

## **“The Human Rights Situation in Central Asia”**

### **Testimony prepared for the Asia, Pacific and Global Environment Subcommittee of the House Foreign Affairs Committee**

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Central Asia is a strategically important and potentially unstable region that, taken as a whole, is one of the most repressive areas in the world today. Central Asia is also a potential breeding ground for political extremists, and the despotic policies of the governments in the region only help to create conditions that are likely to radicalize segments of the population. In our annual survey of political rights and civil liberties, *Freedom in the World*, Freedom House rates Kazakhstan, Tajikistan, Turkmenistan and Uzbekistan as “Not Free,” with both Turkmenistan and Uzbekistan belonging to the handful of states that received the lowest possible scores for both Political Rights and Civil Liberties. While Freedom House continues to rate Kyrgyzstan as “Partly Free,” we witnessed a clearly negative trend there in 2007, including restrictions on the opposition in the December legislative elections, which resulted in an excessive strengthening of executive power and a reduction of political pluralism.

Given the importance of the region, its fragility and the increasingly repressive nature of all the region’s governments, Freedom House is concerned by the declining resources the U.S. government is devoting to assistance programs in Central Asia. The actual appropriation for Freedom Support Act assistance to the five states of Central Asia has declined from just over \$100,000,000 in FY 2006 to barely \$80,000,000 in FY 2008. The FY 2008 appropriation included a particularly significant drop in funding for assistance to promote just government and democracy in the region. This precipitous decrease in assistance funding hamstring the U.S. effort to promote stability, democracy and prosperity in this critical region. For our part, Freedom House continues to implement programs in Central Asia to support the brave men and women of the region who are struggling in the face of real risks to improve human rights situation, foster a free media and fight against the scourge of torture.

## **Political Rights and Civil Liberties in Central Asia**

The year 2007 witnessed what was an almost across-the-board decline in political rights in Central Asia. In the spring, Kazakhstan adopted a constitutional amendment that opened the way for President Nazarbaev to become President-for-Life. In December, Uzbekistan went a step further, failing to amend the constitution before re-electing President Karimov to a third term, even though the Constitution of Uzbekistan includes a clear two-term limit. The state of presidential politics in the region is highlighted by the fact that the one exceedingly small example of progress was in Turkmenistan, where for the first time voters could choose among multiple candidates for president. This choice was more illusory than real, however, as all of the candidates represented the ruling – and only legal – party and all but the winner were virtual unknowns.

After amending the constitution to introduce a party-list electoral system, Kazakhstan held parliamentary elections in 2007 that fell decidedly short of international standards and produced a throwback to the Soviet era: a one-party parliament. At year's end, Kyrgyzstan held parliamentary elections that also appeared to produce a one-party parliament until the pro-presidential party jumped through a series of questionable legal hoops to include two small parties in the parliament while still keeping out the party that won the second largest share of the vote.

The situation concerning civil liberties in Central Asia is slightly more nuanced, though here too 2007 saw more backsliding than progress. Although it is not uniform among the five states of Central Asia, in general the baseline of respect for civil liberties is very low. Throughout the region, television -- the main source of news and information for the vast majority of Central Asians -- is firmly controlled by government. This means that one of the key mechanisms through which societies can hold governments accountable – expose failings or incompetence – is absent in a region of 60 million people. The judiciaries and legislatures in all five Central Asian states are under the control of the executive branch. Corruption is widespread throughout the region while torture serves as the police's primary investigatory tool and is endemic in all Central Asian countries' penal systems as well. In general, the lack of democratic accountability leaves the population of Central Asia, as well as those who seek to do business there, subject to regimes that are capricious, inefficient and corrupt.

In Kazakhstan, non-governmental organizations have some room to operate, although government pressure is particularly strong on NGOs that pursue civil rights issues. Since the 'Color Revolutions' in Georgia and Ukraine, and the 'Tulip Revolution' in Kyrgyzstan in March 2005, human rights NGOs have become the target of considerable negative publicity in the national media. President Nazarbaev has warned NGOs obtaining foreign funding that they will be "closely watched." The Kazakhstani authorities strictly restrict the right to public assembly

and have repeatedly closed down websites that publish articles critical of the government. While the government boasts of its success in preventing inter-ethnic discord, Kazakhstan's self-proclaimed record of 'ethnic harmony' has begun to show cracks. Several recent local clashes in rural areas escalated into ethnic conflicts due to the failure of the local authorities to address minority groups' social grievances. There have also been violations of the freedom of religion, most notably the bulldozing of homes belonging to the Hare Krishna Society and the transfer of the Society's farm in the Karasai region to the state.

Kyrgyzstan's civil society is the most vibrant in the region, and the government sometimes responds to civil society's recommendations, most recently by ratifying the Optional Protocol to the Convention against Torture. Nevertheless, the general trend of strengthening government control in the country is also seen in the area of civil liberties, most egregiously in the decision by the Bishkek city council in late 2007 to ban all demonstrations in the city.

In February 2007, Tajikistan's parliament approved a new "Law on Civil Society Organizations," which poses a threat to freedom of association and speech and serves as a means for the government to restrict and control non-governmental organizations. The law required that all NGOs be re-registered by state authorities. As a result of this process, by the end of 2007 the number of registered Tajik NGOs had decreased by nearly two-thirds. The re-registration process also allows the authorities to demand inordinate and arbitrary amounts of information from NGOs. President Rakhmon adopted a highly nationalistic policy in 2007, symbolized by his dropping the russifying "-ov" suffix from his last name. A part of this new trend has been an increase in restrictions on religious groups, which appears to be linked to greater success by missionary groups, most of them Christian, in finding converts, a phenomenon which has offended local Muslim leaders and the families of those converted.

In the fifteen months since President Niyazov's death, his successor, President Berdimuhamedov has demonstrated that he understands that some of the "Turkmenbashi's" most egregious policies were profoundly harmful for Turkmenistan. As a result, Berdimuhamedov's government has taken positive steps, such as ending internal travel controls and returning to a four-year system of university education. Berdimuhamedov has traveled abroad extensively and shown an interest in lifting Turkmenistan out of its self-imposed isolation. Nevertheless, to date the measures taken by the authorities have been very limited, and there have also been some signs of regression, most notably the president's threat to remove satellite TV receivers-- the population's main source of information not controlled by the state -- from buildings in Ashgabat. These developments do not -- at least not yet -- indicate that the government is committed to a reform path.

The Uzbekistani government continued its harsh, post-Andijon crackdown against both local and foreign-based NGOs during 2007. A small group of human rights activists continues to defy government pressure and report on the human rights situation in Uzbekistan. Groups such as the Tashkent Bar Association and Mothers against the Death Penalty have even achieved some successes in their efforts to advocate for legislative reform in the human rights field, including the passage in 2007 of laws instating habeas corpus and abolishing the death penalty. Late in the year and increasingly so far this year, President Karimov has demonstrated a desire to recalibrate his relations with the United States and the EU

as part of his on-going policy of balancing relations with those countries, Russia and China. As a gesture of good will, he has released a handful of imprisoned human rights advocates. There are no indications that this move is anything more than a gesture, however. Most notably, Karimov has failed to take any action to address Western demands that he allow an independent investigation of the violence in Andijon in 2005, which resulted in the deaths of hundreds, most of whom were peaceful demonstrators or simply onlookers. Moreover, there are strong suspicions that the Uzbekistani government was behind the late-2007 murder of independent journalist Alisher Saipov in southern Kyrgyzstan. Saipov's colleagues believe his murder was not only meant to silence a valiant critic of the Uzbekistani government but to intimidate his journalistic colleagues as well.

### **Kazakhstan and the OSCE Chairmanship**

Kazakhstan's campaign to become Chairman-in-Office of the Organization for Security and Cooperation in Europe (OSCE) is an issue with major potential consequences for the human rights situation in Central Asia and beyond. In November, the OSCE's Ministerial Council concluded – correctly in Freedom House's view – that Kazakhstan's performance in fulfilling its basic OSCE commitments was not sufficient to justify choosing Kazakhstan to be Chairman-in-Office in 2009. Instead, Kazakhstan will chair the organization in 2010. Prior to that, Kazakhstan's Foreign Minister has committed his country to amend the Law on Elections, the Law on Political Parties and the Law on Media to bring them into compliance with international norms. In a statement that has potential consequences for human rights throughout the region and beyond, the Minister also committed Kazakhstan, once it becomes Chairman-in-Office, to support the work of the OSCE's Office of Democratic Institutions and Human Rights (ODIHR) under the terms of its current mandate. This is a particularly important promise, as in the past Kazakhstan has lined up in support of Russian initiatives that would gut ODIHR's ability to carry out its essential work observing elections in OSCE participating states, supporting democratization and helping to improve human rights standards in the OSCE region.

It is unfortunate that Secretary of State Rice has not attended OSCE Ministerials, as this conveys the message that the U.S. does not consider this to be an important venue. Nevertheless, Freedom House applauds the work of the U.S. government in helping to secure these commitments from the Government of Kazakhstan, although Kazakhstan's record to date gives reason for concern that major progress in democracy and human rights appears unlikely in such a short timeframe. Nevertheless, these commitments provide important leverage and we will closely monitor Kazakhstan's progress – or lack of progress – in fulfilling these promises. We also urge both the executive and legislative branches of the U.S. government to make clear to their Kazakhstani counterparts the importance of fulfilling these commitments for the future of U.S.-Kazakhstani relations.

### **U.S. Assistance Policy in Central Asia**

Following the September 11, 2001 attack on the United States, the U.S. Government more than doubled assistance to the states of Central Europe under the Freedom Support Act to over \$300 million in FY 2002. Over the intervening six years, however, the sum of assistance budgeted for the region has declined precipitously, to barely \$100 million in FY 2006 and barely \$80 million in FY 2008. The decline has been particularly steep for funds devoted to projects that seek to support democracy and governance in the

region. Whereas more than \$31 million was appropriated to support such projects in Central Asia in FY 2006, the FY 2008 appropriation includes less than \$28 million under this heading, a decline of more than 10%.

Central Asia is strategically important to the United States by virtue of its location – bordering both Iran and Afghanistan – its wealth in oil, gas and other natural resources, the fragility of its political systems and the possibility that the region could become another major breeding ground for radical militants. But it is not enough to for the U.S. Government simply to state that Central Asia is a region of key strategic interest. The U.S. Government needs to put sufficient resources behind these declarations. Freedom House strongly urges the Administration and the Congress to restore assistance funding for Central Asia in FY 2009, particularly for the work of promoting democratization, good governance (a pre-requisite for long-term economic well-being) and improved human rights performance, without which the “stability” of which the region’s autocrats boast will turn out to be a short-term illusion.