

KAZAKHSTAN: AS STABLE AS ITS GOVERNMENT CLAIMS?

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED TWELFTH CONGRESS

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January 25, 2012

COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The hearing was held at 2 p.m. in room 200, Rayburn House Office Building, Washington, DC, Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe, presiding.

Commissioners present: Hon. Christopher H. Smith, Chairman, Commission on Security and Cooperation in Europe; and Hon. Steve Cohen, Commissioner, Commission on Security and Cooperation in Europe.

Witnesses present: Ambassador William Courtney (Retired), Former U.S. Ambassador to Kazakhstan and Georgia; Susan Corke, Director for Eurasia Programs, Freedom House; and Dr. Sean R. Roberts, Associate Professor and Director of the International Development Studies Program, GWU's Elliott School for International Affairs.

HON. CHRISTOPHER H. SMITH, CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Mr. SMITH. The Commission will come to order. And I want to thank you all for being here this afternoon, and especially to our very distinguished panel.

Today we will discuss the state of human rights and democracy in Kazakhstan.

The Government of Kazakhstan, controlled by the authoritarian President-for-Life Nazarbayev, has long sought to obscure its serious human rights and democracy deficiencies by claiming that at least it is a haven of stability in Central Asia. Stability has in fact become the basis of the Government of Kazakhstan's claim to legitimacy. Of course, stability can never be an excuse for dictatorship or widespread torture and similar abuses. We simply can never accept the hidden premise of the Kazakhstan Government's talk of stability, that human dignity can be bargained away in some exchange for stability.

Likewise, we cannot accept at face value the claim that Kazakhstan is in fact as stable as its Government claims. This claim must be carefully examined. That is what this hearing is about today. Too often, in Washington and within the OSCE, the Government of Kazakhstan's claim to stability is tacitly accepted.

And that allows the Government to set itself up as a model for other Asian and European countries.

After last year's events in Tunisia, Egypt, Libya and Syria, we have to look carefully at authoritarian claims to stability—all the more since last month, when there were riots in Zhanaozen in western Kazakhstan, which the authorities put down with deadly force. At least 16 people were killed, and some estimates go as high as 70. Many of us have seen terrible videos circulating on YouTube that clearly show government forces firing on fleeing protesters and beating those who fell to the ground. I doubt many Kazakhs will soon forget these images.

Radio Free Europe and Radio Liberty reported the harrowing testimony of a 21-year-old girl who was detained while out looking for her father the night of the riots. She described witnessing the torture, the abuse and humiliation of dozens of people who had been rounded up and taken to the basement of police headquarters, including girls who were stripped naked and dragged into an adjoining room. She herself was beaten. She reported what she saw to authorities, who returned with her a week later. The basement had been scrubbed clean, and the police claimed that nothing had happened. The woman's father returned home after two days. He said he had been badly beaten by police, and he died of his injuries on December 24th.

There are many such stories. AP reports a journalist's main police department heard screams coming from what appeared to be interrogation rooms, while men with bloodied faces were lined up in the corridors with their faces against the wall. Sadly, reports of police abuse and torture in Kazakhstan are not new. In December of 2009, in his report the U.N. Special Rapporteur on Torture concluded that, quote, "evidence obtained through torture or ill treatment is commonly used as a basis for conviction."

Since the violence in December, the Government of Kazakhstan has said it is open to an international investigation, and has said many other things that we would expect a responsible democratic government to say. It has also established a governmental investigative commission. I certainly hope the internal investigation will be transparent and serious, and that there will be an international investigation soon—but best of all, by the OSCE—and that many good things the Government has said since the violence are the harbinger of a new openness to reform.

At the same time, we have reason to be skeptical. Just yesterday, the chief editor of an opposition paper was jailed as part of an investigation. So far, charges against police have only been for stealing cellphones and cash from protesters. And the focus of the investigation has been focused instead on the political opposition. Access to the town itself and to potential witnesses have been severely restricted. While some journalists were giving access on December 18th and 19th, they reported that they were under close supervision and not permitted to speak freely with detainees or residents.

Prison Reform International, which the Kazakhstani Government claims met with detainees and found no evidence of torture, told my staff that they only assisted in getting access for local human rights monitors to a very limited number of detainees, far below

the official number of those who had been arrested. Contrary to the Government's statement that no evidence of torture was found, in fact the monitors cited four suspected cases.

There are reports that those who have tried to come forward may have been threatened. Surprise, surprise. At least one of the local monitors who visited detainees will no longer discuss it. The young woman I mentioned earlier will no longer speak about her ordeal. The persons who filmed the YouTube video from their window reportedly were sought by the authorities and have gone into hiding out of fear for their safety. Many people reportedly are still missing, but their families are afraid to come forward.

Of course, we will also want to talk about the January 15th parliamentary elections, which the OSCE concluded, quote, "did not meet fundamental principles of democratic elections." The OSCE details significant problems, including the exclusion of opposition parties and candidates, electoral commissions controlled by the ruling party, media bias, restrictions on freedom of assembly and problems during the counting process.

I have spoken to participants in the election observation mission who personally observed outright fraud, including falsification of the final protocol in favor of the ruling Nur Otan party. Other American observers reported falsification of protocols to the party's advantage, as well as ballot stuffing and people being paid to vote.

I'd like to now introduce our very distinguished panel to the Commission. And again, I thank you for being here, because your information not only is received by Members of this Commission, but we disseminate it very widely among the leadership of the House, Senate, Democrat and Republican. And then there's an even wider distribution, obviously, to the executive branch and to others in the diplomatic circles. So your testimonies will make a difference.

Beginning with Ambassador William Courtney, who was a career foreign service officer in the U.S. Department of State from 1972 through 1999. In his past post—last post, I should say—he served as senior adviser to this Commission—so we welcome him back—and co-chair of the U.S. delegation to the review conference of the OSCE, which prepared for its 1999 summit in Istanbul. He was an adviser in the 1999 re-organization of foreign affairs agencies; special assistant to the President of Russia, Ukraine and Eurasia; and ambassador to Kazakhstan and Georgia.

Earlier he headed the U.S. delegation to the implementation commission of the U.S.-Soviet Threshold Test Ban Treaty and was deputy U.S. negotiator for defense and space in Geneva. He's a member of the Council of Foreign Relations, on the boards of directors of the American Academy of Diplomacy and World Affairs Council of Washington, D.C. He graduated from West Virginia University with a B.A. and Brown University with a Ph.D. in economics.

We will then hear from Susan Corke, who's director of the Eurasian programs at Freedom House. Ms. Corke is a skilled practitioner in supporting human rights and democratic reforms in Europe and Eurasia. Before joining Freedom House, she spent seven years at the State Department, first two as Presidential Management Fellow, and most recently as a deputy director for European

affairs in the Bureau of Democracy, Human Rights and Labor, where she worked to promote human rights and democratic reform in some of the most repressive countries in the region, such as Belarus and Russia.

She oversaw the editing for the State Department human rights country reports for Europe and had supervisory oversight of DRL's 25-plus civil society meeting and human rights programs in Europe. She also did stints at the U.S. embassy in Moscow, U.S. embassy Prague, in the Bureau of European and Eurasian Affairs and the Bureau of Public Affairs.

Prior to the State Department, Ms. Corke helped found and manage the U.S. foreign policy institute at the Elliott School of International Affairs at George Washington University. She also worked at the German Marshall Fund, and as a media strategist at several advertising agencies in New York. Ms. Corke has a master's degree in international affairs from George Washington University—its Elliott School of International Affairs—and a bachelor's degree from the College of William and Mary.

And finally, we'll hear from Dr. Sean R. Roberts, who is the Director of the International Development Studies Program and Associate Professor of Practice [of International Affairs] at George Washington University's Elliott School for International Affairs. He has spent substantial time over the last 18 years living in Kazakhstan, both doing academic research and working for the United States Agency for International Development.

While at USAID, Dr. Roberts managed projects in civil society development, political party assistance, independent media development, and elections assistance. During this time, he also served as a short-term elections monitor for the OSCE missions to the 1999 and 2004 parliamentary elections, as well as the 2005 presidential elections in the country. He has a forthcoming article coming out in the summer issue of *Slavic Review* entitled "Doing the Democracy Dance in Kazakhstan: Democracy Development as Cultural Encounter."

So we have three outstanding witnesses, and we look forward—beginning with you, Mr. Ambassador—to your testimonies.

**AMBASSADOR WILLIAM COURTNEY (RETIRED), FORMER U.S.
AMBASSADOR TO KAZAKHSTAN AND GEORGIA**

Amb. COURTNEY. Thank you, Mr. Chairman. It is an honor to appear before you today.

Kazakhstan has a population of over 16 million. Ethnic Kazakhs comprise three-fifths; ethnic Slavs one-quarter; and Uzbeks, Uighurs, Tatars and others the remainder. Given this diversity, the term "Kazakhstanis" best refers to all the people of the country, and Kazakhs to the ethnic group.

In many ways, Kazakhstan is blessed. It is larger than Western Europe and endowed with a minerals bounty. People tend to pragmatism. Ethnic differences are muted—regrettably in part because political expression is limited. Rulers encourage inter-ethnic harmony—although some Kazakh advantages, such as political dominance, raise concerns. Selection to chair the OSCE last year was a mark of the country's international respect and weight.

Kazakhstan has achieved notable economic gains. Modernizing reforms, private property, talented people, and booming exports of energy and minerals make the country far wealthier than in Soviet times. In 2010, according to the World Bank, per capita GDP in current U.S. dollars stood at 9,136 [dollars] in Kazakhstan: slightly lower than Russia's 10,440 [dollars], but three times higher than Ukraine's \$3,007.

These data, however, do not tell the full story. Much wealth disappears into corruption. Construction of the extravagant new capital in Astana diminishes state funding for the rest of the economy. The economy is unbalanced: for example, the World Bank reports that labor productivity in agriculture is just 1 percent of that in America.

Political development in Kazakhstan is stunted by 20 years of authoritarian rule. The tragedy last month, to which you referred, Mr. Chairman, highlights the risks. On December 16, security forces in Zhanaozen in western Kazakhstan fired on unarmed demonstrators, including striking oil workers, killing and wounding scores. A chilling video on YouTube shows security forces firing on and beating fleeing people, as you pointed out.

Rather than apologizing, offering amends and opening a credible investigation, the authorities did the opposite. They blamed hooligans, shut off communications to the city and imposed martial law. The hardline response may not have calmed tensions; martial law was extended. A former interior minister became the new regional governor—a hint of unease about the loyalty of security forces.

Today, on the date of this hearing, Kazakhstan's chief prosecutor announced that criminal charges are being brought against several regional police executive and state oil company officials. It will be important that due process be followed and that judicial proceedings be transparent. Otherwise, many Kazakhstanis will wonder whether these officials are culpable for the Zhanaozen calamity, or whether they are lambs being sacrificed to exculpate the guilt of those higher up or better connected.

The violence was an aberration in the country's generally peaceful life. The callous response, however, is symptomatic of a wide gap between rulers and ruled, between reality and expectations, and between those who live honestly and those who do not.

In history, Kazakhs do not meekly submit to arbitrary power. In the 19th century, Russian colonization was slowed by uprisings and wars. In World War I, many Kazakhs resisted the czar's conscription, and then the communist takeover. A decade later, Kazakhs opposed brutal Soviet collectivization of agriculture, such as by killing their own livestock rather than turning it over to the State. Over a million Kazakhs perished.

In World War II, Stalin exiled ethnic Germans, Crimean Tatars and North Caucasian Muslims to Kazakhstan. A million Poles were banished there. Many of these peoples, starving or ill, were taken in by Kazakhs and survived. Vast numbers lost their lives to Soviet cruelty. Nikita Khrushchev hurled huge numbers of ethnic Slavs into northern Kazakhstan for the wasteful Virgin Lands Campaign, aimed at turning pasture into a grain belt. Other Slavs built and operated raw materials and military facilities. Aleksander Solzhenitsyn labored in Kazakhstan in a prison camp.

The Soviets used much of Kazakhstan for military purposes. They tested nuclear weapons at Semipalatinsk, operated the world's largest anthrax factory at Stepnogorsk, tested biological weapons in the open air on an island in the Aral Sea, tested anti-ballistic missiles and lasers at Sary Shagan, assembled torpedoes in Almaty, deployed giant SS-18 intercontinental missiles in two locations, and conducted ballistic missile tests and space launches from Baikonur. Amid the military activity, most of the country was closed. Kazakhstanis had few contacts with the outside world. A vital lifeline was shortwave broadcasting by Radio Liberty, VOA, BBC, Deutsche Welle and others.

After the Soviet collapse, Kazakhstan returned nuclear weapons to Russia and became a model partner in the Nunn-Lugar program to eliminate weapons of mass destruction and their infrastructure. Kazakhstan welcomes substantial U.S. and other investment in Caspian Energy. It is a critical partner in the Northern Distribution Network, which provides logistical support to U.S. and NATO forces in Afghanistan.

Close cooperation on core interests has yielded a productive U.S.-Kazakhstani strategic relationship—one of America's most valued. Yet as Egypt shows, rulers must retain the consent of the governed in order to sustain foreign support. The lesson is salient for Kazakhstan.

First, the legitimacy of personalized rule is in decline, and Zhanaozen is accelerating it. Transitions beyond President Nazarbayev, now 71, are uncertain. No evident successor has broad stature or appeal. Few, if any, independent groups combine the experience and acceptance required for effective political intermediation. None is so strong or enduring, for example, as the liberal Yabloko party in Russia or the Muslim Brotherhood in Egypt.

On January 15 Kazakhstan held elections for a new parliament, but no genuine opposition parties were allowed to participate. OSCE election monitors found that the elections, quote, "did not meet fundamental principles of democratic elections," end quote. In another anti-democratic step, earlier this week security forces raided the office of the opposition party Alga and the home of its leader. The courageous suffer. Journalist Ramazan Esergepov, labor union lawyer Natalia Sokolova, and human rights activists Aidos Sadykov and Yevgeny Zhovtis have languished in prison.

Multiple factors, some unforeseen today, could shape Kazakhstan's political evolution. One might be the demonstration effect of the Arab Awakening. Other factors may include elites empowered by economic liberalization; educated and connected young people; restive citizens in western Kazakhstan; Islamic interests; disadvantaged groups; and Russia's policy toward neighbors. Kazakhstan's burden of autocracy could render its politics less resilient against extremist pressures.

Second, the accumulation of wealth by President Mubarak and his family, and popular resentment of it, have a disturbing parallel in Kazakhstan. President Nazarbayev is rightly credited for improving the economy, but personal aggrandizement arouses concern and cynicism. Moreover, several in his family are multibillionaires. Third, Zhanaozen may propel more unrest.

One risk is western Kazakhstan, which does not benefit commensurate with its contribution to the economy. Another risk is ethnicity. Zhanaozen was largely Kazakh-on-Kazakh violence. If large-scale lethal force were ever turned on unarmed ethnic Russians, consequences could be far reaching. The Kremlin is vocal about protecting the interests of Russians abroad. Kazakhstan's regions with higher proportions of ethnic Russians lie along the border with Russia—a key reason why the capital was moved northward.

In conclusion, political risks in Kazakhstan are rising even as the economy expands. The arrogant, official response to Zhanaozen suggests dulled leadership awareness of human conditions. Repeated promises of democratic reforms go unfulfilled. Popular expectations may be climbing faster than the brittle political system can accommodate. Limits on independent political life weaken safety valves for peaceful change.

America and Europe are widely respected in Kazakhstan. They should bite the bullet and do more to promote political and human freedoms. While some may resist, this will be a prudent investment in an important country and a friendly people with good long-term prospects. I will be pleased to answer any questions you might have and hear your further perspectives. Thank you.

Mr. SMITH. Mr. Ambassador, thank you so very much for your testimony and your insights. Ms. Corke.

**SUSAN CORKE, DIRECTOR FOR EURASIA PROGRAMS,
FREEDOM HOUSE**

Ms. CORKE. Thank you.

Mr. Chairman, it is an honor to appear before you and Helsinki Commission staff today to discuss whether Kazakhstan is as stable as its Government claims at a pivotal moment in its history. I'm also pleased to appear in distinguished company with Ambassador Courtney and Dr. Sean Roberts.

While working in the State Department's Bureau of Democracy, Human Rights and Labor, I worked in common cause both with Helsinki Commission staff and Freedom House, before, during and after Kazakhstan's chairmanship of the OSCE to press together for human rights improvements.

Just over one year ago, Kazakhstan's foreign minister said at the OSCE summit in Astana that that was a sign of the objective recognition by the international community of Kazakhstan's successes in its socioeconomic and democratic development. It continued to say that they endeavored to fully live up to their motto—trust, tradition, transparency and tolerance—and be worthy of the confidence placed in them by the OSCE.

Unfortunately, as we gather today to consider Kazakhstan's stability and human rights record, it seems that the nation is not deserving of that confidence. While those who supported Kazakhstan's chairmanship argued that it could galvanize human rights reform, it has failed to do so. In our recently released Annual Freedom in the World report, Kazakhstan continued to earn its "not free" ranking.

This week, as we take stock of the situation, it's been a pretty bad week. Additional repressive measures have been launched in Kazakhstan, including raids of the opposition Alga Party offices

and detentions of opposition activists and journalists. All of civil society feels under serious pressure and is nervous about what will happen next. Our Freedom House office in Almaty, led by Mr. Vyacheslav Abramov, and his small but dedicated staff, continuously working on human rights and reporting on developments. They are fearful now, and say that the common belief amongst NGOs is that NGOs will be the next place raided.

I'll focus primarily today on the current human rights situation as gathered from their reporting, which demonstrates that Kazakhstan is heading down a path of increasing instability. The recent riots and violence are not simply a random outburst. A leading Kazakh NGO, The Bureau, documented the growth of civic engagement this past year—interestingly, the emergence of ordinary citizens as leading organizers of public assemblies, and 78 percent of these were on socioeconomic problems.

As the Government severely restricts freedom of assembly, however, the fact that more people are willing to challenge the government to have their voices heard is a sign of societal discontent. And if the Government continues on its repressive path, more peaceful protests will turn to violent ones.

Nazarbayev has ruled Kazakhstan with an iron fist since 1991, and remains fixed on retaining power. When stability, however, is defined as keeping the lid on, it is only a matter of time before the pot starts to boil over. We've already talked about Zhanaozen. And the international community watched, taken aback, as violence erupted there the day of Kazakhstan's 20-year celebration of independence from the Soviet Union. For those who had been paying attention, the pot had been simmering there for a while, and as already discussed, there were some underlying elements of social unrest. The oil strike had been going on since last April, when a large group of oil workers in western Kazakhstan began to demand higher wages and better working conditions. While Kazakhstan has several billionaires, these strikes signaled that uneven distribution of the country's resources was sparking a backlash.

Starting in May, many workers began camping in the city square in an indefinite protest—a challenge to a government that had tried and succeeded in squelching dissent. On December 16, the situation took a deadly turn. We've already talked about the videos that showed police firing with lethal force at citizen's backs. Our reporting on the ground had 18 deaths, which is higher than some of the other reports. And we were horrified, too, to hear of the abuse in police headquarters.

Soon after, President Nazarbayev took decisive steps to try to regain stability, as already discussed, imposing emergency rule. Surprisingly he dismissed his son-in-law, the head of the state oil holding company. He demanded a public inquiry and vowed to severely punish perpetrators. At the moment the city remains closed to public defenders and journalists, who may enter the city only if official permission is granted.

The presidential administration, while it was swift in trying to usher in stability, shows no real signs of understanding the root causes. Nazarbaev's political adviser called the disorder a provocation against the president and then continued to say that crimi-

nals were responsible. He said: The president dealt with it, and the situation is back to normal. If only that were the case.

We've already gone into—Ambassador Courtney went into detail on the elections, so I'll just note that Kazakhstan continued its 20-year tradition of failing to observe democratic norms. The election was a sham effort to meet its stated goals of increasing the number of parties in Parliament.

Interestingly, two days after the election, Nazarbayev issued a fast rebuttal, revealing what he really thinks about political modernization, saying that Kazakhstan would no longer invite international experts who criticize its elections. The Government of Kazakhstan seems to only want the OSCE's input when it is good news.

In looking to place blame for the growing instability, the obvious target was the opposition for the Government. In December the leaders of the unregistered Alga party in Astana and in the Mangistau region were both arrested. After the election, Vladimir Kozlov, the leader of Alga in Almaty, predicted Kazakh authorities would continue to try to blame the opposition. This has been the case.

On Monday, police and the Committee on National Security organized a search in at the central office of the Alga party and at the homes of Kozlov and others. Several were detained, including Kozlov, who was then accused of inciting social discord. The Government said the raids were part of the investigation into Zhanaozen. By tightening the screws rather than allowing for political competition or dissent, Nazarbayev and his administration are on some level admitting their own weakness and vulnerability. A confident leader would not need to resort to such tactics.

Throughout the past year, the country has been shaken by several attacks, mostly in western Kazakhstan, that were blamed on religious extremists, and the Government responded by cracking down and passing new legislation broadly tightening religious freedoms and public expression. When I visited Kazakhstan last August, there was a palpable sense of fear about what this uptick in religious extremism would mean for Kazakhstan. Human rights activists I spoke with warned that speaking publicly about the rise in extremism would cross a government red line.

The restrictive law on religion soon followed, and was rushed through Parliament in only three weeks, in spite of protests from the OSCE and NGOs. It gives the Government unprecedented authority to regulate the activities and structures of religious communities and forbids prayer or religious expression in government institutions. The specifics of the law are poorly defined and leave much room for interpretation to local authorities.

Shortly on the heels of that, the new National Security Act was signed by the President this month. It not only provides for the empowerment of special services, especially for combatting terrorism, but it allows for blocking of the Internet and other communication. In addition, the law imposes a vague restriction that those who harm the image of Kazakhstan in the international arena can be considered destructive. This law could be directed against those who criticize the country at international fora, such as this one.

The Government is trying to keep the lid on freedom of expression in other ways too. The new Broadcasting Act was signed by the president in January after a year of disregarding recommendations made by the OSCE and NGOs. It contains a number of troubling regulations that give the state additional control over TV and radio channels. For example, 50 percent of the broadcasts of foreign channels must contain domestic content by 2018. This new restrictive measure occurs in a media environment that is already under siege.

Kazakhstan has preferred to view democracy and freedom as public relations slogans to boost prestige. It spared no expense in promoting itself with advertisement campaigns and high-level consultancies, such as Tony Blair. Admittedly, this has paid some policy dividends for Kazakhstan.

However, in spite of trying to tout its harmony and peace of the country, an essential truth has been revealed with the latest violence. When citizens have legitimate grievances without an outlet, when freedoms are denied in the name of stability, instability and extremism are likely to increase.

It is time to address the political stagnancy and lack of an apparent heir after Nazarbayev, officially deemed the leader for life. It is time for pro-democratic forces within Kazakhstan and the international community to start thinking about how to catalyze a more democratic, stable future for the country. Given its strategic importance, how Kazakhstan approaches the immediate future should be a cause for concern for policy-makers on both sides of the Atlantic.

I will conclude now with five specific recommendations, which were developed in consultation with civil society in Kazakhstan.

One, it is important to publicly, at high levels, continue to hold the Kazakh authorities to their international obligations. Kazakhstan must earn positive attention, not buy it.

Two, it is important to express support for civil society in Kazakhstan in cases of direct repression against NGOs and their activists.

Three, the time is now to increase material support for civil society in Kazakhstan through funding and participation in various programs. They need our help more than ever.

Four, it is important to put pressure on the Kazakh authorities, demanding that the domestic and international investigation of the events in Zhanaozen are allowed to occur openly and transparently.

And finally, it is important to press the Government of Kazakhstan to put words into action and allow political pluralism and not paint the opposition as the enemy. The opposition will hold a protest rally January 28th in Almaty and will try to contest the election results in courts. This is a test for the Government. The West should pay attention. Thank you.

Mr. SMITH. Ms. Corke, thank you very much for your testimony and your very specific recommendations. Dr. Roberts, please proceed.

DR. SEAN R. ROBERTS, ASSOCIATE PROFESSOR AND DIRECTOR OF THE INTERNATIONAL DEVELOPMENT STUDIES PROGRAM, GWU'S ELLIOTT SCHOOL FOR INTERNATIONAL AFFAIRS

Dr. ROBERTS. Chairman Smith and members of the Commission, I'd like to thank you for inviting me here today to speak on this very important and timely topic: Whether Kazakhstan is as stable as its Government claims.

As I recently wrote in a briefing paper commissioned by the Atlantic Council on 20 years of U.S.-Kazakhstani relationship, the Republic of Kazakhstan is something of an oasis of stability in the desert of uncertainty that represents Central Asia.

Indeed, this stability is also largely the result of intelligent policies adopted by the Government of Kazakhstan over the last 20 years. In the 1990s the Government of Kazakhstan, with cooperation from the United States, divested itself of the nuclear weapons it inherited from the Soviet Union. Also in the 1990s, Kazakhstan's Government was careful to adopt inclusionary policies for its Russian minority citizens and to establish close relations with the Russian Federation, which helped to substantially reduce ethnic tension in the heavily Russian-populated north of the country.

During the later 1990s and into the 2000s, Kazakhstan also adopted substantial liberal economic reforms that helped the country use its natural resource wealth to stimulate growth and create a vibrant middle class. All of these steps have played a role in making Kazakhstan the strongest and most stable country in Central Asia, both politically and economically. And the Government of Kazakhstan frequently, and justifiably, takes credit for them.

Unfortunately, stability is not something a state can merely establish once in its history. It is an ongoing duty of governments around the world to meet the challenges that they face in keeping their citizens secure. This duty requires adapting to changing circumstances and understanding the changing needs of citizens. Given the several outbreaks of violence that have occurred in the country over the last year, one can justifiably ask whether the Government of Kazakhstan today is adapting to the new realities the country faces and whether the state is as stable as its Government suggests.

After all, the Kazakhstan of 2012 is quite different from that of 1992, or even from that of 2002. But during the past 20 years the same President, who continues to be advised by many of the same men, has led its Government. This is not a recipe for an adaptive government and long-term stability.

In the interest of time, I want to focus on three critical and relatively recent changes in Kazakhstan's socioeconomic environment that, in my opinion, have contributed to the growing violence and tension we have seen in the country over the last year. I will also note that the country's present government has yet to sufficiently address these changes and may be ill-equipped to properly engage them, bringing into question whether the violence we have seen this year is the beginning of a much less stable Kazakhstan into the future.

The first change is the rapid growth of the popularity of Islam in the country. In the last several years, the re-engagement of

Islam by the people of Kazakhstan, which has been ongoing since the early 1990s, has suddenly become apparent in public spaces throughout the country. As somebody who has been visiting the country frequently over the last 20 years, for example, I was struck last summer by the number of Kazakh women dressed according to Islamic custom in the city of Almaty, which is the most cosmopolitan city in the country.

This rapid growth of public religiosity is not suggestive of a terrorist threat or even of an immediate move towards political Islam, but it does point to a changing public culture that is poorly understood by both the Government and the secular middle class of the cities. As such, it is also suggestive of a growing population for whom the Soviet past, from which Kazakhstan's current leadership emerged, holds little authority.

We know very little about this growing Islamic religiosity in Kazakhstan, but it is likely quite diverse and represents a variety of different understandings of Islam. While we know even less about the alleged Muslim extremists who clashed with authorities in western Kazakhstan earlier this year, one must assume that these people were representative of at least one part of this population that is expressing its belief in Islam more publicly.

Again, I will stress that I do not consider that these people or these events represent a serious terrorist threat to Kazakhstan. Rather, I believe they are emblematic of the inability of the present government in Kazakhstan to speak to the needs, perspectives, and values of an increasingly religious population.

A second related development in the country is the growth of ethnic Kazakh nationalism. Like the growth of religiosity, this is a phenomenon that has been ongoing since the early 1990s, but has taken on new characteristics in recent years. In particular, the large number of ethnic Kazakh Oralman who have come back to the country since the early 90s from exile in China, Mongolia, Iran and elsewhere, are now becoming much more integrated into society. They generally have a poor knowledge of Russian language, are religious and believe that they should have an advantage over non-Kazakhs regarding economic opportunity.

This situation is increasing ethnic tension in the country, as well as creating fear among Russian-speaking Kazakhs in urban areas, who see these developments as also promoting the status of Kazakh language. While the country's leadership has tried to balance the promotion of Kazakh patriotism with policies of multiculturalism since independence, the growth of Kazakh language use and Kazakh nationalism are developments they are not well-placed to engage, given their political education in a Soviet system that shunned nationalist politics.

Furthermore, while the ethnic tension created by these developments has not yet exploded into mass violence, it has already manifested itself in numerous violent clashes between Kazakhs and Uyghurs in the area of Kazakhstan between Almaty and the Chinese border.

Finally, and perhaps most ominous for the present government, Kazakhstan is beginning to face a crisis of rising economic expectations that are unmet. While Kazakhstan is certainly the most economically viable country in Central Asia, the country's middle class

and skilled laborers have come to expect their standard of living to improve on a regular basis after a decade of rapid economic growth. A combination of the global financial crisis, a leveling off of the Kazakhstan's post-transition growth and the burst of a substantial housing market bubble have stunted these improvements for many citizens in the country over the last several years.

Given the awareness of the income gulf in the country, these unmet expectations for improved standards of living have resulted in increased dissatisfaction with the current economic situation in the country among the middle class and skilled laborers. This situation undoubtedly contributes to the labor strikes we saw in the west of the country. And the Government's violent reaction to these strikes show just how unprepared the present Government of Kazakhstan is to deal with such dissatisfaction.

It should be noted that these changes in Kazakhstan's socio-economic environment are not extreme and are unlikely to immediately cause widespread unrest in the country. In fact, in a democratic society such discord and socioeconomic dynamism is expected, and politicians in different political parties compete to provide the best solutions for them. In Kazakhstan, however, the stagnant political system has no mechanism to adapt to such dynamic changes. Furthermore, at a time when many authoritarian states have sought to implement at least gradual liberalization of their political systems in response to the Arab Spring, Kazakhstan has shown no such desire, instead holding controlled elections this past year that differed little from those held in the country over the last 20 years.

In my opinion, the growing dynamism of Kazakhstan's society coupled with its stagnant political system could create a dangerous scenario when the country finally decides or is forced to decide on a strategy for presidential succession. With a diversification of powerful interests in the country, significant natural resource wealth at stake, and no experience with competitive politics, such a succession could become a flash point for substantial conflict and sustained instability.

In conclusion, I will note that I believe that Kazakhstan has the capacity to adapt to these changes, given the country's rich human resources and relatively broad economic prosperity. To do so, however, the country must begin taking measures towards a liberalization of its political system now. The gradual development of a competitive and transparent multiparty political system now can prepare the country to deal with presidential succession. But if Kazakhstan waits until a succession crisis ensues to implement such reforms, I fear it may be too late.

Thank you.

Mr. SMITH. Thank you so very much for your testimony. You know, within the last couple weeks, as you know, President Nazarbayev put into effect a couple of new laws—one, putting further controls on broadcast media, but the other that would make it a crime to damage the image of Kazakhstan. It occurs to me that, as the three of you have been simply telling the truth and giving your best insights, all three of you—and I have to put myself in that category as well—broke the law. I wonder if you might speak to that law. It's obviously too soon to tell, I think, if anybody

has been rounded up under its provisions. But what will it do? You know, how much time might one get if you hurt the image of Kazakhstan?

Ms. Corke?

Ms. CORKE. Now, as you mentioned, it provides for the empowerment of special services, especially for combatting terrorism. It also allows for the blocking of Internet and fixed and mobile communications. As you noted, it imposes a vague restriction that those who harm the image of Kazakhstan in the international arena can be considered destructive. So you're right. This sort of fora is the—exactly the sort of thing that may cause our passports to not get visas. But it's interpreted as closing off further dissent, closing themselves off to the West, which is—you know, contravenes their chairmanship of the OSCE and all of their declarations of being committed to political liberalization and modernization. These things seem to be mutually exclusive with this law.

Mr. SMITH. It occurs to me that it is so parallel to what the Chinese Government does, with disharmonious activity on the part of dissidents. It's often used as one big vague way to round up people and put them into the laogai for long periods of time. So I think it's a very ominous escalation or further sinking into the abyss of dictatorship.

Let me ask you, if you would—you know, the Kazakhstani's Government and the embassy right here in Washington has put forward what many must think is a very slick campaign, a PR campaign, portraying the riots in Zhanaozen as instigated by hooligans and the recent parliamentary elections as democratic, free and fair. And I mean, honestly, do they think governments and do they think people, especially a country like the U.S. that does have a free press, are so foolish to buy into what is so transparently a propaganda—in the worst sense of that word—effort? Or do they think they might get away with it?

Amb. COURTNEY. Earlier last year, President Nazarbayev had an op-ed in the Washington Post, which could have been written by the propaganda department of the Kazakhstani Government. So yes, one would have to assume that Kazakhstani officials believe that, in some cases, some official statements can be given currency beyond what dispassionate analysis of the facts and conditions would suggest.

Mr. SMITH. And Dr. Roberts?

Dr. ROBERTS. I'll just add that—I mean, it's an interesting phenomenon because so few people in the United States know much about Kazakhstan. And I think sometimes, you know, if you look at some of these things that come out as communications in the U.S. that are obviously public relations attempts, if you know something about Kazakhstan, they seem quite silly. But I would believe that people who don't know anything about Kazakhstan may take them very seriously. And of course, it's also well known that U.S. consulting firms assist them in these endeavors.

Mr. SMITH. Do you know who's assisting them right now?

Dr. ROBERTS. Actually, I don't know because I think their former company was removed, if I remember correctly. So I'm not sure exactly right now, but maybe some of the other panelists do.

Mr. SMITH. You know, it is tragic and I would say beyond tragic that very often that is the case. I know that Frank Wolf and I have been raising the alarm on another country, Sudan, which just got the OK from the Obama administration to allow a representative group to present talking points that would appear to put a gloss over, you know, Bashir's terrible and despicable crimes against humanity. He ought to be at The Hague, as we all know, being held to account for those crimes, and yet he now is being represented in a way that puts a good finish on his terrible crimes.

Let me ask you, if I could, about the new religion law, which they, in Kazakhstan, defend as aimed at preventing Islamic radicalism. Your sense of that law—how bad is it? How will it affect the various religious groups and individuals? And as you know, Kazakhstan is not—you know, has been reviewed and has not been designated a country of particular concern under the International Religious Freedom Act of 1998. Does this new law and recent events make a case that the department ought to do that? You know, the—[off mic]—your thoughts on that, whether or not they should get CPC designation?

Ms. Corke.

Ms. CORKE. As far as whether it should receive CPC designation, I'd say it's too soon to tell.

Mr. SMITH. OK.

Ms. CORKE. You know, authorities are making the argument that the new law on religion will help combat extremism. Critics warn that the restrictions under the new law could backfire and fuel extremism rather than combat it. So at this point and one of the urgent things that our office is working on, prior to the swift passage of it, they were trying to mitigate and advocate with the Government against some of the worst provisions of the law. But it was passed so quickly, with such determination from Nazarbayev and his Parliament, that there was no time for us to have our voices heard on that.

But what we're focused on now is monitoring the implementation and raising awareness in the international community when there's any problematic implementation of it. I will note that they were in such a rush that before the law was even enacted, authorities started using it as grounds to harass and detain members of the New Life Church and Jehovah's Witnesses and raid these groups' properties. So they were in such a rush, they didn't even wait for the legislation to go through. But international, domestic civil society and religious organizations, including Kazakhstan's top Muslim cleric, took issue with several provisions in the law and think that it will drastically curtail Kazakh citizen rights to freedom of religious belief. So time will tell.

Mr. SMITH. I would hope that all of you and—would be looking at that and whether or not—I know the U.S. Commission on International Religious Freedom is watching it very carefully as well, because it seems to me that we have been far too slow to designate country CPC and far too quick to lift it when there's even the slightest hint of a thaw, when it comes to religious persecutions.

And I say that—yesterday in this hearing room, I chaired a hearing. It's about the eighth one I've had on human rights abuses in Vietnam. Obviously, it's a whole different country but some of the

dynamics on how we respond to human rights abuse apply. And the situation has so deteriorated in Vietnam against Catholics, Christians, the Montagnards, Protestants, the Buddhist Unified Church of—Buddhists, that the fact that they're not CPC is outrageous. And yet, again, this slow response—it was lifted in order to get the bilateral agreement and, particularly, most favored nation status effectuated for Vietnam. They made no change. They got worse, and, again, no CPC.

And I know we have concerns about Kazakhstan. We have interests relative to our troops. But if the price is to tolerate significant human rights abuse, I would think that that's too high of a price. And I would appreciate your thoughts on how well or poorly you think the Obama administration and the State Department, the U.S. Congress is dealing with Kazakhstan. Are we speaking forcefully and accurately about what is going on there, with perhaps some penalties if they don't change?

Mr. Ambassador?

Amb. COURTNEY. One of the remarkable things about U.S. policy toward the former Soviet Union for the last 20 years has been how remarkably bipartisan it has been. There was a very smooth continuity from the President George H.W. Bush administration to the Clinton administration in terms of the emphasis on supporting territorial integrity, sovereignty, and independence of the new independent republics; building democracy in the region; providing assistance through USAID and other mechanisms—National Endowment for Democracy, programs carried out by the International Republican Institute, National Democratic Institute, International Foundation for Electoral Systems. Those programs have had strong bipartisan support all the way.

I would argue that, by and large, our policy has continued to be generally bipartisan for most of those countries. And in Kazakhstan, in particular, we have to consider the enormous interest that the United States has—one I discussed at some length, the military activities in Kazakhstan. Kazakhstan has dismantled an enormous amount of infrastructure for weapons of mass destruction. And that came because Kazakhstan saw that America was a strategic partner.

The second consideration is Caspian Energy. At the beginning after the Soviet collapse, a lot of oil companies saw that Russia had the largest reserves, but it was Kazakhstan, being more moderate, which negotiated the first arrangement for a super—the Tengiz Arrangement, initially negotiated by Chevron.

The third consideration now is that with the situation in Afghanistan and Pakistan and with the proposed withdrawal or drawdown of American troops—which has a fair amount of bipartisan support in the United States—if transportation through Pakistan is going to be limited, the retrograde—the withdrawal of U.S. forces and equipment via surface transportation—is going to depend very heavily on cooperation with Kazakhstan, with Russia, other Central Asian countries. So we have quite a few interests at stake, and no single interest can be pursued to the exclusion of the others.

But that said, I would say that the statements by the State Department and our U.S. ambassador to OSCE about the elections have been fairly honest and straightforward statements. And the

work that this Commission does to hold the executive branch to a high standard has been particularly important and helped.

Dr. ROBERTS. I would just add, I think that Kazakhstan is the type of country that the U.S. should be engaging on these issues. I don't think that necessarily sanctions and just pure criticism is going to really get much accomplished with the Kazak Government. And Kazakhstan—and one of the, I think, very positive things about Kazakhstan is that it does have a fairly broad base of elites. And I think there are people who are close to power in Kazakhstan who have very different ideas about what should be done, than kind of the old guard that's been in power for 20 years.

So I would advocate for engagement. I think it's important, at the same time, that the U.S.—one of the things the U.S. has done in the past and, I think to a certain degree, continues to do is speak out of both sides of its mouth about issues of democracy and human rights in a country like Kazakhstan, where we have an interest in oil reserves and we have security issues that we're interested in. I think it's important to be very straightforward about how important issues of democracy and human rights are to the United States' interest in the country and not short sell them. But on the other hand, I think that we really need a policy of engaging Kazakhstan, because I think that that's going to bear much more fruit than just beating them up.

Mr. SMITH. Ms. Corke.

Ms. CORKE. If I may add, so while I was at the State Department in the Bureau of Democracy, Human Rights, and Labor and while at Freedom House, my role has been advocating the human rights and democracy part of the policy equation. So while in full recognition that it's a complex policy environment and our bilateral relationship, there's a range of interests—oil and gas, the Northern Distribution network, a restive neighborhood, economic interests—at the same time.

And I was in the State Department in the lead up to deciding whether or not Kazakhstan would be chosen as the chairman-in-office, and making sure that it lived up to its commitments in all three dimensions, and it was found to be sorely lacking in the human dimension area; and leading up to that, pressing them to live up to those commitments. And even during its chairmanship, it didn't.

So I would say that continuing to make sure that human rights and democracy, particularly at this juncture, remains high as far as the policy balance is really important. I've seen internal battles on kind of the relative weight of the various policy interests, and it's important to have consistency of support for human rights and democracy concerns, because if we lose the limited space that still exists, it will be hard to regain in the future.

Mr. SMITH. I appreciate that. You know, you mentioned the chair-in-office and the considerable debate, although there should have been more, about whether or not that was a wise decision. I strongly oppose that, on the record, believing that we needed deeds first, and followed by a modest but a very real reward as being chair-in-office.

And I wonder sometimes that when we put the cart before the horse, you know, history has told us in country after country—and

I believe it's accurate, I would like to know if there's an example that shows it otherwise—that usually the day they get it or the day they get whatever the benefit, is the pivotal day when they start turning the other way. And I'll give you two examples. When we delinked most favored nation status from China on May 26, 1994, China went into a slide on human rights abuse. It was already bad—became much worse.

Even more telling—and, again, subject of yesterday's hearing, in part, on Vietnam right here in this room—when the bilateral agreement was agreed to with Vietnam, they were taken off CPC by John Hanford, the ambassador-at-large, with a hope—he called them “deliverables”—that they promised him and the department they would come through on—forced renunciations, all those things that were happening. And there was an abatement of repression up until bilateral agreement and MFN conference, and that was the end of it. It went into Block 8407, patterned after Vaclav Havel's Charter 77, a beautiful manifesto on human rights and democracy. All these signers came forward and signed it, and that became the hit list for the secret police in Vietnam, soon as they got the bilateral agreement through an MFN from the United States. The chair-in-office of—you know, wasn't as big, certainly. But I think in retrospect, we've got to get a lessons learned—I would say to all of us, that—get some concrete actions on the ground, not even vague promises before.

And I met with the Kazakh parliamentary assembly members—some of whom go to these parliamentary assemblies that we have frequently. And I can say “deeds, just do deeds; all we care about is your people.” You know, this isn't bashing Kazakhstan because it's some kind of sport. This is all about standing in solidarity with your oppressed people, who you could be next if you fall outside the parameters that have been circumscribed or established by the leadership and by the police.

So, you know, I sometimes wonder if the OSCE was changing. Mr. Ambassador, you might want to talk to this. The same thing happened with Belarus. When we invited the Belarusians into the OSCE Parliamentary Assembly, and I kept saying, let's see deeds first before—they were already in the OSCE—the president of the PA from the U.K. lamented a year later how disruptive and how—what a mistake it was, because there was no movement on the ground; if anything, they got worse. So you might want to speak to that.

And sometimes I think they try to change, then, what the human dimension provisions are all about, as well as election observations. All of a sudden they're siding with those who want a less robust effort, because chair-in-office certainly conveys considerable power. So, Mr. Ambassador.

Amb. COURTNEY. Mr. Chairman, let me offer two perspectives on that issue.

Mr. SMITH. Yes, sir.

Amb. COURTNEY. One, sir, that you and the Commission and the U.S. Government are going to be facing is with Ukraine's impending chairmanship of the OSCE.

President Nazarbayev used the chairmanship of the OSCE internally and externally as a very important legitimizing tool for his

reign. So how do you think Kazakhstanis now interpret President Nazarbayev's recent statement that he will not invite election observers who criticize Kazakhstan?

Mr. SMITH. Do they get to hear that?

Mr. SMITH. [Inaudible]—press, yeah.

Amb. COURTNEY. So what's happened is that President Nazarbayev raised expectations in Kazakhstan about its role and the way it might evolve. And now that's actually made it more difficult for him to be hard-line in a convincing way in his country. And I think that's putting more pressure on him.

The second consideration—

Mr. SMITH. If I could—

Amb. COURTNEY. Oh yes.

Mr. SMITH. Mr. Ambassador, is that true even in spite of the crackdown on the media and the most recent laws—the Internet and all the other—the broadcast new law? I know it's not soundproof—remember, “the Iron Curtain isn't soundproof,” that famous Radio Free Europe expression? But if you control the media, you still control what a lot of people get to hear and say—and think.

Amb. COURTNEY. Yes, that's quite true.

Mr. SMITH. OK.

Amb. COURTNEY. But still, publicly in Kazakhstan, President Nazarbayev raised a lot of expectations with OSCE. And then now each one of these new laws that you just cited makes it more complex for him internally to justify doing that, based on the raised expectations. And as Professor Roberts pointed out in his presentation, this clash of reality and expectations is going to be one of the major political dynamics that affects his legitimacy and the transition beyond President Nazarbayev.

Second consideration, sir, is Central Asian security in the wake of U.S. and NATO withdrawal from Afghanistan. The one area in which Russia has made clear that it might be open to cooperation with the United States and Central Asia is counternarcotics. It has said this over and over. Yet effective cooperation is going to be difficult if Russia keeps the United States out of Central Asia, as many in Russia seek to do. There seems to be a schizophrenic approach in Russia about how it should deal with America's role in Central Asia, although the clear predominant view is to remove U.S. participation in the Manas air base and to have the U.S. take a lesser role.

The Russian Government, though—as we've seen in the North Caucasus, does not have a good strategy for how to deal with Islamic extremism. And security threats from Afghanistan as U.S. and NATO forces withdraw could increase. Now I'm not saying that they will, but they could increase. And it certainly would be prudent on the part of Russia, the United States, Kazakhstan and other countries in Central Asia to take advantage of the intermediation of the OSCE, which has legitimacy, and the OSCE has field presence in those countries—to start thinking harder about security arrangements and security cooperative mechanisms with that impending change.

So I think the shift in the center of gravity of the focus of OSCE toward Central Asia, caused by Kazakhstan's chairmanship, has not been a bad thing. Frankly, I believe too many OSCE resources

have been lingering too long in countries that are hoping to get into the European Union, and not enough out where some of the danger zones are.

So there was that benefit as well, but that benefit will be vitiated if political openness in Kazakhstan does not improve, and especially if it gets worse. Thank you.

Mr. SMITH. Just to be clear in terms of my position, it wasn't that Kazakhstan could never be chair-in-office—

Amb. COURTNEY. Right.

Mr. SMITH.—it was only when certain benchmarks were achieved. Would any of our other witnesses like to—

Dr. ROBERTS. I think one other thing that I do perceive as kind of a chronic problem in the United States' approach to Kazakhstan is, there's a general belief that Kazakhstan doesn't need the United States. There's a sense that they have these other partners. They have Russia; increasingly China is a major trading partner and a major ally.

But I think it's important to realize that Kazakhstan's always been very interested in having a very good relationship with the United States, because precisely their other partners are countries they don't necessarily trust exclusively. I think there's a lot of suspicion of China's interest in Kazakhstan among Kazakhstanis, including within the Government. And there always has been a certain reticence to be dependent on Russia.

So I think it's important that the U.S. recognizes where it does have leverage, that there is an interest. It is important to Kazakhstan that they have a strong relationship with the U.S. And we have to at least express what that relationship means to us beyond just the oil and gas and security issues.

Mr. SMITH. One final question, and I'd like to yield to Janice Helwig for a question or two, our expert on the Commission. And back to Zhanaozen very briefly: The Government has suggested that they would allow an international investigation. Do we take that at face value? And in your view, how quickly must that be done so that evidence, information, victims' testimonies, can be appropriately received without retaliation to those who might come forward? I mean, the fear has always been, you get somebody's equivalent of a deposition, the next thing you know, they're in prison. Can it be done? Should the OSCE do it? U.N.? Some other, you know, cobbled-together investigative team? How do you think it should be done, and can it be done?

Amb. COURTNEY. That offer was suggested at the very beginning.

Mr. SMITH. Yes.

Amb. COURTNEY. We've had a month of experience now and seen no sign that the Kazakhstani suggestion of an international investigation was a serious offer. There have been circumstances in a variety of countries in which incidents that are murky in nature have raised questions, and the United States has offered the support of the Federal Bureau of Investigation investigators to help look into circumstances. I'm not in government, but I'm not aware that Kazakhstan immediately invited that kind of participation, or that FBI or international law enforcement or investigatory authorities have been involved in any of the arrangements.

Now as I mentioned in my statement today, the prosecutor general in Kazakhstan announced that a number—a small number—of regional police executive authorities and a mayor and a former mayor and some officials of the state oil company there—are going to be held criminally liable. But that came out of the blue with no transparency, although sometimes that happens.

But from the point at which you announce that people may be held criminally liable, that they're being charged, there should be transparency in the proceedings, in the trials and other things, to build confidence among Kazakhstanis that indeed these people are culpable. And so right now is the most important time, I think, to hold Kazakhstan to account for having a judicial process that is worthy of an independent judiciary.

Mr. SMITH. Thank you.

Ms. CORKE. I agree that it's vitally important that there be a full international and domestic investigation. The state of emergency is on until January 31st, so up until now there's been—it's been virtually a closed environment for information, which is dangerous. And they have not shown—while saying that they intended to fully investigate and find the perpetrators—they haven't shown a real interest in doing so. Their only interest, I think, is in portraying that as criminal elements as opposed to really wanting the answers to that.

So yes, I think it's important that the U.N. be allowed in to do an expert investigation. And I think if the OSCE could field a team to go in as well—which would also remind Kazakhstan of its commitments within the OSCE—so I would encourage the OSCE to continue—

Mr. SMITH. Are there U.N. agencies—any treaty bodies, panel of experts, investigative teams, actively looking to go in—Arbitrary Detention, for example, the working group?

Ms. CORKE. They have announced that they—I think it was the prosecutor general that announced that a U.N. expert working group would be allowed into the country. But to my knowledge, it has not—

Mr. SMITH. OK.

Ms. CORKE.—been given a mandate yet to go in.

Mr. SMITH. Thank you.

Dr. ROBERTS. I would just add that, if there was any interest from the Kazakh side of the FBI going in, I think that would be a very bad idea, because there is experience with that—I think it was in 2005, there was a suspicious killing of a prominent opposition figure, Altynbek Sarsenbayev. And when that happened, the U.S. Government did bring in some FBI assistance.

And the problem was that they probably did good work, but none of the information ever got out to the public, what their findings actually were. And subsequently there were trials that were—did not have due process and so on. And so it just became that the FBI investigation was somehow linked to a bad process overall, and it was a—I think a mistake.

Mr. SMITH. Thank you. Ms. Helwig.

Ms. HELWIG. Thank you. I would like to just add a couple of questions. First I'd like to talk a little bit more about the recent parliamentary elections. As we've talked about, the Kazakhstani

Government has worked hard to create an alternate narrative about the parliamentary elections and their conduct—and has even gotten Western experts, parliamentarians, other organizations like the CIS to provide public positive assessments of the elections. You can find a list on the embassy’s website if you go to that here.

At the same time, we’ve also talked about the authority’s moves against the Alga party in the wake of Zhanaozen, and also that Alga’s never been allowed to register and wasn’t allowed to participate in the elections. And what I wondered is, why do you all think that the Government has felt it so necessary to control the electoral process so much by preventing the opposition parties and the candidates from running; controlling almost all of the levels of the electoral commissions; and manipulating the count, certainly in some polling stations, including the one where I observed? And why do you think they find Alga in particular such a threat? Or do they find it a really serious threat?

Amb. COURTNEY. If I may, you know, in Russian history and the Bolshavik period, the word “spark” played an unusual role. And when you asked the question, I was thinking you were going to ask about Yabloko in Russia. But in fact we’re seeing a very similar circumstance there.

My sense is that leaders in former Soviet countries that have authoritarian regimes—which in some cases have been popular, whether it’s Vladimir Putin or Nursultan Nazarbayev—and in which there are no credible people of national stature who’ve had an opportunity to express their views politically, or had access to free media—these figures can be for awhile sort of generally popular, or “acquiesced in” may be a better word in some circumstances, but leaders may still be scared.

They are scared even of a small party, of Grigory Yavlinsky in Russia or the Alga party in Kazakhstan. There could be a leader who could start off with maybe not much knowledge by the electorate, but after voicing opinions in an open political debate, could catalyze greater support. So I think it’s the fear of a potential spark, even from a small source.

Dr. ROBERTS. I think—I mean, the short answer is, why they control the process is because they can, and it’s worked so far, so why change it? I think that that, you know, may really be the perspective of the powers that be.

In terms of—I mean, I’ve found that Kazakh—one of the interesting things about Kazakhstan is the politics are much more complex than they look like—than they look on the surface. And there’s a history behind every relationship.

I would think that one of the reasons that they’re concerned about Alga is they feel that there are certain former government officials who are injecting money into it and support it, and that these kind of personal vendettas, in my experience, are extremely important in Kazakh politics. So I think that that’s part of the reason.

Ms. CORKE. To add to that, the Russia comparison is an apt one. I remember some media reporting saying that the problem with Russia having the huge demonstrations after the election was that it allowed a little bit of openness. And Kazakhstan was not going to make the same mistake, it was making sure to clamp down.

I was in Russia after the elections and attended the protests of 100,000 people. And I couldn't believe I was seeing this in Russia that, you know, we've seen even a protest of 200 people be cracked down on so harshly. And I think Kazakhstan is very much afraid of that same thing.

I'll just mention one other thing, that in addition to being scared that the Alga party could gain some popular support, they're also scared of, if they had access to the media, what sort of information they might reveal, such as corruption, murders, other abuses. So keeping them sidelined and portraying them as enemy number one of the Government and, you know, now trying to blame the Zhanaozen events on them is trying to find somebody to blame for what's going on in the country other than the Government.

Ms. HELWIG. Thank you. And just to follow up on that, a bit more on media and Internet issues. We've talked about the new broadcast media law and also the Internet law, which went into effect a few years ago. The Government seems to know exactly how to use all these new media; they certainly were using Facebook and Twitter and Internet updates after Zhanaozen. They brought a team of bloggers into Zhanaozen right after the events and actually posted their blogs on the, I believe, prime minister's website, if I'm not mistaken.

At the same time, independent bloggers seem to have been gone after after Zhanaozen. One even reported having a gun held to his head while his film was taken—his video was taken. We've seen an editor of a major newspaper arrested, Stan TV and other broadcasters gone after after Zhanaozen.

I wondered if you could talk a little bit about how you think the new broadcast law might restrict TV, what the state of Internet control is, and in particular the role of social media in Kazakhstan, particularly among the younger generation. I know when I visited there it seems to be that even though there are controls on it, everybody's seen the video of Zhanaozen, even though it's certainly not been shown on national television.

So if you could just discuss a little bit about that.

Ms. CORKE. To start out with the social media question, it—there was a big discussion in social media after Zhanaozen on the reason and the role of the Government and the opposition in those events. One thing to mention, that most of the citizens of Kazakh are using Russian social media, which is more apolitical. So there isn't the same full openness of views exchanged. Only about 350,000 people are on Facebook and less than 100,000 are using Twitter. So those tools have not been fully realized in the country.

So young people are using social media. What our office is reporting, though, is that it's more for entertainment than searching for information purposes, and that the Zhanaozen events were sort of a—them following that so closely was a relatively new development.

Amb. COURTNEY. Let me talk about our media. We made a mistake in ending the Kazakh service on the Voice of America. That mistake needs to be corrected. Kazakhstan is too important a country to have been excluded.

Secondly, Russian is still the language throughout Central Asia. VOA should establish a Central Asian Russian service run by Central Asian broadcasters to expand information.

And again, if we're in a circumstance of withdrawal or drawdown in Afghanistan, which is going to lead to greater insecurity in Central Asia, it's time now to start making these kinds of prudent, very cost-effective investments. The Kazakh service that Radio Liberty has had has been very important. But, even Radio Liberty broadcasts in Kazakh and Russian, oriented toward Kazakhstan and Central Asia, should be strengthened.

Dr. ROBERTS. I'll just add that I think that the Kazakhstan Government has always seen the control of the media as probably its most important mechanism for preventing political dissent. And they've been very, I would say, smart about how they've gone about it. They have not done the type of things you see in Uzbekistan, where you completely cannot access opposition media. They just limit it so—they understand that there's a certain number of people who are going to be with the opposition. And if they can limit access to that information, allow those people to share it amongst themselves, then they feel that they're fine—that's it's safe.

So it's always been to limit the ability of the opposition—the opposition has no access to television. You know, they've really only had the print media to date, and they've always tried to limit the ability to get those newspapers out.

Now, that said, the Internet is an interesting dilemma for Kazakhstan, I think, because it's much less predictable. And I haven't really looked at this new law, but my guess is that that would be a major part of it, is trying to decide how they're going to be able to limit access to the Internet.

Ms. CORKE. Just to add to that, the new law will essentially allow them to intensify a trend that we saw already in the past year, that the Government, under the guise of extremism and countering terrorism, expanded their attempts to identify websites that had supposedly, quote, "destructive content," blocking the blogging sites LiveJournal and LiveInternet.ru and 20 other sites. So I think they're adding—they already have a lot of tools to crack down on media freedom and the Internet, but they're just stacking their arsenal, I think, with the new law.

Mr. SMITH. Let me ask one final question on sex trafficking and trafficking in general. As you might know, Kazakhstan was designated a tier two country in the last round, and obviously the data calls are out or are going out and we'll know soon whether or not progress continued. And perhaps based on what you've heard, is that trend continuing? Kazakhstan is a destination and, to a lesser extent, source and transit country for women and girls subjected to sex trafficking and for men, women and children subjected to conditions of forced labor.

Our TIP Report for the most recent report—and that would be for the year 2010—said that while Kazakhstan does not fully comply with the minimum standards for the elimination of trafficking, it is making, however, significant efforts to do so, and noted in pertinent point that there was a significant decrease in the use of forced child labor in the cotton harvest, increased law enforcement efforts against human trafficking, and they passed a law that hiked

penalties. And I'm wondering if any of you have any knowledge or information or insight as to whether or not that trend continued into 2011. That would have been for 2010 calendar year.

Ms. CORKE. That's something I can get back to you with more information.

Mr. SMITH. OK, thank you.

Ms. CORKE. My understanding of the situation has not been that there's been a huge change in the situation, but I can talk to our staff in Almaty and see if they could get us some more updated information. But I haven't witnessed a huge change.

Mr. SMITH. Thank you. I want to thank our very distinguished witnesses for your testimony. If there's anything you'd like to say before we close? Mr. Ambassador?

Amb. COURTNEY. Sir, you made reference to the Arab awakening earlier. In the former Soviet Union, many people believe that Western Europe is more politically mature, as well as more prosperous. Many people believe that those are the kinds of conditions to which people should aspire in the former Soviet Union, even as many disagree about what should be the tradeoffs today between democratic change and economic advancement in Russia or Kazakhstan or other countries.

The Arab awakening has had an interesting impact on the former Soviet Union. Without overgeneralizing, many people in the former Soviet Union have tended to believe that political culture in the Arab world has been less advanced than in the former Soviet space. For people in the former Soviet Union to see young people have the courage go out into the streets in Tunisia, Egypt, and now especially in Syria, where young people are going out in the streets every day risking death, fighting for some measure of greater political equity or more competitive, more open political arrangements—and those goals may vary widely in Syria, in part because of the ethnic makeup of the country—but for people in the former Soviet Union to see these young people going out and risking injury and death every day for some more responsive political system, that, I think to some extent, is embarrassing for many people in the former Soviet Union, because we haven't seen people in the former Soviet Union go out and take those same risks day after day. So I think this has, if you will, concentrated the mind a bit in the former Soviet Union, among a number of people whom we today can't predict how they will react. And the impact may be very different in Ukraine or Russia or Kazakhstan or other places.

But I think what's happening in the Arab Awakening is concentrating the mind, and probably is going to have a helpful effect in the former Soviet Union and cause people to think harder about the choices they should be making for greater political openness and greater political and human freedoms.

Mr. SMITH. Yes, Dr. Roberts.

Thank you, Mr. Ambassador.

Dr. ROBERTS. To add on that, I think one of the interesting—going back to a media issue, the people of Kazakhstan consume Russian media on a steady diet.

And so I think that the changes that happened in Ukraine in 2005 and in Georgia—that didn't really have much influence on people in Kazakhstan. But if we do see that these protests in Rus-

sia continue and we see that there's even any kind of—any kind of change coming out of the next presidential election in Russia, that would have massive impact, I think, in Kazakhstan, because I think most people in Kazakhstan kind of see Russia as their reference point. And that's partially just because that's what they watch on TV every day. And you know, I think if they saw changes in Russia, that would very quickly translate to changes in Kazakhstan.

Ms. CORKE. I'd just like to say thank you for holding this panel today. It's very important. And I'd like to end just on a final note. Civil society—and our office as well has noted this—that they've noticed a waning interest from the international community in civil society, following Kazakhstan's chairmanship. And right now, they need the attention of Europe and the U.S. more than ever. So I would urge the U.S. to give support vocally and materially to civil society and urge European counterparts to do the same. Thank you.

Mr. SMITH. Excellent point. And this Commission will certainly try to do that as well. And I thank you for all of your very valuable insights, your—this is of extraordinary benefit to the commission and, I hope, to the rest of the Congress by extension. Without any further ado, the hearing is adjourned, and I thank you again.

[Whereupon, the hearing was adjourned.]

APPENDIX

PREPARED STATEMENTS

PREPARED STATEMENT OF HON. CHRISTOPHER H. SMITH

Good afternoon and welcome to our witnesses and everyone joining us. Today we will discuss the state of human rights and democracy in Kazakhstan.

The Government of Kazakhstan, controlled by the authoritarian “president for life” Nursultan Nazarbayev, has long sought to obscure its serious human rights and democracy deficiencies by claiming that at least it is a haven of “stability” in central Asia. “Stability” has in fact become the basis of the government of Kazakhstan’s claim to legitimacy.

Of course “stability” can never be an excuse for dictatorship or widespread torture and similar abuses. We simply can never accept the hidden premise of the Kazakhstan government’s talk of “stability”—that human dignity can be bargained away in some exchange for “stability.”

Likewise we cannot accept at face value the claim that Kazakhstan is in fact as stable as its government claims—this claim must be examined carefully.

That is what this hearing is about. Too often in Washington, and within the OSCE, the Government of Kazakhstan’s claim to stability is tacitly accepted. And that allows the Government to set itself up as a model for other Asian and European countries.

After last year’s events in Tunisia, Egypt, Libya, and Syria, we have to look carefully at authoritarian claims to “stability.”

All the more so since last month there were riots in Zhanaozen in western Kazakhstan, which the authorities put down with deadly force—at least 16 people were killed, some estimates go as high as 70. Many of us have seen the terrible videos circulating on YouTube that clearly show government forces firing on fleeing protesters, and beating those who fell to the ground. I doubt many Kazakhs will soon forget these images.

RFE/RL reported the harrowing testimony of a 21-year old girl who was detained while out looking for her father the night of the riots. She described witnessing the torture, abuse, and humiliation of dozens of people who had been rounded up and taken to the basement of police headquarters, including girls who were stripped naked and dragged into an adjoining room. She herself was beaten. She reported what she saw to authorities, who returned with her a week later. The basement had been scrubbed clean, and the police claimed that nothing had happened. The woman’s father returned home after two days. He said he had been badly beaten by police; he died of his injuries on December 24.

There are many such stories. Associated Press reported that journalists at Zhanaozen’s Main Police Department heard screams coming from what appeared to be interrogation rooms, while men with bloodied faces were lined up in the corridors with their faces against the wall. Sadly, reports of police abuse and torture in Kazakhstan are not new. In a December 2009 report, the UN special rapporteur on torture concluded that “evidence obtained through torture or ill-treatment is commonly used as a basis for conviction.”

Since the violence in December, the Government of Kazakhstan has said it is open to an international investigation, and has said many other things that we would expect a responsible democratic government to say. It has also established a governmental investigative commission.

I certainly hope the internal investigation will be transparent and serious, and that there will be an international investigation soon—best of all by the OSCE—and that the many good things the Government has said since the violence are a harbinger of a new openness to reform.

At the same time we have reason to be skeptical. Just yesterday the chief editor of an opposition paper was jailed as part of the investigation. So far charges against police have only been for stealing cell phones and cash from protesters, and the focus of the investigation has been focused instead on the political opposition. Access to Zhanaozen itself and to potential witnesses has been severely restricted. While some journalists were given access to Zhanaozen on December 18 and 19, they reported that they were under close supervision and not permitted to speak freely with detainees or residents. Prison Reform International, which the Kazakhstani Government claims met with detainees and found no evidence of torture, told my staff that they only assisted in getting access for local human rights monitors to a very limited number of detainees, far below the official number of those arrested.

Contrary to the government statement that no evidence of torture was found, in fact the monitors cited four suspected cases.

There are reports that those who have tried to come forward may have been threatened. At least one of the local monitors who visited the detainees will no longer discuss it. The young woman I mentioned earlier also will no longer speak about her ordeal. The persons who filmed the YouTube video from their window reportedly were sought by the authorities and have gone into hiding out of fear for their safety. Many people reportedly are still missing, but their families are afraid to come forward.

Of course we will also want to talk about the January 15 parliamentary elections, which the OSCE concluded “did not meet fundamental principles of democratic elections.” The OSCE detailed significant problems, including the exclusion of opposition parties and candidates, electoral commissions controlled by the ruling party, media bias, restrictions on freedom of assembly, and problems during the counting process.

I have spoken to participants in the Election Observation Mission who personally observed outright fraud, including falsification of the final protocol in favor of the ruling Nur Otan party. Other American observers reported falsification of protocols in Nur Otan’s advantage, as well as ballot stuffing and people being paid to vote for Nur Otan.

PREPARED STATEMENT OF HON. BENJAMIN L. CARDIN

Mr. Chairman, I welcome this hearing on Kazakhstan. The Helsinki Commission has closely examined that country's record on democratization and human rights, especially in connection with Astana's ultimately successful bid to chair the OSCE. Today, for the first time since Kazakhstan's chairmanship ended, we will consider the implications for the country's stability of very interesting events that have been unfolding the last few months.

Until recently, Zhanaozen, in western Kazakhstan, had gotten few headlines. But a strike by oil workers led to violence in December, triggering a crackdown and the imposition of martial law. According to official reports, at least 16 people have been killed; unofficial videos have surfaced of police firing at fleeing demonstrators.

The willingness expressed by Kazakhstan's Government to participate in an international investigation was welcome. I hope the OSCE, which Kazakhstan chaired in 2010, will have a leading role in efforts to uncover what really happened. In any case, it is clear that Kazakhstan's Government will have to seriously address social concerns in order to prevent any more outbreaks of discontent.

The other major news story is Kazakhstan's January 15 parliamentary election, which has been touted as the beginning of multi-party democracy in Central Asia's economic powerhouse. Surely, it is a positive development that all the seats in Parliament are no longer occupied by the ruling party, Nur Otan, as two other parties will now be represented.

But I would have been more pleased if genuinely opposition political parties that sought to participate had been able to do so. As many observers have pointed out, the two parties which won seats are reputedly "safe" from the Government's point of view. And, I would have been delighted if the OSCE had been able to certify the election as having met OSCE standards. Unfortunately, the OSCE said the election did not meet fundamental principles of democratic elections.

In that connection, I would like to note Kazakhstan's efforts to create an alternate narrative of the election. A stream of positive, even glowing, reviews of the election has come out of Astana. We are accustomed to such assessments from CIS observers but it is frankly surprising that Western analysts have come to conclusions so at variance with those of the OSCE.

Mr. Chairman, I very much look forward to the day when the most positive views of an election in Kazakhstan legitimately accord with the OSCE's judgment. I look forward to hearing from our witnesses.

PREPARED STATEMENT OF AMBASSADOR WILLIAM COURTNEY

Chairman Smith, it is an honor to appear before you. I am William Courtney, a retired career diplomat. I served as the first U.S. Ambassador to Kazakhstan, 1992 to 1995. Later I was Ambassador to Georgia, special assistant to the President for Russia, Ukraine, and Eurasia, and senior advisor to this distinguished Commission.

Kazakhstan has a population of over 16 million. Ethnic Kazakhs comprise three-fifths, ethnic Slavs one-quarter, and Uzbeks, Uyghurs, Tatars, and others the remainder. Given this diversity, the term "Kazakhstanis" best refers to all the people of the country, and "Kazakhs" to the ethnic group.

In many ways Kazakhstan is blessed. It is larger than Western Europe and endowed with a minerals bounty. People tend to pragmatism. Ethnic differences are muted, regrettably in part because political expression is limited. Rulers encourage inter-ethnic harmony, although some Kazakh advantages, such as political dominance, raise concerns. Selection to chair the OSCE last year was a mark of the country's international respect and weight.

Kazakhstan has achieved notable economic gains. Modernizing reforms, private property, talented people, and booming exports of energy and minerals make the country far wealthier than in Soviet times. In 2010 according to the World Bank, per capita gross domestic product in current U.S. dollars stood at \$9,136, slightly lower than Russia's \$10,440 but three times higher than Ukraine's \$3,007.

These data, however, do not tell the full story. Much wealth disappears into corruption. Construction of the extravagant new capital in Astana diminishes state funding for the rest of the country. The economy is unbalanced. For example, the World Bank reports that labor productivity in agriculture is just one percent of that in America.

Political development in Kazakhstan is stunted by twenty years of authoritarian rule. A tragedy last month highlights the risks.

On December 16, security forces in Zhanaozen, in western Kazakhstan, fired on unarmed demonstrators, including striking oil workers, killing and wounding scores. A chilling video on YouTube shows security forces firing on and beating fleeing people.

Rather than apologizing, offering amends, and opening a credible investigation, the authorities did the opposite. They blamed "hooligans," shut off communications to the city, and imposed martial law. The hard-line response may not have calmed tensions; martial law was extended. A former interior minister became the new regional governor, a hint of unease about the loyalty of security forces.

Today—on the date of this hearing—Kazakhstan's chief prosecutor announced that criminal charges are being brought against several regional police, executive, and state oil company officials. It will be important that due process be followed and that judicial proceedings be transparent. Otherwise, many Kazakhstanis will wonder whether these officials are culpable for the Zhanaozen calamity, or whether they are lambs being sacrificed to exculpate the guilt of those higher up or better connected.

The violence was an aberration in the country's generally peaceful life. The callous response, however, is symptomatic of a wide gap between rulers and ruled, between reality and expectations, and between those who live honestly and those who do not.

In history, Kazakhs do not meekly submit to arbitrary power. In the 19th century, Russian colonization was slowed by uprisings and wars. In World War I many Kazakhs resisted the Tsar's conscription, and then the communist takeover. A decade later Kazakhs opposed brutal Soviet collectivization of agriculture, such as by killing their own livestock rather than turning it over to the state. Over a million Kazakhs perished.

In World War II, Stalin exiled ethnic Germans, Crimean Tatars, and North Caucasian Muslims to Kazakhstan. A million Poles were banished there. Many of these peoples, starving or ill, were taken in by Kazakhs and survived. Vast numbers lost their lives to Soviet cruelty.

Nikita Khrushchev hurled huge numbers of ethnic Slavs into northern Kazakhstan for the wasteful Virgin Lands campaign, aimed at turning pasture into a grain belt. Other Slavs built and operated raw materials and military facilities. Alexander Solzhenitsyn labored there in a prison camp.

The Soviets used much of Kazakhstan for military purposes. They tested nuclear weapons at Semipalatinsk; operated the world's largest anthrax factory at Stepnogorsk; tested biological weapons in the open air on an island in the Aral Sea; tested anti-ballistic missiles and lasers at Sary Shagan; assembled torpedoes in Alma Ata; deployed giant SS-18 intercontinental missiles in two locations; and conducted ballistic missile tests and space launches from Baykonur.

Amid the military activity, most of the country was closed. Kazakhstanis had few contacts with the outside world. A vital lifeline was short-wave broadcasting by Radio Liberty, VOA, BBC, Deutsche Velle, and others. VOA broadcasts in Kazakh language ought to be resumed. VOA should also create a Russian language service focused on Central Asia. Radio Liberty ought to strengthen its valuable Kazakh broadcasts, and increase its Russian language broadcasting oriented toward Central Asia. Kazakhstan is an important a country and its people need better access to trustworthy information.

After the Soviet collapse Kazakhstan returned nuclear weapons to Russia and became a model partner in the Nunn-Lugar program to eliminate weapons of mass destruction and their infrastructure. Kazakhstan welcomes substantial U.S. and other investment in Caspian energy. It is a critical partner in the northern distribution network, which provides logistical support to US and NATO forces in Afghanistan.

Close cooperation on core interests has yielded a productive U.S.-Kazakhstani strategic relationship, one of America's most valued. Yet, as Egypt shows, rulers must retain the consent of the governed in order to sustain foreign support. The lesson is salient for Kazakhstan.

First, the legitimacy of personalized rule is in decline and Zhanaozen is accelerating it. Transitions beyond President Nazarbayev, now 71, are uncertain. No evident successor has broad stature and appeal. Few if any independent groups combine the experience and acceptance required for effective political intermediation. None is so strong or enduring as, for example, the liberal Yabloko party in Russia, or the Muslim Brotherhood in Egypt.

On January 15 Kazakhstan held elections for a new parliament, but no genuine opposition parties were allowed to participate. OSCE election monitors found that the elections "did not meet fundamental principles of democratic elections." In another anti-democratic step, earlier this week security forces raided the office of the opposition party, Algha, and the home of its leader. The courageous suffer. Labor union lawyer Nataliya Sokolova, and human rights activists Aidos Sadykov and Yevgenniy Zhovtis languish in prison. Fortunately journalist Ramazan Yesergepov has been released.

Multiple factors, some unforeseen today, could shape Kazakhstan's political evolution. One might be the demonstration effect of the Arab awakening. Other factors may include: elites empowered by economic liberalization, educated and connected young people, restive citizens in western Kazakhstan, Islamic interests, disadvantaged groups, and Russia's policies toward neighbors. Kazakhstan's burden of autocracy could render its politics less resilient against extremist pressures.

Second, the accumulation of wealth by President Mubarak and his family, and popular resentment of it, have a disturbing parallel in Kazakhstan. President Nazarbayev is rightly credited for improving the economy, but personal aggrandizement arouses concern and cynicism. Moreover, several in his family are multi-billionaires.

Third, Zhanaozen may propel more unrest. One risk is western Kazakhstan, which does not benefit commensurate with its contribution to the economy. Another risk is ethnicity. Zhanaozen was largely Kazakh-on-Kazakh violence. If large-scale lethal force were ever turned on unarmed ethnic Russians, consequences could be far-reaching. The Kremlin is vocal about protecting the interests of Russians abroad. Kazakhstan's regions with higher proportions of ethnic Russians lie along the border with Russia, a key reason why the capital was moved northward.

In conclusion, political risks in Kazakhstan are rising even as the economy expands. The arrogant official response to Zhanaozen suggests dulled leadership awareness of human conditions. Repeated promises of democratic reforms go unfulfilled. Popular expectations may be climbing faster than the brittle political system can accommodate. Limits on independent political life weaken safety valves for peaceful change.

America and Europe are widely respected in Kazakhstan. They should bite the bullet and do more to promote political and human freedoms. While some may resist, this will be a prudent investment in an important country and a friendly people with good long-term prospects.

I will be pleased to answer any questions you may have and hear your further perspectives. Thank you.

PREPARED STATEMENT OF SUSAN CORKE

Mr. Chairman, Members of the Commission, it is an honor to appear before you today to discuss whether Kazakhstan is “As Stable as Its Government Claims?” at a pivotal moment in that nation’s history. I am also pleased to appear today in distinguished company with Ambassador William Courtney and Dr. Sean Roberts.

During my years in the State Department’s Bureau of Democracy, Human Rights and Labor, I worked in common cause with Helsinki Commission staff and Freedom House before, during, and after Kazakhstan assumed the Chairmanship of the Organization for Security Cooperation in Europe (OSCE). In particular, we worked together to press for human rights improvements before Kazakhstan assumed the Chairmanship and continued to hold the spotlight up throughout the year highlighting where the government continued to fall short of its human dimension commitments. On the civil society side, Freedom House helped establish a coalition of leading Kazakhstani NGOs, the OSCE 2010 coalition that produced numerous reports on Kazakhstan’s flawed human rights performance as chairman.

Just over one year ago, Kazakhstan, in concluding its OSCE Chairmanship, hosted an OSCE summit in Astana, where Foreign Minister Kanat Saudabayev proclaimed that “this is a sign of the objective recognition by the international community of Kazakhstan’s impressive successes in its socio-economic and democratic development during the years of independence and convincing evidence of the leadership of Nursulatan Nazarbayev and his contribution to ensuring regional and global security. We have endeavoured to fully live up to our motto—trust, tradition, transparency and tolerance [4 T’s]—and be worthy of the confidence placed in us by the participating States and meet the expectations of the OSCE community.”

Unfortunately, as we gather today to consider the questions of Kazakhstan’s stability and its adherence to human rights commitments and its own 4T’s motto, it seems that the nation is not deserving of the OSCE community’s confidence. While those who supported Kazakhstan’s chairmanship argued that it could galvanize human rights reform, more than a year after its chairmanship, it has failed to do so. In our recently released annual *Freedom in the World* report Kazakhstan continued to earn its “Not Free” ranking.

This week, as we take stock of the situation, additional harsh and repressive measures have been launched in Kazakhstan, including raids of the opposition Alga party offices and detentions of opposition activists and journalists. This follows the OSCE’s critical assessment the recent parliamentary elections lacked plurality, transparency, safeguards against fraud, and respect for electoral procedures.

Our Freedom House office in Almaty, led by Mr. Vyacheslav Abramov, is a small but dedicated staff continuously reporting on and working to improve respect for human rights. I will focus today primarily on the current human rights situation as gathered from their reports and recent events. From what we have heard from our office and our partners, Kazakhstan is heading down a path of increasing instability. But the recent riots and violence are not simply a random outburst. The Kazakhstan International Bureau for Human Rights and the Rule of Law, a leading NGO, documented the growth of civic engagement in *Kazakhstan in 2011*, and the emergence of ordinary citizens as the leading organizers of public assemblies; 78 percent of these were demonstrations on socio-economic problems of citizens, many of whom had avoided political activity in the past. The government severely restricts freedom of assembly; 91 percent of assemblies were not authorized by the government. This signals that there is growing societal discontent and that more people are willing to challenge the government to have their voices heard. And if the government continues on its repressive path, more peaceful protests will turn to violent ones.

When a government is dedicated to systematically thwarting democratic reforms and failing to observe citizens’ fundamental rights, it is sowing the seeds for instability. President Nazarbayev has ruled Kazakhstan with an iron fist since independence in 1991, and as demonstrated again in the recent parliamentary elections, his administration remains fixed on retaining power and on withholding it from other parties, even as Nazarbayev reaches the ripe age of 72. When stability is defined as keeping the lid on, and silencing its citizens, it is only a matter of time before the pot starts to boil over. By denying moderate voices, the regime is opening the door to extremism and violence.

Zhanaozen: Social Unrest

The international community watched, taken aback, as violence erupted December 16 in the city of Zhanaozen (Zhe-na-oh-ZEN), the day of Kazakhstan’s 20th year of independence from the Soviet Union. For those who have been paying attention to Zhanaozen, however, the pot had been simmering for a while, and there had been

long-standing underlying elements of social unrest. An oil strike has been going on since April 2011, when a large group of oil workers in the western Mangistau region of Kazakhstan began to demand higher wages and better working conditions. While Kazakhstan has several billionaires, there is not much of a middle class, and these strikes signaled that uneven distribution of the country's resources was sparking a backlash. Starting in May, many workers began camping in the city square in an indefinite protest, a challenge to a government that had tried and succeeded in squelching dissent. A court found the workers' strike illegal, and hundreds were subsequently fired from their posts. In August, Natalia Sokolova, a labor lawyer and activist, was accused of inciting social discord and sentenced to 6 years' imprisonment for doing nothing more than providing counsel to several of the striking workers. Freedom House issued a statement and expressed concern that Kazakhstan was using the judiciary as a means to silence oppositional voices. Despite the strikers' increased coverage in the international media, as organizations like Freedom House and celebrities like Sting condemned the government's actions, officials began to harass journalists trying to cover the strike, and in October, two journalists were brutally attacked by unknown assailants.

On December 16, the situation in Zhanaozen took a deadly turn. While local officials claimed police fired at the ground to disperse troublemakers interfering with Independence Day celebrations, videos on the Internet showed police firing with lethal force at fleeing crowds. 18 people were reportedly killed. It is not clear where the riots began or who initiated them, but a correspondent from Russia's Novaya Gazeta newspaper reported that 3,000 oil workers, families, and onlookers were in the square when authorities brought additional residents there for the celebration. Then, from noon until late into the night, over a thousand people reportedly attacked the square and burned down the city hall, the offices of oil companies, and shops. On December 17 similar events spread to the village of Shetpe, where police also opened fire and killed one person.

The next day, President Nazarbayev took decisive steps to try to regain "stability." In Zhanaozen he imposed emergency rule, which he extended until January 31 (and essentially cut off communications to the outside world). The government promised to find jobs for the oil workers. Nazarbayev also dismissed his son-in-law, the head of the holding company to which state-owned oil company KazMunaiGaz belongs. He demanded a public inquiry into the events in Zhanaozen, and vowed to severely punish the perpetrators. The Prosecutor General later said that Kazakhstan is ready to allow a United Nations expert group to investigate, but at the moment the city remains closed to public defenders and journalists, who may enter the city only if official permission is granted. Human rights organizations have only now been able to begin fully monitoring events and conducting a public investigation of law enforcement's firing onto crowds.

The presidential administration, while it was swift in trying to usher in stability, shows no real signs of understanding or addressing the root causes of the instability. Nazarbaev's political advisor called the disorder in Zhanaozen a provocation against the president and then continued to say that criminals caused the trouble December 16. "The president dealt with it, and the situation is back to normal," he said. "There will be a detailed criminal investigation." These labor strikes originated in social and economic grievances, but as they gathered steam became a political challenge. If Nazarbayev wants to prevent a repeat of this violence, he would be wise to pay heed to the calls of his people.

January 15th Elections and the Aftermath

Besides failing to address the root issues of instability in Zhanaozen, following a 20 year tradition of holding elections that Western observers have continually deemed unfair, Kazakhstan failed again to observe democratic norms in the January 15 parliamentary elections. The OSCE's election observation mission issued a statement that the "early parliamentary vote did not meet fundamental principles of democratic elections" and expressed disappointment that the election was a sham effort to meet stated goals of increasing the number of parties in parliament. In the style of authoritarian elections, there was a high voter turnout (75%), and observers reported standard abuses such as ballot stuffing and misuse of absentee ballots.

Two days after the election, Nazarbayev issued a fast rebuttal, revealing what he really thinks about political modernization and dialogue with the West, saying that Kazakhstan would no longer invite international experts who criticize its elections. This was interpreted as unambiguous criticism of the OSCE. The government of Kazakhstan's rhetoric touting transparency and fulfillment of OSCE commitments thus seem to be only applicable when there is good news to share and not on the day-to-day level.

In looking to place blame for the growing instability, the opposition was the obvious target for the government. In December the leaders of the unregistered Alga party in Astana and in the Mangistau region were both arrested. After the election, Vladimir Kozlov, the leader of Alga in Almaty, predicted that Kazakh authorities would continue to try to blame the opposition for the Zhanaozen events. The website “Republika” posted an anonymous message stating that the authorities have chosen the path of repression, that many opposition politicians and civil society activists will be arrested.

On Monday, police and the Committee on National Security (KNB) organized a search in at the central office of the Alga party and at the homes of Kozlov, his deputy, several party activists, and a youth leader. Several were detained, including Kozlov, who was then accused of inciting social discord. The National Security Committee said the raids against the Alga party were part of an investigation into last month’s fatal clashes between police and striking oil workers in the town of Zhanaozen. But this latest clampdown on the opposition figures contravenes the government’s promises of political reform and liberalization.

By tightening the screws rather than allowing for political competition or dissent, Nazarbayev and his administration on some level are admitting their own weakness and vulnerability. A confident leader would not need to resort to such tactics.

Religious Extremism and the Government Response

Throughout 2011, the country was shaken by several attacks, mostly in Western Kazakhstan, that were blamed on religious extremists, and the government responded by abruptly passing new legislation broadly tightening religious freedoms and public expression.

When I visited Kazakhstan last August, there was a palpable sense of unease and fear about what this uptick in religious extremism would mean for Kazakhstan. Citizens and the government had been proud of its stability and peace in a restive neighborhood and had often touted the nation as a model for religious harmony. Human rights activists I spoke with warned that speaking publicly about the rise in extremism would cross a redline that they feared would provoke the government. There was already a sense that the government planned to clamp down tightly on religious freedom in response to the attacks and that restrictive legislation was underway. The resultant legislation, rushed through parliament in only 3 weeks in spite of protests from the OSCE and human rights organizations, gives the government unprecedented authority to regulate the activities and structures of religious communities and forbids prayer or religious expression in government institutions. Some additional provisions of the law on religion include:

- Religious literature, as well as groups’ registration documents, now have to be examined in a specially created Agency for Religious Affairs;
- religious associations must agree on the appointment of leaders of organizations with a state agency; and
- all religious groups should be re-registered within one year of the law’s adoption.

Similar to analogous legislation in neighboring countries, the specifics of the laws are poorly defined, leave much room for interpretation to local authorities, and empower special “anti-terror” task forces to police mainstream religious groups. Authorities say the new law on religion will help combat extremism, but critics warn that restrictions under the new law could backfire and fuel extremism rather than combat it. How the law is implemented needs to be carefully monitored. Authorities express confidence that the new law does not violate the rights of believers and religious groups and is directed against the Muslim extremist groups.

Law on national security

Shortly on the heels of the new religion law, with little fanfare or room for analysis, the new National Security Act was signed by the president this month. The law not only provides for the empowerment of special services, especially for operations to combat terrorism, but it allows for blocking of the Internet, as well as disabling fixed and mobile communications. In addition, the law imposes a vague restriction on allowing people “recognized to be destructive” to enter Kazakhstan; according to a clause, those who “harm the image of Kazakhstan in the international arena” can be considered “destructive.” There is an obvious concern that this law will thus be directed against the human rights organizations and politicians who criticize the country at international fora.

Trying to Keep the Lid on Freedom of Expression

Unlike the government's previously-mentioned hasty steps to crack down on dissent and unrest, the new Broadcasting Act was signed by the president in January after a year of disregarding recommendations made by the OSCE and Kazakhstani civil society organizations.

While human rights groups were urging the president to veto the law, the new law was eventually passed, at least officially, in connection with the transition of television and radio broadcasting to digital format, but it contains a number of troubling regulations that give the state additional control over television and radio channels, thereby violating citizens' rights to freely receive and impart information. All foreign television and radio stations will be required to be registered with an official Kazakh entity, and 50 percent of the broadcasts of foreign channels must contain domestic content by 2018. One of the more bizarre restrictions is that the government will now license all satellite devices, and local authorities may prohibit placement of satellite dishes on rooftops if they are not attractive to the eye. Human rights groups believe that the law is directed primarily against the opposition K+TV channel, which is broadcast via satellite in Kazakhstan, funded by Mukhtar Ablyazov and extremely popular in the regions.

The new restrictive measure occurs in a media environment that is already under siege. The government has repeatedly harassed or shut down independent media outlets. Libel is a criminal offense, the criminal code prohibits insulting the president, and self-censorship is widespread. Most media outlets, including publishing houses, are controlled or influenced by members of the president's family and other powerful groups. In 2011, the government expanded attempts to identify websites with supposedly "destructive" content, blocking the popular blogging sites *livejournal.com* and *liveinternet.ru* along with some 20 other sites in August on charges that they contribute to "terrorism."

The human rights situation in Kazakhstan has eroded in many areas over the past year, but following the parliamentary election, the situation has become more urgent. Our office in Almaty said that the common belief is that NGOs will be raided next by the government. Civil society in Kazakhstan had already operated under tightly controlled and repressive conditions, with government harassment, including police visits and surveillance, of NGO offices and personnel. Real civil society efforts have been squeezed out by the GONGOs, which the government mobilized to create the impression of a thriving Kazakhstani civil society in the West. Kazakhstan's most-prominent human rights defender, Evgeniy Zhovtis, remains in prison. The expectation now is that things are only going to get worse.

While in 2010 Kazakhstan's human rights record was under the spotlight during its OSCE chairmanship, in 2012 the international community moved its focus elsewhere, which has proved to be a dangerous miscalculation and which has let the situation unravel all the more.

Kazakhstan has preferred to view democracy and freedom as public relations slogans to boost prestige. It spared no expense in promoting itself with advertisement campaigns and high-level consultations with Tony Blair and lobbyists. Admittedly, this has paid some dividends for Kazakhstan on policy fronts. The international community hoped that giving Kazakhstan the carrot of a prestigious OSCE leadership role as well as the accompanying glare of the international spotlight, would lead to significant improvements in the country's human rights implementation. This has not been the case.

Despite trying to tout a multi-ethnic population which lives in relative harmony (especially in comparison with its neighbors in the Ferghana Valley), an essential truth was revealed in yet another authoritarian government: governments that cannot meet the political and material aspirations of their citizens lose legitimacy. When citizens have legitimate grievances without an outlet, when freedoms are denied in the name of stability, instability and extremism are likely to increase.

Kazakhstan's "stability" was based on the precarious assumptions that dissent could be stifled and there was no need to enable a peaceful rotation of power among alternative political forces. The lesson of the past year is that stability will not be enhanced through further repression. It is time to address the political stagnancy and lack of an apparent heir after Nazarbayev, officially deemed "Leader for Life." It is time for pro-democratic forces within Kazakhstan and the international community to start thinking about how to catalyze a more democratic and more stable future for the country. Given its strategic importance, how Kazakhstan approaches the immediate future should be a cause for concern for American, Russian, Central Asian, and European policy-makers.

I would now like to offer five specific recommendations, which have been developed in consultation with civil society in Kazakhstan:

- It is important to publicly, at high levels, continue to hold the Kazakh authorities to their international obligations—particularly the fundamental freedoms of expressions and assembly—and to require their implementation. Kazakhstan must earn positive attention not buy it.
- It is important to express support for civil society in Kazakhstan in cases of direct repression against NGOs and their activists.
- The time is now to increase material support for civil society in Kazakhstan—through funding and participation in various programs. Freedom House’s office in coalition with other domestic and international NGOs has worked hard to try to build space in a repressive environment. They need our help more than ever.
- It is important to put pressure on the Kazakh authorities, demanding an investigation of the events Zhanaozen openly and transparently, including any searches, detentions and arrests.
- It is important to press the government of Kazakhstan to put words into action and allow political pluralism and not paint the opposition as the enemy. The opposition has announced on January 28 it will hold a massive protest rally in Almaty and will try to contest the election results in courts. The West should pay attention.

PREPARED STATEMENT OF DR. SEAN R. ROBERTS

Chairman Smith and members of the Commission, I would like to thank you for inviting me here today to speak on this very important and timely topic. As I recently wrote in a briefing paper commissioned by the Atlantic Council on twenty years of U.S.-Kazakhstan relations, the Republic of Kazakhstan is something of an oasis of stability in the desert of uncertainty that represents Central Asia. Indeed, this stability is also largely the result of smart policies adopted by the Government of Kazakhstan over the last twenty years.

In the early 1990s, the Government of Kazakhstan, with cooperation from the United States, divested itself of the nuclear weapons it inherited from the Soviet Union. Also in the 1990s, Kazakhstan's government was careful to adopt inclusionary policies for its Russian minority citizens and to establish close relations with the Russian federation, which helped to substantially reduce ethnic tension in the heavily Russian-populated north of the country. During the later 1990s and into the 2000s, Kazakhstan also adopted substantial liberal economic reforms that helped the country use its natural resource wealth to stimulate growth and create a vibrant middle-class. All of these steps have played a role in making Kazakhstan the strongest and most stable country in Central Asia both politically and economically, and the Government of Kazakhstan frequently and justifiably takes the credit for them.

Unfortunately, stability is not something a state can merely establish once; it is an ongoing duty of governments around the world to meet the challenges that they face in keeping their citizens secure. This duty requires adapting to changing circumstances and understanding the changing needs of citizens. Given the several outbreaks of violence that have occurred in the country over the last year, one can justifiably ask whether the Government of Kazakhstan today is adapting to the new realities the country faces and whether the state is as stable as its government suggests. After all, the Kazakhstan of 2012 is quite different from that of 1992 or even from that of 2002, but during the past twenty years the same President, who continues to be advised by many of the same men, has led its government. This is not a recipe for an adaptive government and long-term stability.

In the interest of time, I want to focus on three critical and relatively recent changes in Kazakhstan's socio-economic environment that, in my opinion, have contributed to the growing violence and tension we have seen in the country over the last year. I will also note that the country's present government has yet to sufficiently address these changes and may be ill-equipped to properly engage them, bringing into question whether the violence we have seen this year is the beginning of a much less stable Kazakhstan into the future.

The first change is the rapid growth in the popularity of Islam in the country. In the last several years, the re-engagement of Islam by the people of Kazakhstan, which has been ongoing since the early 1990s, has suddenly become apparent in public spaces throughout the country. As somebody who has been visiting the country frequently over the last twenty years, for example, I was struck last summer by the number of Kazakh women dressed according to Islamic custom in the city of Almaty, the most cosmopolitan city in the country. This rapid growth of public religiosity is not suggestive of a terrorist threat or even of an immediate move towards political Islam, but it does point to a changing public culture that is poorly understood by both the government and the secular middle-class of the cities. As such, it is also suggestive of a growing population for whom the Soviet past, from which Kazakhstan's current leadership emerged, holds little authority.

We know very little about this growing Islamic religiosity in Kazakhstan, but it is likely quite diverse and represents a variety of different understandings of Islam. While we know even less about the alleged Muslim extremists who clashed with authorities in western Kazakhstan earlier this year, one must assume that these people were representative of at least one part of the population that is expressing its belief in Islam more publicly. Again, I will stress that I do not consider that these people, and others like them, represent a serious terrorist threat to Kazakhstan. Rather, I believe they are emblematic of the inability of the present government in Kazakhstan to speak to the needs, perspectives, and values of an increasingly religious population.

A second related development in the country is the growth of ethnic Kazakh nationalism. Like the growth of religiosity, this is a phenomenon that has been ongoing since the early 1990s, but it has taken on new characteristics in recent years. In particular, the large number of ethnic Kazakh Oralman who have come back to the country since the early 1990s from exile in China, Mongolia, Iran, and elsewhere are now becoming much more integrated into society. They generally have a poor knowledge of Russian, are religious, and believe that they should have an advantage

over non-Kazakhs regarding economic opportunity. This situation is increasing ethnic tension in the country as well as creating fear amongst Russian-speaking Kazakhs in urban areas who see these developments as also promoting the status of Kazakh language.

While the country's leadership has tried to balance the promotion of Kazakh patriotism with policies of multiculturalism since independence, the growth of Kazakh language use and Kazakh nationalism are developments they are not well placed to engage given their political education in a Soviet system that shunned nationalist politics. Furthermore, while the ethnic tension created by these developments has not yet exploded into mass violence, it has already manifested itself in violent clashes between Kazakhs and Uyghurs in the area of Kazakhstan between Almaty and the Chinese border.

Finally, and perhaps most ominous for the present government, Kazakhstan is beginning to face a crisis of rising economic expectations that are unmet. While Kazakhstan is certainly the most economically viable country in Central Asia, the country's middle-class and skilled laborers have come to expect their standard of living to improve on a regular basis after a decade of rapid economic growth. A combination of the global financial crisis, a leveling off of Kazakhstan's post-transition growth, and the bust of a substantial housing market bubble have stunted these improvements for many citizens in the country over the last several years. Given the awareness of the income gulf in the country, these unmet expectations for improved standards of living have resulted in increased dissatisfaction with the current economic situation in the country among the middle-class and skilled laborers. This situation undoubtedly contributed to the labor strikes we saw in the west of the country this year, and the government's violent reaction to these strikes shows just how unprepared the present Government of Kazakhstan is to deal with such dissatisfaction.

It should be noted that these changes in Kazakhstan's socio-economic environment are not extreme and are unlikely to immediately cause widespread unrest in the country. In fact, in a democratic society, such discord and socio-economic dynamism is expected, and politicians and different political parties compete to provide the best solutions to them. In Kazakhstan, however, the stagnant political system has no mechanism to adapt to such dynamic changes. Furthermore, at a time when many authoritarian states have sought to implement at least gradual liberalization of their political systems in response to the "Arab Spring," Kazakhstan has shown no such desire, instead holding controlled elections this past year that differed little from those held in the country over the last twenty years.

In my opinion, the growing dynamism of Kazakhstan's society coupled with its stagnant political system could create a dangerous scenario when the country finally decides, or is forced to decide, on a strategy for presidential succession. With a diversification of powerful interests in the country, significant natural resource wealth at stake, and no experience with competitive politics, such a succession could become a flashpoint for substantial conflict and sustained instability.

In conclusion, I will note that I believe that Kazakhstan has the capacity to adapt to these changes given the country's rich human resources and relatively broad economic prosperity. To do so, however, the country must begin taking measures towards a liberalization of its political system now. The gradual development of a competitive and transparent multi-party political system now can prepare the country to deal with presidential succession, but if Kazakhstan waits until a succession crisis ensues to implement such reforms, I fear it may be too late.

PREPARED STATEMENT OF AMBASSADOR ERLAN IDRISOV

Thank you Chairman Smith, Senator Cardin and other Members of the Helsinki Commission, for holding this important hearing on the state of Human Rights in Kazakhstan. We appreciate that our close friend and ally, the United States, is concerned about the recent events in Zhanaozen and the overall stability of Kazakhstan. On behalf of my government, I want to address those concerns and outline for you the steps Kazakhstan is taking to ensure continued stability in our country and the events that took place on December 16.

The support of the United States for our young democracy over the past twenty years has been essential to our development. We look forward to another 20 years of close engagement and partnership on these issues as Kazakhstan grows in its independence.

As you are well aware, the United States was the first country to recognize Kazakhstan's sovereign independence from the Soviet Union on December 25, 1991. As Kazakhstan has just celebrated its 20th anniversary of independence, we look back with pride over the progress we have made over such a short period of time. Democracy is about more than laws and institutions; it is fundamentally about custom, habit, and culture, supported by property rights, and backed by the rule of law. When given the opportunity 20 years ago to choose how we wanted to govern ourselves, we chose democracy because we believe it is the best way to run our society, ensure the prosperity of our people and guarantee the long-term security and success of our state. While Kazakhstan's record in all of these areas is not perfect, we are proud of the progress we have made.

Kazakhstan's ties with the United States are close, multi-faceted and enduring. We have shared objectives of enhanced political, economic, infrastructure, and security linkages and cooperation that can mutually benefit our nations. We have achieved much towards building institutional capacity and making our continued progress in areas such as education, civil society, media freedom and local governance.

Kazakhstan is committed to being a responsible member of the international community. After suffering through almost 500 Soviet nuclear tests that destroyed the lives of 1.5 million people, Kazakhstan made the unprecedented move, upon independence, to voluntarily shut down its nuclear test site and renounce the world's fourth largest nuclear arsenal. At this time, our nuclear arsenal was larger than the nuclear weapons stockpiles of Great Britain, France, and China combined. President Nazarbayev stood up to intense pressure from outside forces pushing for Kazakhstan to keep our nuclear weapons and become the first Muslim nation with nuclear capabilities. He made this decision because he knew that responsible engagement in the international community was far more important than having a large nuclear stockpile.

Today, Kazakhstan is actively collaborating with the United States in bringing peace and stability to Afghanistan. When operations at the U.S. Air Force Base at Manas were threatened by the political instability in Kyrgyzstan in 2010, the Kazakh government offered our airspace for expedited U.S. military flights to Afghanistan.

We are an essential part of and proud partners in the Northern Distribution Networks, which provides supply lines to coalition troops in northern Afghanistan.

The Eurasian region has seen instability over the past year. In Kyrgyzstan political unrest in April 2010 led to the ouster of President Bakiyev. The Kazakh government worked with the United States, Russia, the European Union and the United Nations to address the turmoil as it was taking place. Working with the transition government we encouraged them to work together to return normalcy to the country by restoring political institutions and basic economic activity. We were pleased with the outcome of the Presidential elections last year and are committed to working with President Atambayev to promote stability in the region.

As we have shown our commitment to promoting stability throughout the region we are equally committed to promoting stability within our borders. For this reason, my government was deeply concerned about the events in Western Kazakhstan last December. The government is still conducting its investigation, but as far as we can tell a small group of people violently interrupted a national celebration. While hundreds of other citizens happily commemorated Kazakhstan's 20th year of independence from the Soviet Union, agitators burned police cars and government buildings for reasons that remain unclear. This disturbance, which I am sad to say resulted in at least 16 deaths and many injuries, is an example of the growing pains that our young nation is going through. Oil workers in Zhanaozen have been pressing for higher wages and better conditions and the government has been working to ad-

dress their concerns. Nevertheless, the rioters, possibly instigated by outsiders, chose destruction rather than negotiation.

We deeply regret that this incident resulted in the loss of life. In response to this violence, President Nazarbayev called for a full investigation into the matter within 24 hours. Establishing government commission, headed by First Vice-Prime Minister Shukeyev, and collaborating with the investigation group led by Interior Minister Kasimov, the Kazakh government is looking forward to receiving a full report of what exactly took place. These groups are not only investigating the rioters' actions, but are also conducting a thorough investigation into the police forces actions throughout this event. Moreover, international experts have been invited by us to participate in the investigation process, including from FBI and UN.

The Kazakh government is committed to accountability. Those found responsible for this violence will be brought to trial and must be held accountable for their actions. We will pursue the full weight of the law against anyone found guilty, including those in the security forces and government.

In order to address the unrest and ongoing disputes with oil workers, the unemployed oil workers in the region have been offered new jobs. In addition, the Government and company officials who had failed to address these grievances have been removed from their positions and replaced. The newly appointed Minister of Economic Development and Trade, Bakhytzhhan Sagintayev, is overseeing a seven-point action plan to rehabilitate the region. This plan is working to address problems of rebuilding damaged property, improving food security, and improving residents living conditions.

These actions taken to restore stability have already seen some results. The region had regained sufficient stability to participate fully in Parliamentary elections held last week, and citizens of the region were given the opportunity to participate fully in those elections.

Zhanaozen violence came out of the blue and shocked the entire nation. But observers noted that despite this the Government displayed quite a mature behavior and reaction to the events, making special emphasis that the crisis is addressed and reported in the most transparent, open and fair manner.

I have personally held press briefings here in Washington to discuss these events and the government's response to them. To ensure transparency, beginning on the day after the riots, I have published on the Embassy website (www.kazakhembus.com) a timeline of events on that day, and updates regarding the investigation, as they are available.

The Parliamentary elections that took place January 15 are further proof that Kazakhstan is making incremental progress in developing its democracy. For the first time in history Kazakhstan has elected a multi-party Parliament. This shows great movement in the right direction for Kazakhstan, in terms of building political pluralism, strengthening the rule of law and developing democratic institutions. Over 75 percent of the eligible population voted in the election, and more than half of the Kazakh population living abroad participated by voting at polling stations in diplomatic and consular representation offices. In addition, the people of Western Kazakhstan turned out in large numbers to vote. Various international observers commented on the high organizational level of the elections and generally praised them. The elections were monitored by 819 international observers. Those include 309 representatives of the OSCE/ODIHR, 262 from the CIS Observer Mission, 46 from the OSCE Parliamentary Assembly, 15 from the PACE, eleven from the SCO Observer Mission, nine from the Cooperation Council of Turkic Speaking States, seven from the OIC, ten from the TURKPA, and 150 others from 29 countries. In addition, 156 foreign media representatives covered the elections. These figures show that the elections were open and transparent. All international organizations have made independent assessments and conclusions based on their own observation of the electoral process.

OSCE issued a critical Statement on Preliminary Findings and Conclusions. But even OSCE's assessment could not ignore improvements. In particular, OSCE said: "The elections were well administered at the technical level and the observers noted legal changes aimed at ensuring representation of at least a second party in parliament, but the authorities did not provide the necessary conditions for the conduct of genuinely pluralistic elections." Despite these assessments from OSCE ODIHR, the outcome is clear: Kazakhstan has made a major step forward to strengthen its multiparty and more robust democracy.

Kazakhstan is uniquely positioned in a region of the world that is fraught with instability and poor governance. Amidst the uncertainty however, Kazakhstan is establishing a stable democracy. We are not perfect, but we are a mature government. It takes a long time to develop the institutions and cultural habits that make up democracy as westerners know it. We make progress towards that goal every year.

Kazakhstan has benefited from significant progress in a short period of time in part because we have focused on strengthening our economy. A strong economy is the necessary first step toward democracy. We started out, twenty years ago, with hyperinflation, poverty and high unemployment. Today we are the fastest growing and most reliable economy in our region.

Developing a fully functioning democracy is not easy work, and it will not happen overnight. However, Kazakhstan is committed to pursuing the ideals of freedom, rule of law, and economic growth. Our government will take full responsibility and demand accountability when it is found to have been wrong. However, we are also committed to protecting our citizens from overzealous activists who choose violence over dialogue. We are thankful for the support and partnership of the United States and hope to strengthen our bilateral relationship as we work to address challenges together.

I appreciate the opportunity to share the perspective of my Government with you.

In addition, in our continuing effort to be open and transparent about the violence last December in western Kazakhstan, below please find the complete report by the Prosecutor General. It [is] noteworthy reading because of its balance and fairness.

25 January 2012

Statement by the Prosecutor General of the Republic of Kazakhstan on the events that took place in the town of Zhanaozen on Dec. 16, 2011

On the 16th of December 2011 in the town of Zhanaozen in Mangystau province during the celebration of the Independence Day of the Republic of Kazakhstan, a group of former workers of the “OzenMunaiGaz” oil producing enterprise—with the support of youngsters—started to loot and set fires in the Central Square.

As a result, 125 facilities were set on fire, damaged or looted, including offices of the mayors of Zhanaozen and Tenge. Also damaged were a Pension distribution center, police stations, an office of “OzenMunaiGaz,” the “Aruana” hotel, the “Sulpak,” “Atlant” and “Sholpan” shopping centers, five bank offices, nine ATM machines, 21 vehicles, apartment buildings and numerous facilities that belong to small and medium sized businesses.

The damage caused to the state, companies and individuals ran in the billions of tenges.

In order to end mass disorder and to protect civilians, the command of the Department of Internal Affairs of the province sent a police squad that was attacked by the crowd with firearms and knives, stones, sticks and Molotov cocktails.

The police, after several warning shots, used weapons against the rioters.

As a result of the clashes, **64** persons received gunshot wounds, **14** persons died. The death of two persons mentioned in media reporters was not related to the disturbances.

35 police officers received various injuries.

* * *

By the instruction of the Head of the State, in order to investigate the facts of the disturbances as well as the reasons and conditions of their development, an inter-agency investigation team under the special prosecutor was established and is operating now.

Six organizers of the disturbances have been identified—Saktaganov, Dzhyrylgasinov, Irmuhanov, Dosmagambetov, Utkilov and Tuletaeva—and all have been charged with Part 1 Chapter 241 of the Criminal code and all are under arrest.

Twenty three active participants of the disturbances and **11** individuals who set fires and looted have also been identified and arrested. Most of them confirmed the fact that they helped organize and participated in the disturbances.

They said that they were preparing for the insurgencies in advance and worked with a group of young people who prepared bottles of Molotov cocktails and armed themselves with improvised weapons.

In the course of the investigation—and following an appeal—softer treatment was given to 11 individuals, short of arrest. The work to identify other organizers and participants of the disturbances continues.

* * *

Simultaneously, by the order of the Head of the State, the legitimacy of the actions of the police officers who took part in restoring public order is being examined. Special attention is being given to the use of weapons.

The investigation has shown that in most cases police officers acted in accordance with law under a real threat to the lives and health both of civilians and the police officers themselves.

Nevertheless, in some cases, use of weapons and special devices by the police was of disproportional character, reaction to the acts of the attackers was unequal to the threat thus leading to death and injuries of citizens.

For the improper performance of his duties, the deputy head of the Department of Internal Affairs (DIA) of Mangystau province Utegaliev, who was in charge of the police squad, is being brought to criminal account.

For the use of a weapon with excess of authority that lead to the death of people, the following are being brought to criminal account:

- head of the anti-extremist division of the DIA of Mangystau province Bagdabaev;
- first deputy head of the Office of the Internal Affairs of the town of Zhanaozen Bakytkaliuly;
- police inspector of DIA of Mangystau province Zholdybaev.

The death of Kenzhebaev Bazarbai, who according to the statement of his relatives died because of the bodily injuries that he suffered in the Temporary Detention Facility of the Office of the Internal Affairs of the town of Zhanaozen, was evaluated.

As a result, the Head of the Temporary Detention Facility of the Office of the Internal Affairs of the town of Zhanaozen Temirov, who allowed illegal detention of Kenzhebaev and did not arrange timely hospitalization for the latter, is being brought to criminal account.

Also, measures are being taken to identify those who beat the deceased.

* * *

Illegal actions of the local executive officials and the heads of oil enterprises contributed to the tension that resulted in the disturbances.

Financial police discovered that the abovementioned officials, contrary to the interests of the people of the town, for several years had been stealing money allocated for social and economic support of the local population and workers of the oil industry.

The investigation reveals that both the former and the current mayors of the town of Zhanaozen Babahanov and Sarbopeev had been stealing money through the “Zhanashyr” and “Zharylkau” public endowments.

The mentioned officials and heads of endowments are being brought to criminal account.

A criminal case on clause “b” of part 3 of chapter 176 of the Criminal code has been started against heads of JSC “EP”Kazmunaigaz” and “Kompaniya Munai Ecologiya” LTD Mirishnikov and Baimuhambetov on the evidence of the theft of 335 million tenges that belongs to JSC “EP”Kazmunaigaz”.

A criminal case on clause “b” of part 3 of chapter 176 of the Criminal code is under investigation against former director of “OzenMunaiGaz” Eshmanov, his deputy Markabaev, who are accused of stealing 127 million tenges that belongs to JSC “EP”Kazmunaigaz”—in collusion with director of “Burgylau” LTD Seitmagambetov.

* * *

One of the reasons of the disturbances was active efforts of some individuals who persuaded fired workers to continue protests and to violently oppose the authorities.

A Committee of national security has started to investigate a criminal case in accordance with part 3 of chapter 164 of the Criminal Code.

During the investigation a number of leaders and active members of the unregistered public unions “Alga” and “Halyk Maidany” Kozlov, Amirova and Sapargali, who are suspected in inciting social hatred, have been detained.

* * *

Events that took place in the village of Shetpe need a separate comment.

On the 17th of December 2011 a group of people blocked a railroad connection, disassembled the railroad sections and damaged facilities of transport infrastructure at a railroad station of Shetpe in Mangystau province.

These actions infringed the normal operation of the transport for several hours.

When police tried to prevent the illegal actions, they were attacked by individuals who used weapons, Molotov cocktails and stones; 5 police officers received various injuries and burns.

After several warning shots police were forced to use weapons. 11 of the attackers were wounded, 1 died.

The investigation had come to the decision that in this case the use of weapons was legal.

Three individuals—Bakytzhan, Sabirbaev and Zhilkishiev—are being brought to criminal account for organizing disturbances and for the use of violence against authorities.

Another 12 individuals were charged with participation in mass disorder, use of violence against the representatives of authority and damaging means of transportation and railroads.

* * *

Investigations on all the mentioned cases continue. The results of the investigations will be reported regularly.

STATEMENT FROM THE CENTRAL COUNCIL OF PEOPLE'S FRONT

January 24, 2012

Statement regarding arrests of Alga People's Party and People's Front activists

On January 23, 2012, the Committee of National Security (KNB) raided the office of Alga People's party and homes of Vladimir Kozlov, Mikhail Sizov, Gulzhan Lepisova, Askar Tokmurzin, as well as People's Front activists Igor Vinyavskiy and Zhanbolat Mamay.

After that Vladimir Kozlov and Igor Vinyavskiy were arrested on charges of inciting social unrest and calling for the violent overthrow and change of the constitutional order by force and violation of the unity in the Republic of Kazakhstan. We view these actions as political provocations by KNB to intimidate our activists, to undermine activity of the Alga People's Party and People's Front and to stop supporting people who participated in peaceful social protest in Zhanaozen and who were shot by the police on December 16, 2011.

With these actions, KNB confirms a fact that Nazarbayev and his law enforcement agencies were not planning and will not conduct an objective investigation of the Mangistau tragedy. But on the other hand they try to shift a responsibility for what happened out there on strikers themselves and those who helped them effectively protect their political and human rights.

This means that our fellow party members will face a politically-motivated and legalized tyranny because the investigation is managed by those who gave the order to open gunfire on December 16–18 and it conducted by those who detained, tortured and beaten our fellow citizens, beating testimonies out of them forcibly required by the Akorda.

To save our party members from the Nazarbayev's repression, as well as to rescue victims of the December 16-18 tragedy from police reprisal is possible by breaking out the informational blockade and make public all facts about what happened in in Zhanaozen and Shetpe, and solidarity support by the Kazakhstani and international societies.

Therefore we call upon all citizens of Kazakhstan, NGOs and political forces:

- To support our party members.
- To disseminate information about the outbreak of police brutality and Nazarbayev's lawlessness.
- To send us and independent media outlets information about events in Zhanaozen and Shetpe, eye-witness and documented evidences that the death toll there is higher than official one, and that the Akorda is trying to hide it to weaken and undermine the resentment of the bloody action as well as facts that prove the innocence of our fellow party members to the bloody events.
- To support victims of the Mangistau tragedy to help them break the information blockade, ease the pressure on them from the police state apparatus, to help them survive the incident and find the strength to live.

We also call upon the diplomatic offices of democratic countries:

- To inform their countries' political leadership on transformation of Kazakhstan's "managed democracy" into a totalitarian state.
- To protest against recurrent violation of citizens' human and political rights by the Kazakhstani authorities.

We urge the European Parliament and European Commission:

- To form an International Commission to investigate the December 16–18, 2011 events in Zhanaozen and Shetpe, and in case of refusal by Nazarbayev to allow conduct a full and fair investigation in Kazakhstan they should initiate a case at the International Criminal Court in the Hague.
- To adopt a resolution in support of the Mangistau tragedy victims and in defense of the democratic forces of Kazakhstan, defending the right to freedom of speech, assembly, procession and other fundamental human rights.

We also urge the OSCE and international human rights organizations:

- To express their negative position to a recent outbreak of police lawlessness in Kazakhstan.
- To dispatch their representatives to the Mangistau region after the state of emergency is lifted to study the situation there and to participate in the trials of activists of the democratic forces whom Nazarbayev and his law enforcement agencies are trying to make responsible for what happened there on December 16–18, 2011.

We ask foreign non-governmental organizations and media outlets:

- To pay attention to the transformation of Kazakhstan into a police state, and Nazarbayev to a dictator of the Arab type, who stays in power only because of police brutality and widespreading the fear.
- To provide information and moral support to the democratic forces of Kazakhstan and Kazakhstani civil society in their efforts to turn the country to democracy path, rule of law, justice and harmony.

The Central Council of People's Front



This is an official publication of the
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This publication is intended to document
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