

Discussing human rights with Central Asia is not enough

Universal human rights seem to bypass Central Asia

Central Asia is probably the most authoritarian region in the world. According to Freedom House's 2014 'Nations in Transit' report, the level of democracy has improved marginally in Kyrgyzstan and declined slightly in Kazakhstan and Tajikistan, although in all three countries the record remains troubling. Turkmenistan and Uzbekistan were already at the bottom of the list and have thus remained so. Four out of the five Central Asian regimes are seen as consolidated authoritarian regimes, with Kyrgyzstan faring slightly better as a semi-consolidated authoritarian regime. These types of regimes are normally bad news for human rights. Central Asia is no exception. Reports about attacks against LGBTs in Kyrgyzstan, repression of civil society in Kazakhstan, torture in Tajikistan, travel restrictions in Turkmenistan and forced labour in Uzbekistan are commonplace.

While Central Asian governments resent criticism, some have taken a few steps to engage in dialogue with international actors. Instead of seeking to push through basic reforms in the executive, legislative or the judiciary, most Central Asian regimes have pointed to the threats of terrorism and extremism to justify repressive policies or they have argued that their cultures have no history of democracy and will thus follow their own path of development. Criticism on human rights violations is sometimes rebuffed by pointing the finger at the US's or Europe's own shortcomings or by arguing that Western countries are only seeking to impose their views on (universal) human rights on societies that have their own norms and values.

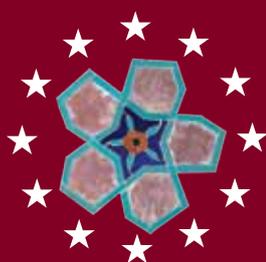
In comparison with other countries with low democracy or human rights standards, such as in large parts of the Middle East and North Africa, the situation in the Central Asian states receives less international media attention and is thus less well-known. International organisations with a human rights mandate have little sway over these countries' human rights policies and struggle to monitor developments. The United Nations is represented in most Central Asian countries and reports when and where it is possible. However, whereas UN assessments have an important value, its capacity to have a genuine impact or extend the work of the Human Rights Council to international actors remains narrow. Central Asian countries are not members of the Council of Europe, which plays a bigger role in protecting human rights in Europe at large, even though Kazakhstan and Kyrgyzstan are part of the Venice Commission. The presence of the Organisation for Security and Cooperation in Europe (OSCE) in Central Asia has been severely downgraded over the last decade and its work on democracy and human rights has been curtailed in all five countries. This leaves most information-

sharing and monitoring in the hands of international human rights watchdogs and a few local activists, who also face difficulties in assessing the situation.

China and Russia – countries with poor human rights track-records – are the main powerful neighbours of the landlocked region, while the United States has decided not to assume a leading role in the region beyond the use of the Central Asian republics for the withdrawal of the ISAF mission in Afghanistan. Taking note of this and the low impact of international organisations, this leaves the European Union and its member states as the best suited actors to play a leading role in monitoring human rights in Central Asia and addressing violations. In early 2014, the European Parliament published an evaluation study by EUCAM staff entitled *Evaluation of the EU's Human Rights Policies and Engagement in Central Asia*. The report acknowledges the challenges faced by the EU (or any other outside actor) to influence the human rights situation in Central Asia, as well as to actively promote democratic reform in the region. The EU is active in human rights in Central Asia in two ways in particular. First, through the EU's policy instruments, which consist of institutionalised Human Rights Dialogues, in addition to political dialogue and statements by EU officials on specific human rights deficits. While it is important to debate human rights with the Central Asian authorities and to remind them of their international commitments, there seems to be a lack of determination on both sides to act upon these discussions. Second, the EU funds human rights oriented projects in the region, often with civil society actors as recipients. It is here that the EU can make a real difference if projects are chosen wisely and civil society is supported structurally.

In this EUCAM Watch, we asked three human rights experts about the situation in Turkmenistan and Uzbekistan – as the most problematic Central Asian countries in this regard – and to share their views on how the EU can better advance its democracy and human rights agenda in Central Asia. *Veronika Szente Goldston*, advocacy director for Europe and Central Asia of Human Rights Watch, outlines the need for the EU to come up with better and clearer-articulated objectives. *Umida Niazova*, director of the German-Uzbek forum for Human Rights, evaluates the conclusions of the mission of the International Labour Organisation (ILO) to Uzbek cotton fields in 2013. *Farid Tuhbatullin*, founder of the Turkmen Initiative for Human Rights, describes the prevalent problems faced by the citizens of Turkmenistan in the fields of education and freedom of movement.

Editorial by Jos Boonstra, head of the EUCAM programme; and Tika Tsertsvadze, EUCAM advocacy officer and programme manager.



Newsletter

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Interviews

Veronika Szente Goldston, advocacy director for Europe and Central Asia, Human Rights Watch

Human rights seem to be deteriorating in Central Asia. In which areas could international organisations and local activists still achieve progress?

International and local actors seeking to secure positive change should focus on specific steps that are as measurable and concrete as possible, and join in a coordinated effort to press for tangible improvements, such as the release of wrongfully imprisoned human rights defenders, journalists and activists; amendments to or in some cases outright annulment of problematic laws or provisions; ensure that civil society and other independent voices can operate freely and without fear of persecution; access for independent human rights monitors such as UN special rapporteurs or the International Committee of the Red Cross (ICRC); and lifting of excessive or undue restrictions on freedom of assembly, expression, religion, and movement.

International actors are especially well-placed to expressly link engagement, especially when there is a prospect of upgraded relations, to progress in these areas. While the outcome of such efforts ultimately depends on the Central Asian governments themselves, international actors need to recognize that in the absence of sustained external pressure and clearly and publicly articulated reform demands, progress will most likely not be forthcoming. Unfortunately, more often than not, international actors do not even attempt to articulate expectations and secure concessions as part of engagement, which constitutes a colossal missed opportunity. Such failures also squander precious opportunities to lend critical moral support to those courageous local voices that these governments go to such great lengths to silence.

Will a possible decrease in strategic interests from Western countries as a result of the ISAF-2014 draw-down from Afghanistan be accompanied by a less compromising position of the EU and the US on human rights matters in Central Asia or vice versa?

Strategic interests, including in the security sphere, have often

been invoked to justify the lack of pressure on Central Asian governments. Human Rights Watch rejects the notion that pursuing such strategic interests and promoting human rights are mutually-exclusive. Indeed, in the immediate aftermath of the Arab Spring EU leaders recognized that these concepts ought to be mutually reinforcing. Looking at the EU's approach to Central Asia, however, there is no indication of these lessons being internalized. We will be watching closely how these dynamics will evolve as ISAF troops withdraw from Afghanistan, and will continue to push for tough and principled human rights policies. Our job as human rights advocates is not to accept excuses at face value, to call their bluff, and if necessary, to shame them into action.

Kazakhstan and Uzbekistan are likely to undergo presidential succession processes over the coming years. How do you see the chances of new regimes initiating democratic reforms and abiding to international human rights standards?

This depends, to a great extent, on the way that successions are handled in these two countries. At present, the prospects for genuine reformist alternatives or free and fair elections are dim. In Uzbekistan, the government has a longstanding record of deeply-rooted repression and brutal silencing of independent voices. In Kazakhstan, over the last few years there has been a clear decline in the respect for fundamental freedoms. International actors should impress upon both governments the importance of opening up the political space for alternative voices, for respecting fundamental rights such as freedom of expression, assembly and association, and overall for lifting, rather than tightening, restrictions on civil and political rights. Once a transition of power is underway, it is key that the international community be vigilant and clear from the outset about the standards that apply, conveying publicly its reform expectations, and engaging proactively and in a sustained manner to secure their fulfilment.

Umida Niazova, director, German-Uzbek forum for Human Rights

How do you evaluate the conclusions of the mission of the International Labour Organisation that monitored Uzbekistan's 2013 cotton harvest? Have there been improvements regarding the use of child and forced labour in Uzbekistan?

Our monitoring shows that in 2013 children under 15 years of age were not mobilised on a mass scale as was the case before, when schools used to shut down for almost two months, and school children as young as 6 years-old were forced to work in the cotton fields. However, in 2013 the authorities did force children aged between 16 and 18, who were studying at colleges and lyceums, to harvest cotton in every region, spending, on average, between two weeks and two months in the cotton fields. During the past few years there seems to have been a tendency to replace the number of children mobilised to pick cotton with adults. Nevertheless, the number of students forced to pick cotton remains massive.

Unfortunately, it was impossible for the ILO to conduct an objective and comprehensive monitoring. The ILO monitoring groups included Uzbek government representatives or representatives of quasi-governmental organisations. This joint monitoring in practice meant that ILO representatives could interview people only in the presence of local officials. During their 50-day visit, ILO representatives did not meet a single local human rights activist.

The Uzbek government used various methods to pretend that students were in school and not in the fields. It is reported that before the arrival of the ILO monitors, first-year students, which are generally 16 years old, were returned from the fields to school to continue their education. A 15-year old interviewed told this author that he and his classmates were taken to a local college where all students were away harvesting cotton and were told to pretend to be first- and second-year students.

Could regime change through presidential succession in Uzbekistan over the coming years have a positive impact on the country's human rights situation?

President Karimov's successor will likely be appointed by the National Security Service, Uzbekistan's most powerful structure. The new leader will have to guarantee the status-quo of the already divided business and economic interests of the elites. Human rights will be at the very bottom, if at all, of his/her priorities. The new president will try to maintain control over society and government institutions such as the parliament and the judiciary. The problem of human rights in Uzbekistan is foremost a political question. The current problems faced by Uzbek citizens include poverty, energy shortages, a biased justice system and a rubber-stamp parliament, corruption, propaganda, and social problems, aggravated by millions of labour migrants. Despite this grim situation, however, there is no resistance and protest. Society lives in terror and fear. As the 2005 Andijan events have shown, the authorities are ready to commit mass-scale killings of protesters for the sake of regime security and stability. The authorities fear that allowing minimum fundamental freedoms will endanger the stability of the current political elites. This means that the chances of human rights improvements are slim in a succession scenario in Uzbekistan.

What are the best opportunities for the EU to promote human rights in Uzbekistan and how can the EU help and push the government to meet its international human rights obligations?

The EU's strategy for Central Asia envisages discussing human rights with the Uzbek authorities. At times, EU officials have engaged with government organised non-governmental organisations (GONGOs). The EU feels that there are not many opportunities to work with a free civil society in the country itself. Only few resources have been devoted to Uzbek civil society activists. For the political elites in Uzbekistan, values such as freedoms, human rights or the separation of powers are very hostile. Government officials who participate in EU programmes do not seem to take them seriously and have no real interest in learning about international human rights standards or improving the human rights situation in Uzbekistan.

Despite these circumstances, it is still necessary to provide moral and financial support to Uzbek civil society both inside and outside Uzbekistan. One area where support would be particularly important and perhaps more effective is free media, with a view to offering citizens objective information.

It would also be helpful if the EU reacted more actively and publicly to human rights violations in Uzbekistan. At the same time, EU-Uzbekistan human rights dialogues should not be limited to closed-door meetings. Human rights defenders would like to know more about what topics are discussed, how the EU raises

these important issues with the Uzbek authorities, and how Uzbek officials respond. This would enable human rights defenders to put forward their opinions and possibly discuss with Uzbek officials in the presence of the EU.

Farid Tuhbatullin, founder of the Turkmen Initiative for Human Rights

Has there been any progress (or regression) in Turkmenistan in respecting fundamental rights such as the provision of education, healthcare, housing, mobility etc.?

Despite a change of president at the end of 2006, there have not been many changes in the country's education system. President Berdymukhamedov has continued with the previous government's practice of obliging schoolchildren to use books written by him personally. The ideology remains the same – 'to bring up a new generation dedicated to patriotism and respecting traditions'. For more than 20 years, Turkmenistan's younger generations have been brought up according to these 'values'. They do not know what genuine freedom is or what their rights are. They do not have the opportunity to receive an alternative education.

Because of the country's very poor and demagogic educational system, some parents prefer to send their children abroad to study. The main destinations are Ukraine, Belarus, Russia and Turkey. Even Belarus, which like Turkmenistan is considered a totalitarian state, is perceived by Turkmen students to be freer than their country. Still, the Turkmen authorities try to carefully monitor the student's behaviour and dealings abroad.

Turkmenistan is considered a closed society and isolated country. Have there been any positive or negative developments in the possibilities of citizens to travel abroad or for students to take up a study through an international grant?

The Turkmen government does its best to limit interaction between Turkmen citizens and foreigners. Many restrictions are in place, including the need for a visa to enter Turkmenistan for citizens of any country in the world. Turkmen students who study abroad in countries that have undergone revolutions or massive upheavals (Kyrgyzstan, Ukraine and Turkey) face problems to leave the country in the future. Citizens in need of immediate medical assistance that cannot be obtained domestically are often denied the right to leave the country, while the elderly are often denied the right to board a plane under the excuse that they might not survive the flight.

The authorities have also compiled so-called 'black lists', which according to various sources currently contain between 15,000 and 18,000 people. These lists include not only people who have been condemned of crimes, but also relatives of opposition leaders, dissidents, human rights defenders, as well as those suspected of disloyalty to the regime. The ministries of National Security and Internal Affairs, together with the Prosecutor's Office, the State Service for Migration, the Border Service and the Service for Guaranteeing Healthy Society, are in charge of creating and maintaining these 'black lists'. Travellers included in these lists are usually only notified about this when they are already at a border crossing. Due to the fact that Turkmenistan does not have bus or

passenger train connections with neighbouring countries, the main means of travel remains by air, which is rather easy to control.

Turkmenistan recently introduced new biometric passports for travellers. However, these do not apply to those who have dual citizenship. According to the constitution, Turkmen citizens are no longer allowed to hold two citizenships, being forced to choose one or the other. This supposes a dilemma: if you choose the Turkmen citizenship it is hard to travel abroad, but if you choose another nationality it will be difficult to enter Turkmenistan afterwards.

How could the EU best promote human rights in Turkmenistan and how could it incentivize the government to meet international human rights obligations?

Establishing a dialogue between the Turkmen government and Turkmen human rights defenders living abroad, in presence of the EU, would be a way to engage the authorities on some of the most pressing issues. In Kazakhstan and Kyrgyzstan, the governments are at least open to hold a dialogue with civil society.

EUCAM Events

The maturing European Union Strategy for Central Asia: Results and Challenges

On 26 June FRIDE hosted the roundtable, organised by EUCAM programme, with the participation of Ambassador Janos Herman, EU Special Envoy to Central Asia. The roundtable discussed the EU Strategy for Central Asia that marks its seventh year of implementation. Since the Strategy's inception in June 2007 the EU has sought to boost relations with five Central Asian republics in a range of fields – from security to energy and from human rights to education.

Download the agenda: http://www.eucentralasia.eu/fileadmin/user_upload/CS_seminars_final_reports/Agenda-Roundtable-with-Special-Envoy-for-Central-Asia-EUCAM-June262014.pdf

New EUCAM Publications

Working Papers

How does Central Asia view the EU?

Sébastien Peyrouse (ed.), EUCAM Working Paper No. 18, June 2014

Much has been written about European policies and views regarding Central Asia. But how do Central Asians see the EU? This paper offers insights into how politicians, business leaders, scholars and civil society experts from Central Asia view the EU and its approach to the region.

Download: http://www.eucentralasia.eu/fileadmin/user_upload/PDF/Working_Papers/EUCAM-WP18-How-does-Central-Asia-view-the-EU-1.pdf

Evaluation of the EU's human rights policies and engagement in Central Asia

Jos Boonstra, Tika Tsertsvadze and Vera Axyonova, EUCAM Report No. 17, March 2014

This report, that was commissioned by the European Parliament, argues that European support for human rights in Central Asia mostly seeks to tackle technical matters in the judicial sector while often leaving deeper shortcomings in protection of human rights untouched. The EU has had little impact on Central Asia's human rights record, due to the region's deeply embedded authoritarian rule, as well as the EU's limited leverage and inconsistencies in implementing values-related policies and projects.

Download: http://www.eucentralasia.eu/uploads/tx_icticontent/EP-EUCAM-Report-Human-Rights-EU-CA.pdf

The Impact of the 2014 ISAF Forces' Withdrawal from Afghanistan on the Central Asian Region

Jos Boonstra, Marlène Laruelle and Sébastien Peyrouse, EUCAM Report No. 16, February 2014

As the 2014 NATO drawdown from Afghanistan commences, the international community increasingly looks towards the relationship between Afghanistan and Central Asia. This study that was commissioned by the European Parliament looks into the impact of Afghanistan's developments on Central Asia and reviews the possibilities that the European Union has to positively spur development and security in the region

Download: http://www.eucentralasia.eu/uploads/tx_icticontent/EC-Study-Impact-of-the-ISAF-Withdrawal-on-Central-Asia_01.pdf

Policy Briefs

Uncharted waters: Presidential successions in Kazakhstan and Uzbekistan

Jos Boonstra and Marlene Laruelle, EUCAM Policy Brief No. 33, April 2014

President Nazarbayev of Kazakhstan and counterpart Karimov of Uzbekistan have established and maintained a firm grip on their countries, but have not indicated who might succeed them in the future. This policy brief looks at how the mechanisms of power-sharing are likely to change as a result of presidential succession processes, as well as at the role of broader populations in both countries.

Download: http://www.eucentralasia.eu/uploads/tx_icticontent/EUCAM-PB-33-UZ-KZ-president-successions-EN.pdf

Commentaries

Looking for National Consensus in Post-Violence Kyrgyzstan

Erica Marat, EUCAM Commentary No. 24, May 2014

Following the June 2010 violence in Kyrgyzstan, ethnic nationalist voices of all stripes have become particularly loud, expressing their views to receptive audiences through mass media outlets and political platforms. Yet, there is a small group of civic-minded nationalists and moderate Kyrgyz nationalists who are fighting to tame extremists by formulating reconciliation policies.

Download: http://www.eucentralasia.eu/uploads/tx_icticontent/EUCAM-Commentary-24.pdf

Is the EU downscaling political engagement in Central Asia?

Jos Boonstra, EUCAM Commentary No. 23, February 2014

As of 1 March 2014, the EU will no longer have a EUSR to Central Asia. Ambassador Patricia Flor who has fulfilled the role since June 2012 has been recalled to Berlin and she will not be replaced. Instead, the EEAS is likely to appoint a special envoy to the region. As an EEAS staff member, an envoy will have less political clout with Central Asian leaders and in broader political processes than an EUSR who is appointed by the Council of the EU on behalf of member states.

Download: <http://www.eucentralasia.eu/uploads/txt/content/EUCAM-Commentary-23-Is-the-EU-downscaling-political-engagement-in-CA.pdf>



Established in 2008 as a project seeking to monitor the implementation of the EU Strategy for Central Asia, EUCAM has grown into a knowledge hub on broader Europe-Central Asia relations. Specifically, the project aims to:

- Scrutinise European policies towards Central Asia, paying specific attention to security, development and the promotion of democratic values within the context of Central Asia's position in world politics;
- Enhance knowledge of Europe's engagement with Central Asia through top-quality research and by raising awareness among European policy-makers and civil society representatives, as well as discuss European policies among Central Asian communities;
- Expand the network of experts and institutions from European countries and Central Asian states and provide a forum to debate on European-Central Asian relations.

Currently, the broader programme is coordinated by FRIDE, in partnership with the Karelian Institute and CEPS, with the support of the Open Society Institute and the Finnish Ministry of Foreign Affairs. The main outputs of the project are a series of policy briefs and comprehensive reports on key issues facing the Europe-Central Asia relationship.

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