



**Organization for Security and Co-operation in Europe**  
**High Commissioner on National Minorities**

**R2P IN PRACTICE IN THE CASE OF KYRGYZSTAN**

address by  
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to the  
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Excellencies,

Ladies and Gentlemen,

Thank you. This is an important event. As the Organization for Security and Co-operation in Europe (OSCE) High Commissioner on National Minorities (HCNM) with a mandate of conflict prevention and early warning, I have long been preoccupied with some of the questions raised and discussed here today. What is the best way to respond to crises and who precisely bears the international responsibility to protect (R2P)? How can we read warning signals early enough and react to them *before* disaster strikes, rather than afterwards? What are the limits of prevention? In the recent history of the OSCE, the most challenging case in this context has been that of Kyrgyzstan.

Following the ousting of President Bakyev in April 2010, inter-communal violence broke out in Kyrgyzstan. It started in the North and was relatively limited, but by June it had spread to the southern cities of Osh and Jalal-Abad. As a result, hundreds of civilians died, thousands were injured and hundreds of thousands were displaced. The majority of victims were ethnic Uzbeks, although Kyrgyz and people belonging to other ethnic groups also suffered. Reports of arson, rape and other atrocities were widespread and have been characterized by the Independent International Commission of Inquiry, headed by former Finnish MP Kimmo Kiljunen, as “crimes against humanity”.

I travelled extensively to Kyrgyzstan before and after the June events. Already in November 2009, I saw how the lack of a coherent policy regarding minority groups and widespread corruption, coupled with poverty, disillusionment with politics, regional rivalry between the North and South, and a rising tide of ethnic nationalism, were affecting interethnic relations in the country. In my report to the then Greek chairmanship of the OSCE, I warned that interethnic tension was rising in Kyrgyzstan at an alarming pace.

Three weeks after the ousting of President Bakyev in April 2010, I once again travelled to Bishkek and Osh and had a number of meetings not only with the new provisional leaders, but also with many representatives of the Uzbek community and other minorities. In my assessment, post-uprising Kyrgyzstan represented one of the OSCE’s biggest challenges since the 2008 war in Georgia. The country displayed all the signs of brewing troubles: the

State had effectively collapsed, creating a political and security vacuum, particularly in the minority-populated south. Nationalism was on the rise, polarizing people who had little to lose due to endemic underdevelopment and poverty. Criminal gangs were taking advantage of the situation, and physical security and the protection of property were becoming acute problems. Some comparable factors were at play in the early 1990s when ethnic warfare spread in the Balkans and parts of the former Soviet Union. I asked for a special hearing of the Permanent Council, during which I shared my concerns with the participating States. Interestingly, the Kyrgyz Ambassador, who was present at the meeting, largely confirmed my assessment and admitted that the provisional authorities themselves had lost control of the situation and were unable to contain the violence.

On 12 June, I decided to issue a formal “early warning”. An early warning is a last resort open to the High Commissioner to draw attention to a situation that may be facing imminent escalation. The mandate of the High Commissioner is prevention through quiet diplomacy or structural prevention tools. However, under certain circumstances, prevention may no longer be appropriate or workable. This is when the HCNM may decide to use this formal early warning, indicating that a situation has gone beyond a level that he is able to contain with the measures at his disposal. In other words, a formal early warning is issued when the HCNM concludes that there is “a *prima facie* risk of potential conflict”. This has happened only twice in the history of the Institution; Kyrgyzstan being one of the two cases.

Once the early warning has been issued, the responsibility for addressing the problem is shared by the OSCE participating States and the Chairperson, who, in theory, should ensure that the early warning is followed by early action. Unfortunately, the international response to the events in Kyrgyzstan was muted to say the least. It never even made it to the agenda of the United Nations (UN) Security Council. The OSCE did approve the deployment of a Police Advisory Group, but the process was slow and the mandate too restricted to have any real effect on the ground. Crimes committed during the events have still not been adequately investigated and, despite relative stabilization of the region, the rift between the Uzbek and Kyrgyz communities has further widened.

What does this tell us about the implementation of the R2P?

Firstly, it should be noted that international non-governmental organizations made repeated appeals to the international responsibility to react to the events. It seems that the existence of the R2P had generated certain expectations among the international community at large, but in the end they were not met. This raises a number of important questions when it comes to the actual implementation of the R2P. The underpinning assumption of the R2P is that when a State fails to fulfil its responsibility to protect its own civilians, the secondary responsibility falls onto the international community. It is not clear, however, who exactly should bear this international responsibility, nor what should happen if the international community also fails to take up this responsibility. How can the international community be held accountable for its failure or failures? The element of ambiguity that is currently inherent in the R2P could lead not only to overreaction, which is a commonly cited fear, but also to inaction, both of which are dangerous.

Secondly, it became evident that there is a need for greater co-operation between the UN and regional organizations when it comes to situations that could fall under the R2P. This includes sharing of information and analysis, and co-ordinating responses. It also requires a greater diffusion of the notion and the language of the R2P if we are really speaking about an emerging norm with universal meaning and appeal. The acceptance and the use of the R2P discourse varies greatly among various regional and sub-regional organizations. It is fair to say that the OSCE, for instance, does not use an R2P discourse. This does not mean that the OSCE does not share the fundamental principles that underpin the R2P. On the contrary, it has been at the forefront of bringing the human dimension into our understanding of security and of creating an extensive, as well as innovative, human rights framework. As a result, one can trace a considerable interconnection between the OSCE's normative and political instruments and the evolution of the UN's approach to the international concept of R2P. Perhaps it is time to start formalizing this interconnection and generating greater synergies, both in theory and practice.

Finally, as an Institution tasked with conflict prevention, I cannot but reiterate the importance of prevention in the context of R2P. Even though the immediate triggers of violence in the case of Kyrgyzstan may have been difficult to foresee and prevent, the underlying factors setting up these triggers could have been addressed. For this reason, I welcome the emphasis that the UN Secretary General has put on building the capacity of States to fulfil their basic responsibilities. As I already mentioned, the collapse of the State was one of the main causes

of the violence in Kyrgyzstan. Capacity-building, therefore, should be understood as a fundamental aspect of prevention. At the same time, I have to mention how difficult it is to do prevention in practice. It is a long-term and unrewarding task that rarely draws enough attention or generates adequate resources. There is resistance to long-term prevention not only within the international community but also among domestic actors, who are understandably more interested in immediate political dividends. I am not saying this to dampen enthusiasm for prevention. On the contrary, I hope that understanding the inherent limitations and obstacles to conflict prevention will make our efforts better targeted and more effective.

Thank you.