>
<td>Belarus</td>
<td>1998-2002</td>
</tr>
<tr>
<td>OSCE Office in Minsk</td>
<td>OSCE</td>
<td>Belarus</td>
<td>2003-2011</td>
</tr>
<tr>
<td>OSCE Mission to Bosnia and Herzegovina</td>
<td>OSCE</td>
<td>Bosnia and Herzegovina</td>
<td>1995-</td>
</tr>
<tr>
<td>UN Integrated Office in Burundi (BINUB)</td>
<td>UN</td>
<td>Burundi</td>
<td>2007-2010</td>
</tr>
<tr>
<td>UN Office in Burundi (BNUB)</td>
<td>UN</td>
<td>Burundi</td>
<td>2010-2014</td>
</tr>
<tr>
<td>OSCE Mission to Croatia</td>
<td>OSCE</td>
<td>Croatia</td>
<td>1996-2007</td>
</tr>
<tr>
<td>OSCE Office in Zagreb</td>
<td>OSCE</td>
<td>Croatia</td>
<td>2007-2012</td>
</tr>
<tr>
<td>OSCE Mission to Georgia</td>
<td>OSCE</td>
<td>Georgia</td>
<td>1992-2008</td>
</tr>
<tr>
<td>United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS)</td>
<td>UN</td>
<td>Guinea-Bissau</td>
<td>1999-2010</td>
</tr>
</tbody>
</table>
2. Research Design

<table>
<thead>
<tr>
<th>Mission</th>
<th>International Organization</th>
<th>Host state</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td><em>United Nations Integrated Peace-building Office in Guinea-Bissau (UNIOGBIS)</em></td>
<td>UN</td>
<td>Guinea-Bissau</td>
<td>2010-</td>
</tr>
<tr>
<td>OSCE Centre in Astana</td>
<td>OSCE</td>
<td>Kazakhstan</td>
<td>1998-2014</td>
</tr>
<tr>
<td>OSCE Programme Office in Astana</td>
<td>OSCE</td>
<td>Kazakhstan</td>
<td>2015-</td>
</tr>
<tr>
<td><em>OSCE Mission in Kosovo</em></td>
<td>OSCE</td>
<td>Territory of Kosovo</td>
<td>1999-</td>
</tr>
<tr>
<td>OSCE Centre in Bishkek</td>
<td>OSCE</td>
<td>Kyrgyzstan</td>
<td>1998-2017</td>
</tr>
<tr>
<td>OSCE Programme Office in Bishkek</td>
<td>OSCE</td>
<td>Kyrgyzstan</td>
<td>2017-</td>
</tr>
<tr>
<td>OSCE Mission to Latvia</td>
<td>OSCE</td>
<td>Latvia</td>
<td>1993-2001</td>
</tr>
<tr>
<td><em>OSCE Mission to Skopje</em></td>
<td>OSCE</td>
<td>Macedonia (FYROM)</td>
<td>1992-</td>
</tr>
<tr>
<td><em>OSCE Mission to Moldova</em></td>
<td>OSCE</td>
<td>Moldova</td>
<td>1993-</td>
</tr>
<tr>
<td>OSCE Mission to Montenegro</td>
<td>OSCE</td>
<td>Montenegro</td>
<td>2006-</td>
</tr>
<tr>
<td><em>United Nations Missions in Nepal (UNMIN)</em></td>
<td>UN</td>
<td>Nepal</td>
<td>2007-2011</td>
</tr>
<tr>
<td><em>OSCE Assistance Group to Chechnya</em></td>
<td>OSCE</td>
<td>Russian Federation (Chechnya)</td>
<td>1995-1998</td>
</tr>
<tr>
<td>OSCE Mission to Serbia</td>
<td>OSCE</td>
<td>Serbia</td>
<td>2001-</td>
</tr>
<tr>
<td><em>United Nations Integrated Peace-building Office in Sierra Leone (UNIPSIL)</em></td>
<td>UN</td>
<td>Sierra Leone</td>
<td>2008-2014</td>
</tr>
</tbody>
</table>
### 2.3 Case selection

<table>
<thead>
<tr>
<th>Mission</th>
<th>International Organization</th>
<th>Host state</th>
<th>Duration</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSCE Mission to Tajikistan</td>
<td>OSCE</td>
<td>Tajikistan</td>
<td>1994-2003</td>
</tr>
<tr>
<td>OSCE Centre in Dushanbe</td>
<td>OSCE</td>
<td>Tajikistan</td>
<td>2003-2008</td>
</tr>
<tr>
<td>OSCE Office in Tajikistan</td>
<td>OSCE</td>
<td>Tajikistan</td>
<td>2008-2017</td>
</tr>
<tr>
<td>OSCE Programme Office in Dushanbe</td>
<td>OSCE</td>
<td>Tajikistan</td>
<td>2017-</td>
</tr>
<tr>
<td>OSCE Centre in Ashgabat</td>
<td>OSCE</td>
<td>Turkmenistan</td>
<td>1998-</td>
</tr>
<tr>
<td>OSCE Mission to Ukraine</td>
<td>OSCE</td>
<td>Ukraine</td>
<td>1994-1999</td>
</tr>
<tr>
<td>OSCE Project Co-ordinator in Ukraine</td>
<td>OSCE</td>
<td>Ukraine</td>
<td>1999-</td>
</tr>
<tr>
<td>OSCE Central Asia Liaison Office</td>
<td>OSCE</td>
<td>Uzbekistan</td>
<td>1995-2001</td>
</tr>
<tr>
<td>OSCE Centre in Tashkent</td>
<td>OSCE</td>
<td>Uzbekistan</td>
<td>2001-2006</td>
</tr>
<tr>
<td>OSCE Project Co-ordinator in Uzbekistan</td>
<td>OSCE</td>
<td>Uzbekistan</td>
<td>2006-</td>
</tr>
</tbody>
</table>

Figure 2: List of preventive comprehensive political field missions; author’s own compilation.\(^64\)

As shown in the table above, a comprehensive field operation deployed with the sole intent of conflict prevention can almost be considered an ex-
clusive OSCE phenomenon, making Ackermann call the OSCE the organization “most advanced in terms of creating institutions with a preventive capacity.” UN as well as EU missions are usually deployed in post-conflict scenarios, which – even though their main task is to prevent the outbreak of new violent conflict – is still a different context than a mission in a country that never experienced violent conflict in the first place. The comparability between these missions is limited further by the fact that especially EU missions, while formally fulfilling the criteria of a preventive political field mission, are often deployed in addition to military peace-building operations deployed by other organizations. Moreover, especially concerning resources and staff, huge differences can be observed between the field operations listed above.

Thus, when using this list to select the cases best suited to be analyzed in this study, five criteria are applied: missions of the same organization; with similar duration and resources at hand; variance in the independent variable; a similar context for the parameters; no large-scale interference by other international organizations.

First, as has been shown, international organizations use quite different mission structures when deploying field operations (integrated missions in the case of the OSCE; integrated missions or small political missions coordinating activities of independent sub-bodies in the case of the UN; several specific missions with clear-cut tasks in the case of the EU). Hence, in the current state of research, missions by different international organizations still lack comparability. Therefore, a research design based on comparing two missions from the same organization helps to minimize variance caused by different mission structures being applied, thus allowing to focus on the analysis of the question which processes destabilizing a weak state can be tackled by a field operation and which are beyond its capabilities.

Second, and closely related to the first criterion, the compared missions should have similar resources and capabilities at hand and should have been active for at least five years, as the work of every mission in the beginning is mainly hampered by logistical problems.

Third, there must be a variance in one of the independent variables to determine whether different dilemma structures among the analyzed cases lead to different outcomes or not. In this case, in Kyrgyzstan the core di-
lemma of weak statehood changed from the State Leader’s Dilemma to the Liberalization Dilemma with the revolution of 2010, while in Tajikistan the State Leader’s Dilemma has remained at the core since the end of the civil war. Therefore, with a shifting variable in Kyrgyzstan and Tajikistan as a control case, it can be analyzed to which extent a shift in the core dilemmas of weak statehood in a weak state can influence the work of an international organization.

Fourth, despite the variance in the independent variable, the missions to be analyzed should be deployed in similar contexts, thus making it possible to minimize variance based on having to deal with completely different local phenomena.

Fifth and last, the missions to be analyzed should work without large-scale interference of other international organizations, i.e. without working parallel to another mission with a similar mandate (like the OSCE mission in Kosovo, EULEX Kosovo, and UNMIK) as well as without working parallel to accession negotiations to another organization, as the OSCE missions in the Baltic states did during the EU accession negotiations with these very states.

Thus, even though the methodological constraints of measuring prevention inhibit the application of a formal most similar case design, the criteria for selection still resemble the basic idea of such an approach. However, applying all of these criteria narrows down the number of suitable cases considerably.

First of all, OSCE missions offer the widest range of possible cases as most missions within the realm of the former Soviet Union are both deployed solely preventively as well as over a relatively long period of time, thus fulfilling the first two criteria. If these missions are narrowed down further by applying the third and fourth criterion, missions both in the Baltic Area as well as in Central Asia offer a similar context, while at the same time including a variance with regard to region. However, as soon as the fifth criterion is applied, the missions in the Baltic Area have to be excluded because all OSCE missions in this area worked at the same time the EU accession process of the Baltic States was taking place, making it almost impossible to distinguish between the EU’s and the OSCE’s influence on the processes within these cases. Meanwhile, in Central Asia only the OSCE operations in Tajikistan worked partly at the same time as the United Nations Mission of Observers in Tajikistan (UNMOT, 1994-2000) and the United Nations Tajikistan Office of Peace Building (UNTOP, 2000-2007). However, while the UN and the OSCE operations indeed worked with a certain overlap during the civil war in Tajikistan, in the
2. Research Design

post-conflict phase the UN presence was scaled down step by step, while the OSCE presence was scaled up step by step (see Chapter 5.3.1). Therefore, the concurrent presence of both missions is not considered a large-scale interference to each other’s work, especially since the OSCE operation is still ongoing.

Thus, the missions in Central Asia are the most suitable cases to be analyzed in this study. Out of these possible cases, the OSCE field operations in Kyrgyzstan and Tajikistan are especially well-suited. On the one hand, they share a similar historical context as former Soviet republics, which comprises a threefold transition: First, from former provinces to independent states. Second, from centrally planned to market economies. And third, from the Soviet communist political system to more democratic political systems. Furthermore, both states share the geographic characteristics of being landlocked countries comprising huge mountainous areas which are hard to access and with only limited natural resources. Regarding their current performances in the state functions security, welfare, and legitimacy/rule-of-law, both must be considered weak states as will be shown in Chapter 4. On the other hand, regarding the basic dilemmas of fragile statehood, they differ in the peculiarities of these dilemmas: While in Kyrgyzstan the Liberalization Dilemma is more distinctive, in Tajikistan the State Leader’s Dilemma is more distinctive, thus providing a variance between the two cases.

Moreover, both missions share a similar mandate and composition and a similar budget, and they have both been active over a considerably long period of time. The OSCE Centre in Bishkek was opened in 1998. The current OSCE mission in Tajikistan opened in 2002 – with predecessors dating back even to 1994 – and from 1998 on, with the end of the Tajik Civil War, the mission has been able to focus on conflict prevention rather than conflict management. In 2017, the mandate of both missions was adjusted, with any references to conflict prevention eliminated from the preamble of the mandate. Therefore, as these two field operations between 1998 and 2017 serve as prime examples fulfilling all criteria of the case selection (despite a minor overlap with a UN mission in the Tajik case), they will be used in the further course of this study.

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66 See Chapter 3.3.
While the OSCE Missions in Central Asia can be seen as primary examples for the attempt of structural conflict prevention, long-term OSCE efforts in general have been largely ignored by the scientific community.\textsuperscript{67} Thus, a reliable body of secondary literature on this specific topic is virtually nonexistent. While this observation does not apply to literature on Central Asia in general, scope and currency of the existing literature differ greatly. Furthermore, and despite the methodological concerns regarding statistical methods,\textsuperscript{68} statistical data to supplement a qualitative study is often of diverging quality for different countries or lacking altogether.

Therefore, for collecting data for the study at hand, three methods have been used. First of all, the body of literature on the topic, even though it is limited, was analyzed in intensive desk studies. Second, this information was supplemented by the study of primary sources, particularly statements and reports by the OSCE itself as well as newspaper articles and NGO reports. However, regarding the study of official documents and reports in general, two limitations had to be dealt with: First, reports of OSCE field missions are by default classified as “restricted” and can therefore not be quoted in open-source research. Thus, even though the ability to study the restricted documents as a researcher in residence in the OSCE Research and Documentation Centre in Prague proved invaluable for this study, only reports classified as “open” could be cited, which in turn leads to the second limitation: Reports meant to be published by any national or international organization are usually written in a way to communicate success. Relying solely on such reports could lead to an inaccurate image of the field operations, as the former USAID\textsuperscript{69} development worker and current scholar Sievers self-critically observed: “[…] the self-interested norm was to advertise strong successes. Basically all USAID contractors and grantees, and USAID itself, achieved success in the early independence years, according to their own reports. These reports also had substantial impact on scholars tracking changes in the region, and as a result, most scholarly reports of the early transition period also glowed. My own experience has been, especially as someone who has been asked to pen such reports, that

\textsuperscript{67} See Neukirch 2003 for a notable exception.
\textsuperscript{68} See Chapter 2.2.
\textsuperscript{69} United States Agency for International Development
these reports have little connection to reality.”70 While unofficial primary sources, such as newspaper articles or NGO reports could be used to counterbalance overtly optimistic, official primary sources by offering invaluable factual data on the one hand, their lack of theoretical embeddedness and the need to communicate bad news to ensure funding on the other hand often lead to overtly alarmist interpretations of these facts (especially in the cases of the online newspaper Eurasianet.org, which specializes in Central Asia, or the International Crisis Group).

Therefore, a third method has been incorporated: To fill the gaps left by literature and documents, I undertook several field trips to the countries studied. During these field trips, I conducted 16 guided expert interviews as well as numerous informal background conversations, both with international experts affiliated with the OSCE as well as with national experts. Due to the sensitive nature of the topics (especially regarding security sector details, corruption, human rights violations, or organized crime) and in accordance with standard research procedures when dealing with sensitive topics, the interviews were protocolled, but not recorded, while the background talks had to be considered as completely off-the-record because most respondents would not have shared their expertise in front of a running voice recorder at all.71 Furthermore, it should be noted that after the 2014 arrest of Alexander Sodiqov (a Tajik Ph.D. student doing field work on the Khorog incidents (see Chapter 4.2.2.1) for a Canadian university) and the 2015 crackdown on the Tajik opposition, field work in Tajikistan on security-related questions was considered too risky to be continued. The results of the interviews have then been compared to the results of the desk study to avoid the pitfalls of “following the ‘paper trail’”72 alone, such as the running the risk of overinterpreting certain documents.73 The combination of these three sets of sources offers a wide range of data to test the theoretical model developed in the next chapter.

70 Sievers 2003, p. 11.
72 George/Bennett 2005, p. 100.
73 Cf. ibid., p. 101.
3. Theorizing Fragile Statehood

While it has been shown in the previous chapter that this study aims to contribute to a cumulative typological theory on structural conflict prevention in fragile states, it first has to be considered “whether ‘fragile states’ is the best label for the problem we want to talk about.” Thus, before the theoretical basis for the following case study can be developed, two preliminary questions have to be answered: First, what is to be understood under the term state and why is the state level the appropriate level of analysis to study the prevention of violent conflicts? Second, how can fragile states and their subsequent subtypes be defined? After these questions have been answered, two new questions will emerge: First, how can the dilemmas of a so-called weak state be modeled? Second, how can the dynamics which will lead to the transformation of a weak state into a consolidated or failing state be described? The following chapter tries to answer these four questions in order to lay the foundation for the subsequent comparative case study.

3.1 The state as a level of analysis

Before it can be clarified how fragile statehood can be understood, one must elucidate what can be understood under the term state and whether the state level really is the appropriate level of analysis for reaching the aim of this work, as the scientific concept of statehood itself is subject to criticism.

To clarify the term state, the classic sociological definition by Max Weber, who coined the ideal type of a state, will be used as a starting point. Weber defined the state as a human community successfully claiming the monopoly on the legitimate use of physical force in a certain territory (Gewaltmonopol), a concept that was later taken up by Jellinek, who transformed it into one of standard legal definitions of the state. Jellinek defined the state as an entity which comprises three elements: a popula-

74 Brock et al. 2012, p. 15.
75 Cf. Weber 1976 [1921], p. 29.
tion, a territory, and the authority to control both.\textsuperscript{76} While this definition was later expanded by adding recognition by other states as a criterion to define a state,\textsuperscript{77} the core of the definition did not change. Even though there have been sociological debates in the 1970s and 1980s between Weberians, neo-Marxists, and neopluralists,\textsuperscript{78} the critics of the decades-old Weberian concept “have not offered concepts or explanatory hypotheses rich enough to encompass the arguments and findings from various comparative-historical studies,”\textsuperscript{79} bringing Skocpol as early as 1985 to the conclusion that 

“[w]e do not need a new or refurbished grand theory of ‘The State.’ Rather, we need solidly grounded and analytically sharp understandings of the causal regularities that underlie the histories of states, social structures, and transnational relations in the modern world.”\textsuperscript{80}

Thus, one can assume that there is almost a consensus about the question of what a state actually is – which in turn can be considered as one of the rarest phenomena in social sciences.\textsuperscript{81} However, whether the state is suited as an analytic tool or not is a question debated more controversially, leading at times to polemical testimonials like the statement of Ferguson/Mansbach:

“Like a well-worn teddy bear, the state is a familiar comfort to them [= international relations scholars, St.Sch.] in the midst of encircling night. […] We refuse to acknowledge how little it actually informs us; how little we consequently know.”\textsuperscript{82}

While it would go far beyond the scope of this work to recapitulate a decades-old debate in detail, three main arguments against the use of the state as a level of analysis will be briefly discussed.

First, Heathershaw criticizes the conferment of the ideal type of a Weberian state onto entities which do not completely fulfill the criteria of this concept.\textsuperscript{83} Second, Migdal claims that not the \textit{state} itself should be the

\textsuperscript{77} Cf. Schneckener 2006, p. 18. / Milliken/Krause 2003, p. 3.
\textsuperscript{78} For a more detailed summary, see e.g. Anter/Bleek 2013.
\textsuperscript{79} Skocpol 1985, p. 8.
\textsuperscript{80} Ibid., p. 28.
\textsuperscript{81} Even textbooks, as Shorten 2012 or Wolff 2006 are based entirely on the Weberian concept, cp. Shorten 2012, p. 35. / Wolff 2006 p. 36.
\textsuperscript{82} Ferguson/Mansbach 1989, p. 82.
\textsuperscript{83} Cf. Heathershaw 2013, p. 179.
3.1 The state as a level of analysis

center of analysis when researching conflicts within a society, but the interaction of state and society.\textsuperscript{84} Therefore, he defines the state as

\begin{quote}
“a field of power marked by the use and threat of violence and shaped by (1) the image of a coherent, controlling organization in a territory, which is a representation of the people bounded by that territory, and (2) the actual practices of its multiple parts.”\textsuperscript{85}
\end{quote}

By means of this definition, Migdal criticizes two characteristics of Weber’s concept. First, the state itself might be perceived as a unitary actor, but it de facto consists of several different agents that do “not always work in pure harmony.”\textsuperscript{86} Second, Migdal criticizes the separation of state and society implied by the Weberian definition, which he describes as de facto nonexistent as “[v]arious parts of fragments of the state have allied with one another as well as with groups outside, to further their goals.”\textsuperscript{87} Without incorporating such informal structures, any analysis would be incomplete. Third, considering the rise of the Human Security paradigm in the field of peace and conflict studies, one has to bear in mind that “secure states do not automatically mean secure peoples.”\textsuperscript{88} Thus, when analyzing the options and limitations for conflict prevention, one has to assess whether or not a model made to analyze conflicts within states should use a framework based on the state.

As a reply to this critique towards the suitability of the state as a level of analysis, three points are proposed to serve as counterarguments: first, the concept of an ideal type itself; second, and closely related to first, the notion that Migdal’s critique is not necessarily mutually exclusive with the Weberian definition; third, the significance of states as actors both in international as well as national politics, even though states cannot necessarily be considered to be unitary actors. In this regard it will also be shown that the shift of paradigm towards Human Security paradoxically strengthened the importance of states in international politics.

Regarding the first aspect, when assessing whether the Weberian ideal type of the state can be considered a useful analytical tool for entities which do not fully meet the criteria of this ideal type, one has to consider the original purpose of the Weberian concept of an ideal type. According

\begin{flushleft}
\textsuperscript{84} Cf. Migdal 2010 [2001], p. 15. \\
\textsuperscript{85} Ibid., pp. 15/16, italics in the original text. \\
\textsuperscript{86} Ibid, p. 16. \\
\textsuperscript{87} Ibid., p. 20. \\
\textsuperscript{88} Human Security Centre 2005, p. VIII.
\end{flushleft}
3. Theorizing Fragile Statehood

to Max Weber, an ideal type has to be understood as an abstract construction comprising all definitional characteristics of the analyzed subject in their purest form and without contradictions.\textsuperscript{89} However, it is not necessary that an empirical equivalent of this ideal type exists.\textsuperscript{90} On the contrary: Every real type of an analyzed subject differs from the ideal-type in certain properties.\textsuperscript{91} Thus, Weber describes the creation of ideal types as a means to reach a certain end, not as an end itself.\textsuperscript{92} This end is to structure a complex reality by comparing real type subjects with the corresponding ideal type, which in turn allows for a classification of these real type subjects into several groups sharing the same characteristics.\textsuperscript{93} Therefore, while one has to agree with Heathershaw that there are indeed entities in the real world that do not meet the criteria of a Weberian ideal state, comparing these entities with the ideal type of the state is not to be mistaken for a normative judgement, but should only be considered a means to ensure analytical comparability.

Second, Migdal’s critique regarding the interdependence of state and society has to be taken seriously. However, Migdal’s definition is clearly the perspective of a sociologist analyzing processes within a society, paying little attention to the functions and capabilities of a state. Thus, this definition cannot be operationalized to analyze how a state can be prevented from failing. Therefore, Migdal’s definition of the state is not suited for describing various degrees of fragile statehood and hence not suited to be a basis for this study, as a functionalist approach is preferred in this case. His research results regarding the interdependence of state and society will nevertheless be incorporated into a later chapter of this study, as they are especially well-suited for describing the processes of weakening or strengthening a state.

Third, even though the state cannot be fully analyzed without taking into account its embeddedness into society, it has to be considered a primary actor both on the national as well as the international level. States cannot be considered a mere national arena used by particular pressure groups to further their interests, but rather “may formulate and pursue goals that are not simply reflective of the demands or interests of social groups, classes

\textsuperscript{89} Cf. Weber 1982 [1922], p. 191.
\textsuperscript{90} Cf. ibid., p. 191.
\textsuperscript{91} Cf. ibid., p. 191.
\textsuperscript{92} Cf. ibid., p. 193.
\textsuperscript{93} Cf. ibid., p. 194.
3.1 The state as a level of analysis

or society”94 of their own. Even if certain governance functions are outsourced to private actors in consolidated states, it is the institutional capability of the state that enables non-state actors to fulfill these governance functions.95 Thus, on the national level, it is the state that implements policies, regardless of whether they turn out to be successful or not96 and regardless of whether they are supported by non-state actors or not. On the international level though, the state still has to be considered the primary model of order despite the emergence of more and more international organizations and non-state actors.97 Three examples are meant to illustrate this: First, membership in the United Nations, still the most universal international organization, is restricted to states recognized by other states.98 Second, even armed non-state actors rebelling against a state do not reject the idea of the state as such, at least rhetorically,99 as they often aim to control the state or to secede and proclaim a new state.100 Third, so-called failed states are defined as a security threat not only by non-state interest groups, but especially by the security strategies of other states or international organizations comprised of member states.101 Furthermore, the most paradoxical argument in favor of the importance of states in international security politics is the emergence of the Human Security paradigm. According to Newman, this approach “take[s] prevailing social relationships, and the institutions into which they are organized, as the given and inevitable framework for action.”102 As states are still primary actors in national and international politics, they are also seen as primary implementors of

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94 Skocpol 1985, p. 9.
95 Cf. Beisheim et.al. 2011, p. 262.
96 Cf. Skocpol 1985, p. 11.
102 Newman 2010, p. 89.
3. Theorizing Fragile Statehood

Human Security, which in turn strengthens their importance. Thus, Newman concludes:

“Human security scholarship, whilst promoting the individual as the referent object of security even when this is in tension with the state, is more likely to see a strong state as a necessary requirement for individual security.”

Considering that, on their own, neither NGOs nor international organizations would be capable of safeguarding individuals in the long run, the state will continue to be this “necessary requirement for individual security” in the future.

As this work is focused on analyzing the development of these long-term capabilities, it will thus be based on a statehood-centered approach. However, while defining what constitutes a state is relatively easy, the concept of fragile statehood is debated a lot more controversially within the social sciences.

3.2 A typology of definitions of fragile statehood

In the attempt to sum up almost a decade of research in the field of fragile statehood, one realizes that almost every definition emerged as an extension of the classical Weberian definition of the state. Furthermore, most definitions are based on a functionalist approach; meaning that they, in a first step, define the functions of a state and then, in a second step, try to measure the performance of the state based on these functions. Despite these striking similarities, two preliminary conclusions can be drawn: On the one hand, Starr concludes that there is not only a “heterogeneity […] of definition and measurement regarding ‘state failure’ or ‘failed states’,” but also that “this lack of agreement on definition derives from a broader disagreement on the conceptual phenomena to be investigated.” Similarly, Brock et al. conclude that the “overall concept of fragile or failed state[s]” has been stretched too far. Thus, there is currently not

104 Newman 2010, p. 90.
105 Cf. Beisheim et.al. 2011, p. 262.
107 Starr 2009, p. 3.
108 Ibid.
3.2 A typology of definitions of fragile statehood

only a lack of a generally accepted set of definitions within the field of fragile statehood research, but also an ongoing inflation on definitions regarding the subject. Kavalski for instance tries to avoid “another synonym for ‘weak,’ ‘failed,’ or ‘quasi’ states”\textsuperscript{110} by coining the term “awkward state.”\textsuperscript{111} However, he defines that “awkwardness reflects a state’s inability to maintain the standards of ‘responsible governance’ vis-à-vis its citizens.”\textsuperscript{112} This “responsible governance” in turn constitutes by no means a new criterion but is already incorporated in definitions like those of Schneckener, Rotberg, or Goldstone.\textsuperscript{113}

On the other hand, Heathershaw criticizes that labeling a state a failed state can be the result of “not an objective analysis but a certain subjective vision […] through a Western geopolitical discourse.”\textsuperscript{114} Similarly, Carment/Prest/Samy argue “that the appeal of the different terms used [for state fragility, St.Sch.] arises partially from their inherent ambiguity, allowing policy advocates and policymakers alike to adapt them to their own agendas.”\textsuperscript{115} Thus, without a clear definition of what a fragile state actually is, there is a risk of unintentionally contributing to an unreflected political discourse instead of a scientific debate.

Therefore, this part of the study is posed with the dilemma of clarifying the concept of fragile statehood to build upon in later chapters while at the same time incorporating several previous trains of thought. However, instead of simply inventing a new label for an old phenomenon, this chapter attempts a more systematic approach to compiling the work and valuing the efforts of several scholars already working in the field of fragile statehood theory.

To this end, existing definitions of fragile statehood will be classified based on two criteria: first, whether they are based on quantitative or qualitative indicators, and second, whether they presume a continuum with clear-cut subtypes of fragile statehood or not. By doing so, the vast amount of definitions in this field can be structured into a typology comprising four types of definitions.

\begin{itemize}
  \item \textsuperscript{110} Kavalski 2010, p. 15.
  \item \textsuperscript{111} Ibid.
  \item \textsuperscript{112} Ibid.
  \item \textsuperscript{114} Heathershaw 2013, p. 180.
  \item \textsuperscript{115} Carment/Prest/Samy 2010, p 1.
\end{itemize}
The first type of definitions comprises concepts using a quantitative methodology and presuming a continuum with clear-cut subtypes of fragile statehood. The most popular representative of this type of definition is the *Failed State Index/Fragile State Index* (FSI, renamed in 2014)\textsuperscript{116} by the Funds for Peace. While there are several other indices that use a different methodology\textsuperscript{117} but have a similar scope, these quantitative approaches are aimed to establish a ranking of *fragile states*, incorporating several levels of instability and allowing a dynamic movement of the analyzed states between these levels, depending on their development. To this end, twelve primary indicators,\textsuperscript{118} which in turn have been differentiated into “over 100 sub-indicators,”\textsuperscript{119} have been compiled into a single index, while the subtypes of *fragile states* are defined by numerical thresholds (e.g. states with less than 30 points are considered “sustainable;” states with more than 100 points are considered “high alert”). However, while the methodology of the FSI allows for incorporation of a vast amount of indicators, the weighting of these indicators (e.g. human rights abuses vs. unemployment rates vs. intervention of external actors) remains unclear to the outside observer.\textsuperscript{120} The final score of a state is left to “various algorithms,”\textsuperscript{121} which remain unpublished, and, what is more, the state’s classification result is based on arbitrary numerical thresholds of that final score.

While these threshold values suggest some sort of controllability of the various degrees of fragile statehood, two empirical illustrations show that these arbitrary thresholds cannot be considered the precise analytical tools

\textsuperscript{116} Cf. Hendry, Krista, From Failed to Fragile. Renaming the Index, Official Blog of the Funds for Peace, online: http://library.fundforpeace.org/ffi14-name change, July 12, 2018.

\textsuperscript{117} For example, Rice/Patrick 2008. / The Bertelsmann Stiftung’s Transformation Index (BTI, surveyed on a yearly basis), https://www.bti-project.org/de/startseite/, July 23, 2018.


\textsuperscript{119} Funds for Peace, Failed States Index methodology, online: http://ffp.statesindex.org/methodology, November 22, 2013.

\textsuperscript{120} Cf. Goldstone 2009, p. 7.

\textsuperscript{121} Funds for Peace, Failed States Index methodology, online: http://ffp.statesindex.org/methodology, November 22, 2013.
they pretend to be: In 2013, one year before the government of Ukraine lost control of almost ten percent of its territory, Ukraine ranked in the FSI exactly in the middle between the categories “stable” and “warning,” and not between the categories “warning” and “alert,” as it could have been expected. Furthermore, the FSI assessed the stability of Ukraine as having been improving constantly since 2006. Even in 2015, with a still ongoing civil war that had already lead to almost 8,000 deaths at that point, Ukraine was still placed in the category “warning” – not “alert” or “high alert.” Kyrgyzstan, on the contrary, was placed between the categories “warning” and “alert” in 2009, one year before the revolution of 2010. However, while the revolution of 2010 led to several brutal clashes in June, the government was able to regain control of its territory in the end, but the country still ranked in the category “warning” even in 2017. Thus, contrary to Ukraine, Kyrgyzstan did not become a failing state even though it did, and currently (2018) continues to, rank lower than Ukraine in the FSI.

Therefore, even though quantitative indices like the FSI might be considered a useful heuristic, especially since they often are in agreement with each other on the ranking of specific states despite using different methodologies, for analytical purposes one has to agree with Goldstone: “[T]he Failed States Index functions mainly as a checklist of items for policymakers to consider in appraising states’ stability. It has only limited value as a guide to what changes or processes to look for […].” Even more critical, Bethke concludes that indices lack content validity and are

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thus “not meaningful enough to allow analytic conclusions on causes and consequences of the phenomenon fragile statehood.”\(^{130}\)

The second type of definitions comprises concepts that use a quantitative methodology but lack clear-cut distinctions between subtypes of fragile statehood. One example\(^{131}\) for such a definition of a fragile state is the model of Brock et al., which comprises the three dimensions Government, Economy, and Nationhood, as well as several indicators for each dimension. According to the authors, the ideal type of a fragile state fulfills the following criteria:

| Government | Inefficient and corrupt administrative and institutional structures. Rule based on selective coercion rather than on the rule of law. Monopoly on the legitimate use of force not established. Low level of state legitimacy. |
| Economy    | Lack of coherent national economies, capable of sustaining a basic level of welfare for the population and of providing resources for running an effective state. Amalgamations of traditional agriculture, an informal, petty urban sector and some fragments of modern industry. Significant dependence on the world market and on external economic interests. |
| Nationhood | Citizenship rights not provided; a divided population with predominance of local/ethnic community. Neither the ‘community of citizens’ nor the ‘community of sentiment’ has developed to become the primary bond among people at the national level. |

Figure 3: Criteria for fragile states according to Brock et al. 2012, p. 18.

For measuring their criteria in specific cases, the authors in turn rely on data provided by the Failed State Index. However, while they agree that “[t]here are different degrees of weakness,”\(^{132}\) they refrain from weighting

\(^{130}\) Bethke 2012, p. 33, translation by St.Sch.

\(^{131}\) Another example would be the The Fragility Index by Carment/Prest/Samy 2010, which on the one hand ranks states, but on the other hand refrains from drawing “an arbitrary line […] between weak and strong”, Carment/Prest/Samy 2010, p. 84.

\(^{132}\) Brock et.al. 2012, p.22.
the indicators as well as from categorizing states into different degrees of fragile statehood as the FSI would do. Instead, Brock et al. argue in favor of using this as an approximation in order to narrow down the number of cases and then conducting qualitative single case studies.\textsuperscript{133} Even though this has to be valued as an exceptionally pragmatic approach, especially for political practitioners, the definition of a \textit{fragile state} remains extremely vague. Determining fragile statehood this way lacks the comparability of the ranked quantitative approaches (even though they are at times misleading), as well as the possibility of weighting different factors, which allows for a clear-cut separation of subtypes of \textit{fragile states} offered by qualitative definitions presuming a continuum of fragility. Thus, this approach has a heuristic value, but one has to be careful when using it as an analytical tool.

The third definition type comprises a qualitative approach combined with a presumed continuum of fragility, including clearly defined subtypes. An ideal type of such a definition was developed in 2004 by Rotberg and later refined by Schneckener in 2006. Rotberg’s concept is based on two core assumptions. First, states fulfill certain functions which can be described as “delivering political (public) goods.”\textsuperscript{134} Second, Rotberg assumes that “[t]here is a hierarchy of political goods.”\textsuperscript{135} Then, by analyzing the performance of a state regarding its functions within the hierarchy of goods, “strong states may be distinguished from weak ones, and weak states from failed or collapsed ones.”\textsuperscript{136}

As Rotberg, while describing a state’s functions, did not develop a clear and consistent terminology, Schneckener slightly revised the concept by clearly defining the three functions of the state: The task of the state is to provide \textit{security}, \textit{welfare}, and \textit{legitimacy/rule-of-law} to its citizens.\textsuperscript{137} In a second step, Schneckener defined a continuum of statehood, which comprises four subtypes: \textit{consolidated, weak, failing, and failed states}.\textsuperscript{138} According to him, \textit{consolidated} states manage to fulfill all of these three functions on a considerably long-term scale. However, temporary setbacks, like economic crises or a short-term increase in crime rates, can

\begin{itemize}
  \item \textsuperscript{133} Brock et.al. 2012, p. 24.
  \item \textsuperscript{134} Rotberg 2004, p. 2.
  \item \textsuperscript{135} Ibid., p. 3.
  \item \textsuperscript{136} Ibid., p. 2.
  \item \textsuperscript{137} Cf. Schneckener 2006, p. 21.
  \item \textsuperscript{138} Cf. ibid., pp. 24-26.
\end{itemize}
still happen, even in consolidated states. Weak states are defined as states upholding their security function, but being of limited effectiveness in fulfilling the other two functions. A failing state has already lost control of parts of its territory, e.g. to sustained rebellions, and is thus not even able to fulfill its security function completely. However, it is still able to fulfill all of its three functions partly, in a limited territory. Finally, a failed state is unable to fulfill any of its functions, while armed non-state actors struggle for control of the former territory. Schneckener offers a whole set of indicators to assess the performance of a state regarding the functions security, welfare, and legitimacy/rule-of-law, but due to the explorative nature of his work, he did not yet develop a model on how these factors are interconnected. Thus, one has to evaluate his approach as promising, but further refinable.

The fourth definition type comprises concepts that are based mainly on qualitative criteria, but do not conceptualize a clear-cut continuum of fragile statehood. Several definitions fall into this category and are summarized by Kaldor as

“what are called frail or failing states, quasi or shadow states. These are states, formally recognised by the outside world, with some of the trappings of statehood – an incomplete administrative apparatus, a flag, sometimes a currency – but where those trappings do not express control over territory and where access to the state apparatus is about private gain not public policy. In particular, these are states where the monopoly of legitimate organised violence is eroding.”

As shown by the quotation, such definitions can comprise a number of criteria and thus do not exclude results with different degrees of fragility. However, all of them refrain from defining subtypes of fragile states. To sum up these definitions, it can be stated that almost all of them include the loss of the monopoly on the legitimate use of force as a core criterion for a failed state. One notable exception is a definition by Milliken/Krause that almost completely resembles the concept by Rotberg/Schneckener, but refrains from drawing a clear-cut distinction between types of fragile states due to the explorative nature of their work:

140 A similar concept was developed later by Goldstone 2009, but also lacks a precise operationalization.
141 Kaldor 2002, p. 162.
3.2 A typology of definitions of fragile statehood

“But the three core functions or activities represented by the three intertwined narratives of the state – providing security, representation and welfare – provide a convenient way to summarize the functions a state is supposed to perform. In the most straightforward sense, failure to perform these functions is a failure of the state.”¹⁴³

Taking into consideration the history and scope of these definitions, two characteristics become clear: First, these types of definitions are usually older than definitions comprising subtypes of fragile states.¹⁴⁴ Second, the indiscriminate qualitative definitions have often been developed by scholars with very specific research interests, e.g. analyzing patterns of violence in civil wars.¹⁴⁵ Thus, when assessing these definitions, one has to consider the scope of the study. For works aiming to analyze patterns of violence or cooperation of state and non-state actors within failed states, such definitions can still be considered sufficient. However, when aiming to analyze the prevention of state failure, a more differentiated approach is necessary. On the content level though, the criteria of the indiscriminate qualitative concepts show clear similarities compared to the discriminate qualitative definitions. The following matrix summarizes the findings of this chapter and gives an overview of the different approaches to defining fragile statehood:

<table>
<thead>
<tr>
<th>Type of continuum</th>
<th>Empirical approaches</th>
<th>Qualitative</th>
</tr>
</thead>
<tbody>
<tr>
<td>clear-cut</td>
<td>Failed States Index</td>
<td>Rotberg 2004</td>
</tr>
<tr>
<td></td>
<td>Index of State Weakness</td>
<td>Schneckener 2006</td>
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<tr>
<td></td>
<td></td>
<td>Goldstone 2009</td>
</tr>
<tr>
<td></td>
<td>Carment/Prest/Samy 2010</td>
<td>Milliken/Krause 2003</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Münkler 2007</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Zartman 1995</td>
</tr>
</tbody>
</table>

Figure 4: Typology of definitions of fragile states; author’s own compilation.

¹⁴³ Milliken/Krause 2003, p. 4.
¹⁴⁴ See e.g. Zartman 1995, p. 1.
Comparing and assessing these different approaches to lay the foundation for further analysis in the course of this study, qualitative and discriminate definitions provide a solid basis, as the research aim of this study requires the modeling of the transition of a weak state into a consolidated or failing state. Within the different definitions of this type in turn, Schneckener’s approach seems the most appropriate, as it is based on a refinement of Rotberg’s definition and has to be considered more elaborate than Goldstone’s.\textsuperscript{146}

However, while Schneckener’s model of fragile statehood is considered to be the most well-suited point of departure to develop a theoretical framework for this study, its components have to be clarified and partly refined. First of all, it must be clarified what the three state functions security, welfare, and legitimacy/rule-of-law imply.

According to Rotberg, whose model Schneckener’s model is based on, “the state’s prime function”\textsuperscript{147} is providing security.\textsuperscript{148} This includes defending the state’s territory against external and internal attacks as well as preventing and combatting criminal activities – in other words, the maintenance of the monopoly on the legitimate use of physical force within the borders of the territory controlled by the state in question.\textsuperscript{149} Indicators suited for assessing the fulfillment of the security function are thus the number and range of influence of sustained rebellions and armed non-state actors (e.g. organized crime syndicates, militias, etc.) as well as crime rates. Factors that influence the degree of fulfillment of this function by the state also include the degree of fragmentation of the security services, their size, and their structure.

The welfare function includes the provision of basic infrastructure by the state, such as roads and railroads, educational institutions, (basic) health care, a currency, etc.\textsuperscript{150} While it is heavily debated even in industrial countries to which extent certain sub-functions should be fulfilled by the state and to which extent by private actors (e.g. the debate on the health care reform of president Obama in the USA), Fukuyama provides a list of minimal functions\textsuperscript{151} that should be fulfilled by every state and that

\begin{itemize}
  \item \textsuperscript{146} Cf. Goldstone 2009, p. 6.
  \item \textsuperscript{147} Rotberg 2004, p. 3.
  \item \textsuperscript{148} Cf. ibid., p. 3.
  \item \textsuperscript{149} Cf. Schneckener 2006, p. 22.
  \item \textsuperscript{150} Cf. Rotberg 2004, p. 3.
  \item \textsuperscript{151} Cf. Fukuyama 2004a, p. 9.
\end{itemize}
3.2 A typology of definitions of fragile statehood

includes macroeconomic management (like providing a currency), the protection of property rights, and providing a basic public health care system (as well as all the points subsumed under the security function in the framework of this study).\(^{152}\) Furthermore, he distinguishes “between the scope of state activities, which refers to the different functions and goals taken on by governments, and the strength of state power, or the ability of states to plan and execute policies and to enforce laws cleanly and transparently – what is now commonly referred to as state or institutional capacity.”\(^{153}\)

Assessing the performance of a state’s welfare function as defined by this framework means assessing the capability of the state to fulfill the aforementioned minimal functions of the welfare dimension. If a state exceeds this minimal scope, as it is typical for post-Soviet states to do, the dimensions beyond the minimal functions will also be analyzed. However, for the sake of ensuring comparability, only the performance regarding the fulfillment of the minimal functions will be used to assess whether a state fulfills its welfare function or not. Furthermore, even though these indicators often cannot be influenced by the state directly, macroeconomic factors like GDP per capita, poverty, and unemployment rates as well as economic growth will be analyzed, as a state’s economic performance is closely connected with the population’s perception of its legitimacy.

According to Rotberg, the legitimacy/rule-of-law dimension comprises “predictable, recognizable, systematized methods of adjudicating disputes and regulating both the norms and the prevailing mores of a particular society or polity.”\(^{154}\) Additionally, this dimension includes the ability of a state to adjust to demands made by its own population; a phenomenon which is called “input legitimacy (Input-Legitimität)”\(^{155}\) by Schneckener or “responsivity (Responsivität)”\(^{156}\) by Lambach/Göbel. The ability to react to the population’s demands is not necessarily limited to democracies, but can also be existent in authoritarian or hybrid regimes.\(^{157}\) Of all three state functions, a state’s performance in the legitimacy/rule-of-law dimension is the hardest to assess, as it relies mainly on the population’s perception.\(^{158}\) However, several indicators can be used to assess whether a state

\(^{153}\) Ibid., p. 7.
\(^{154}\) Rotberg 2004, p. 3.
\(^{155}\) Schneckener 2006, p. 22.
\(^{156}\) Lambach/Göbel 2010, p. 87.
\(^{157}\) Cf. Ibid, p. 88.
is able to fulfill its *legitimacy/rule-of-law* function: the degree to which basic political liberties (like freedom of speech, freedom of association, etc.) are being granted, transparency of political processes (regarding e.g. election fraud, personnel selection, interlocking of state institutions, and economic enterprises), independence of courts, and perceived corruption.

Analyzing these indicators allows for an assessment of a state’s performance regarding the fulfillment of each of the respective state functions on a scale of *fully fulfilled – reasonably fulfilled – rudimentarily fulfilled – hardly fulfilled*, allowing in turn for classifying the state in question according to the following table.\(^{159}\)

<table>
<thead>
<tr>
<th></th>
<th>Security</th>
<th>Welfare</th>
<th>Legitimacy/rule-of-law</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>consolidated</strong></td>
<td>fully fulfilled</td>
<td>fully/reasonably fulfilled</td>
<td>fully/reasonably fulfilled</td>
</tr>
<tr>
<td><strong>weak</strong></td>
<td>reasonably fulfilled</td>
<td>reasonably/ rudimentarily or hardly fulfilled</td>
<td>reasonably/ rudimentarily or hardly fulfilled</td>
</tr>
<tr>
<td><strong>failing</strong></td>
<td>rudimentarily fulfilled</td>
<td>reasonably/ rudimentarily or hardly fulfilled</td>
<td>reasonably/ rudimentarily or hardly fulfilled</td>
</tr>
<tr>
<td><strong>failed</strong></td>
<td>hardly fulfilled</td>
<td>hardly fulfilled</td>
<td>hardly fulfilled</td>
</tr>
</tbody>
</table>

Figure 5: Continuum of fragile states according to Schneckener 2006, p. 26; author’s own adjustments.\(^ {160} \)

Even though Schneckener’s considerations will serve as the theoretical foundation for this work, two points of critique have to be discussed and reacted to in order to refine his model. First, Schneckener’s considerations allow mainly for the classifying of a state on the scale of fragile statehood. Even though Schneckener emphasizes that the three functions of a state are interdependent,\(^ {161} \) he did not develop a detailed framework for analyzing *how* these functions interlock. As Patrick notes,

\(^{159}\) Cf. Schneckener 2006, p. 23.

\(^{160}\) Schneckener’s depiction in Schneckener 2006, p. 26 is partly inconsistent with his description in Schnecker 2006, p. 23. The depiction in this work is thus based on Schneckener 2006, p. 23.

\(^{161}\) Cf. Schneckener 2006, p. 23.
“[t]oo often, it appears that the entire range of Western policies towards poorly governed states is being animated by anecdotal evidence and isolated examples, […] rather than by a deeper understanding of global patterns and of causal connections across a range of case studies. The risk in this approach is that scarce energy and resources may be squandered in a diffuse and unfocused effort to attack state weakness wherever it arises, without appropriate attention to setting priorities and individualizing responses to state failure and its attendant specific spillovers.”\textsuperscript{162}

One has to agree with Patrick that especially the causal connections between the three dimensions are under-researched while already being policy-relevant.

Second, Schneckener emphasizes that his scale of fragile statehood is not to be understood as a model based on stages that are gone through step by step.\textsuperscript{163} Instead, he argues that especially weak states could collapse into failed states directly.\textsuperscript{164} However, due to the explorative nature of his study, he does not attempt to model transitions between the types of his typology in the first place, focusing on data collection instead. As this work aims to analyze the options and limitations for external actors to prevent weak states from failing, a model of how weak states can transform into consolidated, failing, or failed states is necessary.

Thus, while the next two subchapters will analyze which dilemmas a weak state is characterized by and how the three state functions interlock under such circumstances, the last subchapter of this part of the study will deal with processes stabilizing (upward spiral) or destabilizing (downward spiral) a weak state.

3.3 The three dilemmas of a weak state

While there is already a large body of literature identifying factors contributing to fragile statehood, there have only been scarce attempts to systematize them. Thus, while this chapter attempts such a systematization, one has to keep in mind a fundamental finding of Michael Mann, who, while providing a seminal analysis of the modern state, concluded: “Societies are much messier than our theories of them.”\textsuperscript{165}

\textsuperscript{162} Patrick 2006, pp. 5/6.
\textsuperscript{164} Cf. ibid.
\textsuperscript{165} Mann 2012 [1986], Vol. I., p. 4, emphasis in the original version.
3. Theorizing Fragile Statehood

In a first step, three mutually reinforcing dilemmas identified by Migdal 1988, Job 1992, and Snyder 2000/Paris 2004 will be introduced. In a second step, these three dilemmas will be combined with Schneckener’s fragile statehood theory as well as with factors identified by other authors, aiming to create a comprehensive model of a weak state. In this regard it will be argued that all of the symptomatic factors identified by other authors can be traced back indirectly to the above-mentioned three dilemmas.

3.3.1 The Internal Security Dilemma

The concept of the Internal Security Dilemma was developed by Job (who coined the term in his book “Insecurity Dilemma”), aiming to analyze why so-called Third World States are often unable to provide security for their own population.\(^\text{166}\) According to him, so-called Third World States often share four core characteristics:

1. Within the borders of the state, there is often no single nation, i.e., a socially cohesive society. Instead, there are usually a variety of communal groups contending for their own securities and for supremacy over their competitors.

2. The regime in power, therefore, usually lacks the support of some significant component of the population, because the regime represents the interests either of a particular ethnic or social sector, or of an economic or military elite that has taken control. In all instances, the result is an absence of perceived popular legitimacy to the existence and security interests of the regime.

3. The state lacks effective institutional capacities to provide peace and order, as well as the conditions for satisfactory physical existence, for the population.

4. The sense of threat that prevails is of internal threats to and from the regime in power, rather than externally motivated threats to the existence of the nation-state unit.”\(^\text{167}\)

\(^{167}\) Ibid., pp. 18/19.
In a hypothetical weak state sharing these four characteristics, the state elite could, theoretically, attempt to ensure its own survival by enlarging its security forces. In the terminology of the sociologist Michael Mann, such a move would constitute an increase in despotic power.\(^{168}\) According to him, despotic power “derives from the range of actions the state elites can undertake without routine negotiation with civil society groups.”\(^{169}\) However, a hypothetical elite of a weak state relying exclusively on despotic power would create three additional problems, each aggravating those that gave the incentive to increase the despotic power in the first place, which explains why no real weak state elite relies solely on despotic power:

1. The increase of despotic power by the regime to ensure its own survival will at the same time also increase the feeling of being directly threatened in at least parts of the population.\(^{170}\) This in turn will lead the threatened parts of the population either to seek control of the state to prevent it from turning against them or to seek self-help directly, i.e. by founding militias.\(^{171}\) These acts of seeking self-help can, in a more abstract sense, be referred to as the emergence of non-state actors capable of challenging the legitimate use of force, a term which will be used throughout this study instead of more case-specific and therefore less transferable denominations. Consequently, such moves by parts of the population will increase the perception of being threatened on the part of the regime.\(^{172}\) This constitutes the classical Internal Security Dilemma (or “Insecurity Dilemma”) as described by Job.

2. Furthermore, relying on despotic power alone would not ensure the survival of the regime effectively. Mann described the handling of perceived threats to regime security by the elites of the Roman and Chinese empires, who mainly relied on despotic power alone, as follows: “They could roar ‘off with his head,’ and if the person was within

\(^{169}\) Ibid., p. 59.
range, off came his head – but few were within range.”

Thus, a simple increase of despotic power would not only increase the fears of the population, but would also only be able to prevent the creation of alternative power centers in society if the security sector was strong enough to control the whole population.

3. However, such a strong security sector would itself be perceived by the state elites as a threat to their own survival. Thus, Brock et al. conclude that “[t]o the degree that rulers are fearful of strong opponents capable of challenging their claim to authority, they may believe it is in their own interest to actively prevent, or passively abstain from, the build-up of a strong security sector.” The result of such consideration is the creation of a huge, but fragmented security sector, capable of keeping its sub-components in check but ineffective in providing security for the population. This in turn reinforces the strife for self-help by the population, increasing the state elites’ fear of being toppled over.

Summing up the dynamics created by the Internal Security Dilemma, two preliminary conclusions can be drawn:

First, the mutually reinforcing fears of state elites and population lead to the creation of oversized but fragmented and thus largely ineffective security apparatuses. As nowadays there are barely any external threats posing a vital danger to the existence of states, there are no incentives for state elites to reform these security apparatuses.

Second, a hypothetical state in which the elites rely solely on despotic power to ensure their own survival would sooner or later topple into civil war. Thus, in order to overcome the dynamics of the Internal Security Dilemma, an additional type of leverage needs to be created for the state elites, which is termed infrastructural power by Mann. However, as will be shown in the next subchapter, an increase in infrastructural power also creates a new dilemma for the state elites.

3.3.2 The State Leader’s Dilemma

*Infrastructural power* is defined by Mann as

“the institutional capacity of a central state, despotic or not, to penetrate its territories and logistically implement decisions. This is collective power, ‘power through’ society, coordinating social life through state infrastructures. It identifies a state as a set of central and radial institutions penetrating its territories.”

Thus, attempting to increase the *infrastructural power* of the state means the creation of state agencies seeking predominance over “other social organizations such as clans, tribes, language groups, and the like […]”, aiming to set “the binding rules guiding people’s behavior, or, at the very least, to authorize particular other organizations to make those rules in certain realms.”

Migdal defines these rules as

“laws, regulations, decrees, and the like that state officials indicate they are willing to enforce by the coercive means at their disposal. Rules include everything from living up to contractual commitments to driving on the right side of the road to pay alimony on time. They involve the entire array of property rights and any other of the countless definitions of the boundaries delineating acceptable behavior for people.”

The aim of the rule-setting state agencies is to enable political mobilization in support of the state elites, e.g. by improving the economic situation of the population. (Or, in Migdal’s diction, by creating “viable strategies of survival.”) However, while increasing the population’s support for the state elites by increasing *infrastructural power* (i.e., the ability of the state to provide services) can be seen as a suitable way to escape the...
3. Theorizing Fragile Statehood

The aforementioned Internal Security Dilemma, it also creates a new dilemma, which was termed by Migdal as the State Leader’s Dilemma.\textsuperscript{185}

Provided a state lacks the institutional capacity to deliver basic goods and services to the population, which by definition is the case in weak states, the state agencies are always competing with other organizations in the society (clans, ethnic groups, informal networks, organized crime syndicates, etc.) in offering strategies of survival to the population.\textsuperscript{186} In such a situation,

“[t]he problem is that as long as strongmen continue to offer viable strategies of survival to members of their villages, ethnic groups, and so on, there are no channels for state leaders to marshal public support and there is little motivation for the population to lend such support. In other words, state leaders need a set of strong state agencies to be able to make their own strategy of survival acceptable to the peasants and laborers of the Third World. They also need, however, to be able to mobilize support among these peasants and workers so that these same state agencies will not themselves overthrow the state rulers through an army coup or other similar means. Such a political mobilization – and here is the catch – cannot be realized without already-established channels to the population that induce mobilization through a viable mix of rewards, sanctions, and symbols – precisely what strong state agencies are needed for in the first place. This paradox is the dilemma of state leaders.”\textsuperscript{187}

The emergence of this dilemma in turn creates two distinct dynamics, to which several symptoms of fragile statehood can be attributed. The first dynamic is constituted by the strategies of the state leaders to ensure its survival in such a paradox situation; the second dynamic is constituted by the state agencies’ reaction to this so-called politics of survival\textsuperscript{188} by the state leaders. Both dynamics and their consequences for the state’s ability to fulfill the functions of a state will be discussed in the following part of this chapter.

From the perspective of the state leaders, instituting a neo-patrimonial system of rulership constitutes a suitable strategy to sustain its power.\textsuperscript{189}

According to Erdmann and Engel, neo-patrimonialism can be defined as

\begin{itemize}
  \item \textsuperscript{185} Cf. Migdal 1988, p. 206.
  \item \textsuperscript{186} Cf. Felbab-Brown 2015, p. 231.
  \item \textsuperscript{187} Migdal 2001, p. 68. / similarly: Reno 1999, p. 19.
  \item \textsuperscript{188} Migdal 2001, p. 71.
  \item \textsuperscript{189} Cf. Timm 2010, p. 103; this neo-patrimonial system incorporates Migdals concepts of “The Big Shuffle”; “Nonmerit Appointments” and “Building coalitions and a Domestic Balance of Power”, Migdal 2001, pp. 72-84.
\end{itemize}
3.3 The three dilemmas of a weak state

“[…] a mixture of two, partly interwoven, types of domination that co-exist: namely, patrimonial and legal-bureaucratic domination [= used in the sense of Max Weber,\textsuperscript{190} St.Sch.]. […] Formal structures and rules do exist, although in practice, the separation of the private and public sphere is not always observed. […] [T]hese spheres are not isolated from each other; quite to the contrary, they permeate each other; or more precisely, the patrimonial penetrates the legal-rational system and twists its logic, functions, and effects. That is, informal politics invade formal institutions. Informality and formality are intimately linked to each other in various ways and by varying degrees; and this particular mix becomes institutionalized […].”\textsuperscript{191}

Once instituted, a neo-patrimonial regime sustains the power of the current state elite by fulfilling three functions: integrating potential competitors, sustaining this integration by creating political cohesion, and stabilizing both the integration of potential competitors and the political cohesion by creating constant structural insecurity.\textsuperscript{192}

The fulfillment of the first function can be described in terms of classical patron-client networks: As the ruling elite of a state determine the distribution of public goods and political offices, including material benefits and sources of income (e.g. through corruption or embezzlement of state resources) arising from these offices, they are able to win the loyalty of potential competitors for power by these means of distribution.\textsuperscript{193} Migdal distinguishes three types of creating loyal allies of the state elite by the power of appointment: first, appointing persons who already have strong personal loyalties to the state elite by family ties, same geographic origin, a common experience of having served military, etc;\textsuperscript{194} second, integrating potential rivals by appointing them into political offices, often into offices which entail material benefits;\textsuperscript{195} third, so-called “ethnic bargaining,”\textsuperscript{196} meaning either balancing appointments into offices in a way that all ethnicities living in the state are represented in the government, or systematically privileging a certain ethnicity in order to secure the loyalty of this particular group of the society.\textsuperscript{197} Regardless of the motives, however, all

\textsuperscript{190} Cf. Weber 1976 [1921], p. 124.
\textsuperscript{191} Erdmann/Engel 2006, p. 18.
\textsuperscript{192} Cf. Timm 2010, p. 108.
\textsuperscript{194} Cf. Migdal 2001, p. 75.
\textsuperscript{195} Cf. ibid., p. 76.
types of appointments are by nature so-called *non-merit appointments*, meaning that competence in fulfilling the tasks linked to the office in question is not a decisive criterion for selection.\(^\text{198}\) Of course, this does not mean that all appointees are necessarily incompetent.

The second function attributed to a neo-patrimonial system by Timm is the creation of political cohesion. By controlling the power of distribution of economic resources, state elites can establish and sustain systems of social control, e.g. political parties.\(^\text{199}\) These systems of social control are united by common material interests rather than ideology or a specific political agenda.\(^\text{200}\) While the focus on these material interests on the one hand fosters corruption and embezzlement, it can, on the other hand override other potential fault lines like ethnicity, class, regionalism, or ideological differences.\(^\text{201}\) Thus, the common material interest can be described as a kind of “glue,”\(^\text{202}\) that is capable of keeping a highly heterogeneous political establishment together.

The third function of a neo-patrimonial system according to Timm is the creation of constant structural insecurity, which in turn enables the state elite to punish disloyal followers, therefore stabilizing the whole system. The source of this insecurity is the already mentioned overlap of patrimonial and legal-bureaucratic domination.\(^\text{203}\) While rewarding loyal followers through the informal channel with material benefits is one of the most common means to create political support, it is always possible for the state elite to fall back to their official positions and return to formal legal-bureaucratic rule in special cases – e.g. by suing a formerly loyal and merited follower for embezzlement as a way to punish disloyalty.\(^\text{204}\) The insecurity can be fostered further by the state elite by using three interconnected strategies which can often be observed in neo-patrimonial systems: a constant rotation of functionaries (dubbed by Migdal “The Big Shuffle”\(^\text{205}\)); creating a system of overlapping bureaucratic responsibilities,\(^\text{206}\)


and ambiguity in the formulation of laws and regulations which allows for corruption (and sometimes even makes it necessary), and this in turn creates opportunities for blackmail to ensure loyalty.\(^{207}\)

However, while instituting a neo-patrimonial ruling system constitutes a way for the state elite to ensure their political survival, it will also cause three dynamics within the state administration itself to occur, which undermine the efficiency of this very administration, thus putting at risk the increase in \textit{infrastructural power} the achievement of which it was created for in the first place.\(^{208}\) First, a reluctance of low-level bureaucrats to implement policies. Second, a vast increase in low-level corruption. Third, the emergence of a blackmail system similar to the system already described above for the state leaders.

The first dynamic is a direct result of systematic non-merit appointments and the constant rotation of functionaries at the top level of state agencies. As Migdal describes, a changing of agency heads naturally goes hand in hand with a change in policy priorities.\(^{209}\) Furthermore, he adds, a change in policy usually endangers the interests of local strongmen (like landlords, village elders, etc.) who benefit from the current status quo.\(^{210}\) However,

“[i]t is the implementor who must battle with these strongmen, all the while risking an assault by them on the policy itself and on the career of the implementor. If the agency chief is to be shuttled out of the agency in a matter of months – and along with him his agenda of programs – the implementor becomes very reluctant to confront the intense pressures local leaders can exert in order to push forward a policy that will disappear with its originator. With the new chiefs, no doubt, will come new burning priorities and innovative policies.”\(^{211}\)

Thus, instead of implementing policies, low-level bureaucrats receive incentives for giving the impression of being busy while avoiding “to become closely identified with any one policy,”\(^{212}\) as well as “prevent[ing] the upward flow of information to their supervisors and agency chiefs that would indicate that the implementors are not ‘handling’ the situation.”\(^{213}\)

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206 Cf. Migdal 2001, p. 79.
210 Cf. ibid., p. 86.
211 Ibid., p. 86.
212 Ibid., p. 87.
213 Ibid., p. 87.
Englehart summed up this dynamic even more memorably as the “three don’ts” of a bureaucrat in a weak state: “don’t work, don’t get involved, and don’t get fired.”

The second dynamic caused by a neo-patrimonial system is an increase in low-level corruption, where two manifestations have to be distinguished. The first form of corruption is manifested within the hierarchy of a state agency: As appointments within a state agency are not based on merits or competence, but connected to material benefits, bribery becomes a viable strategy for state officials to foster their own promotions, sometimes even going as far as attempting “to ‘buy’ into the family [= highest state elite, St.Sch.] by becoming loyal clients of individuals at higher levels.”

On the flip side of this practice, getting bribed also becomes a viable additional source of income for superiors; with the result that often the person willing to pay the highest bribe will be promoted in the end. Of course this person in turn is in need to find a refund of the “invested” money, giving new incentives for corruption and in the end creating a form of market based on bribery.

The second form of corruption is manifested on the local level between bureaucrats and local strongmen: As described in the last paragraph, local bureaucrats on the one hand often lack the motivation to implement policies that go against the interests of local strongmen. On the other hand, however, local bureaucrats are responsible for the allocation of state resources, giving them a certain material leverage. In regions without effective supervision, they “can use their leverage for personal gain with little regard for the overall purpose of any given policy.” Local strongmen in turn usually hold no interest in the implementation of state policies as that would endanger the status quo, but are at the same time in the position to guarantee local stability by exercising social control of the population in the respective area. As Radnitz argues, it is precisely this potential to guarantee or disrupt local stability that has to be seen as a kind of insurance policy for these strongmen because it provides them with a population base that “[…] if necessary, […] [can] be mobilized as a last line of defense […].” Should the state elites try to re-

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214 Englehart 2005, p. 635.
219 Radnitz 2010, p. 29.
move them. However, those strongmen are also partly reliant on the resource allocation by the state and thus search for ways to influence the allocation process, e.g. by seeking the institution of family members into state offices.\textsuperscript{220} Therefore, Migdal concludes, local bureaucrats and strongmen usually accommodate each other, thus also creating feedback effects to the overall state stability:

“First, local and regional strongmen, politicians, and implementors accommodate one another in a web of political, economic, and social exchanges. Their bargaining determines the final allocation of state resources that have made their way to the region. Second, accommodation also exists on a much grander scale. The local stability that strongmen can guarantee […] is critical to the overall stability of the regime. State leaders accept this stability, which they garner even without building a complex, institutionalized apparatus, in exchange for their implicit consent not to contest actively the strongmen’s control in local areas or even their capture of the state’s tentacles.”\textsuperscript{221}

The third dynamic caused by a neo-patrimonial system is the widening of the already mentioned blackmail system to encompass all levels of the state administration. When corruption becomes an accepted tool within a state administration as described above, keeping close track of rule violations committed by potential rivals becomes a necessary tool for every person holding an office in order to secure their own position.\textsuperscript{222} The systematic collection of evidence of forbidden, but necessary acts of corruption in turn develops into a tool for the state elites to ensure the minimum amount of loyalty on all levels of the state administration as described above.\textsuperscript{223}

Thus, by trying to increase its \textit{infrastructural power}, leaders of a \textit{weak state} can escape the Internal Security Dilemma. However, as this increase in \textit{infrastructural power} also creates new power centers that might pose a threat to the state elites and as effective state institutions (e.g. independent courts) are not established yet at this point, the state elites have to rely on a neo-patrimonial ruling system to sustain their power. While such a system creates several internal dynamics that foster its constant reproduction as described above and thus stabilize it, the same dynamics will undermine the increase in \textit{infrastructural power} the achievement of which they

\textsuperscript{221} Migdal 2001, p. 92. / similarly Fukuyama 2004a, p. 71. / Koehler/Wilke 2011, pp. 63/64.
\textsuperscript{222} Cf. Timm 2010, p. 112.
\textsuperscript{223} Cf. ibid., p. 112.
were created for in the first place. Thus, a neo-patrimonial system creates regime security, but the administration of a state ruled with the help of a neo-patrimonial system will remain corrupt and inefficient – such a state will be unable to fulfill at least its welfare and its legitimacy/rule-of-law functions and therefore remain a weak state in the sense of the definition laid down for the theoretical framework of this study.

The logical follow-up question is: How can the State Leader’s Dilemma be overcome? One hypothetical solution would be liberalization, i.e. the creation of a market economy and a democratic political system based on the rule of law. This hypothetical solution is based on two assumptions: First, that the creation of a market economy fosters economic efficiency and that the interlocking of state agencies and economic actors (strong-men) within the former neo-patrimonial system will sooner or later be dissolved due to its economic inefficiency, and second, and more important, that the introduction of a democratic political system based on the rule of law will allow for a peaceful competition for power and thus will decrease the likelihood of civil unrest or coup d’états\(^\text{224}\) (the most imminent threats to the state elites in cases where the Internal Security Dilemma or the State Leader’s Dilemma prevail). Moreover, the introduction of the rule of law would safeguard those competitors who lost the race for power while giving them a second chance. However, as will be shown in the next part, rapid liberalization creates a dilemma of its own.

3.3.3 The Liberalization Dilemma

While liberalization might provide a viable solution to the State Leader’s Dilemma at first glance, Mansfield/Snyder as well as Paris argue that premature or incomplete transitions to democracy can lead to violent conflict.\(^\text{225}\) While liberalization first of all limits the power of the central authority to integrate potential opponents\(^\text{226}\) (e.g. by making use of a neo-patrimonial system), it often also “weakens states by necessitating ineffec-
tual compromises and fragile coalition governments in societies where bureaucratic institutions never functioned well […]”.\(^\text{227}\)

\(^{226}\) Cf. Mansfield/Snyder 2009, p. 171.
3.3 The three dilemmas of a weak state

In addition to these pitfalls that necessarily come with a transitional period but which, if encountered alone, would not make a state fall into chaos, Paris names five risk factors of liberalization that will not only endanger its success, especially in a so-called weak state, but also increase the likelihood of domestic violent conflict: bad civil society, ethnic entrepreneurs, elections as focal points for harmful competition, saboteurs and failed transitions, and dangers of economic liberalization.²²⁸

The first risk factor to be discussed is a bad civil society, which can be defined as civil society organizations rejecting “pluralist compromise, […] instead spread[ing] prejudice, insularity, and extremism.”²²⁹ Examples for this kind of organization are right-wing extremist organizations in Germany’s Weimar Republic (like the so-called Stahlhelm), NGO’s fostering of racism in Rwanda,²³⁰ or radical Islamist organizations in Indonesia.²³¹ In societies in which this kind of organization is prevalent,

“efforts to encourage political participation do not result in greater support for democratic compromise, but instead serve to increase polarization, intolerance, and antagonism in a transitional society, they do not further the cause of either democracy or peace.”²³²

The effects of bad civil society will be amplified even further when they occur in combination with those of so-called ethnic entrepreneurs, who constitute the second risk factor for liberalization.

Paris defines these ethnic entrepreneurs as “opportunistic leaders who exploit intercommunal distrust as a means of building political support in ethnically divided societies.”²³³ While politicians exploiting this distrust by e.g. employing an ethnically biased “us versus them” rhetoric are often motivated by an anticipation of private benefits such as “disproportionate power, privileges, subsidies or protectionism for their economic activities […]”,²³⁴ these politicians at the same time also willingly or unwillingly contribute to a polarization of society, in the worst case leading to a “party system along mutually exclusive ethnic lines.”²³⁵ Once established, such a party system undermines one of the fundamental ideas of a democracy:

²³⁰ Cf. ibid., p. 161.
“that there will be no permanent majorities and minorities.”\textsuperscript{236} In an ethnically polarized party system, there will always be a clear majority and a clear minority. However, a state based on ethnic polarization of the political system, even if it is a democracy in the formal sense, usually lacks the capacity as well as the political will to safeguard the rights of these minorities.\textsuperscript{237} Thus, the emergence of ethnic entrepreneurs will also increase the risk for violent conflict within a society, i.e. the combination of ethnic entrepreneurs and bad civil society can easily lead to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force, which in turn could lead to a fallback into the Internal Security Dilemma.

Provided a society has already been polarized into several, mutually exclusive groups, e.g. by bad civil society or ethnic entrepreneurs, elections or electoral campaigns can act as catalysts reinforcing these divisions.\textsuperscript{238} The history of the last decades offers ample examples of violent conflicts triggered in the course of electoral campaigns or shortly after elections: Angola, Bosnia, Ethiopia, etc.\textsuperscript{239} Of course, elections cannot be considered the direct cause of these occurrences of violence. However, it usually is in the time around elections that a tense situation escalates into violent conflict.

The fourth risk factor discussed by Paris is the existence of so-called saboteurs and the failure of transitions to democracy.\textsuperscript{240} While a transition to democracy would resolve the State Leader’s Dilemma in theory, it does per se pose a threat to the current state elites’ position since their being re-elected in a free and fair voting process is, from their perspective, not guaranteed at best and, at worst, not even likely. Thus, it is likely that the old state elites themselves will sabotage the transition process, creating a so-called “hybrid”\textsuperscript{241} or semi-authoritarian regime. According to Ottaway, such regimes can be defined as

\begin{itemize}
\item \textsuperscript{236} Ottaway 2009, p. 608.
\item \textsuperscript{237} Cf. ibid., p. 608.
\item \textsuperscript{238} Cf. Paris 2004, p. 163. / Snyder/Brancati/Mansfield 2015, p. 191.
\item \textsuperscript{239} Cf. Paris 2004, pp. 163/164.
\item \textsuperscript{240} Cf. ibid., p. 164.
\item \textsuperscript{241} Franke-Schwenk 2012, p. 41. / Such regimes are also identified by Mansfield/Snyder who termed them anocracies, cf. Mansfield/Snyder 2009, p. 162.
\end{itemize}
“regimes that have the formal processes of a democracy and even allow a modest amount of political space to their citizens but manipulate all processes successfully to avoid true competition, thus perpetuating their hold on power.”

Ironically, such an instrumental transition lessens the formal leverage of the state elites and therefore makes them even more dependent on their informal, neo-patrimonial networks to ensure their grip on power. State elites trying to use liberalization as a tool to ensure their own rulership during times of external or internal pressure thus do not solve the State Leader’s Dilemma, but rather reinforce it.

The last risk factor of liberalization consists in economic liberalization, which can exacerbate already existing social tensions. Economic liberalization usually includes the

“privatization of state-owned enterprises; the reduction or elimination of subsidies and other market-distorting government interventions in the domestic economy; the liberalization of regulatory structures, including barriers to the market; and reductions on overall government spending, which often involve cuts in public-sector employment.”

The consequences of economic liberalization are twofold: First, as the former neo-patrimonial systems are often accompanied by systematic patronage, defined by Erdmann/Engel as “politically motivated ‘favours’ not to individuals but essentially to groups,” which are often based on ethnic identity, cutting subsidies forces the state elites to alleviate either their support for their most important supporters or to create further unrest in ethnic groups already opposed to the government. Second, the negative effects of economic reforms usually hit those groups of a society hardest that are already in the most vulnerable positions (e.g. urban workers, students, low-level civil servants, etc.) which on the one hand exacerbates already existing tensions and on the other hand provides ample ground for bad civil society and ethnic entrepreneurs offering scapegoats while promising to “[distribute] a shrinking economic pie along ethnic lines.”

One common strategy to avoid these two pitfalls of economic liberalization is “to pervert privatisation so that it actually limits competition and main-
3. Theorizing Fragile Statehood

tains economic oligopoly and political oligarchy,"248 i.e. maintaining a system of patronage despite economic liberalization. This, however, would also lead back into the State Leader’s Dilemma, as the loyalty of these oligarchs to the state has to be maintained.249

In summing up these five risk factors, it becomes clear that liberalization might solve the State Leader’s Dilemma, but usually, especially in a weak state, is accompanied by risks of its own: If several of these risk factors are present in a given case, liberalization can trigger violent conflict within this country, especially so-called ethnic conflict. Mansfield/Snyder described this in the following way:

“Governing a society that is democratizing is like driving a car while throwing away the steering wheel, stepping on the gas, and fighting over which passenger will be in the driver’s seat. The result, when political institutions are weak, is often war.”250

Even if the transitional period does not lead to violent conflict based on ethnical or religious fault lines, the state institutions are weakened by the process, often fostering organized crime.251

Thus, on the one hand, failed liberalization directly leads into the Internal Security Dilemma, which constituted the starting point of this analysis of dilemmas. On the other hand, however, the creation of effective state institutions before liberalization as advocated by Mansfield/Snyder252 as well as Paris253 is impeded massively by the State Leader’s Dilemma described before.254 Therefore, in the case of weak states, one could say that these three dilemmas together form a vicious cycle, as they mutually reinforce each other.

Despite this mutual reinforcement, not all dilemmas will be distinct to the same degree within the same state. Therefore, specific cases of states require positioning in this vicious cycle, as usually one of these three dilemmas is more distinct than the others. Instead, in each state one of these dilemmas will act as the center of gravity, influencing most of the other factors destabilizing the state, while the other dilemmas will be less distinctive. Furthermore, as an entrapment in the Internal Security Dilemma

is likely to increase the risk for violent conflict if the dilemma is not mitigated, most weak states can be categorized with either the State Leader’s Dilemma or the Liberalization Dilemma as the center of gravity of their fragile statehood. In cases where the Internal Security Dilemma becomes the center of gravity of fragile statehood, the risk of becoming a failing state is imminent.255

In the next chapter, the vicious cycle of dilemmas discussed here will be combined with Schneckener’s model of fragile statehood that has already been introduced as well as with the findings of other authors, showing that most symptoms of fragile statehood can be attributed to one of these three dilemmas. Depending on which dilemma will be found to be the center of gravity in a specific case of a weak state, the symptomatic factors depending on them will also be more or less distinct.

3.4 Combining the three dilemmas with Schneckener’s model of fragile statehood

As has been shown, the three dilemmas perpetuating the fragile statehood of a weak state reinforce each other mutually, while the starting point in this analysis, the Internal Security Dilemma, is mainly based on the existence of non-state actors capable of challenging the monopoly on the legitimate use of force within a state, which are considered a threat by the ruling elite. The following part of the study will discuss which symptomatic factors foster the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force and whether or not these symptomatic factors can be directly or indirectly traced back to the three dilemmas discussed in the last subchapter. Therefore, in analyzing a body of literature dealing with fragile statehood, eleven symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force have been identified: a fragmentation of security forces; an oversized, paramilitary structure and training of the security forces; an ineffective security sector; a lack of independent courts; an interlocking of state and economy; corruption and nepotism; reform blockades; the population’s lack of trust; weak national economy; high unemployment; and a decaying infrastructure. Every symptomatic factor can be localized in one or more of

255 See Chapter 3.5.3.
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Schneckener’s state functions. However, as this is a theoretical model, it has to be stressed that not every symptomatic factor will be developed in the same degree in every empirical case.

As the following discussion will involve a complex interdependence of symptomatic factors, a diagram showing these interdependencies will be developed step by step in the following subchapters. To allow for an easier orientation, the fully developed diagram will be presented at the end of Chapter 3.4.3, while the following diagram shows the starting point with the three already discussed core dilemmas, but without any symptomatic factors of weak statehood extracted from the existing body of literature:

![Diagram](https://doi.org/10.5771/9783845297873)

Figure 6: Core dilemmas of weak statehood without symptomatic factors; author’s own compilation.

3.4.1 Security function

As a starting point, those symptomatic factors that contribute to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force and that can be localized in the *security* function of the state will be analyzed. Here, only one symptomatic factor directly fosters the emergence of these non-state actors: the ineffectiveness of the security sector. An ineffective security sector contributes to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force in two direct ways and one indirect way: directly by being unable to tackle regular crime effectively, thus forcing citizens to rely on self-help to ensure their security and thus creating parallel structures such
3.4 Combining the three dilemmas with Schneckener’s model of fragile statehood

as militias,\textsuperscript{256} as well as by being unable to tackle organized crime syndicates, who in turn are already non-state actors capable of challenging the monopoly on the legitimate use of force by definition.\textsuperscript{257} Indirectly, ineffective security forces undermine the state’s legitimacy by decreasing the population’s trust in the state.\textsuperscript{258} However, while the connection between an ineffective security sector and the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force is straightforward, the emergence of the ineffective security sector in the first place is more complex, involving the interrelations of four additional symptomatic factors: the fragmentation of security forces, their oversized, paramilitary structure and training, corruption and nepotism, and the reform blockade in the weak state.

The first of those symptomatic factors is the fragmentation of security forces. The term “fragmentation” means the division of a state’s security forces into several smaller branches controlled by different ministries, often with overlapping competencies and with every ministry holding at least one armed detachment. While a division of labor between different ministries and security services is not uncommon in most modern states, overlapping competencies between them are. Therefore, the main point about the fragmentation of security forces is not that they contribute to a division of labor, but that they duplicate competences, which is the opposite of division of labor. This fragmentation of the security forces in turn can be traced back directly to the Internal Security Dilemma,\textsuperscript{259} as well as to the State Leader’s Dilemma,\textsuperscript{260} since the armed organs of the state, capable of performing coup d’états, can be seen as a primary threat to the state elite. Thus, from the perspective of the state elite, splitting the security apparatus into several factions and preventing those factions from allying is a logical strategy in order to stay in power. However, fragmentation of the security forces also creates friction in the coordination between them, weakening the efficiency of the whole security sector. Therefore, fragmentation of the security forces is the first of the four symptomatic factors contributing to an ineffective security sector.

\begin{itemize}
\item \textsuperscript{259} Cf. Brock et al. 2012, p. 54.
\item \textsuperscript{260} Cf. Migdal 1988, p. 211.
\end{itemize}
The second symptomatic factor contributing to an ineffective security sector is the structure of the security forces, as they are often oversized, and structured and trained in a paramilitary way. While such an organization of armed forces is well-suited for putting down social unrest as well as for decreasing crime rates by constant presence in the streets, paramilitary units often lack capabilities necessary for crime investigation. Thus, paramilitary security forces are often unable to deal with all types of crime requiring intensive investigation, e.g. cases of theft, burglary, smuggling, murder, and, in particular, all types of organized crime. Despite these drawbacks, this form of organization is often sustained in weak states because it is connected to two other symptomatic factors. First, it can be deducted directly from the Internal Security Dilemma, which is based on the state elite’s fear of social unrest. In this regard, specific threat scenarios like (re-)emerging internal conflicts involving non-state actors capable of challenging the monopoly on the legitimate use of force or unrest following a failed liberalization provide incentives to keep large, (para-)military security forces. The second symptomatic factor contributing to this kind of organization of security forces is unrelated to the security function in a narrow sense: high unemployment, which acts as an incentive to keep an oversized security apparatus in order to withhold personnel from an already overstretched labor market, as former security personnel remaining unab sorbed by the labor market are likely to join potentially violent non-state actors (either militias, organized crime syndicates, or private security companies).

The third symptomatic factor contributing to an ineffective security sector is corruption and nepotism within the security system. The emergence and the impact of corruption and nepotism are both highly complex regarding all three state functions, making this symptomatic factor one of the most important nexuses within the whole model. Thus, at this point, only its impact on the security sector will be discussed, while the impact on other symptomatic factors as well as the complex process of emergence of corruption and nepotism will be taken up later again. With regard to the security sector, corruption and nepotism decrease the effectiveness of this sector in three ways: First, if a career in the security sector is based on non-merit appointments based on political criteria as well as on purchases
3.4 Combining the three dilemmas with Schneckener’s model of fragile statehood

of commissions, middle to high-ranking officials within the hierarchy will often lack the skills necessary to fulfill their tasks. Second, this system of non-merit appointments and purchases of commissions on the one hand encourages low-level corruption to earn the money to buy a commission while it on the other hand encourages skilled personnel (who, in other circumstances, would be suited for appointments based on merit) to quit the service in an organization perceived as deeply corrupt.\(^264\) Third, corruption within the security services strongly inhibits crime prosecution, as it can even lead to cooperation between criminals and law enforcement agencies, which in turn undermines, above all, the combat against organized crime.\(^265\)

The fourth symptomatic factor contributing to an ineffective security sector is a constant reform blockade circumventing changes in the security system. As with corruption and nepotism, reform blockades often concern all of the three state functions, making it another one of the central nexuses of the model. Regarding the security function, the causal connection is relatively straightforward: Reform blockades are direct consequences of corruption and nepotism in the security sector. As reforms aiming to increase the effectiveness of this sector (like the implementation of merit appointments) are likely to endanger the beneficiaries of the corruption system, i.e. middle to higher ranks, any serious reform attempt will be met with subtle or direct resistance by the leaders of the security sector.\(^266\) If one now systematizes the interdependencies between the symptomatic factors in the security function, the first column of the diagram can be filled in:

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\(^266\) Cf. Engvall 2011, p. 203.
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Figure 7: Symptomatic factors of the security function; author’s own compilation.
3.4 Combining the three dilemmas with Schneckener’s model of fragile statehood

3.4.2 Welfare function

With regard to the welfare function, only two symptomatic factors contribute to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force directly: the interlocking of state and economy as well as high unemployment rates. Furthermore, four additional symptomatic factors contribute indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force, mainly by directly or indirectly undermining the population’s trust in the state institutions: corruption and nepotism, a weak national economy, reform blockades and a decay of infrastructure.

The first symptomatic factor to be analyzed is the interlocking of state and economy, which is characterized either by the state owning the most important companies of the country directly or by politicians belonging to the state elite being businessmen at the same time, i.e., the state elite owning the most important companies of the country indirectly. Economic sectors suited to establish a rentier economy (e.g. extraction of raw materials, transport infrastructure, etc.) are particularly prone to being either directly state-controlled or indirectly state-controlled via loyal oligarchs. The origins of this interlocking of state and economy can be traced back to the neo-patrimonial system that has been set up in reaction to the State Leader’s Dilemma. As has been described above, in such a system, the power of creating material benefits for followers is the most important pillar of regime stability, making the toleration of embezzlement in state-owned companies or the toleration of tax evasion by private companies owned by loyal supporters of the state elite prime means to sustain their loyalty to the state elite. Despite this stabilizing effect, however, an interlocking of state and economy contributes directly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force, because it leads to investment, employment, and service delivery based on either personal loyalty or direct bribery. Therefore, it fosters the formation of an informal economy by people excluded from the formal

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268 For an overview of possible types of rents see Richter 2010, pp. 210/211.
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economy (e.g. by lack of connections to become employed, lack of income to pay bribes for service delivery, etc.). Furthermore, the interlocking of state and economy contributes to three other symptomatic factors: corruption and nepotism; reform blockades; and a decay of infrastructure.

Regarding the factor of corruption and nepotism, that connection can be explained by the fact that the processes linking corruption and nepotism to the welfare function are similar to the processes already described in the context of the security function: In cases where a high level of economic employment is not based on merit and performance, but on loyalty created through material benefits for the employed, embezzlement, bribe-taking, as well as purchase and selling of promotions become viable sources of income for the employed. At the same time, however, corruption and nepotism within the whole society will increase, undermining the overall efficiency of the national economy.

The argument to explain why the interlocking of state and economy contributes to a reform blockade is quite similar: As the interlocking creates material dependencies between the ruling elites and their followers, it also creates privileges for those gaining material benefits as well as for those being able to distribute them. Therefore, on the one hand, the state elites are reluctant to pursue any reform undermining their ability to distribute benefits, and directors of state-owned enterprises or oligarchs are not willing to risk losing their privileges. On the other hand, also medium-ranking bureaucrats resist reform attempts to sustain their own benefiting relations with local strongmen.

The last symptomatic factor influenced by the interlocking of state and economy is the decay of infrastructure, which has to be understood in a broad sense, i.e. not only as physical infrastructure, but also as service infrastructure like health and education systems. In this regard, the practice of non-merit appointments is most important, as it leads to a decline in

service efficiency by leading to a lack of competence and skills necessary for service delivery among the appointed personnel.\textsuperscript{276}

Regarding these indirect symptomatic factors in the context of the welfare function, the decay of infrastructure will be discussed first in the following. In terms of scope, the basic infrastructures of a state as discussed in Chapter 3.2, i.e. transportation and water supply, educational institutions and (basic) health care, are considered as parts of this symptomatic factor. In terms of outcome, this symptomatic factor contributes to the population’s lack of trust in the state elites because the efficiency of the service delivery infrastructure is one of the most visible indicators for institutional performance in everyday life.\textsuperscript{277} The decay of infrastructure is triggered directly by three symptomatic factors, one of which has already been discussed: the interlocking of state and economy; corruption and nepotism as well as a weak national economy. Therefore, at this point only the connection between the decay of infrastructure and a weak national economy and corruption and nepotism respectively will be discussed.

A weak national economy has two effects contributing to the decay of infrastructure. First of all, a low state budget hampers both the maintenance of physical infrastructure as well as the provision of supplies for the health and education sectors, but also other state capabilities, most importantly the capability to collect taxes.\textsuperscript{278} Second, and closely related to the first point, a low state budget prevents the provision of adequate wages for state employees working in sustainment of the state services. Therefore, it is not only difficult to win qualified personnel for the civil sector, but these sectors are particularly subject to brain drain, as qualified employees feel the need to leave the civil sector (or the country altogether) if their wages are too low to afford a living.\textsuperscript{279}

This effect, in turn, is closely connected to corruption and nepotism as the state employees’ inability to afford a living based on their wages alone fosters corruption within this sector.\textsuperscript{280} A weak national economy fosters corruption and nepotism because, when obtaining one of the few jobs offering either a solid payment or the opportunity for embezzlement and

\textsuperscript{276} Cf. Migdal 2001, p. 86.
\textsuperscript{280} Cf. Englehart 2005, p. 637.
bribe-taking, the employee usually considers it necessary to make use of this opportunity accordingly to support his or her own family.\textsuperscript{281} This, however, strengthens the practice of non-merit appointments as well as of abusing jobs for creating additional income.

Moreover, corruption within the civil sector reinforces the decay of infrastructure, as taking bribes and selling services becomes a viable strategy of survival for state employees.\textsuperscript{282} Therefore, if positions in the civil service sector are sold instead of earned by competence and merit, the candidates best suited for a position based on skills that are required for fulfillment of that position will not necessarily get it. In particular, the decay of infrastructure is enhanced when corruption reaches the education sector, especially when university degrees are sold instead of earned through academic performance, because in this case employees in all other civil sectors (like medical doctors and high school teachers) lack the skills necessary to practice their profession altogether, leading to cascade effects undermining the whole national economy.\textsuperscript{283}

Furthermore, a weak national economy influences three symptomatic factors: the already described decay of infrastructure, as well as corruption and nepotism, but also high unemployment. High unemployment unsurprisingly is fostered by a weak national economy because a weak national economy is unable to sustain a sufficient number of permanent jobs. High unemployment in turn contributes to two symptomatic factors: the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force and oversized security forces. On the one hand, high unemployment fosters the creation of an informal shadow economy working outside of governmental regulation and therefore decreasing the state’s tax revenue.\textsuperscript{284} On the other hand, as has already been described in the discussion of the security function, high unemployment is one of the reasons why states are reluctant to decrease the size of their security apparatuses because paramilitarily organized forces, in particular, can serve as holding centers for unskilled laborers that are capable of creating social

3.4 Combining the three dilemmas with Schneckener’s model of fragile statehood

tension if added to the already existing, considerably big pool of unemployed people.\textsuperscript{285}

The weak national economy described here as being one of the symptomatic factors contributing to the decay of infrastructure, corruption and nepotism and high unemployment is, in turn, influenced by reform blockades. The factor of reform blockades in the \textit{welfare} function, similar to its position in the \textit{security} function, is based on the material interests of members of the neo-patrimonial ruling elite, as material benefits stabilize the neo-patrimonial system.\textsuperscript{286} Therefore, the profiteers of these neo-patrimonial networks are likely to resist any reform endangering their privileges. Therefore, since economic reforms necessary for generating economic growth often endanger these privileges, they are unlikely to happen.

With the addition of the analyzed interdependencies of symptomatic factors to the overall picture of a \textit{weak state}, the diagram already becomes a lot more complex:

\textsuperscript{285} Cf. Interview with OSCE Office in Tajikistan Member I, Dushanbe, August 30, 2013.
\textsuperscript{286} Cf. Erdmann/Engel 2006, pp. 26/27.
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Figure 8: Symptomatic factors of the security and welfare functions; author's own compilation.
3.4 Combining the three dilemmas with Schneckener’s model of fragile statehood

3.4.3 Legitimacy/rule-of-law function

With regard to the legitimacy/rule-of-law function, only one of the symptomatic factors contributes to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force directly: the population’s lack of trust. Furthermore, four additional symptomatic factors contribute indirectly to this emergence: the lack of independent courts; the interlocking of state and economy; corruption and nepotism; and reform blockades. Thus, as this list shows, most nexuses influenced by the other two state functions, the security and welfare functions, can also localized within the field of the legitimacy/rule-of-law function.

Of all symptomatic factors, lack of trust in the state elites is, on the one hand, probably the symptomatic factor exercising the strongest influence towards the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force, as it is exactly the population’s trust in the state elites that generates legitimacy in the long run. On the other hand, this factor is in turn influenced by most of the other symptomatic factors, derived from all of the state’s functions: an ineffective security sector; lack of independent courts; reform blockades; corruption and nepotism; and the decay of infrastructure – all these symptomatic factors foster the population’s lack of trust in the state’s ruling elites and institutions. Therefore, while lack of trust in state institutions is difficult to be measured directly, it has to be considered a cascade effect resulting from the failure of service delivery by state institutions (e.g. high crime rates; declining educational standards; insufficient health care, etc.), perceived unfairness (e.g. through non-merit appointments, corruption, and lack of independent courts) as well as the perception that improvement of the situation is not likely or even possible – all of these symptomatic factors except for those within the legitimacy/rule-of-law function have already been discussed previously.

The reform blockade in turn is a direct result of corruption and nepotism because in every sub-system of state and society, there are a number of profiteers. Furthermore, as it has been discussed with regard to the State Leader’s Dilemma, these profiteers are precisely the pillar on which the state elites will build their rule. Therefore, not only the profiteers will

resist any reform endangering their privileges, but also the state elites will refrain from implementing reforms endangering the privileges of their supporters. Therefore, a state trapped in a reform blockade lacks responsivity, which is crucial in order to gain the population’s trust in the state’s ability and willingness to fulfil their demands and needs. As discussed previously, this reform blockade is a result of general corruption and nepotism as well as of the interlocking of state and economy.

Corruption and nepotism in turn are one of the central nexuses of the model, as they contribute to the ineffectiveness of the security sector, the reform blockade, the population’s lack of trust, and the decay of infrastructure. However, as this symptomatic factor is influenced by a weak national economy, the interlocking of state and economy, the lack of independent courts, and the State Leader’s Dilemma, it is important to observe that it is still a symptom of fragile statehood, not a direct cause, as it is sometimes stated by practitioners.

With regard to corruption and nepotism, all contributing symptomatic factors except for the lack of independent courts have been discussed previously. Regarding the lack of independent courts, however, the connection is straightforward. The lack of independent courts is a direct result of the State Leader’s Dilemma, as it is paramount to the state elites to be able to sanction disloyal members of the neo-patrimonial networks. In turn, if impartial rule of law cannot be guaranteed, it becomes paramount to any member of the society to find a way to deal with this institutionalized insecurity. Personal networks with ties to the state elites are one way to avoid prosecution; another way is the establishment of informal networks with the local elites, which offer protection as long as the member of the society in question is not considered a direct threat by the state elites. Therefore, the risk of not being protected by an impartial rule of law alone acts as incentive to develop nepotistic or corrupt networks as a backup option. With the addition of the interdependencies of symptomatic factors

in the legitimacy/rule-of-law function, the diagram of dynamics within a weak state is now complete:

Figure 9: Symptomatic factors of the security, welfare and legitimacy/rule-of-law function; author’s own compilation.
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3.5 Conditions of aggregation of weak states

As the previous chapter indicates, the symptomatic factors derived from the three dilemmas in the end perpetuate these very dilemmas, making it difficult to escape the vicious cycle of fragile statehood. In this regard, it has to be explained on a theoretical level why many weak states are still able to remain stable over a long period of time. Furthermore, it has to be discussed which breaking points are inherent to this fragile status quo. Last, it has to be explained how a weak state can decline into a failing or failed state or develop into a consolidated state.

3.5.1 Status quo

Even though it has been shown that the three dilemmas of a weak state perpetuate each other, Schneckener as well as Timm note that weak states influenced by those dilemmas are still remarkably stable.297 Both of them argue that it is the already described neo-patrimonial system of rulership that, often bolstered by a rentier economy, prevents the breakdown of a weak state, as the potential opposition remains integrated into the state structure instead of rebelling against it.298 On the other hand, as such a system of rulership has usually been established by the political elites to ensure their political survival in the first place, it is hard to break out of the ruling logic they created. Going back to the vicious cycle of dilemmas of a weak state, it can be noted that what they describe is a state based on the State Leader’s Dilemma. Such a state can remain stable over a long period of time, but remains susceptible both to downward spirals as well as to breaking points, while at the same time it inhibits initiation of upward spirals. Similarly, a weak state facing the Liberalization Dilemma (e.g. a neo-patrimonially organized state after a revolution) is at risk of either continuing towards the Internal Security Dilemma, if several groups compete for power by reinforcing division of the society, or of at least partly falling back into the State Leader’s Dilemma, if the new ruling elites begin to compensate lack of support and state capabilities by co-opting the potential opposition. In case a weak state falls into the Internal

Security Dilemma, the risk of violent conflict is imminent, if the dilemma is not be mitigated by co-opting the potential opposition. Hence, this process leads to the State Leader’s Dilemma again. Therefore, the vicious cycle of dilemmas in a weak state tends to lean towards the State Leader’s Dilemma.

3.5.2 Breaking points and transitions

As the vicious cycle of dilemmas leans towards the State Leader’s Dilemma, the transition between the three dilemmas is usually initiated by specific events, which are sometimes termed “breaking points” (*Sollbruchstellen*)\(^{299}\) or “triggers.”\(^{300}\) The only exceptions are the events of an increase in infrastructural power, leading from the Internal Security Dilemma to the State Leader’s Dilemma, or a deliberate liberalization by the state leader, leading to a transition from the State Leader’s Dilemma to the Liberalization Dilemma. Other possible transitions following breaking points are discussed as follows, starting with possible triggers deriving from the State Leader’s Dilemma:

To initiate a transition from the State Leader’s Dilemma, the neopatrimonial system of leadership has to break down. For this to happen, several scenarios are possible: The death of a ruler, leading to a succession crisis; the loss of control over clientelist networks, leading to the establishment of alternative power centers, which in turn can either attempt a coup d’état or try to break away from the central authority; and last, civil unrest triggered by economic crises, especially when combined with a young population lacking employment, which can overthrow the government.\(^{301}\) Depending on the course of the breakdown of the neopatrimonial network, a transition can lead towards either the Internal Security Dilemma or the Liberalization Dilemma. (Of course, the persistence of the State Leader’s Dilemma is also a possible scenario; e.g. in cases where a suc-
cession conflict can be resolved peacefully or an uprising/coup attempt is crushed with physical force.)

In case of an emergence of alternative power centers in a state, a fallback into the Internal Security Dilemma is possible, especially in cases where these alternative power centers are armed or are beginning to arm themselves in self-help. In case of a revolution caused by economic crises, the state is likely to enter the Liberalization Dilemma, in which none of the new parties has a secure power base in the society. In this case, it is highly likely for the newly empowered state elites to fall back to working with clientelist networks to ensure their own political or even physical survival, leading to a fallback into the State Leader’s Dilemma, while at the same time the risk of polarization of the society persists, especially if it is already fragmented along ethnic lines. If this fragmentation of the society is reinforced by e.g. ethnic rhetoric of acting politicians, a transition towards the Internal Security Dilemma is possible, a case in which, again, violent conflict is imminent. While these triggering events are the most likely to cause failure of a weak state, Schneckener rightfully mentions foreign military interventions that can also turn an already weak state into a failing state. However, while such cases are possible to occur, a study with a completely different research design, incompatible with this study, would be required to analyze such specific cases.

305 Cf. Schneckener 2006, p. 28.
The following diagram sums up possible breaking points and transitions between the three dilemmas of a weak state:

<table>
<thead>
<tr>
<th>Transition of dilemmas in weak states</th>
<th>Security</th>
<th>Legitimacy/rule-of-law</th>
<th>Welfare</th>
</tr>
</thead>
<tbody>
<tr>
<td>Core dilemmas</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Figure 10: Breaking points and transitions between the dilemmas of a weak state, author’s own compilation.

3.5.3 Downward spiral

A downward spiral can be described as an ongoing weakening of the state’s capacity and legitimacy which fosters the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force and therefore increases the risk of the state falling back into the Internal Security Dilemma. It can come in two forms: first, as a slow erosion of state capabilities concurring with a seemingly stable status quo, and second, as a rapid descent or decay of state capabilities following a breaking point.

Kaldor describes the first type of the downward spiral as

“[…] almost the reverse of the process through which modern states were constructed. Taxes fall because of declining investment and production, increased corruption and clientelism, or declining legitimacy. The declining tax revenue leads to growing dependence both on external sources and on private sources through e.g. rent-seeking or criminal activities. Reductions in public expenditure as a result of the shrinking fiscal base as well as pressures from external donors for macroeconomic stabilization and liberalization (which also may reduce export revenues) further erode legitimacy. A growing informal economy, associated with increased inequalities, unemployment and rural-urban migration, combined with the loss of legitimacy, weakens the rule of law and may lead to the reemergence of privatized forms of violence: organized crime and the substitution of ‘protection’
for taxation; vigilantes; private security guards protecting economic facilities, especially international companies; or paramilitary groups associated with particular political factions. In particular, reductions in security expenditure, often encouraged by external donors for the best of motives, may lead to breakaway groups of redundant soldiers and policemen seeking alternative employment."

While this first type is easily overlooked, a slow erosion of the state’s capabilities fosters the occurrence of breaking points, as described above. Therefore, within the scope of this study, possibilities and methods of stopping such slow erosions of state institutions will be the focal point of analysis.

The second type describes the transition of a weak state into a failing state, usually after a triggering event occurred (e.g. death of the ruler, a revolution, or a coup) which traps the weak state in the Internal Security Dilemma. With both the state elites as well as the non-state opposition relying on self-help to ensure their own survival, “an escalating process where violence breeds violence” can occur. As this process is accompanied by the loss of the state’s monopoly on the legitimate use of physical force, such decay can happen quite rapidly, as shown by the examples of Mali, Ukraine, or former Yugoslavia. Therefore, this accelerated downward spiral of a weak state into a failing or failed state after the occurrence of a triggering event will only be a concern of this study in so far as the aforementioned trigger effects could be mitigated by the analyzed field missions. Bringing an accelerated downward spiral to a halt after large-scale violence has occurred is beyond the capabilities of a civilian field mission. However, as Klare notes, once set in motion, “[...] the transition from failing to failed state is usually irreversible.” Therefore, research on how the slow erosion of state capabilities can be prevented in order to avoid the triggering of an accelerated downward spiral in the first place becomes even more important.

3.5.4 Upward spiral

While the main part of this study is devoted to analyzing how a downward spiral in a *weak state* can be halted, at least some considerations on whether and how the vicious cycle of dilemmas of a *weak state* can be escaped should be taken into account.

In this regard, at least a brief look into the history of European states seems warranted, as these states can also been seen as prime examples of *weak states* based on neo-patrimonial rulership:

“[…] in the eighteenth century, […] officials or their patrons *owned* offices and could derive profit from them. The property rights of owners and patrons blocked centralization, rationalization, and insulation of state administrations.”

The historical sociologist Michael Mann then identified three phases of development in the 18th and 19th century, correlating with three factors fostering the transition from a *weak* to a *consolidating state*: First, military competition. Second, pressure by citizen movements opposing “‘corrupt’ office owning.” And third, the development of industrial capitalism.

Using the military competition between the European states as a point of departure, Tilly describes an interdependent development that could be termed an upward spiral, in analogy to the aforementioned downward spiral:

“The building up of war-making capacity likewise increased the capacity to extract. The very activity of extraction, if successful, entailed the elimination, neutralization, or cooptation of the great lord’s local rivals; thus, it led to state making. As a by-product, it created organization in the form of tax-collection agencies, police forces, courts, exchequers, account keepers: thus it again led to state making.”

However, while military competition fostered the development of an administration based on meritocracy, Mann stresses that the importance of patron-client relations still remained a central characteristic of European administrations for a long time.

311 Cf. ibid., pp. 473/474.
312 Ibid., p. 474.
313 Cf. ibid., p. 474.
Therefore, in a second phase, popular opposition to the system of patronage led to demands for democracy, which, while not fulfilled in every country, led to a decline of patrimonial practices in the administrations – either through a revolution or through reforms to avoid popular pressure.\footnote{Cf. Mann 2012 [1986], Vol. II, pp. 466/467. / Fukuyama 2004a, p. 85.} Similarly to the model of a weak state described in the last chapter, the European states were by no means immune to the pitfalls of the Liberalization Dilemma. Quite the contrary: the democratization of the European states was concurred with the development of European nationalism, and it is precisely this historical context Snyder used to develop his theoretical model on nationalist conflict, which has provided the basis for the model of the Liberalization Dilemma used in this study.\footnote{See Snyder 2000.}

Lastly, the final phase of the development of the modern state was the development of industrial capitalism.\footnote{Cf. Mann 2012 [1986], Vol. II, p. 474.} The implications of this process for the development of the modern state have been twofold: on the one hand, the requirements of industrial production increased the need for well-trained specialists in the state administrations, therefore fostering meritocratic promotions, while at the same time economic accounting and organizational principles were transferred to state administration.\footnote{Cf. ibid., pp. 470/471.}

Mann concludes that by 1914, almost all European states had overcome the neo-patrimonial system of rulership and transformed from what in the terminology of this work would be called weak states into consolidated states.\footnote{Cf. ibid., p. 472.} While this European model is by no means applicable directly to other states as it is limited to a very specific historical context, one can deduct that the upholding of the security function, combined with an educated citizenry and economic development, can create an upward spiral, in which “success breeds success.”\footnote{Brock et al. 2012, p. 157.} However, one should be aware that, even in Europe, the transformation from a weak state into a consolidated state usually took roughly 200 years.
3.6 Potential points of criticism

3.6 Interim conclusion: Theorizing fragile statehood via cumulative theory building – potential points of criticism

In the previous chapter, a new approach to describing and analyzing what fragile statehood and, in particular, weak states actually are, and how the symptomatic factors of a weak state influence each other to perpetuate the weak statehood has been developed by consolidating several established, but sometimes underappreciated, theories into a new model. In this regard, this study follows the approach of cumulative theory building, aiming to improve existing theoretical concepts as long as they have not been falsified instead of creating new ones from scratch, as entirely new concepts in turn had to be extensively tested and validated before being built upon.

With the developed model being used as the basis for analysis in the following chapter, two corresponding potential points of criticism shall be addressed at this point: First, that the model is overly complex, and second, that the model inherits a problem from the overarching debate of traditional security concepts and the Human Security concept – namely the high degree of conceptual inclusiveness of the Human Security concept.

Regarding the first point of potential criticism (the model’s lack of parsimony), I follow the argument made by King/Keohane/Verba that one should not “seek parsimony as an essential good, since there seems little reason to adopt it unless we already know a lot about a subject.”\(^\text{322}\) However, as the model presented in this chapter was developed precisely because the existing theories of fragile statehood were considered of insufficient explanatory value, it should not come as a surprise that a rather complex model, aiming to integrate the analytic strengths of its predecessors, is the result. This in turn does not mean that potential future research based on this theoretical model will not be able to refine the model, e.g. by analyzing a larger number of cases, thereby creating a streamlined version.

Regarding the second point of potential criticism (the import of problems of the Human Security concept, mainly the problem of conceptual inclusiveness), a closer look at the argument is necessary. While I agree with proponents of the argument that, as

“broadened security concepts can include almost everything even distantly related to individual security and these concepts also claim to be universally applicable,

\(^{322}\) King/Keohane/Verba 1994, p. 20.
as the Human Security concept does, the gap between the concept’s demands and its practicability is immense.\textsuperscript{323} The argument has to be divided into two branches: First, the question of the inclusion of a number of factors being perceived as a threat to individual security. Second, the question of the measurability of both threats to individual security as well as of the efficacy of practical measures being taken to address these threats. Regarding the first point, I argue that the main problem of the Human Security concept is not the number of factors included per se, but rather the lack of analysis of the causal interdependencies between these factors in the context of the classical Human Security concept. While in the context of the classical Human Security concept the individual factors are placed next to each other and remain unconnected, the model introduced in this chapter clearly describes causal connections between the factors used. Therefore, instead of having the factors simply standing next to each other, the factors have been categorized into core dilemmas, symptomatic factors, and effects, as well as the causal connections between all of them. This in turn can be used to prioritize measures aiming to increase individual security (i.e. decrease the risk of violent conflict) in specific situations in practice.

To attempt such a prioritization however, the second point of criticism has to be addressed, which is the difficulty of measurement. Again, a distinction has to be drawn between the measuring the existence of certain factors in a given case and measuring the efficacy of attempts to deal with these factors. While the first point, the measurement of whether factors exist in a given case or not, will be addressed in the next chapter, using Kyrgyzstan and Tajikistan as examples, the measurement of the efficacy of actions will be done in Chapter 5. Here, the focus will be on analyzing the actions of the OSCE field operations in Kyrgyzstan and Tajikistan to address the factors identified previously. While, as I agree with Schuck, the measurement of success is extremely difficult,\textsuperscript{324} it is possible to measure, based on a Popperian logic, which factors potentially contributing to state weakness cannot be influenced by an outside actor. After having identified such factors, first conclusions can be drawn on how external actors should prioritize their efforts.

\textsuperscript{323} Schuck 2011, p. 63.
\textsuperscript{324} Cf. ibid., p. 63.
4. Kyrgyzstan and Tajikistan within the Model of Weak States

In the following chapter, the model developed in Chapter 3 will be applied to Kyrgyzstan and Tajikistan respectively, aiming to evaluate whether these countries can be considered weak states in the sense of the developed model. The two following subchapters will deal with one of the analyzed countries each and are structured to comprise four parts: First, they will give a short historical overview and determine the time frame of the analysis. Second, they will analyze which characteristics influence the three dilemmas of weak statehood and which dilemma will be the most distinctive in the given case. Third, they will analyze which symptomatic factors derived from the three dilemmas impede the fulfillment of the state’s functions. Fourth, they will evaluate whether hypothesis 1, stating that both Kyrgyzstan and Tajikistan can be seen as weak states in the sense of the developed model, can be sustained.

4.1 Kyrgyzstan

4.1.1 Overview and time frame of investigation

Taking the dissolution of the Soviet Union as a point of departure, Peimani observed that

“[i]ndependence in 1991 came as a surprise to the eight Soviet republics in the Caucasus and Central Asia. This was especially true for the CA republics, which were the least enthusiastic proponents of the dissolution of the Soviet Union. [...] As the most underdeveloped and poorest Soviet republics, they were the least prepared to function as independent states.”


Furthermore, even though the so-called Democratic Movement of Kyrgyzstan, a civil society movement demanding economic reforms, did contest the Communist rule in the last years of the Soviet Union openly, it never expressed demands of independence.\footnote{Cf. Kurmanov 2004, p. 8.} Of the five newly independent Central Asian republics, Kyrgyzstan, a land-locked, mountainous country in which “[m]ore than 94% of the country area are located over 1000 m above sea level and 40% of them are located over 3000 m”\footnote{National Academy of Sciences of the Kyrgyz Republic 2007, p. 8.} has been the second poorest country in 1991 with a GDP per capita of 576 USD according to World Bank data.\footnote{Cf. World Bank Database, Kyrgyzstan, GDP per capita 1990-2017, online: http://databank.worldbank.org/data/reports.aspx?source=2&country=&series=NY.GDP.PCAP.CD&period=#, July 24, 2018.}

Throughout this chapter, the period from the opening of the OSCE Centre in Bishkek in 1998 to 2017 will be the focus of analysis to allow for assessing which potentially destabilizing symptomatic factors could be influenced by the OSCE. Therefore, the following part of this subchapter will be limited to a mainly descriptive overview of the developments touching the security, welfare, and legitimacy/rule-of-law functions of the state between 1991 and 1998.

Regarding the security function it can be stated that, compared to other newly independent countries in the former Soviet Union, especially those located in the Caucasus, “Kyrgyzstan has not faced major and extensive challenges for most of its post-independence era.”\footnote{Peimani 2002, p. 48.} However, as the 1990 interethnic riots in Osh that left an estimated 300 dead in the immediate pre-independence era indicate, a potential for violent conflict existed in southern Kyrgyzstan.\footnote{Cf. Human Rights Watch 2010, p. 15.} Therefore, even though the security function was largely fulfilled by the Kyrgyz state in the period from 1991 to 1998, a potential for conflict remained. This conflict potential will be analyzed in detail in Chapter 4.1.2.1.

With regard to the welfare function, the dissolution of the centralized Soviet economies “devastated the economies of all [...] CA countries [...].”\footnote{Peimani 2002, p. 26.} In the case of Kyrgyzstan, the sudden transition meant that between 1993 and 1996 the GDP was constantly falling, the recession reaching its peak in 1994 with a GDP shrinkage of 20 percent compared to the
year before.\textsuperscript{333} Therefore, in the same period of time, “the real income of citizens decreased by 83.6\% [...].”\textsuperscript{334} Despite the fact that by 2000 the GDP was growing again, in 2000 the GDP per capita was still “lower than in 1970.”\textsuperscript{335} The effects of the breakdown of the Kyrgyz economy combined with the collapse of the Soviet logistics system furthermore led to shortages of basic goods (including food), which in turn led to an average inflation rate of 157.8 percent (with a peak of 830 percent) between 1990 and 1998.\textsuperscript{336} Of course, such a rapid economic decline was accompanied by a devastation of social services as well as a massive rise in unemployment and brain drain: Taking the health system as an example for the decline of social services, Sievers takes average life expectancy as an easy indicator to illustrate the crumbling of this sector. According to him, average life expectancy in all Central Asian states except Uzbekistan decreased by “3 to 5 years”\textsuperscript{337} in this period of time, depending on the estimate. As average life expectancy in Central Asia amounted to between 65 and 70 years during the Soviet era, life expectancy decreased by five percent in roughly a decade in states that, with the exception of Tajikistan, did not topple into violent conflict.\textsuperscript{338} Of course, such a decline cannot be explained by a decline of the health sector in the narrow sense (hospitals, doctors, etc.) alone. Instead, it was also fostered by a parallel decline of other technical infrastructure, increasing e.g. the exposure to diseases. For instance, Sievers notes that “[...] by 1997, 70 per cent of Kyrgyzstan’s pollution mitigation technology\textsuperscript{339} was in disrepair.”\textsuperscript{340} Similar observations can be made for the educational sector in this period of time, precise data, however, are lacking in this case. The same lack of precise data applies to the increase of unemployment in the immediate era of independence, which was estimated by the World Bank to have led from virtually full employment in the Soviet central economy to an unemployment rate of 10

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{333} Cf. Peimani 2002, p. 29.
\item \textsuperscript{334} Sharshenova 2014, p. 66.
\item \textsuperscript{335} Engvall 2011, p. 85.
\item \textsuperscript{337} Sievers 2003, p. 52.
\item \textsuperscript{338} Cf. ibid, p. 52.
\item \textsuperscript{339} I.e. e.g. sewage water treatment plants; St.Sch.
\item \textsuperscript{340} Sievers 2003, p. 52.
\end{itemize}
\end{footnotesize}
percent in 1998. However, such estimates do not take into account the emigration out of Kyrgyzstan. While Schuler estimates a permanent population loss of roughly 370,000 by emigration between 1990 and 1999, the number of Kyrgyz seasonal workers abroad, who temporarily fled unemployment, is hard to estimate for the immediate independence years. Furthermore, Sievers as well as Peimani and Hiro note that those who permanently left the Central Asian countries in this period of time constituted the most educated parts of the societies, even though, again, precise data regarding this tumultuous time is hard to obtain.

Similar to its fulfillment of the welfare function, Kyrgyzstan shares many characteristics with other Central Asian states regarding its performance in the legitimacy/rule-of-law function in the immediate independence period. Most importantly, Kyrgyzstan did not develop any “significant pro-independence movement” during the dissolution of the Soviet Union. However, the election of the academic Askar Akaev by the Supreme Soviet of the Socialist Soviet Republic of Kyrgyzstan in 1990, who “[u]nlike the other Central Asian leaders, [...] had not been a head of the republican communist partocracy [...],” brought hope for reform in this period. While some political reforms have indeed been implemented (especially with regard to political liberties, leading to the development of a “vibrant civil society” with roughly 1000 officially recognized social organizations existing as early as 1997), other parts of the political system have not experienced in-depth reform. For instance, while a de jure separation of powers was implemented, the president was able to influence the judiciary, as indicated by the practice of banning of rival candidates before presidential elections or the president’s right to issue legislative bills via decrees. Therefore, even though the number of political parties increased from twelve in 1995 to 43 in 2004, which is a bigger increase

342 Cf. Schuler 2007, p. 79.
345 Gullette 2010, p. 53.
346 Cf. ibid., p. 53.
347 Sharshenova 2014, p. 60.
than in other Central Asian states in the same period, Sharshenova calls Kyrgyzstan under Akaev’s rule a state “maintain[ing] the facade of democracy [...]”.\footnote{351 Sharshenova 2014, p. 60.} Despite having been the most liberal Central Asian country in the immediate period after independence, challenges to the legitimacy/rule-of-law function remained, especially in the shape of an increase in corruption.\footnote{352 Cf. Peimani 2002, p. 49.} As Akaev’s rule continued until 2005, i.e. into the main time frame of this investigation, the strategies he employed for securing his own political survival will be discussed in Chapter 4.1.2.2.

From this brief overview, it can be concluded that Kyrgyzstan fulfilled the criteria of a weak state according to Schneckener already during its early years of independence. In the next chapter it will be analyzed to which extent the processes and dilemmas described in Chapter 3 can be identified in Kyrgyzstan in the main time frame of investigation.

4.1.2 The three dilemmas of weak statehood in Kyrgyzstan

This subchapter will analyze to which extent the three dilemmas of weak statehood have been present in Kyrgyzstan in the time frame from 1998 to 2017. Furthermore, it will analyze which of the dilemmas identified was the most distinctive of the three. In this regard it has to be noted that Kyrgyzstan experienced two revolutions in the time frame of investigation: the so-called “tulip revolution”\footnote{353 The Economist, A tulip revolution, The Economist online of March 24, 2005, online: http://www.economist.com/node/3785139, June 11, 2015.} in 2005 and the revolution of 2010, sometimes called the “second tulip revolution,”\footnote{354 Hiro, Dilip, Kyrgyzstan's second tulip revolution, The Guardian online of April 8, 2010, online: http://www.theguardian.com/commentisfree/2010/apr/08/kyrgyzstan-second-tulip-revolution, June 11, 2015.} but this term is not widely used. While the Tulip Revolution led to a shaky transition from one kind of State Leader’s Dilemma to another, the 2010 revolution led to a real transition from a State Leader’s Dilemma to a Liberalization Dilemma. However, first of all, a state’s potential risk of becoming trapped in an Internal Security Dilemma will be discussed.

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351 Sharshenova 2014, p. 60.
4. Kyrgyzstan and Tajikistan within the Model of Weak States

4.1.2.1 Internal Security Dilemma

As has been discussed in Chapter 3.3.1, an Internal Security Dilemma can occur if, on the one hand, external threats to security are absent while, on the other hand, a state at the same time is influenced by internal divisions between different communal groups based on different group identities, e.g. ethnicity or religion. Even though such group identities can be considered socially constructed stereotypes, they can “prepare the terrain for violent conflict” when social identities are considered to be mutually exclusive. In this case, non-state actors capable of challenging the monopoly on the legitimate use of force in the sense of the developed model can gain influence, leading to a spiral of mutual mistrust between different groups within the state’s society. With regard to Kyrgyzstan, the potential to form three types of non-state actors capable of triggering an Internal Security Dilemma exists: These groups could either be based on ethnicity or religion, or existing organized crime groups could challenge the state.

First of all, ethnicity can be considered a main identity fault line. According to the 2009 census, 70.9 percent of Kyrgyzstan’s population are considered Kyrgyz, with Uzbeks (14.3 percent) and Russians (7.8 percent) being the biggest minorities. Other minorities (Dungan, Uyghur, Tajiks, etc.) are also present; however, each of these groups constitutes only roughly one percent of the population. Nevertheless, this general distribution of ethnic groups depicted in the census can easily be misinterpreted as distribution patterns that differ greatly between Northern and Southern Kyrgyzstan. Taking the Russian minority as an example, it can be observed that 45.7 percent of this group live in the capital Bishkek alone, with another 39.8 percent living in Chui oblast – the region directly adjacent to the capital. With 85 percent of Kyrgyzstan’s Russian minority living in one particular region of the country, the presence of this minority is only marginal in the remaining oblasts, especially in rural areas.

358 Cf. ibid.
359 An oblast is the biggest sub-division in many former Soviet Union states.
360 Own calculation, based on National Statistical Committee of the Kyrgyz Republic 2012, pp. 31-57.
Of the Uzbek ethnic minority, however, 81 percent live in the three southern oblasts Batken, Jalal-Abad, and Osh.\footnote{Own calculation, based on National Statistical Committee of the Kyrgyz Republic 2012, pp. 31-57.} In these three oblasts, the Uzbek minority constitutes 14.7 percent, 34.6 percent, and 40.7 percent of the population respectively, peaking in the city of Osh, where the Uzbek minority constitutes 44.2 percent of the population.\footnote{Own calculation, based on ibid., pp. 31-57.} Furthermore, even though the Batken, Jalal-Abad, and Osh oblasts share direct borders with Uzbekistan, interethnic tensions occurring in Southern Kyrgyzstan are unlikely to lead to an Uzbek reaction, as Uzbekistan’s inaction during the clashes in 1990 and 2010 shows.\footnote{Cf. International Crisis Group 2012, p. 14. / see also Chapters 4.1.1 and 4.1.2.3 respectively.} If the Uzbek community in Southern Kyrgyzstan feels threatened, with no diplomatic support from the outside to be expected, it could potentially form self-defense militias to prevent attacks as during the past clashes. Therefore, it can potentially become a non-state actor capable of challenging the monopoly on the legitimate use of force in the sense of the developed model, which in turn can be perceived as a threat by the Kyrgyz majority. Therefore, because in Kyrgyzstan the potential for interethnic conflict exists, the country could also fall into an Internal Security Dilemma in the sense of the developed model if non-state actors based on ethnicity challenge the monopoly on the legitimate use of force.

In addition to the interethnic fault line, religious fault lines also exist and, while currently of minor importance, can deepen in the imminent future. Current estimates classify the vast majority of Kyrgyzstan’s population (roughly 80 percent) as Sunni Muslims and 15 percent as Russian Orthodox Christians.\footnote{Cf. United States Commission on International Religious Freedom, Annual Report 2015. Country Profile Kyrgyzstan, online: http://www.uscirf.gov/sites/default/files/Kyrgyzstan%202015.pdf, July 24, 2018.} Furthermore, small minorities of Shi’a Muslim, Protestant, Catholic, Jew, Buddhist, and Baha’i communities exist.\footnote{Cf. ibid.} As these religious identity groups are not congruent with the ethnic lines identified above, they do not automatically reinforce ethnic fault lines. The main risk potential for the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force therefore does not lie between religious groups, but rather consists in the radicalization of peo-
ple within these religious groups. Radicalization is especially likely to occur among people feeling deprived of economic opportunity (in the most basic sense: employment) by a society perceived by them as being ethnically biased and corrupt. With regard to Kyrgyzstan, radical Islamist movements, according to the International Crisis Group, have gained appeal to younger members of the Uzbek minority after the 2010 interethnic clashes.\footnote{Cf. International Crisis Group 2012, p. 12.} While radical Islamism cannot automatically be equated with violent Jihadism, such groups constitute non-state actors capable of challenging the monopoly on the legitimate use of force in the sense of the developed model,\footnote{Cf. International Crisis Group 2012, p. 12. / Schuck 2013, p. 500.} and therefore facilitate the formation and reiteration of the Internal Security Dilemma. With respect to Kyrgyzstan, four radical Islamist organizations are worth mentioning, even though all of them currently either have to be considered relatively weak or are active outside Kyrgyz territory, i.e. their risk potential stems from returning fighters. The first is so-called Hizb ut-Tahrir, a social organization that rejects violence but aims to create an Islamic caliphate.\footnote{Cf. International Crisis Group 2012, pp. 12/13.} The second is the so-called Islamic Movement of Uzbekistan (IMU), which, despite its name, recruits fighters not just from Uzbekistan, but from all Central Asian states.\footnote{Cf. ibid., p. 13.} Even though the group has formally pledged allegiance to the Islamic State of Iraq and Syria,\footnote{Cf. Snow, Shawn, ISIS Looks for Foothold in Central Asia, The Diplomat Magazine online of January 18, 2015, online: http://thediplomat.com/2015/01/isis-looks-for-foothold-in-central-asia/, June 11, 2015.} it is mainly active in Northern Afghanistan. Therefore, this organization could pose a risk in two ways: First, returning former fighters could create footholds in Kyrgyzstan. Second, a further deterioration of the security situation in Afghanistan could provide the organization with a safe haven, thus allowing it to extend its area of operation. Even though this second scenario poses only a minor threat to Kyrgyzstan compared to countries directly bordering Afghanistan, such a scenario has to be considered as a possible one, as shown in incidents in 1999, 2000, and allegedly 2006: In these cases, the IMU had been able to infiltrate Kyrgyz territory from a safe haven in the inaccessible mountainous region in Northern Tajikistan, attacking several villages, in the 1999

\begin{thebibliography}{9}
\bibitem{369} Cf. ibid., p. 13.
\end{thebibliography}
case even taking hostages (see also Chapter 4.2.2.1 for an analysis of the incidents on the Tajik side of the border). \(^{371}\)

The third group to be considered in this context is the so-called Islamic Jihad Union (IJU), basically an offshoot of the IMU. \(^{372}\) While this group specifically has been choosing disillusioned Uzbeks from Southern Kyrgyzstan as a pool of recruits, it is impossible to gauge their strength. \(^{373}\) On the one hand, there are reports of members being sent to Afghanistan or Pakistan for training, \(^{374}\) while, on the other hand, the group has not been active on Kyrgyz territory, having been focusing on fighting in Afghanistan and in Western Europe instead. \(^{375}\) With the emergence of the so-called Islamic State of Iraq and Syria, the future of the IJU remains unclear. The fourth group is the so-called Islamic State of Iraq and Syria itself. While this group acts far away from Kyrgyz territory, estimates by the International Crisis Group indicate that between 300 and 1000 Kyrgyz citizens have joined the organization, making returnees a potential source for the emergence of non-state actors with the potential of turning violent. \(^{376}\)

The last potential for the establishment of non-state actors capable of challenging the monopoly on the legitimate use of force lies in transnational organized crime groups, which in the Kyrgyz context mainly comprise human trafficking or narcotics trafficking syndicates. While Kyrgyzstan itself is not a producer area of narcotics, it can be considered a part of the so-called “northern route”, via which an estimated 25 percent of heroin produced in Afghanistan are supplied to the global black market. \(^{377}\) While data on the structure and strategies employed by drug syndicates is almost impossible to obtain due to the nature of organized crime,

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373 Cf. ibid., p. 13.

374 Cf. ibid., p. 13.


leading also to a lack of systematic scholarly studies on the topic, sufficient information is available to make the claim that organized crime syndicates exist in Kyrgyzstan and that they are strong enough to be considered non-state actors capable of challenging the monopoly on the legitimate use of force in the sense of the developed model.

Using a long term analysis of seizure rates, the United Nations Office on Drugs and Crime (UNODC) aims to reconstruct the main drug routes starting in Northern Afghanistan. Several UNODC studies have identified the region of Osh in Southern Kyrgyzstan to be such a starting point, due to its strategic location close to the border with Uzbekistan and to an almost insecure mountainous border with Tajikistan. Furthermore, changes in the patterns of seizure rates indicate that drug syndicates use the uncontrolled region between Northern Tajikistan and Southern Kyrgyzstan as a logistics hub to repackage the larger heroin shipments from Afghanistan into smaller ones to be shipped to their final destinations via Southern Kyrgyzstan, especially Osh. Therefore, a 2008 UNODC study even considers Osh “to be one of Central Asia’s drug capital[s].” While seizure rates can be considered a viable indicator to reconstruct drug routes, it is naturally very hard to even estimate the amount of drugs passing through the country undetected. In this regard, three of UNODC’s observations have to be taken into account: First that the global production of opiates has been increasing since 1998, with Afghanistan being the biggest supplier of the world. Second that the Russian market can be considered one of the most important ones worldwide as “the levels of opiate use are significantly higher than the global average.” For this market, the Central Asian route continues to be a major supply line. Third, heroin and opiate seizures in Kyrgyzstan remain low and stagnating. Except for a peak in 2001 (with 1,400 kilogram of opium seized in that year), there has never been a seizure rate of more than 500 kg of either heroin or opium per year between 2000 and 2010. While a rearrangement of supply lines might offer an explanation for this observation, a professionalization of crime syndicates combined with corruption rates within law enforcement.
agencies seems to be a more valid explanation in the light of the first two observations by UNODC mentioned above. This consideration is furthermore supported by the fact that the average street price of one gram heroin is significantly lower in Kyrgyzstan than in all other Central Asian countries except Tajikistan,\(^{385}\) indicating that there are no cuts on the supply side.

Therefore, the aggregate data collected by UNODC indicate that Southern Kyrgyzstan can be seen as a vital area for the drug routes starting from Northern Afghanistan. This in turn means that a considerable potential for organized crime exists, resulting in the risk of the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force.

Summing up the assessment of the potential for an Internal Security Dilemma to be triggered, it can be stated that three types of non-state actors capable of challenging the monopoly on the legitimate use of force can potentially develop in Kyrgyzstan: first, based on ethnicity, second, based on radicalized religion, and third, based on organized crime. However, despite the short interethnic clashes in 1990 and 2010, and armed clashes between state security forces and drug syndicates in 2000,\(^{386}\) there are currently no reports of turf battles between organized crime syndicates or insurgencies of radical Islamist groups. Therefore, it seems appropriate to state that the Kyrgyz state elite has found a way to mitigate the Internal Security Dilemma. As described in Chapter 3.3.2, an increased penetration of the society by state institutions would alleviate the Internal Security Dilemma, but also lead into the State Leader’s Dilemma. Hence, the next chapter it will analyze if and to which extent the State Leader’s Dilemma can be identified in Kyrgyzstan.

\(^{385}\) Kyrgyzstan 10 USD, Tajikistan 7 USD, Kazakhstan 36 USD, Uzbekistan 22 USD, no data available for Turkmenistan; Cf. Zabransky et.al. 2014, p. 1190.

\(^{386}\) Cf. Peimani 2002, pp. 75/76.
When analyzing the dynamics of the state institutions mitigating the Internal Security Dilemma, one of course has to keep in mind that Kyrgyzstan has inherited a fully developed Soviet bureaucracy. However, as shown in Chapter 4.1.1, the country was unable to sustain this vast state apparatus. Therefore, it can be assumed that immediately after his election President Akaev found himself in a State Leader’s Dilemma, in which he had to secure his power against internal rivals while he could not fully rely on a developed state apparatus. This subchapter will analyze whether a neo-patrimonial system of rulership in the sense of the developed model was established during the transition from the Soviet system, whether it was sustained until 2005, and whether the so-called Tulip Revolution of 2005 constituted a transition from one neo-patrimonial system of rulership to another. Thus, the respective eras will be examined regarding four characteristics indicating a State Leader’s Dilemma, as identified in Chapter 3.3.2: the practice of the securing of power by awarding positions offering material benefits on a personal non-merit basis, including the toleration of corruption; the state leaders aiming to co-opt potential rivals by offering them positions in the state apparatus; the punishment of disloyal members of the state elite through formal state institutions; and the persistence of low-level corruption as a result of top-level corruption.

Akaev era 1991-2005

As has been already been stated, the former head of the Kyrgyz Academy of Sciences, Askar Akaev, was not a high-ranking member of the former Soviet partocracy when he came to power. This is illustrated even further by the fact that he almost fell victim to a coup attempt initiated by communist cadres in August 1991, i.e. parallel to the coup attempt against Gorbachev in Moscow. Therefore, he could neither rely directly on in-


formal personal networks connecting him to the former party elites nor on the crumbling state apparatus to ensure his own political survival when he came to power. Furthermore, the Democratic Movement of Kyrgyzstan, which had supported him during the last two pre-independence years, started to disintegrate into several factions even before independence.\textsuperscript{389} Although the first years of independence were characterized by experiments with democratic elements, including the introduction of a new constitution in 1993, tendencies towards an increasing personalization of power in the hands of the president became visible from as early as 1994,\textsuperscript{390} including two amendments to the constitution in 1996 and 1998 that strengthened the formal power of the president.\textsuperscript{391}

This personalization was mainly aimed to foster the first two practices of a neo-patrimonial system of rulership: the awarding of positions offering material benefits to ensure loyalty and the co-optation of potential opposition by giving such positions to key figures of this potential opposition, including the option of sanctioning disloyalty.

Lacking an own political party as a base of power, Akaev’s main leverage initially consisted in his ability to influence the country’s economic liberalization reforms, i.e. the privatization of the formerly state-owned Soviet economy. To be fair, it has to be stated that Akaev, a former technocrat, was probably convinced that these market reforms would really increase the living standard of Kyrgyzstan’s population, and that he did not initiate them for the sake of power consolidation only. Also, he was aware that the reforms would lead to “growing inflation, economic recession, rising prices, and declining living standards”\textsuperscript{392} in the short run and could therefore even pose a threat to power consolidation in that stage.

However, during the process of privatization members of the Akaev family, especially Akaev’s wife Mairam and his son Aidar, have been privileged systematically, and Askar Sarygulov, a cousin of Mairam Akaeva, was in charge of the privatization process.\textsuperscript{393} According to Sehring, more than 140 companies within the country were directly or indirectly controlled by Akaev’s family by 2005.\textsuperscript{394}

\begin{footnotesize}
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\item[392] Akayev 1993, p. 11.
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ly, persons loyal to Akaev have been privileged during the privatization process as well, making Graubner conclude that after privatization

“[s]ome of the most important income generating assets – foreign aid, the gold mine in Kumtor, the coal mine in Karakeche, the Manas International Airport [...], the biggest mobile phone operator Bitel and other licit and illicit enterprises – were controlled by people supportive of the Akaev regime.”

Furthermore, tax evasion as well as embezzlement, especially in the mining sector, have been tolerated to ensure loyalty.  

Yet, despite having large parts of the country’s economy in the hands of his own family, Akaev not only lacked the power base a long-established leader from before the dissolution of the Soviet Union would have had. The process of privatization also further strengthened the positions of already wealthy persons from the early independence period. Therefore, Akaev had to find a way to accommodate these oligarchs of his own creation in the long run, especially as they often became political actors on their own, establishing their own political parties.

The strategy of political survival that Akaev developed in order to accommodate these oligarchs rested on two pillars which resembled a neopatrimonial system of rulership: First he co-opted the oligarchs by offering key figures among them state positions by means of which they could further their business interests. Second, he counterbalanced the power of the oligarchs by constantly rotating the co-opted persons in their state positions as well as by developing a sanctioning system for keeping in check disloyal members and rivals.

Regarding the first point, Akaev attempted to factionalize the potential opposition as far as possible, which in turn allowed him to co-opt single influential persons by offering them profitable positions within the state hierarchy or by supporting their candidature for positions in the parliament. This factionalization has been made possible mainly by two factors: First by the introduction of a majority-based electoral law and second by the fact that candidates for elections could be nominated not only by political parties, but also by other associations. To be fair it has to be said

that the admission of independent candidates per se is a constitutional characteristic of a democracy and thus could be cited in favor of Kyrgyzstan’s democratic consolidation; especially when comparing Kyrgyzstan in this aspect to other Central Asian states, where potential opposition is excluded on the proposition that all potential candidates must be members of a political party to be allowed to run for office at all. However, in the Kyrgyz context the combination of country’s electoral law, the competing of party members and independent candidates for positions in the parliament created a dynamic of its own: The majority-based electoral law had the effect of favoring candidates supported by the local state administration, who in turn did not always apply neutral standards during election periods. This was even more exaggerated when there was a strong competition for seats in the parliament due to the number of candidates, as under such conditions votes get scattered among the candidates. This in turn offered leverage to Akaev by pushing candidates favored by him via appointments in local governments or vote-buying. Even though the local administrations, led by governors (akims), had been decentralized to a certain extent during the early post-independence years, leverage of Akaev was still possible, as akims were appointed by the president.

Furthermore, the majority electoral system combined with a prevalence of oligarchs among political entrepreneurs led to the establishment of a huge amount of small, constantly changing and person-based parties, leading to a parliament filled with wealthy oligarchs. This in turn allowed for classical divide and rule tactics employed by the president, what in the end kept the parliament constantly fragmented and without clear majorities. Because of this, Akaev secured support for his presidency within the parliament by offering state offices, especially within the presidential administration, to his most loyal supporters. Such state offices in turn offered opportunities to gain additional material benefits such as the embezzlement of official funds, office selling, or the embezzlement

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405 Cf. Marat 2010a, p. 11.
of foreign aid, which flowed in huge amounts due to the country’s perceived liberalization in the early independence years. Due to its direct access to state funds and foreign aid, the state elite was able to engage in the already mentioned vote-buying behavior, which was a common practice in Kyrgyzstan during the Akaev era according to Schatz. If no parliamentary majority for the president existed, Akaev was still able to issue legislation by presidential decree. At the same time, his ability to appoint loyal supporters into high-ranking positions allowed Akaev to influence some of the constitutional court’s decisions, safeguarding his reign via presidential degrees but also allowing him a third term of office despite the original constitution allowing only two.

Lastly, as privatization of the media system largely favored actors amongst Akaev’s allies and because the government could easily harass independent media via libel suits or inspections and subsequent closing by the tax administration, the Akaev regime could easily influence public opinion at least in the relevant spheres of radio and television. This in turn made referenda a viable option to bypass the fragmented parliament, which has been used especially for constitutional amendments strengthening the powers of the president. Most important in this regard is the constitutional change of 1996, which removed “the parliament’s control functions in the economic sphere” while at the same time it gave the president the right “to appoint regional authorities” – thus creating the already described system of co-optation. However, as Akaev still lacked the power base of an own party, he had to find a way to keep the co-opted potential rivals in check.

This leads to the second point mentioned above: the constant rotation of personnel as well as the setting up of a sanctioning system for disloyal allies and potential rivals. With regard to the constant rotation of personnel...
within the highest echelon of the state, the journalist Felix Corley described Kyrgyz politics under Akaev as resembling “a revolving door, with a small elite constantly reshuffled at the president’s whim.”\footnote{Corey, Felix, Obituary. Jumabek Ibraimov, The Independent of April 8, 1999, online: \url{http://www.independent.co.uk/arts-entertainment/obituary-jumabek-ibraimov-1085800.html}, August 31, 2015.} Taking the position of the prime minister as an example, eight prime ministers have been appointed during Akaev’s twelve years of rulership, giving prime ministers an average time in office of only one and a half year.\footnote{Cf. Hale 2015, p. 138.}

Graubner thus summarized his results concerning the topic the following way:

“What is also remarkably [sic] is the number of people that at one point of time during Akaev’s rule held some sort of office and were removed from that post after a relatively short amount of time. One of my interview partners suggested that toward the end of Akaev’s rule nearly everybody who was intellectually capable and willing to hold a political office had been actually been part of the system at some point of time for some amount of time and that thus “the human resources of Kyrgyzstan had become depleted at the time of the Tulip revolution.”\footnote{Graubner 2005, p. 12, italics in the original version; see also: Marat 2010a, p. 10.}

And after the Tulip Revolution, Marat concludes, most members of the new government that replaced the Akaev administration had served under him for some period of time due to Akaev’s constant reshuffling.\footnote{Marat 2010a, p. 10.}

In addition to the rotation of personnel, three possibilities for sanctioning disloyal members of the ruling system existed, ranging from exclusion from the clientelist networks and state offices to de facto exile and to arrest. Exclusions from the clientelist networks could be conducted by dismissal from state offices; often on a charge of embezzlement that had been tolerated up until just a short time before, like in the case of the dismissal of Vice President Feliks Kulov in 1994 on the charge of having embezzled official funds.\footnote{Cf. Koldys 1997, p. 365.} Likewise, in 1998, Topchubek Turgunaliev, another former Akaev ally who had joined the opposition, was “sentenced to ten years of imprisonment for the alleged embezzlement of $10,000 in 1994 from a Bishkek university.”\footnote{Human Rights Watch (ed.), World Report 1998. Kyrgyzstan, online: \url{https://www.hrw.org/legacy/worldreport/Helsinki-17.htm}, July 24, 2018.} The exclusion of potential rivals could also
occur via constitutional court decisions to ban the candidature of presidential contestants, as occurred in 1995 when three of five candidates running against Akaev were banned.\textsuperscript{423} During the presidential election of 2000, Akaev “used a language law requiring the president to speak Kyrgyz to disqualify eight challengers,”\textsuperscript{424} while three other challengers were arrested, among them the already mentioned Feliks Kulov and Topchubek Tuganaliev.\textsuperscript{425} Outside the narrow political sphere Akaev prevented new oligarchs from emerging or excluded old ones by taking over their enterprises. While data on such takeovers is sparse, research results published by Graubner as well as Hale suggest connections between the Akaev family and racketeering organized crime syndicates, “making ‘offers’ [...] the original owners could not refuse”\textsuperscript{426} to rival entrepreneurs.\textsuperscript{427}

During the last stage of Akaev’s rule, especially the second option, de facto exile, was used widely; leading Schatz to conclude that “the list of Kyrgyzstani foreign ambassadors reads like a ‘who’s who’ of the opposition.”\textsuperscript{428} Compared to other Central Asian countries, the measure of arresting political opponents was used sparsely; however, several notable exceptions should be mentioned: For instance, in 1999 the already mentioned Feliks Kulov, who in the meantime had become mayor of Kyrgyzstan’s capital Bishkek, founded the party Ar-Namys (“Dignity”),\textsuperscript{429} and defected to the opposition camp.\textsuperscript{430} He was arrested shortly afterwards on the charge of corruption.\textsuperscript{431} Another notable case is the 2002 arrest of “the Chairman of the Parliamentary Committee on Judicial and Legal Affairs, Asimbek Beknazarov,”\textsuperscript{432} who had called for Akaev’s impeach-

\begin{footnotesize}
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\item\textsuperscript{424} Spector 2004, p. 21.
\item\textsuperscript{425} Cf. Spector 2004, p. 21. / OSCE/ODIHR 2000a, p. 3.
\item\textsuperscript{426} Hale 2015, p. 102.
\item\textsuperscript{427} Cf. Graubner 2005, p. 17.
\item\textsuperscript{428} Schatz 2009, p. 214.
\item\textsuperscript{429} Cf. Kurmanov 2004, p. 10
\item\textsuperscript{430} Cf. Graubner/Wolters 2007, p. 200.
\item\textsuperscript{431} Cf. ibid., p. 200.
\end{enumerate}
\end{footnotesize}
ment, on the charge of “abuse of power.” However, the Beknazarov’s arrest also offers a prime example to show that sanctioning a co-opted regional strongman (Beknazarov had a regional power base in the region of Aksy) can lead to massive protests if the strongman (or more precisely his closest supporters) begins to mobilize his supporters. This is precisely what happened in the Beknazarov case, as supporters from his native region protested for eight months. These protests eventually escalated to violent clashes leaving six protesters dead (but protests deescalated afterwards), until Beknazarov was finally released. This in turn underlines again how important co-opting potential opposition is, from a regime perspective, for maintaining a neo-patrimonial system of rulership. In the worst case, not co-opted potential opposition can develop into real opposition relatively quickly, forcing the regime into a trial of strength. In the Beknazarov case, President Akaev lost. Therefore, the Beknazarov’s arrest as well as the course of events during the following demonstrations can be considered to be a cornerstone to explaining the eventual downfall of the Akaev regime.

The last indicator to be analyzed for the period of Akaev’s rulership is the prevalence of low-level corruption, which Marat describes as “endemic.” Engvall in turn quotes a retired deputy director of a Kyrgyz state agency who describes exactly the internal dynamic of an administration as described by Migdal:

“Under Akaev, there would be frequent changes of Cabinet: a new minister would fire all of the old staff and hire only his relatives. The next minister would do exactly the same. But the new staff would not know how to work. Just imagine a veterinary surgeon working in the chancellery.”

In addition to the decline in professional workforce fostered by such medium and low level non-merit appointments, a system of office selling gradually developed from 1995 on, reaching its peak towards the end of the Akaev era. While top-ranking government positions (e.g. governor positions) were sold by the Akaev family directly, with Akaev’s wife Mai-

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433 Cf. Radnitz 2010, p. 112.
434 Kulov 2010, p. 120.
435 Cf. Radnitz 2010, pp. 118-120.
437 Marat 2010a, p. 7.
438 See Chapter 3.3.2.
439 Engvall 2011, p. 105.
440 Cf. ibid, pp. 107/108.
ram acting as the main broker,\textsuperscript{441} with prices according to Hiro ranging from 30,000 USD for the support of candidacy for parliament to 200,000 USD for an ambassador post,\textsuperscript{442} the sale of offices pervaded the whole state sector and is well-documented especially for the law enforcement sector.\textsuperscript{443} A study conducted by the International Crisis Group found prices ranging from 100 USD for becoming assigned to a lucrative post as a traffic policeman to 3,000 USD for becoming promoted to the rank of a lieutenant and, finally, to 50,000 USD for becoming chief of a regional police department.\textsuperscript{444} Engvall furthermore discovered that even admission to as well as graduation from the police academy was and probably is fostered by bribery with bribes between 3,000 USD and 5,000 USD.\textsuperscript{445} While on other fields less data is available, Engvall came to similar conclusions regarding the appointments of judges as well as about positions in the tax and customs administration,\textsuperscript{446} saying that

\textquote{[i]n the first step, ordinary inspectors are obliged to provide continuing payments to their superiors at a set date every month. In turn, the superior is obliged to undertake a monthly trip to the capital in order to pay his superiors.\textsuperscript{447}}

The trend of the so-called Corruption Perception Index by the NGO Transparency International, which for methodical reasons only collects data on the perception of corruption by the population and experts via surveys, matches these observations: Between 1999 and 2005 (no older data available) perception of corruption has constantly been between 2.1 and 2.3,\textsuperscript{448} making Kyrgyzstan belong to the group of the worst 20 percent of states from which data could be obtained.\textsuperscript{449}

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\item \textsuperscript{441} Cf. Engvall 2011, pp. 108/109. / Kupatadze 2010a, p. 63.
\item \textsuperscript{442} Cf. Hiro 2009, p. 305.
\item \textsuperscript{443} Cf. Engvall 2011, pp. 116-119.
\item \textsuperscript{444} Cf. International Crisis Group 2002, pp. 8/9.
\item \textsuperscript{445} Cf. Engvall 2011, pp. 116/117. / Interview with Political Science Analyst I, Bishkek, August 31, 2014.
\item \textsuperscript{446} Cf. ibid., pp. 120/126.
\item \textsuperscript{447} Engvall 2015, p. 49.
\item \textsuperscript{448} The Corruption Perception Index is an index based on expert surveys (mainly employees of development banks) which assigned scores for each country between 0 and 10 (pre-2012) and 0-100 (post-2012) based on their perceived corruption in the respective country. The lower the score, the higher the perceived corruption. The index then simply shows the average score of all expert responses for each country.
\item \textsuperscript{449} Between 1995 and 2005, the number of states covered by the survey steadily increased and fluctuated between 41 (1995) and 159 (2005). As the number of
\end{itemize}
Summing up the system of rulership during the Akaev era it can be stated that, after a short transitional period immediately after independence, a classical neo-patrimonial system of rulership had been established quite quickly, including the securing of power by awarding positions offering material benefits on a personal non-merit basis, the toleration of corruption, the aim of co-opting potential rivals by offering them positions in the state apparatus, the punishment of disloyal members of the state elite through formal state institutions, and the persistence of low-level corruption as a result of top-level corruption. To be fair, it has to be stated that it remains unclear whether Akaev really intended to create such a system of rulership from the beginning or whether it was merely the unintended result of trying to keep the country from falling apart during a tumultuous transition. While this question probably can never be answered for sure, it is save to state that Akaev’s rule for the largest period of his rulership was entrapped fully in the State Leader’s Dilemma.

The end of the Akaev era: The Tulip Revolution 2005

While Akaev was able to govern Kyrgyzstan for more than a decade, from the beginning of the 2000s his regime approached a breaking point, which was mainly caused by his loss of control over clientelist networks, leading to the establishment of alternative power centers as described in Chapter 3.5.2. As Akaev lacked an own party as a base of power, his rule had always been based on divide and rule tactics and on volatile coalitions. Three developments fostered the erosion of his neo-patrimonial system: The defection of former allies, a failed attempt to position his own daughter to be his successor to counterbalance the defections, and the exclusion of strongmen with ties to narcotics-related organized crime syndicates from his clientelist networks.

The defection of former allies has already been mentioned in the previous part; with the public defection (and later arrest) of former loyalist

states covered in the CPI changed that much, I consider the placement in quintiles / terciles to show a tendency as the highest valid analysis. Using the formal ranking would led to similar problems like using the Fragile State Index (see chapter 3.2); Cf. Transparency International, Corruption Perceptions Index 1999-2005, online: https://www.transparency.org/research/cpi/overview, July 13, 2018.
Kulov being one of the most important cases. Another defector was former Prime Minister Kurmanbek Bakiev, who joined the opposition following the Aksy incident. Moreover, when several former loyalists, who later defected and were appointed ambassadors, Roza Otunbaeva being the most prominent among them, declared their intention to run for office in the upcoming 2005 parliamentary elections, Akaev was not able to control the judiciary like he did in the run-up to the previous elections. Therefore, the constitutional court declared Akaev’s legislation by decree stating that ex-diplomats were unable to run for office to be unconstitutional.

Contrary to former parliamentary elections, which had little de facto importance for Kyrgyz politics, the parliamentary elections of 2005 were of a highly symbolic character as Akaev, who probably did not intend to run for a fourth term as president, tried to position his own family members to be his potential successors. Most important of these has been his daughter Bermet, head of the regime-sponsored satellite party Alga, which had only been founded in 2003, who was set to compete with opposition member Roza Otunbaeva for the same constituency. To ensure her victory, Otunbaeva was banned from running regardless of her earlier registration, which in turn sparked protests by her supporters.

The last group capable of challenging Akaev’s rule had been excluded from his clientelist networks from the beginning: strongmen with ties to narcotics-related organized crime syndicates. On the one hand, the Akaev family had no fear of contact with classical organized crime like racketeering or customs evasion via smuggling of normally legal goods (like gas). Most notably, the cousin of the crime lord Rysbek Akmatbaev held the position of minister of the interior under Akaev. On the other hand, Akaev excluded and even fought the narcotics mafia. However,
with opium production in Afghanistan increasing after 2001, these syndicates became increasingly wealthy and thus powerful, aiming to expand their operations.\footnote{460}

The combination of Akaev’s shrinking power base and a growing political and criminal opposition ignited after the parliamentary elections on February 26, 2005. While the election was riddled with manipulations and, according to the OSCE election observation mission, “fell short of OSCE commitments and other international standards for democratic elections in a number of important areas,”\footnote{461} with, among others, “[w]idespread and publicly acknowledged vote-buying,”\footnote{462} still more than half of the constituencies lacked a clear winner and required a run-off election.\footnote{463} In the wake of this election, first protest erupted in the South, leading to the seizure of government buildings in Osh and Jalal-Abad.\footnote{464} Allegedly, the 2000 protesters seizing these buildings were members of paramilitary ‘sports clubs’, headed by the then most important drug lord of Southern Kyrgyzstan, Bayman Erkinbaev.\footnote{465} The protests soon spread and reached the capital, where Kyrgyz citizens, but also supporters of Rysbek Akmatbaev, a criminal kingpin of Northern Kyrgyzstan formerly loyal to Akaev, demanded Akaev’s resignation.\footnote{466} With the security apparatus, which had already displayed an ambivalent loyalty during the early protests,\footnote{467} completely defecting from the government, Akaev and his family fled into Russian exile on March 24.\footnote{468} Shortly after, the already mentioned Kurmanbek Bakiev was sworn in as interim president and prime minister, with the already mentioned Feliks Kulov acting as interim vice prime minister.\footnote{469}
As several authors agree that the so-called ‘Tulip Revolution’ merely consisted in the exchange of one neo-patrimonial system of leadership for another and therefore the Bakiev regime also became entrapped in the State Leader’s Dilemma for large parts of its existence, this era will be analyzed using the same indicators as with the Akaev era: the securing of power by awarding positions offering material benefits on a personal non-merit basis, including the toleration of corruption, the aim of co-opting potential rivals by offering them positions in the state apparatus, the punishment of disloyal members of the state elite through formal state institutions, and the persistence of low-level corruption as a result of top-level corruption.

Regarding the first point, Bakiev acted exactly like Akaev insofar as he immediately appointed family members to the most important positions in the state and the economic sphere. Most notably, Bakiev’s younger brother Zhanyshe was appointed head of the National Security Service (SNB), where he began to play a major role in silencing potential rivals of the president. Within the economic sphere, a series of confiscations took place after Akaev had been ousted and concentrated economic power in Bakiev’s hands, with Bakiev’s son Maksim playing the same supporting role for his father as Aidar Akaev had done for his: Soon he controlled “all major businesses in the country.” According to the 2010 chairman of the Kyrgyz financial police, Erkin Bulekbayev (a prisoner under Bakiev), “the share of the ruling family [of one of the largest Kyrgyz telecommunication companies, Megacom, St.Sch.] [...] was brazenly passed on from one family to the next,” with “$150-200 million” missing after Bakiev’s ousting.

With regard to positions in the state apparatus less important to Bakiev’s political survival, the same system of office selling was estab-
lished soon after, making the chances of gaining material benefits through corruption a main incentive to stay loyal to the regime, while the regime kept its ability to punish disloyalty by bringing defectors to court on charges of corruption. Marat names the example of Elektricheskiye stansii, a major electric power supplier under the command of the ministry of energy, as an example for these practices: According to her, a major ally of Bakiev was able to embezzle “up to $40 million per year.”

The combination of giving the most important positions to members of his own family and to close allies while ensuring material benefits for holders of other offices allowed Bakiev to co-opt potential rivals who could endanger his power. For instance, virtually all leading opposition figures against Akaev were appointed to high-ranking state positions: Feliks Kulov became vice prime minister, Roza Otunbaeva foreign minister, and Asimbek Beknazarov prosecutor general. However, differently from Akaev, Bakiev worked to establish his own durable base of power in form of his party Ak Zhol, especially after public protest started calling for a long-promised constitutional reform (the 2003 constitution with its extensive executive powers remained in force after the revolution) and led to a constitutional reform initiated by the parliament in November 2006, strengthening the powers of the parliament – especially with regard to appointing members of government. While Bakiev was able to reverse this constitutional reform as early as December 2006 with the support of his own party, he aimed to establish a durable base of power by the adoption of a constitution reform through referendum in 2007. Most notably, as changing the constitution was not allowed by the constitution of January 2007 to prevent another constitutional change initiated by the parliament, Bakiev first had to find allies helping him to reintroduce referenda as a way to change the constitution once again. For this purpose, he was able to co-opt the former opposition members K. Karabekov and M.

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477 Marat 2010a, p. 11.
Eshimkanov, which on behalf of Bakiev brought alleged violations of the constitutional amendment procedure during the last constitutional changes to the constitutional court. Following these allegations, the constitutional court annulled the last constitutional amendments and reinstated the constitution of 2003—which allowed for referenda as instruments to decide on constitutional amendments. With the court’s decision in September 2007 and the referendum for another constitutional change already scheduled for October, no election observation mission was deployed. Local observers reported the referendum to be rigged, though.

The new constitution adopted by the referendum increased the powers of the president further and introduced a proportional electoral system for the parliament. Unsurprisingly, former opposition members Karabekov and Eshimkanov were awarded state offices, giving another example for co-optation of potential opposition. Immediately after the referendum, the parliament was dissolved by presidential decision, and new parliamentary elections were held in December 2007, securing a majority of 71 of 90 seats for Bakiev’s party Ak Zhol in elections considered partly transparent by OSCE observers. Furthermore, Juraev concluded that “questionable legal innovations and an even more questionable vote-counting process saw the major opposition party receive approximately 14% of the votes, but not a single seat in parliament.” With the party Ak Zhol “embrac[ing] virtually all employees of the public sector,” the last step towards a further personalization of power was taken in September 2009, when Bakiev issued an administrative reform which eventually created an enormous presidential apparatus, directly subjecting the security ministries, the foreign ministry, and the so-called Central Agency for Development, Investments, and Innovations (headed by Bakiev’s son Maksim).

483 Cf. ibid., p. 142.
488 Juraev 2010, p. 35.
489 Marat 2010a, p. 10.
to the control of the president.\textsuperscript{491} Thus, not only were the most important ministries under presidential control, but, due to this the direct subordination, Bakiev was also able to appoint and discharge officials personally, making the new presidential apparatus a prime example for a neo-patrimonial system of rulership. Thus, Bakiev has created a system of social control by means of which he was able to channel material benefits towards his followers and which, at the same time, also enabled him to punish disloyalty just as described in Chapter 3.3.2.

In addition to the economy and the party system, Bakiev also aimed to co-opt the organized crime syndicates involved in narcotics trafficking, in this aspect acting contrary to what Akaev did. While the immediate aftermath of Akaev’s ousting “served as a ‘window of opportunity’ for criminal figures”\textsuperscript{492} to renegotiate power relations in the organized crime sector, the general relations between the political sphere and the criminal sphere also changed. Regarding the changing power distribution, it can be stated that during underground fights lasting until roughly one year after the revolution, three crime lords formerly allied with Akaev (Shygalbek Surabaldyev, Tynychbek Akmatbaev, and Rysbek Akmatbaev) as well as one crime lord formerly allied with the opposition (Bayman Erkinbaev) – all of whom also were elected members of parliament\textsuperscript{493} – were murdered.\textsuperscript{494} However, in the aftermath of these fights within the syndicates, “the criminal world became more centralized, while more high-ranking officials are reported to be involved in criminal activities.”\textsuperscript{495} Marat fur-
4. Kyrgyzstan and Tajikistan within the Model of Weak States

thermore states that under Bakiev’s rulership, “Bakiev’s older brother Akhmat Bakiev, a Chair of the Jalal-Abad City Council, was allegedly controlling organized crime and drug trafficking in southern Kyrgyzstan,” while the only recently established (and U.S.-funded) Drugs Control Agency was closed. Two years after the revolution, with Bakiev having consolidated his power both in the security sector as well as, via family ties, in the organized crime sector, Kupatadze concludes that “[c]riminal groups are either under the direct control of the regime or represent more of a ‘law-enforcement problem’ rather than being rivals or competitors to the regime.”

Therefore, it can be stated that Bakiev managed to create a new neopatrimonial system of rulership to ensure his own political survival. Furthermore, regarding the prevention of the emergence of alternative centers of power from within the system, he used the same techniques as Akaev did. First of all, the system of constantly rotating high-ranking political personnel was maintained. The second practice transferred from the Akaev regime consisted in the appointment of potential rivals to positions in the Foreign Service in a face-saving procedure. Third, Bakiev used the practice of discreditation to get rid of potential rivals. The probably most notable incident in this regard was the so-called Matryoshka scandal in 2006, when the former speaker of the parliament, Omurbek Tekebaev, a defector of the Bakiev regime, was arrested at Warsaw airport because customs discovered a Matryoshka filled with heroin in his luggage. The Polish authorities acknowledged the likelihood of a political scheme being behind the events and released Tekebaev from custody, which in turn fueled the opposition against Bakiev.

Marat noted another incident in

“January 2008, [when] a high-ranking government official received a gift package containing a human finger and an ear (taken from a dead homeless person) as a warning that his cadre politics contradicted those of Bakiev’s close family members represented in the government.”

496 Marat 2010a, p. 12.
497 Cf. Marat 2010b, p. 3.
498 Kupatadze 2010a, p. 70.
499 Cf. ibid., p. 64.
500 Cf. Marat 2010a, p. 10.
503 Marat 2010a, p. 11.
Another prominent figure, Feliks Kulov, who in 2005 had become prime minister, also clashed several times with Bakiev, which led to his resignation in 2006 after the constitutional reform, a failed attempt by him to be reinstated, and finally to his defection to the opposition in the beginning of 2007.\footnote{Cf. Graubner/Wolters 2007, pp. 203/204.} However, this time he was not arrested and jailed. Still, it can be stated that Bakiev was able to maintain a system of rulership by means of which he could sanction defectors in order to stabilize his rule.

The last characteristic of a neo-patrimonial system of rulership looked at here is the persistence of low-level corruption, on the topic of which Kupatadze stated in 2010 “that the volume and extent of bribery, that is the money, goods or services given quid pro quo for an illicit advantage, is greater than before the Tulip Revolution.”\footnote{Kupatadze 2010a, p. 64.} Testing this observation with the help of data by the Corruption Perception Index, it can, generally speaking, be confirmed because the index fell (i.e. the perceived corruption increased) from 2.3 in 2005 (when Bakiev came to power) to 2.0 in 2010, reaching its minimum of 1.8 in 2008, i.e. one year after the referendum to change the constitution had taken place.\footnote{Cf. Transparency International, Corruption Perception Index 2005-2010, online: http://www.transparency.org/research/cpi/cpi_early/0/, July 6, 2015.}

Summing up the indicators analyzed above, it can be stated that the Bakiev regime fulfilled all criteria of a neo-patrimonial system of rulership and was therefore fully entrapped in the State Leader’s Dilemma. Thus, the so-called Tulip Revolution merely consisted in the transition from one regime trapped in the State Leader’s Dilemma to another. However, the revolution of 2010 changed the political situation in Kyrgyzstan yet again, consequently entrapping the country in the Liberalization Dilemma.

4.1.2.3 Liberalization Dilemma

With regard to the Liberalization Dilemma, in a first step the events leading to the Bakiev’s downfall will be sketched out briefly, as this so-called 2010 revolution forestalled characteristics of the Liberalization Dilemma Kyrgyzstan found itself entrapped in afterwards. In a next step, it will be analyzed whether the characteristics of the Liberalization Dilemma stated
by Paris, namely bad civil society, ethnic entrepreneurs, elections as focal points for harmful competition, saboteurs and failed transitions, and dangers of economic liberalization, can be identified in today’s Kyrgyzstan, and therefore, whether currently Kyrgyzstan can be regarded as entrapped in a Liberalization Dilemma or not.

**Bakiev’s ousting and the May/June 2010 ethnic clashes**

While Bakiev had been able to establish a neo-patrimonial system of rulership, he was only able to sustain it for the short period of five years. As described above, he, on the one hand, suffered defections of his former supporters to the opposition while, on the other hand, the even increased high- and low-level corruption compared to the Akaev era centered on his own family and decreased public support for his presidency. Furthermore, Cummings noted that Bakiev recruited his supporters mainly amongst ethnic Kyrgyz from Southern Kyrgyzstan, hence deepening both the North-South as well as the Kyrgyz-Uzbek divide in Kyrgyzstan’s society.507 (His predecessor Akaev relied mainly on people from Northern Kyrgyzstan, which, while deepening North-South divides, in combination with his universalist rhetoric allowed him to circumvent ethnic tensions.)508 Therefore, in the wake of an electricity crisis in 2010, a drop in migrant workers’ remittances by 28 percent caused by the financial crisis in Russia, and an uncovered fraud scandal involving members of the Bakiev family, first spontaneous protests sparked in Northern Kyrgyzstan, which were soon accompanied by demonstrations organized by the opposition in the capital.509 With government buildings stormed by protesters on April 7, 2010, leaving more than 80 persons dead, Bakiev resigned roughly one week after that and went into exile, which concluded the 2010 revolution in a narrow sense.510

Under the interim rule of Roza Otunbaeva, a referendum on the adoption of a new constitution aimed at transforming Kyrgyzstan into a parliamentary democracy was scheduled for June 2010.511 However, in the run-
up to this referendum, violent ethnic clashes erupted in Kyrgyzstan, especially in the cities of Osh and Jalal-Abad. These clashes already exhibited all five characteristics of a Liberalization Dilemma.

First of all, even though the economic crisis which fostered the unrest was not the direct result of an economic liberalization policy introduced in the Bakiev era, the combination of this policy with Bakiev’s above-mentioned recruitment policy reinforced the ethnic division in the South. Even though an empirical study conducted by Esenaliev/Steiner showed that wealth between the Kyrgyz and the Uzbek ethnicity has been almost equally distributed and the Kyrgyz even have had a slight advantage in urbanized areas, they perceived the Uzbek minority as being wealthier than themselves.512

In this political climate, the combination of transition saboteurs and ethnic entrepreneurs led to a dangerous mixture. With regard to transition saboteurs, it can be stated that former President Bakiev first fled from Bishkek to his former strongholds in Southern Kyrgyzstan, trying to organize counter-protests and even seizing government buildings in Batken, Jalal-Abad, and Osh.514 In this situation, “the interim government reached out to the Uzbek population, which traditionally had not been involved in politics”515 and was supported by the Uzbek Rodina (=home/homeland, St.Sch.) party, led by Kadyrjan Batyrov.516 While this support led to Bakiev’s definite ousting, and Bakiev fled the country on April 15,517 even Batyrov’s moderate calls for a further inclusion of the Uzbek minority into Kyrgyzstan’s politics fueled ethnic tensions in the run-up to the revision of the constitution, with the symbolically highly important issue whether Uzbek should become an official language in Southern Kyrgyzstan at its core.518

Even though these demands have to be regarded in the political context of the Uzbek minority indeed being underrepresented in Kyrgyz politics at that time, they formed the basis for a politicization of ethnicity that had been unknown in Kyrgyzstan ever since the clashes in 1990. In the after-

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math of Bakiev’s ousting, another characteristic of the liberalization dilemma manifested: bad civil society. Even after Bakiev’s flight, his supporters, allegedly organized by members of Bakiev’s family, protested against the interim government and eventually captured administration buildings again. These seizures of government buildings were put to an end by members of the Rodina party as well as the Ata-Meken (Fatherland) party, leading to several violent clashes. In the most important one, houses of Bakiev’s family were torched on May 16 – allegedly by followers of Batyrov. Three days later

“several thousand ethnic Kyrgyz gathered at the Hippodrome race track near Jalal-Abad, demanded Batyrov’s arrest, and proceeded first to the offices of the Jalal-Abad provincial administration then to the People’s Friendship University, where they clashed with ethnic Uzbeks who had gathered to defend the university.”

The clash eventually led to two people being killed and 62 injured, and the university (founded by Batyrov) was set aflame. While the clashes could be stopped by the imposition of a curfew, in the wake of the clashes Batyrov demanded the establishment of a multi-ethnic popular militia because he considered the security apparatus, especially the secret service, to be biased towards the old regime.

With mutual suspicion running high between the ethnic groups and the introduction of Uzbek as an official language rejected in the draft constitution, the situation remained tense as the referendum drew closer. However, the referendum itself had not been a direct focal point of violence, making the characteristic of elections as focal points for harmful competition the only characteristic of the Liberalization Dilemma to remain unfulfilled in the analysis of the May/June 2010 ethnic clashes. Instead, the violence in Osh erupted rather spontaneously in a tense situation when smaller groups of young ethnic Kyrgyz and members of the Uzbek minority

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521 Cf. ibid., pp. 8/9.
523 Ibid., pp. 21/22.
524 Cf. ibid., p. 22.
clashed in the evening of June 10, escalating quickly into city-wide clashes with both sides calling in supporters via mobile phones.\textsuperscript{527}

Within the next days, these clashes escalated even further after false rumors of an Uzbek raid in a university dormitory spread,\textsuperscript{528} leading eventually to incidents of hostage taking, torching of houses belonging to the Uzbek minority and barricade erections.\textsuperscript{529} In the following, the violence spread to other southern oblasts, especially Jalal-Abad.\textsuperscript{530} When the violence ended on June 14, roughly 470 people had died, while 400,000 had been at least temporarily displaced\textsuperscript{531} and roughly 2,500 houses had been destroyed.\textsuperscript{532} Even though no further clashes erupted afterwards, inter-ethnic tensions had been higher than ever before in independent Kyrgyzstan.

Thus, while all of the five characteristics of the Liberalization Dilemma except for elections as focal points for harmful competition could already be identified in the direct aftermath of Bakiev’s ousting, most of them continued to be relevant after the immediate turmoil of the revolution had ended and the new constitution had been established.

\textit{The situation after the new constitution was adopted}

Even though the situation calmed down after the election of a new parliament in October 2010 and the presidential elections in October 2011, the main risk factors coming with a Liberalization Dilemma, i.e. bad civil society, ethnic entrepreneurs, dangers of economic liberalization, and elections as focal points for harmful competition were still identifiable, albeit less visible and to a certain extent less volatile than they had been in the period immediately after the revolution.

With regard to bad civil society, a study conducted by the International Crisis Group concluded that, due to mutual suspicions between the Kyrgyz and Uzbek ethnic communities as well as lack of trust in state institutions, “[m]any Kyrgyz and Uzbek interlocutors say members of their communi-

\begin{footnotesize}
\begin{itemize}
\item \textsuperscript{528} Cf. Human Rights Watch 2010, p. 26.
\item \textsuperscript{529} Cf. ibid., pp. 27-31.
\item \textsuperscript{530} Cf. ibid., pp. 33/34.
\item \textsuperscript{531} Cf. Cummings 2012, p. 85.
\item \textsuperscript{532} Cf. International Crisis Group 2010, p. 18.
\end{itemize}
\end{footnotesize}
ties are buying weapons for self-defence.”533 However, precise information is difficult to obtain, as, on the one hand, procurers of weapons usually do not provide information on their stockpiles,534 while, on the other hand, independent research on the topic is made virtually impossible by the suspiciousness of the State Committee of National Security (GKNB).535 However, as data provided by the Kyrgyz Ministry of the Interior indicates, more than 400 legally registered private security companies (for North and South Kyrgyzstan) are officially licensed to carry arms,536 while at least some politicians own so-called sports clubs to protect their businesses, which sometimes clash with other so-called sports clubs owned by other politicians.537 In addition to this latent potential for violence perpetrated by uncontrolled, armed non-state actors, several interethnic incidents or acts with the potential of triggering interethnic incidents have been registered recently – even though it has to be stated that, in general due to “pressure from the General Prosecutor’s office, inflammatory rhetoric in the Kyrgyz-language press – which surged after the 2010 violence – has subsided.”538 In the course of the first incident, according to the news website eurasianet.org,

“celebrated Kyrgyz pop singer Bek Borbiev appealed to his fans to boycott Mega-com, one of Kyrgyzstan’s leading mobile-services providers, if the company did not eliminate its Uzbek-language customer service. Borbiev retracted his appeal after prosecutors warned that his statement violated laws on hate speech”539 in the beginning of 2015. Other incidents even went beyond hostile rhetoric. Most notably, a nationalist organization called Kyrk Choro (“Forty Knights”) became infamous for several encroachments against ethnic minorities, especially against members of the Uyghur minority living in

534 Cf. ibid., p. 9.
535 Cf. Interview with Community Security Initiative Member, Osh, March 17, 2014.
539 Ibid.
4.1 Kyrgyzstan

Kyrgyzstan and against Chinese businessmen.\footnote{Cf. Lelik, Anna, Kyrgyzstan. Nationalist Vice Squad Stirs Controversy, Eurasianet.org of February 10, 2015, online: http://www.eurasianet.org/node/71996, June 11, 2015.} Even though this group is mainly active only in a part of Kyrgyzstan, namely in Northern Kyrgyzstan, it can be seen as a prime example for bad civil society, especially as there are no indications that the group faces prosecution by state authorities. Quite on the contrary: According to eurasianet.org, the group allegedly co-operates with state authorities.\footnote{Cf. ibid.} Although in Southern Kyrgyzstan there are currently no reports of organized groups like this, “[l]ittle has been done to integrate the Uzbek and Kyrgyz communities, who tend to live in separate parts of Osh and surrounding towns,”\footnote{Khamidov, Alisher, Kyrgyzstan. Five Years After Pogroms, Healing a Work in Progress, Eurasianet.org of June 5, 2015, online: http://www.eurasianet.org/node/73761, June 11, 2015.} and many of the buildings destroyed in the clashes of 2010 have never been rebuilt (including the People’s Friendship University in Jalal-Abad).\footnote{Observation of the author during a field trip in March 2014.} In the light of the above it is not surprising that the number of Uzbek youths deciding to formally adopt Kyrgyz ethnicity when being issued their first passport is constantly on the rise, as a citizen’s ethnicity is indicated in the passport in Kyrgyzstan.\footnote{Cf. Eurasianet.org, Kyrgyzstan. Uzbeks Shedding Ethnic Identity, Eurasianet.org of December 8, 2014, online: http://www.eurasianet.org/node/71256, June 11, 2015.}

As has been shown above, a potential base for so-called bad civil society exists in Kyrgyzstan, making the recurrence of Osh-like clashes a possibility; especially if the groups become more organized. The same applies to the so-called ethnic entrepreneurs: While currently most politicians shy away from using an explicitly ethnic rhetoric,\footnote{Cf. Hale 2015, p. 323.} the rhetoric the now-ousted former mayor of Osh, Melis Myrzakmatov, used to employ can be seen as a prime example for an ethnic entrepreneur’s rhetoric. Myrzakmatov, having been installed by the Bakiev regime, had remained in power even after Bakiev had been ousted.\footnote{Cf. Khamidov, Alisher, Kyrgyzstan. Five Years After Pogroms, Healing a Work in Progress, Eurasianet.org of June 5, 2015, online: http://www.eurasianet.org/node/73761, June 11, 2015.} Even though he initially declared his support for the interim government, he soon began to defy or-
ders from Bishkek, especially regarding the monitoring of Kyrgyz police forces by the OSCE.\textsuperscript{547} Furthermore, “[h]e made no secret of his opposition to the new authorities and of his ethnic Kyrgyz nationalism, which he helped increasingly to become a salient mobilizing set of ideas in the country in the wake of the 2010 tragedy.”\textsuperscript{548} Most notably, he published a book in December 2011 in which he blamed the Uzbek minority for starting the 2010 riots and described Kyrgyzstan to be threatened by Uzbek separatism.\textsuperscript{549} The power struggle between the central government and Mirzakmatov came to a temporary end in December 2013, when Mirzakmatov was dismissed by the central government.\textsuperscript{550} Mirzakmatov failed to be re-elected by the city legislature one month later and was charged with causing incurring losses of 500,000 USD of Kyrgyz tax money during a controversial tender for a construction project that was never finished,\textsuperscript{551} and was finally sentenced in absentia (believed to be in exile) “to seven years in jail.”\textsuperscript{552}

Another example of a potential ethnic entrepreneur is Kamchыbek Tashiev, leader of the nationalist party Ata-Jurt, who was arrested in 2012 while leading a group of roughly 1,000 demonstrators trying to storm the parliament building in Bishkek.\textsuperscript{553} After serving a short prison sentence

\begin{thebibliography}{99}

\bibitem{548} Hale 2015, p. 323.
\bibitem{549} Cf. International Crisis Group 2012, p. 6. / see also: Mirzakmatov 2011.
\bibitem{553} Cf. Trilling, David, Kyrgyzstan. Nationalist MPs and Rioters Attempt to Storm Parliament, Eurasianet.org of October 3, 2012, online: http://www.eurasianet.org/node/65992, June 13, 2015. / Before this, Tashiev, the head of the National Boxing Federation of Kyrgyzstan, was involved in several brawling incidents with other members of parliament, cp. Trilling, David, Will Kyrgyzstan’s

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for that incident, Tashiev together with former attorney general Beknazarov and, at least initially, Mirzakmatov declared to form an opposition coalition for the upcoming parliamentary elections. However, with Mirzakmatov going into exile and the head of the National Boxing Federation of Kyrgyzstan Tashiev being banned from running for office “for allegedly beating up a representative of the Onuguu-Progress party while on the campaign trail in his native Jalal-Abad,” this alliance in the end was not able to materialize in the parliamentary elections in 2015. Still, the Ata-Meken party did actively campaign in South Kyrgyzstan with pictures of Mirzakmatov on their posters. Therefore, even though the 2015 elections have been free of violence, it can be argued that there still is a large potential for ethnic entrepreneurship; especially since the current parliament is composed of six parties without clear majorities, of which four have formed a shaky coalition – including the Ata-Meken party.

With regard to the dangers of economic liberalization it can be stated that, although statistically Kyrgyzstan’s GDP per capita has risen from 880 USD to 1,220 USD in the years following the 2010 revolution, the statistical number of persons living below the poverty line initially in-
increased from 33.7 percent in 2010 to 37 percent in 2013. Even though the latter can be attributed to the increased GDP per capita, i.e. it does not necessarily mean that the poorest parts of the Kyrgyz society became even poorer, it does, however, indicate that the poorest parts of the Kyrgyz society did not profit from the economic growth in the first three years after the revolution. Since 2013, however, the relative share of people living below the national poverty line had decreased to reach 25 percent in 2015. Furthermore, the national economy remains vulnerable to external shocks, as indicated by a petrol and natural gas crisis in 2014, which could in the end be solved by last minute negotiations but almost left the country without energy supply in the winter of 2014/15. Another example for this vulnerability is Kyrgyzstan’s dependency on migrant workers’ remittances, which in 2015 made up for “the equivalent of 32 percent of Kyrgyzstan’s GDP.” With the majority of these migrant workers living and working in Russia, these remittances dropped by five percent in 2014 due to the Russian economic crisis, but soon recovered. While this seems to be only a modest downturn at the first glance, it was accompanied by a decline of the ruble; leading to feedback effects on the Kyrgyz Som. These feedback effects in turn can drive inflation. However, while

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561 Cf. ibid.
inflation had been expected to increase up to 11 percent in 2015,\footnote{Cf. Trilling, David, Kyrgyzstan’s National Bank Governor Analyzes Effects of Russian Downturn, Eurasianet.org of March 3, 2015, online: http://www.eurasianet.org/node/72371, June 12, 2015.} it remained at 6.5 percent in that year according to IMF data.\footnote{Cf. IMF. Kyrgyz Republic: Inflation rate from 2012 to 2022 (compared to the previous year), accessed via Statista - The Statistics Portal, online: https://www.statista.com/statistics/528575/inflation-rate-in-kyrgyz-republic/, November 27, 2017.} Still, in combination with the stagnating income of the poorest members of Kyrgyz society, inflation induced by external economic shocks might prove devastating.

Therefore, as the country has the potential and some examples both for the emergence of bad civil society and ethnic entrepreneurship in a bleak economic situation, elections can still become a focal point for violence. However, one has to be fair and acknowledge that currently most politicians are careful to avoid sensitive topics as ethnicity in their electoral campaigns.\footnote{Cf. Khamidov, Alisher, Kyrgyzstan. Five Years After Pogroms, Healing a Work in Progress, Eurasianet.org of June 5, 2015, online: http://www.eurasianet.org/node/73761, June 11, 2015.} Moreover, the 2015 parliamentary elections were considered to have been “the most democratic in the history of Central Asia to date”\footnote{Leonard, Peter, Kyrgyzstan. Clean Election Produces Messy Result, Eurasianet.org of October 5, 2015, online: http://www.eurasianet.org/node/75406, November 7, 2015.} by media actors, and the OSCE’s official election observation mission identified procedural flaws, but no systematic violations of international standards.\footnote{Cf. OSCE/ODIHR 2015a, p. 1.} During the 2017 presidential elections, again, no systematic violations were registered, albeit procedural flaws were observed.\footnote{Cf. OSCE/ODIHR 2017, p. 1. / OSCE/ODIHR 2018, p. 3.} On the one hand, even though Kyrgyzstan has the potential of becoming entrapped in a Liberalization Dilemma, the course of events after 2010 therefore show that that risk has been mitigated successfully. On the other hand, however, as immediately after the 2017 presidential elections a criminal case on corruption charges was opened against a TV station owned by losing candidate Babanov\footnote{Cf. Eurasianet.org, Kyrgyzstan Takes Authoritarian Turn With Renewed Assault on Media, Eurasianet.org of December 19, 2017, online: https://eurasianet.org/node/86526, July 24, 2018.} as well as one against
Babanov\textsuperscript{573} himself, the future course of the country remains unclear. Should the newly-elected President Jeenbekov proceed with sanctioning the potential opposition via corruption charges and tolerating corruption among his allies, the re-establishment of a neo-patrimonial system of rulership combined with a fallback into the State Leader’s Dilemma remains to be a realistic scenario.

Summing up all analyzed indicators, it can be stated that today’s Kyrgyzstan finds itself to be in a Liberalization Dilemma which, until now, has been mitigated but with destabilizing potential remaining. Therefore, it remains unclear in which direction the country will evolve, with both a fallback into the State Leader’s Dilemma, with a president re-centralizing power, as well as a transition towards the Internal Security Dilemma in case of a renewed violent outbreak being possible. In the next subchapter, I will analyze whether and to which extent the eleven symptomatic factors deriving from the three dilemmas and contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force are existent in today’s Kyrgyzstan.

4.1.3 Consequences for the three state functions

In the following, the eleven symptomatic factors deriving from the three dilemmas and contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force as they have been depicted in Chapter 3.4 will be analyzed for the Kyrgyz case, structured according to the three functions of the state: the fragmentation of security forces, the oversized, paramilitary structure and training of the security forces, an ineffective security sector, lack of independent courts, interlocking of state and economy, corruption and nepotism, reform blockades, lack of the population’s trust, weak national economy, high unemployment rates, and a decaying infrastructure.

4.1.3.1 Security function

Taking the same point of departure as in Chapter 3.4, I will start by analyzing how the symptomatic factor of an ineffective security sector directly contributes to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force in Kyrgyzstan. To evaluate the overall effectiveness of the Kyrgyz security sector, it can be stated that crime detection rates are low, human rights abuses are still widespread, the police was not able to secure public order during the 2010 revolution and its aftermath, and organized crime syndicates persist.

While accurate and independent data on crime detection rates remain sparse, official numbers (e.g. 82 percent in 2004; 72 percent in 2014) have to be considered exaggerated, especially due to the fact the police’s performance evaluation is based solely on detection rates.\(^{574}\) Furthermore, the UNODC estimates that, due to the population’s lack of trust in police institutions, crimes are also underreported.\(^{575}\) Therefore, the police’s direct effectiveness in solving criminal cases cannot be evaluated. However, due to lack of data and the indication that crimes are underreported due to lack of trust, it is safe to assume that the police’s real capabilities in solving criminal cases are far below their potential.

In addition to the suboptimal detection rates, criminal investigations in Kyrgyzstan still mainly depend on confessions of suspects, not on additional evidence.\(^{576}\) Combined with the official police evaluation method based on the number of solved cases, this creates a strong incentive to try extorting confessions from suspects via torture.\(^{577}\) The use of such methods in turn has been confirmed by a number of reports by human rights NGOs,\(^{578}\) which can be considered an indicator of ineffective security


\(^{575}\) Cf. UNODC 2014b, p. 15.

\(^{576}\) Cf. Artur kyzy 2015, p. 12.


forces being unable to solve criminal cases by other means than using these methods.

Moving away from solving criminal cases requiring investigation, the course of the 2010 revolution and the subsequent ethnic clashes indicate that the police forces are also challenged with keeping public order and containing unrest. During both events, security forces basically disappeared, giving way to the widespread looting during the April events and ethnic fighting in June.  

As has been already discussed in Chapter 4.1.2.1, there are strong indicators favoring the assumption that organized crime syndicates are still operating in Southern Kyrgyzstan, especially trafficking narcotics from Afghanistan. Therefore, due to the long time these syndicates have been already operating in Kyrgyzstan, it can be assumed that the Kyrgyz security forces are unable or maybe even unwilling to tackle this threat, leading to the establishment of state-crime nexuses which will be discussed below, as the results of the ineffective security sector will be analyzed.

Evaluating these indicators, the Kyrgyz security sector can be considered to be partly ineffective in fulfilling its function, albeit the state’s security function itself is largely fulfilled. The results of this ineffectiveness are threefold: First, there is a growing tendency to privatize the delivery of security by neighborhood watches and private security companies. Second, organized crime syndicates can mainly operate unhindered. Third, as “[f]or most people it is the militsia that is their main interface with the state [...],” an ineffective security sector decreases the population’s overall trust in the state itself.

Regarding the first point, both neighborhood watches and private security companies can be interpreted as results of the failure of the security forces in preventing looting and ethnic clashes in the aftermath of the

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581 Lewis 2011a, p. 17.
2005 and 2010 revolutions. In 2010 for instance, neighborhood watches (so-called druzhinas) were formed “to stop the widespread looting and arson”\textsuperscript{582} almost immediately after the police disappeared.\textsuperscript{583} While the druzhinas have been disbanded after the successful parliamentary elections in 2010, the speed with which these formations were organized (partly due to Soviet druzhinas still being remembered in Kyrgyz society)\textsuperscript{584} indicates that such formations could be established again quickly during similar circumstances.

Furthermore, the experience of the breakdown of security delivery fostered the long-term establishment of private security companies. With this business already expanding during the Bakiev era,\textsuperscript{585} the number of such companies reached new heights after his fall. According to the Kyrgyz Ministry of the Interior, about 350 to 400 private security companies have been officially licensed to carry arms in 2012.\textsuperscript{586} Even though not all of these companies are permanently active,\textsuperscript{587} their existence alone can be considered a challenge to the state’s monopoly on the legitimate use of force as well as evidence for the population’s lack of trust in official security forces.

Regarding the persistence of organized crime, the situation is more complex. On the one hand, organized crime syndicates can be classified as non-state actors capable of challenging the monopoly on the legitimate use of force by definition. On the other hand, however, trafficking-related violent crime in Kyrgyzstan is remarkably low despite the existence of indicators that show that narcotics are trafficked on a large scale through the country.\textsuperscript{588} On the one hand, this can be explained by Marat’s observation that “[i]n most rural areas, police are afraid of local organized criminal

\begin{thebibliography}{9}
\bibitem{582} Marat 2012, p. 3.
\bibitem{584} Cf. Sharshenova 2011, p. 7.
\bibitem{587} Cf. ibid. / ibid.
\bibitem{588} See Chapter 4.1.2.1.
\end{thebibliography}
groups and limit their contacts with society."

On the other hand, research by several authors suggests that successful organized crime syndicates also have protectors (so-called kryshas) in law enforcement and middle- or even high-ranking positions in the state administration. The consequences of the existence of such state-crime nexuses for a possible emergence of non-state actors capable of challenging the monopoly on the legitimate use of force in Kyrgyzstan are twofold: On the one hand, the establishment of such nexuses shows precisely what Migdal describes as a capture of state institutions: By tolerating such nexuses, the state elites secure a minimum level of security for the state, as the criminal syndicates do not challenge the state’s monopoly on the legitimate use of force openly. Thus, despite the existence of organized crime, the state is paradoxically still able to fulfill the security function, as physical violence is effectively contained – contrary to states like e.g. Mexico, where the state actively fights organized crime. On the other hand, however, the established stability is built on a shaky foundation, as there are several organized crime syndicates with political backers. Thus, in-fights between such state-crime nexuses happen occasionally. While these in-fights usually are resolved without violence (e.g. by the arrest of members of one group with police support by the secret service or vice versa), the potential for such in-fights going violent in the case of acute state breakdown exists, as the short war between mobs after the 2005 revolution showed. Thus, as the current constellation of state-crime relations contains a potential for violence, this potential still remains and could be triggered in case the country falls in a downward spiral.

The second symptomatic factor, the decrease of the population’s trust in the state in general, will be discussed in the subchapter dealing with the legitimacy/rule-of-law function.

In the course of the rest of this subchapter it will be tested instead whether the symptomatic factors contributing to the ineffectiveness of security forces according to the developed model are present in the case of Kyrgyzstan, i.e. the fragmentation of security forces, their oversized, par-

591 See Chapter 3.3.
594 See Chapter 4.1.2.2.
595 See Chapter 3.5.3.
amilitary structure and training, corruption and nepotism, and a reform blockade in the weak state.

Regarding the fragmentation of security forces, Kyrgyzstan, as all other Central Asian states, has inherited a security apparatus built after the Soviet model, i.e. involving three main power institutions with their respective armed forces and overlapping competences: The Kyrgyz Ministry of the Interior, commanding the police (militsia) as well as the so-called internal troops, the secret service (GKNB), commanding the border guard as well as the special forces, and lastly, the Ministry of Defense, commanding the classical military forces. Furthermore, a so-called customs committee as well as a financial police have been set up in order to combat organized crime, without “a formal division of functions.” Again, as described in Chapter 3.4.1, it is the combination of overlapping competences and the fact that each ministry has its own armed forces that contributes to the ineffectiveness, not the division of labor and power between the armed organs of the state per se.

Regarding the structure and training of security forces, it can again be stated that the structure was either inherited by the Soviet Union or modeled after the Soviet example in case the force in question did not exist before independence (like, for example, the border guard). As such, not only the military, but also the classical law enforcement bodies, i.e. border guard and police forces, have been structured and trained in a paramilitary way. Thus, both security services have been relying, and currently continue to do so, on manpower for security delivery, i.e. via patrolling, while the capacities for an investigation-based approach to identify smuggler networks or to solve criminal cases are insufficient. Furthermore, as the border guard is partly relying on conscription to fill their ranks, personnel is constantly fluctuating, hampering the establishment of an institu-

596 Cf. Lewis 2011a, p. 16.
tional memory vital for an investigation-based approach. As the size of the security services is a state secret in Kyrgyzstan, only estimations are available. For instance, the size of the regular Kyrgyz police was estimated at 25,000 troops in 2005 by the Library of Congress and at 17,000 troops in 2013 by Marat. Even though these numbers are only estimations, they indicate that the police per population ratio of Kyrgyzstan was roughly 450 police personnel per 100,000 inhabitants in 2005 and in 2013 roughly equaled the UN recommendation of 300 police personnel per 100,000 inhabitants. Even though this UN recommendation is neither binding nor necessarily suited for a mountainous country with several hardly accessible areas like Kyrgyzstan, the numbers show that the inherited police forces have been relatively large compared to the population in international comparison.

The numbers accentuate that a paramilitary structure of a police force might be useful in controlling riots (although, as the escalating 2010 riots show, a paramilitary structure alone is not enough), but not for fighting crime. While the police to population ratio within the last decades was actually higher than the UN recommendation, the Kyrgyz population seems to prefer private security providers or (in the case of riots) neighborhood watches over the police. Therefore, the police and border guard forces of Kyrgyzstan used to be of an oversized, paramilitary structure contributing to the ineffectiveness of the security forces in the sense of this model and only have been downsized recently, still maintaining a partly paramilitary structure and training. Furthermore, the possibility of riots due to a stagnating economic situation, interethnic fighting or Islamist incursions as described in Chapters 4.1.2.1 and 4.1.2.3 constitute specific threat scenarios giving an incentive to sustain a paramilitary structure of the police forces.

The persistence of corruption and nepotism within the security apparatus has already been analyzed in Chapter 4.1.2.2 and thus shall only be summarized briefly at this point. As has been shown, a system of office (or rather rank) buying has been established within the police forces,

600 Cf. Interview with OSCE Centre in Bishkek Member III, Bishkek, September 5, 2014.
which in turn creates a pyramidal structure, in which, according to Marat, “[s]ome policemen see their jobs primarily as fundraising for the Interior Ministry’s higher leadership.”603 While this does not mean that every Kyrgyz policeman is necessarily corrupt, honest policemen often either resign themselves to the situation or leave the police service to join one of the private security companies.604

The result of such a system of corruption and nepotism is a reform blockade within the security sector, as high-ranking officials of the security forces had an interest in sustaining the additional sources of income from the pyramid structure, which is described by Marat in the following way:

“Corruption among Interior Ministry officials and political leaders has stalled any effort to reform the police, but it also helped the Interior Ministry to continue functioning when its official budget shrank in the 1990s. With their own source of ‘independent’ funding, the Interior Ministry and the police became increasingly detached from both state and society. The police became a separate marketplace funded through graft, organized crime, and extortion. Hence, the Interior Ministry does not need to depend on state funding or civilian oversight.”605

In summary, all symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force within the security function stated by the model developed in Chapter 3.4.1 have been identified in the case of the Kyrgyz state.

4.1.3.2 Welfare function

Similar to the symptomatic factors associated with the security function, the symptomatic factors contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force associated with the welfare function will be analyzed in the following. Of those, the interlocking of state and economy as well as high unemployment influence the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force directly, while the factors of corrup-

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603 Marat 2013, p. 40.
604 Cf. Interview with Community Security Initiative Member, Osh, March 17, 2014. / see also: Marat 2013, pp. 41/42.
605 Marat 2013, p. 29.
tion and nepotism, weak national economy, reform blockades, and a decay of infrastructure do so indirectly.

Starting with the interlocking of state and economy, Chapters 4.1.2.2 and 4.1.2.3 have shown that both in the Akaev as well as in the Bakiev era, the state apparatus has been closely interwoven with the national economy – most visible in both cases with the son of the president being the owner of the most important businesses in the country. Additionally, during these times businessmen have been rewarded with state offices to ensure their loyalty while state officials could use their influence to foster their business interests. Therefore, during the time of the Akaev and the Bakiev regimes, the neo-patrimonial systems of both rulers constituted prime examples for an interlocking of state and economy. However, while Bakiev’s ideal type of a neo-patrimonial system was overthrown in the 2010 revolution, its legacy still lives on in principle. While the Kyrgyz parliament elected in 2010 consisted of six parties, 62 percent of the members of parliament “were either businessmen or former state officials.”

This observation combined with the strong regional bases of the parties, the indications that positions on party lists have been sold within the parties instead of decided upon democratically, and the lack of ideological programs make Juarev conclude that in 2010, “[p]arties were hijacked by wealthy politicians and businessmen as vehicles to enter the parliament or gain other forms of political leverage.”

While more precise data on the current interlocking of state and economy remains sparse due to the sensitivity of the topic, it can be assumed that the neo-patrimonial top-down state-business relations of the Akaev and Bakiev eras have been transformed into a more decentralized bottom-up structure with several competing state-business nexuses after the 2010 revolution.

Of the three symptomatic factors to which the interlocking of state and economy contributes, i.e. corruption and nepotism, reform blockades, and decay of infrastructure, corruption and nepotism has already been discussed in Chapters 4.1.2.2 and 4.1.2.3. As it has been shown in both chapters, corruption and nepotism have been endemic during both the Akaev as well as the Bakiev regimes, both on the top level of the state as well as in general society. Since the 2010 revolution, the general development of

606 Juarev 2015, p. 29.
corruption and nepotism is harder to access due to lack of data. However, several uncovered scandals indicate that corruption and nepotism are still prevalent in Kyrgyzstan. On the other hand, however, the uncovering of the scandals combined with the public outcries accompanying them also indicate a higher problem awareness in the population as well as a higher political will to sanction uncovered corruption due to public pressure. In accordance with these observations, the Kyrgyz score in the Corruption Perception Index increased from 24 to 28 from 2012 to 2016 – showing that, on the one hand, the perceived perception in Kyrgyzstan decreased a little, allowing Kyrgyzstan to leave the bottom 20 percent of states from which data could be obtained, while, on the other hand, Kyrgyzstan remains still in the bottom third.

Similar to the security function, corruption and nepotism led to a reform blockade also in the welfare function. While market reforms were eagerly pursued immediately after independence, soon the Akaev and the Bakiev family monopolized most of the important businesses of the country, often by hostile takeovers. Thus, during the (semi-) authoritarian periods of rulership in Kyrgyzstan, formal rights like protection of property have neither been implemented despite their theoretical existence, nor has there


610 In 2012 the methodology of the CPI was changed, making it impossible to compare the score with earlier scores.


613 Cf. Engvall 2015, pp. 43/44.

614 Cf. ibid, p. 44.
been any lasting will to really conduct such an implementation. The best example for this lack of will to reform is the immediate takeover of the Akaev family business network through the Bakiev family after the 2005 revolution, instead of conducting a new privatization with guaranteed property rights. While the centralized business network of Bakiev’s family has been broken up after the 2010 revolution, decentralized business networks of oligarchs (often also members of parliament) are still in place, slowing down a strengthening of rule of law-based economic procedures to replace inherited rule of force-based procedures. Most notably in 2012, for instance, the new State Service for Combating Economic Crimes did not get funded by parliament.615

The second consequence of corruption and nepotism is a fostering of the decay of public infrastructure in Kyrgyzstan, as corruption and nepotism further decrease the amount of already low tax earnings resulting from a generally weak economy. Combined with the breakdown of the Soviet economy, a decay of infrastructure is mostly visible in three public sectors of Kyrgyzstan: healthcare, (professional) education, and environmental protection/pollution mitigation. Within the healthcare sector, for instance, the state funding is so low that “[m]any hospitals are forced to inflate the number of doctors with fictitious staffers in order to augment salaries.”616 Due to low contributions from the state budget, the maintenance of the healthcare system in Kyrgyzstan is basically supplemented by the population’s mandatory healthcare contributions as well as informal bribery by patients to get better treatment.617 Furthermore, the low official contributions to the healthcare system have not only been due to corruption in the tax system, but also to embezzlement within the upper echelons in the healthcare system, especially in the Bakiev era. For instance, in 2009, 120,000 USD were embezzled from an international donor fund to fight HIV and tuberculosis,618 while

“the Kyrgyz Central Agency for Development, Investment and Innovation (TSARI), led by the president’s son, Maxim Bakiyev, tried to dismantle the public healthcare system of the country. It proposed transferring healthcare funding to a bank that was believed to be closely affiliated with the ruling family.”

Thus, although this dismantling of the healthcare sector was prevented by the 2010 revolution, even the decaying healthcare sector is not considered sacrosanct from embezzlement.

Similar to the healthcare sector, the educational sector has been put under constant strain since the breakdown of the Soviet Union. With a painful brain drain in the 1990s and the decrease of funding due to the breakdown of the old Soviet economy, the educational sector became even more dependent on old, Soviet-trained teachers, as the newly-trained could not fill the gap – quantitatively, but also qualitatively. Combined with low salaries and/or pensions, many old teachers are forced to continue to work beyond their retirement age (in 2010, 41.5 percent of Kyrgyz teachers were retirees), while at the same time skilled young people are discouraged from becoming teachers. Similar to the healthcare sector, underfunding also fosters corruption in the educational sector, as schools, too, are forced to use “an inflated number of ‘ghost teachers’ whose salaries supplement the income of the actual teaching staff.” Therefore, the performance of Kyrgyz students currently cannot be considered on par with the international standard, indicated for instance by the fact that Kyrgyzstan scored last in the internationally comparable, albeit controversial, PISA test in 2006 and 2009, while it was kept out of the ranking in 2015. The declining educational infrastructure in turn has feedback effects to all other public sectors and the national economy, leading for instance to a drastic shortage of medical doctors in rural areas as well as to a dependency on formally retired, but still working Soviet-trained medical personnel. The gap left by the decline of the public education system is filled by private providers, e.g. Islamic kindergartens, which can be attended free of charge.

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620 Cf. ibid., p. 8.
621 Ibid., p. 8.
622 Cf. Bloem 2013, p. 29.
not necessarily radical, their establishment underlines the population’s lack of trust in the capabilities and the political will of the Kyrgyz state to offer social support.

The last declining infrastructure discussed here is environmental protection infrastructure. Most notable in this context are the infrastructure to mitigate uranium tailings in old uranium mining areas and the water management infrastructure. Of course, especially in this branch of infrastructure, an undeveloped infrastructure is a negative legacy of the Soviet Union, where a strong environmental consciousness never developed. Thus, for instance in the former uranium mining region Mailuu-Suu, radioactive excavation material was simply buried near the mine.\footnote{Cf. Rehmsmeier, Andrea, Wir atmen Uran, wir essen Uran, Deutschlandfunk online of October 10, 2009, online: http://www.deutschlandfunk.de/wir-atmenuran-wir-essen-uran.799.de.html?dram:article_id=120478, January 20, 2016.} As this region has to be considered a risk region for seismic activity, two possible risk scenarios have to be taken into account: First, a landslide due to an earthquake could block the nearby Mailuu-Suu river, leading to a flooding of the uranium tailings and thus to an irreversible contamination of potential drinking water.\footnote{Cf. Torgoev et.al. 2006, p. 100.} Second, an earthquake could cause uranium tailings to slide into the river directly.\footnote{Cf. Rehmsmeier, Andrea, Wir atmen Uran, wir essen Uran, Deutschlandfunk online of October 10, 2009, online: http://www.deutschlandfunk.de/wir-atmenuran-wir-essen-uran.799.de.html?dram:article_id=120478, January 20, 2016.} As the Mailuu-Suu river is an influx to the Syr Darya, one of the two main rivers in Central Asia, such a contamination would be disastrous not only for Kyrgyzstan, but also for Uzbekistan (especially the densely-populated Fergana valley) and Kazakhstan. Furthermore, while the tailings were not adequately secured during Soviet times, now even the little existing protection infrastructure like protective dams around the tailings or even fences to prevent cattle from grazing on the tailings has fallen into disrepair after the dissolution of the Soviet Union.\footnote{Cf. Trilling, David, ‘Everyone associates the dumps with death.’ The Kyrgyz town built on nuclear waste, The Guardian online of August 3, 2015, online: http://www.theguardian.com/world/2015/aug/03/kyrgyzstan-nuclear-waste-health-pollution, January 21, 2016.} Therefore, the Mailuu-Suu uranium tailings can be seen as a prime example for the decay of environmental infrastructure based on lack of funding, but also pure ignorance during Soviet times, nowadays endangering the health of the population living in the region.
Moreover, should the worst case scenario in which radioactive contamination of drinking water makes larger regions of Kyrgyzstan and Uzbekistan uninhabitable ever become reality, this could even be a potential trigger for a complete state breakdown.

The second example for the decay of environmental infrastructure is the breakdown of the Soviet irrigation infrastructure, leading to water conflicts between rural Kyrgyz villages. While the Soviet Union developed an extremely ambitious irrigation program for Central Asia, miscalculations already in the Soviet era caused enormous environmental damage (most notably the collapse of the Aral Sea ecosystem, which shall not be discussed here). Moreover, the Soviet-built canal system essential for irrigation in Kyrgyzstan has fallen into serious disrepair after the dissolution of the Soviet Union, leaving the infrastructure “due to past underfunding [...] in such a bad state that irrigation water is not always delivered in time, or not even at all.”

Therefore, the decay of the water infrastructure not only undermines the population’s trust in the state in general, but can even be a possible trigger for violence between different villages, in a worst case scenario even between villages of different ethnicities, while the general decline of physical infrastructure decreases the population’s trust in state institutions.

Of the three symptomatic factors influencing the decay of infrastructure, i.e. weak national economy, interlocking of state and economy, and corruption and nepotism, the last two have been discussed already. The weak national economy in Kyrgyzstan can in turn mainly be explained by a lack of resources and genuine industry. Therefore, the breakdown of the Soviet Union proved devastating for the Kyrgyz economy. According to World Bank data, the Kyrgyz GDP per capita was in almost constant decline after independence, reaching a low point in 1999 with 258 USD. From then on, the GDP per capita has steadily been increasing to reach 1269 USD in 2014. Kyrgyzstan’s current GDP per capita is currently twice as high as the GDP per capita in 1991.

629 Herrfahrdt et.al. 2006, p. 111.
630 Cf. Radnitz 2010, p. 46.
632 Cf. ibid.
633 Cf. ibid.
However, this development is, to a certain extent, misleading because on the one hand Kyrgyzstan is barely above the threshold of being classified a low-middle income country by World Bank standards and the GDP per capita is only 10 percent of what would be needed to be classified a high-income country, while, on the other hand, the Kyrgyz GDP is largely dependent on migrant remittances. Currently, migrant remittances account for an equivalent of 32 percent of the Kyrgyz GDP, making Kyrgyzstan the second most remittance-dependent economy in the world after Tajikistan.\footnote{634} Thus, even though the number of Kyrgyz living in poverty by World Bank standards (less than 1.90 USD per day) has declined considerably from 42.2 percent in the year 2000 to 2.5 percent in 2015,\footnote{635} the wealth of average Kyrgyz families is extremely vulnerable to economic shocks, especially to economic crises in migrant-receiving countries like the Russian Federation. Furthermore, about 7 percent of the GDP and about one third of the country’s exports are based on the export of gold,\footnote{636} which is in turn mined in a single gold mine in Kumtor. The rest of the Kyrgyz economy is based on trade and transportation (especially between China and other former Soviet Union countries) and a rapidly growing telecommunication sector.\footnote{637} Therefore, developing sustainable economic growth remains difficult due to difficult starting conditions. The resulting weak national economy not only fosters the decay of infrastructure, as already mentioned, but also corruption and nepotism and high unemployment.

The connection between the factors of weak national economy and corruption and nepotism is straightforward: Any person unable to make a living from their professional income is susceptible to bribery. Notable examples here are the already-mentioned teachers, health care workers, and low rank militiamen that are basically dependent on bribes to survive.

The connection between the weak national economy and high unemployment rates is similarly straightforward: As the weak national economy inhibits the accumulation of capital, it also inhibits investment in the eco-
nomic sector, therefore inhibiting a growing labor demand. As estimations by the World Bank indicate, the unemployment rate in Kyrgyzstan has been constantly stagnating around 8 percent between 2004 and 2013, showing that unemployment persisted even during times of economic growth. Furthermore, these numbers do not take into account that, according to Vinokurov, about 15-20 percent of the Kyrgyz population are working abroad as migrants and would add to the number of the unemployed if they were to return home due to an economic crisis in the receiving country. The high unemployment in Kyrgyzstan in turn leads directly to the emergence of non-state actors capable of challenging the monopoly of the legitimate use of force because unemployed people have no choice but to work in the shadow economy as soon as an opportunity arises. Since the term shadow economy has to be understood as “non-declared or hidden economic activity,” its main harm to society is done via the tax evasion that comes with it, while it is not necessarily a criminal economy (like drug smuggling) per se. While the exact amount of the Kyrgyz shadow economy is hard to measure, its existence and persistence is undenied by official sources, estimating it to amount to around 15 to 20 percent of the GDP between 2001 and 2012, while estimations from international experts range from 26.3 percent to 53.2 percent. Therefore, it can be stated that the Kyrgyz state is losing vast resources via tax evasion – resources that are in turn lacking for the fulfilment of other functions of the state. The gap in turn is filled by non-state actors, as described in the infrastructure paragraph and in Chapter 4.1.3.1.

Therefore, all symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force associated with the welfare function as stated by the model developed in Chapter 3.4.2 have been identified to be existent in the case of the Kyrgyz state.

640 UNDP 2006, p. 4.
642 Cf. Abdihi/Medina 2013, p. 16.
4. Kyrgyzstan and Tajikistan within the Model of Weak States

4.1.3.3 Legitimacy/rule-of-law function

In the last subchapter, the five symptomatic factors influencing the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force associated with the legitimacy/rule-of-law function will be analyzed: lack of trust, reform blockades, corruption and nepotism, interlocking of state and economy as well as lack of independent courts.

Of these, the population’s lack of trust is a factor that influences the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force directly and has to be considered a combined effect of five symptomatic factors relevant for all state functions: an ineffective security sector, decaying infrastructure, corruption and nepotism, lack of independent courts, and reform blockades. While lack of trust in general is difficult to measure, several indicators have already been discussed: privatization of security (Chapter 4.1.3.1) and a (partial) privatization of the educational sector, partly by religious institutions (Chapter 4.1.3.2). Furthermore, the International Republican Institute has been conducting representative surveys since 2006. While these surveys do not cover the whole period of this analysis, they offer both supportive as well as sometimes contradicting evidence for the assumption that the Kyrgyz population’s trust in state institutions is relatively low. Most notably, within all of the surveys, the least trusted state institutions (with usually less than 50 percent of the population expressing to have trust in these) have been the judicial system (last) as well as the law enforcement system (second to last). The educational system as well as the health system, in turn, have been considered deeply corrupt; however, they still received a moderate amount of trust from the population, indicating the ambivalent relationship between the people and the institutions on which much of their everyday lives depend. Genuinely political institutions like the government, the

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644 The Judicial System was always seen as „unfavorable“ or rated as „bad performance“ by the majority of the participant. Police / Law enforcement received a “favorable” rating by the participants only in 2006, 2007 and 2008.

presidential administration, and the parliament achieve mixed results, which can probably be explained with the time frame of the surveys, as they started immediately after the 2005 revolution and thus also covered the 2010 revolution and its aftermath. Therefore, it is even more surprising that the work of government and the presidential administration are considered “favorable” by the majority of the population with the exception of the revolutionary year 2010 and 2014, when the survey was conducted parallel to a governmental crisis leading to a breakup of the governing coalition and the resigning of the government. The public trust in the institution of the parliament is relatively volatile, ranging from only 37 percent of the population perceiving it “favorable” in 2014 to 67 percent in 2012. In addition to this volatility, the trust in the parliament always falls short behind the trust in the government.

In summary, the evaluation of the population’s trust towards state institutions remains mixed: While top decision-making bodies like the government, the presidential administration and, at least in years without bigger scandals, the parliament still are being viewed favorably by the population, trust in other state institutions, especially those which are directly tasked with maintaining the state’s monopoly on the legitimate use of force, such as law enforcement and the court system, is dangerously low — not only indicated by polls, but also by the formation and growing popularity of private security companies, while the two revolutions have shown that there is a potential for (non-)violent protest within the Kyrgyz society. Therefore, in the sense of this model, the population’s trust in state institutions is evaluated as low enough to potentially foster downward spirals leading to state failure, should additional trigger effects (e.g. governmental or economic crises, see Chapters 3.5.2 / 3.5.3) arise.

In addition to the symptomatic factors already discussed in the previous subchapters, this lack of trust is not only fostered by these grievances (like decaying infrastructure), but also by the perception that possible reforms are being blocked, i.e. that no change is possible. As has been shown, neither the security forces, who already lacked the population’s trust prior to 2010, nor the interlocking of state and economy, i.e. the fact that the most important economic enterprises of the country have been owned by the presidential family, have been reformed prior to the 2010 revolution. Therefore, for the greater part of Kyrgyzstan’s post-independence history, i.e. the time in which the Akaev and the Bakiev regimes ruled under the restraints of the State Leader’s Dilemma, reforms have been de facto blocked. Only after the 2010 revolution, a window of opportunity opened for reforms in the security sector. However, with a total of eight changes
in government between the revolution and the end of the time frame of investigation (2017), large-scale reforms remained difficult in Kyrgyzstan.

The main reason for this reform blockade, corruption and nepotism, has already been analyzed in depth in Chapters 4.1.2.2 and 4.1.2.3 and touched on in the previous two subchapters. Therefore, it will not be further elaborated here.

The last symptomatic factor contributing to the population’s lack of trust is the lack of independent courts. As has been shown above, the judicial system in Kyrgyzstan constantly received the lowest rank in the polls of the International Republican Institute analyzing the population’s trust in institutions. This lack of trust in turn has two reasons: first, the constant influence of political actors on the court system to further their interests, and second, perceived low-level corruption in the court system. Regarding political influence, several notable high-profile examples have already been given in Chapter 4.1.2.2, especially the ruling of the constitutional court that allowed Akaev a third term of office, but also the banning of political opponents from running for presidency by language laws or the sentencing of political opponents on charges of corruption and embezzlement during both the Akaev and Bakiev eras. (This does not necessarily indicate that the corruption charges were false because the combination of tolerating and punishing corruption is central to a neo-patrimonial leadership, especially because the closed nature of such trials indicates political influence.)

Especially the prosecutor’s office must be considered “highly politicized” due to the Soviet legacy.

Furthermore, it has to be noted that not only high-profile cases have been influenced by political actors, but also regional court decisions, leading to the second point. Albeit data is sparse on this sensitive issue, a study conducted by the International Crisis Group in 2008 indicates that lower court decisions are also influenced by members of parliament, NGO representatives, or businessmen to favor their henchmen, sometimes leading even to bribery contests between the conflicting parties (especially in property cases). Even though of course not every judge is necessarily

647 Lewis 2011a, p. 16.
649 Cf. ibid., pp. 7/ 9.
corrupt, a system of low salaries, tolerating corruption combined with the possibility to sanction this very corruption to ensure loyalty seemed to be in place in the Kyrgyz judicial system at least until the 2010 revolution, very similar to what has been stated regarding the law enforcement system above.\footnote{Cf. Engvall 2010, p. 126. / International Crisis Group 2008, pp. 7-9.} The situation after the 2010 revolution is harder to access, albeit trust in the judiciary system remains low,\footnote{Cf. International Republican Institute 2015b, p. 46.} which can be explained by several uncovered cases of bribery in the judicial system, like for example the escape to exile of an alleged drug lord during his trial or the attempted bribery of a member of the presidential administration by the family of a defendant to influence a trial.\footnote{Cf. Ramani, Samuel, Kyrgyzstan’s Anti-Corruption Failure, The Diplomat online of October 5, 2015, online: http://thediplomat.com/2015/10/kyrgyzstans-anti-corruption-failure/, February 8, 2016.}

In summary, all symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force relevant for the legitimacy/rule-of-law function stated by the model developed in Chapter 3.4.3 have been identified in the case of the Kyrgyz state.

4.1.4 Interim conclusion: Kyrgyzstan as a weak state

The previous chapter analyzed whether Kyrgyzstan can be classified as a weak state in the sense of the developed model. In this regard it was shown that the conditions for all three dilemmas lying at the core of a weak state are given in Kyrgyzstan. While Kyrgyzstan was caught up in the State Leader’s Dilemma of a neo-patrimonial system of rulership during most of its independent history (namely the Akaev and the Bakiev eras), the 2010 revolution threw the country into the Liberalization Dilemma, in which it still remains unclear whether the country will develop into a consolidated state or whether increasing ethnic tensions and elite in-fights will lead the country into an Internal Security Dilemma, which might lead to state failure. Indicators can be found for both potential developments.

Furthermore, it was shown that all symptomatic factors contributing to the emergence of non-state actors capable of challenging the monopoly on
the legitimate use of force (which in turns leads to the vicious cycle of dilemmas) can be identified in Kyrgyzstan. Although these symptomatic factors derive from the central dilemmas and are rather symptoms of fragile statehood, they are the primary access points for the work of international organizations like the OSCE, as will be shown in Chapter 5.2. For now it can be concluded that Kyrgyzstan can indeed be classified as a weak state in the sense of the developed model. Moreover, as the core dilemma in Kyrgyzstan changed from the State Leader’s Dilemma to the Liberalization Dilemma, it can be compared with the case of Tajikistan, in which the State Leader’s Dilemma remained constantly at the core of the vicious cycle of dilemmas.

4.2 Tajikistan

4.2.1 Overview and time frame of investigation

The situation of Tajikistan upon the eve of independence was very similar to that of Kyrgyzstan. Ninety percent of the landlocked country is covered by mountainous terrain, while only seven percent can be considered arable land. It was the economically least developed region of the Soviet Union (for instance, during the last years of the Soviet Union, “14-21 percent of the budget revenues comprised direct subventions from Moscow,” while the republic at the same time had to import most of its consumer/industrial goods). Tajikistan was similarly unprepared for independence, and descended into civil war shortly after the breakdown of the Soviet Union. Therefore, while the following subchapter also will analyze the security, welfare, and legitimacy/rule-of-law functions of Tajikistan between 1990 and 1998 briefly, I will show that the country actually became a failed and later a failing state in the sense of Schneckenber’s classification and only re-emerged as a weak state after the 1997 peace agreement.

With regard to the security function, Tajikistan, just like Kyrgyzstan, lacked a genuine independence movement (while several groups called for

656  Cf. ibid., pp. 154/155.
an increased autonomy, 96.2 percent of the participants voted in favor of sustaining a reformed USSR in the referendum of March 17, 1991),\textsuperscript{657} thus the process of gaining independence itself remained peaceful. However, already during the last years of the Soviet era, schisms between three power groups in Tajikistan increased, which were to escalate soon after independence. Therefore, a very brief excursion in the developments of the Gorbachev era is necessary: During most of the post-World War II Soviet era, the Tajik Socialist Soviet Republic was governed by the Leninobod (nowadays Khujand) wing of the Communist Party of Tajikistan, i.e. most important governmental positions fell to persons originating from northern Tajikistan.\textsuperscript{658} While this system of rulership shall not be discussed in detail here, it can perfectly be described as neo-patrimonial system of rulership, being ruled in the 1980s by First Secretary Rahmon Nabiev, who in turn strongly favored personnel with strong regional ties to northern Tajikistan.\textsuperscript{659} However, the governmental system of Nabiev also produced the side effects of a neo-patrimonial system of rulership, mainly widespread corruption, which was exceptional even on a Soviet scale. Therefore, in the wake of one of Gorbachev’s anti-corruption campaigns, Nabiev was dismissed in late 1985, and replaced by the technocrat Qahhor Mahkamov.\textsuperscript{660} Mahkamov in turn was tasked with destroying the old regional networks and binding Tajikistan closer to the Soviet Union, a task for which his administration was bolstered with Moscow-sent so-called desantniki (lit. “paratroopers”, i.e. European-trained technocrats without ties to Tajik society).\textsuperscript{661} While Mahkamov was relatively successful in cutting the formal power of the Leninobod network, he naturally had to mainly rely on personnel with a different regional background in his administration – mainly Kulobis from Southern as well as Gharmis and Pamiris from Southern and Eastern Tajikistan.\textsuperscript{662} The (un-)intentional side effect of this policy was the strengthening of these groups, which might have proven to be without consequences if the Soviet Union had remained. However, when the Soviet Union fell apart, the results of this policy proved devastating because now there was not one dominant neo-

\textsuperscript{657} Cf. Nourzhanov/Bleuer 2013, p. 225. 
\textsuperscript{658} Cf. Olcott 2012, p. 2. 
\textsuperscript{659} Cf. Nourzhanov/Bleuer 2013, p. 160. 
\textsuperscript{660} Cf. ibid., p. 160. 
\textsuperscript{661} Cf. ibid., p. 161. 
\textsuperscript{662} Cf. ibid., p. 164.
patrimonial network that could dominate the others (Leninobod), but three of roughly equal strength (Leninobod, Kulob, Gharmi/Pamiri) competing for power. Meanwhile the Moscow-backed Mahkamov and his European *desantniki* found themselves without any local support during the last days of the Soviet Union.663

Thus, shortly after the failed coup by communist hardliners put the final nail in the coffin of the USSR in August 1991, Mahkamov was forced to resign due to large demonstrations in Dushanbe.664 The quarrel between the three remaining power networks began immediately. While a shaky alliance between northern Leninobodis and southern Kulobis at first was able to prevail and to reinstate Rahmon Nabiev in a “bloodless coup”,665 in November 1991, he was never able to consolidate his position, partly because he refrained to utilize old party networks in the way he did prior to 1985 due to the mistrust that had developed in the wake of his dismissal.666

In the context of a quickly deteriorating economic situation, strongmen affiliated with the Democratic Party of Tajikistan (DPT) and the Islamic Renaissance Party of Tajikistan (IRPT) (both mainly from the Gharmi/Pamiri networks) soon organized demonstrations calling for Nabiev’s resignation, while supporters of the president (Leninobodi and Kulobi networks) organized counter-demonstrations.667 Clashes between both groups escalated violently in May 1992, thus starting the Tajik Civil War.668 Even though one has to agree with Heathershaw that “[t]here is no definitive account of the conflict: Many details are contested or obscured by the limited or partial records of the events of the time.”669 The following summarizes the base line of the current research consensus: While the opposition forces (formerly DPT and IRPT, later to be known as United Tajik Opposition, UTO) was initially successful in capturing the capital Dushanbe (Nabiev fled to his stronghold Khudjand), heavy fighting soon started in the south and east of Tajikistan, leading to large-scale forced expulsions, especially of Gharmi populations that have been settled in the Kulobi regions, but also of Kulobi populations (which were smaller by

665 Ibid., p. 100.
667 Cf. ibid., p. 301.
far) in the G harm region.\textsuperscript{670} Analyzed by the composition of the forces, the war comprised a prime example of so-called ‘new wars’, in which ‘forces’ are mainly regional militias led by field commanders with only a very basic central command and control structure.\textsuperscript{671} After six months of brutal fighting (within the year 1992 probably more people died in the Tajik Civil War then in the following four years)\textsuperscript{672} the Popular Front (former informal Khudjandi/Kulobi coalition) defeated the UTO in the South and set siege to the capital Dushanbe.\textsuperscript{673} Parallel to the siege, the Supreme Soviet of Tajikistan met in Khudjand to discuss a possible post-war political system. However, due to rivalries between powerful field commanders of the Popular Front, not former President Nabiev, but later President Emomali Rahmonov (later Rahmon, a former sovkhoz director from the Kulob region), was made chairman of the Supreme Soviet due to his “insignificance”\textsuperscript{674} as powerful field commanders tried to use him as their “figurehead.”\textsuperscript{675} Thus, even though the election of the new interim head of state took place in Khudjand and was a compromise, it slowly became clear that the Kulobi network had surpassed the Leninobodi network and was to emerge from the conflict as the strongest power structure.

After the fall of Dushanbe in December 1992, fighting within the country continued on a lower level. The course of the fighting was altered in two ways: First, the defeated UTO took refuge in the autonomous oblast Badakhshan as well as in Northern Afghanistan and started guerilla style attacks into Tajikistan.\textsuperscript{676} Second, in-fights on how to share the captured state resources started within the Popular Front. Most notably, Sangak Safarov, the most powerful field commander at that time and de-facto patron of Emomali Rahmonov,\textsuperscript{677} “was killed in a meeting-turned-gunfight with a disgruntled allied commander”\textsuperscript{678} in March 1993. Within the next year, Rahmonov, much to the surprise of the field commanders who underesti-

\textsuperscript{671} Cf. Nourzhanov/Bleuer 2013, p. 323.
\textsuperscript{673} Cf. Nourzhanov/Bleuer 2013, p. 327.
\textsuperscript{674} Atkin 2002, p. 97.
\textsuperscript{675} Cf. ibid., p. 97.
\textsuperscript{676} Cf. Nourzhanov/Bleuer 2013, p. 334.
\textsuperscript{677} Cf. Atkin 2002, p. 102.
\textsuperscript{678} Nourzhanov/Bleuer 2013, p. 333.
mated him, managed to consolidate his political position by politically defeating his contenders both from the Leninobodi networks as well as from Safarov’s entourage. Consequently, Rahmonov was elected president in November 1994.

With his internal power more or less secured and international pressure growing, the Tajik government as well as the UTO (whose position in Northern Afghanistan became insecure due to advancing Taliban) started peace talks in 1994. Even though these talks stretched until mid-1997, when the comprehensive peace agreement (General Agreement on the Establishment of Peace and National Accord in Tajikistan) was signed, it can be considered a milestone in the reestablishment of security, and thus the fulfillment of the security function in Tajikistan, and thus marks the official end of the Tajik Civil War.

However, the peace agreement did not come about unchallenged, as two incidents indicate: First, as the peace agreement promised 30 percent of all government positions to the former UTO, the already sidelined Leninobodi network felt its future position in Tajik politics even further threatened, leading to an assassination attempt on Emomali Rahmonov in Khudjand shortly before the signing of the peace accord – a classical act of inside spoiling. Second, not every former field commander of the former Popular Front was willing to give in peacefully if his power demands (e.g. high ranking positions in the future government) were not met on the negotiation table. Most notably, Colonel Khudoiberdiev, a Russian-army-deserter-turned-warlord of Uzbek origin mounted several armed uprisings against the Rahmonov government already during the civil war and was eventually forced into exile. However, in November 1998, i.e. after the formal end of the civil war, he returned to northern Tajikistan with several hundred fighters and mounted another uprising in the Khudjand region, soon marching towards Dushanbe. With Khudoiberdiev’s forces defeated by an allied army consisting of former Popular Front und UTO field

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682 Cf. ibid., p. 335.
684 Cf. ibid., p. 105.
685 Cf. ibid., p. 105.
commanders after a short battle, the civil war which had already ended de jure also ended de-facto.\footnote{Cf. Heathershaw 2009, p. 34. / Hrio 2009, p. 345.}

With the Tajik Civil War already starting under anarchical conditions, estimations on the long-term damages are relatively imprecise. Estimations of the number of deaths thus far range from 23,500\footnote{Cf. Nourzhanov/Bleuer 2013, p. 3} to 100,000,\footnote{Cf. Olcott 2012, p. 2.} with a further estimated 250,000 people externally and 700,000 internally displaced.\footnote{Cf. ibid., p. 2.} In addition to the human suffering, the already weak Tajik economy was entirely devastated, as will be discussed below for the \textit{welfare} function. First however, it can be stated that the Tajik state between 1992 and 1997 was unable to fulfill its \textit{security} function and only gradually regained this capability after the end of the Tajik Civil War. By the end of 1998, i.e. the starting point of the in-depth analysis within this study however, the Tajik state was again able to fulfill its \textit{security} function in general, albeit it was sometimes challenged for short periods of time, as will be shown in the next subchapter.

Regarding the \textit{welfare} function in the decade after the breakup of the Soviet Union, Tajikistan was not only the poorest former Soviet republic\footnote{Cf. Olcott 2012, p. 85.} but its original economy was totally dependent on market access to other Soviet republics.\footnote{Cf. Heathershaw 2009, p. 20.} Lacking natural resources almost completely, the Tajik economy was mainly focused on agriculture, i.e. in the Soviet context, cotton production. With most of the arable land used for cotton, Tajikistan in turn had to import 75 percent of its food from other Soviet republics.\footnote{Cf. Peimani 2002, p. 14.} Therefore, the breakup of the Soviet economy not only resulted in massive GDP losses and inflation like in the other Central Asian states, but it pushed Tajikistan to the verge of famine.\footnote{Cf. Nourzhanov/Bleuer 2013, p. 293.} Unsurprisingly, the breakup of the Soviet economy and the civil war mirrored in the estimates for GDP developments: According to Peimani, the Tajik GDP almost halved during the Tajik Civil War.\footnote{Cf. Peimani 2002, p. 29.} Even though the GDP experienced a slight growth after the peace agreement (roughly 15 percent in total from 1997-2000), it was still far below the GDP before the fall of the

\begin{thebibliography}{10}
\bibitem{686} Cf. Heathershaw 2009, p. 34. / Hrio 2009, p. 345.
\bibitem{687} Cf. Nourzhanov/Bleuer 2013, p. 3
\bibitem{688} Cf. Olcott 2012, p. 2.
\bibitem{689} Cf. ibid., p. 2.
\bibitem{690} Cf. Olcott 2012, p. 85.
\bibitem{691} Cf. Heathershaw 2009, p. 20.
\bibitem{693} Cf. Nourzhanov/Bleuer 2013, p. 293.
\bibitem{694} Cf. Peimani 2002, p. 29.
\end{thebibliography}
Soviet Union.\textsuperscript{695} (In fact, the GDP was only to surpass the 1991 level in 2006.\textsuperscript{696}) The GDP decline was accompanied by massive inflation which Peimani estimates at 300 percent on average between 1990 and 1998 with a massive peak of 2140 percent directly after independence.\textsuperscript{697}

Similarly to Kyrgyzstan, the economic breakdown (combined with the civil war) led to massive decreases in social services, massive unemployment and a huge brain drain. Due to the civil war, data is quite sparse, with national data often not even collected. However, a staff country report of the International Monetary Fund gives a glimpse of the state of the country in the first official year of peace: While the official unemployment statistics stated an unemployment rate of 2.7 percent, international experts estimated the real unemployment rate at about 30 percent.\textsuperscript{698} The health system broke down significantly during the civil war, leading to the outbreak of a typhoid epidemic in the capital of Dushanbe,\textsuperscript{699} as well as “large increases in cases of tuberculosis, malaria, typhoid fever and diphtheria.”\textsuperscript{700}

With regard to the brain drain, estimates are even more inaccurate than for other Central Asia states, as persons fleeing the country because of the civil war, lack of economic perspectives or because of family ties to other former Soviet republics can hardly be distinguished. Official statistics estimated an “outmigration of some 437,000 people.”\textsuperscript{701} What can also be measured is that the share of ethnic Russians of the Tajik population decreased from 7.6 to 6 percent until 1999,\textsuperscript{702} during a time when the country still had a high birthrate.\textsuperscript{703} As this minority dominated “regional political, economic, military, scientific, medical, and higher education institutions till 1991,”\textsuperscript{704} it can be assumed that Tajikistan too lost a significant amount of these functional elites immediately after independence. There-
fore, one can argue that Tajikistan was unable to fulfill its welfare function during the civil war as well as in the immediate aftermath.

With regard to the legitimacy/rule-of-law function, only the structure and developments of the post-1994 political system will be analyzed (i.e. after Rahmonov’s election to president) because one can hardly speak of a functioning political system between 1992 and 1994. From then on, Rahmonov, according to Atkin, proved capable of “adapting Soviet methods to post-Soviet conditions […]”\(^{705}\) In terms of the emergent political system, this in turn meant two things: first, the creation of a constitutional structure focused mainly on the powers of the president, and second, the creation of a neo-patrimonial system of rulership. Both factors are of course closely interconnected, as for instance, the president was able to appoint and dismiss mayors and governors as well as judges.\(^{706}\) Consequently, neither the judiciary was independent from the president, nor was the upper house of the legislative branch because 25 of its members (in addition to the eight members appointed directly by the president) were elected by local executive bodies (i.e. mayors and governors appointed by the president).\(^{707}\) Therefore, even though the Tajik constitution of that time gave the illusion of a separation of powers, this separation did not exist.

This in turn provided the opportunity to manipulate elections because the lawful nomination of a presidential candidate required a large number of signatures from supporters. These in turn have proven unobtainable because local administrations (appointed by the president) decided not to cooperate.\(^{708}\) Therefore, even though the peace agreement that ended the Tajik Civil War legalized the major opposition parties (mainly the DPR and IRPT),\(^{709}\) only Rahmonov was able to qualify as a legal presidential candidate for the 1999 election.\(^{710}\) Even though the Supreme Court allowed the running of IRPT candidate Davlat Usmon shortly before the election, Usmon, according to Atkin ran only reluctantly, fearing an al-

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\(^{705}\) Atkin 2002, p. 106.
\(^{706}\) Cf. ibid., pp. 107/108.
\(^{707}\) Cf. ibid., p. 108.
\(^{708}\) Cf. ibid., p. 106.
ready rigged election. In the end, Rahmonov won the election, which both the UN and the OSCE refused to observe, by 97 percent.

Regarding the second point, the creation of a neo-patrimonial system of leadership, an in-depth analysis will be conducted in Chapter 4.2.2.2. For this brief summary of the legitimacy/rule-of-law function in the first decade after independence, it is sufficient to say that Rahmonov immediately started to develop his own neo-patrimonial instrument in form of the People’s Democratic Party of Tajikistan (PDPT), which he could use to reward loyal and sanction disloyal followers. Furthermore, he (at least in this period) put pressure on the remains of the old Communist Party (still dominated by Khudjandi networks) while at the same time replacing office-holders from these Khujandi networks still in power by former opposition fighters, who were promised 30 percent of all governmental positions. In this way, he was able to play his two potential contenders (former opposition members and former allies) against each other, while increasing the power of his Kulobi followers. Therefore, while Rahomnov was able to secure his rulership under extremely difficult circumstances, he did this under the conditions of creating a de-facto autocracy (with a democratic façade) and by creating a system of non-merit appointments – both in the long run challenging the legitimacy/rule-of-law function of the Tajik state.

Taking stock of this brief analysis of Tajikistan in the first decade after independence through the lens of Schneckener’s model of fragile statehood, it can be stated that Tajikistan during this time went through every level in the continuum of fragile statehood: During the phase of immediate state breakdown in 1992 it could be considered a failed state, as there was no de-facto government. During the rest of the civil war until the crushing of the Khudoiberdiev rebellion in 1998, the country was a failing state, as a government existed, which was able to fulfill the security function, albeit not on the complete territory, while the welfare and the legitimacy/rule-of-law function remained seriously challenged. It was not until after 1998 that the security function was fulfilled in the complete territory, while the welfare function as well as the legitimacy/rule-of-law function remained challenged. Therefore, in the beginning of the time frame for the in-depth

712 Cf. ibid., p. 107.
analysis, Tajikistan could indeed be considered a *weak state* in the sense of Schneckener’s model.

4.2.2 The three dilemmas of weak statehood in Tajikistan

Similarly to Kyrgyzstan, it will be analyzed also for Tajikistan to which extent the three dilemmas of weak statehood have been present in Tajikistan within the time frame from 1998 to 2017. Furthermore, it will also be analyzed which dilemma was the most distinctive of the three. As Tajikistan formally emerged from civil war in 1997, with fighting continuing until 1998, a clear-cut transition from the Internal Security Dilemma to the State Leader’s Dilemma can hardly be identified. However, it will be shown that by the start of the 2000s Tajikistan was fully entrapped in the State Leader’s Dilemma, i.e. a neo-patrimonial system of rulership was established and expanding. This does not exclude however, that non-state actors capable of challenging the monopoly on the legitimate use of force are inexistent or unlikely to emerge, as several security incidents show. Therefore, it will be argued that while Tajikistan is currently entrapped in a State Leader’s Dilemma, the potential to fall back into an Internal Security Dilemma, i.e. to fall on the brink of state failure in the worst case, remains. Finally, as no liberalization occurred in Tajikistan within the analyzed time frame, it will be analyzed to which extent the risk factors coming with a liberalization (bad civil society, ethnic entrepreneurs, elections as focal points for harmful competition, saboteurs and failed transitions, dangers of economic liberalization) exist in current Tajikistan and thus whether a liberalization would come with risks of its own, i.e. whether it is plausible that Tajikistan may be trapped in a Liberalization Dilemma.

4.2.2.1 Internal Security Dilemma

To estimate the possibilities under which Tajikistan can fall back into an Internal Security Dilemma, i.e. a scenario in which external threats to security are absent while at the same time internal schisms have deepened so far that an internal arms race is about to take place, it is necessary, similar to the Kyrgyz case, to analyze which schisms able to create non-state actors capable of challenging the monopoly on the legitimate use of force already exist in Tajikistan. Similar to Kyrgyzstan, non-state actors capable of challenging the monopoly on the legitimate use of force can be based
on three characteristics: ethnicity, religion, and organized crime. Contrary to Kyrgyzstan however, two important differences have to be observed: First, these characteristics are overlapping to a greater extent. Second, due to the still recent civil war, they are more present in the society and therefore, they can easily be re-invoked, e.g. by renegade former warlords. Therefore, in the following part the three characteristics will be discussed first in a rather ideal-typical way; while afterwards seven examples will be given for their overlap. This will illustrate both the crushing of resistant warlords during the transition from the Internal Security Dilemma to the State Leader’s Dilemma (i.e. in the time from 1998 to 2001) and the uprisings of former warlords once co-opted into the neo-patrimonial system of rulership in Tajikistan that fell from grace since 2008. By these examples it can be shown why Tajikistan in the worst case could fall back into the Internal Security Dilemma.

Regarding ethnicity, two different aspects have to be considered: First, the different ethnic groups living in Tajikistan, i.e. Tajiks, Uzbeks, and Russians. Second, the different regional identities of Tajiks, around which the factions of the civil war organized. In both cases, of course, the notions of “ethnic or ‘clan’ identity [do] not have any primordial value […].” Instead, they can be considered as social constructions, which are developed by a combination of self-ascription and external ascription. However, these social constructions can have powerful consequences when the ascriptions are seen mutually exclusive, as it has been during the civil war, when forced expulsions based on regional identities have led to one quarter of a million refugees and more than half a million internally displaced people.

According to the latest census of 2010, the Tajik population comprises 7.6 million people, of which 84.3 percent are considered Tajiks, 12.2 percent Uzbeks, 0.8 percent Kyrgyz, and 0.5 percent Russians. As the ethnic minorities of the country both also live in specific regions of the country, mainly in the northern Sughd oblast (former Leninobod oblast) as well as in and near the capital Dushanbe and near the border to Uzbekistan,
where large parts of the Uzbek minority are settled), the polarization along the ethnic fault line is in principle possible. However, as seen in the history of the Tajik Civil War, ethnic identity often is less relevant for the fault lines of conflict than regional identity within the Tajik ethnic group. As has been already sketched out in the previous subchapter, the main regional fault lines of the civil war, which to a certain extent are still present today, lie between the two ‘Western’ regional identities Khudjandi and Kulobi and the two ‘Eastern’ regional identities Gharmi and Pamiri. While these regional identities must not be equated with the notion of ‘clan,’ as they are arising from much more complex personal, family or economic ties, the correlations with which specific violent uprisings gained support only in specific regions, show the importance of identities being defined by regional origins – as will be discussed in the examples at the end of this subchapter. Therefore, it can be assumed that the potential to mobilize certain groups to challenge the monopoly on the legitimate use of force is given anytime in Tajikistan, but for the worst case, i.e. to challenge the ability to uphold the monopoly on the legitimate use of force in an amount to fully entrap the state in an Internal Security Dilemma, several groups have to be mobilized at the same time.

The regional identities are closely interwoven with religious identities. Albeit roughly 90 percent of the population – the clear majority – is Muslim (predominantly Sunni, with a Shia minority in eastern Tajikistan), for instance the Islamic Renaissance Party, which at least initially lobbied for a state based on Islamic laws (it accepted secularism after the peace process), was mainly limited to recruit followers from the Gharm region or Gharmis living in Southern Tajikistan. Or in other words: Even though the party considered itself Islamist, it had little appeal to equally devout Muslims from the Khujandi or Kulobi communities. Furthermore, the Pamiris of the Badakhshan region are Shia Muslims, while the Islamic Renaissance Party followed the Sunni branch. Even though both groups were allied in the civil war, this alliance can probably easier be explained by both of them fighting for marginalized regional groups in Tajik society

721 Cf. Olimova 2003, pp. 31-33.
than by their common Islamist agenda, as they in fact follow quite different forms of Islamism.

Notwithstanding local Islamism though, international Islamism also has to be considered as a possible source for the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force. In this regard, two different scenarios are possible: First, the incursion of Islamist groups from Afghanistan. Second, the formation of local Islamist groups with ties to international Islamist groups with a universalist agenda within Tajikistan.\textsuperscript{723} Regarding the first possibility, such a scenario, even though it does not seem imminent, has to be considered realistic, especially since on the one hand such incursions have happened before (two examples will be discussed below), while on the other hand the Taliban seem to gain the upper hand in Afghanistan since the withdrawal of most of the international coalition from 2012 on.\textsuperscript{724} Regarding the second possibility, the current trend also has to be considered as posing a realistic threat, as current estimates speak of 200-300 Tajiks that left the country for Syria,\textsuperscript{725} now fighting alongside the so-called ISIS – including former OMON Colonel Gulmurod Halimov, whose changing of sides posed a shock (not only) for the Tajik security services.\textsuperscript{726} Should some of these experienced fighters return to Tajikistan, the risk of them organizing terrorist organizations with the potential of destabilizing the country grows considerably. However, it also has to be acknowledged that the Tajik government is aware of this risk and not only keeps religious institutions closely under surveillance, but also meanwhile banned the Islamic Renaissance Party.\textsuperscript{727} Of course, such moves also have to be assessed critically, as the so-called

\begin{itemize}
\item \textsuperscript{723} For this type of Islamism see Schuck 2013, p. 496.
\item \textsuperscript{725} Cf. Schmitz 2015, p. 23.
\end{itemize}
fight against Islamism also offers lots of opportunities for misuse against any form of dissidence – as will be discussed in Chapter 4.2.2.3.

The last possible groups to form non-state actors capable of challenging the monopoly on the legitimate use of force are organized crime syndicates. With Tajikistan sharing an approximately 1,300 km border with Afghanistan, 728 which in turn is the largest opiate producer in the world, 729 opportunities for smuggling are ample. Still, while often-made assessments that this border is very difficult to monitor due to its mountainous terrain 730 bear a certain amount of truth, especially for Badakhshan, such assessments need to be qualified because large parts of the borders are separated by the Panj river. Therefore, only a few border crossings are actually suited for cars or trucks. The UNODC assumes “that 75-80 tons of heroin and 18-20 tons of opium were trafficked through Tajikistan in 2010, [i.e.] on average approximately 200 kg of heroin and 50 kg of opium were trafficked into the country on a daily basis.” 731 However, seizure rates are not only low with less than one ton of heroin and one ton of opium actually being seized by Tajik law enforcement agencies in 2010, but, according to the UNODC, also declining. 732 While this in turn led to the diplomatic statement of the UNODC that at some border crossings the “scanner appears to be periodically breaking down,” 733 scientific analyses suspect an involvement of Tajik law enforcement, with individual cases even acknowledged by the Tajik state. 734 When analyzing such involvements of state officials, one has to keep in mind their potential history as field commanders in the civil war, i.e. the fact that their involvement in the drug trade dates back longer than their employment in the Tajik security services. Then again, this can lead to scenarios putting different Tajik state agencies against each other when fighting over lucrative drug routes.

Therefore, after these ideal-typical fault lines in Tajik society have been introduced, their complex overlapping and mixing will be discussed to estimate the potential risk local uprisings pose to Tajikistan. In this regard, the seven major local insurgencies, which occurred in Tajikistan since the end of the civil war, will be briefly discussed. While the first three of them

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731 UNODC 2012, p. 58.
732 Cf. ibid., pp. 58/59.
733 Ibid., p. 62.
occurred between 1999 and 2001 and perfectly illustrate the transition of Tajikistan from a state entrapped mainly in the Internal Security Dilemma to a state mainly entrapped in a State Leader’s Dilemma, the second four of them occurred between 2008 and 2015 and illustrate a state entrapped in a State Leader’s Dilemma, which in a worst case can fall back into an Internal Security Dilemma, if former co-opted strongmen are either forced out of neo-patrimonial networks or decide to act on their own to increase their personal gains. Furthermore, all of them show how difficult the three ideal-typical fault lines ethnicity, religion, and organized crime are to be distinguished in the empirical reality.

The first insurgency discussed here is the already mentioned uprising of Juma Namangani, an alleged IMU member, who sought refuge in the remote Tajik region of Tavil Dara (to the south of Gharm) and from there launched incursions into Southern Kyrgyzstan in 1999 and 2000. (see also Chapter 4.1.2.1) While Namangani, an Uzbek founding member of the IMU who later fought as a field commander for the Islamic Renaissance Party in the Tajik civil war, can be seen as a prime example for someone who tried to exploit the religious fault line within Tajik society, he held links to organized crime as well. At first glance, Namangani and his group of an estimated 200 fighters seem to be prime examples of an Islamist splitter group that did not accept the General Peace Agreement and continued a local guerilla war from their hideout in the Tavil Dara province near the Kyrgyz border – one of the most remote areas of Tajikistan with a devoutly religious population. From there, they launched an incursion into Kyrgyzstan in August 1999, taking several hostages, and were able to extradite ransom for them. In summer 2000, they launched another incursion into the Ferghana valley, this time causing skirmishes with Uzbek, Kyrgyz and Tajik security forces.

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While such a course of action can be understood as the actions of a radical Islamist leader who continued his personal war, Engvall also offered another explanation for the incidents which is more centered on organized crime – and not mutually exclusive with the Islamist explanation. According to him, two aspects are particularly odd: First, both incursions did not occur immediately in spring, when the snow in the mountains was melted and incursions became possible, but in summer, i.e. shortly after the poppy harvest in Afghanistan was finished.\(^{740}\) Second, they happened along a major drug trafficking route, i.e. the Khorog-Osh route.\(^{741}\) Therefore, they cannot only be interpreted as the actions of a radical religious militia fighting for a religious state, but also as the actions of an organized crime group trying to keep the security forces of Uzbekistan, Kyrgyzstan, and Tajikistan busy in the strategically crucial months before snowfall, which would block the mountain passes and hence would make it impossible to smuggle parts of the Afghan opium harvest away via the northern route.\(^{742}\)

The fact that the Namangani group was in the end not defeated in combat, but allegedly convinced by Tajik negotiators (including Said Abdullo Nuri, the former leader of the UTO) to leave for Afghanistan,\(^{743}\) further indicates that the group followed different motives than a straightforward ideological battle. Namangani was killed in Afghanistan in November 2001.\(^{744}\)

Closely connected to the case of Juma Namangani is the second example, the conduct of ‘operation order’ by the Tajik security forces and expulsion of warlord Mullo Abdullo. The so-called ‘operation order’ constituted a disarmament campaign initiated by the Tajik government in 2000 to dissolve remaining militias of former field commanders from both sides, including the private bodyguards of field commanders that had their militias integrated into the newly established security forces.\(^{745}\) After the execution of this operation and its successors, most former militias that

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741 Cf. ibid., p. 839.
742 Cf. ibid., p. 839.
had not been integrated into state structures have been disarmed. Such disarmament however, did not necessarily go peacefully. The militia of former field commander Mullo Abdullo, a former fighter of the UTO “who had rejected offers of formal reintegration in 1997,”746 rebelled in June 2000 in their native province Gharm, including the “killing of the head of Gharm regional administration.”747 This in turn prompted a reaction by the Tajik state, which not only relied on brute force, but also on negotiation. While a number of 70 of Abdullo’s fighters switched sides after negotiations with Mirzo Ziyoev, one of the most powerful former opposition field commanders that have been integrated into governmental structures, the remainder of Abdullo’s militia was routed in an attack by governmental security forces in September 2000.748 Mullo Abdullo himself managed to escape to Afghanistan.749 Again, while Mullo Abdullo can be seen as a primarily religious leader (‘Mullo’ being a Tajik form of ‘Mullah’), the fact that his militia was mainly built on regional and personal ties from the Gharm region shows that the ethnical and the religious fault lines are hard to separate.

The last example from the early post-war period to show how easy the line between the three ideal typical fault lines are blurred in Tajikistan is the uprising of Rahmon Sanginov and Mansur Muaqqalov of 2001. Both of them were former UTO members with their militias integrated in the Ministry of Emergency Situations; and Sanginov even served a short time in the Ministry of Defence until he was dismissed for insubordination.750 When the Deputy Minister of the Interior tasked with a crackdown on organized crime, Khabib Sanginov (unrelated to Rahmon Sanginov),751 was murdered in spring 2001,752 several of Rahmon Sanginov’s as well as Muaqqalov’s men were arrested.753 Hence, Rahmon Sanginov and Mansur

746 Heathershaw 2009, p. 120.
747 Ibid., p. 120.
748 Cf. ibid., p. 120.
749 Cf. ibid., p. 120.
750 Cf. ibid., p. 120.
753 Cf. Heathershaw 2009, p. 120.
Muaqqalov started their uprising (or rather mutiny, as their followers in a formal sense still had been troops of the Ministry of Emergency Situations), leading to two hostage takings, one near Dushanbe, one in the Tavil Dara region.\footnote{Cf. Pannier, Bruce, Tajikistan. Government Launches Military Operation Against Hostage-Takers, Radio Free Europe/ Radio Liberty of June 22, 2015, online: https://www.rferl.org/a/1096760.html, November 20, 2017.} The hostage crisis was resolved by the release of the hostages (again mediated by Mirzo Ziyoev), while the rebelling groups were destroyed shortly thereafter by a military operation carried out by troops of the Ministry of the Interior, thus ending the uprising.\footnote{Cf. Heathershaw 2009, p. 120.} In this case, even though the insurgents fought on the Islamist side in the civil war and operated at least partially from an Islamist stronghold (Tavil Dara), a background in organized crime seems more likely, as the whole uprising was connected to struggle between former warlords involved in the drug business, leading to the assassination of the Deputy Minister of the Interior.

After these three incidents, a period of relative calm settled in Tajikistan. As has been shown, the lines between ethnically, religiously, and criminally defined groups is extremely difficult to draw in the empirical reality. However, the three incidents also show that all of the uprisings, even though they garnered a lot of media and academic attention, did not get any support from other former Tajik field commanders and hence fought rather isolated against the Tajik state. This in turn indicates that the Rahmon government was able to co-opt most of the former field commanders into a neo-patrimonial system of rulership, which in turn made it more attractive for the field commanders to stay loyal to the government rather than support the rebellions. The detailed structure and dynamics of this neo-patrimonial system of rulership will be discussed in the next subchapter. In the last part of this subchapter however, the four major recent insurgencies will be briefly discussed to analyze how likely it is for Tajikistan to fall back into an Internal Security Dilemma.

The first example consists of two incidents in early 2008, of which it is unclear to whether they are connected or not. As both incidents can be categorized as governmental actions against alleged organized crime groups, they might have been part of a larger governmental operation, even though they are not connected to each other in a direct sense. The first incident occurred in February 2008, when a firefight erupted in

\footnote{Cf. Heathershaw 2009, p. 120.}
Gharm between an OMON unit of the Ministry of Internal Affairs and the bodyguard of Mirzokhuja Akhmadov (a former UTO commander who was integrated into governmental structure and headed the anti-organized crime directorate of Gharm), during which the national leader of the OMON units, Colonel Oleg Zakharchenko, was killed. As this fight in a formal sense put two of the state’s security forces against each other and because the fighting erupted near one of the major smuggling routes, it might have been an infight over the control of drug trafficking routes.

On the other hand, however, and not mutually exclusive to the organized crime explanation, it can also be understood as a failed attempt of the central government to remove one of the last influential former UTO commanders. Strangely enough, Akhmadov was at first allowed to keep his post. Only after a meeting with President Rahmon in October 2008 during an official visit of the president in Gharm, Akhmadov resigned from his post, i.e. in a formal sense he was not dismissed, while he later admitted that he was even handed “money to stand down.”

Shortly after this incident, in May 2008, another violent incident happened in Kulob, but this time involving relatives of former commanders from the government’s side during the civil war and more clearly connected to an anti-organized crime operation. Basically, a police operation against an alleged drug cartel in Kulob led by Suhrob Langariyev (son of former PFT commander Salmon Langariyev) and Nourmahmad Safarov (son of the already mentioned former PFT commander Sangak Safarov) escalated into a 10-hour battle. The fighting ended only after former field commander Salmon Langariyev personally negotiated the surrender of the armed gang. Again, while this operation looks like a straightforward anti-drug operation at first glance, the reality is a lot murkier, as the brother of Suhrob Langariyev, Bakhtiyor Langariyev (who went into exile

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759 Ibid., p. 3.
760 Cf. De Danielli 2013, p. 152.
immediately after the incident) was at that time the head of the “Dushanbe organized crime control department.”

The second example consists in incursions led by the returned Mullo Abdullo, which took place in summer 2009 and escalated into a minor insurgency in autumn 2010 with fighting lasting until April 2011. Basically, the armed band of Mullo Abdullo, who had found refuge in Afghanistan when he was defeated in 2000 (see above) returned to their native region of Tavil Dara in May 2009, this time also accompanied by international jihadists (mainly Russians from Chechnya and Dagestan). The Tajik government responded with a military operation in the Tavil Dara region (called ‘Operation Poppy’, even though the Tavil Dara region was unsuited to grow poppy), which, at first did not meet any success. In the wake of these operation, the already mentioned former Minister of Emergency Situations Mirzo Ziyoev (he was dismissed in 2006) who played a crucial role in former negotiations with former UTO commanders (including the Mullo Abdullo group in 2000), was killed under unclear circumstances. According to the official version of the Tajik government, Ziyoev was ambushed by the insurgents while trying to start negotiations with them; which in turn was denied by the insurgents. While the circumstances of Ziyoev’s death have not been cleared until today, the military operation of the government forces continued, leading to the capture of almost 50 insurgents in August 2009 – not including Mullo Abdullo.

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764 Cf. ibid., p. 4.
The insurgency restarted in August 2010 when 25 prisoners, most of them former guerrillas of the 2009 incursions, escaped from a high security prison in Dushanbe and fled to the Rasht Valley in Tavil Dara. During the military operation to recapture the escapees, a convoy of the National Guard was ambushed, leading to approximately 30 dead. In turn, the fighting escalated, albeit in an unforeseeable way: At first, the government changed its strategy, aiming to take out Mirzokhuja Akhmadov (the former UTO commander of February 2008 incident), accusing him of collaborating with the Mullo Abdullo group. In a sudden turn of events however, an agreement with Akhmadov was reached, who in turn gathered his former militia and started to track down Mullo Abdullo. Abdullo and most of his group were killed after heavy fighting in April 2011.

The third example consists of two closely connected incidents in the city of Khorog within the autonomous oblast Badakhshan; which occurred in 2012 and 2014, respectively. Again, in both incidents the fault lines between organized crime, ethnicity and religious extremism are extremely blurred. On July 21, 2012, General Abdullo Nazarov of the State Committee for National Security (i.e. the former KGB, to which the border troops are subordinated) was killed under unclear circumstances near Khorog, the capital of Badakhshan. With suspicion of the killing falling to the deputy of Nazarov, General Tolib Ayombekov, a former UTO commander and alleged drug trafficker who was integrated into governmental structures after the end of the civil war, the government started an armed operation to capture Ayombekov on July 24. However, as the operation was not

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769 Cf. ibid., p. 7.
770 Cf. ibid., p. 8.
771 Cf. ibid., p. 8.
only targeted at him, but also at three other former UTO commanders (Mamadboqir Mamadboqirov, Imonnazar Imonnazarov, Yodgorsho Mamadaslam).\textsuperscript{774} It can also be argued that the killing was only the trigger to a longer planned operation to bring one of the last regions under de facto control of former UTO field commanders into the hands of the central government.\textsuperscript{775} In this context, clashes between forces of the central government and local supporters of the militias led to roughly 25 dead on the side of the militias and an undisclosed number of casualties on the side of the government.\textsuperscript{776} Therefore, the operation was halted and negotiations between the central government and Ayombekov started; who allegedly surrendered and was put under house arrest in August 2012.\textsuperscript{777} However, while from then on the tense standoff calmed down, the house arrest de facto was never implemented,\textsuperscript{778} indicating that the so-called surrender of the former field commander was de facto rather a ceasefire. Furthermore, even though the imminent violence was ended, former field commander Imonnazarov was killed in his house in Khorog ten days after the ceasefire under unclear circumstances, leading to another round of protests from inhabitants of Khorog, this time without further escalation.\textsuperscript{779} This in turn provides a further indication that whatever the main reason for this conflict was, it had reached a tense stalemate and was not resolved.

Therefore, it came as no surprise that the attempted arrest of one of former UTO field commander Mamadboqir Mamadboqirov’s family


\textsuperscript{776} Cf. ibid.


\textsuperscript{779} Cf. ibid.
members in May 2014 escalated into violence.\footnote{780} While the initial shootout on May 21 resulted in two dead, the subsequent demonstration escalated and led to “burning government buildings, including a police station, the prosecutor’s office and a court building.”\footnote{781} Once again, the tense stand-off in the end was resolved by negotiations, having more the character of a cease-fire,\footnote{782} which in turn can be seen as an indicator that the region is de-facto controlled by former UTO-commanders which only on paper have been integrated into governmental structures.

While both the 2012 and the 2014 incidents started as conflicts revolving around organized issues, their quick escalation shows that the former field commanders still have considerable support within the population of the area. This in turn needs an explanation that goes beyond the organized crime fault line, and can be explained by regional ties of the field commanders that can depict themselves as defenders of the Pamiri group (which, as it mainly consists of Shia Muslims, is also a religious minority) against the central government. The central government on the other hand seems to be interested in not disseminating any information that hints on their challenged control over that region of Tajikistan. Therefore, it not only immediately blocked internet news sites covering the 2012 violence,\footnote{783} but also arrested Ph.D. student Alexander Sodiqov when he tried to conduct field research on the 2014 events. Sodiqov was only released after sustained international pressure.\footnote{784}

The fourth and most recent example to be discussed here is the alleged coup attempt of the Deputy Minister of Defense, General Abduhalim


Nazarzoda, a former UTO commander,\textsuperscript{785} in 2015. Accounts on how the incident started vary, with the official version claiming that General Nazarzoda started an attempt to overthrow the government, while an unofficial version according to the online news page Eurasianet.org claims that Nazarzoda was warned of his imminent arrest and shot his way out of the capital.\textsuperscript{786} What is known for sure is that on September 4, 2015, a military base in Dushanbe was successfully attacked with several weapons stolen, and then one police checkpoint in Dushanbe and a police station to the east in Vakhdat were overrun while Nazarzoda and his supporters fled to his native Romit Valley in the Gharm region.\textsuperscript{787} While the initial fighting led to 26 dead according to official accounts,\textsuperscript{788} a hunt lasting almost two weeks through the mountains ensued, after which General Nazarzoda as well as four members of the Tajik special forces (Alfa, belonging to the secret service; and OMON, belonging to the Ministry of the Interior), including the national commander of the elite unit Alfa, were killed.\textsuperscript{789}

Regarding the assessment whether Tajikistan is likely to fall back into a condition in which the Internal Security Dilemma, i.e. a condition in which the state and one or more non-state actors capable of challenging the monopoly on the legitimate use of force are caught in a mutual arms race, is prevalent, two factors have to be taken into account: first, the

\begin{itemize}
\item \textsuperscript{789} Cf. Kucera, Joshua, Tajik Mutineer And Special Forces Commander Killed In Battle, Eurasianet.org of September 16, 2015, online: http://www.eurasianet.org/node/75121, November 20, 2017.
\end{itemize}
scope and structure of the last incidents and second, factors that can alter the scope and structure of future incidents.

Regarding the scope and structure of the most recent incidents, it has been shown that all of them have had a relatively limited scope, i.e. all of them involved a limited number of former warlords (with the exception of the Khorog incidents, only one former commander was involved in each case), which did not get any support from other former field commanders. Furthermore, none of the recent incidents involved leaders that had not been already active during the civil war. Therefore, it can be concluded that there currently is neither any coherent insurgency ongoing in Tajikistan nor are there larger active armed groups that are newly founded, i.e. do not date back already to the civil war. Thus, currently Tajikistan is not entrapped in an Internal Security Dilemma in the sense of this model, even though seven violent incidents within the last ten years might give that impression.

Regarding the second point, i.e. factors that could lead to Tajikistan getting entrapped in an Internal Security Dilemma, the assessment is more pessimistic, albeit such an entrapment would be a worst case scenario and is by no means inevitable. Three factors can contribute to such an entrapment, even though it is unlikely that one of them alone will throw the country into such a dilemma: first, a loss of co-opting ability by the neo-patrimonial system established by President Rahmon; second, an ongoing economic crisis in migrant receiving countries that makes it easier for potential insurgents or defectors from Rahmon to gather supporters beyond their local ties; and third, incursions of Islamist insurgents from Afghanistan, should the country again become an entirely failed state.

While the neo-patrimonial system established by the Rahmon regime will be discussed in detail in the next subchapter, the violent incidents in 2008, 2012, 2014, and 2015 show that still defections from this system of rulership are possible. However, these examples also show that within the last ten years, enough potential insurgents have been co-opted to effectively isolate defectors as well as strongmen outside the neo-patrimonial system that were attacked by the government, all the while other former allies of these strongmen that have been co-opted preferred to stay loyal to the government. As long as President Rahmon remains capable of dividing the potential opposition the same way he masterfully did since the end of the civil war, a coherent insurgency is unlikely. However, should the neo-patrimonial system lose its binding ability, i.e. mainly the possibility to create material benefits for those co-opted, a mass defection is a realistic worst case scenario. Furthermore, as Rahmon is getting older, a failed
transition (probably to one of his family members) could also lead to a breakdown of the neo-patrimonial system of rulership.

The second possibility consists in a sustained economic crisis in migrant-receiving countries. As Tajikistan currently not only has an estimated unemployment rate of 10.8 percent, but also is the most migrant remittance-dependent country in the world, an ongoing economic crisis in the main migrant-receiving country Russia will hit the Tajik economy three-fold and will therefore increase the number of potential insurgents that could be recruited either by defectors or by newly arisen strongmen: First, as the receiving countries in the post-Soviet world are less likely to accept even seasonal migrants under these conditions, the unemployment rate in Tajikistan, particularly among young men, is likely to increase further, thus increasing the pool of potential insurgents. Second, since there will be fewer migrants working abroad who will probably earn less at the same time, remittances are also likely to drop, therefore decreasing the resources in Tajikistan to fulfill basic needs – all the while there are actually more mouths to feed within the country because fewer seasonal migrants have left. Third, inflation in Russia is likely to increase inflation in Tajikistan, therefore increasing the prices even for basic goods and services. In summary, such a scenario constitutes a realistic worst case scenario for Tajikistan, as a large number of unemployed people in the country during a time in which less resources are available while prices rise at the same time constitutes a perfect recruiting ground for an opposition that goes beyond limited regional ties. Seen from this perspective, Rahmon’s heavy-handed crackdown on potential opposition in 2015 seems like a preemptive strike, which, without giving a moral judgement, might contribute to preventing a fallback into an Internal Security Dilemma.

The third factor that could trigger an Internal Security Dilemma consists in the possible incursion of Islamists from Afghanistan. As the incursions of Juma Namangani in 1999 and 2000 as well as of Mullo Abdullo in 2009 show, such a scenario is far from being unrealistic. However, one

790 Cf. International Labour Organization Database, Unemployment rate. ILO modelled estimates, online: http://www.ilo.org/ilo.stat/faces/oracle/webcenter/portalapp/pagehierarchy/Page3.jspx;ILSTATCOOKIE=3hjMmC-PRa05TF9NY_boFxBeqg1w02YRygYHUW5FZ-jt2L-ljqv!-1428906572?MBI_ID=2&afrLoop=1464511508286467&afrWindowMode=0&afrWindowId=null!!%40%40%3F_afrWindowId%3Dnull%26_afrLoop%3D1464511508286467%26MBI_ID%3D2%26_afrWindowMode%3D0%26_adf.ctrl_state%3D1cp273dt

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has to also keep in mind that both warlords fought as field commanders in the Tajik Civil War and therefore had some remaining supporters in Tajikistan who have been able and willing to support the groups, e.g. by supplying them, or hiding/covering them. It is unclear whether a larger Islamist group without local ties would be able to infiltrate Tajikistan just as Namangani or Mullo Abdullo did. Therefore, the possibility of an Islamist incursion from Afghanistan is impossible to be realistically assessed: On the one hand, such incursions are possible scenarios, especially since Afghan Badakhshan, the direct neighboring province to Tajik Badakhshan, is currently controlled by Central Asian groups that fought on the Taliban’s side in Afghanistan, all the while the second Afghan province bordering Tajikistan, Kunduz, remains heavily disputed. As little is known about the Central Asians’ fighting alongside the Taliban, it cannot be ruled out that some still have local ties. On the other hand however, it seems unlikely that an Islamist group without local ties will try to infiltrate Tajik territory when the conditions for gaining a sustainable foothold are unfavorable, i.e. as long as there is no power vacuum is to be filled. This is in turn might be the most realistic assessment of the probability of a successful incursion in Tajikistan: As long as there is no internal crisis in Tajikistan, an Islamist incursion would offer little potential gains for Islamists in Afghanistan and is therefore unlikely (though not impossible) to happen. However, should an internal crisis create an opportunity for an Islamist group, they are very likely to seize such an opportunity, as Islamists already have footholds directly on the Tajik border to Afghanistan. In such a scenario, an Islamist incursion would severely aggravate the Internal Security Dilemma that resulted from the internal crisis. Even though these are realistic worst case scenarios, currently the Rahmon government has been able to mitigate the Internal Security Dilemma by creating a neopatrimonial system of rulership which in turn led to a State Leader’s Dilemma.

4.2.2.2 State Leader’s Dilemma

As has been shown in the Chapter 4.2.1, Tajikistan as a state completely broke down soon after independence, hence working state institutions had to be reestablished after the civil war. Furthermore, as has been shown in

Chapter 4.2.2.1, the implementation phase of the peace agreement was far from peaceful, as several former field commanders mounted uprisings against the central government.

Therefore, President Rahmon found himself in a situation that was even worse than the situation of Akaev: On the one hand, he could not fully rely on the remains of the former state apparatus that to a large part had even broken down. At the same time, he had to satisfy internal rivals – which contrary to the Kyrgyz case even held private militias, at least in the direct aftermath of the civil war. Thus, Tajikistan under the Rahmon government can be described as somewhere in limbo between an Internal Security Dilemma and a State Leader’s Dilemma until the government cracked down on the last larger uprising of a former field commander. From then on, the Rahmon government had been mainly in a State Leader’s Dilemma that it mitigated by creating a neo-patrimonial system of rulership, which is discussed in the following subchapter. For this purpose, the same indicators developed in Chapter 3.3.2 will be applied: the securing of power by awarding positions offering material benefits on a personal non-merit basis, including the toleration of corruption; the aim to co-opt potential rivals by offering them positions in the state apparatus; the punishment of disloyal members of the elite through formal state institutions; and the persistence of low-level corruption as a result of the top-level corruption.

As basically every former field commander held his own base of power at the end of the civil war, Rahmon found himself in a precarious situation when he started to establish his neo-patrimonial system of rulership – even more precarious than that of Askar Akaev in Kyrgyzstan. Therefore, regarding non-merit appointments for posts offering material benefits, he first and foremost appointed established field commanders from the Kulobi faction to the security-wise most important positions, which at the same time offered them material benefits. Second, he tried to concentrate political offices and economic power in the hands of his immediate family as soon as his children became old enough to fill state positions. Third, he created the People’s Democratic Party of Tajikistan as a vehicle to gradually increase the distribution of post to supporters mainly loyal to him – not to any other former field commanders, including from the former Kulobi network.

Regarding former influential field commanders from the Kulobi network, the following two are prime examples for the intertwining of powerful state offices and material benefits and will therefore be analyzed in a more detailed way: Gaffor Mirzoev and Mahmadsaid Ubaidulloev. Furthermore, as Mirzoev was purged from his offices in 2004, he will also be
used as an example for the sanctioning mechanisms of the Rahmon regime in the later part of this subchapter.

Gaffor Mirzoev, one of the most powerful field commanders from the Kulobi network, was appointed head of the presidential guard, i.e. responsible for the direct protection of the president, already in 1995, i.e. during the civil war. After the civil war, he used his position to “acquire for himself or for his family a meat processing factory, the Olimp bank, Jomi Jamshed casino and over thirty apartments in Dushanbe.” According to Olcott, Mirzoev “was also rumored to have had his own ring of drug traffickers,” making his 2003 appointment to become head of the National Drug Control Agency (one of several antidrug agencies) by presidential decree to be seen also as a move intended to keep a strongmen with his own power base loyal and not as a move to combat organized crime.

Mahmadsaid Ubaidulloev on the other hand, was not rewarded with a position in the security sector. Instead, he served as deputy prime minister in the last phase of the civil war, and since 2000 was the speaker of the upper house of parliament as well as the mayor of Dushanbe. According to Atkin, he was able to use his position to gain control of “the export of the country’s two main commodities, aluminum and cotton;” while according to Olcott there are unproven allegations that he might gain an additional income from covering narcotics traffickers. In 2017, Ubaidulloev lost his post of mayor of Dushanbe to Rustam Emomali, the oldest son of the president.

Appointed officials in the administration can easily benefit from their positions. On the one hand, as described above, holding political offices and becoming engaged in entrepreneurial activity is no contradiction – neither for appointed official nor for the presidential family. Second, em-

793 Ibid., p. 123.
794 Olcott 2012, p. 77.
796 Cf. Interview with former Liaison Officer to Border Guards of several Post-Soviet States, Potsdam, December 17, 2014.
797 Cf. Hale 2015, p. 256.
bezzlement seems to be so common that an IMF sponsored audit of the National Bank of Tajikistan (NBT) came to the conclusion that:

“Some key records had been deliberately destroyed, documents created which purported to be contemporaneous and multiple (and sometimes conflicting) responses were given to questions. These included the purported destruction of the notebook that had hand recorded all the loans given, a notebook which had previously been stored in a vault at NBT, and the spreadsheet on pledges and loans that was presented seems to have been created immediately before presentation to the auditing team.”

Furthermore, in a move quite similar to the European states of the 17th and 18th century, tax and customs institution were allowed to keep 30 percent of uncovered “hidden” funds (i.e. alleged tax evasion) for their own budget. While this construct is depicted as an incentive to deal with attempted tax evasion, it does not prevent embezzlement within the tax administration – i.e., it seems like parts of the collected tax are almost meant to remain in the (private) purse of the tax collector. Therefore, the access to material benefits seems to be intended when people are appointed as state officials (some examples of former opposition members will be discussed later), while key assets remain in the hand of the extended presidential family. While Rahmon, especially at the beginning of his rule, had to rely mainly on former field commanders, he gradually increased the number of posts filled by his closer family when his children came of age. While little is known about all of Rahmon’s nine children, those about information is available hold either political offices or control large economic enterprises. For instance, his daughter Takhmina “owns a major construction company,” another daughter, Ozoda, was appointed deputy foreign minister in 2009 and first deputy foreign minister in 2014, while his son Rustam, who might be a potential successor, by 2015 “had served in the Dushanbe City Council, the Central Committee of the domi-

801 Olcott 2012, p. 68.  
803 Cf. ibid.  
804 Olcott 2012, p. 15.  
805 Cf. ibid., p. 15.  
nant party, and the State Customs Committee (heading an anti-smuggling department) and controlled a major Internet provider.” 807 In 2015, he was also appointed the head “of the State Agency For Financial Control and Measures Against Corruption.” 808

Additionally to Rahmon’s children, also members of the extended family have been given offices or economic enterprises. For instance, one of Rahmon’s sons-in-law, Jamoliddin Nuraliev, “has been serving as the first deputy finance minister for many years,” 809 while Ashraf Gulov, another son-in-law, was appointed “Tajikistan’s consul-general to the Russian Federation” 810 in 2015. Sirojiddin Gulmurodov, one of Rahmon’s nephews, is heading the tax service in the southern oblast Khatlon, while Hasan Sadulloev, Rahmon’s brother-in-law, “was running Orienbank, the country’s largest bank.” 811 Therefore, with the aluminum factory TALCO also allegedly been taken over by the Rahmon family (due to several offshore company constructions, clear ownership of the company is hard to trace) in 2008 812 and despite alleged infights (most notably between Hasan Sadulloev and Rustam Emomali over the ownership of Orienbank), 813 the presidential family has amassed a significant share of the relative wealth within Tajikistan.

This wealth in turn can be retransformed into political power via the vehicle of the People’s Democratic Party of Tajikistan, which is used to bind loyal supporters to the presidential regime, e.g. by securing them positions in the parliament. The mechanism by which the positions in the parliament are secured consists of three dimensions: First, according to the Tajik Electoral law, independent candidatures have been only been al-

807 Hale 2015, p. 255.
810 Ibid.
811 Hale 2015, p. 255.
813 Cf. ibid., p. 15.
allowed in single mandate constituencies for parliamentary elections. Combined with the other two hurdles, practically every candidate (either for parliamentary or for presidential elections) had to be nominated by an organization for legal or structural reasons. Thus, the party can be used to allow only candidates loyal to the president to run at all. Second, every candidate for parliamentary elections had to deposit the equivalent of 500 USD in 2005, 1600 USD in 2010, 640 USD in 2015, which have not been refunded should the candidate not be elected. As this was 200 times the minimum wage in Tajikistan in 2005 and still four times the average wage in 2015, basically every person that is neither a member of one of the wealthiest families in Tajikistan nor well-connected to one of them or supported with funds by a legally registered party was effectively unable to run for parliament. Third, as local administrations are not necessarily neutral during the campaigning phase and are appointed by the president, the candidate favored by the president in a constituency is, after passing all the other hurdles, also the most likely to win. Thus, it is no surprise that in every parliamentary election after the end of the civil war, the PDPT was able to secure significant majorities in elections that always have been considered by the OSCE as not fulfilling international standards. Therefore, the first indicator, the securing of power by awarding positions offering material benefits on a personal non-merit basis, including the toleration of corruption can be seen as fully fulfilled.

To stabilize his rule, Rahmon also co-opted potential opposition, which in the Tajik context at the end of the civil war basically meant members of the UTO. Five leading figures will be discussed: Said Abdullo Nuri, the former leader of the UTO and of the IRPT; Hoji Akhbar Turajonzoda; the already mentioned Mirzo Ziyoev; Mahmadruzi Iskandarov, the leader of the DPT; and Zayd Saidov, an influential businessman with links to the IRPT.

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816 Cf. OSCE/ODIHR 2010a, p. 12.
817 Cf. OSCE/ODIHR 2015b, p. 11.
819 Cf. OSCE/ODIHR 2015b, p. 11.
Said Abdullo Nuri, the leader of the IRPT, initially became chairman of the National Reconciliation Commission until 2000, but then retired soon into private life for health reasons. Hoji Akhbar Turajonzoda, himself “a leading member of the Islamic Clergy” initially became deputy prime minister after the peace agreement, but also could use his position to acquire “the cotton processing plant and department store in the town of Vakhdat [...].” Mirzo Ziyoev, the most powerful of the former UTO field commanders became Minister of Emergency Situations, which in a formal sense is a disaster relief organization, but in the Tajik context was allowed to hold armed troops – basically, the initial troops being Ziyoev’s former militia. Mahmadruz Iskandarov, the leader of the secular wing of the UTO became head of the “national gas utilities agency.” Finally, Zayd Saidov, while never being a prominent member of the IRPT, was an influential businessman already at the end of the civil war. Within the context of the power-sharing agreement, he was appointed chairman of “the Industrial Affairs Committee,” which was later upgraded to the ministerial level. Using this position, he soon became able to establish “a vast business empire involved in construction, textiles, jewelry, and real estate.” The lucrative positions of “Chairman of the State Committee on

823 Heathershaw 2009, p. 122.
826 Cf. ibid., pp. 34/123.
Oil and Gas" and “head of the State Committee on Precious Metals” also fell to former UTO field commanders.

To ensure the loyalty of his allies from the Kulobi networks as well as from the integrated opposition, Rahmon developed a system of rotating positions combined with sanctioning mechanisms which is typical for a neo-patrimonial system of rulership. The sanctioning mechanisms range from dismissal via exiling to arrest and trial. Furthermore, Rahmon uses these mechanisms not only to punish disloyalty, but also preemptively, i.e., to eliminate potential defectors. The following four examples of (the mostly already known) Yaqub Salimov, Gaffor Mirzoev, Mahmadruzi Iskandarov, and Zayd Saidov will be used to analyze the sanctioning mechanisms of the Rahmon regime.

Yaqub Salimov can be seen as a prime example of an internal opponent already sidelined and driven to exile during the civil war; however he was considered dangerous enough that Tajikistan pressed for his extradition, which occurred in 2005. Salimov, a field commander who led a criminal network before the civil war, rose to the position of minister of the interior under Rahmon during a time when Rahmon was still seen as figurehead by most field commanders. After Rahmon consolidated his position in 1995, Salimov was removed and de-facto exiled by being appointed ambassador to Turkey. While he returned to Tajikistan in 1997, he had to flee to Moscow after his supporters clashed with newly formed units of the Ministry of Internal Affairs. In 2003, rumors grew that he was starting to organize opposition activities from exile and was detained by Russian authorities after Tajikistan issued an arrest warrant. In 2005, he was

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832 Ibid.
834 Cf. ibid., p. 103.
extradited to Tajikistan and sentenced to 15 years in prison on high treason charges.\textsuperscript{837} The already mentioned former field commander Gaffor Mirzoev, head of the presidential guard, “was removed from his post on 26 January 2004 whilst rumours circled Dushanbe that he was planning a coup against Rahmon.”\textsuperscript{838} As his dismissal led to a minor unrest among his followers, he was for a short time appointed head of the Drug Control Agency.\textsuperscript{839} When rumors started to spread in August 2004 that he might run in the presidential elections in 2007, he was arrested and charged with “weapons possession, illegal property privatization, abuse of power, tax evasion, and murder.”\textsuperscript{840} In 2006 he was “sentenced to life imprisonment.”\textsuperscript{841}

Mahmadruzzi Iskandarov, the leader of the DPT, was dismissed from his lucrative position in 2003.\textsuperscript{842} Allegedly, he then fled to his native region, Rasht Valley in Garm, and gathered “former comrades-in-arms in expectation of an attempt to arrest him.”\textsuperscript{843} Even though this led to a temporary stalemate, Iskandarov went into exile to Russia in 2004, where he was detained due to a Tajik arrest warrant.\textsuperscript{844} According to Lewis, Russia initially “refused to extradite him to Tajikistan, but he later turned up in a cell in the ministry of security in Dushanbe, apparently kidnapped in Russia by Tajik security forces. He was subsequently sentenced to 23 years in prison on dubious charges of terrorism.”\textsuperscript{845}

While these three examples seem to be unrelated at first glance, as they involve an already exiled competitor (Salimov), a former ally (Mirzoev) and a formerly co-opted opposition leader (Iskandarov), the series of arrests can also be understood as a preemptive purge of potential opposition ahead of the 2005 parliamentary election, as Salimov was allegedly start-
ing to organize opposition from exile, Iskandarov was still the leader of the legal DPT, an opposition party that intended to run at this election, while Mirzoev was not only allegedly attempting to run at the next presidential election, but was also one of the strongest supporters of the already mentioned Mahmadsaid Ubaidulloev, at that time one of the strongest competitors to Rahmon within the PDPT.  

A more recent example of this policy of purges is the arrest of the already mentioned former Minister of Industry Zayd Saidov, who in early 2013, just ahead of the 2013 presidential election announced his intention to establish a new political party. Shortly thereafter, he was arrested and charged with bribe-taking, embezzlement as well as polygamy. In December 2013, he “was sentenced to 26 years’ imprisonment […].” While the claims of the corruption charges cannot be evaluated independently, they provide another classic example for sanctioning mechanisms in neo-patrimonial systems of rulership: The toleration of embezzlement as a material incentive to stay loyal to the government, which at the same time can be used to convict the same person on corruption charges in the case of disloyalty.

With the three indicators of the elite level of a neo-patrimonial system of rulership being fulfilled, it is not surprising that one can also find evidence for the last indicator, the prevalence of low-level corruption. Again starting with the CPI, data for Tajikistan is available from 2003-2017. During that period of time, the scores for Tajikistan ranged from 1.8 (2003) to 2.3 (2011) according to the old methodology and from 22 (2012)


to 21 (2017), with a peak at 26 (2015) according to the new methodolo-
gy.\textsuperscript{850} While the scores show nothing more than a development trend, two find-
ing can be observed: First, during the consolidation period after the civil war the perceived corruption constantly decreased (i.e. the score in-
creased), albeit from a very low level and later basically stalled. Second, Tajikistan constantly remained within the worst 20 percent of all countries for which data has been available. While CPI data in general indicates a high degree of low-level corruption, more precise data is rare. Still, selective data exists for some years. For instance, UNDP in co-operation with the Center for Strategic Studies under the President of the Republic of Tajikistan conducted surveys on low-level corruption in 2006 and 2010 (high-level corruption was excluded from the studies though). According to these studies, in 2006 63.9 percent of the respondents considered corruption “the main problem” of Tajikistan while another 18 percent considered it a minor problem.\textsuperscript{851} Thus, not only have more than 80 percent of the respondents not been shy of confirming the existence of low-level corruption in a study conducted with support of the government, but the study goes on as follows:

“According to businessmen, bribery is their everyday reality. In this regard they face corruption much more often than other population groups. Following are the corruptive practices faced by businessmen:

- Starting a new business
- Resolving an accountant problem
- Acceleration of the decision-making process while the decision is any-
  way the responsibility of a government authority
- Softening of requirements of inspection bodies
- Protection of one’s property and business against rival’s invasion
- Overcoming administrative barriers impending business development
- Getting a state order
- Providing a desirable judicial decision
- Winning the struggle for acquisition of property
- Getting an advantage in a competitive struggle

\textsuperscript{851} Cf. The Centre for Strategic Studies under the President of the Republic of Tajikistan/United Nations Development Programme 2006, p. 21.
- Obtaining a government position for business representative [sic!]
- Promotion of desirable legislative and/or administrative decisions
- Receiving the government authorities’ protection and favor for one’s business, including from the law enforcement bodies.

This list suggests that the corrupted agencies include all government bodies dealing with entrepreneurship. We can come to the conclusion that corruption has become institutionalized and conceptually legal. There are “right” offices that resolve specific problems with the state bodies.”

In 2010, the picture is similar: Again, roughly 80 percent of the respondents confirmed the prevalence of corruption, while 37.5 percent of the respondents also confirmed that they recently gave bribes and another 30 percent stated that they did not give bribes, albeit only because they could not afford them. Furthermore, more specific items in the survey on the need for bribes for the access to health care, schooling, university, pensions, court, or to avoid military service or problems with the traffic police were met with approval rates (i.e. the answers “rarely, from time to time” and “quite often, very often”) between 80 and 90 percent.

Even though current data on the current rate of corruption is rare (except for the already mentioned CPI data), it can be concluded that low-level corruption indeed is a prevalent problem in Tajikistan. Therefore, it can also be concluded that all four indicators for a neo-patrimonial system of rulership are fulfilled and Tajikistan is therefore fully entrapped in a State Leader’s Dilemma. Whether or not a potential liberalization would resolve this State Leader’s Dilemma but might lead to a Liberalization Dilemma will be discussed in the next subchapter.

4.2.2.3 Liberalization Dilemma

Contrary to Kyrgyzstan, in Tajikistan there has neither been a revolution nor a peaceful change of power via elections since the end of the civil war. However, as the civil war factions mainly structured themselves around regional identities, the potential for becoming entrapped in a Liberaliz-
tion Dilemma if liberalization were to take place has to be analyzed. Therefore, the same criteria as for the Kyrgyz case – bad civil society, ethnic entrepreneurs, elections as focal points for harmful competition, saboteurs and failed transitions, dangers of economic liberalization; as well as the reaction of the Tajik government on such factors – are analyzed to assess whether a fall into a Liberalization Dilemma after a potential liberalization is realistic or not.

Compared to the Kyrgyz case, the potential for bad civil society is more difficult to assess, as in the murky situation of organizations in post-civil-war Tajikistan and in the context of a rather authoritarian government, good and bad civil society are even more a matter of perception than in Kyrgyzstan, while at the same time in current Tajikistan political civil society organizations need to be registered by the state\(^ {855} \) and therefore can be easily dissolved. Such a dissolution would of course not cause the problems addressed by the civil society organizations to go away, making the establishment of unofficial groups in the event of a liberalization likely.

As has been stated in Chapter 4.2.2.1, group characteristics that could be used to form bad civil society organizations are ethnicity, religion, and organized crime; albeit one has to consider that they are likely to overlap. Furthermore, the borderline between licit and illicit businesses is usually blurred. Therefore, I will discuss three organizations that are prime examples for the overlap of ethnicity, religion, and business aspects as well as for the heavy-handed responses the Tajik government uses to prevent meaningful opposition: the Islamic Renaissance Party of Tajikistan, which was outlawed by the Tajik government in 2015,\(^ {856} \) the so-called Group 24 opposition group led by an exiled former business man\(^ {857} \) and the case of

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the murder of a leader of the Uzbek minority.\textsuperscript{858} However, as none of these groups was de facto capable of challenging the authority of the authoritarian Tajik government, these examples merely illustrate that the potential for bad civil society exists, if a liberalization were to occur. Still, they also illustrate that not every opposition to an authoritarian government is necessarily embracing democratic values itself.

The most prominent example for the development of and the crackdown on a Tajik opposition group is the Islamic Renaissance Party of Tajikistan. While the party started as an illegal movement that became the core of the United Tajik Opposition in the civil war, it later transformed into a legal political party during the peace process.\textsuperscript{859} According to Seifert, at least in the beginning this transformation was based more on the strategic calculus of gaining the support of the Tajik population by shunning violence than by continued warfare.\textsuperscript{860} Since then however, the party itself always depicted itself as religious party explicitly accepting the secular Tajik state, while revoking violent religious extremism.\textsuperscript{861} However, internal divides between modernists and conservatives remained, with the rather secular, modernist leadership and its course of action being disputed within the party.\textsuperscript{862} Thus, on the one hand the party can be described as “the only legally operating religiously oriented party in Central Asia,”\textsuperscript{863} which since the end of the civil war constantly secured seats in the parliament despite rigged elections. On the other hand however, from the beginning of the peace process on, the secular Tajik government always remained wary of the IRPT, presuming that the aim of the party was a theocratic state achieved by democratic means.\textsuperscript{864} Thus, in 2015 the constant hassling of the party by the Tajik authorities escalated into a complete crackdown. First, during the parliamentary election in March 2015,

\begin{thebibliography}{9}
\bibitem{861} Cf. Schmitz 2015, p. 20. / see also: Kabiri 2003, p. 278.
\bibitem{862} Cf. Schmitz 2015, p. 20.
\bibitem{864} Cf. Seifert 2003, pp. 173-174. / If this is true, it would constitute a form of Islamist pseudo-integration as described by Schuck 2013, p. 502.
\end{thebibliography}
which was considered neither free nor fair by the OSCE,\textsuperscript{865} the party was unable to pass the five-percent threshold.\textsuperscript{866} Second, the leadership of the party was either arrested\textsuperscript{867} or went into exile due to harassment,\textsuperscript{868} while a party congress to elect a new leadership was prevented.\textsuperscript{869} Third, the Tajik Ministry of Justice closed down the party in August 2015 for not having “enough members to qualify as an officially registered party.”\textsuperscript{870} With regard to the question on whether the party had the potential to become a bad civil society organization in the sense of this model or a constructive opposition, a dilemma results: On the one hand, one could argue that the IRPT as a former armed actor in the civil war had the potential and the organization to capture the state if a liberalization was to occur – similar as the Muslim brotherhood did in the wake of the fall of the Mubarak regime. On the other hand however, one could also argue that the IRPT acted as a legal catalyst for unsatisfied members of the population, thus preventing their further radicalization by its sheer existence. Hence, whether the ban of the party has prevented a radicalization or on the contrary has accelerated it can currently not be conclusively evaluated. The difficulty of assessing the consequences of the party ban can be illustrated by the terrorist attack on a tourist group on July 29, 2018.\textsuperscript{871} While the government blamed the IRPT for conducting the attack, which was the denied by ex-

\begin{flushleft}
\textsuperscript{865} Cf. OSCE/ODIHR 2015b, p. 1. \\
\textsuperscript{868} Cf. Trilling, David, Tajikistan Drives Top Opposition Leader Into Exile, Eurasianet.org of June 18, 2015, online: http://www.eurasianet.org/node/73931, November 20, 2017. \\
\textsuperscript{870} Ibid. \\
\textsuperscript{871} Cf. Eurasianet.org, Tajikistan. Four foreign cyclists killed in apparent attack, Eurasianet.org of July 30, 2018, online: https://eurasianet.org/s/four-foreign-cyclists-killed-in-tajikistan-traffic-incident, August 31, 2018.
\end{flushleft}
iled members of the banned party, the terrorist group ISIS released a video with the perpetrators of the attack (unemployed youth from Southern Tajikistan) pledging allegiance to the terrorist organization, indicating their radicalization by either internet propaganda or local ISIS recruiters.872

The second group discussed here is the so-called Group 24, founded by exiled former businessman and Rahmon ally Umarali Kuvatov.873 The group was mainly comprised of former businessmen that tried to spark protests in Tajikistan from their Turkish exile, especially via their connections to labor migrants.874 This confrontation escalated in October 2014, when Group 24 called for mass protests in Dushanbe.875 The government reacted sharply, outlawing the group, blocking websites and starting to hunt down leading personnel.876 Shortly thereafter, Kuratov was murdered under unclear circumstances in Istanbul, while one of his allies in Tajikistan was sentenced to 17 years in prison.877 Of course, the fact that the Tajik government acted violently against this particular group does not make them bad civil society in the sense of the model used in this analysis. Quite the contrary, currently there is no evidence that this particular group intended to destroy a democracy by democratic means. Still, this case on the one hand illustrates that the current Tajik government is extremely wary of any organization capable of challenging its grip on power while it


on the other hand also illustrates that civil society organizations can form quite fast even in Tajikistan, if given the chance. Not all of them necessarily have to support a democratic model of government.

The last example to be discussed here is similarly ambivalent: the role of the Uzbek minority in Tajikistan. On the one hand, there are currently no separatist movements by this community. On the other hand however, even mild criticism by this minority towards the Tajik government is heavily suppressed. For instance, shortly after a leader of the Uzbek minority in Tajikistan, Salim Shamsiddinov, criticized the government in 2013 and lobbied for an opponent of President Rahmon in the upcoming presidential elections, he went missing under unclear circumstances. His body was found four months later in the Amu Darya River.

All three examples basically illustrate a problem which is common to most authoritarian states: On the one hand, the crackdown on civil society organizations is often justified by labeling the groups as criminal or undemocratic. On the other hand however, such crackdowns also foster already existent underground organizations such as for instance the Muslim brotherhood in Egypt, as they are organized well enough to avoid pressure from the state. In the event of an unforeseen liberalization (e.g. after a revolution) such well-organized underground organizations are capable of hijacking the liberalization phase, as the old state lost its power while a democratic civil society has yet to organize itself.

The second factor to be evaluated consists in the possibility of the emergence of ethnic entrepreneurs, i.e. persons that would foster their own power base by appealing to ethnic sentiments in a divided society. In this regard, as any dissent to the government is currently suppressed, it is hard to evaluate how big the potential for ethnic entrepreneurs actually is. However, one can take the examples for the Internal Security Dilemma discussed in Chapter 4.2.2 as a starting point for such an inquiry. Basically all of the incidents discussed in this chapter have originated from former warlords of the civil war who are still able to mobilize loyal fighters from their native regions. Thus, while this means that none of the minor insurgencies was able to gather country-wide support, it also shows

879 Cf. ibid.
that almost two decades after the official end of the civil war, local loyalties are still strong enough to foster insurgencies. Therefore, one can conclude that in the event of a liberalization, there is a risk that emergent ethnic entrepreneurs may be able to canalize local discontent into rhetoric based on ethnicity. Again, as in the previous point of so-called bad civil society, it is hard to assess to which extent the current crackdown on independent civil society is contributing to the risk of the emergence of ethnic entrepreneurs, as the prevention of the emergence of countrywide civil society organizations at the same time also strengthens local identities, which in turn can provide an ample recruiting ground for ethnic entrepreneurs.

The third factor, elections as focal points for harmful competition, can be analyzed deductively from the first two factors: If the potential for so-called bad civil society as well as ethnic entrepreneurs is given, elections can indeed become a focal point for harmful competition. However, as none of the elections since the independence of Tajikistan have been considered free and fair by international observers,\(^ {880} \) it cannot be assessed how harmful the competition would be as opposition with the potential to win the elections if it is not allowed to compete.

The fourth factor consists in saboteurs and failed transitions. However, as there has not been a transition of power since Rahmon became president, this factor is difficult to evaluate. Still, the analysis of the emergence and maintenance of his neo-patrimonial system of rulership in the last two subchapters offers some hints on how the higher echelons of the state apparatus would act on a transition. Basically, should the Rahmon government collapse, it is very likely that former supporters within the administration either try to retain their profitable position by staying loyal to the former government or by quickly switching sides to the potential successors. In both cases, their main interest would not be a swift transition to democracy but the maintenance of the neo-patrimonial system of rulership. A prime example for such a failed transition has been described in Chapter 4.1.2.2 with the fall of the Akaev government in Kyrgyzstan which led to the establishment of the neo-patrimonial system of rulership under Bakiev. Such a scenario is also possible for Tajikistan.

The fifth factor, dangers of economic liberalization, is easier to evaluate, as Tajikistan already has completed an unstructured economic liberalization after independence. Since Tajikistan fell into civil war immediately after becoming independent, this liberalization however cannot be compared to the Kyrgyz case. Within and immediately after the civil war, field commanders privatized the economy themselves by violently capturing economic assets.\textsuperscript{881} While this fractionalized economic structure was later co-opted into Rahmon’s neo-patrimonial system of rulership and important economic positions were continuously staffed with Rahmon loyalists, the Tajik economic structure still remains non-transparent. What can be asserted for sure is that the wealth divide within the society is relatively big with a high fluctuation of the parts of the population living under the poverty line of 1.9 USD (between 4.7 and 30 percent, depending on the economic situation in the respective year)\textsuperscript{882} and between 10 and 11 percent being unemployed according to ILO statistics.\textsuperscript{883} Furthermore, Tajikistan neither has a big industrial base nor does it have vast natural resources or big areas of arable land, making it quite difficult for persons outside the ruling circles to make a living. According to a World Bank study, Tajikistan was the most migrant-remittance-dependent country in the world in 2013, with roughly 50 percent of the GDP actually consisting of money being sent home by Tajiks working abroad.\textsuperscript{884} Within these circumstances, the economic situation of greater parts of the population can change from poor to life threatening if only some minor economic variables are altered. Especially an economic crisis in one of the countries receiving Tajik migrants (especially Russia, but Kazakhstan becomes increasingly


\textsuperscript{883} Cf. International Labour Organization Database, Unemployment rate. ILO modelled estimates, online: http://www.iло.org/ilostat/faces/oracle/webcenter/portalapp/pagehierarchy/Page3.jspx;ILOSTATCOOKIE=3hjMmc-PRa05TF9NY_boFx8Beqilw02YRyyYHU555FZ-jt2L-Ljvql-1428906572?MBI_ID=2&_afrLoop=1464511508286467&_afrWindowMode=0&_afrWindowId=null%40%40%3F_afrWindowId%3Dnull%26_afrLoop%3D1464511508286467%26MBI_ID%3D2%26_afrWindowMode%3D0%26_adf.ctrl-state%3D1cp273dtov_4, July 24, 2018.

\textsuperscript{884} Cf. Malyuchenko 2015, p. 4.
important)\textsuperscript{885} can have wide-reaching impacts on the Tajik economy: First, in such a case, the migrant-receiving countries would accept fewer migrants from Tajikistan, thus leaving more unemployed persons in Tajikistan. Second, remittances back to Tajikistan would sink due to less people working abroad and at the same time probably even earning lower wages. Third, an economic crisis in Russia or Kazakhstan is likely to increase inflation in Tajikistan as the economies are closely intertwined. Therefore, prices in Tajikistan, especially for fuel, will rise during a time in which poverty in the country is actually already increasing due to fewer remittances. In a country consisting mainly of mountainous terrain with an underdeveloped infrastructure, a rise in fuel costs will transmit into rise of costs for everything, including food. Thus, within the current situation, the economic liberalization in Tajikistan has divided the population effectively into two parts: those within the neo-patrimonial system of rulership, making their living from material benefits from state posts rewarded for loyalty and those outside the neo-patrimonial system of rulership, who are either dependent on migrant remittances or illicit incomes. Therefore, in the wake of an economic crisis, the potential of people searching for scapegoats is great, making it an ideal recruiting ground for bad civil society and ethnic entrepreneurs. It shall come as no surprise that the heavy-handed crackdown by the government on the Tajik opposition in 2015 preempted the backslash of the Russian economic crisis on Tajikistan.

Summing up all the analyzed indicators, it can be stated that current Tajikistan, even though it is currently in a State Leader’s Dilemma, has the potential of falling into a Liberalization Dilemma, if liberalization were to occur. However, there are currently no signs pointing in the direction that the Rahmon government is aiming to liberalize the country in the near future. In the next subchapter it will be analyzed whether and to what extent the eleven symptomatic factors derived from the three dilemmas and contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force are existent in current Tajikistan.

\textsuperscript{885} Cf. IOM 2017, pp. 15-17.
4. Kyrgyzstan and Tajikistan within the Model of Weak States

4.2.3 Consequences for the three state functions

As described in Chapter 3.4, the same symptomatic factors deriving from the three dilemmas and contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force will be analyzed for the Tajik case, structured according to the three functions of the state: the fragmentation of security forces; the oversized, paramilitary structure and training of the security forces; an ineffective security sector; a lack of independent courts; an interlocking of state and economy; corruption and nepotism; reform blockades; the population’s lack of trust; the weak national economy; high unemployment; and a decaying infrastructure.

4.2.3.1 Security function

Starting at the same point as in Chapter 3.4.1, I will analyze how the symptomatic factor of an ineffective security sector directly contributes to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force in Tajikistan. Assessing the effectiveness of the Tajik security sector is a quite difficult task as most of the data on this topic is either considered confidential or has to be evaluated as unreliable. This in turn is even more exacerbated by the fact that a central system for crime registration and recording was commissioned only in 2013 – making it hard even for practitioners on site to base their planning on data.\(^{886}\)

However, some unsystematic data on the performance of Tajik security services does exist. Mainly, as in the Kyrgyz case, three topical issues can be analyzed: drug seizure rates; human rights abuses; and the performance during armed uprisings, of which Tajikistan had quite a few during the time frame of the investigation.\(^{887}\)

For the first of these three points, the drug seizure rates of the Tajik border guard, UNODC estimates show that in general, drug seizure rates at the Tajik-Afghan-border are low and stagnating,\(^{888}\) which can be seen

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\(^{887}\) See Chapter 4.2.2.1

\(^{888}\) Cf. UNODC 2012, pp. 58/59. / Edinger 2016, p. 65. / United States of America, State Department, 2016 International Narcotics Control Strategy Report,
as an indicator of both an ineffective security sector as well as for pervasive corruption within the security sector. Regarding the second point, human rights abuses, data is collected by international NGOs – even though these organizations usually focus on high-profile cases, with the exact number of low-profile cases remaining unreported to the organizations, one general observation can be made: In Tajikistan, as in most former Soviet republics, confessions by suspects are still the most common form of solving cases, which combined with lacking oversight leads to the common practice of coercing confessions from suspects via violence.889

According to Human Rights Watch, despite positive legal steps to fight torture and abuse in the country,890 “torture remains widespread in the criminal justice system.”891 Therefore, a number of prisoners have died in prison,892 while the already mentioned activist Salim Shamsiddinov was

890 See Chapter 4.2.2.3

found dead with signs of violent treatment.\footnote{893} Therefore, even though data on human rights abuses by Tajik security services are either unsystematic or focused on high profile cases, one can conclude that human rights abuses occur on a regular basis. This in turn not only undermines the trust of the population in the security services, it also is an indicator for ineffective security forces, as they lack the capabilities to fulfill their duty by using other means.

Regarding the third point, the Tajik security forces had to deal with a number of security incidents in the period from 1998-2017, ranging from one-day firefights to bring down established drug lords to week-long minor insurgencies.\footnote{894} In the end, all of these incidents have been dealt with by the Tajik security forces by a combination of violent responses and peaceful negotiations. Therefore, one can argue that currently, the Tajik security forces are somewhat effective in the sense that they have been able to deal with all incidents. However, the fact that there have been seven major incidents in 15 years with some of them escalating into week-long insurgencies darkens the picture. Seen from this perspective, two major observations have to be made: First, several of these insurgencies (especially in the Khorog region) were characterized by the involvement of drug-trafficking syndicates. Second, in several incidents (again, the Khorog incidents as a prime example), different Tajik security forces (often with a history of fighting on different sides in the civil war) fought against each other.

Thus, it has to be stated that on the one hand, the Tajik security forces lack the capabilities to effectively fight against organized crime, while on the other hand, the loyalty of parts of the Tajik security services to the Tajik state is not necessarily guaranteed. Therefore, as in this model inef-
fective security forces are defined as being unable to prevent the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force, the Tajik security forces are partially ineffective indeed. Non-state actors capable of challenging the monopoly on the legitimate use of force may emerge via strengthened organized crime syndicates or by breakaway groups of the Tajik security forces themselves, forming new groups along ethnic, religious, or economic (i.e. illicit) boundaries. The fact that the security forces have been able to deal with a number of minor insurgencies in the past is less an argument for their effectiveness but more an indicator for the local population’s lack of trust in the Tajik state and its security apparatus, as especially the longer insurgencies had a limited support by local populations.

While this lack of trust in the Tajik state will be discussed in Chapter 4.2.3.3, the causes of the inefficiency of the Tajik security forces will be discussed in the following of this subchapter: mainly the fragmentation of security forces; their oversized, paramilitary structure and training; corruption and nepotism; and a reform blockade within the weak state.

Regarding the fragmentation of security forces, the situation in Tajikistan is even more complicated than in Kyrgyzstan. On the hand, Tajikistan inherited a Soviet-style security apparatus, i.e. an apparatus deliberately fragmented into three branches of roughly equal power to keep each other in check: intelligence services, military, interior forces. Within the reconstruction of the country after the civil war, this system was made even more complex by the establishment of the Ministry of Emergencies and Civil Defence which was mainly intended to integrate former opposition fighters into the new state and other armed bodies. Matveeva, trying to take stock of these complex structures, observed that “[t]he most prominent security-related structures are the Ministry of Defence, the Ministry of State Security, the Ministry of the Interior, the Traffic Police, the Ministry of Emergencies and Civil Defence, the Customs Committee, the Drug Control Agency, and the Presidential Guard. All of these agencies have armed attachments.” With all of these institutions having overlapping competences, coordinated efforts in fighting crime, especially organized crime, are hardly possible. Furthermore, as there are armed organs of the state drawn from different former civil war factions, violent in-

895 Matveeva 2010, p. 36.
fighting is still possible, as the examples discussed in Chapter 4.2.2.1 show.

Similar to Kyrgyzstan, Tajikistan also inherited its security forces from the Soviet Union, but then immediately fell into civil war, forcing the country to rebuild its security forces from the remnants of the conflict parties. Having only troops who had survived a civil war and Soviet experiences at its disposal, it comes as no surprise that the initial Tajik security forces were (and still are) structured in a paramilitary way. Therefore, formally civilian forces as the militia, the internal troops or the border guard are structured, equipped and trained like the infantry of a regular military.

Such a training and structure inhibits the effectiveness of the security forces in two ways: First, patrols of paramilitary security forces might deter crimes by constant presence, but lack investigative capabilities to solve criminal cases in which the perpetrator cannot be caught red-handed. Second, most members of the civilian security forces are also not trained to lead an investigation, increasing the risk of human rights abuses, particularly during interrogations. This problem is further aggravated as underfunded security forces, especially the border guard, have to rely on conscription for recruitment. While this recruitment practice is necessary to monitor the 1,300 km border Tajikistan shares with Afghanistan, it generates three additional problems decreasing the efficacy of the border guard: First, the wages of conscripts are so low that they can hardly sustain themselves or a family. Therefore, conscripts are extremely susceptible to corruption. Second, the constant turnover of staff prevents the evolution of an institutional memory to preserve the knowledge on protecting the border (which is invaluable when fighting organized crime). Third, the old Soviet practice of “Dedovshchina” (grandfather’s reign), i.e. the hazing of conscripts, still prevails in most post-Soviet conscription-based forces (not only in Tajikistan). This in turn creates a fear-based relationship between the rank-and-file border guards and their superiors, leading in a worst case scenario to border guards protecting the border because they are more afraid of their superiors than of the drug traffickers. In such a situation, the rank-and-file border guards would engage in combat to defend the border only as long as their superiors are alive.

896 Cf. Interview with OSCE Office in Tajikistan Member II, Dushanbe, August 30, 2013.
Contrary to the structure of the security forces, the confidentiality of numbers again hampers the analysis of their size. In 2010, Matveeva estimated the overall size of the security forces of Tajikistan at about 20,000.\textsuperscript{897} Law enforcement institutions such as the police, militia or border guard in turn made up about 33 to 50 percent of this total number.\textsuperscript{898} Thus, in 2010 a law enforcement officer per population ratio of roughly 260 law enforcement personnel per 100,000 inhabitants could be observed, which was below the UN recommendation of 300 police personnel per 100,000 inhabitants. Seen from this perspective, the Tajik security forces are not necessarily oversized in total. However, due to the already discussed paramilitary structure, patrolling services are oversized while at the same time investigation departments are undersized, which in turn still contributes to the ineffectiveness of the Tajik security services when combating organized crime.

Closely connected to the structure of the security forces is the next symptomatic factor inhibiting their efficacy: corruption and nepotism. While data on corruption within the security services is sparse, surveys on the perception of the corruption within the security forces by the population have been conducted, even by official Tajik institutions. In a 2010 survey conducted by the Centre for Strategic Studies under the President of the Republic of Tajikistan (supported by the UNDP), law enforcement agencies were perceived as the most corrupted state body by the respondents.\textsuperscript{899} One respondent in the study claimed that radar traps were given out by traffic police superiors to lower ranked inspectors on a rental basis, i.e. a market system within the security forces just like in Kyrgyzstan might be in place, albeit this was never systematically surveyed.\textsuperscript{900} Considering the facts that first, basically all post-Soviet police forces are structured in a system of pyramidal patronage,\textsuperscript{901} second, that Tajik policemen seem not to be afraid or ashamed of collecting/extorting bribes in public,\textsuperscript{902} which can be used as an indicator of widespread acceptance of such

\textsuperscript{897} Cf. Matveeva 2010, p. 36.

\textsuperscript{898} Cf. ibid., p. 36.

\textsuperscript{899} Cf. The Centre for Strategic Studies under the President of the Republic of Tajikistan/United Nations Development Programme Tajikistan 2010, p. 28.

\textsuperscript{900} Cf. ibid., p. 28.

\textsuperscript{901} Cf. Interview with former Liaison Officer to Border Guards of several Post-Soviet States, Potsdam, December 17, 2014.

\textsuperscript{902} (Nonvoluntary) participatory observations of the author during field trips in 2013 and 2015 both in the capital Dushanbe as well as in Northern Tajikistan.
practices and third, Tajikistan’s overall performance in the CPI ranks it in the bottom 20 percent of the countries in the world,\(^\text{903}\) while its traffic police is perceived as the most corrupt in the region of Europe and Central Asia,\(^\text{904}\) it is not only possible that the Tajik police is based on bribery extortion and office buying like the Kyrgyz one, it is actually very likely.

The last symptomatic factor for the ineffective security forces, the reform blockade, has to be evaluated carefully. Even though Tajikistan only in 2013, i.e. four years before the end of the time frame for this investigation, adopted a police reform strategy, one has to keep in mind that the country inherited a Soviet structure for the security forces, fell into full-fledged civil war shortly after independence, and then had to reestablish its security apparatus after the war – with the main concern not being its effectiveness but providing for most of the former fighters (loyalists and opposition alike) to prevent them from turning into bandits. Therefore, even though large-scale reforms in the security sector have been absent until now and indicators showing that the corruption within the security services does not give incentives to the higher echelons to support reforms, one should not judge the slow development too harshly from a normative point of view. From an empirical point of view however, the lack of reform will keep the Tajik security sector in its fragmented and paramilitary state, inhibiting its efficacy in the end. Thus in summary, all symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force within the security function have also been identified for the Tajik case.

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While these observations cannot be considered systematic studies, the lacking sense of shame of public bribe extorting even if foreigners are present can be seen as an indicator that the systematically surveyed perceived corruption has a true foundation.


4.2 Tajikistan

4.2.3.2 Welfare function

Within the welfare function of the Tajik state, the following symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force will be analyzed: the interlocking of state and economy; high unemployment; corruption and nepotism, weak national economy, reform blockades and a decay of infrastructure.

Starting with the interlocking of state and economy, ample examples of accumulation of offices both on the state and the economic level within the extended family of the president have been already discussed in Chapter 4.2.2.2. As there has not been any transformation enforcing transparency in Tajikistan (contrary to Kyrgyzstan, where after a revolution the business practices of the ousted families were made public), systematic data on who owns which company in Tajikistan is hard to obtain. However, two additional indicators for the interconnection of state and economy can be used to circumvent this lack of transparency: first, the deliberately complicated configuration of the TALCO-system, the biggest Tajik company structure, and second, the use of law enforcement agencies to shut down economic and political opposition.

Regarding the first point, the structures of the Tajik Aluminum Company (TALCO), which is responsible for 33 percent of the country’s GDP and 75 percent of the country’s foreign currency reserves in 2008, will be briefly discussed. While TALCO officially only consists of an aluminum processing facility in Tursunzoda and is owned by the Tajik state, Tajikistan has no own alumina (the precursor of aluminum) deposits. Instead, TALCO has to import alumina and process it for aluminum, which in turn is exported again. Both the alumina and the aluminum are in turn owned by Talco Management Ltd., a company registered in the British Virgin Islands. This in turn allows for an interesting business model:

907 Cf. ibid., p. 181.
908 Cf. Olcott 2012, p. 181. / Putz, Catherine, Who Really Owns Tajikistan's Talco? Norway Wants to Know, in: The Diplomat online of March 10, 2016,
While TALCO receives a fee for processing the alumina by TALCO Management Ltd., the main profit for exporting the aluminum remains at TALCO Management Ltd., not at TALCO itself. The fee that TALCO receives for processing in turn hardly allows for a break-even production of aluminum – this is only enabled by the high subsidies on electricity usage provided by the Tajik state. (The process of aluminum production is highly electricity intensive, making TALCO the biggest electricity user in Tajikistan, using roughly 30 percent of the largest electricity provider in Tajikistan alone) As TALCO is usually not even able to pay the heavily subsidized electricity costs, several million of outstanding debts are written off every few years by government decree. Thus, one could argue that the state electricity subsidy – TALCO – TALCO Management Ltd.-construct is basically a mechanism transforming funds of the Tajik state into privately owned funds, which in turn flow to the owners of TALCO Management Ltd. And while the Virgin Island registration of TALCO Management Ltd. inhibits the tracing of who actually owns this company, all indicators point to the Tajik presidential family.

Also the second point, the use of state law enforcement bodies to push economic competition out of business, can be used as an indicator for the interconnectedness between state and economy – even if it is not always clear whether a successful businessman was charged with crimes to eliminate potential political competition or to eliminate business competition.

Additionally to the cases discussed in Chapter 4.2.2.2, which were all focused on the elimination of political competition, even if businessmen were involved, two further cases that were mainly focused on eliminating economic competition to members of the presidential family shall be briefly discussed. The first case is the already mentioned businessman Umarali Kuvatov, who claimed being driven into exile by actions of Shamsullo Sohibov, husband of the third daughter of the president, who drove him out of the gas retailer business.\footnote{Cf. Eurasianet.org, Tajikistan. Business Rival of President’s Son-in-Law Neutralized, Eurasianet.org of October 21, 2017, online: http://www.eurasianet.org/node/85651, November 20, 2017.} Kuvatov later formed the exile opposition group Group 24 in Turkey and was killed there under unclear circumstances. Some years later, Radjabali Odinayev, another owner of a gas retailing company, was accused of “tax evasion, smuggling, forging documents and fraud,”\footnote{Ibid.} with his company being taken over by the already mentioned Shamsullo Sohibov. Again, while these cases are somewhat unsystematic, they are only those which gained publicity and are probably only the tip of the iceberg. In conjunction with the neopatrimonial system of rulership discussed previously and the privatization of the former state-owned economy via de facto theft by warlords immediately after the civil war, there is a strong indication that state and economy are strongly interconnected by the same persons occupying both important state and economic positions at the same time. This in turn, in the sense of this model, contributes to three further symptomatic factors: corruption and nepotism, reform blockades and the decay of infrastructure.

With regard to corruption and nepotism, ample examples have already been discussed in Chapter 4.2.2.2. To sum up these findings with regard to the welfare function, it can be concluded that corruption and nepotism are prevalent in Tajikistan, hampering its economic and social development. In addition to the corruption in the economic sector that makes it extremely difficult to run a business in Tajikistan (in cases of direct competition with companies of the ruling elite even dangerous), corruption is prevalent in the social sector, especially within the educational and health care sector.\footnote{Cf. The Centre for Strategic Studies under the President of the Republic of Tajikistan/United Nations Development Programme Tajikistan 2010, p. 28.} This corruption and nepotism in turn contributes to reform block-
ades within the welfare system as well as to the decay of the existing infrastructure.

For the blockade of reforms within the welfare function of the Tajik state, again, the cases of the non-implemented privatization of TALCO\textsuperscript{917} combined with the already mentioned use of state law enforcement against business competition shows that there is little political will to reform an economic system which is a market economy by name, but a system of using state resources for personal enrichment in practice, can serve as prime examples. With regard to other sectors, like the already mentioned health care and education, the same reform blockade can be identified. Even though a rhetorical will to reform exists, the system of having to pay unofficial admission fees for educational institutions or to give a private donation to doctors to receive real medical care has not changed within the last 20 years.\textsuperscript{918}

This in turn is strongly connected with the decay of infrastructure. Especially non-physical infrastructure like the educational and the health care system suffered both from underfunding as well as from brain drain after the fall of the Soviet Union. According to the International Crisis Group, some medical specializations had to struggle with 50 percent vacancies in Tajikistan, while the health care system is underfunded in a way that 76 percent of the budget are actually private contributions (bribes notwithstanding).\textsuperscript{919} The educational system also heavily relies on formally retired Soviet-trained staff while newly recruited teachers quickly leave public service due to low salaries.\textsuperscript{920} Thus, regarding two of the most crucial non-physical infrastructures for the satisfaction of the populace, Tajikistan has to struggle as hard as Kyrgyzstan, basically diminishing the population’s trust in state structures to help with basic needs. Regarding physical infrastructure like energy transportation, roads and environmental infrastructure, Tajikistan also faced a steep decline after the fall of the So-

\textsuperscript{917} Cf. Olcott 2012, p. 182.
\textsuperscript{919} Cf. International Crisis Group 2011a, p. 3.
\textsuperscript{920} Cf. ibid., p. 6.

While the Tajik state could hardly rebuild physical infrastructure alone, in recent years the Chinese state has invested heavily, leading to an improvement of roads and energy transportation infrastructure.\footnote{Cf. Lain, Sarah, China’s Silk Road in Central Asia. Transformative or exploitative?, Financial Times online of April 27, 2016, https://www.ft.com/content/55ca031d-3fe3-3555-a878-3bcfa9fd6a98, July 10, 2018.} One has to notice however, that these improvements in infrastructure were conducted by Chinese companies employing Chinese workers, i.e. while the Tajik population benefits from the better infrastructure there have hardly been benefits via employment.\footnote{Cf. ibid.}

Three symptomatic factors influence the decay of infrastructure, of which the last two have already been discussed: the weak national economy, the interlocking of state and economy and corruption and nepotism. When analyzing the level of poverty in Tajikistan, two indicators will be taken into account: first, the development of the GDP per capita and second, the percentage of the population living in poverty. Regarding the first point, Tajikistan experienced a remarkable development after the end of the civil war. As such, the GDP per capita increased from only 138 USD in the year 2000 to 1104 USD in 2014.\footnote{Cf. World Bank Database, Kyrgyzstan and Tajikistan GDP per capita 1987-2017, online: https://data.worldbank.org/indicator/NY.GDP.PCAP.CD?end=2017&locations=TJ-KG&start=1987, July 24, 2018.} However, the country plummeted in an economic crisis afterwards, with a GDP per capita of only 801 USD in 2017.\footnote{Cf. ibid.} Therefore, just as Kyrgyzstan, Tajikistan is barely above
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the threshold of being classified as a low-middle income country by World Bank standards. Furthermore, the wealth of Tajikistan is distributed unevenly within the population. Taking the World Bank definition of poverty, which is defined as having to live from less than 1.90 USD per day, as a starting point, a steep decline of the poverty rate is measured by surveys conducted mainly in 4-year terms. While almost 55 percent of the population were living from less than 1.90 USD per day in 1999, the percentage sunk to 30.8 percent in 2003, 4.7 percent in 2009, then rose again to 24.5 percent in 2012, reaching again 4.7 percent in 2015.\footnote{Cf. World Bank Database, Tajikistan, Poverty headcount ratio at national poverty lines (% of population) 1999-2015, online: https://data.worldbank.org/indicator/SI.POV.DDAY?locations=TJ, July 24, 2018.} Thus, on the one hand, the date shows a steep decline of poverty. On the other hand however, the vast increase of poverty after the world financial crisis in 2009 showed that many people just made it statistically above the poverty line, still being vulnerable to economic shocks. Furthermore, as will be discussed in the following, the poverty rates in Tajikistan are extremely dependent on the employment of Tajik migrants abroad, as unemployment in Tajikistan is still relatively high.

This high unemployment in turn is the next symptomatic factor to be discussed here, influencing the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force by creating a so-called shadow economy as in Kyrgyzstan, diminishing the state’s tax revenues. In Tajikistan, official unemployment statistics differ greatly from estimates of international organizations: According to national statistics for the analyzed time frame, the Tajik unemployment rate alternated between 3.1 percent in 2000 and 2.2 percent in the end of 2015 with only limited amplitude.\footnote{Cf. Tajik National Bank, Unemployment Rate of Tajikistan, accessed via tradingeconomics.com, online: https://d3fy651gv2fh3.cloudfront.net/embed/?s=TAJSTANUNETRATE&v=20171021100800&d1=19170101&d2=20171231&type=type=line&h=300&w=600, July 24, 2018.} According to International Labour Organization data however, the Tajik unemployment rate alternated between 11.8 percent in 2000 and 10.8 percent in 2015, also with only limited amplitudes.\footnote{Cf. International Labour Organization Database, Unemployment rate. ILO modelled estimates, online: http://www.ilo.org/iostat/faces/oracle/webcenter/portalapp/pagehierarchy/Page3.jspx;ILOSTATCOOKIE=3hjMmC-PRa5TF9NY_boFx Barclays playful102YrygYHUW5F9Z-jt2L-1jvql-1428906572?MBI_ID=2&_afrLoop=146451150826467&_afrWindowMode=0&_afrWindowId=null#!/%40%40%3F_afrWindowId%3Dnull%26_afrLoop%3D146451150826467%26M}
These unemployment rates in turn have to be additionally analyzed in the light of working migration from Tajikistan. According to Malyuchenko, 15 percent of the Tajik population is working abroad, while more than half of the GDP of Tajikistan consists of remittances sent by these labor migrants, making Tajikistan the most remittance-dependent country in the world. This in turn means that an economic crisis in the receiving countries (currently mainly the Russian Federation) not only increases the numbers of unemployed Tajiks in Tajikistan, but also at the same time creates a serious economic crisis if remittances decline – just as Tajikistan experienced in the years 2015 and 2016.

This high unemployment in turn directly contributes to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force as unemployed Tajiks unable to work abroad are forced to generate some precarious revenue by working in the unofficial economy leading at least to lost incomes of the state due to tax evasion. According to a study conducted by the UNDP in 2007, roughly one third of the Tajik GDP goes unreported, based on estimation of underreported value-added taxes. Other estimates see the share of the shadow economy on the country’s GDP even higher, i.e. at roughly 40 percent. In addition to losses of tax revenues by undeclared economic activity, drug trafficking also seems to be a viable source of income in Tajikistan. As has already been discussed with several drug related incidents in Chapter 4.2.2.1, it can be seen that trafficking syndicates operate within Tajikistan, often with ties going back to the civil war. Furthermore, as the Khorog incidents show, the integration of former civil war actors involved in drug trading into state structures can lead to violent infighting between groups that officially are part of the same security apparatus.

Thus, not only are all symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force within the welfare function shown in the model developed in Chapter 3.4.2 present in the case of the Tajik state, but, especially with regard to the illicit drug economy, even the existence

930 Cf. Malyuchenko 2015, p. 4.
931 Cf. ibid., p. 6.
932 Cf. UNDP 2007, p. 49.
of smaller non-state actors capable of challenging the monopoly on the legitimate use of force can already be identified.

4.2.3.3 Legitimacy/rule-of-law function

Similarly to the Kyrgyz case, this subchapter will analyze the symptomatic factors contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force directly or indirectly: lack of trust, reform blockades, corruption and nepotism, interlocking of state and economy as well as lack of independent courts.

The population’s lack of trust in the state can be seen as one of the main symptomatic factors contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force and can be described as a combination of five indirect symptomatic factors: an ineffective security sector, a decaying infrastructure, corruption and nepotism, a lack of independent courts and reform blockades. Contrary to Kyrgyzstan however, the International Republican Institute was unable to conduct surveys in Tajikistan, i.e. there is no directly comparable data for Tajikistan. Still, several indicators to assess the population’s lack of trust in the government can be taken into account: First of all, the fact that no nation-wide surveys on public trust have been conducted (i.e. allowed by the government) so far might be interpreted in a way that the government does not expect an outcome favorable to the government. Second, unofficial estimates of voter turnouts during elections can be used as an indicator of how many percent of the population support the political system so much that they participate in the political process. This is even more important, as official and unofficial numbers on voter turnouts differ greatly. Taking the 2015 parliamentary elections as an example, the officially reported relative voter turnout was 87.8 percent, albeit no absolute number of registered voters was ever made public.

936 Cf. ibid., p. 10.
According to Khikmatullo Sayfullozoda, a political analyst with opposition ties, however, the relative voter turnout was roughly 35 percent.\textsuperscript{937} While estimates made by opposition members have to be considered carefully, Sayfullozoda does not claim that the remaining 65 percent of the population are de facto supporters for the opposition staying away from a rigged election. Instead, he describes them as opportunistic, apolitical people, having lost trust in the state system altogether.\textsuperscript{938} While unofficial estimates on voter turnouts are not available for other elections, the lack of transparency of the official voter register is criticized by OSCE election observation missions on a regular basis,\textsuperscript{939} giving the implication that all official voter turnouts are exaggerated with a high probability. The third indicator for the population’s lack of trust in the state is the fact that all symptomatic factors decreasing the population’s trust that have been identified in Kyrgyzstan are also present in Tajikistan. Of those, an ineffective security sector, a decaying infrastructure, corruption and nepotism have already been discussed, while the following sections of this subchapter will focus on reform blockades and the lack of independent courts.

Like in Kyrgyzstan, in Tajikistan the lack of trust in the state apparatus is not only fostered by grievances, but also by the impression that no changes occur. The security apparatus is ineffective in protecting the population, notoriously corrupt, and sometimes its branches are even fighting each other. State and economy are interlocked, major enterprises belong to the presidential family, and many Tajiks have to search work abroad. While elections are flawed, the constitution received two major changes: First, in 2003, the powers of the president have been strengthened; including the decision to restart the counting of the maximum terms of office the president is allowed to serve.\textsuperscript{940} Second, in 2016, the minimum age to run


\textsuperscript{938} Cf. ibid.


This in turn is believed to be specially designed to allow Rustam Emomali, currently head of an anticorruption agency, mayor of the capital Dushanbe, and oldest son of Rahmon, to inherit the position of his father in the next presidential election in 2020 with the age of 33. Should this not be the case, Rahmon himself was granted unlimited terms of office with the same constitutional reform. With the IRPT banned and the registration process of presidential candidates steeped in irregularities during the last elections, no meaningful opposition is to be expected for the 2020 elections.

The last symptomatic factor contributing to the lack of trust is the lack of independent courts. Again, while the distinction between political influence on higher courts and corruption in the lower courts has to be made, the result basically remains the same: Neither higher nor lower courts in Tajikistan can be considered independent, i.e. citizens cannot expect a fair trial. Regarding the political influence on high level courts, several cases have already been discussed. On the one hand, the Constitutional Court of Tajikistan had no objections when the constitution was changed (by referendum) to further benefit the presidential family. On the other hand however, higher courts in Tajikistan have constantly ruled against influential opposition members, either on charges related to corruption and embezzlement (like the former businessman Zayd Saidov) or on terrorism charg-
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Low-level courts in turn are seen as the most corrupt state organs by 15.2 percent of the population according to the already cited study of the Tajik Centre for Strategic Studies. While this is still far behind the perception of corruption within the traffic police, it still indicates that the population’s trust in getting a fair trial in a low level court, even if no political interests are involved, is fairly low. In summary, all symptomatic factors contributing directly or indirectly to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force within the model developed in Chapter 3.4.3 have been identified within the legitimacy/rule-of-law function of the Tajik state.

4.2.4 Interim conclusion: Tajikistan as a weak state

The previous chapter analyzed whether Tajikistan can be classified as a weak state in the sense of the developed model. It was shown that after independence, Tajikistan fell into an Internal Security Dilemma that led to civil war. With the signing of the peace agreement the state was recreated within the limits of a State Leader’s Dilemma as President Rahmon created a neo-patrimonial system of rulership to co-opt former field commanders into the new state while at the same time aiming to keep them under control. While the inner circle of power within the country is directly controlled by Rahmon’s extended family, embezzlement is on the one hand tolerated to keep other central power brokers loyal and at same time used to legally prosecute disloyal former members of the power apparatus. Even though Tajikistan currently is entrapped in a State Leader’s Dilemma, it has also been shown that a fall back into an Internal Security Dilemma is a possible worst case if the current neo-patrimonial system of rulership were to break down – either by an economic or by a successor crisis. The number of violent incidents shows that there is the potential of violent non-state groups to fill a power vacuum if it were to occur. On the other hand, it has also been shown that all symptomatic factors contrib-

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947 Cf. The Centre for Strategic Studies under the President of the Republic of Tajikistan/United Nations Development Programme Tajikistan 2010, p. 27.
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uting to a Liberalization Dilemma are also present, making it highly probable that Tajikistan would become entrapped in this dilemma if a liberalization were to occur – albeit this quite unlikely under the current circumstances.

It has also been shown that all the symptomatic factors contributing to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force (which in turn leads to the vicious cycle of dilemmas) are present in Tajikistan. Thus, while these symptomatic factors mainly derive from the persistence of the State Leader’s Dilemma, current programs of international organizations like the OSCE mainly try to tackle these symptomatic factors. Thus, as the Tajik state currently is able to fulfill its security function albeit with deficiencies while there are also large deficiencies in the other functions, it can be classified as a weak state in the sense of the model developed in Chapter 3. In the next chapter I will analyze to which extent the programs of the OSCE can tackle the symptomatic factors leading to the weak statehood of both Kyrgyzstan and Tajikistan.
5. The OSCE Operations in Kyrgyzstan and Tajikistan

To analyze the possible impact an international organization can have to stabilize a weak state, the following chapter will analyze the OSCE operations in Kyrgyzstan and Tajikistan as case studies. Therefore, the first subchapter will introduce the role of the OSCE in Central Asia in general, as the field missions in Kyrgyzstan and Tajikistan are not the only ones that exist or existed in history. Furthermore, it will sketch out the inherent constraints all OSCE field operations have to face. The following two subchapters will then focus on the work of these two particular field operations within the time frame of investigation 1998-2017, each with a conclusion evaluating the work of the respective mission. These findings will then be taken up again in Chapter 6, where they will be generalized to allow for a transfer of findings when analyzing other field missions in weak states.

5.1 The OSCE’s role in Central Asia: A general overview

At first glance, the question may arise why the Organization for Security and Co-operation in Europe has one of its working focuses way outside of what is geographically considered Europe. The answer lies in the history of the organization: The OSCE dates back to the Conference for the Security and Co-operation in Europe between the former Eastern and Western Block starting with the Helsinki Final Act in 1975. After the dissolution of the Soviet Union, all newly independent former Soviet republics were offered membership in the conference. Thus, already in January 1992, i.e. only four weeks after the Soviet Union ceased to exist, all Central Asian former Soviet republics joined the CSCE, which in turn developed into an institutionalized organization, i.e. the OSCE, in 1994.

With the transformation from a conference to an organization, the OSCE further emphasized its commitment to not only discuss, but also to implement the three dimensional approach to security present since the

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conference in Helsinki. Therefore, this subchapter will focus on four aims to lay the ground for the in-depth analysis of the OSCE activities in Kyrgyzstan and Tajikistan in the next chapters. First, the institutional structure and its general consequences for mandates of OSCE missions will be described. Second, the three-dimensional approach to security by the OSCE will be briefly introduced and connected to the theoretical model developed in Chapter 3. Third, since the activities of the OSCE in Central Asia started (albeit on a much smaller scale) long before the time frame of the in-depth-analysis, a brief overview of the OSCE activities in the region before the year 1998 will also be given. Fourth, inherent constraints of all OSCE field operations that must be kept in mind for the following analyses will be briefly discussed.

With the transition from the CSCE to the OSCE, the structure of its activities finally became institutionalized. In this regard however, the OSCE deliberately kept the intergovernmental approach of the former Conference for Security and Co-operation in Europe, i.e. any measure taken by the Organization needs the consensus of all member states, albeit in a formal sense there are three levels of decision making: Summits (based on heads of states); the Ministerial Council (foreign ministers): and the Permanent Council (diplomatic delegations).\(^{950}\) Regardless of the hierarchical level of the respective body, the structure remains the same: all 57 member states are present and have the same weight (i.e. one vote). For the purpose of establishing OSCE missions, the Permanent Council is the main decision-making body adopting and prolonging the mandates, while the missions are administratively supported by the Conflict Prevention Centre based in Vienna. Therefore, to set up any field operation, both the mandate and the budget of a mission have to be approved by all member states, while also a specific memorandum of understanding about the mission’s tasks must be signed by the OSCE and the host state.\(^{951}\) Therefore, OSCE field operations on the one hand cannot implement any projects not approved by the host state but on the other hand are “by definition welcomed by their host governments.”\(^{952}\) Once an OSCE field operation is mandated, its specific name is subject to negotiations between OSCE and

\(^{950}\) Cf. OSCE Rules of Procedure Chapter II, (A), para. 2 / Chapter II, (B), para. 2-4.


\(^{952}\) Ibid., p. 3.
5.1 The OSCE’s role in Central Asia: A general overview

the host state, not to a technical definition.\textsuperscript{953} Therefore, while one can find ‘missions’; ‘offices’; ‘centres’; ‘presences’; ‘project co-ordinators’; and ‘special representatives’, one cannot draw conclusions about their mandate just by their denomination.\textsuperscript{954} Albeit field activities with a preventive mandate are usually coined ‘offices’, ‘centres’, and ‘project co-ordinators’, every mandate has to be studied separately. The specific mandates and budgets of the OSCE activities in Kyrgyzstan and Tajikistan will be discussed in the following subchapters, including their specific take on the three-dimensional security notion of the OSCE.

Already from the beginning in 1975, the CSCE/OSCE pursued a wider view on security than was common at the time. Within the CSCE/OSCE, the notion of security was divided “into three dimensions or ‘baskets’: (i) the politico-military, (ii) the economic-ecological and (iii) the humanitarian.”\textsuperscript{955} Thus, not only did the CSCE/OSCE coin a notion to security not dissimilar to the human security concept that evolved 20 years later, but this three-dimensional approach is also strikingly similar to Schneckener’s three-dimensional approach to the state functions: security, welfare, legitimacy/rule-of-law. Thus, as the OSCE aims to implement all three dimensions of security, an analysis of OSCE activities in a weak state shows that it will implement projects aiming to strengthen the respective state’s capabilities in fulfilling its entire three functions in the sense of the developed model. Therefore, the following subchapters will analyze the activities of the OSCE field missions in Kyrgyzstan and Tajikistan within all three dimensions of their work between 1998 and 2017, aiming to evaluate to what extent symptomatic factors contributing to fragile statehood can be influenced by the OSCE in all three state functions.

As the OSCE presence in Central Asia started already before the year 1998, the following part of this subchapter will give a brief overview over the preceding OSCE activities. The earliest CSCE/OSCE activity in the region was established in the end of 1993 with the OSCE Mission to Tajikistan.\textsuperscript{956} As this mission was set up during the civil war and was tasked (in conjunction with the UN mission UNMOT) to facilitate negotiations between the parties of the conflict as well as with monitoring

\begin{itemize}
\item \textsuperscript{953} Cf. Zellner et.al. 2014, p. 11.
\item \textsuperscript{954} Cf. ibid., pp. 11/12.
\item \textsuperscript{955} Dunay 2006, p. 20.
\item \textsuperscript{956} Cf. Von Gumppenberg 2002, p. 8.
\end{itemize}
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cease-fires to enable negotiations,\textsuperscript{957} it cannot be seen as a preventive political mission in the sense of this work. However, the mission was later transformed into the OSCE Centre in Tajikistan. Therefore, both the process of the transition as well as the activities of the OSCE Centre in Tajikistan will be fully analyzed in chapter 5.3. The second OSCE activity introduced here was the OSCE Central Asia Liaison Office (CALO), which was opened in 1995 in Tashkent.\textsuperscript{958} This liaison office in turn cannot only be seen as a preventive political mission in the sense of this analysis, but also as the predecessor of later OSCE activities in Central Asia. Contrary to the OSCE Mission to Tajikistan, CALO was not conflict related, but aimed at supporting the Central Asian states in implementing OSCE commitments, especially in the human dimension. To that extent, the Office organized several roundtables between the governments and NGOs in all Central Asian states, conducted human rights seminars for lawyers and border guard officers and, in some critical cases, monitored criminal trials from a human rights perspective.\textsuperscript{959} Due to these activities, CALO was soon criticized from two different angles: On the one hand, as CALO was posted in Tashkent, most projects were conducted in Uzbekistan despite CALO’s mandate to serve the whole region.\textsuperscript{960} On the other hand, the focus of the human dimension was criticized as preferring this dimension above the politico-military and the economic-ecological dimension, with the Central Asian states voicing a strong interest in cooperation with the OSCE in the economic-ecological dimension.\textsuperscript{961}

To answer this criticism and to reconcile the different interests of the Central Asian states, a new strategy was implemented from late 1998 on: Basically, an OSCE Centre was opened in every Central Asian country, with project implementation being agreed upon by the respective host state and the OSCE Centre – thus allowing a tailor-made approach.\textsuperscript{962} When evaluating the work of either CALO or the newly opened OSCE Centres in Ashgabat, Almaty, and Bishkek, one has to keep in mind their capabilities – every Centre initially consisted of 4 international members: one head of mission, one expert for every dimension and entailed a budget

\begin{thebibliography}{99}
\bibitem{957} Cf. Seifert 2017 (2010), p. 64.
\bibitem{959} Cf. Dorenwendt 1999, pp. 367/368.
\bibitem{960} Cf. ibid., p. 372.
\bibitem{961} Cf. ibid., p. 370.
\bibitem{962} Cf. ibid., pp. 372/373.
\end{thebibliography}
of roughly 2.2 million ATS (less than 150,000 USD). With the centers established in late 1998, the tailor-made approaches to each country led to quite different mission developments: While the field activities in Kyrgyzstan and Tajikistan grew considerably over time (see Chapters 5.2.1 and 5.3.1 for more details), the other centers kept their small size (Kazakhstan and Turkmenistan) or were even downsized both in scale and mandate (Uzbekistan), with similar effects to their budgets. In 2017, the mandates of the field operations in Kazakhstan, Kyrgyzstan and Tajikistan changed again, leading to an even stronger focus on host state approval for any planned project implemented by the mission. To symbolize this further change, the former ‘OSCE Centres’ were renamed to ‘OSCE Programme Offices’. However, since the mandates are deliberately kept flexible (or vague), differences in the tailor-made approaches by the OSCE to every Central Asian country are most visible in the resources, i.e. staff and budget, authorized by the Permanent Council.

The following figure shows the development of the mandated international staff from 1998 to 2017:

Figure 11: Authorized international staff of OSCE field operations in Central Asia 1998-2017; author’s own compilation.

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964 While official OSCE statistics, at least initially, stated only the number of mandated international staff, for every international staff member 3-4 locally recruited staff members are also part of the mission. CALO was not considered a mission, it was not subject to the statistics before the other OSCE Centres in Central Asia were opened. Kyrgyzstan without CSI.
The same development can also be observed with the mission budgets:

![Official budget of OSCE activities in Central Asia](image)

Figure 12: Official budget of OSCE activities in Central Asia 1998-2017; author’s own compilation.\(^{966}\)

The two figures show that while the OSCE started with a more or less balanced approach to all Central Asia, the weakest and most unstable states of the region, Tajikistan and Kyrgyzstan, became more and more the focus of the OSCE activities – displayed both by an increase of staff and budget which far exceeded the increase in the other countries of Central Asia. Therefore, in the next two subchapters, the work of these two particular missions will be analyzed in detail.

Prior to these analyses, however, I will briefly sketch out two inherent constraints of all OSCE missions. Both of these constraints involve the resources for OSCE missions: the budgeting process and the personnel policy. Regarding the budgeting process, OSCE missions have to adjust to three peculiarities: First, the budget is adopted on an annual basis, making it difficult to strategically plan long-term projects. Second, the OSCE follows a policy of “Zero Nominal Budget Growth”\(^{967}\), which means that the

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967 Zellner 2007, p. 16. / Marchesano 2015, p. 273. / Interview with OSCE Centre in Bishkek Member II, Bishkek, August 29, 2014.
inflation-adjusted budget of the OSCE is intended to stay constant over time. This in turn makes the internal OSCE budgeting process a zero sum game: If the budget for one mission is increased, the budget for another mission has to be cut. To alleviate this problem, the OSCE has created a system of extrabudgetary contributions, which essentially means that member states of the OSCE are allowed to make specific donations for specific projects. While this partly alleviates the budgetary constraints, it also creates the third problem for OSCE operations: They have to delegate some of their limited personnel to lobby for additional funds for specific projects, which inhibits both project implementation as well as strategic project planning.

The second peculiarity is that OSCE field operations have to adjust to the personnel policy of the OSCE. As an intergovernmental international organization, the OSCE aims to avoid creating an overgrown own institutional apparatus, hence relying mainly on personnel seconded from its member states. While for specific expert positions contracted personnel is an option, the majority of the international staff is seconded. This in turn creates a two-fold dependency of the OSCE on its member states: First, the process of filling a vacancy is time consuming, as a field mission usually cannot fill a position directly, having to rely on a lengthy secondment process instead. Second, as members of OSCE field missions are seconded members of state administrations, member states are often reluctant to second qualified personnel for longer than a year, making strategic planning difficult for the mission and creating frictions because quite often projects have to be handed to successors. Regardless of these frictions, as described above, finding a successor often constitutes a problem in itself.

However, as these peculiarities regarding budgeting and staffing inhibit all OSCE field operations, the following subchapters will focus on the specific options and limitations the OSCE field operations in Kyrgyzstan and Tajikistan have to face.

The analysis of the OSCE missions in Kyrgyzstan and Tajikistan will follow a three-step approach: First, this subchapter will give an overview about the initial mandate of the mission as well as its subsequent changes and will also briefly sketch out the general development of the mission between 1998 and 2017. Second, the next subchapter will analyze the activities performed by the OSCE mission within the security, welfare, and
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legitimacy/rule-of-law function of the state. Third, the subsequent subchapter will evaluate the performance of the OSCE activities, aiming to identify those symptomatic factors of weak statehood which are beyond the influence of the OSCE.

5.2 The OSCE operation in Kyrgyzstan

5.2.1 Mandate and operation development

Already the initial mandate of the OSCE Centre in Bishkek, adopted in July 1998 by the Permanent Council of the OSCE, explicitly tasked the proposed mission with conflict prevention and at the same time remained quite vague in defining how this was to be achieved. While this vagueness on the one hand can be seen as a lack of strategic vision, it allowed the Centre on the other hand a great flexibility in developing a tailor-made approach for developing cooperation with Kyrgyzstan. Furthermore, the mandate was designed to be in principle open-ended, but with a formal extension every year by the Permanent Council. In the official statement, the initial decision called for the following:

“[...] 1. To establish, preferably during the last quarter of 1998, an OSCE Centre in Bishkek, which will perform the following tasks:

Given the OSCE role as primary instrument for early warning, conflict prevention, crisis management and post-conflict rehabilitation, promote the implementation of OSCE principles and commitments as well as the co-operation of the Kyrgyz Republic within the OSCE framework, with special emphasis on the regional context, in all OSCE dimensions, including the economic, environmental, human and political aspects of security and stability; [...]” 969

The formulation of the mandate as well as the limited number of staff indicate that, at least initially, the focus of the mission was more intended to support reforms by consultation than by providing e.g. training. However, due to the vagueness of the mandate, these tasks changed over time with an increase both of staff and budget to shift the focus towards monitoring and training, but without significant changes in the wording of the man-

date till 2010. In the year 2010, immediately after the outbreak of the ethnic clashes in Southern Kyrgyzstan, the Permanent Council extended the mandate by authorizing

“[...] the deployment, without delay, of an OSCE Police Advisory Group to assist Kyrgyzstan to reduce inter-ethnic tensions, restore public order and strengthen the capacities of the territorial units of the Ministry of the Interior of the Kyrgyz Republic; [...]”

Even though capacity building was possible before under the term of “implementation of OSCE principles and commitments”, only now did it become an explicit task of the OSCE for the police forces of Kyrgyzstan. This newly founded Police Advisory Group was institutionalized and renamed to Community Security Initiative (CSI) in late 2010, but the mandate remained otherwise unchanged. The initiative was closed in the end of 2015, again without any other mandate changes.

Only in 2017 the mandate was changed again, this time however, in three significant ways: First of all, the term ‘conflict prevention’ was struck from the mandate and replaced by a statement in the preamble implying that the former mandate had been fulfilled:

“Taking into account the considerable progress of the Kyrgyz Republic on the path of democratic reforms and the long-term successful co-operation with the OSCE in the field of political reforms in the country, [...] Decides that:”

This change in the mandate of course led to the second significant change: Not only were the tasks formulated in a much more specific way, but also the consent of the host state was further emphasized. From 2017, the new Programme Office is tasked with the following:

970 In 2000, the opening of an OSCE Field Office in Osh was decided, but the mandate remained the same. Cf. Organization for Security and Co-operation in Europe / Permanent Council, Decision No. 339 (PC.DEC/339), Vienna 2000.


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“The OSCE should work towards the following priority areas such as:

Projects related to the politico-military dimension, with a focus on transnational threats and law enforcement co-operation, with an emphasis on security sector governance, the fight against terrorism and violent extremism, and the fight against organized crime and drug trafficking;

Projects related to the economic and environmental dimension, with an emphasis on economic and ecological development and promoting good governance, the fight against corruption and money laundering, public-private partnerships, the development of small and medium sized enterprises, transport and border and customs control, environmental protection, water management issues and natural disaster reduction;

Projects related to the human dimension on strengthening human rights, in particular social, economic and cultural rights and the rule of law, and the fight against human trafficking; and strengthening democratic institutions, the electoral system, freedom of expression and civil society development;

Projects on gender equality as a cross-dimensional issue.”

Additionally to this far more specific task prescription, the third significant change consisted in the closure of the OSCE Field Office in Osh, leading to a local concentration of OSCE personnel in Bishkek. Thus, these significant changes in the mandate, especially the abandoning of the explicit conflict prevention intention, make the adoption of the new mandate by the Permanent Council the end point of the time frame of investigation.

In-between 1998 and 2017, when the mandate of the OSCE Centre in Bishkek had conflict prevention as its explicit main intent, the detailed implementation of this mandate was not prescribed by the organization, as discussed above. Therefore, implementation was left to the Centre itself, depending on the consent of the host state, the authorization of the OSCE for the mission and the resources available.

Based on these authorized resources, the development of the mission can be systematized into three phases: An initial phase between 1998 and 2005, when authorized international staff was below ten and authorized budget under 2 million USD; an intermediate phase between 2005 and 2010 with authorized international staff below 20 and authorized budget below 6 million USD, and the fully developed phase between 2010 and


977 Cf. ibid.
2017 with an authorized international staff above 20 (above 50 when the CSI is added) and an authorized budget between 6 and 7.5 million USD. (Again, local staff is not directly authorized by the organization, but hired via the mission budget. Basically, for one international staff member, three to four local staff members are also part of the mission, bringing its total strength to 126 in 2016.)

This classification based on mission resources shows that despite the lack of mandate changes, on the one hand the capabilities of the mission increased, especially after the 2010 revolution, while at the same time the focus of the mission work shifted towards more staff and resource intensive measures, i.e. projects and training. To analyze this focus shift even further, the next subchapter will analyze the measures of the OSCE Centre in Bishkek and its Field Office in Osh with all three OSCE dimensions, i.e. state functions in the sense of the developed model, respectively.

Afterwards, the extent to which the OSCE activities can be seen as means for structural conflict prevention will be assessed, by evaluating whether symptomatic factors critical to the process of state failure can be influenced by an external organization at all. In order to do so, the projects implemented by the OSCE Centre in Bishkek between 1998 and 2017 will be systematized two-fold: First, they will be classified according to the symptomatic factor of fragile statehood the measures aimed to address. Second, they will be classified according to what extent the OSCE was able to influence the symptomatic factor. This assessment in turn will be based on three levels: first, whether the OSCE tackled the factor at all; second, whether the engagement of the OSCE had any effect or whether the measure ultimately remained without any effect; and third, if the measure had any effect, it will be assessed which level of support was offered by the OSCE at all (ranging from monitoring to reform support). Afterwards, it can be evaluated whether the measures of the OSCE are able to interrupt destabilizing processes or not.

Each symptomatic factor of fragile statehood will be analyzed separately, starting from the top of the developed model. Since the development of the OSCE programs in Kyrgyzstan followed an internal decision-making process totally independent from the developed model, they will not be discussed in chronological order of their implementation. In the end of

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978 Cf. OSCE 2017, p. 90.
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each subchapter, the results of the analysis will be presented in a clearly arranged matrix.

5.2.2 Activities within the three functions

5.2.2.1 Security function

To assess the OSCE’s actions in the security function, the measures taken by the OSCE to address the symptomatic factors fragmentation of security forces; oversized, paramilitary structure and training; ineffective security forces; as well as corruption and nepotism; reform blockades and lack of trust will be analyzed as described above.

Starting with the first symptomatic factor, the fragmentation of security forces into a wide range of forces with overlapping competences, the assessment comes to a relatively clear conclusion: The OSCE Centre in Bishkek did not tackle this particular factor of fragile statehood in the first ten years of its existence. Only in 2009, i.e. during the last year of the Bakiev era, did the OSCE take a small step to increase cooperation between the different law enforcement agencies by organizing a conference on the combating of organized crime with participants “from the Kyrgyz MoI, State Security Service, Custom and Border Committees, the Prosecutors office, and the State Service on the Execution of Crimes, as well as experts from other law enforcement agencies […].”979 However, due to the end of the Bakiev era and the chaotic situation following the 2010 revolution, the topic quickly disappeared from the agenda and only resurfaced at the end of 2013, when an “Inter-Agency Working Group on Organized Crime was established by the government […].”980 As this working group was tasked with developing an action plan to fight organized crime in Kyrgyzstan, the OSCE Centre in Bishkek offered its expertise by consulting on the measures suggested in the action plan.981 However, when assessing the outcome of this consulting measure, it has to be taken into account that while the national Co-ordination Centre to implement the action plan was open in 2014 (in premises equipped and renovated with OSCE

979 OSCE/SPMU 2010, p. 86.
980 OSCE/SPMU 2014, p. 135.
981 Cf. ibid., p. 135.
funds), further measures focused on the training of staff by organizing study tours and internships for members of the respective departments in the Lithuanian police. A further disentangling of overlapping competences did not seem to be a priority of national policy.

When attempting to evaluate the effectiveness of the OSCE’s activities one therefore has to take into account that on the one hand, the fragmentation of the Kyrgyz security forces was completely out of range for the Centre in Bishkek in the first half of its existence. Not until the last four years of the time frame of analysis (2013-2017) could the support of the OSCE go beyond the hosting of coordination meetings. However, neither the consulting for an action plan to tackle organized crime nor the training of staff of the national coordination center address the main problem of overlapping competences of the fragmented security forces. Thus, the symptomatic factor of the fragmentation of security forces has to be considered as being out of range for the OSCE to influence – this in turn does not of course imply that it is the fault of the OSCE that this factor is out of range. Instead, as the fragmentation of security forces is derived from the State Leader’s Dilemma, during all the time when Kyrgyzstan was entrapped in this dilemma (i.e. till 2010), no significant measures were even possible. Only after the 2010 revolution did some cautious consulting measures begin, but with the currently unclear situation of whether Kyrgyzstan will follow a path of liberalization or fall back into a State Leader’s Dilemma, a change in the fragmentation of security forces is also unclear. Thus, till now, no significant progress has been made in this particular symptomatic factor.

The oversized, paramilitary structure and training of the Kyrgyz security forces on the other hand is a symptomatic factor the OSCE tried to tackle for as long as support for Kyrgyz security forces was part of the Centre’s programs. Already in 2003, when the Centre in Bishkek started to offer to specialized trainings to the police via the so-called Police Reform Programme, the lack of quality investigations, caused partly by the lack of trained criminal inspectors with a focus on crime scene investigation and technical evidence analysis in a paramilitary police was identified. Therefore, “[t]raining and seminars in criminal investigation information analysis, crime profiling and crime scene examination have been held for

982 Cf. OSCE/SPMU 2015, p. 143.
983 Cf. OSCE/SPMU 2016, p. 113.
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Investigators’ as one of the first measures taken by the OSCE in the security function of Kyrgyzstan at all, while “the discontinuation of the training of police officers in the use of assault rifles” and a “reconsideration of the role of internal troops in police duties” have been recommended. Over the course of time, training courses aimed to set up other specialized police units able to deal more effectively with certain types of delicts have been continued to demilitarize the police. These measures however, have neither been implemented completely nor without difficulties.

All in all, the OSCE aimed to decrease the paramilitary structure of the Kyrgyz police forces on the one hand by transforming traditional police units into specialized police units focusing either on community policing (i.e. classical patrolling and maintaining presence in the public), juvenile delinquency, criminal investigations, and anti-riot policing, while it on the other hand aimed to establish civilian oversight over police units and the Ministry of the Interior. Here, the results of these measures have to be evaluated differently. While setting up specialized police units and training them as well as introducing the community policing concept (i.e. the concept of assigning neighborhood inspectors to specific communities, acting as reliable contact persons for any needs of the respective community) went with one exception with minor difficulties, the establishment of civilian oversight over the Ministry of the Interior was accompanied by major difficulties with the final result yet unknown.

The only specialized police unit that could not be set up without difficulties was the anti-riot police aiming to keep public order during demonstrations and assemblies, which, understandably, caused concerns by civil society organizations. The establishment of a specialized anti-riot police under an authoritarian president (in 2003, when the project started, it was still the era of president Akaev) indeed posed a dilemma for the OSCE. On the one hand it was the aim of the organization to professionalize the already existing paramilitary units and therefore to train them in respecting human rights, basic negotiations skills with demonstrators and gaining skills in handling violent rioters below the threshold of firearms use, i.e. to turn a paramilitary police into a professional modern police able to deesca-

985 OSCE/SPMU 2005, p. 32.
986 Ibid, p. 34.
987 OSCE/SPMU 2005, p. 34.
988 Cf. OSCE/SPMU 2004, p. 32.
late demonstrations threatening to turn violent.\textsuperscript{989} On the other hand however, not only was the OSCE giving the impression of supporting an authoritarian president in suppressing the population, it did of course not have any control about how the newly trained units would eventually be used. Therefore, the OSCE aimed (and was able to convince president Akaev) to include civil society organizations into the steering committee of the Police Programme to increase transparency and build confidence.\textsuperscript{990} Still, this part of the program remained controversial for the whole time of its implementation. Furthermore, even though training programs for specialized anti-riot police units have been part of the Police Reform Programme every year since 2003, the Kyrgyz police responded violently (at least initially) to the 2010 revolution and was at the same time not able to restore public order in the 2010 ethnic clashes in Southern Kyrgyzstan. Instead, according to the Strategic Police Matters Unit of the OSCE, "[t]he events of April 2010 revealed the absence of co-ordination of law enforcement institutions with other authorities; a lack of knowledge and conceptual understanding of conflicts and a conflict-sensitive approach at almost all levels of the police hierarchy; a poor human resources strategy in the Interior Ministry; and the lack of a sound training strategy for both new and experienced police officers."\textsuperscript{991}

After the 2010 events, the training efforts continued for all branches of the police, including a newly founded anti-riot regiment.\textsuperscript{992} However, as it will be discussed later in this subchapter under the heading corruption and nepotism, received training will not necessarily lead to the establishment of an institutional memory within the police forces due to a poor human resources policy. Therefore, the results of the projects aiming to overcoming the paramilitary structure and training are mixed: While the current Kyrgyz police on the operational level has indeed set up specialized civilian trained police units able to handle specific crimes and situations, their effectiveness leaves room for improvement.

The other element of the demilitarization of the police however, the establishment of civilian oversight over the Ministry of the Interior as well as establishing police accountability was less successful, even though the

\begin{itemize}
\item \textsuperscript{990} Cf. OSCE/SPMU 2004, p. 32.
\item \textsuperscript{991} OSCE/SPMU 2011, p. 95.
\item \textsuperscript{992} Cf. OSCE/SPMU 2015, p. 142.
\end{itemize}
slow process of changes did not come to a complete standstill. While initial proposals of the OSCE to introduce democratic oversight at least over a potential police reform process date back to 2005,\textsuperscript{993} the attempted efforts immediately stalled. Only in 2011, i.e. parallel to the establishment of a parliamentary system of government after the 2010 revolution, did the Centre in Bishkek start a new attempt in fostering police reform by bringing together members of the newly elected parliament, the new government, civil society and the Ministry of the Interior to discuss police reform in a series of roundtables.\textsuperscript{994} While the introduction of civilian oversight and police accountability was a key demand from the beginning of the process on,\textsuperscript{995} progress remained slow. Despite pressure from civil society and lobbying from the OSCE, by 2017 the process was still in the stage of awareness-raising within the Ministry of the Interior by sending key stakeholders to seminars and training courses on parliamentary control of police forces. Therefore, despite the fact that the process has not come to a complete standstill, basically no progress has been made in this regard. Thus, the conclusive evaluation of the outcome of OSCE projects regarding the paramilitary structure and training of the Kyrgyz police remains negative – while positive impacts have indeed been made by providing training courses, these results are of doubtful sustainability due to a poor human resources policy and a lack of will to reform beyond the operational level. This assessment in turn leads to two other symptomatic factors hampering the effectiveness of the security forces: corruption and nepotism within the security forces as well as reform blockades.

As the initial projects within the police reform project aimed at quick, visible impact by providing training and technical support, corruption prevention was not a focus in the early years. However, to ensure sustainability of the provided trainings, nepotism within the police command structure was seen as a threat to the project’s success from the beginning on. Therefore, already the first recommendations of the OSCE aimed to foster medium and long term reforms called for “adopting procedures for filling vacancies by transparent and competitive means [...]”\textsuperscript{996}, as the OSCE identified a “serious lack of financial, technical and – most importantly –
qualified human resources at all levels of the Kyrgyz police."997 Despite such frank wordings in the reports of a diplomatic organization, the success of these recommendations remains in doubt: Only in 2010, i.e. after the two revolutions, was the OSCE able to support “the establishment of a database for the MoI on human resources management that aims to manage the information on trained police personnel and to monitor the employee’s professional development.”998 Before this establishment, which was also aimed to “monitor the effectiveness of the OSCE-provided training courses to the Ministry”999, there basically was no system on how to ensure that the training provided by the OSCE (which included especially training of trainers’ seminars) had any lasting success – a condition aggravated even more by constant “high turnover and rotation rates in the police.”1000 Therefore, while the OSCE’s reports on the one hand constantly stress the reluctance of the Ministry of the Interior to implement any reforms fostering transparency,1001 a constant turnover within the police is still lamented.1002 This in turn can be used to assess the possibilities of the OSCE to at all influence human resources management within the security forces, i.e. the prevalence of nepotism: Here, since it took seven years just to set up a database to track trained personnel, the general critique on the lack of human resources and the high turnover remained. It can be concluded that the symptomatic factor of corruption and nepotism within the Kyrgyz security forces was beyond the influence of the OSCE, despite all efforts taken in this direction.

This in turn can be seen in the light of the next symptomatic factor of fragile statehood, i.e. the reform blockade derived from corruption and nepotism. While the OSCE aimed to engage in deeper reforms of the Kyrgyz police structures from the beginning on1003 (including civilian oversight and transparent human resources management), the progress of these efforts was slow to inexistent, leading the Strategic Police Matters Unit of the OSCE in 2013 (i.e. after both revolutions) to conclude that

998 OSCE/SPMU 2011, p. 89.
999 Ibid., p. 89.
1000 OSCE/SPMU 2012, p. 100.
1001 Cf. OSCE/SPMU 2013, p. 128.
1002 Cf. Interview with Community Security Initiative Member, Osh, March 17, 2014.
1003 Cf. OSCE/SPMU 2005, p. 34.
“The Ministry of Interior (MoI) had previously lacked action plans for implementing any of the abandoned strategies to reform the law enforcement bodies over the previous nine years. This shortcoming was aggravated by successive governments failing to fully support changes within the MoI. This lack of political will and the Ministry’s resistance to reform have resulted in little progress in promoting the mechanisms and institutions designed to further transparency, accountability and civilian oversight.”

Former members of the mission basically confirm the results of the report, sometimes in an even more frank wording, if granted anonymity. Consequently, the Police Reform Programme of the OSCE Centre in Bishkek “underwent a partial restructuring and rebranding to become the Police Matters Programme (PMP)” in 2014. Even though the dismissal of the word reform was rhetorically branded as a turn to support other law enforcement agencies additionally to the police instead of a turning back from police reform, it actually can be interpreted as a turning back from structural reform, especially in the light of the changed mandates and scaled-down mandates three years later. Therefore, regarding the reform blockade, I not only agree with the conclusions of David Lewis or Reina Artur Kyzy that the OSCE was unable to foster reforms beyond technical support, but would go so far to state that any reform attempt from the outside is bound to come to nothing as long as the structure of the police is derived from corrupt/nepotistic networks which in turn derived from the State Leader’s Dilemma.

Therefore, the two remaining symptomatic factors of fragile statehood within the security function of the state, the ineffective security forces and the population’s lack of trust in them, can be seen as the consequences of the factors previously discussed. Even though the OSCE has proven unable to effectively tackle the four factors analyzed above, these two remaining factors have constantly been focal points of the work of the Centre in Bishkek. This in turn cannot be described as ill-placed priorities by the OSCE, as Lewis would argue; quite the contrary: The OSCE has not

1004 OSCE/SPMU 2013, p. 128.
1005 Cf. Interview with OSCE Conflict Prevention Centre Member, Vienna, March 5, 2015. / Interview with OSCE Centre in Bishkek Member III, Bishkek, September 5, 2014.
1006 OSCE/SPMU 2015, p. 139.
1007 Cf. ibid., p. 139.
1009 Cf. Lewis 2011b, p. 117.
been focusing on the ineffectiveness of the security forces and the population’s lack of trust in them due to an unwillingness to foster deeper structural changes, but because it has not been able to foster deep structural changes. Therefore, the focus of the most visible and acute deficiencies of the security function of the Kyrgyz state becomes understandable.

Not surprisingly, the ineffectiveness of the security services in general was the first focus of the Centre in Bishkek when it started to support the Kyrgyz police in 2003, as training of police personnel as well as providing technical equipment is by far easier to organize than supporting long-term reform. While, as discussed above, long-term reform efforts did not lead to successful implementation, the training and mentoring of police officers remained a constant activity of the OSCE Centre in Bishkek. Additionally to the set-up and training of specialized police units which led to mixed results as discussed above, the introduction of the concept of community policing for normal police patrols was one of the measures taken from 2003 on that were implemented over the whole period of the OSCE’s police support. The concept of community policing in turn

“can be defined as a philosophy and organizational strategy that promotes a partnership-based, collaborative effort between the police and the community to more effectively and efficiently identify, prevent and solve problems of crime, the fear of crime, issues of physical safety and security, social disorder, and neighbourhood decay in order to improve everyone’s quality of life.”

It therefore aims to tackle the problem of the ineffectiveness of the police forces via the vector of crime prevention, mainly by increasing the presence of the police in the public and by assigning specifically trained neighborhood inspectors to certain communities for a long term period. Additionally, as this concept was also meant to (re-)increase the population’s trust in the police, it also aimed at increasing the rate of crimes reported to the police instead of going unnoticed.

Measures aiming to introduce the concept of community policing have been part of the Centre in Bishkek’s programs for every year of its work to support the police. Therefore, a wide range of projects actually contributed to this end – ranging from the renovation of police stations via training and mentoring, the introduction and expansion of pilot districts for

1010 Cf. OSCE/SPMU 2004, p. 31.
1011 OSCE/ODIHR 2014, p. 76.
1012 Cf. OSCE/SPMU 2005, p. 33.
community policing\textsuperscript{1014} up to the introduction of the concept of community policing into the curriculum of the police academy.\textsuperscript{1015} While this concept was initially mainly established in districts in Northern Kyrgyzstan, after the 2010 events the newly formed Community Security Initiative (CSI) of the OSCE aimed specifically at establishing community policing in the south of the country.\textsuperscript{1016} In addition to the introduction of community policing, the Kyrgyz police was supported in a number of technical/equipment donations, like the donation of minibuses to reach communities without a police station (so-called mobile police receptions)\textsuperscript{1017} or the renovation and technical upgrading of situation rooms\textsuperscript{1018} to increase their effectiveness.

Regardless of this whole range of support for the police forces, which are the most crucial to keep public order, training activities were also conducted to bolster the effectiveness of the Kyrgyz border guard. Despite a pioneer project in the year 2000,\textsuperscript{1019} larger scale training courses for the border guard and or specialized anti-terror police forces commenced only from 2008 on, but on a regular basis.\textsuperscript{1020} Contrary to the police reform program however, these training courses were not flanked by any attempt to institutional reform. Instead, they focused on single issues and/or around simulated exercises like simulated attacks on critical infrastructure. While these training courses are valuable as such, the same caveat has to be made as for the police force training courses: as longs as careers are based on non-transparent nepotism, the formation of an institutional memory that ensures that the training success is sustained within the security forces, is in doubt.

\textsuperscript{1015} Cf. OSCE/SPMU 2014, p. 136. / Interview with OSCE Strategic Police Matters Unit Member, Vienna, March 6, 2015.
\textsuperscript{1016} Cf. OSCE/SPMU 2013, p. 134.
\textsuperscript{1018} Cf. OSCE/SPMU 2004, p. 31.
\textsuperscript{1019} Cf. OSCE 2000, p. 64.
The last measure of the OSCE Centre in Bishkek to increase the effectiveness of the security forces is the support for neighborhood watches, which was active since 2007. As was discussed in subchapter 4.1.3.1, the so-called druzhinas played a vital role in stabilizing the security situation after the 2010 revolutions, but can also be seen as organizations challenging the monopoly on the legitimate use of force of the state, thus making them essentially a double-edged stop-gap-measure: On the one hand, these organizations proved their value by supporting the restoration of order in the country but on the other hand showed that the OSCE implicitly acknowledged that the Kyrgyz security forces were neither considered effective enough to deal with the situation despite four years of continued external support nor was the population’s trust in them high enough to prevent the formation of (unarmed) citizen militias. Albeit the OSCE also supported the clarification of the legal status of the druzhinas, the dilemma for the international organization was clear: Supporting non-state organizations keeping public order and therefore fulfilling essentially law enforcement duties might foster the long-term establishment of non-state actors capable of challenging the monopoly on the legitimate use of force and therefore destabilize the already weak state even further in the long run, albeit it might seem necessary in the short run.

If one now tries to evaluate the effectiveness of the measures of the OSCE’s efforts when trying to tackle the ineffectiveness of the Kyrgyz police forces, one can at first definitely conclude that this factor, contrary to those discussed above, is clearly within the sphere of influence for an international organization. When trying to assess how effectively this factor can be influenced, the result becomes more mixed again. While the official report of 2010 almost euphorically states that “[c]ommunity-based policing has become widely known and appreciated among all major sectors of the society of Kyrgyzstan despite that it is a relatively new phenomenon in the country”\(^\text{1022}\), an assessment also confirmed by former mission members,\(^\text{1023}\) other dimensions of police effectiveness are, however, more difficult to evaluate. This difficulty in turn is derived from the difficulty to establish police performance evaluation criteria, which in turn

\(^{1021}\) Cf. OSCE/SPMU 2012, p. 105.
\(^{1022}\) OSCE/SPMU 2011, p. 88.
\(^{1023}\) Cf. Interview with OSCE Centre in Bishkek Member III, Bishkek, September 5, 2014. / Interview with OSCE Strategic Police Matters Unit Member, Vienna, March 6, 2015.
have been constantly contested during the whole time in which the OSCE aimed for police reform. Traditionally, the internal evaluation of the performance of the Kyrgyz police was based on crime detection rates, which leads to three problems:

First, crime detection statistics are considered a state secret and therefore not published. Second, the results of investigations are usually based on confessions, not on technical evidence – which is one of the reasons why the OSCE put so much effort in training a specialized criminal police in the first place. Combined with arbitrary arrests and reports of abuse, forced confessions are likely, which in turn invalidates the official crime detection rates. Third, due to the likelihood of forced confessions and the population’s general lack of trust, it is very likely that numerous crimes are not reported to the police at all (in the only available study, which is only based on 2015 data, 68.6 percent of all crimes are considered not reported at all), which further invalidates the official crime detection rates.

As such an unreliable system of performance evaluation is not only disadvantageous from a scientific point of view but also from the perspective of financial controlling of project funds, the OSCE suggested using surveys of the public trust in the police to evaluate police effectiveness. In this way, the problems of under-reported crimes and forces confessions could be mitigated (though not solved) because such cases would diminish the population’s trust in the police and would therefore be measured indirectly. In the first independent survey regarding the population’s trust in the police from 2015, only one third of the respondents considered the Kyrgyz police “doing a ‘very good’ or ‘good’ job [...]” However, as there is no open source data available for the time before 2015, neither the trend of the population’s trust in the police can be assessed nor to what extent the work of the OSCE contributed to this development. Furthermore, even though the new police performance evaluation criteria were officially adopted by the Kyrgyz government in early 2015, already in the same year the whole Police Matters Programme of the Centre in Bishkek “was incorporated into the Politico-Military Dimension [...] to assist not only
While this statement allows leeway for interpretation, it can be seen as a confirmation of the OSCE that after twelve years of continued support for the Kyrgyz police, only very few results have been achieved. Therefore, not only is there still no official data on the effectiveness of the police, but in the light of the changed mandate one would be overly optimistic to expect any.

Coming back to the evaluation of the ineffective security forces in the sense of the model used in this analysis, it can be stated that this ineffectiveness is the result of the symptomatic factors discussed above (fragmentation, paramilitary structure and training, corruption and nepotism and reform blockades). Therefore, as three out of these four factors have been considered out of range of influence of the OSCE and the fourth factor (the paramilitary structure and training) can only partly be influenced, the resulting factor, the general ineffectiveness of the security forces can only be minimally influenced by an external organization. On the one hand, one has to emphasize that since 2003 a lot of training has been provided to the Kyrgyz police, including some changes regarding community policing in the curricula of the police academy, which in turn probably have increased the effectiveness of the Kyrgyz police to a certain extent, albeit it was never officially measured. On the other hand however, the sustainability of this increased effectiveness is in doubt because corruption and especially nepotism within the police as well as the reform blockades will prevent a long-term institutionalization of the training provided. Still, due to the constant training courses provided by the OSCE, the symptomatic factor ineffectiveness of the security forces is evaluated as partly within the influence of an international organization.

The last symptomatic factor of fragile statehood, the population’s lack of trust in the security forces, has already been mentioned as a result of the security forces’ ineffectiveness. However, as the OSCE Centre in Bishkek undertook projects aimed specifically at this factor, it will be analyzed separately. While the first projects of the OSCE Centre in Bishkek were of purely technical nature, the question of how to increase the population’s trust in the security forces arose almost immediately because the training of a specialized anti-riot police was met with protests from civil society. Since these protests, civil society organizations have been constant-

1029 OSCE/SPMU 2017, p. 117.
1030 Cf. OSCE/SPMU 2004, p. 32.
ly involved in the OSCE projects in two ways: First, in all matters regarding the conduct of a potential police reform, representatives of civil society organizations were involved in round table discussions and seminars aiming to establish precise aims for the direction of police reform.\textsuperscript{1031} Second, in all districts where a community policing approach was to be implemented, it was aimed to establish permanent lines of communication between neighborhood inspectors and local civil society.\textsuperscript{1032} While all attempts to implement police reform failed in the end as discussed above, the establishment of communication between local civil society and neighborhood inspectors led to some successes. Most notably, according to the OSCE, the two types of inspectors mostly deployed in community policing activities – neighborhood inspectors and juvenile delinquency inspectors – “were the least likely to be the object of complaints of abuse among police officers.”\textsuperscript{1033} However, as these types of inspectors also are considered the least prestigious within the police, many of them aim to get transferred to other departments (like the criminal police)\textsuperscript{1034}, leading to a high turnover among neighborhood inspectors.\textsuperscript{1035}

After the breakdown of public order in 2010 and the henceforth breakdown of public trust in the security forces that failed to keep public order, particularly in the south of the country, the OSCE engaged in two lines of projects especially designed to (re-)establish the lost trust: First, the so-called Community Security Initiative (CSI). Second, and not uncontroversial, the support of neighborhood watches. The Community Security Initiative was approved in November 2010 by the Permanent Council of the OSCE,\textsuperscript{1036} and deployed in early 2011.\textsuperscript{1037} Contrary to previous projects which were implemented in a secluded training environment (like the po-


\textsuperscript{1033} OSCE/SPMU 2013, p. 136.

\textsuperscript{1034} Cf. Interview with Community Security Initiative Member, Osh, March 17, 2014.

\textsuperscript{1035} Cf. ibid.

\textsuperscript{1036} Cf. Organization for Security and Co-operation in Europe / Permanent Council, Decision No. 961 (PC.DEC/961), Vienna 2010.

\textsuperscript{1037} Cf. OSCE/SPMU 2012, p. 109.
The CSI aimed at supporting the Kyrgyz police in the southern districts by attaching police consultants to “regional police headquarters and local police substations”\(^{1038}\) aiming to advise and mentor local Kyrgyz police on the job. Additionally, Local Crime Prevention Centres (LCPCs) and Community Safety Working Groups (CSWGs) have been established, both aiming at bringing together police and local civil society on a regular basis.\(^{1039}\) The CSI was met with suspicion initially as it was seen as interference in internal affairs (even though the program was approved by the Kyrgyz government),\(^{1040}\) leading in the case of multi-ethnic policing even to the situation that directly after the 2010 ethnic clashes “[s]trong nationalistic tendencies became a key element of Kyrgyz politics and the problem of ethnic representation was, for the time being, systematically ignored. The CSI was not permitted to provide targeted training on this matter.”\(^{1041}\)

However, these initial problems in the set-up phase were soon overcome, making the CSI one of the flagship projects of the OSCE in Kyrgyzstan. In this regard, the combination of training for the police and confidence building measures with the public was considered successful by both the OSCE and the Kyrgyz government – which in turn was used as an argument on why the mandate of the CSI was not prolonged beyond 2015.\(^{1042}\)

From the perspective of this analysis of the population’s general trust in the security forces, this official evaluation must be viewed with caution: On the one hand, given the complete failure of the security forces and the subsequently extremely low level of trust after the 2010 clashes, already the fact that discussions were held between security services and civil society has to be seen as a success. On the other hand, the sustainability of these re-established contacts is at least in doubt, both because of the uncertainty whether discussion would lead to co-operation without external incentives,\(^{1043}\) as well as ongoing reports of police misconduct such as “arbitrary arrest, extortion, and general corruption.”\(^{1044}\) Such misconduct in turn is not without pattern, but usually hits the weakest links of the socie-

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1039 Cf. OSCE/SPMU 2013, p. 135.
1041 Ibid., p. 112.
1043 Cf. Interview with Community Security Initiative Member, Osh, March 17, 2014.
1044 OSCE/SPMU 2013, p. 136.
ty, i.e. the Uzbek minority.\textsuperscript{1045} Therefore, as long as police misconduct essentially fosters mistrust between ethnic communities, there will neither be a development of trust between these communities nor between police and public. Seen from this perspective, the assessment of the result of the CSI’s work is mixed: On the one hand, the CSI was able to re-establish communication channels and thus a minimum level of trust between police and the communities after the 2010 events, i.e. to increase this trust from virtually inexistent to low-level trust. Given the severity of the 2010 events, this has to be considered an achievement and must not be played down. On the other hand however, the CSI was unable to address the root causes of the mistrust, making this currently existent low level of trust the maximum of the achievable.

Summing up the outcomes of the OSCE measures to tackle symptomatic factors of fragile statehood within the security function of the Kyrgyz state, three clusters of outcomes can be identified: factors that were in the sphere of influence of the OSCE, factors that the OSCE tried to influence but eventually was unable to tackle, and factors clearly beyond the influence of the OSCE. Basically, only three factors were within the sphere of influence of the OSCE, but they were influenced with different levels of success: the population’s lack of trust, the ineffectiveness of the security forces and their paramilitary structure and training. Regarding the population’s lack of trust, it was on the one hand possible to (re-)establish a minimum level of trust by holding round tables, the introduction of community policing and the inclusion of civil society in police reform attempts. However, as the causes of this lack of trust (police misconduct, ineffectiveness, and corruption) are out of reach of the OSCE, the long-term sustainability of this minimum level of trust is unclear. The same applies for the effectiveness of the security forces. While the OSCE could provide a whole range of training activities over the 14 years of massive support, there is no guarantee that the trained police officers will be those to fill future upper ranks in the police structure, making the training results sustainable. Still, the introduction of the community policing concepts into the curricula and the acceptance of the concept by the population shows that change within the Kyrgyz police is possible. Regarding the paramilitary structure and training, the assessment was ambiguous: On the one hand, the OSCE could foster the establishment of specialized police units,

\textsuperscript{1045} Cf. Interview with OSCE Conflict Prevention Centre Member, Vienna, March 5, 2015.
such as a criminal police, juvenile delinquency departments or a (not un-controversial) specialized anti-riot police, therefore decreasing the paramilitary structure and training on the operational level. On the strategic level however, one of the linchpins of the paramilitary structure could not be addressed: civilian oversight over the police forces. Here, the militarized structure remains and, at least currently, is hardly about to change. Thus, despite all successes in the operational structure, the sustainability remains unclear.

The two factors which the OSCE tried to influence but proved unable to influence were corruption and nepotism as well as the reform blockades. Both are closely interwoven, as shown by the turnover of police personnel and lack of transparency in personnel selection which both hampered the sustainability of training programs and reform proposals. One cannot say that the OSCE did not try to reform the Kyrgyz police over the 14 years of constant police reports, but in the end the OSCE itself admitted that the police reform program did not meet its aims, while at the same time large parts of the police are seen as notoriously corrupt by the population.

The last symptomatic factor of the model developed for this analysis, the fragmentation of the security forces, was not tackled by the OSCE at all beyond some round tables between security services to tackle organized crime. While this factor was not tackled by the OSCE due to other, more immediate concerns, considering the reform blockades already in the Ministry of Interior, an even wider reform of the whole security apparatus seems even more unlikely.
Therefore, the following table sums up the results of the analysis:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Not tackled at all</th>
<th>Tackled without effect</th>
<th>Tackled with effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fragmentation of security forces</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Oversized, paramilitary structure and training</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Corruption and nepotism</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reform blockade</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ineffective security forces</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Lack of trust</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Figure 13: The OSCE’s ability to tackle symptomatic factors in the security function of Kyrgyzstan; author’s own compilation.

5.2.2.2 Welfare function

Similar to the implementation of the OSCE’s projects in the security function, the projects in the welfare function will also classified by the symptomatic factor they are aiming to address and the level of support that was provided. Afterwards it will be evaluated whether the factor is within the realm of influence of the OSCE, whether influencing the factor was attempted but failed or whether the factor is beyond the power of the OSCE to influence at all.

Starting with the first symptomatic factor of fragile statehood within the welfare function, the weak national economy, one has to keep in mind that the OSCE never considered itself a financial donor organization. Therefore, considering that the overall annual budget of the OSCE is about 150 million euros and the budget of the OSCE Centre in Bishkek

1047 Cf. Larivé 2014, p. 163.
for most of the time was about seven million euros,\textsuperscript{1048} the OSCE is simply unable to foster the economic changes that large-scale projects or loans from the World Bank or the IMF would be able to. (Just for an easier comprehensibility: The total OSCE budget is less than half the UN budget for translation services.)\textsuperscript{1049} Thus, it should come as no surprise that this factor is classified as beyond the influence of the OSCE to change in the Kyrgyz case, because there have not been any large-scale consulting projects for economic reforms conducted by the OSCE.

However, regarding the next symptomatic factor – the high unemployment – the situation is slightly different, as in this case projects related to training and consulting were possible despite budget constraints. In the Kyrgyz case, the main focus was put on the support for small and medium enterprises (SMEs) via trainings for potential entrepreneurs and consulting of government agencies regarding SME regulations to foster business development as well as in supporting legal labor migration. Starting in 2001, i.e. two years after the opening of the Centre, projects on SMEs became a regular activity of the Economic and Ecologic Dimension of the OSCE Centre in Bishkek up to 2010.\textsuperscript{1050} Regarding the outcomes of these activities, one of course has to be realistic, as training of potential entrepreneurs cannot restart a national economy that basically had to start from scratch. During the whole period of these programs, which for the largest part paralleled the Bakiev era in which most important companies were owned directly or indirectly by Bakiev’s extended family, the unemployment rate remained relatively unchanged between 8.5 percent (2004) and 8.6 percent (2010) with the lowest point of 8.1 percent in 2005 according to ILO statistics.\textsuperscript{1051} As the Bakiev era was also riddled with corruption (see Chapter 4.1.2.2), the reasons for the unchanged unemployment rate lies in the unfavorable business climate in general and cannot be blamed on a failure of the training programs. Instead, the training programs have to be seen for

\textsuperscript{1048} Cf. Figure 12.
\textsuperscript{1049} Cf. Interview with OSCE Conflict Prevention Centre Member, Vienna, March 5, 2015.
what they are: a relatively low-resource intensive measure to at least mitigate an unfavorable general situation.

The second measure of the OSCE Centre in Bishkek to tackle the factor of high unemployment was support for legal labor migration from Kyrgyzstan. While this is not a measure to increase employment in Kyrgyzstan in the direct sense, it can be seen as a measure to mitigate unemployment. Furthermore, as the main target countries for labor migration from Kyrgyzstan (Russia and Kazakhstan) are also members of the OSCE, the organization could offer support in two ways. First, as OSCE members state share legal information on a voluntary basis, the OSCE could support labor migration centers in Kyrgyzstan that provided legal information (e.g. on visa regulations or working permits) to potential labor migrants. Second, the centers could provide information and analysis on migration to key stakeholders. Both of these measures do not require extensive resources and can hence be implemented by an actor like the OSCE Centre in Bishkek. Regardless of the supported migrants, one should keep in mind however that the labor migration from Kyrgyzstan to Russia and Kazakhstan would occur even without such measures.

On the one hand, the factor of high unemployment therefore must be classified as technically within the influence of the OSCE, while on the other hand one has to consider the limited resources of the organization – training potential entrepreneurs and supporting legal labor migration can have a mitigating effect but do not make a difference in the long-term economic development. In summary, it will be hence classified as within the influence of the organization, but without lasting effects – not due to lack of will or incompetency, but due to lack of resources.

The next symptomatic factor of the model used in this study is the interlocking of state and economy. Here, since before the 2010 revolution most of the country’s companies were owned by the extended families of the president and afterwards a new redistribution of economic assets occurred, the OSCE never addressed this specific sector. This in turn should come as no surprise for two reasons: First and foremost, while the OSCE has an economic and ecological dimension, it is not a purely economic organization in the first place. Therefore, managing for instance the privatization process of a whole country is completely beyond the resources and capa-

1052 Cf. OSCE/OCEEA 2009, p. 28.
5.2 The OSCE operation in Kyrgyzstan

...ilities of the OSCE. Second, as the OSCE like any other international organization is dependent on host state consent, the business assets of presidential families are completely out of the reach of any external player – not least shown by the fact that the presidential business networks have been dissolved only by the revolutions. All in all, this factor is classified as beyond the influence of the OSCE.

Corruption and nepotism however, are not only a direct result of the interlocking of state and economy, but also one of the symptomatic factors that the OSCE tried to tackle in Kyrgyzstan. It should be noted though that these projects started only after the 2010 revolution. From then on, the OSCE Centre in Bishkek provided a range of technical, training, and consulting support to anti-corruption activities. Technical support included e.g. setting up hotlines to report cases of corruption. Training measures included offering training-of-trainers seminars for corruption prevention, training of corruption inspectors from the state financial intelligence service, as well as the provision and translation of training manuals, which in turn became a standard teaching device for the Academy of Public Administration. Consulting activities included the conduction of workshops, e.g. on asset declaration, or support for the set-up of the state financial intelligence service. It should be noted however that many of these measures are labeled as anti-money-laundering or combating-financing-of-terrorism instead of anti-corruption measures.

When trying to evaluate the outcomes of these programs, one can first conclude that corruption and nepotism were completely beyond the influence of the OSCE as long as Kyrgyzstan was entrapped in a State Leader’s Dilemma, i.e. before 2010. After the revolution however, the situation changed because the internal political will to tackle corruption increased – most notably shown by the removal of Kyrgyzstan from the list of the Financial Action Task Force (a suborganization of the OECD) of non-cooperative countries in 2014. Additionally, as shown in Chapter 4.1.3.2, the ranking of Kyrgyzstan in the CPI improved. This in turn led to the methodological problem of disentangling the correlations of this develop-

1054 Cf. OSCE/OCEEA 2011, p. 15.
1058 Cf. OSCE/OCEEA 2012, p. 15.
1060 Cf. ibid., p. 19.
ment. While the increase of the CPI is mainly caused by the changes in the
country after 2010 revolution, the share of the OSCE support in this in-
crease is intangible. What can be said, however, is that these changes were
what made the OSCE support possible. Therefore, two conclusions can be
reached: First, it can be said that corruption and nepotism are outside the
reach of an international organization as long as a state is entrapped in the
State Leader’s Dilemma. When this situation changes, support from an in-
ternational organization can accelerate the adaptation towards established
standards of other states in corruption prevention and response, i.e. by
providing training for state administration officials or newly established
anti-corruption units. The sustainability of these efforts is again driven by
internal factors. As long as a country does not fall back into the State
Leader’s Dilemma, international organizations can accelerate national anti-
corruption measures by providing support. As soon as a state falls back
into the State Leader’s Dilemma, therefore making corruption and nepo-
tism once again a necessity in a neo-patrimonial system of rulership, no
international organization could stop the simultaneous increase of corru-
pition and nepotism. With specific regard to the Kyrgyz case, the ultimate
outcomes of the anti-corruption measures remain to be seen. Still, regard-
ing the assessment of ability to influence this symptomatic factor, it is
classified as in principle within the sphere of influence of the OSCE, as
soon as the State Leader’s Dilemma is overcome.

The next symptomatic factor of fragile statehood within the welfare
function of the Kyrgyz state is the reform blockade. Similarly to the weak
national economy, the assessment of this factor is easy. As the OSCE can-
not be considered a genuinely economic organization, the OSCE never at-
ttempted to foster large scale economic reforms due to lack of capabilities.

The last symptomatic factor of fragile statehood however, the decay of
infrastructure, soon became a focal point of OSCE projects. Within this
factor however, a clear distinction between economic, educational and en-
vironmental infrastructure has to be made: While economic infrastructure
projects have not been a focal area of the OSCE, educational infrastructure
has been addressed with one particular beacon project, and environmental
infrastructure, particularly with regard to protecting water resources, has
been addressed constantly.

Regarding educational infrastructure, given the limited resources of the
OSCE and the fact that the organization did not identify itself as an educa-
5.2 The OSCE operation in Kyrgyzstan

tional organization, it comes as a surprise that the OSCE engaged in this field at all. Nevertheless, by founding the OSCE Academy in Bishkek in 2002, the OSCE basically founded a higher education institution offering Master’s degree level education to students from Central Asia. While this institution, having enrolled about 50 students each year in two Master programs (Politics and Security as well as Economic Governance and Development) as well as certificate seminars for further education, of course cannot make a huge difference in the overall decay of the Kyrgyz educational infrastructure after the fall of the Soviet Union, but its 15 years of existence has still to be seen as one of the greatest achievements of the OSCE in the region.

Regarding environmental infrastructure, the focus on water infrastructure is understandable, as a further decay of water infrastructure is not only a danger to public health in general, but a potential trigger for violence between communities, which in turn could escalate further, especially if non-state actors capable of challenging the monopoly on the legitimate use of force exist. With regard to water infrastructure, the OSCE focused particularly on two lines of projects: first, the mitigation of environmental risks, particularly of the radioactive waste dump Mailuu-Suu, and second, the establishment of so-called Aarhus Centres in Kyrgyzstan, supporting the implementation of the Aarhus Convention.

Regarding the risk mitigation process of the Mailuu-Suu radioactive tailings, the activities of the OSCE within the time frame of analysis were two-fold: First, the OSCE aimed to raise awareness (and funds respectively) among the international donor community, to better secure the waste site. Second, the OSCE also raised awareness within the population on the dangers of the radioactive tailings. For the purpose of this analysis, the first point deserves particular attention as flooding of the waste side or a slide of the tailings into the river during an earthquake could have disastrous consequences not only for Kyrgyzstan but for the region as a whole, which in turn explains the priority status of the projects. Therefore, even though the process of securing the uranium tailing has been a long one, ranging from scientific assessment via fundraising to implementation

1061 Cf. OSCE 2002, p. 54.
1063 Cf. OSCE/OCEEA 2004, p. 34.
(mainly by the IAEA), the risk site in the end could be secured and hence the risk of water contamination mitigated. Over the course of its existence, the OSCE helped also to establish other mitigation measures, like safety monitoring measures for dams.

Regarding the Aarhus Centres, the OSCE pioneered in setting up centers giving information on individual rights and participation opportunities regarding questions of environmental infrastructure as well as training (particularly for the younger generation) on sustaining existing environmental infrastructure. Therefore, as to the ability of the OSCE to influence the decay of infrastructure, the assessment is twofold: On the one hand, one has to take into consideration the limited resources of the OSCE in general, therefore preventing a large influence of the organization in stopping the decay of infrastructure in general. On the other hand however, the OSCE was able to use its limited resources to focus particularly on the type of decaying infrastructure with the biggest potential for long term development or for triggering conflicts: education and water infrastructure. Here, the OSCE was indeed able to influence the decay of infrastructure through focused long-term projects. All in all, the symptomatic factor of the decaying infrastructure is classified as within the sphere of infrastructure of the OSCE in Kyrgyzstan, albeit the limited resources made a focus on certain infrastructures necessary.

All in all, within the welfare function of the Kyrgyz state, three symptomatic factors can be considered to be completely out of range for the OSCE Centre in Bishkek: the weak national economy; the interlocking of state and economy; and the reform blockade regarding economic reforms. While the lack of influence on the weak national economy necessarily derives from the lack of resources of the OSCE, which has never been a classical donor organization in the first place, the lack of influence on the other two derived mainly from the State Leader’s Dilemma, in which Kyrgyzstan was entrapped for most of the time frame of analysis.

Two symptomatic factors can be described as in principle within the influence of the OSCE, but with only limited success: the high unemploy-
ment and corruption and nepotism. While for the high unemployment the main reason for the lack of success has again been the lack of resources of the organization, making it mainly possible to mitigate unemployment by consulting projects for labor migration and by training of entrepreneurs, tackling corruption and nepotism in principle became only possible after the revolution in 2010 which dissolved the State Leader’s Dilemma. Afterwards, the OSCE was able to influence this factor both by technical support to existing anti-corruption initiatives as well as by conducting consulting projects on the implementation of international anti-corruption conventions. Here however, the results of these measures remain to be seen, as a fallback of the country into the State Leader’s Dilemma cannot be ruled out.

Only one symptomatic factor can be considered as clearly within the influence of the OSCE: the decay of infrastructure. However, again one has to keep in mind the limited resources of the organization. Therefore, as the focus on water infrastructure shows, the OSCE was able to prevent the complete decay of one particular infrastructure by concentrating fully on it. Regarding the conflict potential of a breakdown or even radioactive contamination of water resources not only for Kyrgyzstan but also for the whole region, the clear focus on one particular infrastructure becomes understandable.

The following table sums up the results of the analysis in this subchapter:

<table>
<thead>
<tr>
<th>Weak national economy</th>
<th>High unemployment</th>
<th>Interlocking of state and economy</th>
<th>Corruption and nepotism before 2010 revolution</th>
<th>Reform blockade</th>
<th>Decay of infrastructure</th>
</tr>
</thead>
<tbody>
<tr>
<td>Not tackled at all</td>
<td>Tackled with effect</td>
<td>X</td>
<td>X</td>
<td>X</td>
<td>X</td>
</tr>
<tr>
<td>Tackled without effect</td>
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Figure 14: The OSCE’s ability to tackle symptomatic factors in the welfare function of Kyrgyzstan; author’s own compilation.

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5. The OSCE Operations in Kyrgyzstan and Tajikistan

5.2.2.3 Legitimacy/rule-of-law function

Within the *legitimacy/rule-of-law* function, the OSCE in Bishkek undertook a number of projects regarding the symptomatic factors of lack of independent courts, corruption and nepotism, reform blockades, and lack of trust. These projects in turn will be classified in the following depending on the question whether the symptomatic factors they were supposed to tackle were in the sphere of influence of the OSCE and if yes, if they really could have been influenced.

Starting with the lack of independence of the judiciary, it can be said that this symptomatic factor was a focal point of the OSCE Centre in Bishkek’s work from the establishment on. The projects took different approaches, ranging from the monitoring of trials by external observers via the training of the future generation of legal experts to consulting projects regarding reforms of the judiciary. When trying to assess the ability of the OSCE to influence the lack of independent courts, one has to differentiate between these approaches.

Starting with the first approach, the monitoring of exemplary trials, in which the upholding of fair trial standards (as formally accepted by Kyrgyzstan as a member state of the OSCE and laid out in the Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE of 1990, particularly paragraphs 5 and 12) was not beyond doubt, already mixed results can be observed. This approach was used particularly in the early phase of the mission and came to a first test during the trials of Felix Kulov, a potential rival of president Akaev, under corruption and abuse of power charges in several cases between 2000 and 2002. (see Chapter 4.1.2.2) While the OSCE Centre in Bishkek was allowed to monitor these cases initially, the trials soon were transferred to closed military tribunals under the premise of protecting state se-

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1067 Cf. OSCE 1999, p. 44.
1069 Cf. OSCE 2000, p. 64. / OSCE 2001, p. 63.
1070 Cf. OSCE 2002, p. 54.
As described previously, the sole purpose of this series of trials was to contain a serious competitor of president Akaev – notwithstanding the credibility of the accusations that reached back several years and were only put to court when Kulov attempted to run for presidency. In an unusually frank manner the annual report of the OSCE in 2000 noted that “[t]his exemplifies the manner in which prospective prominent opposition candidates are marginalized.”

However, even though “[a]ll these incidents and trends (= the series of trials against opposition politicians, St.Sch.) have significantly increased the Centre’s involvement in observing the process and advising the actors, and its workload has as a result grown significantly”

one has to conclude that the efforts of the OSCE were of no effect in the end. Neither the attempted monitoring of the whole process nor the open criticism of the chairperson-in-office changed the fact that in the end Felix Kulov was kept from running as a presidential candidate by trials not fulfilling the rule of law standards on fair trials to which Kyrgyzstan as a member of the OSCE has committed itself formally.

While the OSCE later on especially trained members of local NGOs to monitor fair trial procedures, attempts to monitor trials during the authoritarian eras of Kyrgyzstan basically all follow the same pattern: As long as the case was not politically sensitive, i.e. direct power competition to the ruling presidents was trialed, a monitoring was principle in possible. If a potential competitor was tried, neither were fair trial standards as agreed by the documents accepted by OSCE members nor an independent monitoring of the trials possible. Other examples for a lack of influence include the restriction of media freedom during the Akaev era, when the OSCE “voiced its concern in several cases”, but could not end the restriction of said media outlets or the cases of media restrictions in the

1074 OSCE 2000, p. 63.
1075 Ibid., p. 63.
Bakiev era. After the 2010 revolution, the Centre in Bishkek continued to train local trial monitors.\(^{1080}\) As, at least until now, cases of opposition politicians being tried are rare,\(^{1081}\) it cannot be finally assessed whether this tool to foster fair trial standards will have lasting effects. However, the final assessment on whether this instrument to tackle the lack of independent courts by the OSCE has to be considered effective is two-fold: While highly politicized cases are definitely out of range of the OSCE to guarantee fair trial standards, constant monitoring of local cases by local monitors by the OSCE can be seen as a means to increase the legitimacy of the state for the average citizen.

The next line of projects employed by the OSCE Centre in Bishkek to tackle the lack of independent courts is the training of personnel in the judiciary. Again, this line of projects was basically pursued from the establishment of the OSCE Centre on.\(^{1082}\) Training projects basically focused on two target audiences: Initially, future experts in the legal system, i.e. law students were trained,\(^{1083}\) while the focus shifted later towards established practitioners in the legal system.\(^{1084}\) While these trainings have been conducted over the whole course of existence of the OSCE Centre in Bishkek, the sustainability of their effects is similar to the sustainability of the training courses in the security sector: While the OSCE could influence the knowledge acquired by current and potential legal personnel, there was naturally no way to influence the promotion and recruitment practice of the Kyrgyz legal system as a whole. Therefore, especially dur-


\(^{1082}\) Cf. OSCE 2000, p. 64.

\(^{1083}\) Cf. ibid., p. 64.

ing the times of constant rotation of personnel and non-merit appointments during the eras when Kyrgyzstan was entrapped in the State Leader’s Dilemma, the effects of the training was low (as shown by the many trials against political opponents not applying fair trial standards), while it is difficult to judge the effects after the 2010 revolution. Still, similar to the training of security forces, this approach to tackle the lack of independent courts has to be considered as in principle within the influence of the OSCE, but without any ability to guarantee lasting effects.

The last approach to tackle the lack of independent courts consisted in the support of larger reforms in the legal system of Kyrgyzstan. Here, the aimed establishment of a national ombudsman institution to investigate human rights violations is of particular notice. The initiative to establish such an institution started in early 2000 and was supported by the OSCE Centre in Bishkek with informal meetings and formal roundtables to bring together NGOs and governmental representatives. Later experts from the OSCE Office for Democratic Institutions and Human Rights commented on the draft law, while the Centre in Bishkek organized study trips to ombudsman institutions of other OSCE members for state officials. In 2002, during a period of state crisis following the Aksy incident (see chapter 4.1.2.2), the institution of the ombudsman was created. While it could neither be considered completely independent from the presidency nor powerful enough to prevent human rights and rule of law abuses aimed against opponents of the ruling president, already the establishment of such an institution in an environment of growing authoritarianism as the Kyrgyzstan of 2002 can be seen as success for the OSCE. After the 2010 revolution, the ombudsman became an institution of constitutional status (Article 108, Constitution of the Republic of Kyrgyzstan), further stabilizing its position. This in turn laid the ground for a range of further measures, including cooperation with civil society organizations monitoring detention facilities to prevent torture, training of prison

1086 Cf. OSCE 2002, p. 54.
1087 Cf. OSCE 2003, p. 115.
staff to prevent torture, and technical support for administrative staff dealing with human rights complaints. However, the implementation of human rights standards is still not guaranteed as the cases of pressure and arrest against human rights activists show (especially when human rights abuses of law enforcement agencies are investigated). Therefore, albeit civil society organizations in principle are able to investigate human rights violations and bring them to the ombudsman, such action may still be followed by repressive reactions from other parts of the state apparatus.

The last reform effort supported by the OSCE Centre in Bishkek only started after the 2010 revolution, but included one of the most crucial elements of the independence of the judiciary: the selection of judges. After the 2010 revolution, the Centre in Bishkek consulted the state administration on the reform of the judiciary, with the selection of judges (including for the constitutional court) as one of the core parts of the reform. The reform led to the establishment of a so-called “Council for the Selection of Judges,” with members “nominated by the parliament, the president, and civil society.” While the fact alone that the selection of judges was no longer the sole privilege of the president, key recommendations of the OSCE were not implemented. As a result, while the judiciary is not as dependent on the president in the selection of judges anymore, two serious flaws remain: first, the president is still able to veto candidates to become judges. Second, the president can still influence the Disciplinary

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1090 Cf. OSCE 2014, p. 78.
1091 Cf. OSCE 2014, p. 78. / OSCE 2015, p. 86.
1093 Cf. OSCE 2013, p. 63.
1095 Ibid.
1096 Cf. OSCE/ODIHR 2012a, pp. 5-8.
Commission for Judges, and therefore indirectly force judges out of offices. Through the combination of these two flaws, the president is still able to influence the judiciary indirectly – while he cannot appoint judges on his own, he has effective means to prevent judges he opposes from being appointed or from carrying out their duties.

If one now takes stock of all these measures conducted or supported by the OSCE regarding the lack of independent courts, the result is mixed: On the one hand it can be said that before the 2010 revolution, i.e. when Kyrgyzstan was still entrapped in the State Leader’s Dilemma, several approaches including monitoring of trials, training, and supporting reforms within the judiciary were attempted, but without any lasting effects. Therefore, for this period of time, the factor is classified as in principle within the influence of the OSCE, but ultimately without any effect. On the other hand, after the 2010 revolution, projects started long before began to bear fruit, like the strengthening of the ombudsman or new windows of opportunities opened, like for the new selection mechanism for judges. However, while these changes are to be evaluated as successes, loopholes that could lead to a future decrease of independence of the judiciary remain. Therefore, despite of these positive developments, the factor is still classified as in principle within the influence of the OSCE, but without any possibility to ensure the sustainability of successes.

The next symptomatic factor to be analyzed is corruption and nepotism within the state administration. Here, the assessment is very similar to that in the previous subchapter: While the OSCE supported limited anti-corruption efforts, mainly on the level of consulting on national action plans and legal drafts, more than symbolic action was only possible after the 2010 revolution. Afterwards, the combination of an increased political will within the country and technical as well as consulting support from the OSCE in the field of implementing international anti-corruption conventions went along with a decrease of perceived corruption in the country, i.e. with an increase of Kyrgyzstan’s score in the corruption per-

While cases of high level corruption, mainly office trading, exists for the authoritarian era of Kyrgyzstan (see Chapter 4.1.2.2), no data on potential high level corruption exists for the time after the 2010 revolution.

With regard to the next symptomatic factor, reform blockades, it can be stated that over the time of its existence, the OSCE Centre in Bishkek aimed to foster a range of reform initiatives via consulting measures. Of these, three reform complexes are of particular significance for the legitimacy/rule-of-law function: Attempted reforms of the election system, attempted reforms of the penal system and the criminal code, and attempted reforms of the media system.

Regarding reforms of the electoral system, recommendations of the OSCE during the authoritarian eras of Kyrgyzstan were mainly focused on the passive right to vote, i.e. the right to run for an office. While other reform proposals, e.g. regarding the transparency of the vote counting, were incurred in the Kyrgyz electoral law, neither Akaev nor Bakiev relinquished the possibility to prevent the registration or to de-register a potential opponent (either by language requirements, criminalization, residency requirements or simple refusal of registration by local authorities) – later criticism was simply ignored. For instance, after the presidential election in 2000, “[c]riticism by the election observation mission concerning flaws and shortcomings was met with dissatisfaction by the authorities.” The refusal to accept any of the reform proposals shows the importance of the ability to exclude potential opposition from gaining access to state resources for the maintenance of a neo-patrimonial system of rulership as the one established by both Akaev and later Bakiev (see Chapter 4.1.2.2).

After the 2010 revolution, becoming a candidate running for presidency or parliament became easier, but some of the old restrictions, especially the prevention of independent parliamentary candidates and convicted persons, remain. With regard to presidential elections, the 2017 election showed that while candidate registration was not handled overly re-

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1102 Cf. OSCE 1999, p. 44. / OSCE/ODIHR 2005a, p. 5.
strictive this time (there have been cases of not registering candidates on disputable grounds, like invalid signatures of supporters, though), the legal basis to exclude candidates still exists.\textsuperscript{1105} Therefore, regardless of any criticism of the OSCE, key parts of the electoral code remained unchanged over the whole time span of analysis covered in this study, despite the fact that the recommended changes were based on international commitments Kyrgyzstan itself signed.\textsuperscript{1106} Thus, while the 2010 revolution opened a window of opportunity to revoke old provisions of the electoral code which inhibit fair candidacies and the OSCE remains a main consulting partner to identify potential changes in the electoral code, the constant criticism did not lead to substantial changes in the crucial field of candidate registration. Should Kyrgyzstan fall back into a neo-patrimonial system of rulership, these deficiencies in this field will probably be used again to exclude potential opposition as it was in the era of Akaev and Bakiev.

The next fields in which the OSCE offered support for reforms were the penal system and the criminal code, as a modernization of these systems, inherited from the Soviet era, were deemed appropriate not only from a human rights perspective, but also from the perspective of preventing radicalization and extremism.\textsuperscript{1107} Starting in 2002, the OSCE Centre in Bishkek aimed to support reforms in the penal system, mainly focused on enhancing the fulfillment of human rights obligations in prisons,\textsuperscript{1108} introducing alternative punishments to imprisonment,\textsuperscript{1109} abolishment of the death penalty,\textsuperscript{1110} and providing re-socialization perspectives for former candidates.

\textsuperscript{1105} Cf. OSCE/ODIHR 2017, p. 7.
\textsuperscript{1107} Cf. Neumann 2017, p. 38.
\textsuperscript{1110} Cf. OSCE 2005, p. 99. / OSCE 2007, p. 70.
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Regarding the outcomes of these reform attempts, the results are mixed, but overall, changes can be seen. Most notably, in 2006, the death penalty was abolished in Kyrgyzstan. Furthermore, as already discussed above, a human rights monitoring system was introduced after a long period of discussions, centered on the ombudsman institution to prevent torture in detention facilities – including access of independent monitors in detention facilities. Another suggestion however, the introduction of a probation system to re-integrate former prison inmates into society, first suggested in 2008, is still pending but according to current plans will become effective on January 1, 2019. Staff for the future probation service has already been trained with OSCE support. Independent from the probation system that might be introduced in the future, in 2013 “the first income-generation units in settlement colonies [opened] to improve the chances of inmates to reintegrate into society after their release.” Therefore, while the implementation of reform suggestions naturally took quite a long time and not all suggestions are implemented yet, in general the reforms of the penal system can be seen as an example for a field of politics where reform support was indeed within the realm of influence of the OSCE.

The last field where OSCE consulting aimed at fostering reforms within the legitimacy/rule-of-law function of the Kyrgyz state was the media sector. As the media sector fulfills a bridging function between public and state authorities, projects aimed at strengthening the media of Kyrgyzstan fit into the analysis of two symptomatic factors: reform blockades and lack of trust. Thus, in this part of the chapter, OSCE actions aimed at reforming state-media-relations, especially the decriminalization of libel will be discussed, while the next part of the subchapter will focus on additional support for media, like training courses for journalists. During the authoritari-

1112 Cf. OSCE 2007, p. 70.
1113 Cf. OSCE 2013, p. 63. / OSCE 2015, p. 86. / Interview with OSCE Centre in Bishkek Member I, Osh, March 18, 2014.
1114 Cf. OSCE 2009, p. 64.
1116 Cf. OSCE 2017, p. 91.
1117 OSCE 2014, p. 78.
an era of Kyrgyzstan, the OSCE aimed to support Kyrgyz media that have gotten under legal attacks from state authorities, which inhibited their work.\textsuperscript{1118} However criticism of the OSCE Representative on Freedom of the Media remained unnoticed by state authorities before 2007, when the charge of libel was struck from the criminal code, a reform that “ha[s] long been recommended by the OSCE Representative on Freedom of the Media.”\textsuperscript{1119} To compensate the decriminalization of libel, a self-regulatory body for Kyrgyz media was established.\textsuperscript{1120} However, while this long demanded reform was a success on paper, attacks on journalists did not stop in the Bakiev era – instead they turned from the legal arena to physical attacks.\textsuperscript{1121} These attacks in turn did not stop before the 2010 revolution despite OSCE criticism. Directly after the revolution, libel was decriminalized once more,\textsuperscript{1122} but was included in the criminal code again in 2014.\textsuperscript{1123} Thus, while constant criticism and consultation on new legislation regarding media cases might have alleviated single cases when jour-

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nalists faced libel charges and have contributed to a short time in Kyrgyzstan when libel was indeed decriminalized, eventually all the criticism and consultation on new legislation did not lead to a fundamentally changed legal situation for journalists in Kyrgyzstan.

All in all, regarding the aim of the OSCE to deal with reform blockades of the Kyrgyz state, it can be stated that only with regard to the reform of the penal system reform proposals of the OSCE were accepted and implemented by Kyrgyz authorities. With regard to the electoral system and media legislation, reforms have been blocked during the authoritarian eras in Kyrgyzstan. While the 2010 revolution initially led to a liberal handling of legal provisions to prevent candidacies of potential opposition and a decriminalization of libel, in principle the legal basis to exclude potential opposition from elections still exists and at the same time libel was criminalized again in 2014.

Therefore, despite the successes in the penal system, the reform blockade in general could not be overcome by the OSCE during the eras when Kyrgyzstan was entrapped in the State Leader’s Dilemma. Afterwards, a window of opportunity opened and some changes occurred either by not adhering to old laws or by slight reforms. However, as the re-criminalization of libel and the prosecution of the losing candidate of the 2017 election show, there is no guarantee that the limited changes will be sustainable. Therefore, in the end the overcoming of the reform blockade is classified as in principle within the realm of influence of the OSCE, but the sustainability of successes cannot be guaranteed.

The last symptomatic factor to be analyzed within the legitimacy/rule-of-law function of the Kyrgyz state is the population’s lack of trust in state institutions. Here, the OSCE used three approaches to tackle the problem: First, the institution aimed to (re-)establish communication between state authorities and the population by fostering quality and quantity of media coverage. Second, it aimed to (re-)establish communication between both via the organization of roundtables. Third, the organization tried to mediate between government and opposition in particular tense cases.

Regarding the (re-)establishment of lines of communication between state and population via media strengthening, the OSCE used a wide array

of projects (below the threshold of proposing reforms which were discussed above), ranging from technical support for newly set-up media agencies in remote areas, \(^{1125}\) trainings on journalistic methods for both independent journalist as well as the state press service, \(^{1126}\) and attempted mediation between state authorities and media agencies in cases where legal pressure was exerted on the media agencies. \(^{1127}\) The record of these activities shows a clear focus on the authoritarian eras of Kyrgyzstan within the time frame of investigation. This in turn is understandable, as during these eras on the one hand media could not work fully uninhibited (albeit still with a greater degree of freedom than in all other Central Asian states), while on the other hand the training of journalists was quite difficult without the backing of an international organization which could use its training provided for the state security organizations as a bargaining tool. After the 2010 revolution, the in principle more liberal atmosphere for media agencies in the country eliminated the need for an active support of Kyrgyz media by an international organization. However, while the possibility of media support by the OSCE in the authoritarian eras of Kyrgyzstan show that such support in principle was in the realm of influence of the organization, two caveats have to borne in mind: First, repressive acts still hit media criticizing the government regardless of the OSCE condemning such repression. Second, while the OSCE was able to support media outlets and therefore to establish new lines of communication between state authorities and the population, such measures would only tackle the population’s lack of trust in state institutions if the newly founded media could work unhindered. As long as this is not the case, the repression of media that criticized the government rather fostered the population’s mistrust in the government, despite OSCE support for these media. Therefore, even though the Kyrgyz media sector was in the realm of influence of the OSCE during the authoritarian eras of Kyrgyzstan, the population’s lack of trust in the state as a symptomatic factor of weak statehood could not be influenced in this way.


In addition to the attempt to indirectly address the lack of trust via (re-)establishing lines of communication via fostering media, the OSCE also tried to tackle the factor more directly by organizing roundtables and workshops between government, opposition, and civil society. Throughout the authoritarian eras of Kyrgyzstan, such roundtables have been a constant in the schedule of events organized by the OSCE Centre in Bishkek.\textsuperscript{1128} While outcomes of roundtable and workshop discussions are basically immeasurable, their persistent realization shows that the dialogue between state authorities, opposition and civil society was considered insufficient – otherwise the OSCE would not have facilitated these dialogues. Therefore, two caveats have to be borne in mind when trying to evaluate the results of such roundtable discussions for tackling the population’s lack of trust in state structures. First, as the population’s trust was lost due to the symptomatic factors discussed above and the diminished trust is merely a result, a roundtable discussion can only try to rebuild lost trust but does not tackle the reason why the trust was lost in the first place. Second, while a roundtable discussion offers a platform for debate between government and opposition which did not exist in the first place, the risk for instrumentalization of such roundtables by the government in principle persists. For instance in the year 2000, when tensions between the Akaev government and the opposition arose due to parliamentary elections riddled with irregularities, the OSCE aimed to defuse the tensions by organizing a roundtable between government and opposition. However, after a series of failed preparatory meetings, “it became obvious that it (= the roundtable, St.Sch.) could not be organized in the original spirit of the OSCE, and the Centre thereafter participated only as an observer in an event organized by the Government.”\textsuperscript{1129} This rather diplomatic wording in turn can be seen as an indicator that basic demands of the opposition for the roundtable were not met and the OSCE decided not to give further legitimacy to the event by hosting it. All in all it can be seen that on the one hand the organization of roundtables was well within the influence of the OSCE, even in the authoritarian eras. However, the only benefit of a

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\item \textsuperscript{1129} OSCE 2000, p. 62.
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roundtable, if anything at all, can be a restoration of lost trust – not tackling the causes that lead to the loss of trust in the first place.

The last measure that the OSCE took to tackle the population’s lack of trust in the state structures, or rather the consequences of that, was the attempt to mediate acute crises either in a direct or indirect way. In a direct way this can be done by the OSCE by acting as a mediator itself, in an indirect way by training civil society members to act as mediators in smaller scale conflicts. Regarding direct mediation, the Aksy incident of 2002 can serve as prime example (see Chapter 4.1.2.2). As opposition protests erupted after the arrest of Asimbek Beknazarov, “[t]he Centre played the role of facilitator for dialogue between the state structures, opposition and civil society.”\textsuperscript{1130} The end of this mediation process saw the release of Beknazarov,\textsuperscript{1131} the end of the protests and the introduction of the ombudsman institution as discussed above. As clashes during the protests even led to several dead, the mitigation of these tensions can be seen as a successful mediation. However, such a successful intervention is dependent on two factors: the willingness of the government to accept mediation and the opposition’s as well as the population’s belief in the mediator’s trustworthiness. This in turn poses a dilemma for the OSCE because to gain the opposition’s and population’s trust, long-standing, visible work in the country is necessary. Long-standing, visible work in turn is impossible without government approval. Therefore, by trying to set the preconditions for successful mediation, the OSCE is at risk of becoming perceived as an organization supporting the government. The consequences of this dilemma will be discussed in Chapter 6.

The mediation of conflicts naturally relies on access to the parties of the conflict. This in turn proves difficult if the parties of a conflict form spontaneously, as in the ethnic clashes of 2010. While these clashes can also be seen as a result of lack of trust in state structures, as the parties of the conflict relied on self-help instead of state structures, and escalation of these tensions could have destroyed the state structures even further. Therefore, after the clashes of 2010 were ended, the OSCE tried to facilitate structures that could prevent a renewal of the tensions. This in turn posed a new

\textsuperscript{1130} OSCE 2002, p. 54.
dilemma to the organization, as the cause of the clashes was the lack of trust in state structures: While a further strengthening of state structures, as the still ongoing police reform attempt discussed in Chapter 5.2.2.1 could help stabilizing the situation in the long run, they could not defuse tensions in the short run. A solution able to defuse short-term tension however had to at least partly bypass dysfunctional state structures and therefore, if implemented poorly, bore the risk of undermining weak state structures even further. The OSCE re-acted to this dilemma by a two-track strategy: On the one end, the OSCE aimed to rebuild trust between the population and the state structures, mainly police, in Southern Kyrgyzstan, by starting and implementing the Community Security Initiative as discussed in chapter 5.2.2.1. On the other hand, the OSCE aimed to train low-key community mediators, who could help defuse tensions on the local level, partly outside of existing state structures.

The training of local mediators and the establishment of a local mediator network that could be mobilized in times of crisis started already in March 2010, i.e. before the violent outbreak, in the pioneer district of Suzak (near Jalal-Abad) and was quickly expanded after the 2010 events. By 2011, “a 550-person-strong network of mediators was established.” To combine this network of potential mediators with a confidence building approach, meetings with state officials, i.e. from the police, administration and the national security service, have been conducted on a regular basis. In 2012, the project that according to a local observer was successful in defusing several local conflicts was expanded to Northern Kyrgyzstan. Therefore, even though the newly built up mediator networks did not have to prove themselves in a real crisis since their establishment, already their set-up and expansions show that the fostering of crisis mediation indirectly is in principle within the realm of influence of the OSCE Centre in Bishkek.

All in all, the building of trust between population and state authorities can be assessed as within the realm influence of the OSCE, with the observation that the more immediate the measure is to an acute crisis (rang-
5.2 The OSCE operation in Kyrgyzstan

ing from mediating acute crises via regular roundtables to establishing lines of communication by fostering media), the easier it is for the OSCE to influence the confidence building. While this assessment is positive, it comes with two caveats: First, all the OSCE can do is to foster the rebuilding of lost trust, but as discussed in the last chapters, not the deeper lying factors of why the trust was diminished in the first place. Second, to be accepted as a mediator, the OSCE has to work in the country for a longer time which in turn comes with the dilemma of becoming either seen as a supporter of the government by the opposition or losing the host state’s consent when being perceived as an agent fostering opposition. This dilemma will be more elaborated in Chapter 6.

To sum up the overall possibilities of the OSCE Centre in Bishkek to influence the legitimacy/rule-of-law function of the Kyrgyz state, it can be stated that of the four factors analyzed, only one, the factor of lack of trust was considered to be within the realm of influence of the OSCE, albeit with two caveats. The other three factors, lack of independent courts, corruption and nepotism, and reform blockades, were fully out of range of the OSCE as long as Kyrgyzstan was entrapped in the State Leader’s Dilemma. After 2010, the OSCE could foster a greater independence of the judiciary, anti-corruption legislation and reforms regarding human rights compliance in general and in the penal system in particular, the election system and freedom of the media. However, in all of these cases caveats exist already on the legal level, making it possible that a new neopatrimonial system of rulership could be established in principle, again endangering the independence of the judiciary and the conducted reforms.
5. The OSCE Operations in Kyrgyzstan and Tajikistan

The following table sums up the results of the analysis in this subchapter:

<table>
<thead>
<tr>
<th></th>
<th>Not tackled at all</th>
<th>Tackled without effect</th>
<th>Tackled with effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lack of independent courts</td>
<td></td>
<td>X before 2010 revolution</td>
<td>(X) after 2010 revolution</td>
</tr>
<tr>
<td>Corruption and nepotism</td>
<td></td>
<td>X before 2010 revolution</td>
<td>(X) after 2010 revolution</td>
</tr>
<tr>
<td>Reform blockade</td>
<td></td>
<td>X before 2010 revolution</td>
<td>(X) after 2010 revolution</td>
</tr>
<tr>
<td>Lack of trust</td>
<td></td>
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<td>X</td>
</tr>
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</table>

Figure 15: The OSCE’s ability to tackle symptomatic factors in the legitimacy/rule-of-law function of Kyrgyzstan; author’s own compilation.

The next chapter will now bring together the conclusions of the analysis of the OSCE’s work in the security, welfare and legitimacy/rule-of-law function of the Kyrgyz state, allowing a general assessment of the work of the OSCE in Kyrgyzstan between 1998 and 2017.

5.2.3 Interim conclusion: Possibilities and limitations of the OSCE in Kyrgyzstan

When the overall realm of influence of the OSCE Centre in Bishkek regarding the symptomatic factors of weak statehood in Kyrgyzstan is analyzed, a pattern evolves. This pattern in turn can be characterized both by the vertical (i.e. the position in the developed flowchart) as well as the horizontal (i.e. the state function) level within the developed model of a weak state. Regarding the vertical level it can be stated that all factors directly evolving from the State Leader’s Dilemma are outside the realm of influence of the OSCE Centre in Bishkek, either because the OSCE did not even attempt to tackle the symptomatic factor or by trying, but not being able to influence it. Regarding the horizontal level, the OSCE was unable to influence any of the factors in the legitimacy/rule-of-law function as long as Kyrgyzstan was entrapped in the State Leader’s Dilemma.
Within the other two state functions, the OSCE was unable to influence those factors deriving directly from the State Leader’s Dilemma, but was able to partly influence those factors that only indirectly derived from the State Leader’s Dilemma. Interestingly, after the 2010 revolution, the factors within the legitimacy/rule-of-law function could be influenced by the OSCE via consultation of reform proposals, albeit the discussed reforms till now all have legal backdoors that in principle would make it possible to take them back. Within the other two state functions, the end of the State Leader’s Dilemma did not essentially change the core problems of why the OSCE was unable or only partly able to influence the factors it aimed for: Either the resources of the organization were too small, as in the welfare function, or the still existing reform blockade in the security function, which was not overcome by the 2010 revolution.
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For an easier comprehensibility, these general results are shown in the following figure:

![Diagram](https://doi.org/10.5771/9783845297873)

**Figure 16:** The OSCE’s ability to tackle symptomatic factors of weak statehood in Kyrgyzstan; author’s own compilation.
This analysis in turn shows two things: First, as long as Kyrgyzstan was entrapped in the State Leader’s Dilemma, only the three symptomatic factors that most imminently could foster the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force could be addressed: ineffective security forces, lack of trust, and decay of infrastructure. The oversized, paramilitary structure and training of the security forces and the high unemployment could be partially addressed, all other symptomatic factors, including all symptomatic factors within the legitimacy/rule-of-law function could not be influenced. When these conclusions in turn are transferred to Schneckener’s overall continuum of fragile states it can be stated that the OSCE’s work de facto was able to restrict a further deterioration from the status of a weak state to that of a failing state by being able to address the most imminent factors leading to the emergence of non-state actors capable of challenging the monopoly on the legitimate use of force. To foster a development from a weak state to a consolidated state on the other hand was impossible, as the required factors that would have been needed to be addressed were outside the influence of the OSCE.

After the 2010 revolution, Kyrgyzstan overcame the State Leader’s Dilemma but fell into the Liberalization Dilemma. While the OSCE was now able to influence factors in the legitimacy/rule-of-law function of the Kyrgyz state, which are necessary to foster a development towards a consolidated state, it was only able to do so due to the long-standing presence in the country. This long-standing presence in the country in turn can only be achieved by constantly balancing the need to support the government to sustain the host state consent while at same time trying not to be perceived to be a pillar of the government’s power structure, which brings the organization into dilemma situations. Furthermore, while the OSCE was able to influence crucial factors after the 2010 revolution, the achievements are still at risk to be taken back.

To sum it up, for the interim conclusion of the OSCE’s work, both hypothesis (2) and hypothesis (3) can be tentatively verified. Within the next subchapter, a similar analysis will be conducted for the work of the OSCE in Tajikistan, which for the whole time frame of analysis was entrapped in the State Leader’s Dilemma.
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5.3 The OSCE operation in Tajikistan

5.3.1 Mandate and operation development

The OSCE operation in Tajikistan, which changed name and mandate several times in its history, is not only the longest still ongoing OSCE operation, but with an establishment already in 1993 by a decision of the fourth meeting of the CSCE Council,\(^{1137}\) actually is older than the organization itself. Having been set up during the Tajik Civil War, the initial mandate tasked the small mission basically with mediation between the parties of the conflict.\(^{1138}\) However, already the first change of the mandate in 1995 made human rights monitoring a task of the OSCE Mission to Tajikistan.\(^{1139}\) This change of mandate is the result of a division of labor between the OSCE and the newly founded United Nations Mission of Observers in Tajikistan, which was tasked with monitoring the first local ceasefires in place since 1994.\(^{1140}\)

During the whole civil war and the immediate post-conflict era, the human rights monitoring focus of the mandate remained. Only in 2002, i.e. four years after the other OSCE centers in the region had been set up and the time frame for the in-depth analysis started, the OSCE Mission to Tajikistan was transformed to the OSCE Centre in Dushanbe.\(^{1141}\) In line with this renaming, the mandate text was not only adapted to the texts of the other OSCE centers in the region, but went even further than these mandates in the points of human rights developments and democratization. From 2002 on, the OSCE Centre in Dushanbe was tasked with the following:

“- Given the OSCE role as a primary instrument for early warning, conflict prevention, crisis management and post conflict rehabilitation, to promote the imple
5.3 The OSCE operation in Tajikistan

mentation of OSCE principles and commitments as well as the co-operation of the Republic of Tajikistan within the OSCE framework, with special emphasis on the regional context, in all OSCE dimensions, including the economic, environmental, human, and political aspects of security and stability;

- To promote ways and means for the OSCE to assist in the development of a legal framework and democratic political institutions and processes including the respect for human rights; [...]"

Like the Kyrgyz case, the renewed Tajik mandate not only allowed projects in all three state functions (even emphasized the legitimacy/rule-of-law function), but also set the mandate in a conflict prevention context. However, this broad mandate was narrowed down already in 2008. While in a formal sense the wording of the old mandate remained, both the renewed change of the name to Office in Tajikistan instead of Centre in Dushanbe as well as the specification of the tasks to be fulfilled by the Office can be interpreted as a shift of priorities away from democratization and human rights as well as an increased interest of Tajikistan to control what the OSCE is actually implementing. After repeating the wording of the 2002 mandate, the 2008 mandate specified the tasks of the OSCE as follows:

“ [...] – To assist the Republic of Tajikistan in the development of common approaches to problems and threats to security, taking into account the commitments of the Republic of Tajikistan to contribute to stability and security, to prevent conflicts and take measures for crisis management, as well as in the areas of, inter alia, police related activities, border management and security and anti-trafficking;

- To support the efforts of the Republic of Tajikistan to fully develop the economic and environmental dimension and implement commitments stipulated in the Helsinki Final Act and other documents of the Organization, inter alia in the fields of free trade, the improvement of business contacts and possibilities, the development of energy and transport, investments, scientific and technical exchanges, the protection of the environment and good governance with a special emphasis on the regional context;

- To assist the Republic of Tajikistan in the human dimension to fully implement its commitments, inter alia, promoting ways and means for the OSCE to assist in

the development of a legal framework and democratic political institutions and processes including the respect for human rights; [...]"\textsuperscript{1143}

Thus, despite of the specification, the 2008 mandate still has to be considered as very broad, allowing for projects in all three state functions. However, a closer look at the specified tasks in the economic and environmental dimension shows that on the one hand, the number of tasks listed in this field were basically unfulfillable by the organization in the first place, given its limited resources, while the wording “good governance with a special emphasis on the regional context”\textsuperscript{1144} can be interpreted in a way that almost no results regarding anti-corruption measures were expected. In the field of the legitimacy/rule-of-law function the 2008 mandate made clear that while the OSCE was still allowed to promote democracy and human rights, it was only allowed to do so when agreed upon beforehand with the Tajik government, as contrary to the 2002 mandate, the OSCE Office in Tajikistan was to assist the Tajik Republic in this task. The 2008 mandate remained unchanged for the largest part of the time frame of analysis and, similar to the mandate of the OSCE in Kyrgyzstan, was changed again only in 2017, which marks the endpoint of this analysis. In 2017, not only was the name changed to “Programme Office in Dushanbe”\textsuperscript{1145}, but also the importance of the host state’s consent was once again stressed even further in the wording\textsuperscript{1146} and the term “conflict prevention” was left out, making it a suited analytical end point.

With regard to mission resources it can be stated that due to the establishment of the OSCE Mission to Tajikistan already during the civil war, the mission already had a higher budget, field offices in all regions of the country and a more established staff level than the other OSCE Centres in Central Asia in 1998. Therefore, similar to the Kyrgyz case, three phases of mission development can be identified (after the end of the civil war) based on the resources at hand. First, from the official end of the Tajik civil war till the first change of mandate in 2002, when the budget was well below 2 million USD and the number of international staff at a maximum of 15. Second, from 2002 till 2007, when the budget was below 5

\textsuperscript{1143} Organization for Security and Co-operation in Europe/Permanent Council, Decision No. 853 (PC.DEC/852), Vienna 2008.

\textsuperscript{1144} Ibid.

\textsuperscript{1145} Organization for Security and Co-operation in Europe/Permanent Council, Decision No.1251 (PC.DEC/1251), Vienna 2017.

\textsuperscript{1146} Cf. ibid., para. 3.
million USD and the number of international staff below 20. Third, from the new 2008 mandate till 2017, when the budget was constantly above 5 million USD (peaking at about 7.4 million in 2015) and the international staff was well above 20 (peaking at 29, with a further 130 national staff in 2010).

All in all, a similar development as in Kyrgyzstan can be identified: While the competences of the mission according to the mandate shrank, at the same time the resources both in budget and in staff increased. This in turn gives a first indication that OSCE activities over time shifted from consulting and monitoring activities towards more resource incentive ones such as training courses. The next subchapters in turn will analyze these activities in depth, structured according to the three state functions.

5.3.2 Activities within the three functions

5.3.2.1 Security function

Similarly to the Kyrgyz case, all measures taken by the OSCE field operation in Tajikistan (regardless of the respective name) will be classified according to the same system: first, whether the OSCE was able to tackle the respective symptomatic factor at all. Second, if it was able to tackle the factor, whether outcomes have been achieved or not. Third, on which level the factor was tackled.

Starting with the first symptomatic factor in the security function, the fragmentation of the security forces, Tajikistan in 1998 was of course a special case. While all the other Central Asian states inherited fragmented Soviet security structures; due to the militia-based combat in the Tajik Civil War, armed groups still roamed the land, even murdering members of the UN Mission. Therefore, the main intent in the early years of the mission was to monitor and support the disbanding of armed groups and their reintegration into state structures. Even if this led to an even more fragmented security structure than in other Central Asian states (see Chapter 4.2.3.1), the reintegration as such has to be considered an improvement from the immediate post-civil-war state. Seen from this perspective, it should come as no surprise that the OSCE did not further elaborate on this

factor until 2008. In 2008, in the context of the drafting of a new “comprehensive national border strategy,”\textsuperscript{1149} the OSCE suggested the creation of “strong inter-agency elements.”\textsuperscript{1150} Similar suggestions were made one year later with regard to the management of leftover small arms stockpiles from the civil war,\textsuperscript{1151} but ultimately the OSCE gave up on trying to tackle the fragmentation of the Tajik security services as such. While the Khorog incidents of 2012 and 2014 (see Chapter 4.2.2.1) show that the fragmentation of the Tajik security services can still even lead to violent infighting, the topic as such is deemed impossible to handle from the outside, while former mission members still identify the problem of inter-agency rivalry.\textsuperscript{1152} While official statements on these issues are rare, the fact the OSCE Strategic Police Matters Unit considered it worth mentioning that instructors of the Tajik police academy taught a class at the Tajik border troops academy as “an example of increased co-operation between two Tajik state institutions”\textsuperscript{1153} shows just how difficult the relations between Tajik security institutions are. Thus, for the purpose of this analysis, the symptomatic factor fragmentation of security forces is considered as completely outside the realm of influence of the OSCE.

Regarding the oversized, paramilitary structure and training of the Tajik security services, the chronological structure of measures taken by the OSCE is similar. Before 2008, when cooperation in the security sector became an explicit task in the mandate, the OSCE refrained from making suggestions on changing the intricate structure of the security forces. Even though classic civilian forces such as police and border guard were organized in a paramilitary way, they were the result of a difficult peace process and therefore left untouched. In 2008, first steps were taken to train specialized police units to counter terrorism, drug trafficking and human trafficking as well as to introduce the community policing approach.\textsuperscript{1154} However, these measures have to be understood more as pilot projects mainly focused on single training modules than as a comprehensive approach. Contrary to the Kyrgyz case, the training of specialized law enforcement units and the attempt of a more comprehensive reform of para-

\textsuperscript{1149} OCSE/SPMU 2009, p. 82.
\textsuperscript{1150} Ibid., p. 82.
\textsuperscript{1151} Cf. OSCE/SPMU 2010, p. 91.
\textsuperscript{1152} Cf. Interview with OSCE Office in Tajikistan Member I, Dushanbe, August 30, 2013.
\textsuperscript{1153} OSCE/SPMU 2011, p. 105.
\textsuperscript{1154} Cf. OSCE/SPMU 2009, pp. 81/82.
military structures did not go in parallel. Instead, in 2007 the first needs assessment for a comprehensive police reform was conducted,\textsuperscript{1155} aiming to integrate the trainings into a larger scale reform. However, as the attempt for a comprehensive reform was prolonged from year to year in a classic reform blockade which will be discussed below, the training of specialized police units was basically also shut down till a plan for a comprehensive reform was drafted and accepted by the government. Therefore, only in 2015, when these documents were finally adopted, the OSCE slowly started to offer training courses for specialized forensics and public order management units.\textsuperscript{1156} This seven-year delay since the first support for the Tajik security forces started has to be understood as a delay not due to mismanagement, but due to hard negotiations. Basically, the main OSCE demand for a comprehensive police reform was the inclusion of human rights standards into the work of law enforcement agencies and of civil society organizations into the decision-making process on the police reform. In this regard, one can argue that the OSCE on the one hand learned from the experience in Kyrgyzstan (where police related measures started already in 2003, see Chapter 5.2.2.1) by making the commitment to comprehensive reforms, including the fulfillment of human rights standards to a necessary precondition to start the training of specialized units, while it on the other hand led to the situation that the paramilitary structure de facto remained unchanged – contrary to the Kyrgyz case, where at least minor changes regarding a demilitarization of the police were achieved, even though the comprehensive reform attempt eventually failed. As “[t]he Law on police has not been adopted by the Government of Tajikistan”\textsuperscript{1157} in 2016, it can be concluded that in the time frame of investigation, the OSCE was unable to influence the paramilitary structure and training of the Tajik police forces at all, even though some symbolic pilot projects focusing on training measures occurred. The situation is similar with regard to the Tajik Border Guard, which is also organized in a paramilitary way. However, due to the long, mountainous border (despite the Panj River) with instable Afghanistan, a border guard organized in a paramilitary is basically necessary to patrol the green border. Therefore, in the special context of Tajikistan it becomes understandable why the OSCE made no effort to transform the Tajik Border Guard into a civilian border

\begin{itemize}
\item \textsuperscript{1155} Cf. OSCE/SPMU 2009, p. 81.
\item \textsuperscript{1156} Cf. OSCE/SPMU 2016, p. 119.
\item \textsuperscript{1157} OSCE/SPMU 2017, p. 123.
\end{itemize}
police, albeit the border guard received a lot of technical support and training to counter its ineffectiveness. All in all it can be said that with regard to the paramilitary structure and training of the Tajik security forces, the OSCE was unable to influence these structures within the police forces, while it, for understandable reasons, it did not even attempt it for the border guard.

The next symptomatic factor of fragile statehood is the corruption and the nepotism within the security apparatus. While the OSCE is in principle very aware on the problem, it was only symbolically tackled in OSCE projects. These symbolic measures were suggesting anti-corruption trainings within a needs assessment project to update the curricula of the Border Troops Academy and the suggestion (which was eventually accepted) to stop deploying border guard conscripts (with wages way too low to support a living, making them highly susceptible to corruption) at border crossing points. Given the fact that corruption is a known problem in Tajikistan which is even acknowledged in official surveys, the lack of measures taken is remarkable, but understandable in the light of a neopatrimonial system of rulership which penetrates also the security forces. Given the importance of the illicit narcotics economy for Tajikistan, with the suspicion that Tajik law enforcement is actually involved in the drug trafficking (see Chapter 4.2.2.1), it is telling how the OSCE was allowed to tackle the problem of drug trafficking in the light of the host state’s consent to implement projects: The anti-drug trafficking projects of the OSCE focused mainly on the prevention of drug abuse among Tajik youth, not on tackling the trafficking as such. To be fair, the OSCE did invest a lot of resources into technical support and training of the border guard, but in the light of anti-corruption measures, potential drug-related corruption within Tajik law enforcement agencies was completely outside

1158 Cf. Interview with OSCE Office in Tajikistan Member I, Dushanbe, August 30, 2013. / Interview with OSCE Office in Tajikistan Member II, Dushanbe, August 30, 2013.
1160 Cf. Interview with OSCE Office in Tajikistan Member II, Dushanbe, August 30, 2013.
1161 Cf. The Centre for Strategic Studies under the President of the Republic of Tajikistan/United Nations Development Programme Tajikistan 2010, p. 28.
the influence of the OSCE. Moreover, in at least one instance the OSCE became a victim of local corruption during the implementation of an anti-drug-trafficking project:

“One OSCE police assistance project in Tajikistan has reportedly spent over 100,000 euros since 2007 on a dog-training centre for the MoI, much of it in building, refurbishment, and procurement under a no-bid contract. At one point, the very dogs who were to be trained and taken care of died due to neglect.”\textsuperscript{1163} (Something similar happened shortly after again in a bilateral dog-training project financed by the U.S.)\textsuperscript{1164} This in turn can be seen as another indicator that the interest of the Tajik security forces to effectively tackle narcotics trafficking did not seem to be too developed. Therefore, as all the measures aimed at corruption and nepotism in general have only been of a highly symbolic nature, the symptomatic factor of corruption and nepotism is classified as completely outside the realm of the OSCE to tackle.

The next symptomatic factor is the reform blockade, which derives directly from corruption and nepotism in the security sector. Here, the OSCE, following an official request of the Tajik state, aimed to foster a comprehensive police reform.\textsuperscript{1165} The process and eventual failure of this reform that according to the OSCE should have led to “an efficient, effective, accountable and professional police service”\textsuperscript{1166} is a prime example of slow developments due to conflicting interests: While the needs assessment was conducted in 2008,\textsuperscript{1167} the Memorandum of Understanding on the reform was drafted in 2009,\textsuperscript{1168} finalized in 2010,\textsuperscript{1169} signed in 2011,\textsuperscript{1170} ratified by the Parliament in 2012,\textsuperscript{1171} leading to the drafting of a Police Reform Strategy in 2013,\textsuperscript{1172} of which the first step was the formulation of a new Law on Police, drafted in 2014,\textsuperscript{1173} discussed in 2015,\textsuperscript{1174} but in 2016 “has not been adopted yet [...].”\textsuperscript{1175} The long delay shows that

\begin{flushleft}
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\item Foroughi 2012, pp. 116/117.
\item Cf. ibid., p. 117.
\item Cf. OSCE/SPMU 2009, p. 81.
\item OSCE/SPMU 2012, p. 113.
\item Cf. OSCE/SPMU 2009, p. 81.
\item Cf. OSCE/SPMU 2010, p. 88.
\item Cf. OSCE/SPMU 2011, p. 101.
\item Cf. OSCE/SPMU 2012, p. 113.
\item Cf. OSCE/SPMU 2013, p. 139.
\item Cf. OSCE/SPMU 2014, p. 143.
\item Cf. OSCE/SPMU 2015, p. 148.
\item Cf. OSCE/SPMU 2016, p. 117.
\item Cf. OSCE/SPMU 2017, p. 123.
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5. The OSCE Operations in Kyrgyzstan and Tajikistan

the direction towards which the Tajik police should have been reformed has been disputed. While the OSCE insisted on the inclusion of civil society into the decision making process and the introduction of human rights provisions into the police training and doctrine, but even the diplomatic wording in the official, unclassified reports gives indicators for a reluctance by the Tajik side to accept these demands. For instance, in the field of human rights, the OSCE aimed to raise the awareness among senior officials of the Ministry of the Interior, that effective police work and compliance to international human rights standards are not a contradiction. However, the main development within this field was that while in the beginning no volunteers were found to take part in an international Conference on Human Rights and Policing, but some years later at least study trips to other post-authoritarian polices and workshops on human rights and change management were conducted. Still, these measures have to be seen as attempts of awareness raising, not as conceptual attempts to implement human rights standards into policing. Actual human rights training courses for a small number of law enforcement officers could only be conducted in 2016, i.e. after the new Law on Police was at least drafted, but also and especially one year after there was a crackdown by the government on the only remaining real opposition party in the country, the Islamic Renaissance Party, (see Chapter 4.2.2.3).

With regard to the incorporation of civil society into the decision-making process, indicators for a reluctance of the Tajik side to incorporate this OSCE demand are also visible. For instance, the first attempt to incorporate a bottom-up civil society participation into the drafting of the police reform occurred in 2012, i.e. only four years after OSCE attempts to reform the Tajik police started and was labeled “as an extra-budgetary activity”, i.e. it was not foreseen in the regular budget and therefore planning base of the OSCE. From then on civil society participation continued via the so-called “Civil Society Working Group” and “Public

1178 Cf. OSCE/SPMU 2009, p. 83.
1180 OSCE/SPMU 2012, p. 114.
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Council[s] on Police Reform\textsuperscript{1182}, which were established and which continued to work throughout the country.\textsuperscript{1183} However, the process of the police reform as such is at a standstill, as shown nine years of reform attempts in total, five of which with civil society participation, without results. Therefore, while the OSCE tried hard to overcome the reform blockade within the Tajik security sector, ultimately this symptomatic factor has to be classified as outside the influence of the OSCE.

The next symptomatic factor is the ineffectiveness of the security forces. Similar to the Kyrgyz case, the OSCE tried to tackle this problem by training measures and technical support, despite the lack of access to deeper lying causes. In this regard, two types of training and technical support can be identified: a very systematic long-term training program for the border guard and rather ad-hoc training courses and support measures for other security forces like the police or the State Committee for National Security.

When trying to analyze the support for the border guard, one has to keep in mind that due to the turmoil of the transition period after the civil war, Tajikistan essentially lacked a border guard altogether. Thus, the long borderline to Afghanistan was guarded by the Russian Border Guard (with Tajik soldiers in their ranks) based on a Treaty of Friendship from 1993.\textsuperscript{1184} In this regard it becomes clear that already pure training measures can have a huge impact on the effectiveness of the border guard, regardless of whether additional reforms are implemented or not. While the OSCE field operation in Tajikistan has conducted small-scale training courses on border management,\textsuperscript{1185} the opening of the OSCE Border Management and Staff College in 2009 marked a milestone in the training development.\textsuperscript{1186} While the college in principle offers courses for members of border guards of all OSCE member states, several training courses are focused on prospective low and middle-level leaders of the Tajik,
Afghan and (since 2015) Kyrgyz Border Guard.\textsuperscript{1187} Seen from the perspective that large parts of the Tajik Border Guard rely on conscription (in some regions at the border to Afghanistan, 90 percent are conscripts),\textsuperscript{1188} the training of the permanent staff is of utmost importance to form some kind of institutional memory within the border guard. Furthermore, given that the Tajik Border Guard basically had to be rebuild from scratch, most training courses can focus on basic, technical aspects of border management, like patrol leadership.\textsuperscript{1189} Therefore, even though drug seizure rates at the Tajik-Afghan border have stagnated, partly due to corruption within the border guard (see Chapter 4.2.3.1), already the establishment of a Tajik Border Guard with standardized training can be seen as an improvement which was largely fostered by OSCE support.

Regarding other law enforcement agencies of Tajikistan, training and technical support provided by the OSCE have been on a more situational and ad-hoc basis. Moreover, most of them can be either described as specialized training courses for counterterrorism units or as pilot projects, aiming to convince elites within the law enforcement agencies of potential benefits of the planned police reform. Regarding the training of counterterrorism units, the OSCE conducted several trainings for OMON, the special forces unit of the Ministry of the Interior, and the State Committee for National Security, which at least on paper, had a symbolic human rights protection element included.\textsuperscript{1190} Furthermore, these forces received technical support, including a refurbishment of a SCNS identification room.\textsuperscript{1191} Regarding pilot projects aiming to foster the will to reform, two types can be identified: On the one hand symbolic training from which the senior leadership directly profited and on the other hand pilot projects in community policing, aiming to show that modern, population-centered policing can increase the effectiveness of the police forces. The training courses from which the senior management of law enforcement agencies


\textsuperscript{1188} Cf. Interview with OSCE Office in Tajikistan Member II, Dushanbe, August 30, 2013.

\textsuperscript{1189} Cf. OSCE 2011, p. 70. / OSCE 2013, p. 64. / OSCE 2015, p. 89. / OSCE/SPMU 2015, pp. 151-156. / OSCE 2017, p. 92.

\textsuperscript{1190} Cf. OSCE/SPMU 2011, p. 103. / OSCE/SPMU 2013, p. 140.

\textsuperscript{1191} Cf. OSCE/SPMU 2015, p. 149.
directly profited were mainly focused on change management, but two notable exceptions stick out: Both were focused on the training of bodyguards and the wording within the official OSCE report gives indication that these trainings were not uncontroversial within the OSCE itself. First, in 2013, a training on “VIP Security and Close Protection Techniques with Human Rights Elements” was conducted, while one year later a “training on driving in extreme conditions” aiming to “reduce accidents among police officers during the performance of official duties and fulfilling other job tasks” took place. As both of these training courses fall into the time period of the drafting of the police reform strategy and the new law on police, it seems on the one hand possible that these training courses were used simply as bargaining chips to gain support for the reform in the state leadership while the wording indicates that on the other hand, the OSCE tried to avoid giving the impression of simply training bodyguards for the state elites. Seen through the lens of this analysis, such training courses alone due not increase the effectiveness of the Tajik security forces, but give an indication that the OSCE was very reluctant to engage in more than symbolic trainings before a comprehensive police reform as discussed above was agreed upon.

The last field of training for the police consisted in pilot projects aiming to introduce the concept of community policing to the Tajik police. Again, these training courses provided by the OSCE did not start until 2015 (a bilateral community policing project financed by the U.S. ran from 2010 to 2013) and aimed to slowly introduce this concept into the work of the Tajik police and thus to increase their effectiveness by maintaining a steady presence in communities based on compliance with human rights standards. As these projects only recently started, their outcomes are difficult to evaluate as such. However, as these are only small scale project focused on small groups, they can by no means be compared to the large scale projects on community policing in Kyrgyzstan (which, to be fair, needed several years to fully develop).

1193 OSCE/SPMU 2014, p. 146.
1194 OSCE/SPMU 2015, p. 149.
1195 Ibid., p. 149.
1196 Cf. OSCE/SPMU 2016, pp. 117/118.
All in all, when trying to assess whether the symptomatic factor of the ineffectiveness of the Tajik security forces is within the realm of influence of the OSCE, one has to differentiate between the border guard and the police. While the border guard basically had to be recreated from scratch and therefore needed training on every level of the hierarchy, the OSCE could contribute to their effectiveness in principle by offering systematic training courses via the Border Management and Staff College. Within the field of the police however, the OSCE might have been able to increase the effectiveness via training courses but was reluctant to do so as long as no comprehensive police reform with human rights provisions was agreed upon.

The last symptomatic factor within the security function of the Tajik state is the population’s lack of trust in the security forces. The OSCE tried to address this factor from three directions: first, by the insistence on the inclusion of civil society organizations into the decision making process for the police reform; second, by trying to introduce the concept of community policing into Tajik police work; and third, by bringing together representatives of civil society and law enforcement in roundtables and workshops on specific security-related questions. While the first two approaches have already been discussed, the last approach will be analyzed in further detail.

Roundtables and workshops between civil society and law enforcement representatives organized by the OSCE field operation in Tajikistan for a short time became a regular occasion since the change of the mandate in 2008. Starting in 2009, roundtables and workshops were conducted regularly between 2009 and 2013, focusing mainly on the “Prevention of Violent Extremism and Radicalization Leading to Terrorism”\footnote{OSCE/SPMU 2011, p. 102. / cf. OSCE/SPMU 2010, p. 88. / OSCE/SPMU 2012, p. 115. / OSCE/SPMU 2014, p. 146.} and the prevention of torture,\footnote{Cf. OSCE/SPMU 2010, p. 93. / OSCE/SPMU 2011, p. 104.} while from 2014 on, the police reform process analyzed above was discussed. Thus, over the whole time frame of this analysis, roundtables to bring together law enforcement and civil society were actually quite sparse and occurred mostly between 2009 and 2013, despite one of the few official studies on the population’s trust in the police, conducted in 2013 with OSCE support, “revealed a lack of confidence and trust in the police by civil society.”\footnote{OSCE/SPMU 2014, p. 146.} However, as the slow start of civil
society in the police reform process shows, even bringing together law enforcement and civil society needed constant lobbying of the OSCE, while the crackdown on the Tajik opposition in 2015 shows that regardless of such symbolic measures, the Tajik government started a heavy-handed policy on potential opposition. Thus, while some symbolic roundtables and workshops were conducted indeed, the lack of confidence expressed by the population in the OSCE supported survey as well as the heavy-handed crackdown on the opposition in 2015 show that they had little effect. Therefore, despite attempts by the OSCE to influence the symptomatic factor of the population’s lack of trust in the security forces, the factor has to be classified as being ultimately outside the realm of influence of the OSCE field operation in Tajikistan.

All in all, of the six symptomatic factors in the security function of the Tajik state, only one, the ineffective security forces, were partly within the realm of influence of the OSCE. However, while the OSCE did make a contribution to the effectiveness of the border guard by training personnel of this institution that had to be rebuilt from scratch, the OSCE was very reluctant to train the already existing police as long as civil society participation and basic human rights standards were not agreed upon for a comprehensive police reform.

Of the remaining five symptomatic factors, the OSCE tried to influence the paramilitary structure and training of the police (not the border guard, given the border situation in Tajikistan), and, closely connected to that, the reform blockade, as well as the population’s lack of trust in the security forces, but was ultimately unable to influence these factors. The last two symptomatic factors, the fragmentation of the security forces as well as corruption and nepotism had to be classified as beyond the influence of the OSCE in the first place.
The following table sums up the results of the analysis in this subchapter:

<table>
<thead>
<tr>
<th>Fragmentation of security forces</th>
<th>Not tackled at all</th>
<th>Tackled without effect</th>
<th>Tackled with effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oversized, paramilitary structure and training</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Corruption and nepotism</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reform blockade</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ineffective security forces</td>
<td>X (police)</td>
<td>X (border guard)</td>
<td></td>
</tr>
<tr>
<td>Lack of trust</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Figure 17: The OSCE’s ability to tackle symptomatic factors in the *security* function of Tajikistan; author’s own compilation.

5.3.2.2 Welfare function

Within the *welfare* function of the Tajik state, the measures taken by the OSCE field operation to influence the symptomatic factors of the weak national economy, the high unemployment, the interlocking of state and economy, corruption and nepotism in the economic sphere, reform blockades and the decay of infrastructure will be analyzed in a similar way as in the *security* function.

Starting with the weak national economy, one has to keep in mind that, as in the Kyrgyz case, the OSCE is not a donor organization and is therefore unable to grant large amounts of resources for large scale projects. Considering the situation in Tajikistan after the civil war, it comes as no surprise that an assessment of the situation of the Tajik industry had to be conducted. Given the role the OSCE has as an organization that was active in the country almost since the beginning of the civil war, in the immediate post-conflict period the OSCE was able to support other, more specialized economic donor organizations by providing an assessment of the war-
torn Tajik industry. Later, the OSCE itself also took measures to address this very basic factor. Overall, two approaches can be identified: first, the fostering of trans-border-trade and second, the development of free economic zones.

Regarding the fostering of trans-border-trade, the OSCE in 2006 started the so-called “Almaty Programme of Action,” aiming at strengthening the economies of landlocked countries. While the OSCE field operation in Tajikistan was in principle promoting trade between Afghanistan and Tajikistan since 2004, since 2007 such efforts have been fostered further by the set-up of “transborder trade promotion centres” providing trading information for current and prospective entrepreneurs. In total, three such centers have been opened at the border to Afghanistan and one at the border to Kyrgyzstan. Keeping in mind the lack of resources of the OSCE itself, one can understand the focus of these centers on consulting entrepreneurs and local authorities on trade and customs issues, not on enhancing border trade infrastructure as such. (For instance, the indispensable bridge between Afghanistan and Tajikistan at Nizhny Panj was built as a bilateral project with U.S. funding.) Still, with the opening of the required infrastructure and with support for potential entrepreneurs, the legal (and registered) cross-border trade between Afghanistan and Tajikistan developed from 2.7 million USD in the year 2000 to 92.1 million USD in 2010, i.e. it went up 3000 percent.

The second approach consisted in the fostering of the establishment of so-called “Free Economic Zones”, i.e. zones which for a start-up period of seven years are exempt from taxes to attract business investments. With the set-up of four of these zones in 2009, the OSCE pro-

1201 Cf. OSCE/OCEEA 2004, p. 29.
1203 Cf. ibid., p. 32.
1204 Ibid., p. 33.
1205 Cf. ibid., p. 33.
1207 Cf. OSCE/OCEEA 2008, p. 32.
1208 Cf. Umarov 2013, pp. 6/7.
1209 OSCE/OCEEA 2010, p. 31.
vided both consulting expertise for the drafting of the Laws on the Free Economic Zones as well as training for prospective officials managing these zones.\footnote{1211} Already in 2010, one year after it was opened, the northernmost Sughd Free Economic Zone attracted direct investments at about 37 million USD.\footnote{1212} The other three free economic zones have been less successful in this regard, but one has to take into consideration that they are located in the south of Tajikistan, near the border to Afghanistan, and therefore had a more difficult economic situation to begin with.\footnote{1213} However, while the free economic zone in one of the poorest regions of Tajikistan, Ishkoshim, did not attract any direct investment till 2015, the other three zones all had attracted investments to varying degrees.\footnote{1214}

While the precise amount of GDP per capita increase provided by the increase in cross-border trade and the establishment of the free economic zones cannot be determined, the GDP per capita in Tajikistan rose from about 1,750 USD in 2007 to 2,700 USD in 2014 (an increase of 54 percent),\footnote{1215} indicating a in general positive economic development. Thus, while Tajikistan remains one of the poorest countries in the world, and despite the limited resources of the OSCE, the organization could influence the factor of the weak national economy, mainly by measures of consulting – either provided to lawmakers, as in the case of the free economic zones or provided to entrepreneurs as in the transborder trade promotion centers.

The next symptomatic factor to be analyzed is the high unemployment rate. Additionally to the measures aimed at fostering economic growth in general as discussed above, the OSCE tried to influence these factors via two approaches: first, by providing training to potential entrepreneurs in Tajikistan and second, by providing information and legal support to prospective labor migrants. Training courses in professional or entrepreneurial skills were a constant measure implemented by the OSCE field opera-
5.3 The OSCE operation in Tajikistan

Organisation in Tajikistan until 2008. Afterwards, the focus shifted towards the promotion of trans-border trade and the free economic zones, as discussed above, and sole training courses on entrepreneurial skills became less frequent. Since conducting training courses requires a lot of personnel and can only reach a limited number of participants, this focus shift is understandable once the infrastructure for trans-border trade and the free economic zones were established. Regarding labor migration, the OSCE field operation in Tajikistan took a similar approach as the OSCE Centre in Bishkek: To prevent illegal migration and human trafficking, it opened resource centers to consult potential labor migrants on the legal issues of migration and supported both Tajikistan as well as the migrant receiving countries to streamline their data collection mechanisms on labor migration.

Regarding the outcomes of these measures, one once again has to consider the limited resources of the OSCE, which itself is not a large donor organization and can therefore only train a limited number of potential entrepreneurs and advise only a limited number of labor migrants. Thus, while the OSCE tried to influence the symptomatic factor of the high unemployment, the unemployment in Tajikistan remained relatively high at about 10 to 11 percent between 2000 and 2015 with an additional 15 percent of the Tajik work force working abroad (see Chapter 4.2.3.2).

The next symptomatic factor, the interlocking of state and economy, can be classified as completely outside the realm of influence of the OSCE. While, as discussed in Chapters 4.2.2.2 and 4.2.3.2, a large part of Tajik enterprises are either in direct or indirect possession of the Tajik presidential family or persons in their neo-patrimonial networks, the OSCE completely refrained from tackling this issue. Seen from the perspective of the required host state consent for the OSCE’s work in the


country, which is essentially the consent of the president, this reluctance is understandable.\textsuperscript{1220}

To tackle corruption and nepotism, the OSCE used two approaches: first, consulting regarding the implementation of new anti-corruption legislation and second, providing training and technical support for both national anti-corruption agencies and journalists investigating corruption. Consulting measures were limited in general and mainly focused on screening existing anti-corruption legislation\textsuperscript{1221} and “the draft Law on Anti-Corruption Screening of Legal Acts”\textsuperscript{1222}, prepared 6 years after the first screening by the OSCE. Training and technical support measures were mainly focused on the “Agency for State Financial Control and the Fight against Corruption, and the Anti-Corruption Council”\textsuperscript{1223}, but some training courses for journalists investigating corruption cases have also been provided in 2003 and 2012.\textsuperscript{1224} However, because the Agency for State Financial Control and the Fight against Corruption is mainly used against the potential opposition (see Chapter 4.2.2.2) and journalists cannot work uninhibited by state authorities,\textsuperscript{1225} the outcomes of these measures are in doubt. In this regard, the wording of the official OSCE report of 2014 is telling: “the workshop [...] encouraged participants to consider the role civil society should play in helping prevent corruption,”\textsuperscript{1226} which in combination with the diplomatic conclusion that “[t]he Office will help tailor anti-corruption initiatives in line with the interests of stakeholders in Tajikistan”\textsuperscript{1227} can be understood as: results were neither

\textsuperscript{1220} Cf. Kluczewska 2017, p. 365.
\textsuperscript{1221} Cf. OSCE/OCEEA 2005, p. 15.
\textsuperscript{1222} OSCE/OCEEA 2012, p. 18.
\textsuperscript{1226} OSCE 2015, p. 88.
\textsuperscript{1227} Ibid., p. 88.
achieved nor expected. Thus, if corruption is a necessary part of a country’s neo-patrimonial system of rulership, the observation of a high-ranking OSCE official charged with good governance projects holds true: “If government officials are exposed to good practice, they may not necessarily be willing or permitted to apply it in their own country or agency.”

All in all, given the stagnation of Tajikistan in the corruption perception index and the cases of embezzlement gone public (see Chapter 4.2.2.2), one can basically conclude that the OSCE was unable to influence this symptomatic factor at all.

The reform blockade in the economic sphere is the next symptomatic factor in the welfare function of the Tajik state to be discussed. Contrary to the Kyrgyz case, the OSCE was involved in supporting economic reforms in Tajikistan – most notably the set-up of the free economic zones discussed above, but also a reform of land distribution. While the establishment of the free economic zones was already discussed above and aimed at the attraction of foreign direct investments, the land reform aimed at a re-privatization of the Soviet-style collectivized farms. Furthermore, while the OSCE offered consulting support for the free economic zones, its role in the land reform was more focused on training local officials and farmers on the system of the privatization to come. This is in turn can be explained with the large local footprint the OSCE had in Tajikistan due to its field offices in all regions of the country, making the OSCE a prime implementation partner. Therefore, even though the OSCE is not a genuinely economic organization, the OSCE could support the implementation of two economic reforms requested by the government. However, this does not change the fact that those key industries in possession of the ruling elites, were, as discussed above, not reformed at all. Still, the economic reform blockade in Tajikistan was partly in the realm of influence of the OSCE.

The last symptomatic factor to be addressed in the welfare function of the Tajik state is the decay of infrastructure. Similar to the Kyrgyz case, the OSCE focused only on some key infrastructures to make the most efficient use of its limited resources. In the Tajik case, this essentially meant

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1230 Cf. OSCE/OCEEA 2005, p. 34. / OSCE/OCEEA 2006, p. 36.
1231 Cf. OSCE/OCEEA 2005, p. 34. / OSCE/OCEEA 2006, p. 36.
technical support for mine clearance operations, but also, similar to Kyrgyzstan, environmental infrastructure, i.e. the securing of hazardous wastes and water infrastructure. However, in Tajikistan the protection of natural water resources could be combined with the development of small hydropower projects, allowing also for economic infrastructure projects.

Similar to Kyrgyzstan, several unsecured hazardous waste deposits from the Soviet era (mainly uranium, but also mercury and pesticides) are located in northern Tajikistan, posing a threat both to the local population as well as, if washed downstream, the populations of other Central Asian countries. Therefore, the OSCE provided risk evaluation, consulting to the Tajik government in implementing environmental standards, training courses for the local population in risk management, and support for the IAEA to mitigate the health risks at the Tajik deposits.

Regarding environmental, particularly water, infrastructure, the OSCE in Tajikistan followed a similar approach as in Kyrgyzstan by opening so-called Aarhus Centers, which on the one hand provided information on the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters, but on the other hand also provided training courses and support on the efficient use of natural resources, especially water, to the local population. Furthermore, in Tajikistan the OSCE was able to support energy generation by fostering the installation of small hydropower stations together with a Tajik-Norwegian initiative. Thus, similar to Kyrgyzstan, the OSCE of


course could not tackle all infrastructural problems of Tajikistan due to lack of resources, but in principle it could influence the decay of infrastructure. Here in turn, the OSCE focused on critical environmental infrastructure, i.e. hazardous waste deposits and water distribution to prevent the further degradation of natural resources in Tajikistan.

All in all, of the six symptomatic factors discussed in this subchapter, the OSCE was able to at least partly influence four: the weak national economy, the high unemployment, the reform blockade, and the decay of infrastructure. In this regard, the OSCE either had to focus its resources on specific aspects of the factor, or, as in the reform blockade, was only able to support developments explicitly requested by the Tajik government. Furthermore, with regard to the weak national economy and the high unemployment, one has to keep in mind that the OSCE in the end could only lessen the problems of Tajikistan’s economy, not solve them. The OSCE attempted to tackle one factor, corruption and nepotism, but ultimately without any results. The last remaining symptomatic factor, the interlocking of state and economy, i.e. the fact that most crucial enterprises in the country are either owned by the presidential family or by close allies, was not tackled by the OSCE at all.

The following table sums up the results of the analysis of this subchapter:

<table>
<thead>
<tr>
<th>Not tackled at all</th>
<th>Tackled without effect</th>
<th>Tackled with effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weak national economy</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>High unemployment</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Interlocking of state and economy</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Corruption and nepotism</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Reform blockade</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Decay of infrastructure</td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Figure 18: The OSCE’s ability to tackle symptomatic factors in the welfare function of Tajikistan; author’s own compilation.
5. The OSCE Operations in Kyrgyzstan and Tajikistan

5.3.2.3 Legitimacy/rule-of-law function

While the OSCE field operation in Tajikistan constantly tried to tackle the symptomatic factors lack of independent courts, corruption and nepotism, reform blockades, and lack of trust within the legitimacy/rule-of-law function of the Tajik state, some actions were focused on the time before the mandate change in 2008, when the human dimension was explicitly emphasized.

This in particular holds true for the symptomatic factor lack of independent courts. Given the breakdown of the Tajik state during the civil war, including the judicial system, as well as the human rights violations that took place during this period, a focus on the rebuilding of the judicial system and the establishment of human rights standards is understandable. Therefore, the OSCE took three interconnected approaches on this symptomatic factor: First, the monitoring of trials, sometimes even with interventions by the OSCE. Second, supporting the training of current and future lawyers in the country. Third, by fostering reforms with particular regard to torture prevention and investigation via an ombudsman institution.

The first approach, the monitoring of trials can be separated into two phases: While the OSCE field operation in Tajikistan in the immediate aftermath of the civil war did monitor cases itself, it later trained members of local NGOs to monitor fair trial standards were adhered to. Especially in the chaotic post-conflict phase in 1998 and 1999, when militias were still roaming in Tajikistan and the line between legitimate and illegitimate state authorities was still blurred, the mission mediated “the release of illegally detained persons”\(^\text{1239}\) in several cases. Later, the OSCE continued to monitor “a number of human rights cases”\(^\text{1240}\) and gave legal advice to persons that suffered human rights violations, particularly victims of torture.\(^\text{1241}\) In 2005 and 2006, the OSCE trained trial monitors from local NGOs to monitor fair trial standards in court.\(^\text{1242}\) After the change of mandate in 2008, the priorities of the OSCE shifted away from the humanitarian dimension, leading to a discontinuation of the trial monitoring. Regarding the outcomes of the trial monitoring, the OSCE itself gave a rather sobering statement of the projects’ main achievements of “[i]increased access

\(^{1240}\) OSCE 2000, p. 53.
\(^{1242}\) Cf. OSCE 2005, p. 102. / OSCE 2006, p. 70.
of monitors to court hearings monitors were initially prevented from attending at programme inception;”\textsuperscript{1243} as well as “[i]ncreased compliance with procedural rights that were totally ignored prior to monitoring”\textsuperscript{1244} and the formulation of further recommendations.\textsuperscript{1245} Seen from the perspective that already the access of the monitors to trials is considered an achievement worth mentioning and the trials that were monitored mainly consisted of trials regarding theft and narcotics trafficking,\textsuperscript{1246} it is highly doubtful that the short-term trial monitoring had any lasting effect on the human rights situation in the country in general, not to mention cases against political opposition. This in turn is shown by the constantly negative human rights record of Tajikistan and the number of political trials discussed in chapter 4.2.2.2.

The next approach that the OSCE took to foster an independent judiciary in Tajikistan was the contribution to the training of the current and the next generation of lawyers in the country. Immediately after the end of the civil war, the OSCE started to organize lectures and seminars to train law students in human rights issues.\textsuperscript{1247} Later, specialized trainings were also conducted for legal professionals\textsuperscript{1248} and the founding of the National Association of Tajik Barristers was facilitated by the OSCE.\textsuperscript{1249} However, with the change of the mandate in 2008 and the establishment of a national human rights ombudsman institution in 2009, the OSCE shifted its focus from providing training to law students, lawyers, and judges towards tailored trainings for the staff of the ombudsman institution. Regarding the effects of the trainings, it can be stated that irrespective of the quality of the training, judges in Tajikistan are either appointed directly by the president on the proposal of the Council of Judges, which is in turn dependent on the president (for local judges) or appointed by the Majlisi Milli (the upper house of the parliament, of which one quarter is appointed by the president) on the proposal of the president (for higher judges).\textsuperscript{1250} Or put

\begin{rapports}
1243 OSCE/ODIHR 2012b, p. 229.
1244 Ibid., p. 229.
1245 Cf. ibid., p. 229.
1246 Cf. ibid., p. 229.
1249 Cf. OSCE 2003, p. 118.
1250 Cf. Constitution of the Republic of Tajikistan, Articles 56.2; 69.12; 69.13; 86.
\end{rapports}
in other words: Qualification and independence are no criteria for the appointment of judges, and the application of knowledge gained in such trainings is not a requirement of a judicial career in Tajikistan. Therefore, regardless of any formal training in human rights and fair trial procedures, the crackdown on the Tajik opposition was essentially supported by the Tajik judicial system.

The last approach taken by the OSCE to tackle the lack of independent courts in Tajikistan is the attempt to foster reforms to establish a national ombudsman institution in particular and to prevent torture in general. Discussions on the establishment of a national ombudsman institution started already in 1999, but as the discussions stalled, priorities shifted both to the training of lawyers as analyzed above and towards a prison reform which will be discussed below. Only in 2006 did the topic re-enter the agenda, and the reform proposal made relatively quick progress, leading to the establishment of an ombudsman institution in May 2009. However, while the ombudsman institution in theory is supposed to address human rights complaints, the Tajik ombudsman institution started to develop a program for human rights education in schools. Of course, the development of such a program must be considered as positive, but there would have been causes for the ombudsman to address human rights violations, especially after the crackdown on the Tajik opposition in 2015. However, this did not happen. Therefore, it comes as no surprise that the OSCE reports after the crackdown in a diplomatic way simply ceased to mention any cooperation with this institution. This in turn can be seen as an implicit acknowledgment that the ombudsman institution was neither suited to address these human rights violations nor were future changes to be expected.

Regarding human rights protection in general, the OSCE aimed for a similar approach as in Kyrgyzstan by reforming the penal system, mainly to prevent torture within prisons, but also to prevent radicalization within prisons. One of the first steps towards this end was the transfer of the authority for the prison system, which in the Soviet Union lay in the Ministry of the Interior, to the Ministry of Justice. This transfer of authori-

1251 Cf. OSCE 1999, p. 38.
1252 Cf. OSCE 2006, p. 70.
1253 Cf. OSCE 2009, p. 66.
1254 Cf. OSCE 2010, p. 70.
5.3 The OSCE operation in Tajikistan

The OSCE operation in Tajikistan was carried out after short discussions already in 2003. Afterwards, the OSCE continued to train prison staff in human rights legislation and aimed to establish an independent verification system for human rights standards in penal institutions. However, training courses for the prison staff have been of a rather sporadic nature, while the access to prisons by independent monitors was a matter of constant debate. Still, with the formation of the Civil Society Coalition against torture and impunity in Tajikistan in 2011, a local association of human rights NGOs that, at least currently, is able to visit detention facilities without prior notification, a basic instrument for human rights protection in penal facilities has indeed be created. Even though the Coalition is only able to support a limited number of cases and appeals in political cases are basically futile due to the already discussed dependence of judges on the president, already the establishment of such a NGO coalition and its toleration by state authorities would not have been possible without international lobbying, including the work of the OSCE.

Therefore, when summing up the outcomes of the OSCE attempts to tackle the lack of independent courts, it can be stated that the OSCE indeed attempted to influence this factor by using several approaches. However, while some improvements can be seen regarding the establishment of a human rights ombudsman, better training for prison staff and the support for anti-torture NGOs, which indeed can help convicted persons, the dependence of the legal system as such on the executive branch has not changed, nor was a large reform even attempted. Thus, while a person accused of crimes in Tajikistan might now expect a slightly better treatment in a penal institution than before the work of the OSCE began, a genuinely fair trial is not to be expected – especially if the defendant is accused for political reasons.

Corruption and nepotism in the legitimacy/rule-of-law function of the Tajik state are the next symptomatic factor to be analyzed. However, in the Tajik case, the state and the economy are strongly interlinked, as dis-

1256 Cf. OSCE 2002, p. 54.
1257 Cf. OSCE 2003, p. 56.
1259 Cf. OSCE 2007, p. 73.
1261 Cf. Civil society Coalition against torture and impunity in Tajikistan 2017, pp. 5/12.
5. The OSCE Operations in Kyrgyzstan and Tajikistan

cussed in Chapter 4.2.2.2, making it virtually impossible to distinguish between corruption and nepotism in the economic and political sphere. Therefore, the analysis conducted on corruption and nepotism in the last subchapter (5.3.2.2) is valid also for the legitimacy/rule-of-law function: Despite the efforts taken by the OSCE to foster anti-corruption initiatives (mainly via training sessions), no measurable outcome was achieved in the end. Therefore, the symptomatic factor corruption and nepotism has to be classified as outside the influence of the OSCE.

When trying to analyze to which regard the OSCE was able to overcome reform blockades in Tajikistan, one basically can see the same sectors in which reforms in the legitimacy/rule-of-law function have been attempted: the electoral system, the penal system and the criminal code, and the media system.

With regard to the electoral system, the OSCE has monitored every election in Tajikistan since the year 2000. Both in parliamentary as well as in presidential elections, infringements of the passive right to vote have been a constant point of criticism by the electoral observers. While in presidential elections independent candidates are not eligible to run, in parliamentary election the need to pay a high deposit to be registered, which is only refundable if the candidate wins the constituency, effectively prevents any candidate from running who is not already a part of the state elite (see Chapter 4.2.2.2). Since the judiciary is not independent from the president, it is furthermore possible to easily ban political parties and therefore prevent nominations for candidates, while complaints against rights infringements during the electoral campaign are virtually futile. Moreover, while the OSCE constantly criticized the fact that it is virtually impossible in the country to run for an office against the will of the president, the recommendations of the organization were not followed. Quite the contrary: With the ban of the Islamic Renaissance Party of Tajikistan in 2015 the only real, albeit powerless, legal opposition in the country ceased to exist, without any possibility for the OSCE to influence the crackdown. While the failure to reform the access to the political system can be easily explained on the analytical level by the necessity of a neo-patrimonial system of rulership to maintain control of the access to political (and at the same time economic) power, it also shows that in such

5.3 The OSCE operation in Tajikistan

a context fostering reforms touching this sensitive topic as access to offices is basically impossible from the outside.

Similar to the Kyrgyz case, the OSCE in Tajikistan also aimed to support reforms regarding the penal system and the criminal code to prevent radicalization processes in the country. In this regard, the OSCE aimed to foster both the “development of alternatives to imprisonment”\(^\text{1263}\) and the abolition of the death penalty. While the moratorium on the death penalty in 2004\(^\text{1264}\) is an example that lobbying for the implementation of international human rights standards can be successful, the discussions on alternatives to imprisonment stalled. However, despite the abolishing of the death penalty, at least one insurgent of the 2010 uprising in Tajikistan, Alovuddin Davlatov (also known as Ali Bedaki), was killed under unclear circumstances after being captured by Tajik security forces.\(^\text{1265}\) Furthermore, the death penalty as such is not completely abolished but only not executed and its re-introduction is currently being discussed.\(^\text{1266}\) Therefore, the outcomes of these reform attempts are mixed: while the current de facto abolition of the death penalty and the at-least de jure establishment of human rights monitors in prisons as discussed above can be seen as successful support for the implementation of reforms. Other reforms like the introduction of alternatives to imprisonment are stalled instead. Still, the fostering of reforms regarding the penal system and the criminal code can be seen as in principle within the influence of the OSCE.

The last area where the OSCE attempted to foster reforms was the media system. Here, the OSCE again took a similar approach as in other Central Asian countries by aiming to decriminalize libel and aiming to establish a self-regulatory media body. The decriminalization of libel was a regular recommendation of journalists’ workshops and conferences in Tajikistan.\(^\text{1267}\) In 2012, Tajikistan in principle heeded this recommenda-

\(^{1263}\) OSCE 2002, p. 56.


tion by decriminalizing libel, however with the exception that insults against the president remained a crime.\textsuperscript{1268} The aim to set-up a self-regulatory body for the media also remained a long-term goal of the OSCE, recommended for several years\textsuperscript{1269} before it was eventually established in 2009\textsuperscript{1270}. Afterwards, the so-called Tajik media council was instrumental in solving some media complaints,\textsuperscript{1271} but it initially was inhibited by the lack of membership of the state-owned media outlets.\textsuperscript{1272} Furthermore, as licenses for media outlets in Tajikistan are issued by the state, the license of critical media can be simply denied or withdrawn,\textsuperscript{1273} while OSCE lobbying for a more transparent licensing process\textsuperscript{1274} led to no result. Therefore, while the reforms fostered by the OSCE were partly implemented, they did not lead to de facto independent media.

Summing up the three main attempts of the OSCE to foster reforms in Tajikistan, one can state that while the OSCE was trying to overcome reform blockades, it was only able to do so in areas which were not crucial for the sustainment of a neo-patrimonial system of rulership. Especially the access to political offices via reforms of the passive right to vote or the creation of an independent media controlling the political sphere were completely out of range for the organization. On the other hand however, some reforms like the de-criminalization of libel and the moratorium on


\textsuperscript{1269} Cf. Froese 2011, p. 24. / Interview with former OSCE Centre in Dushanbe Member II, Vienna, March 02, 2015.

\textsuperscript{1270} Cf. OSCE 2010, p. 70.

\textsuperscript{1271} Cf. OSCE 2013, p. 65. / OSCE 2014, p. 81.


\textsuperscript{1273} Cf. Article 19 2014, p. 12.

the death penalty were indeed fostered by the OSCE, albeit it remains unclear whether these successes will be sustained.

The last symptomatic factor to be discussed in the *legitimacy/rule-of-law* function is the population’s lack of trust in the political system. To address this factor, the OSCE attempted a two-fold approach: first, by aiming to establish means of communication via technical support for media outlets; second, by fostering debates between the government, opposition, and civil society via roundtable discussions and workshops.

The aim to (re-)establish media outlets to improve the communication within the country was pursued from the immediate end of the civil war on,\(^\text{1275}\) mainly by providing support for setting up local newspapers and radio stations.\(^\text{1276}\) While two caveats have to be made, namely that non-governmental media have been a minority among the outlets that gained support\(^\text{1277}\) and that sometimes the licensing process of independent media was delayed,\(^\text{1278}\) in general the OSCE was able to support the establishment of media outlets in post-civil-war Tajikistan. However, the OSCE could not prevent the de facto shutdown of several independent newspapers by the closure of an independent printing house on charges of tax evasion.\(^\text{1279}\) While the priorities of the OSCE later shifted from the support of the set-up of media towards consulting on issues of media legislation, the organization continued to provide training to journalists.\(^\text{1280}\) Such training however, while valuable in itself to improve the quality of media coverage, does not improve communication between government and public and therefore public trust if the licenses of critical media can so easily be withdrawn. Still, technical and training support for media in principle can be seen as within the influence of the OSCE.

The second approach by the OSCE to tackle the population’s lack of trust in the government is the fostering of debate via roundtables and


\(^{1277}\) Cf. OSCE 2000, p. 53.


\(^{1279}\) Cf. OSCE 2004, p. 99.

workshops. Roundtables between the government, the opposition and NGOs have been a constant in the OSCE’s schedule since the end of the Tajik Civil War.\textsuperscript{1281} While such roundtables even have been institutionalized as the so-called “Social Partnership Club”\textsuperscript{1282}, their evaluation has to be twofold: On the one hand, a constant dialogue between government, other political parties and NGOs of course is a means to slowly build confidence in the state apparatus, especially in a post-civil-war setting. On the other hand however, Tajikistan holds the institution of a parliament. Here, as discussed above, opposition politicians faced serious infringements of their passive right to vote, i.e. they were effectively prevented from running despite OSCE criticism. Therefore, the establishment of a communicative channel between government and opposition outside the parliament is more a stop-gap-measure than a long term solution. However, since reforms in the election system were constantly stalled, the roundtables on the one hand remained necessary to allow for some communication but at the same time became more and more irrelevant as no changes in the discussed topics were to be expected. Therefore, while the OSCE was very active in the field of confidence building via roundtables, these roundtables only substituted an institutionalized way of communication while at the same time a broader reform to allow for broader access into parliamentary debates was stalled.

Thus, while the OSCE was very active in aiming to tackle the population’s lack of trust in the state apparatus, it was only partly able to influence this factor. On the one hand, the organization was constantly able for 20 years to train journalists and to organize roundtables bringing together government, opposition and NGOs. On the other hand however, the organization was neither able to prevent the shutdown of media outlets critical to the government nor were reforms on the access to parliament, which would have alleviated the need for constant roundtables, successful.

All in all, also in Tajikistan of the four symptomatic factors within the legitimacy/rule-of-law function, only one was partly within the realm of influence of the OSCE: the factor of lack of trust. Of the other three, the

\begin{flushright}
\textsuperscript{1282} OSCE 2004, p. 100.
\end{flushright}
OSCE was not able to increase the independence of the judiciary (despite the establishment of an ombudsman institution) nor to effectively combat corruption and nepotism nor to address any reforms that touched the logic of the neo-patrimonial system of rulership (like the access to state offices) despite some important smaller scale reforms like the moratorium on the death penalty or the creation of the Tajik Media Council.

The following table sums up the results of the analysis in this subchapter:

<table>
<thead>
<tr>
<th></th>
<th>Not tackled at all</th>
<th>Tackled without effect</th>
<th>Tackled with effect</th>
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</thead>
<tbody>
<tr>
<td>Lack of independent courts</td>
<td></td>
<td>X</td>
<td></td>
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<tr>
<td>Corruption and nepotism</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Reform blockade</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Lack of trust</td>
<td></td>
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<td>X</td>
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Figure 19: The OSCE's ability to tackle symptomatic factors in the legitimacy/rule-of-law function of Tajikistan; author's own compilation.

5.3.3 Interim conclusion: Possibilities and limitations of the OSCE in Tajikistan

If one now looks at the possibilities of the OSCE to influence the symptomatic factors of fragile statehood in Tajikistan, a pattern evolves which is very similar to the Kyrgyz case when Kyrgyzstan was entrapped in the State Leader’s Dilemma. When classifying the symptomatic factors again on the vertical and the horizontal level, one can observe the following:

On the vertical level, the OSCE basically was unable to influence any of the symptomatic factors that derived directly from the State Leader’s Dilemma: Neither the fragmentation of the security forces and their over-sized, paramilitary structure and training nor the lack of independent courts, the interlocking of state economy and corruption and nepotism could have been influenced by the organization. What could have been at least partly influenced on the other hand, were those factors that contribute to the emergence of non-state actors capable of challenging the monopoly
on the legitimate use of force, i.e. ineffective security forces and lack of trust. However, in both cases, these factors were the results of other factors outside the influence of the OSCE, making the measures taken more an act of damage limitation than long-term stabilization.

On the horizontal level, the three state functions can also be clearly separated: While the OSCE was hardly able to influence factors in the legitimacy/rule-of-law function, most factors within the welfare function were in the realm of influence of the OSCE, albeit the measures taken here were very focused due to lack of resources. Within the security function, the OSCE was unable to foster large scale, structural reforms, but, at least within the border guard, could provide training to rebuild the institution from scratch.
5.3 The OSCE operation in Tajikistan

The following figure sums up the general findings in the Tajik case:

Figure 20: The OSCE’s ability to tackle symptomatic factors of weak statehood in Tajikistan; author’s own compilation.
Since Tajikistan during the whole analysis time frame was entrapped in the State Leader’s Dilemma, it should not be a surprise that all factors that were out of the influence of the OSCE in Kyrgyzstan during the authoritarian eras, are also out of the influence in Tajikistan. Moreover, the case of Tajikistan shows that in an established neo-patrimonial system of rulership, reform proposals like the increase of the independence of the judiciary or the passive right to vote can be ignored for two decades regardless of international demands. Therefore, the Tajik case shows even more clearly that an international field mission cannot influence factors in the legitimacy/rule-of-law function except the attempt to reestablish lost trust by fostering confidence building measures.

All in all, also the Tajik case tentatively verifies hypothesis (2), while the comparison of the Kyrgyz and the Tajik cases tentatively verifies hypothesis (3). The next chapter will take a closer look at the findings, aiming to deduct generalizations that will allow evaluating the potential of political field operations as tools for structural conflict prevention in weak states.
6. Field Operations as a Means of Structural Conflict Prevention: Generalizing the Findings

The final chapter of this study will apply the empirical results of Chapter 5, which looked into the OSCE’s role in Kyrgyzstan and Tajikistan, to the theoretical framework laid out in Chapter 3 in order to be able to draw conclusions on the effectiveness of field operations for structural conflict prevention in general. To this end, three steps are taken: First, causes and symptoms of fragile statehood will be distinguished, aiming to assess whether the causes can be tackled at all. Second, the general capability of field operations to tackle symptomatic factors in the three state functions will be analyzed. Third, it will be assessed to what extent the results of the first and the second part of the analysis will create general dilemmas for a field operation working in a weak state.

6.1 Differentiating causes and symptoms

The first step to be conducted when evaluating the OSCE’s work in Kyrgyzstan and Tajikistan with the goal of deducting more general conclusions on the possibilities and limitations of field missions as a tool for structural conflict prevention is to differentiate between elements of fragile statehood that the OSCE was able to tackle on the one hand and those that have been found to be outside the OSCE’s sphere of influence on the other hand.

In this regard, it has been shown that the three core dilemmas of fragile statehood and the eleven symptomatic factors that have been identified in Chapter 3 can indeed be observed in Kyrgyzstan and Tajikistan, as has been confirmed in Chapter 4. Therefore, the first question that needs to be answered is whether the OSCE was able to tackle only symptomatic factors of fragile statehood or whether it was also able to tackle the core dilemmas from which these symptomatic factors derived. The answer is clear: The OSCE focused on the symptomatic factors of fragile statehood, not on the core dilemmas. Furthermore, within dealing with the symptomatic factors, the OSCE increasingly focused on trainings and workshops instead of the fostering of large-scale reforms. From an analytical point of view, the reasons for focusing on symptoms instead of causes of instability-
ity can be easily identified and are also likely to affect the work of future missions striving for structural conflict prevention: The first reason is the host state’s consent that needs to be given; the second reason is the inherent focus of international organizations on project work.

The question regarding the importance of the host state’s consent to activities within its borders (and therefore regarding national sovereignty) is of course a normative one: To what extent should an international mission be allowed to intervene in the internal affairs of its host state? Of course this question is of a rather rhetorical nature. If the expressed purpose of a mission is to prevent violent conflict and not to foster it, national sovereignty has to be respected. Without repeating all the arguments that have been put forward in the debate on the legitimacy of external interventions in conflicts, it should be noted that the negative record of success of external interventions in the course of which the intervening powers were not accepted by the local population was one of the reasons why this study suggested a shift of focus towards conflict prevention in the first place. Furthermore, one can argue that, while a takeover of formerly national state sovereignty by the so-called international community might be a necessary evil in a post-conflict context, it would definitely be a neocolonialist move in a conflict prevention context. Therefore, combining the principle illegality of nonconsensual external interference into internal affairs, the low chances of success, and the moral problems of an essentially neo-colonialist approach, the conclusion is clear: the principle of the host state’s consent as a prerequisite for the work of international field missions in weak states must be sustained.

However, the basic implication of this sustainment is easily overlooked: As each of the core dilemmas of fragile statehood touches issues of national sovereignty, be it the question of maintaining the state’s monopoly on the legitimate use of force (Internal Security Dilemma), or the question of the distribution of offices (State Leader’s Dilemma), or the question of liberalization (Liberalization Dilemma), neither of the core dilemmas can be addressed without infringing on national sovereignty. This in turn leads to the conclusion that the core dilemmas of fragile statehood cannot be tackled at all without infringing on national sovereignty. Therefore, one has to accept that, despite the risk of eliciting criticism saying that international organizations should attempt to tackle the causes of conflicts instead

1283 See Neuhäuser/Schuck 2017 for an overview over the debate.
of only taking on the symptoms, the tackling of symptomatic factors is de facto the only thing to do in the realm of influence of an international organization.

If the core dilemmas of fragile statehood cannot be addressed, the question remains why the OSCE continued to shift its attention towards technical support and trainings instead of aiming to at least foster large-scale political reforms to tackle some of the symptomatic factors. One of the answers, as discussed in Chapters 5.2 and 5.3, is of course the reform blockades within the states, which stalled most of the reform initiatives due to lack of political will, lack of capabilities, and to staff rotation on the national level. However, as discussed in Chapter 5.1, the working conditions the OSCE found in Central Asia also heavily favor a project-based approach to working: mandate extensions on a yearly basis, small annual budgets, reliance on extra-budgetary funds, and a combination of seconded and contracted international staff on fixed-term positions. Under such circumstances, it is clear that if measurable (or at least reportable) outcomes are to be achieved, small, clearly defined projects are the easiest way to get there. While pursuing a comprehensive reform program is difficult in a situation where it is not clear whether mandate, budget, and staff will still be available the following year, the conduct of annual trainings and roundtables can be arranged even under such circumstances. The result of such a shift of focus, however, is what Foroughi calls “projectosis,” i.e. the “engagement in often redundant, even counter-productive projects, rather than proper monitoring, reporting, and political activities” without an overarching strategy.

The conclusions drawn from this shift of focus towards small-scale projects are twofold: First, in order to increase the effectiveness of field missions for structural conflict prevention, a shift away from annual mandating, budgeting, and staffing is required. Any international organization that aims to tackle symptomatic factors of fragile statehood via long-term reform support first of all needs a comprehensive strategy, which is then underpinned by a multi-year mandate, budget, and staffing plan. As long as these preconditions are not met, any international organization would fall into the same trap as the OSCE did in Central Asia: a multitude of un-

1285 Foroughi 2012, p. 115.
6. Generalizing the Findings

coordinated small-scale projects, by which the achievement of long-term effects can be doubted in many cases.

The second conclusion that can be drawn from analyzing the OSCE’s attempts to tackle symptomatic factors of weak statehood in Kyrgyzstan and Tajikistan is that the effects that projects can have on different symptomatic factors differ greatly depending on which of the three state functions these symptomatic factors refer to. These varying effects will be discussed in detail in the next subchapter.

6.2 Options and limitations of field operations

6.2.1 Security function: Preventing the worst

When summing up the findings of the analysis of the OSCE’s work in the sphere of the security function in Kyrgyzstan and Tajikistan (see Chapters 5.2.2.1 and 5.3.2.1), two generalizations can be drawn in order to facilitate the work of potential future missions in weak states: First, large-scale reforms are almost impossible to implement. Second, fostering the effectiveness of security forces via the conduction of trainings is still possible.

The biggest similarities between the Kyrgyz and the Tajik case were the inaccessibility of the symptomatic factors linked to the fragmented security forces, corruption and nepotism within the security forces, and the reform blockade in the security sector. Furthermore, the oversized, paramilitary structure and training of the security forces were completely inaccessible for the OSCE in Tajikistan, while in Kyrgyzstan this problem was addressed on the training level, but did not receive embedding in a comprehensive, large-scale reform. In both cases the lack of will to introduce reforms could be traced back to the State Leader’s Dilemma as a root cause, which enticed the ruling government to maintain as much informal leverage on the security services as possible, a strategy which naturally included the establishment of a structure for non-merit appointments and constant rotation of staff. Therefore, it is possible to come to the conclusion that also potential future missions to weak states employing a similar approach will run into the same problems like the OSCE did in Kyrgyzstan and Tajikistan for as long as the state in question is still entrapped in the State Leader’s Dilemma. As long as the main interest of the ruling elite remains to consist in preventing being overthrown by their own security apparatus, security forces will continue to be riddled with corruption and nepotism, making it virtually impossible for an external ac-
tor to foster a comprehensive reform of the security sector. This in turn leads to the question on what an international organization is actually able to achieve regarding the \textit{security} function of a \textit{weak state}. Again, the OSCE’s work in Kyrgyzstan and Tajikistan can give a first indication.

In both cases, the OSCE has been able to tackle the ineffectiveness of security forces on the training level. While training improvements are difficult to sustain if it is unclear whether the newly-acquired knowledge will be incorporated into the education of new recruits by promoting persons who benefited from international training to become instructors, international organizations can improve or at least sustain the effectiveness of security forces by constant training. This in turn leads to two conclusions, but it also creates a new problem.

For the first conclusion it can be stated that, for as long as an international organization actively trains the security forces of a \textit{weak state}, it can contribute to that state’s fulfillment of the \textit{security} function, albeit it remains unable to tackle the root causes of the ineffectiveness of security forces. Thus, despite being able to tackle only one symptomatic factor of fragile statehood associated with the \textit{security} function of a \textit{weak state}, an international organization can potentially stall a further deterioration of the \textit{weak state}’s fulfillment of the \textit{security} function by tackling this crucial symptomatic factor. Since a further deterioration of the fulfillment of the \textit{security} function would essentially turn the \textit{weak state} into a \textit{failing state} (see Chapter 3.2), already such a prevention of a further deterioration has to be regarded a success, despite the inability of tackling other symptomatic factors associated with the \textit{security} function.

This leads to the second conclusion: As long as an international organization is unable to tackle any symptomatic factor associated with the \textit{security} function beyond the resulting ineffectiveness of security forces, it will consequently be unable to foster the \textit{weak state}’s transformation into a \textit{consolidated state}, because, with so many symptomatic factors associated with the \textit{security} function remaining unaddressed, the \textit{weak state}’s fulfillment of the \textit{security} function can deteriorate quickly after the international organization has left the country. Of course, this conclusion does not mean that a \textit{weak state} with support from an international organization will inevitably become a \textit{failing state} as soon as the international organization has left the country. Instead, as the deteriorating effectiveness of security forces stems mainly from fragmentation and corruption and nepotism, a slow and gradual decrease of capabilities after an international organization has left is more likely to occur. This in turn leads to the problem mentioned above.
First of all, due to their ability to at least stall a deterioration of the weak state’s fulfillment of the security function, international organizations are interested in keeping their presence in the country for as long as possible. However, the longer an international organization continues to conduct its activities in a weak state, particularly in the case of activities targeting the security function, the more it becomes associated with the host government by the population. As in weak states that are entrapped in a State Leader’s Dilemma where the government usually relies on a neopatrimonial system of rulership, the government is usually perceived by its population as being both corrupt and repressive, what in turn falls back on the international organization’s reputation among the population of the host state. If, however, the international organization tries to distance itself from the host government, it will risk losing the host state’s consent to its mandate and, in consequence, also its presence in the country. The resulting dilemma of trying to maintain its presence in the country while not becoming associated too closely with the host government that an international organization working in a weak state faces, will be discussed in depth in Chapter 6.3 after the options and limitations of international organizations’ work in the remaining two state functions, the welfare function and the legitimacy/rule-of-law function, have been analyzed.

6.2.2 Welfare function: Necessity despite being ineffective

The conclusions of the analyses of the OSCE’s work regarding the welfare function of Kyrgyzstan and Tajikistan respectively (see Chapters 5.2.2.2 and 5.3.2.2) bear a striking similarity, which in turn can be used to draw three more generalized conclusions that are likely to apply also to the work of future missions. Firstly, except for the interlocking of state and economy and corruption and nepotism, every symptomatic factor associated with the welfare function has been found to be, in principle, inside the OSCE’s realm of influence, provided the OSCE chose to tackle them at all. Second, however, while most symptomatic factors in the welfare function were found to be inside the OSCE’s realm of influence in theory, de facto they could not be accessed due to the OSCE’s lack of resources. Therefore, the question remains why the OSCE continued these projects even though their long-term effectiveness is to be doubted due to lacking resources? This question leads to the third conclusion, i.e. that the core value of projects targeting the welfare function does not lie in their effectiveness, but in their visibility to the host state’s population and their being
demanded by the host government, both of which make useful bargaining tools when attempting to tackle more controversial issues.

The first conclusion is similar to the observations made above concerning the security function: Those symptomatic factors that can be traced back directly to the State Leader’s Dilemma are inaccessible to external actors for as long as the State Leader’s Dilemma persists. As the capability to distribute positions offering material benefits, including in the economic sphere, is the key to maintaining a neo-patrimonial system of rulership, it is safe to assume that potential future missions in weak states will encounter the exact same problem of not being able to access the interlocking of state and economy and corruption and nepotism at all.

The second conclusion is that all other symptomatic factors in the welfare function were, in principle, inside the OSCE’s realm of influence, but the projects still had a limited effect due to limited resources. This in turn means that potential future missions need to come to a decision on how to deal with these symptomatic factors. One the one hand, one can argue that projects categorized under the welfare function that e.g. aim to tackle high unemployment rates are extremely resource-intensive and should therefore not be the focus of an international organization. Taking into account that in order to achieve the minimal goal of preventing a further deterioration of a weak state into a failing state it would, in theory, be sufficient to focus on the security function, one could argue in favor of ditching the resource-intensive projects aiming at the welfare function altogether. This way, more resources could be used to support measures aiming at the security function of a weak state. On the other hand, however, while this approach of prioritization is logical in itself, it would come with two inherent strategic drawbacks: First, giving up on trying to improve functions other than the security function would also mean giving up on the attempt to support the development of a weak state into a consolidated state. Second, despite the low effectiveness of measures taken concerning the welfare function, their impact goes beyond the directly caused outcomes.

This in turn leads to the third conclusion, namely that projects aiming to improve a state’s fulfillment of the welfare function have two core advantages: First, as they are usually projects like training of entrepreneurs, offering consulting for labor migrants, or maintenance of key infrastructure, they not only affect a large part of the population directly but are also visible to even larger parts of society. In this regard, projects in the sphere of the welfare function are essential for international organizations in terms of not being associated with government policies as the former are
implemented in a technical manner with direct contact to the population – even if they prove to be ineffective in the long run. The second advantage of projects concerning the welfare function is that they are often requested explicitly by host governments.\textsuperscript{1286} Therefore, the demand of host governments for projects within the welfare function can be used to counterbalance criticism uttered by the host government concerning projects undertaken in the realm of the legitimacy/rule-of-law function.\textsuperscript{1287} The general problem arising regarding this function in turn will be discussed in the next subchapter.

6.2.3 Legitimacy/rule-of-law function: Rebuilding lost trust and mediating crucial cases

With regard to the legitimacy/rule-of-law function, one has to be clear about which dilemma is at the core of the situation at the respective time of analysis: If the State Leader’s Dilemma is central, as it was the case in Tajikistan during the whole time frame of investigation and in Kyrgyzstan up until the 2010 revolution, the whole legitimacy/rule-of-law function is basically outside of an international organization’s realm of influence, with the notable exception of lack of trust. If the State Leader’s Dilemma is not at the center, as it has been the case in Kyrgyzstan after the 2010 revolution, the legitimacy/rule-of-law function can at least be partly influenced by external actors.

Starting with the scenario where the State Leader’s Dilemma is in the center, both case studies have shown that those symptomatic factors that are crucial for the maintenance of a neo-patrimonial system of rulership have been, on the one hand, constantly addressed by the OSCE, but reforms have, on the other hand, been constantly stalled by the governments. These factors were the independence of the judiciary (and, by extension, the state elites’ possibilities for sanctioning disloyal followers) and reforms regarding the passive right to vote (and thus the state elites’ possibilities for manipulating access to offices and therefore material benefits,

\textsuperscript{1286} Cf. Fawn 2013, p. 182. / see also: Kluczewska 2017, p. 364. / Interview with OSCE Conflict Prevention Centre Member, Vienna, March 05, 2015. / Interview with former OSCE Centre in Dushanbe Member II, Vienna, March 2, 2015.

\textsuperscript{1287} Cf. Fawn 2013, pp. 190/191.
6.2 Options and limitations of field operations

see Chapters 5.2.2.3 and 5.3.2.3.) As these two factors touch the mechanisms of both accessing positions of power and being removed from them, any government aiming to maintain a neo-patrimonial system of rulership is de facto unable initiate or allow reforms concerning these factors without endangering its own grip on power. Therefore, for as long as a weak state is entrapped in the State Leader’s Dilemma, any international organization aiming to stabilize the weak state is likely to be unable to foster reforms regarding the judiciary and access to offices. This in turn raises the question of what an international organization will actually be able to achieve concerning the legitimacy/rule-of-law function of a weak state entrapped in the State Leader’s Dilemma. Here, the cases of the OSCE’s work in Kyrgyzstan and Tajikistan allow for two conclusions: First, international organizations can reopen channels of communication between the government and the population, i.e. they can try to rebuild lost trust. Second, international organizations can at least attempt to mediate severe crises arising in a weak state.

Regarding the first point, it has been shown that the OSCE was very active both in Kyrgyzstan as well as in Tajikistan in terms of organizing roundtables between the government and representatives of both opposition and civil society. Therefore, the OSCE was able to hold open channels of communication between these groups that would have been closed otherwise. However, the results of these roundtables mainly remained limited to this very point: Both sides communicated with each other. The points that caused lack of trust to emerge in the first place could not be addressed by these roundtables and workshops. Thus, while the OSCE was able to foster communication that would not have taken place otherwise, this ability depended both on the permanent presence in the country as well as on not being associated to closely with the government.

The second conclusion that can be drawn is that the OSCE attempted to mediate in acute crises, particularly in Kyrgyzstan. Again, however, two caveats have to be made. On the one hand, the same requirement as above applies: If the OSCE aims to mediate in acute crises, it needs established relations with both the government and the opposition, which is only possible to achieve through a long-term presence. On the other hand, the example of the OSCE’s work in Kyrgyzstan shows that the chances of mediation to be successful are still low even if an attempt is made. While the OSCE was successful in mediating the crisis after the Aksy incident and did set up a network of local mediators who helped to mitigate the June 2010 crisis, it found itself unable to mediate both the Kulov crisis and the crisis following the reform of the constitution in 1999, and it was, just like

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6. Generalizing the Findings

most other actors in Kyrgyzstan, completely surprised by both revolutions. This of course can be explained by the fact that successful mediation requires the parties of the conflict to be willing to solve the conflict by mediation. If at least one of the parties of the conflict (usually the government) is uninterested in conflict resolution by mediation, the mediation attempt has no chance of success.

While an international organization would therefore in principle be able to reopen channels of communication and attempt mediating acute crises in a state entrapped in the State Leader’s Dilemma, it is still unable to tackle the remaining symptomatic factors in the legitimacy/rule-of-law function. Should the State Leader’s Dilemma be resolved, however, as occurred in Kyrgyzstan after the 2010 revolution, these remaining symptomatic factors in the legitimacy/rule-of-law function become, in principle, accessible for international organizations. However, while the OSCE in Kyrgyzstan was indeed able to foster reforms regarding the independence of the judiciary, anti-corruption legislation, and the new constitution, it is currently unclear whether these changes will persist. In case a new president attempts to re-establish a neo-patrimonial system of rulership, the reforms could be taken back. Therefore, with regard to the options an international organization has after a weak state has stopped being entrapped in the State Leader’s Dilemma, it can be stated that also symptomatic factors that go beyond the factor of lack of trust can be influenced taking into account two caveats: First, initial reforms are usual reversible, making an evaluation of the long-term success of reforms difficult. Second, in order to foster reforms in a country after a neo-patrimonial system of rulership has broken down, an international organization must neither be associated with this very system nor be new to the country and therefore be without any working relationship with the new government. This second point in turn constitutes the biggest dilemma for international organizations working in weak states and will be discussed in detail in the next subchapter.

6.3 Resulting dilemmas: Unwanted interference or becoming part of the game

Having analyzed the options and limitations for the OSCE’s work in all three state functions for both case studies of Kyrgyzstan and Tajikistan, one core dilemma international organizations find themselves subjected to while working in weak states emerged: In order to make the most of its limited options, an international organization has to stay in the country in
question for as long as possible. To achieve this, it has to avoid losing the host state’s consent and therefore the government’s goodwill. This in turn leads to the risk of becoming too closely associated with the government, endangering both its ability to act as a mediator in acute crises as well as its ability to influence the legitimacy/rule-of-law function in case the State Leader’s Dilemma should be overcome. The following chapter will discuss three possible strategies for international organizations to deal with this dilemma.

The first strategy can be considered a rather minimalistic approach. If the main goal of an international organization is to prevent state failure, it would, in principle, be sufficient to focus solely on activities addressing the security function. While such a course of action would also mean forfeiting the aim of contributing to the development of the state in question towards a consolidated state, employing such a strategy would have the consequence that neither the possible, but ineffective projects addressing the welfare function nor the impossible activities concerning the legitimacy/rule-of-law function would need to be pursued, making the mission more cost-effective on the whole. However, this strategy comes with three inherent drawbacks. First, as already described above, its implementation would imply forfeiting the aim of contributing to the state’s consolidation. As the mission cannot stay in the country forever, this would also mean accepting that the country in question continues to be a weak state from the theoretical point of view after the mission is withdrawn. The second drawback is that the mission risks becoming associated with the weak state’s government too closely if it only focuses on the security function. If this happened, the mission would not be capable of offering itself as an organizer for roundtables bringing government, opposition and civil society together in order to reopen closed channels of communication or of even acting as a mediator in an immediate crisis. The third drawback of this approach is that it forgoes including human rights elements, which in turn makes it difficult to gain support for the mission among the populations of democratic states, who in turn are the main financiers of such missions. Therefore, without the inclusion of at least a few symbolic projects connected to the legitimacy/rule-of-law function, major financial donor countries are unlikely to accept the mandate.

The second strategy for an international organization in dealing with the dilemma described above consists in keeping a relatively low profile for projects addressing the security function while implementing visible, but rather symbolic projects concerning the other state functions, especially concerning the welfare function. This is essentially the strategy the OSCE
pursued in both Kyrgyzstan and Tajikistan. While this strategy has the advantage that it allows for attempting to tackle symptomatic factors in all three state functions without being associated too closely with the government and therefore preserving the ability to reopen channels of communication and to act as a mediator, it also comes with two inherent drawbacks. First, as the actions addressing the legitimacy/rule-of-law function and especially the welfare function are rather symbolic due to lack of resources, their long-term effectiveness is to be doubted. Therefore, even though the international organization applying this strategy would be active in all three state functions, it is still doubtful whether it would be able foster the weak state’s movement towards a consolidated state. The second drawback is that due to the symbolic nature of the projects addressing the welfare function, these projects are suited to help the international organization prevent becoming too closely associated with the government in the eyes of the population. However, they are unsuited for use as leverage in cases of disagreements with the government. Of course, one has to be aware of the risk of sovereignty infringements if projects in the legitimacy/rule-of-law dimension are enforced by raising the threat of reducing projects concerning the welfare function. On the other hand, however, as the OSCE’s failures to influence any symptomatic factors associated with the legitimacy/rule-of-law function in Tajikistan or in Kyrgyzstan during the authoritarian eras show, the negotiation position of an international organization which has only limited resources is so weak that it can be easily ignored by the host government.

The third possible strategy for an international organization in dealing with the dilemma described above would consist in increasing its commitment, which would allow for more resource-intensive projects and a better planning reliability. This in turn would imply two advantages: First, a better planning reliability would allow for a more strategic approach, as projects and budgets would not have to be planned on a yearly ad hoc basis. Therefore, projects could be designed in an interlocking way instead of using a piecemeal approach. Second, an interlocked, strategic approach to projects in all three state functions would create leverage in negotiations with the host government, as the international organization could, in theory, react to the continuation of reform blockades, for instance in the sphere of independence of the judiciary, by curtailing its large projects addressing the welfare function. Therefore, stalling reforms would come with more disadvantages for the host government in this case. However, three inherent drawbacks make this third strategy less appealing than it looks at first glance. First, the line between using certain elements of leverage in nego-

6. Generalizing the Findings
tations and committing paternalistic infringement of national sovereignty is neither clear to draw nor difficult to cross. Thus, a strategy that is built on fostering reforms concerning the legitimacy/rule-of-law function in the host state by threatening to withdraw support in the welfare function is inherently close to a neo-colonial approach that would be rejected by all sides: the host government, the population of the host state, and the populations of the donor countries. Second, while this strategy would allow for conducting more resource-intensive projects and therefore achieving higher effectiveness, the required resources would still have to be provided first. This, in turn, cannot be not ensured: Not only is the budgeting process of an international organization very complex due to the number of parties involved who have to come to a consensus on the matter, but also because member states are usually very reluctant to grant large parts of their state budgets to international organizations. In the case of the OSCE, its “Zero Nominal Budget Growth” policy even explicitly prevents a sudden increase of resources provided to a mission. Therefore, it remains unclear whether potential future missions would be granted the resources necessary to pursue a strategy as described above. The third drawback of the strategy consists in the fact that an increase in resources investment alone does not guarantee that more symptomatic factors will be accessible for the mission. Instead, if the weak state is still entrapped in the State Leader’s Dilemma, the ruling government will be interested in maintaining its neo-patrimonial system of rulership. Therefore, despite the additional leverage the international organization would gain by implementing this strategy, the core interest of the government to not allow reforms endangering the neo-patrimonial system of rulership, i.e. reforms touching either the distribution of offices, sanctioning mechanisms to prevent disloyalty, or corruption, remains. Hence, while the international organization in question would be in a better negotiation position when trying to foster reforms that are not in the interest of the host government, it will still be very likely that these reforms will end up being blocked by that government.

Summing up the advantages and disadvantages of the three strategies discussed above, I argue that both for the first and the third strategy the disadvantages outweigh the advantages, because in the case of the first strategy the aim to contribute to a consolidated state is being rejected from

1288 Zellner 2007, p. 16. / Marchesano 2015, p. 273. / Interview with OSCE Centre in Bishkek Member II, Bishkek, August 29, 2014.
the beginning, while in the case of the third strategy, infringements of national sovereignty are likely to occur. Therefore, the second strategy, pursued by the OSCE in Kyrgyzstan and Tajikistan, remains the most feasible approach even though the analysis of the OSCE’s work in this study has shown that essentially most of the symptomatic factors of weak statehood have remained outside the organization’s sphere of influence in both cases. In this regard, despite the limited effectiveness of the OSCE’s projects in both cases, another factor that is likely to play a role also in future cases needs to be considered: From a budget perspective, neither the OSCE operation in Kyrgyzstan nor the one in Tajikistan has to be considered being overcosted. With a respective annual budget of about seven million USD, funded by all 57 OSCE member states, preventive field missions like the ones deployed to Kyrgyzstan and Tajikistan cost far less than a military deployment to a failed state. Putting the budget of seven million USD in a comparative perspective, it must be noted that, for example, the Federal Republic of Germany on average spent more than 700 million USD per year to sustain its troops in Afghanistan between 2001 and 2015.\footnote{Cf. Thiels, Christian, Bundeswehr-Einsatz in Afghanistan. Die Kosten des Krieges, Tagesschau.de of March 20, 2015, online: https://www.tagesschau.de/ausland/kosten-des-krieges-in-afghanistan-101.html, July 3, 2018.} This comparison is even more remarkable when considering the fact that, compared to other countries, Germany has been one of the smaller contributors of troops to Afghanistan, with about 5,000 troops at maximum.\footnote{Cf. Bundestag der Bundesrepublik Deutschland, Drucksache 17/654.} Therefore, if one puts the OSCE’s limited achievements in relation to its limited resources, and, in turn, compares this to highly resource-intensive but even less effective military deployments to failed states, the OSCE’s limited achievements do not look that limited anymore. From this point of view, a small field mission that attempts to stay in its host state for a long period of time, balancing all three state functions, and having the potential to act as a mediator in acute crises is actually a quite cost-efficient instrument of security policy, despite the big dilemma the mission faces, as has been described above.
7. Conclusion and Outlook

This study aimed to establish a first knowledge base on the question whether political field missions can contribute to the structural prevention of state failure. To this end, two of the longest ongoing political field missions, the OSCE operations in Kyrgyzstan and Tajikistan have been analyzed, structured according to four hypotheses:

1. If the central dilemmas of weak statehood exist, the symptomatic factors of weak statehood can also be identified. Kyrgyzstan and Tajikistan are both weak states in the sense of the model developed in this work.

2. If a state is a weak state in the sense of the developed model, neither the central dilemmas of a weak state nor the symptomatic factors derived directly from these dilemmas can be influenced by the OSCE.

3. However, the type of the weak state’s core dilemma does make a difference. If the state’s weakness mainly derives from the State Leader’s Dilemma, the OSCE can influence even less symptomatic factors than in a state where the state’s weakness derives from the Liberalization Dilemma.

4. As the OSCE cannot access the core dilemmas of weak statehood, the mission itself falls into a dilemma: In order to at least be able to prevent a weak state from becoming a failing state, it must stay in the country for as long as possible. To stay in the country for as long as possible, in turn, it has to forgo fostering reforms that are against the interest of the host government, consequently rendering the OSCE unable to contribute to the development of the weak state in question towards a consolidated state.

Regarding the first hypothesis, it has been shown that Kyrgyzstan and Tajikistan are indeed weak states in the sense of the developed model. However, while for Tajikistan the State Leader’s Dilemma was found to be the core dilemma for the whole time frame of analysis, in the case of Kyrgyzstan the State Leader’s Dilemma was dominant only until the 2010 revolution, and has been replaced with the Liberalization Dilemma afterwards.
However, it still remains unclear whether or not Kyrgyzstan will fall back into the State Leader’s Dilemma.

Regarding the second hypothesis it has been shown that indeed neither the core dilemmas of weak statehood nor symptomatic factors derived directly from them could be influenced by the OSCE. Referring back to figures 16 and 20, it can furthermore be observed that the higher up a symptomatic factor is placed on the flow chart of a weak state, the more difficult it will be for an external actor to access it. In turn, the lower the symptomatic factor is placed, the less difficult it is to be accessed by an external actor. In both Kyrgyzstan and Tajikistan, the respective lowest symptomatic factors for every state function, i.e. ineffectiveness of security forces, decay of infrastructure, and lack of trust, have been, in principle, inside the OSCE’s realm of influence.

Regarding the third hypothesis, both the in-case comparison of the situation in Kyrgyzstan before and after the 2010 revolution and the analysis of the Tajik case have shown that, as long as a weak state remains entrapped in a State Leader’s Dilemma, the whole legitimacy/rule-of-law function is essentially out of reach for an external actor. Only after the State Leader’s Dilemma is overcome, a chance to influence symptomatic factors within this state function emerges, albeit success is of course not guaranteed.

Regarding the fourth hypothesis, it has been shown that an external actor will also fall into a dilemma: Since an international organization is unable to influence most of the symptomatic factors in a weak state, it encounters difficulties in fostering the development of that weak state towards a consolidated state. However, it can at least attempt to prevent the weak state in question from developing into a failing state by supporting that state’s fulfillment of the security function and mediating acute crises for as long as it maintains its presence in the country. To maintain its presence in the country, it is necessary for an international organization not to act against the interests of the host government, and thus not to endanger the host state’s consent required for the mandate. To be able to mediate acute crises, on the other hand, it is essential for an international organization not to be associated with the host government too closely, and thus to be regarded as neutral mediator by both the opposition and civil society. Therefore, an international organization constantly has to balance between the interests of all politically relevant actors, which in turn impedes the employment of a coherent strategy. At the same time, projects that are ineffective at first glance, particularly those addressing the welfare function,
are necessary to remain visible to the weak state’s population and to have some bargaining opportunities with the host government in order to attempt to foster reforms not considered entirely favorable by that government.

Of course, this study is based only on two cases and is therefore not to be generalized without further empirical testing. Further research, however, is found to be inhibited by two empirical circumstances: First, while there are currently several further weak states apart from Kyrgyzstan and Tajikistan, no field missions with a conflict prevention mandate are deployed to them. Second, there are further political field missions currently being deployed, but all on a peace-building mandate in a post-conflict scenario instead of a conflict prevention scenario.

To further validate or falsify the findings of this study, future research should therefore pursue two main avenues: First, other weak states should be investigated as to whether the same dilemma structure and symptomatic factors can be identified like in the cases of Kyrgyzstan and Tajikistan. If a similar structure can indeed be identified, it is likely that an international organization deploying a mission to those countries will run into the same problems as the OSCE did when trying to foster the development of Kyrgyzstan and Tajikistan towards a consolidated state. Second, the options and limitations of political field missions deployed in post-conflict scenarios should receive more in-depth research. Even though these missions are deployed in a different context, they can still be used as case studies to test the findings of this study: While this study came to the conclusion that an international organization cannot influence certain factors due to the specific dilemma structure of a weak state, the internal processes of such a mission remained a necessary blind spot of this study. Should a study about a political field mission in a post-conflict scenario come to the conclusion that problems similar to those identified here also occur in other contexts, the question arises whether limitations of political field missions could be inherent to the basic concept of such operations, not to the political context in which they are deployed.

Notwithstanding possible results of future research, this study has shown that political field missions can be used, albeit cautiously, as tools for structural conflict prevention in weak states. While it is true that they face considerable limitations in their possibilities of influencing symptomatic factors of weak statehood in their host state, they are indeed capable of influencing a limited number of crucial factors. Taking into account that a political field mission in a weak state working with a preventive...
mandate comes for a fraction of the cost of a military mission deployed to a failed state, with the low chances of success of the latter being the starting point of this study, political field missions are an attempt worth taking despite their limitations.


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Appendix: Cartographic material of the region

Figure 21: Map of Central Asia
Appendix: Cartographic material of the region

Figure 22: Map of Kyrgyzstan

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Figure 23: Map of Tajikistan