

**HUMAN RIGHTS, DEMOCRACY AND RULE OF LAW IN
KAZAKHSTAN AND UZBEKISTAN: MAKING THE CASE
BY THE DEMOCRACY & HUMAN RIGHTS WORKING GROUP***

Despite their unique identities, the five Central Asian nations – Kazakhstan, Kyrgyzstan, Uzbekistan, Tajikistan, and Turkmenistan -- share borders, history, and even many challenges. Relatively isolated since their independence after the fall of the Soviet Union, they have struggled to prosper in an increasingly interconnected world. Over the last 20 years, poverty has deepened, rivalries have grown, corruption and poor governance have become endemic, and religious radicalization – both from internal and external sources – has spread. Further, the region is a target of efforts by Russia, China and the United States to exert influence.

Over the years, the United States has viewed the region largely through the prism of energy and security interests; the U.S. even had bases in support of its operations in Afghanistan in Kyrgyzstan and Uzbekistan. Since the closing of those bases, however, and given other challenges around the globe, the attention from the United States to Central Asia has waned. Even when Central Asia featured more prominently on the American foreign policy agenda, less time and attention have been devoted over the years to issues of democracy, rule of law, and human rights, with the possible exception of Kyrgyzstan. This paper will focus on Kazakhstan and Uzbekistan, the two biggest countries in the region.

President Nursultan Nazarbayev was first elected in December 1991, two weeks before Kazakhstan became independent, and has ruled the country ever since. He was reelected to a fifth term in office in April 2015 with over 97 percent of the vote. Nazarbayev's family dominates politics, restricting freedom of expression and association, while corruption is widespread, with Kazakhstan ranking 123 out of 168 countries and territories in Transparency International's (TI) 2015 Corruption Perceptions Index. Kazakhstan's economy is largely based on its extensive reserves of natural resources, and has suffered greatly in recent years due to the low price of oil and the economic downturn of its Eurasian Economic Union partner, Russia. As the largest of the former Soviet countries (besides Russia), Kazakhstan has always aimed to be a regional and global player. At the same time, it is being squeezed between Russia and China in a competition for influence in the region. President Nazarbayev recently made personnel changes, including moving his daughter from deputy prime minister to the parliament, that indicate he may be preparing for a transition. He is 76 years old, with questions about his health, and yet no clear succession plan is in place, creating great uncertainty about what or who will come after Nazarbayev.

The September death of President Islam Karimov, who had ruled Uzbekistan with an iron fist since its independence in 1991, came as a shock to many. Prime Minister Shavkat Mirziyoyev, a longtime ally of Karimov's, was appointed acting president by the parliament, despite the constitutional requirement that the Senate's leader become interim president until elections are held. Under Karimov, political and civil liberties had been severely restricted, with anyone perceived as opposing the regime facing prosecution, fines, arbitrary detention, and even

physical abuse and torture, including reports of prisoners being boiled to death in vats of hot water. In Freedom House's ranking, Uzbekistan was one of the most authoritarian countries in the world. The massacre of several hundred protestors in the city of Andijon in May 2005 triggered strong criticism from the West, including the United States; that, in turn, led Karimov to order the closing of the U.S. base there. Corruption is rampant, with Uzbekistan ranking 158 on TI's 2015 Corruption Perceptions Index. Uzbekistan also suffers from economic stagnation, migration, and the threat of Islamic extremism. Child labor has been a major concern, especially for harvesting the cotton crop. While the possibility for change exists with new leadership, especially on the economic front, any change, if it comes, is likely to be gradual.

Beyond American security interests in the region, the United States also has an interest in countering Russian and Chinese influence and in helping these nations become more prosperous and democratic partners. Therefore, recommendations for the next U.S. administration working with Kazakhstan and Uzbekistan on democracy and human rights include:

FOR BOTH COUNTRIES

- Pursuing engagement based on principles and values as well as on energy and security interests.
- Recognizing USG programs need to start with the basics, given the paucity of democratic development in the region, including emphasis on elections, independent and transparent institutions, fundamental freedoms, rule of law, anti-corruption, and a diverse media.
- Providing support to improve economic conditions so that young people have reasons to stay in the country, reversing the damaging brain drain depleting the countries. This, in turn, requires a liberalization that incentivizes the younger population to stay.
- Offering assistance to fight Islamic extremists, with the understanding that any security assistance will be accompanied by training and expectations regarding professionalism, rule of law, and respect for human rights.
- Framing economic, technical and governance assistance as a means to help Kazakhstan and Uzbekistan lessen their dependence on big, competing powers.
- Stressing freedom of religion and tolerance – and release of all peaceful religious practitioners -- to avoid radicalizing believers who come under pressure from the government.

KAZAKHSTAN

- Recognizing that Kazakhstan is less repressive than Uzbekistan, offering openings that the latter might not have, though it, too, has serious problems in areas of democracy and human rights.
- Encouraging President Nazarbayev to be a leader in the region and hold fair and free elections rather than orchestrating his succession.

- Working with other donors to offer assistance in areas that are appealing to the Kazakhs' desire to advance globally, such as higher education, technology, and science, but also offer opportunities to advance rule of law, inclusiveness, and openness.
- Reminding Kazakhstan when it takes a seat on the U.N. Security Council in 2017 that a global leader sets an example to others in terms of good governance, economic freedom, and respect for political and civil liberties.
- Focusing assistance programs on governance and institutions as a means of beginning the discussion about rule of law and democracy, as well as on grass-roots movements, nascent though they may be.

UZBEKISTAN

- Exploring possible opportunities with the change in leadership and urging a governing approach that lessens the repressive measures used under Karimov.
- Supporting capacity building programs for civil society activists and journalists outside of the country, with the hope that someday they will be able to return to Uzbekistan and work freely.
- Increasing exchange programs and people-to-people visits to expose Uzbeks to democratic values and freedoms and counter Russian propaganda.
- Making clear that any meaningful relationship with the USG will require the Uzbek government to make measurable improvements in its treatment of its citizens and release of political prisoners.

** The Democracy & Human Rights Working Group is a nonpartisan initiative bringing together academic and think tank experts and practitioners from NGOs and previous Democratic and Republican administrations, seeking to elevate the importance of democracy and human rights issues in U.S. foreign policy. It is convened by Arizona State University's McCain Institute for International Leadership. The views expressed here do not necessarily represent the positions of individual members of the group or of their organizations.*