

CENTRAL ASIA SECURITY POLICY BRIEFS #14

Geographical Enclaves of the Fergana Valley: Do Good Fences Make Good Neighbors?

By Rashid Gabdulhakov

Key points:

1. Demarcation of borders can be a complex, troublesome and even aggressive process. During the formation of the USSR, borders between the member republics were drawn by the “center” (Moscow) and carried a symbolic character, as all the member republics collectively comprised one greater state – the USSR. As a result of vague language of border defining documents, nearly 30% of the borderline between Uzbekistan and Kyrgyzstan remain disputed. Disputes over border demarcation are present between Kyrgyzstan and Tajikistan as well. Border disputes have caused tension outbursts in the near-border village settlements.

2. Central Asian republics are suffering from lack of cooperation. Rivalries between the gas-rich downstream countries and the upstream neighbors, with water glacier reserves, are negatively effecting bilateral relations – not to mention the history of ethnic clashes and tension that persists in the Ferghana Valley. This most densely populated region of Central Asia is home to several geographical enclaves – territorial units that further complicate the demarcation process and affect the bilateral relations between the states involved.

3. While the affairs between the states have an effect on residents of enclaved territorial units, the very residents of these territories may cause tension, to which the governments of the respective states react. Tension in an enclave may have an influence on the population residing in the surrounding state – population that do not necessarily share the identity with residents of the given enclave. A legal solution in the question of enclaves and wellbeing of their dwellers is an immediate must.

Introduction

The collapse of the state as large and diverse as the USSR inevitably led to disputes over natural and industrial resources, and, of course, the border lines. In sections of the borderline between Uzbekistan and Kyrgyzstan, if the border were to be installed and fences built, half of the households would end up living in Uzbekistan and the other half in Kyrgyzstan. There are entire territorial units that are located in another state; these units, as a general rule, are referred to as “enclaves.” In these enclaves there are found households whose living room is located in Uzbekistan, and the terrace in Kyrgyzstan.



Figure 1: Map of Fergana Valley enclaves¹

Negative relations with both the mainland and the surrounding state may influence the enclave residents to seek independence, or act violently. The more negative factors there are in the scheme of relations, the more anxious and tense will be the

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situation in the enclave. Feghana Valley enclaves cause tension outbursts between the three involved states – Kyrgyzstan, Tajikistan and Uzbekistan. Today's tensions are the echo of the processes that took place in the 1920s when national territorial delimitation (NTD) took place. The NTD in fact helped draft the Soviet republics, and “helped produce the Soviet Union.”²

This policy brief provides an overview of the Ferghana Valley enclaves and covers their historic, economic, legal and territorial issues. The brief consists of the following: 1) In the first part of the paper general definitions and overview of the enclave phenomenon are introduced. 2) The second part provides an overview of Feghana Valley enclaves, and looks at various factors such as: territory, population, resources, legal aspects, economic characteristics, and history of these enclaves. 3) In conclusion, a summary of findings is provided, key points are stressed and policy recommendations are made.

Understanding the enclaves/exclaves

The term “exclave” describes a territorial unit of a country surrounded by another country, or countries. Given this definition, Sokh is the exclave of Uzbekistan. Uzbekistan is the “mainland” state of Sokh. Enclave, on the other hand, describes a part of a foreign territory that is embedded into the state's own territory. Thus, Sokh is an Uzbek enclave within Kyrgyzstan. Kyrgyzstan is the “host” state. Sokh is a “true enclave”.³ True enclaves, such as all Ferghana Valley enclaves, are both enclaves in respect to their surrounding host state and exclaves in respect to their mainland state. It is common to use the term “enclave” in regards to both enclaves and exclaves.

The emergence of Ferghana Valley enclaves is usually explained via the assumption that during the formation of the USSR land units were allocated to a country based on the language spoken by its inhabitants. For instance, since the majority of the people in Barak village spoke Kyrgyz, the land unit was given to the administration of the Kyrgyz Republic, despite the fact that this land unit is located inside Uzbekistan. Border demarcation between the “brotherly” Soviet republics was carried out in a manner that complicates border negotiations today.

Some scholars view enclaves as “abnormal” patterns of border demarcation, while others find

them to be insignificant phenomena.⁴ Nearly twenty new enclaves emerged with the collapse of the USSR, nine of which are located in the Ferghana Valley. There is a scarcity of scholarly work on the issue of enclaves. With 282⁵ enclaves on the world political map, they vary in their types, and approaches to addressing their existence.

There are five major factors that define the significance of the enclave and its problems:

1)**Territorial:** Location of the enclave plays a key role. If located in the middle of the surrounding state's province, or on major road, the enclave is likely to cause tension and disagreements.

2)**Population:** The identity of enclave dwellers is fundamentally significant in the relations between all the actors. If the residents of an enclave identify with the surrounding state, then absorbing the enclave would be likely possible. The relationship between the two countries may be hostile, and thus the relationship of enclave dwellers and the surrounding state – regardless of their possible shared ethnicity – may be tense as well. Another major identity factor is the third state, with which the enclave residents may identify themselves with, based on their religion or ethnic origin.

3)**Resources:** Any natural resources that are located in the ground of the enclave, or that flow through it, such as river, are likely to cause tension, make the enclave a desirable unit of land for the surrounding state, or, if rich enough and self-sufficient enough, may tempt the enclave to demand independence.

4)**Economic:** Financial deprivation in the enclave, limited resources, limited job opportunities and rapid population growth are likely to cause anxiety among the enclave dwellers and force them to seek opportunities in the surrounding state, thus increasing the influence of the later on the enclave.

5)**Legal/Historical:** Concrete legal agreements help define the status of the enclave, and thus terminate speculations and provocations. Legal status of the enclave is usually defined based on history. If the states do not agree on the status of the enclave and refer to contradicting legal documents, then the status of the enclave becomes a fluctuating notion and may cause conflicts and battles over land and its legal status.

However, resources are not always the backbone of struggle over the enclaves. Enclaves may serve as mechanisms of manipulation between the states with tense bilateral relations. With this in mind, enclaves are not always the product of inherited structures, but sometimes are a result of a constructed present. While the affairs between the

states have an effect on residents of enclaved territorial units, the very residents of these territories may cause tension to which the governments of the respective states react. Thus, enclaves shared between the same states may have an influence not only on the relations between these states and their projection on this given enclave, but also on their relations with another enclave that they share. Tension in an enclave may have an influence on minorities residing in the surrounding state – minorities that do not necessarily share the identity with residents of the enclave.

Overview of the Ferghana valley enclaves

The current Policy Brief provides an overview of four major Feghana Valley enclaves that have caused tension outbursts in the post-Soviet era: Sokh, Shahimardan, Vorukh and Barak. There also exist other enclaves of various area and population sizes. Sarvan/Sarvak/Sarvaksoi (Tajik enclave in Uzbekistan), Western Qal'acha/Kayragach (Tajik enclave in Kyrgyzstan), Dzhangail/Jani-Ayil, and Qalacha/Chon-Qora/Chongara (Uzbek enclaves in Kyrgyzstan). Some enclaves, such as Dzhangail or Western Qal'acha are as small as one square kilometer. The reason for various names used in reference to these territories is their proximity to a larger village, which by default gives them its own name. Some tiny territories are a part of the village that is located in the territories of two states, such as Tayan village to the south of Sokh. This notion further complicates the situation, and sometimes causes confusion in the legal status of the village; some sources refer to Tayan as another enclave, as is indicated in Figure one of this Brief.

Generally, historians argue over the complexity of the Ferghana Valley borders and the emergence of enclaves. Some say that the creation of enclaves was a master plan of the Bolsheviks, who intentionally divided the land in the way that would do away with the previously existing political structures, thus making the Soviet republics dependent on Moscow's decisions.⁶ Other historians explain the issue in a more simple way, claiming that land division as we see it today is a product of internal (regional) delimitation and was carried out based on the desires of regional decision-makers, with reference to cultural ties and language.⁷ Thus, since the majority of residents in Shahimardan, for instance, spoke Uzbek and had cultural ties to the Uzbek SSR, the

land unit was given to the latter. At the same time, since Tajikistan was an autonomous region within the Uzbek SSR, some of the enclaved territories, such as Sokh, were given to Uzbekistan during the National Territorial Delimitation (NTD) and remained under the administration of the Uzbek SSR after Tajikistan was made a separate republic.⁸ As a result, Sokh enclave is nearly entirely populated by ethnic Tajiks, who are Uzbek citizens, surrounded by Kyrgyzstan.

Sokh

Sokh is located in the center of Kyrgyzstan's Batken province and hosts the road that connects the two sides of this province. Despite the signed 1996 memorandum of eternal friendship between Uzbekistan and Kyrgyzstan,⁹ the relationship between the two post-Soviet states has been challenging in the spheres of trade, water issues, border demarcation and inter-ethnic conflicts – including the issue of enclaves.

Attempts have been made to trade land for a corridor, which would connect mainland Uzbekistan with Sokh. The Kyrgyz side has refused a 17 km long, 1 km wide corridor, as this corridor would completely disconnect the Batken province from the rest of the Kyrgyz Republic, due to mountains to the south of Sokh, and the impossibility of constructing an alternative road¹⁰ Having an Uzbek administrative region inside of its province is inconvenient enough for the Kyrgyz side, as travel through the enclave is complex, and an alternative road that connects Batken with the rest of the country is laid out just north of Sokh enclave, territories which also are disputed in some areas.¹¹

Sokh dwellers are nearly entirely ethnic Tajik (99.4%),¹² which adds a fourth element, “ethnic root state”, to the triadic relationship between the mainland state, the enclave, and the surrounding state. Sokh residents speak Tajik, and education is carried out in the Tajik language, although it is not the state or official language of Uzbekistan. The local newspaper, “Sadoi Sokh” (the Voice of Sokh) is printed in Tajik language.¹³ According to the Uzbek government, there are 28 schools that serve 11,654 students in Sokh, along with 3 professional colleges that serve 2,233 students.¹⁴

The attempt of the Islamic Movement of Uzbekistan (IMU) to enter the country through the Sokh enclave in the 1990s increased suspicions of Tashkent towards its exclave, and Uzbek authorities prioritized border security and even laid the borderline with anti-personnel mines in an attempt to prevent the IMU incursions.¹⁵

The mainland state is prone to be suspicious of its exclave, which is described as “negative stimulation” by Evgeny Vinokurov, but at the same time may offer the enclave some economic benefits that may be unimaginable in the mainland state - positive stimulation. In the case of Sokh, there are no specific economic stimuli offered by mainland Uzbekistan, rather, these positive stimulations are offered in the social sector, specifically in education and media.

Shahimardan

The predominant Uzbek population of the enclave explains its emergence. Shahrimardan is a native home of a prominent Uzbek poet Hamza, and at one point carried the title of Hamzaabad.

Shahimardan is 17 km far from mainland Uzbekistan. Unlike Sokh, no major roads go through Shahimardan, thus the enclave causes less inconveniences to the surrounding Kyrgyzstan.

The enclave is home to 6,000 people, with 91% of the population being comprised of ethnic Uzbeks.¹⁶ Ethnic ties with Uzbekistan make Shahmardan enclave closer connected with its mainland. However, the enclave's residents identify themselves as descendants of Khalif Ali, the son-in-law of the Prophet Muhammad.

Uzbekistan has never made attempts to trade Shahimardan with the Kyrgyz side, as it tried to do with Sokh. This notion may be explained via the fact that the majority of the population of the enclave is ethnic Uzbeks. Letting go of the historical territorial unit that has a cultural significance would in a way mean a betrayal of the residents and would challenge the territorial unity of Uzbekistan. In 2004, Kyrgyzstan's lawmakers demanded annexation of Shahimardan.¹⁷ The situation around the enclave has changed since then, and the agreement made between the two states now allows for visa free travel into the enclave.

The tourism-dependent economy of Shahimardan is suffering from border dilemmas shared by Uzbekistan and Kyrgyzstan. Border incidents between the two states and general disagreements on demarcation have thus a negative effect on life inside the enclave; tourism is suffering and economic wellbeing of residents is in jeopardy.

Vorukh

Vorukh, an exclave territory of Tajikistan, is situated inside Batken province of the Kyrgyz

Republic and is 130 sq. km. Much like in the Sokh scenario, road construction complicates the bilateral relations between the two states, and causes tension outbursts.¹⁸ On several occasions Vorukh residents have attacked Kyrgyz cars that travel through the enclave.¹⁹

On April 27, 2013, when the Kyrgyz side began construction of a road, which was not sanctioned by Tajikistan, Vorukh dwellers rebelled against the road construction and attacked the excavators. The conflict escalated when residents of the neighboring Kyrgyz village Ak-Say attacked Tajik citizens that were traveling through the territory by car.²⁰ A year later, on January 11, 2014, new violence occurred, as the Tajik border guards fired mortars to respond to the road construction by Kyrgyzstan in the area that Tajikistan considers “the disputed territory”.²¹ This resulted in an unprecedented low in bilateral relations between the countries as featured by closure of all border-crossing points.

Barak

Barak is a Kyrgyz village located in the Andijan province of Uzbekistan; it is the only exclave of Kyrgyzstan. The population of Barak is only nearly 600 people who demand resettlement into southern Kyrgyzstan, as life in the enclaved territorial unit is highly inconvenient.²² There was even an incident when residents of Barak took hostage the drivers of trucks that delivered humanitarian aid to the enclave, and demanded that the government of Kyrgyzstan should allocate land units for them in the south of the country, as they do not desire to continue living in the enclave.²³ Border crossing procedures and customs complicate the sale of cattle, which is the main source of income for the residents on Barak. After the incidents in the Sokh enclave in January 2013, Uzbekistan blocked access of Barak to mainland Kyrgyzstan.²⁴ This is an example where disputes over one enclave have an indirect negative effect on another enclave shared between the two states. Thus, any action taken by the Kyrgyz side towards Sokh, such as blockade of the roads and closure of block posts, has an echoing reaction in the enclave of Kyrgyzstan located on the Uzbek territory. In 2010, during the ethnic clashes in the Kyrgyz city of Osh, over 200 Kyrgyz residents of Sokh had to flee in fear of spread of violence into the enclave.²⁵ Thus, ethnic clashes that are occurring outside of the government's will have an impact on minorities residing in the neighboring state, and on the residents on the enclave who find themselves

entirely surrounded by another state, and perhaps suffer from fear of revenge on behalf of the neighbors, even if this revenge action is not performed by the surrounding state, but rather on the civil level. In other words, the states involved react to the behavior of societal groups, and not vice versa.

Conclusions/Recommendations

✍ Enclaves can create major inconveniences both for the states involved, and for the enclave dwellers. National security, territorial unity, freedom of movement and economic issues are at stake in this uneasy balance. Given the vague language that was used in the historical documents that describe the borders in the Ferghana Valley, the process of border demarcation between Central Asian states can take years to be resolved. With this in mind, a systematic, transparent and professional mechanism of negotiations is a must.

✍ First and foremost, there is a dire need for regular dialogue between the border experts and politicians from all sides. Only systematic negotiations and political will at the highest level with input from the local level can bring fruitful results in the process of border demarcation and the question of geographical enclaves. Border-related negotiations should not be based on ultimatums; rather, they should carry an open and constructive character, in order to avoid provocations and conflicts in border areas. Wellbeing of the people residing in near-border areas should be taken into consideration when borderlines are delimited and possible border posts or even fences are installed.

✍ As enclaves can and do exist as legitimate entities, the question in the case of Ferghana Valley enclaves is ease of travel for the enclave residents, economic development inside of the enclaves and general bilateral relations between the states involved. While the corridor solution is less likely to become reality, enclaves can peacefully exist; they do not have to impose problems and threats. With this in mind, ideally, Central Asian enclaves could be utilized as tourist destinations. The legal curiosity can be wisely “sold” as a tourist attraction. This tactic would help stimulate the economy of enclaved territorial units, would lessen the level of suspicion towards the enclaves and would lessen the level of aggression among the residents of the enclaves. The relations between the mainland state, the

surrounding country and the enclave are multidimensional. Each actor is defending its own interests and these interests sometimes converge, and at other times contradict each other. Generally, in the world practice, the ultimate solution to the issue of enclaves is some form of integration between the states involved, or at least an ease of border-crossing policy for the enclave residents and visitors. Thus, the relations between the involved states (Kyrgyzstan, Tajikistan and Uzbekistan) outweigh the effects of enclaves on the bilateral relations between them, and can change the situation in a positive manner. Fences are not always the best solution for the areas where different ethnic groups have been living together for centuries, and shared water resources and pasture lands.

✍ Respective states should listen to the demands and concerns of the residents of enclaves. Unaddressed and ignored issues further weaken the faith of enclave residents in any legal protection, and stimulate individual actions, and “struggle for justice” via violence, as has been the case with Vorukh, Sokh and Barak residents.

✍ While the initiatives of international, multinational and regional organizations, such the OSCE are important, only the states involved can guarantee mutual trust and transparency in border negotiations, and define the legal status of their enclaves, with regards to socio-economic well-being of enclave dwellers.

✍ Governments should be concerned with the faith of minorities residing on their territories and ideology of friendship would play a major role in this regard. Central Asian states, generally, need to emphasize their cultural and historical links and similarities as opposed to differences and rivalries. Independent for over two decades former brotherly republics have drifted far from common ground of identity. As a region, Central Asia has the chance of withstanding major threats, both external and internal. Lack of cooperation further degrades the realities and living conditions of the people in general, and residents of near-border areas specifically.

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