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ENGLISH only

OSCE
High Commissioner
on National Minorities

Her Excellency
Mrs Roza OTUNBAEVA
Minister for Foreign Affairs
of the Republic of Kyrgyzstan
BISHKEK
Republic of Kyrgyzstan

Reference :
No 897/95/L

The Hague
7 August 1995

Dear Mrs Minister,

In the past few weeks I have reflected both on the talks I had last May with President Akaev, with you and other prominent personalities in your country, and on the discussions which took place during the seminar in Bishkek on inter-ethnic relations and regional cooperation. This evaluation has led to the formulation of a number of recommendations which I should like to submit to you and your Government. Before doing so, however, I should like to thank your Government once again for its hospitality and for the major contribution it made to the success of the seminar.

During my visit I was especially struck by the determination of President Akaev and of the Government to respect fully the OSCE norms and principles regarding persons belonging to national minorities and to spare no effort to remove potential sources of inter-ethnic tensions. The creation of the Assembly of the People of Kyrgyzstan was

inspired by these motives. The conclusion I reached during my visit is, however, that, mainly due to financial difficulties, the Assembly has not yet reached its full potential. In order to make it a more effective instrument for the promotion of inter-ethnic harmony, I would recommend the following steps :

1. Within the Assembly, an Executive Council should be created composed of representatives of the various National Cultural Centres and representatives of various Ministries which have competencies which affect the interests of the various minorities in Kyrgyzstan.
2. The Council should meet at least once a month; under its aegis commissions can be formed to deal with specific subjects.
3. The competencies of the Council should include :
 - a. to give advice to the Government regarding draft legislation concerning matters which affect national minorities;
 - b. to suggest to the Government legislation for submission to Parliament which in the Council's view could help to solve minority problems;
 - c. to study questions relating to educational questions confronting minorities;
 - d. to study the question of the access of minorities to the mass media;
 - e. to maintain contacts with local or regional public authorities regarding specific minority issues and to suggest possible solutions;
 - f. to investigate complaints by National Cultural Centres, non-governmental organizations and individuals related to the respect of rights of persons belonging to national minorities and to make recommendations regarding these complaints to the relevant governmental agencies;
 - g. to take the initiative in investigating specific situations which might cause inter-ethnic tensions;
 - h. to report at regular intervals to the Government and to the Assembly of the People of Kyrgyzstan about its activities.

I would also recommend that one of the departments of the office of the President should be assigned to concentrate exclusively on questions relating to minorities. In order to achieve maximum coordination, the head of the department, supported by a well qualified staff, could also be charged with the secretariat of the Executive Council.

Finally, it is in my view essential to create an institute (or use an existing institute) for research relating to possible sources of inter-ethnic tension. Such an institute could also be of help to the Executive Council when it decided to start an investigation concerning a specific minority question.

The intensification of the work of the Assembly is in my view justified because it can greatly contribute to inter-ethnic harmony, and, therefore to the lasting stability of Kyrgyzstan. Special attention to minority problems also seems desirable because the number of persons belonging to national minorities in Parliament (15 out of 105) is

smaller than one might expect considering the fact that the national minorities taken together constitute more than 40% of the total population of Kyrgyzstan.

I do realise that the measures proposed have financial consequences, which, while small considering the vitally important purpose they will be used for, might presently be too much of a burden for your Government. But I am not without hope that international financial assistance could be mobilised.

The recommendations I present to you in this letter constitute a broad outline of the structures I have in mind. If the Government agreed to them in principle, however, I should be at your disposal for elaboration in greater detail. I am looking forward with great interest to your reply.

Yours sincerely,

[Signature]

Max van der Stoep
OSCE High Commissioner
on National Minorities

Unofficial translation from Russian

Government of the Kyrgyz Republic

Bishkek, House of Government
6 September 1995

No 21-601

Mr. Max van der Stoep
OSCE HCNM

Dear Mr High Commissioner,

In Kyrgyzstan, we have studied with great interest and attention your recommendations concerning improvement of the work of the Assembly of the Peoples of Kyrgyzstan and ways to improve the efficiency of the functioning of its organs in the interests of harmonizing interethnic relations and making them healthy.

Please accept our gratitude for your advice and moral support. We are ready to cooperate further with you on the whole range of issues under consideration.

At the same time, as you rightly pointed it out, the realization of your recommendations would require the appropriate material and financial provision. In this connection, we shall be extremely grateful to you if the Office of the HCNM will render assistance in funding (grants, technical assistance, equipment and so on) for programmes and projects aimed at preventing the outbreak of tension in inter-nationalities and inter-ethnic relations.

In this connection, it would be highly desirable if the OSCE supported Kyrgyzstan in organizing international conferences and meetings, training of personnel, as well as in providing the Assembly of the Peoples of Kyrgyzstan with material assistance. In addition, we should like to draw your attention to the fact that the Assembly of the Peoples of Kyrgyzstan is the highest co-ordinating body of the national-cultural Centres of our Republic.

Accept the assurances of my highest consideration.

Vice Prime-Minister O.Ibraimov

Unofficial translation from Russian
ASSEMBLY OF THE PEOPLES OF KYRGHYZSTAN

Kyrgyz Republic
Bishkek, 78 Poushkin str.
APK

Dear Mr van der Stoel,

Allow me to express my gratitude for your understanding and support to the activities of the Assembly of the Peoples of Kyrgyzstan which is an organization with not so long-standing experience.

The Assembly of the Peoples of Kyrgyzstan, having thoroughly examined your Recommendation on the work of the Assembly, has the honour to communicate to you its agreement in principle on the creation of Executive Council within the Assembly.

I express my hope for further fruitful co-operation.

Respectfully,

Chairman of the Council of the APK S.Begaliev

H.E. Mr Max van der Stoel
OSCE HCNM
The Hague, The Netherlands



**Organization for Security and Co-operation in Europe
Secretariat**

REF.HC/7/95
25 March 1996
Original: RUSSIAN

Department for Conference Services

At the request of the OSCE High Commissioner on National Minorities (HCNM), the attached letter of reply of the Office of the Prime Minister Kyrgyzstan to the letter sent by the HCNM (REF. HC/7/95) is being distributed to all OSCE delegations. An English translation is attached.

REF.HC/7/Add.1/95

Unofficial translation of the response of the Adviser to the Prime Minister of the Republic of Kyrgyzstan, Mr. Emilbek Katagaev to the recommendations made by the OSCE HCNM, Mr. M. van den Stoel to the Minister of Foreign Affairs, Mrs. Roza Otunbaeva on 7.09.1995 (see HC.REF/7/95)

10 March 1996

Esteemed Mr. Max van der Stoel,

We are grateful to you for your kind address forwarded to the Kurultai of the Assembly of the people of Kyrgyzstan, as well as to the attention you and your assistants pay to the APK. We regret that you could not take part personally in the work of the Kurultai.

Respected High Commissioner,

I am happy to inform you that the work of the Kurultai was successful, with all envisaged plans realized. The most important achievements were the elevation in the prestige of the APK as a public organization and the attainment of state support for its activities, aimed at strengthening the inter-ethnic accord and unity of the people of Kyrgyzstan. We have reorganized the internal structure of the APK, based on your recommendations.

The main thrust of your recommendations was to increase the efficiency of the work of the APK and to achieve better co-ordination with the governmental institutions.

To this end, it was suggested:

Firstly, to create an executive body, composed of representatives of the national minorities and senior officials from ministries and other agencies, dealing with issues related to nationalities;

Secondly, to create a Secretariat within the structure of the Executive body of the APK, with highly qualified professionals, who can fully work for the realization of the goals and tasks of the APK;

Thirdly, to create a Research centre for the APK.

As we had stated earlier, we fully accepted your recommendations, with the exception of the terminology "Executive Committee" and "Secretariat" because the members of the Council of the Assembly thought that it would be more reasonable to stick to the terminology to which we are accustomed - "Presidium" and "Apparatus".

The structure of the APK is changed significantly.

Firstly, a procedure to convene the Kurultai of the people of Kyrgyzstan by a decree of the President of the Kyrgyz Republic is adopted. The initiative to convene the Kurultai is the exclusive prerogative of the Council of the APK.

Secondly, the highest organ of the APK is the Plenary session of the Council of the APK held at least one a year.

Thirdly, the composition of the Council is expanded from 45 to 70 due to the inclusion of the leaders of all National-Cultural Centres registered with the Justice Ministry, as well as senior officials of various ministries, the Administration of the President and Apparatus of the Government.

Fourthly, the structure of the of the Executive body of the APK, the Presidium, has been reorganized. The Presidium is now composed of 17 members, nine of which are representatives of the National-Cultural Centres, four Deputy Ministers (Foreign Affairs, Education and Science, Culture, Justice) and a representative of women's organizations.

The Presidium creates its own working organ - the Apparatus of the Council of the APK. The Head of the Apparatus is appointed by the Presidium and ex-officio is deputy Chairman of the Council of the APK. It is probable that this post will be filled by a representative of a national minority.

The Research Centre has already been created. Mr. Valentin Bogatiryov has been appointed as its Director. Prior to the Appointment his candidacy was approved by the National-Cultural Centres. The Centre has already started its work and a number of draft projects have been prepared.

We are elaborating additional mechanisms to increase the status of the APK.

The first step aimed at increasing the status of the APK was the Decree of the President with which he convened the Kurultai and the assignment to the Council of the exclusive right of initiative to convene the Kurultai.

The adoption of a special Decree by the President "On the State support of the activities of the APK" is envisaged as well. This Decree will give the Council the status of a consultative body to the President on issues concerning nationalities policy as well as annual financial support.

I hope that we can discuss all the changes outlined above in greater detail at our next meeting.

We were happy to learn about your forthcoming visit to Kyrgyzstan, including the Osh/Djelalabad region, in April this year. The APK is ready to extend all manner of support to you for the successful conduct of this visit. The Research Centre of the APK is preparing analytical reports on the Osh and Djelalabad regions, for your attention, including problematic issues. Upon receipt of the concrete dates of your visit we will elaborate a more detailed programme.

Respectfully
[signature]
Emilbek Kaptagaev
Adviser to the Prime Minister