

## **“We Want a State of Our Own!” Reconstructing Community Space in Bordering Areas of Central Asia**

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### **Abstract**

This paper focuses on the processes of institution of borders in post-Soviet Central Asia and offers highlights of how some of the local communities cope with the decisions made by the central governments in the region with respect to borders. In particular, this paper offers insights into the cases when certain decisions of the governments conflicted with preferences of the population residing in the bordering areas. This in turn resulted in the situations when local communities in the affected bordering areas decided to protest such decisions by rather untypical means such as declaring “independence” from their respective countries and annexing roads and water facilities which they believed were vital for sustaining their communal life. Such examples exemplify the cases when interests of local communities do not necessarily fit into the plans of central governments resulting in inter-state border frictions.

### **Keywords**

territorial disputes, community life, independence, Central Asia

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## INTRODUCTION

The issues related to borders and their institutionalization in post-Soviet Central Asia has been a topic which has been dealt with from various perspectives. The process has been detailed and analysed in a number of studies, and provided empirical details of how the post-Soviet republican frontiers have turned into a “proper” borders (Sengupta 2002; Dadabaev 2012). Some others also focused on the issues of securitizing the notion of borders and how the discourse of danger has been connected to framing Central Asian border issues into the context of threats (Karagulova et al. 2011). Anthropological studies of community life in the bordering areas have focused on certain empirical cases of communities and social life in the bordering areas (Reeves 2013). Although these studies provide useful insights into the history and current state of border delimitation in Central Asia, very few studies have looked into the issue of how local communities reacted to border delimitation initiatives undertaken by central governments. There is a gap in studies which details how local communities in bordering areas dealt with situations when their announced interests contradicted the actions and decisions of the governments of the states to which these territories formally belonged.

In order to fill in this gap, this paper focuses on the processes of institution of borders in post-Soviet Central Asia and offers highlights of how some of the local communities cope with the decisions made by the central governments in the region in respect to borders. In particular, this paper offers insights into the cases when certain decisions of the governments conflicted with preferences of the population residing in the bordering areas. This in turn resulted in situations when local communities in the affected bordering areas decided to protest such decisions by rather untypical means such as declaring “independence” from their respective countries and annexing roads and water facilities which they believed were vital for sustaining their communal life. Such examples exemplify the cases when interests of local communities do not necessarily and always fit into the plans of central governments resulting in inter-state border frictions.

This paper aims to address the issue of borders in post-Soviet Central Asia and the impact of this issue on the way that communities in frontier areas were affected by this process. How have the borders of the present Central Asian states evolved over time? What lies behind the present border frictions in this region? How have border delimitations in the post-Soviet years affected the livelihood of the local populations in Central Asia? What are the ways in which people cope with this state-led delimitation? We address these questions in the present paper.

The paper is divided into several sections each explaining different aspect of the process of border delimitation. The first section briefly describes the borders

and frontiers of pre-revolutionary Central Asia and then details the logic of the delimitation policy implemented in post-revolutionary Central Asia. The second section depicts the complexities of the regional geography and discusses the region's territorial enclaves. The third section analyzes the determinants of the border delimitation process in post-Soviet Central Asia. The fourth section examines unilateralism as the prevailing mode of thinking with regard to border delimitation and the consequent lack of trust among the states in the region. The fifth section attempts to detail specific cases in which complications have arisen between specific regional states over borders and territories. Finally, the paper makes some concluding remarks and suggests what can be done to alleviate present tensions on the borders.

## COLONIALISM AND CENTRAL ASIAN BORDERS

The delimitation of borders under the Soviet regime is rooted in the first Russian penetration of the Central Asian region in the 1860s, when Russia conquered lands that belonged to the Kazakh Middle Juz (or Zhuz) (Bregel 2003, 76).<sup>1</sup> The only states in the region that were powerful enough to resist the Russian conquest were the Kokand and Khiva Khanates and Bukhara emirate. However, the economic interests and military strength behind the Russian drive to convert Central Asian resources into profits made the Russian conquest of Central Asia inevitable.

In particular, from 1865-1866, the Russian Empire conquered the Kokand Khanate—dissolving it in 1876—and further continued its campaign to establish its dominance over the remainder of the region. In 1867, the Russian Empire classified Central Asia as the Governorate-General of Turkistan and emphasized its possession of the region in so doing. The Bukhara and Khiva Khanates subsequently accepted Russian dominance and became vassal city-states in 1868 and 1873, respectively. In addition, between 1881 and 1890, Russia conquered the lands occupied by the Turkmen tribes. Thus, by the turn of the 20th century, most of present-day post-Soviet Central Asia had accepted Russian rule and were administered by Russia in one way or another.

The Russian Bolshevik Revolution of 1917 brought the revolutionary move-

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1 Historically Kazakh society was divided into three major groups, termed zhuzes. Each was given a name: 'Junior,' 'Middle' and 'Senior.' According to Yuri Bregel, neither the circumstances of this division [into Zhuzes] nor the etymology of this term is known. In Russian sources the zhuzes were referred to as *orda*, and accordingly, in the West they became 'hordes,' although this term has no basis in Kazakh usage. Their names (Kishi, Orta and Uli) were also misunderstood as 'Little,' 'Middle' and 'Big,' implying size, while actually they refer instead to seniority (apparently a genealogical seniority): 'Junior,' 'Middle' and 'Senior.'

ment into Central Asia, which would have a significant effect on the future of the region. As noted above, Central Asia had historically never been divided into nation states according to ethnicity but had instead consisted of multi-ethnic city-states. With the spread of the Russian revolution into Central Asia, this reality changed drastically.

In April 1918, following Bolshevik military gains in southern Central Asia, the Bolsheviks proclaimed the Turkistan Autonomous Soviet Socialist Republic (TASSR), which excluded the cities of Khiva and Bukhara and some Turkmen territories. By 1920, the Khiva (Khorezmian) and the Bukharan People's Soviet Socialist Republic was established. In 1923, the name of the Khorezmian People's Soviet Socialist Republic was changed to the Khorezmian Soviet Socialist Republic, and in September 1924, the Bukharan People's Soviet Socialist Republic became the Bukharan Soviet Socialist Republic.

With the introduction of the Union of Soviet Socialist Republics, the features, borders and names of the Central Asian republics changed drastically. There was an extensive debate among Russian and Central Asian revolutionaries about creating a single Central Asian Federation that would not involve delimitation into republics. However, the Bolsheviks' fears that, over time, pan-Islamic and pan-Turkic unity might become a significant opposition force against Communist rule resulted in the fragmentation of Central Asia and the formation of the republics. Some Central Asian territories (such as the Kara-Kyrgyz Soviet Socialist Autonomous Oblast) were included in the Russian Soviet Federative Socialist Republic (RSFSR) and held the status of autonomous regions, making them administrative subjects of Russia until the establishment of the Kyrgyz ASSR in 1926. In 1924, the Uzbek Soviet Socialist Republic (UzSSR) and the Turkmen Soviet Socialist Republic (TSSR) were established. At that time, the UzSSR included the territory of present day Tajikistan, which was classified as the Tajik Autonomous Soviet Socialist Republic (Tajik ASSR). In 1925, Karakalpak Autonomous Oblast was established (within the Kazakh ASSR, which also was contained as part of the RSFSR) and in 1932 was granted the status of Autonomous Soviet Socialist Republic. In 1929, the Tajik Autonomous Republic was granted the status of Soviet Socialist Republic. In 1936, with the adoption of the new USSR constitution, the Kyrgyz and Kazakh ASSRs were also established as Union Republics. In the same year, the Karakalpak ASSR was integrated into the UzSSR. As a result, by 1936, Central Asia was divided along ethnic lines into five states, which were named according to the majority ethnic group residing in those territories. This policy was called the "Policy of National Delimitation" ("Politika Natsional'nogo Razmezhevaniya") (Sengupta 2002, 71-78). At this time, "Soviet planners took great care not to construct republics whose ethnic composition would allow for separatist or anti-

Moscow sentiment to coalesce easily" (Asia Report 33, 2002, 1).

This policy of border demarcation was intentionally designed to leave large portions of the titular ethnic group of one state in the territory of another ethnic group so that Soviet authorities would "continuously be called upon by the people in the region to help them manage conflicts that were bound to emerge as a result of these artificial divisions" (Slim 2002, 490). Although it is not known how deeply calculated this policy was for the long term, Central Asian border delimitation certainly put Moscow in the position of the arbiter of many disputes. As a consequence, this policy left a complex configuration of republican borders.

To a great extent, the borders were administered with little significance or functional purpose. In fact, all the Central Asian republics were an integral part of a single state. None seriously considered a clear determination of republican borders and independence from the USSR could not be foreseen. In the 1940s, there were a few attempts to clarify the geographical and ethnic composition of certain republican territories and borders, but these did not produce any sensible outcomes.

The absence of clearly defined republican borders in the region was further complicated because the central Soviet government widely engaged in the practice of land swaps and temporary land leases from one republic to another, justifying such swaps by means of economic efficiency. However, indigenous intellectual and party elites within the republics most affected by these swaps were keen to argue about and question this policy. Even the strict Soviet regime could not prevent these elites from actively participating in the process of considering their identities and borders and generating mutual territorial claims. In particular, the debate between Uzbek and Tajik intellectual elites within the Communist Party heated up when the issue of ownership of Samarkand and Bukhara was discussed. The same type of debate also occurred between Uzbek, Kyrgyz and Kazakh party officials and intellectual elites (Komatsu 1995, 250-274).

What is clear is that debates regarding the disputed territorial claims of various republican elites were the outcome of the territorial delimitation policy, which in many instances ignored the historic, cultural and ethnic particularities of the region. For instance, the Union Republics were created along five main ethnic divisions. Smaller ethnic groups were either acknowledged by being granted administrative and cultural autonomy or were silenced.

Although the Soviet regime used various educational, economic and political policies to suppress and contain disagreements and dissatisfaction regarding borders, debates over these issues occasionally did occur.

## ETHNOPOLITICS OF CENTRAL ASIAN BORDERS AND ENCLAVES

The geographical position of enclaves and the issue of their status under the new border delimitation process remain problematic issues in relations among the present-day Central Asian countries. Uzbekistan, Kyrgyzstan and Tajikistan are significantly affected by these enclaves within their territories. For instance, within the territory of Kyrgyzstan there are the Tajik enclaves of Vorukh, Chorkuh, and Surh, the Uzbek enclaves of Sokh and Shahimardan, and two smaller territories also belonging to Uzbekistan. Within Uzbekistan, there is a smaller Kyrgyz enclave settlement, Baarak, consisting of 627 households. Vorukh is a significant enclave that belongs to Tajikistan but is located within Kyrgyz territory. It is home to a community of 40,000 ethnic Tajiks.

One of the most typical enclaves in the Central Asian region is Sokh, which consists of 19 settlements totaling 52,000 residents and is an administrative unit of Uzbekistan. Sokh's ethnic composition is also notable because it is comprised of 99% ethnic Tajiks and only 0.72% ethnic Kyrgyz residents (Panfilova 2003).

The complexity of the present border situation contains another destabilizing factor: the inter-connection of regional transport communications, which not only separates enclaves from the possessing country but also separates various regions of the same countries. For instance, travelers from other parts of Uzbekistan must frequently cross the border of neighboring Kyrgyzstan several times to reach the enclave of Sokh, which not only seriously complicates travel into the enclave but also—and more importantly—gravely affects the local population by complicating trade, labor movement, livestock supplies, and, more recently, physical security. Tajikistan presents a similar case. In particular, to transport deliveries from Dushanbe (the Tajik capital) to Khudjand, one must use roads that pass through Uzbek territory (Usubaliev and Usubaliev 2002, 72). In yet another example, communication between the southern parts of Kyrgyzstan (specifically, the Osh and Jalal-Abad regions) can be effectively maintained only by passing through roads in Uzbekistan. In Uzbekistan, travelers journeying from Tashkent to Samarkand or Bukhara, must pass through Kazakhstan to avoid unreasonably increased travel time.

The cases discussed above illustrate the geographical complexity and inconvenience of borders in Central Asia, a condition out of which border disputes and political conflicts are prone to arise. With the increasing pace of the border delimitation process, these issues further expose weaknesses in regional cooperation and emphasize that unilateral solutions to such inter-related problems are impossible. Some such unilateral approaches are described in the section below. In addition, it must be noted that even some bilateral approaches, instances of so-called 'en-

clave trading,' have failed because of a lack of mutual confidence in the region. As explained below, some lands offered as compensation in 'enclave trading' schemes were rejected by one party or another. This type of problem has further increased mutual suspicion among negotiating parties and damaged regional confidence in cooperation.

## **DETERMINANTS OF BORDER DELIMITATION IN POST-SOVIET CENTRAL ASIA**

Border and territory related issues were at the center of the debate with the dissolution of the USSR and the achievement of independence by the former Soviet republics. At first, a consensus was reached that all the states of the former USSR constituted one integral security complex and that the borders among the former Soviet republics should be left transparent and open.

Major post-Soviet agreements such as the Minsk Agreement of December 8, 1991, the Almaty Declaration of December 21, 1991 and the Commonwealth of Independent States (CIS) Charter of June 22, 1992 mainly called for successor states to preserve the status quo. It became conventionally accepted that the CIS provided an appropriate forum for a coordinated transformation, which in turn eased the tensions that might have greatly strained relations between the former Soviet republics (Polat 2002, 172). With these agreements on the formation of the CIS in place, in addition to the Agreement on the Protection of State Boundaries and Maritime Economic Zones of the States-Participants of the CIS (March 20, 1992) and the CIS Collective Security Treaty (Tashkent, May 15, 1992), the integrity and transparency of the borders of the CIS states was maintained. This situation was both politically viable and economically rational because border demarcation, fortification and due enforcement would have led to additional costs and would have added political pressure on the leadership of these states to resolve thorny issues involving border disputes. Therefore, in the early 1990s, the leadership of these states chose political stability as opposed to nationalist rhetoric. Accordingly, for the time being, inter-republican borders were left off the agenda of summits and meetings. Nonetheless, several perceived threats remain that have increasingly disturbed the leadership of Central Asian states over the years, including following the spillover effect of the civil wars (Tajikistan and Afghanistan), the rise in religious extremism across borders, and unfettered drug-trafficking across borders as well as resource scarcity and fierce competition for water, gas and oil.

The leadership of the regional states has recognized the logic that long-standing dormant inter-ethnic contradictions caused by arbitrarily drawn boundaries,

large-scale population migrations, imperfect governmental mechanisms of the Central Asian states, and the people's natural desire for a new national sense of identity might result in a complicated development process and even crisis.

The fears described above have caused certain former republics to consider revisiting the notion of transparent borders and to consider shifting to costly border delimitation. In addition, delimiting state borders was supposed to prevent inter-state disputes over territory and natural resources—two issues that embody enormous potential for conflict in Central Asia (CA).

In keeping with the perceived threats outlined above, the trans-border movements of extremist groups that are manifest in the following three closely connected events and processes can be understood as the immediate reason that led the leadership of CA states to reformulate their border policies. The first of these was the Tajik Civil War, which generated increasing cross-border activities of extremist groups located in the war-torn territories of Tajikistan and Afghanistan. The second was terrorism, which culminated in the bombings in Tashkent in February of 1999, which was a shocking event for a country that prides itself on regional stability and peace. These bombings also made Uzbekistan reconsider its policy regarding transparent borders with neighboring countries because certain perpetrators of the Tashkent bombings abused this policy, entering Uzbekistan from their bases in Afghanistan and Tajikistan and escaping back to those countries in the aftermath of the bombings (for instance, Trofimov 2002, 62). Finally, there was the series of incursions of militants from the self-named Islamic Movement of Uzbekistan (IMU) and other terrorist groups that claimed to represent local Muslims in their quest for the creation of a caliphate in the region. The latter came as another shock to the leadership of the CA states and significantly affected the development of inter-state relations in the region. Although the Tajik Civil War and the threat of its internationalization were anticipated in the region, incursions by these latter militants came as a complete surprise.

## **CULTURE OF MISTRUST AND BORDER DISPUTES IN CENTRAL ASIA**

The arbitrarily drawn borders in Central Asia have always held the potential for instability and conflict, and the Tajik Civil War was the turning point that led to the significant escalation of regional border issues. The borders of Tajikistan in 1992-1997 symbolized one of two frontiers between stability and civil war for the CIS and the remaining Central Asian states—the other frontier was Afghanistan.

There is a vast body of literature on the causes of the Tajik Civil War, the spe-



cifics of which are beyond the scope of this paper. However, Tajik borders have always been a point of dispute, leading to accusations of border violations by foreign powers, particularly during the Tajik Civil War and mostly by Uzbekistan (ex: Horsman 1999, 37-48; Trofimov 2002, 70). These accusations—which are mostly unsupported—were mostly made regarding Uzbek support for the Boimatov and Khudayberdiev militant groups which were armed groups led by ethnic Uzbek commanders that attempted to challenge the central government in Dushanbe in 1995, 1997 and 1999.

According to Tajik claims, Uzbekistan was responsible for facilitating armed clashes between Tajik border guards and unidentified militants along the Tajikistan-Uzbekistan border—or at least for tolerating those militant groups in its territory. Dushanbe also alleged that in October of 1998, Makhmud Khudayberdiev and his militants entered Tajikistan from Uzbekistan to take over the northern part of Tajikistan and establish an independent government. These allegations were difficult to either prove or reject. Uzbekistan strongly denied these accusations and in turn accused the Tajik government of not doing enough to prevent drug trafficking, religious extremism and terrorist activities within Tajikistan (Yunusov 2003). Uzbekistan implied that destabilization in the entire region had been caused by the ineffectiveness and lack of political vision within the coalition government of Tajikistan. However, the 1997 Peace Accords, which ended the Tajik Civil War, gave some hope that Tajikistan would stabilize.

The situation was further complicated in 1999 due to the terrorist bombing of the Uzbek capital in February by individuals who were alleged to be members of Islamic extremist groups seeking to overthrow the government. After the failure of the coup, some found refuge in Tajikistan or fled from persecution through Tajik territory into Afghanistan. It was also not coincidental that the Islamic Movement of Uzbekistan (IMU)—a terrorist organization aiming to overthrow the secular government of Uzbekistan and to establish an Islamic state—was founded in terrorist training camps in Tajikistan and Afghanistan. These groups used civil wars and instability in those countries to safely continue their activities or temporarily provide a setting for their bases. Naturally, Uzbekistan was concerned and alarmed by these facts. Although IMU followers blame the Uzbek government's anti-religious campaign for their own resistance, this argument hardly justifies the causes for the formation of this movement.

Further, in 1999 and 2000, the IMU carried out incursions into Kyrgyzstan and attempted to enter Uzbekistan. Some reports alleged that members of the Tajik government helped the militants access the Kyrgyz border. According to the same reports, after being repelled by the joint forces of Kyrgyzstan and Uzbekistan, these militants were helped by the same officials of Tajikistan to escape from Kyrgyz and

Uzbek search operations across the Tajik-Afghan border toward a safe zone. As independent analysts note, Tajik authorities permitted IMU detachments to operate in eastern Tajikistan until at least 2001, which allowed the flow of narcotics to remain a major threat to the stability of the region (ICG report 33, 2002, 13).

Other regional observers drew parallels between the behavior of Uzbekistan during the Khudayberdiyev raids into Tajikistan and the attitude of Tajikistan toward the IMU incursions into Kyrgyzstan and Uzbekistan. Some even suggested that the Tajik tolerance of groups such as the IMU was meant as Tajikistan's revenge for Uzbekistan's support of Khudayberdiyev and Baimatov raids into Tajikistan in earlier years. However, the government of Tajikistan flatly denied these accusations and made counter allegations that, if examined closely, might have in fact lent support to Uzbek claims that certain Tajik officials were tolerant of extremist groups. In particular, the official representative of Tajikistan to the Organization for Security and Cooperation in Europe (OSCE) accused Uzbekistan in 2001 of having ambitions for regional domination and announced that Tajikistan intended to cease all cooperation with Uzbekistan with respect to the elimination of the IMU (Trofimov 2002, 70). Although Uzbekistan's heavy-handed approaches cannot be fully justified, it is equally obvious that Tajik authorities failed to assist other regional states in their attempts to establish secure crossing facilities and are thus partly responsible for regional instability.

The events discussed above fueled mistrust in the region and pushed all the CA states to clearly delimit and sometimes excessively enforce their borders. Thus, in 1999, Uzbekistan ended its participation in the Bishkek Agreement regarding visa-free travel for CIS citizens and strengthened control over its borders. In view of further severing its control over borders, the Uzbek side began laying minefields on borders with Tajikistan and Kyrgyzstan, saying it lacked other alternatives, even if mining implied resettling its own population away from bordering towns and mountainous areas, in particular. Uzbekistan also mined its borders with Kyrgyzstan in those locations close to the Uzbek enclaves of Sokh and Shahimardan. Uzbekistan feared that enclaves would become an easy target for terrorists and that they needed protection as a result.

Moreover, Uzbekistan refused to hand over minefield maps to the Tajik and Kyrgyz governments, justifying its reluctance because the mined territories were within Uzbekistan, which meant that there was no need to notify foreign countries of their locations. This refusal was thought to be a result of the Uzbek government's fundamental lack of trust in the capacity of neighboring governments to keep the information from terrorists and others with maleficent intentions, bearing in mind that those mines were laid as protection against such groups in the first place.

Above all, mistrust between the regional states were manifest when Kyrgyz parliamentarians refused to ratify the Military Cooperation Treaty, which was signed by the presidents of the two countries on September 27, 2000 as a joint response to possible terrorist attacks on both countries (Jumagulov 2001). The draft of the agreement envisaged that both countries had a right to deploy their troops in the territory of the other when a threat to regional security was perceived. However, Kyrgyz parliamentarians considered that the agreement would unfairly benefit Uzbekistan because it offered an opportunity for the latter to deploy its forces within Kyrgyz territory whenever it opted to do so. Despite arguments from some parliamentarians that Kyrgyzstan would also benefit from the treaty by obtaining free mobility throughout the region and access to ground and air communication routes that crossed Uzbek territory, the majority rejected the treaty as disadvantageous for Kyrgyzstan.

These actions were regarded cautiously by neighboring countries. Kyrgyzstan accused Uzbekistan of violating the Kyrgyz border and mining both Kyrgyz territory and Uzbek territory. Many analysts and government officials in Kyrgyzstan attribute the mining of Kyrgyz territory by Uzbekistan to the regional ambitions of the latter. However, it is more reasonable to suggest that the border mining by Uzbek armed forces resulted in misplaced mines that are the result of the absence of clearly determined borders in the region. In the end, this ambiguity of borders led to misperceptions and increasing mutual territorial claims.

Uzbekistan was not alone in its unilateral security responses. Kyrgyzstan also introduced the practice of severing border controls and laying mines in areas adjacent to Tajikistan without informing the Tajik government of the exact location of its mines. Kyrgyzstan also destroyed mountain passes with explosives to make them impassable for IMU militants (Slim 2002, 494).

Instability following the Tajik Civil War and the chain of incursions described above damaged inter-state trust and relations, paving the way for unilateralism in the region. The lack of mutual understanding on ways to defend against common security threats fueled these unilateral approaches. This situation convinced governments that although declarations of regional solidarity among these states could be heard at every meeting of the heads of these states, the regional capacity to enforce these emotional statements was lacking. Unilateral approaches in providing for one's own security held precedent over the establishment of any realistic common regional security system. Unilateralism in providing for security came to a head again in the rash of inter-state border disputes and negotiations discussed below.

## **POLITICS OF ENCLAVES AND BORDERS: THE DEBATE ABOUT LEGAL DOCUMENTS**

The water- and energy-related issues are not the only issues that have necessitated close collaboration between these states. In addition to water and energy, Uzbekistan and Kyrgyzstan have a number of territorial and border issues to resolve following the escalation of regional security problems.

The common cause of Uzbekistan and Kyrgyzstan against IMU incursions offered some hope that the two nations would strengthen their cooperation against terrorism. Nevertheless, their approaches to fighting militants, to delimitating borders and to controlling these borders were far from coordinated. Even during the joint campaign against the IMU, Kyrgyzstan repeatedly accused Uzbekistan of bombing militants on Kyrgyz territory without authorization, and Uzbekistan accused the Kyrgyz government of tolerating and even negotiating with terrorists (Polat 2002, 56). As a consequence, border mining, the introduction of entry visas, and strict border controls by Uzbekistan with all states of the CA region annoyed Kyrgyzstan, causing it a variety of problems.

In July of 1999, in response to Uzbekistan's mining of the border, Kyrgyzstan proposed the delimitation of the borders, particularly in the most disputed areas. The most challenging part for both countries was managing the four main Uzbek enclaves left within Kyrgyzstan: Sokh (discussed above), Shakhimardan, and two smaller settlements.

Later, when a joint commission was created, major differences between the two parties emerged over the issue of a legal basis for border delimitation. The Uzbek side suggested adhering to documents created in 1924-1928 regarding border delimitation between the two countries. Kyrgyzstan opted for border-delimitation documents from 1955 (Uzbekistan Daily Digest, December 12, 2002). The 1924-1928 documents preferred by the Uzbek side included an entire package of acts on the administrative division between the two countries that was passed during the 1924-1928 period. Specifically, these included the document dated March 17, 1925, which was approved by the Central Asian Liquidation Commission (*Liquidcom*) and described the borders between the two countries. Other documents include clarifications to the document of 1925, which were approved on November 9, 1925 by the Central Executive Committee of the Russian Federation and adopted by a Resolution of the Central Executive Committee in 1926 and in 1927. These documents served as the basis for drawing the borders between the two countries during the early period of their formation as part of the USSR.

However, Kyrgyzstan insists that these documents did not contain a description of the exact location of the borders between the two countries and therefore

cannot serve as a basis for border delimitation. The Kyrgyz side insists on using the documents of 1955, which include the Resolutions of the Council of Ministers of Kyrgyz SSR N 497, adopted on October 22, 1955, and the Resolution of the Cabinet of Ministers of Uzbek SSR N 534, adopted on August 3, 1955. These resolutions endorsed the findings of a joint deliberation commission on disputed areas. The Presidium of the People's Representative Council of Kyrgyz SSR adopted a resolution in 1955 that approved the findings of the joint commission. However, the same body of the Uzbek SSR voiced concerns over the disputed territories of Northern Sokh. Importantly, the Presidium of the People's Representatives of the USSR did not approve the resolution of the Kyrgyz SSR, thus rendering the document void and of no effect. Nevertheless, the Kyrgyz side insists that the documents of 1955 include a detailed description of the borders between the two countries and are thus the only legitimate basis for present-day border delimitation.

What can be concluded from analyzing negotiations both in the 1950s and more recently is that both sides have made efforts to manipulate the documents that best suit their interests and claims. Criticism of the process can be heard from both sides. For instance, the Uzbek national newspaper *Narodnoe Slovo* (*The People's Voice*), which often reflects the government's position, accused Kyrgyz parliamentarians of populism and "pseudo-patriotism." It blamed the Kyrgyz side for the lack of progress in addressing territorial issues between the two countries. It also noted that internal political intrigue in Kyrgyzstan translates into constant changes in the composition of the Kyrgyz commission and frequently results in external interference in its work. In its response article, the Kyrgyz newspaper *Slovo Kyrgyzstana* (*Voice of Kyrgyzstan*) denied these accusations and harshly accused the Uzbek newspaper of unsubstantiated attacks on Kyrgyzstan (Kerimbekova 2003). In strong wording, it countered that it was Uzbekistan that aimed to apply both internal and external pressure on Kyrgyzstan to gain the desired outcome of the delimitation process. As both sides blame the inefficiency of the process, the border and territorial disputes remain unresolved, resulting in suffering for residents of neighboring regions and travelers in these regions (Kim 2002).

Despite such significant differences, the commission was still able to produce some outcomes. For instance, on February 26, 2001, Uzbek Prime Minister U. Sultanov and his Kyrgyz counterpart K. Bakiev signed an agreement on the issue that symbolized the reaction of the regional states to the increased security concerns and attempts by terrorist groups to enter Kyrgyzstan and Uzbekistan (Panfilova 2003). Moreover, this agreement included the confidential Memorandum on Regulation of the Legal Status of Border Delimitation, which included a provision in which Kyrgyzstan agreed to swap a 40 km land corridor with Uzbekistan in the interest of regional security, allowing the latter to consolidate its enclave of

Sokh, which was previously left isolated and therefore vulnerable to terrorist attacks. In return, Kyrgyzstan was offered the same type of corridor to consolidate its enclave of Barak.

The agreement was signed but remained subject to approval by both parliaments. During the process of consideration within the Kyrgyz Parliament, the confidential memorandum was uncovered and leaked to the press. The agreement was not approved; both the Kyrgyz Prime Minister and Kyrgyz parliamentarians concluded that the land plot offered by Uzbekistan as compensation for Kyrgyz territory was not of equal value and demanded that the government freeze the agreement. In addition, the outrage of the Kyrgyz parliamentarians was fueled by the behavior of the executive which is not authorized to sanction border changes under the Kyrgyz constitution (Jumagulov 2001).

Above all, Kyrgyz parliamentarians justified their arguments against any land swaps with Uzbekistan based primarily on two reasons: First, the swap would effectively make Kyrgyzstan's Batken region an enclave, and second, complying with the Uzbek request for allocating a land corridor along the river Sokh would deprive Kyrgyzstan of control of valuable water resources. In reaction to these events, Uzbekistan further proposed considering the Kyrgyz preferences for a land swap, but because of distrust, such moves by Uzbekistan were considered simply to be a plot to annex land in Kyrgyzstan.

In the meantime, the bordering areas and enclaves remained mined and culturally isolated, which resulted not only in the maiming and killing of residents in neighboring villages on either side of the border but also in moral and psychological damage (Eurasia News, January 14, 2001). The consequences of such stalled disputes are high rates of unemployment and cultural and linguistic isolation, in addition to a lack of medical services, educational institutions and information channels for the benefit of the residents of these enclaves (Jumagulov 2001; Babakulov 2002). At some point, the governor of the Batkent region of Kyrgyzstan, M. Aibalaev, emotionally announced that he intended to unilaterally start de-mining the border areas within the territory of Kyrgyzstan, which were previously mined by Uzbekistan (ICG report 33, 2002, 14). Although this intention did not extend beyond words, it demonstrated the level of insecurity felt by the local Kyrgyz population and the Kyrgyz authorities. In 2002, in response to a shooting that occurred at the Kyrgyz-Uzbek border, Kyrgyz Deputy Prime Minister Membertov made a statement claiming that the Shahimardan enclave of Uzbekistan legally belonged to Kyrgyzstan (ICG report 33, 2002, 16). Further, during the Summit of the Central Asian Cooperation Organization, in December of 2002, the president of Uzbekistan, I. Karimov, expressed his dissatisfaction with the endless border negotiations and called upon his Kyrgyz counterpart, A. Akayev, to speed up the

process ("Karimov urges...." 2003).

The events of May 15, 2003 further motivated the Uzbek leadership to preserve its minefields and maintain strict enforcement of the Uzbek-Kyrgyz borders. On this day, a group of young men attacked the police office in the city of Jalalabad in Kyrgyzstan ("V Djelalobade...." 2003). The attackers disarmed police officers and made off with more than 30 pieces of light weaponry. They were all caught a few hours later after a highway automobile chase. The leader of the group, Adyl Karimov, was previously suspected of conspiring to overthrow local authorities in Southern Kyrgyzstan.

This terrorist act once again demonstrated the vulnerability of security in the region and strengthened the belief within the Uzbek establishment that the border must be kept secured. Uzbekistan alerted its armed forces in the border area, which immediately took all strategic locations and facilities under their guard. The same type of regime was activated in the mountainous border regions, with Uzbek aviation commencing reconnaissance missions over affected territories ("Tsentral'noi azii ugrozhaet...." 2003).

However, Kyrgyzstan did not regard these events as a justifiable argument for Uzbekistan to maintain the mined border territory. On July 11, 2003, Prime Minister Nikolai Tanaev ordered the unilateral removal of land mines in Kyrgyz border areas, basically ignoring Uzbek concerns ("Kyrgyz government orders...." 2003). However, the capacity of the Kyrgyz side to deliver on such a pledge was limited. As a consequence, it requested Russian assistance in training local mine-clearing specialists, and it remains unclear whether and when the work will start and whether clearing the border will resolve the deadlock over regional security between the countries.

In addition to political aspects, border and enclave disputes between the two countries are also motivated, in part, by economic concerns ("260 nesoglasovannykh kilometrov" 2003), such as the matter of the oil fields located in Kyrgyzstan's territory and leased to Uzbekistan under agreements formulated by the Soviet government. These areas include Northern Rishtan, Sary-Kamish, Sary-Tok, Chaur-Yarkutan and others, totaling 194 wells, which had to be returned to Kyrgyzstan. These wells have the capacity of delivering 60 tons of crude oil and 34,000 cubic meters of gas daily (Borisenko 2003).

In June of 2000, Uzbekistan transferred these wells to the jurisdiction of the Kyrgyz oil company Kyrgyzneftegas. As reported, the outcome of these transfers was not what Kyrgyzstan expected. In preparation for the transfer of the sites, the Uzbek oil-drilling company Uzneftegasodobycha removed all equipment that it legally owned. This unexpected removal prevented the Kyrgyz oil company from beginning to extract oil and gas. Kyrgyzstan must acquire and deploy proper

equipment before it can extract any energy resources from those lands.

Obviously, the situation after this transfer involved losses on both sides. Uzbekistan lost oil and gas fields, and due to the lack of extraction equipment, Kyrgyzstan lost any real opportunity to benefit from the transfer of the wells. If Kyrgyzstan and Uzbekistan had reached a deal on the joint exploitation of these wells, both could have profited from cooperation. This failure of cooperation ought to serve as a lesson for both sides during deliberations on transfer of the remaining disputed wells.

In particular, cooperation between both sides should be considered in light of the July 2003 round of deliberations of the Uzbek-Kyrgyz commission on border delimitation, when the Kyrgyz government proposed a discussion regarding the issue of transferring oil and gas deposits in Severny Sokh and Chongara-Galcha. In addition, Kyrgyzstan raised the issue of underground gas storage facilities. Kyrgyzstan wants Uzbekistan to hand it technical documentation regarding five gas pipelines running through Kyrgyz territory. These will likely be the issues that will dominate the agenda of the commission in the foreseeable future. For resolution to be mutually acceptable, the commission will have to look for cooperative rather than divisive approaches.

After several incidents on the border, the two sides agreed on common measures to increase the work on coordinating protection of borders. However, the incidents continued as Uzbek border guards arrested three Kyrgyz border guards near the Sokh enclave next to the Vuadyl border crossing (Zpress.kg, 2009). A similar incident was recorded in which two Uzbek border guards were reported to have been arrested by Kyrgyz border guards. Another incident involved the killing of a Kyrgyz border guard who was accused of illegally crossing the Uzbek border while on leave from his duties (Ferghana.ru, June 6, 2009). Similarly, the attempt by Kyrgyz border guards to install border guard posts without prior consent from the Uzbek government led to another confrontation in April of 2013 between local residents and Kyrgyz border guards, resulting in casualties on both sides (Obidov 2013). These types of incidents, rooted in a complicated geography of enclaves in the region and poor coordination in implementing the policies of the two countries, caused the Kyrgyz parliament to address its Uzbek counterparts in an effort to kickstart the dialogue on ways to coordinate measures to protect their borders (Ferghana.ru, May 29, 2009). However, these border incidents, some of them lethal, became the daily routine, and reports on border-related crimes, shootings and mine blasts on the Uzbek-Kyrgyz border were common (Dudka 2010; Ferghana.ru, March 4, 2010). In view of this problem, in April 2013, border guard agencies of Kyrgyzstan and Uzbekistan agreed to regulations that oblige them not to use lethal weaponry or firearms during daytime (Ferghana.ru, April 24, 2013).



A similar agreement has been reached between Kyrgyzstan and Tajikistan.

In addition to political concerns, border and enclave disputes between the two countries are also motivated in part by economic reasons. One example is the case with the oil fields located in Kyrgyzstan's territory and leased to Uzbekistan under the Soviet government that were discussed above. These economic aspects further complicate the resolution of the enclave issues.

Unilateralism on the part of both sides in addressing this issue characterizes Uzbek-Kyrgyz border disputes. This unilateralism is increasingly apparent in their actions. Although there are some signs of cooperation in border delimitation, such as an increase in border check points, both countries still consider the interests of the other as part of a "zero-sum game," assuming that a gain for one side means loss for the other. In the CA context, this perception is not necessarily accurate. Both sides can benefit from cooperative agreements, particularly when issues of security and economic development are concerned because neither of these issues can be achieved through the individual efforts of any single state. The concept of regional sovereignty, as opposed to national sovereignty, should be given deeper consideration in negotiations over bordering areas.

## **THE INDEPENDENT STATES OF TURKESTANETS AND BAGYS?**

As discussed above, Uzbekistan initiated the process of border delimitation under security pressures related to IMU incursions and the expansion of religious extremism practiced by the terrorist network of the Hizb-ut-Tahrir party. The situation on the Uzbek-Kazakh border was no exception. The most peculiar cases of this complicated process of border delimitation can be exemplified by the villages of Turkestanets and Bagys.

In May-June of 1999, Uzbekistan first moved armed troops into the Uzbek settlement of Nazarbek on its border with Kazakhstan. It then commenced the process of demarcating the border by placing observation towers along the path it had identified as the rightful border. Naturally, Kazakhstan protested these actions and called for a joint border delimitation commission to be established. In October of 1999, Uzbekistan made a decision to create a joint Uzbek-Kazakh commission, and by the next month, the heads of the border guard units of the two countries undertook an observation flight over the border (Trofimov 2003, 63).

Tensions on the borders between the two countries were not calmed simply by establishing the joint commission. For instance, in 2000, reports appeared in the press that Uzbekistan tried to unilaterally construct border installations in the settlement of Bagys. These types of incidents highlighted the importance and ur-

gency of the commission's tasks.

By September 2000, the joint delimitation commission had met three times. By mid-2000, both sides had agreed upon 96% of their borders, with 4% remaining difficult to resolve. On November 16, 2001, President Nazarbayev of Kazakhstan and President Karimov of Uzbekistan signed an agreement on the 96% border delimitation. They also agreed to jointly cooperate in considering the remaining 4% of their bordering territory. Nevertheless, border-related incidents did not stop with the signing of this agreement, and there were several reports of civilian casualties. Local residents were not yet used to living in border areas, and they often became victims of strict border control when looking for stray cattle or other animals, which traditionally graze in the pastures that now constitute national borders (Dosybieva 2002a). Such incidents led to deterioration in the relations between the two countries. In the words of Jamarkan Tuyakbai, the speaker of Kazakhstani Majlis, "[O]n both sides, there are cases of beatings of citizens of the neighboring country, stealing of cattle and inappropriate use of force...." (Dosybieva 2002a). There have also been registered incidents of armed attacks on border guards by the members of smuggling gangs (Dosybieva 2002b). In many cases, the tensions described above arise in the unresolved 4% of the border areas.

Problematic issues with the remaining 4% are exemplified by the cases of the settlements of Baghys and Turkestanets on the Uzbek-Kazakh border. The population of these two villages is primarily ethnic Kazakh, whereas the territory falls under the jurisdiction of Uzbekistan. The village of Bagys is located exactly on the border; one part of the village is in Uzbek territory, and the other is in Kazakh territory. These settlements were leased to Uzbekistan by the resolution of the politbureau of the Communist Party in 1956. For most of their history, they constituted lands used for collective farms that served the needs of the Central Asian (Turkistan) Military District (TURKVO). After the collapse of the USSR, this district was transferred into the sole possession of Uzbekistan.

The problems began at the end of 2000. The residents of the two settlements expressed their dissatisfaction with the pace of border delimitation negotiations between Kazakhstan and Uzbekistan. In anticipation of an unfavorable outcome, they demanded that the villages be re-united with Kazakhstan. Ethnically, the villages housed a Kazakh majority, but their citizenship was defined as Uzbek.

The situation escalated when residents declared so-called 'independence' from both Uzbekistan and Kazakhstan, which led to a reported confrontation between local residents and the Uzbek military (CNN 2002). The situation with these two villages has also been used by certain nationalistic figures like Aidar Abdramanov and nationalistic groups supporting him like Azat. These groups used this situation in order to boost their image of advocating Kazakh interests. In or-

der to do so, they not only initiated declaration of Bagys Kazakh Republic but also elected (for four-year term) the parliament and president of this republic (for a two-year term). Therefore, declaration of independence of this village had different meanings for different actors. For politicians and nationalist movements this was another opportunity to boost their image and increase their public support in the eyes of general public of Kazakhstan. For residents of this village it was rather the case of necessity to sustain their livelihood and their identity. The issue at stake was not only the village itself but also lands used for stock breeding and water facilities situated in the nearby areas. At the end of the day, the leaders of self-declared republics were temporarily detained and reprimanded while the issue of declaration of independence has been completely ignored and forgotten.

As in the case of Uzbek-Kyrgyz negotiations, one of the major disputed issues was that of the documents to be used in delimiting the territory. In the case of the village of Bagys, Uzbekistan used maps dating from 1963, on which the village is shown as a part of the Bostandyk municipality of Uzbekistan. Local residents insist that maps and documents dating from 1941 should be used, in which the village is shown as a part of the Saryagash municipality of Kazakhstan (Dosbiev 2001).

A resolution to this conflict has been found by reaching an inter-governmental agreement, according to which the settlement of Bagys would be transferred to the jurisdiction of Kazakhstan (Matveev 2003), and Turkestans would remain within Uzbek territory. According to the agreement, residents of Turkestanets who are willing to move into Kazakhstan and residents of Bagys who are willing to move into Uzbekistan will be given assistance and support from the relevant government. As a result around 100 families were relocated from Uzbekistan to Kazakhstan. Yet other specifics of these decisions were not properly detailed and documented which led to further protests with the latest one registered in August 2014 in which women from Bagys and Turkestanets demanded that issues with water facilities and land for stockbreeding be decided and implemented by governments.

The border disputes between these two countries have long histories and therefore require negotiations and a common vision of Soviet and post-Soviet history.

As described above, the borders in the region, whether for security or for economic reasons, remain under the strictest control. In the case of both Uzbek-Kyrgyz border disputes and Uzbek-Kazakh border disputes, different historical documents and protocols of border delimitation are widely used by both sides to achieve outcomes that are self-serving. It is obvious, though, that border delimitation is not an objective but a perceived means to achieve regional security. In this respect, doubts remain as to whether border delimitation, even if successful,

would actually mean increased security for the region. In fact, over the long term, it might bring about the reverse.

### **“WE WANT THIS ROAD AND WATER, TOO!”: BORDER DISPUTES BETWEEN KYRGYZSTAN AND TAJIKISTAN**

The border-related disputes between these states are primarily concentrated in the Fergana Valley. Although relations between Kyrgyzstan and Tajikistan do not involve harsh antagonism, the territorial disputes make relations between these two states complex. One of the regions that receive continuous attention from both sides is the Batken region of Kyrgyzstan. The territory is under the jurisdiction of Kyrgyzstan, and there have been no official claims from the Tajik side on it. However, there is the memory of historical injustice between various ethnic groups in the region.

One of the major points of dispute in the relations between the two states is the enclave of Vorukh, which is separated from Tajikistan by a 20-km stretch of land that is rich in water reserves and pastures (Jumagulov 2003). It is this piece of land that generates disputes. The area has been the subject of land and jurisdiction claims from both sides. Due to the absence of an agreement between the two countries on the borders, disputes of all types have occurred in recent years.

In the spring of 2002, Tajikistan began erecting border posts and checkpoints in areas bordering Kyrgyzstan. Those lands often included disputed territories. These arbitrarily erected Tajik checkpoints and border posts fueled outrage among the local population because they placed an additional burden on them every time they traveled through the territory, which, until that time, they had considered to be their own (regardless of national borders). For instance, in October of 2002, reports claimed that Tajik border guards blocked the highway road and made several vehicles turn into Tajikistan's Isfara region, claiming tax for the load (Karym kyzi 2002). Protests on the Kyrgyz side were ignored while this type of incident repeatedly occurred in the region. The Tajik side claims it acts within its own territory and does not violate the borders of any other country. Kyrgyzstan responded to such actions by erecting its own border posts and introducing harsh control over its borders.

Further, on January 3, 2003, approximately 200 villagers from the Sogd region of Tajikistan stormed the border with Kyrgyzstan and smashed Kyrgyz customs posts. In retaliation, Kyrgyz villagers from the Batkent region of Kyrgyzstan demolished a recently established border checkpoint (Jumagulov 2003). Some warned that this event might signal the beginning of a return to the events of

1989 and inter-ethnic violence in the region (Jumagulov 2003). Such warnings unfortunately came partly true in the form of intercommunal ethnic clashes in 2010 in the south of Kyrgyzstan between Kyrgyz and Uzbek communities. Such clashes also emphasized the importance of dealing with intercommunal conflicts not only at the level of governments but also from the perspective of everyday needs of the communities living in bordering areas.

## CONCLUSION

The main message of this paper is to suggest that border-related issues in Central Asia are dealt from the position of unilateralism. While there are some signs of cooperation in border delimitation, Central Asian countries still consider each other's interests along the lines of a "zero-sum game," assuming that gain on one side means defeat for the other. This further complicates the situation, making the progress in border delimitation very slow. According to some scholars, as of 2008, out of 1,385 kilometers of common border between Uzbekistan and Kyrgyzstan, only 993 kilometers were agreed upon at the level of delegations authorized to conduct delimitation of the borders (Matveev 2013). According to Kyrgyz official estimates (the Department of Delimitation of Borders and Development of Bordering Areas under the President of Kyrgyzstan), by 2013 only 1,007 kilometers of common borders have been agreed upon out of 1,378 kilometers of total Uzbek border. The remaining 400 kilometers consist of 58 disputed areas which are a matter of continued negotiation. It needs to be pointed out that such situation of border tensions can be seen across Central Asia. For instance, because of the similar issue with enclaves, only 519 kilometers out of 907 kilometers of Kyrgyz-Tajik border have been delimited, while the rest remains the issue for further negotiations (Meterova 2013).

What further complicates this situation is that non-state actors and interests are often ignored in the process of border delimitation. While Central Asian countries face all possible evils such as environmental hazards, economic shortcomings and border-related problems, these problems cannot be addressed without localizing public dissatisfaction and creating public consent within the smaller communities like those exemplified in the cases above.

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