

Toxic Spill Dispute Revived in Kyrgyzstan

Author: [Aida Kasymalieva](#)

Following the removal of a government that environmentalists accuse of covering up a major cyanide spill, there are renewed efforts to secure compensation.

People living near Lake Issykkul in Kyrgyzstan have succeeded in drawing the new government's attention to their claims for compensation for a toxic spill near Central Asia's largest gold mine seven years ago. After they blocked a road leading to the mine, the government swiftly dispatched a commission which promised to look at their demands.

Although the protesters' demands are longstanding, their action is part of a broader upsurge of public dissent following the March revolution, which brought the present government to power. They clearly hope the administration of President Kurmanbek Bakiev will be more responsive than that of his predecessor Askar Akaev, which was closely involved in developing the mine.

The protests began on July 18 with a demonstration near a loading facility belonging to the Kumtor gold mine, which was attended by hundreds of people from five villages in the Jetyoguz area on the southern shores of Lake Issykkul. They say they have never received compensation for health and ecological damage caused when a truck carrying sodium cyanide – used in the gold extraction process – crashed into the river Barskoon, which flows into the lake.

“If they don't satisfy our demands, we will block the highway leading to the gold mine,” warned Erkingul Imankojoeva, who heads a pressure group called Karek, set up in 1998 to pursue residents' claims.

This warning was fulfilled on July 27 when around 300 people blocked the main road to the gold field, located high in the mountains that ring the lake. Organisers say the blockade will continue until an offer of compensation is forthcoming, with some 3,000 people taking part in round-the-clock shifts.

As well as compensation for damages, they want a committee to be set up to look into the impact the cyanide spill had on human lives and the environment.

DISPUTED ACCOUNTS OF FATALITIES

After the accident, some 5,000 residents of the village of Barskoon were evacuated. But the compensation issue was rapidly muddied by radically different accounts of the damage done by the sodium cyanide leaking into the river.

Campaigners say four people died and over 2,500 were affected by poisoning to various extents, including at least 800 who were taken to hospital.

According to Imankojoeva, in the years since the tragedy, 343 people have died in Barskoon alone – an abnormally high rate for a small population. She says that many of the 2,000 or more people poisoned are now disabled, and are seeking damages of around 50,000 US dollars each.

The Akaev government, which had a majority stake in the Kumtor mine with the Canadian company

Cameco as its foreign partner, rejected this claim and said no one died in the immediate aftermath, and the leakage of cyanide was not substantial enough to harm the environment.

Of the 20 tonnes of sodium cyanide, 1.8 tonnes were found to have seeped out of their packaging into the river.

A joint commission of Russian and Canadian scientists found in late 1998 that irrigation water reaching the villages of Barskoon and Tamga contained too low a toxic concentration to cause health concerns; that of 16 people hospitalised in the 72 hours after the spill “none...are likely to experience long-term health effects in the future”; and that because cyanide is so fast-acting, “cases reported later have no credible exposure pathway and cannot be directly related to the spill”. The commission’s findings are also quoted in a report on the incident by the Kumtor Operating Company, KOC, which runs the mine.

Local residents dispute these findings, offering anecdotal evidence of health problems which they are convinced are linked to the spillage.

Dogdurbek Atageldiev, who is in his sixties and heads a local environmental group called Altyn Tamyr, recalls how his health suffered after he watered his garden from an irrigation canal fed by the Barskoon river, and was rushed by air ambulance to hospital in the capital Bishkek.

“Our entire family fell ill because we didn’t know the water was poisoned - we kept on watering the garden. I was in hospital in Bishkek for a whole year. My skin peeled off like fish scales,” he said.

Oktyabr Abdiev, 50, from the village of Kichijargylchak, told IWPR that his daughter has had four miscarriages since 1998, and only had a baby this year thanks to efforts by Bishkek doctors. Abdiev says his own sight deteriorated drastically after the accident.

Baktygul Imankojoeva, a gynaecologist who has worked at a local hospital for more than a decade, said she had seen convincing evidence of an upswing in medical problems. “After the accident, the number of miscarriages in the villages increased, children began to be born disabled and the [overall] mortality rate increased,” she said. In the last seven years, 343 people have died with a diagnosis of hydrocyanic acid poisoning in the village of Barskoon alone.”

GOVERNMENT HANDLING OF COMPENSATION MONEY QUESTIONED

Based on their concerns, local people feel they have lost out on compensation they believe is due to them.

“We’re all sick. All the people who come here diagnose us as healthy. They have been promising us compensation for seven years,” said 73-year-old Soken Orozakunova.

After a Kyrgyz government commission – separate from the international one – came up with a total figure for damages of 4.6 million dollars, KOC – wholly-owned by Cameco – reached a settlement with Kyrgyzstan, which was confirmed by the American Arbitration Association in New York. Some of the sum – whose total amount is not clear – was earmarked for direct compensation payments to people in the affected villages, and other money went on construction projects to benefit the area.

KOC’s external relations manager Tynara Shayildaeva said that as far as the company was concerned, it had met all its obligations. “In 1998 all the victims demanded certain sums and our company paid

everything,” she said. “We also complied with all the demands made by the Kyrgyz government at that time. “The total compensation sum came to 94 million soms [worth 300 000 dollars at the time]. We don't claim that all of that money was used to pay compensation to the people affected. This sum was arrived at after extensive calculations, and many lawyers worked on it. We don't know if that money reached everyone.”

Kalia Moldogazieva, head of the non-government group Tree of Life, said, “As far as we're aware adults received 1,000 soms [25 dollars] each, and children 500 soms each. But this money was not designated as compensation; the gold mining company talked of ‘humanitarian aid’.”

The lack of transparency within the Akaev regime has been a major obstacle to establishing the truth. All the funds that KOC agreed to make available were funnelled through Kyrgyz state institutions, and one village administration member who asked not to be named said the government of the time misrepresented the nature of these payments, “The so-called compensation handed out by the government was in fact simply one-off humanitarian aid from KOC. But the government and the local authorities presented it as compensation for moral and material damages.”

As a result, says the Karek group's Erkingul Imankojoeva, it is hard to ascertain what the government did with the money it received from KOC.

“KOC does not want to hear about compensation - they say they've already paid everything to the state. The state in turn cites compensation payments made in 1998,” she said.

The year after the accident, there were protests in which residents accused local government officials of embezzling the compensation money.

“This matter really isn't closed,” said Moldogazieva. “There have been reports issued which cite total figures. But who received the money, at what time, and for what purpose is not set out anywhere.”

Kyrgyzstan's ecology minister in 1998, Kulubek Bokonbaev, told IWPR that a lot of compensation was made available, although he was uncertain whether it was all actually paid out.

“Kumtor allocated millions to compensate the victims for damages. Many years have now gone by, and I don't remember the exact sum anymore. I do remember, though, that all the ministers and governors worked on it in a very thorough manner,” he said.

“But I don't know whether this money reached people. People are now saying that they didn't receive anything.”

At the time of the accident, the mine project was owned 30 per cent by KOC and 70 per cent by Kyrgyzaltyn, the state agency in charge of precious metals extraction. Last year, the ownership structure changed with the creation of a Canada-based company called Centerra. KOC became a wholly-owned subsidiary of the new firm, in which Cameco and the Kyrgyz government have substantial shares. According to its website, Centerra owns 100 per cent of the Kumtor mine.

KOC was initially reluctant to comment on the latest protests when approached by IWPR, but its public relations manager Tynara Shayildaeva said, “All this sensationalism is hindering our work.”

She went on to reject claims for compensation that have been made subsequent to KOC's 1998 settlement with the Kyrgyz government, "We believe that the demands for compensation payments are unlawful, because seven years have already gone by. All claims need to be presented to the former [Kyrgyzstan government] authorities."

Former ecology minister Bokonbaev went for a swim in Lake Issykkul after the spill and drank the water - and he still insists that the government did the right thing at the time, and that the claims subsequently made against it were exaggerated.

"I think that the decisions made in 1998 were objective ones," he told IWPR. "I very much doubt that over 300 people died from cyanide poisoning. No one died at the time - that was the finding of the independent international experts.... Why is the Kyrgyz health ministry staying silent? They should determine how these people died. Maybe they died natural deaths - after all, we're talking about 300 people in five villages, spread over seven years."

CLAIMS OF LONGER-TERM DAMAGE AND A GOVERNMENT COVER-UP

Ever since the spill, campaigners and pressure groups have consistently claimed that the Akaev government engaged in a cover-up, massaging the figures to downplay the damage. Identifying and punishing those officials found responsible for concealing the scale of the damage is one of the protesters' key demands.

"For seven years, officials concealed the fact that people really had been poisoned by cyanide, doctors gave [false] diagnoses and they falsified the documents," said Tolekan Ismailova, a human rights activist who leads the Citizens Against Corruption group. "But people still have medical certificates saying they were poisoned. We've seen people who were once healthy and worked as tractor drivers or shepherds, but now walk on crutches."

Moldogazieva says the government failed to address the need for longer monitoring of the area, "The international committee set up in 1998 recommended monitoring the effects of the cyanide in the accident area for the following five years, but the Kyrgyz government did not implement this demand." Local residents claim that as well as the impact on health, the spillage was followed by a substantial deterioration in their agriculture-based economy, and that fruit harvests were all but destroyed that year and the following one.

"We were left with virtually no harvest and no livestock - no one bought our apricots, and those animals which we were unable to treat died," said one resident. "I'm comforted by the fact that the state has promised aid, but it has been promising this for seven years now."

Another resident, who is a specialist in agricultural technology, said, "Not only is the livestock dying, but seven years on, the fruit trees are drying up by the dozen, although we are watering them as much as ever. The experts used to tell us that we'd have to wait for the real results of the accident in 10 years time. And this is only seven years on. We can only wait and hope." KOC rejects the claimants' demand for a fresh round of compensation, and says the whole premise of their argument - that the spill incident could have resulted in continuing damage to human health and the soil - is wrong. "Long-term compensation was not envisaged, because people did not demand it at the time. Seven years on, they are presenting totally different claims," said Shayildaeva. "Concerning the [argument] that they have been poisoned by cyanide all these years through food and drinking water, I can say that this contradicts the science of chemistry. Cyanide acts immediately, then it stays in the body and that's all - it doesn't poison the human organism over many years. In such circumstances, one can't talk about long-term compensation."

PROTESTS INFLUENCED BY NEW POLITICS

The latest demonstrations take place in a changed political environment, which may have encouraged

people to join them and might improve their chances of being listened to.

The mass political protests which culminated in the March revolution have been followed by a whole spate of smaller ones, often about very localised concerns, as people realised how powerful an instrument demonstrations could be.

Barskoon resident Kanybek Kelginbaev believes the whole point of the March protests which brought about regime change was to establish justice. "How many years have we been lied to and fed with promises?" he said.

The governor of Jetyoguz district, Zamir Turdukeev, is himself a product of the revolution since he was appointed by the Bakiev government. He was cautiously supportive of the protesters' aims, saying, "It would be good if everything was resolved appropriately and within the framework of the law." Shayildaeva believes the revival of the compensation issue has a lot to do with the new political climate, saying, "Everyone knows that the issue has assumed a political aspect. Everyone kept silent for seven years, and all of sudden they started raising a hoo-ha. It's been advantageous for certain organisations to show themselves off as politically active during this period." On August 2, the protesters were waiting for a government delegation and warning that if it did not arrive within 24 hours they would march on the gold mine.

But in a sign the government was prepared to be more flexible than its predecessor in listening to concerns voiced by the public, Felix Kulov, who is acting first deputy prime minister, ordered a government commission to be set up to look into the villagers' claims and to restore stability to Jetyoguz in light of the demonstrations and road blockages.

The commission, headed by deputy prime minister Medetbek Kerimkulov, travelled from Bishkek on August 3 to visit the scene of the protests. After talks, the protesters ended their blockade of the road when the commission agreed to review their demands within one month, and would conduct medical checks on people who say they have health problems.

According to the Kabar news agency, the issue of compensation by the KOC will be decided during this time as well.

KOC's president Andrew Lewis said the company would abide by any decisions taken by the government commission. He promised to address one of the protesters' demands - that more of the mine staff should be hired locally - and also to look at other issues raised, such as buying foodstuffs locally rather than shipping them from Canada, and opening a medical centre.

Aida Kasymalieva is a correspondent for Radio Azattyk, the Kyrgyz service of RFE/RL. Azamat Kachiev is an IWPR trainee journalist in Kyrgyzstan.

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