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The 2010 OSCE Kazakhstan Chairmanship: Carrot Devoured, Results Missing

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Policy brief

Introduction

Since the Conference for Security and Co-operation in Europe (CSCE), a Cold War forum for dialogue between East and West, was turned into an Organisation for Security and Co-operation in Europe (OSCE), very little attention has been paid to countries that exercised the Organisation's rotating chairmanships. Usually chairmanships were held by small Western or Central European nations that tried to build the consensus needed for the organisation's decision-making. Even when the OSCE became a target of attacks by Russia and its allies for what they saw as excessive emphasis of the organisation on issues of democratic elections and human rights, the role of the chairmanship was not put under the microscope. For, example, outside observers who quickly developed views on the risks and benefits of the Kazakhstan chairmanship barely paid attention to the 2007 Belgian OSCE chairmanship. Only the organisation's then staff had insight into that chairmanship's policy of maximum accommodation of Russia and minimal support for the organisation's Office for Democratic Institutions and Human Rights (ODIHR).¹

¹ Author's personal communications with senior OSCE staff between 2008 and 2010.

About the Author

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(OSCE/ODIHR) as the Head of the Migration Unit and later led the ODIHR's Democratisation Department. He has also served as the Deputy Head of the ODIHR Election Observation Mission to the 1999 Kazakhstan Presidential

Despite general indifference to the OSCE's work many commentators nevertheless have developed an opinion on the Kazakhstan OSCE chairmanship bid since it emerged in the mid-2000s. Initially, Kazakhstan hoped to get the Chairmanship in 2009, but the OSCE member states finally agreed at the December 2007 OSCE Ministerial Meeting in Madrid to grant Kazakhstan the OSCE chairmanship in 2010.

This Policy Brief looks at Kazakhstan's chairmanship through the prism of the EU's relations with Central Asian states and examines what lessons the EU can draw from the Kazakhstan chairmanship. It analyses the aspects of the Kazakhstan chairmanship proponents and sceptics focused on during 2010. The OSCE Chairmanship and the agreement to hold the 2010 OSCE Summit in Astana, despite it not having a Summit-like agenda, were significant 'carrots' given to Kazakhstan.² Did these carrots bring any results, and is there a reason to offer more such carrots to Kazakhstan or to other Central Asian states? This Policy Brief deals with these questions and is not intended as a 'balance sheet' of the Kazakhstan OSCE Chairmanship.

² In his call for holding of the Summit, the President of Kazakhstan offered a vague agenda of 'topical matters on the security agenda in the OSCE area of responsibility as well as the situation in Afghanistan and issues of tolerance.' Nursultan Nazarbayev, "Summit needed for stagnant OSCE", *The Washington Times*, January 14, 2010.

Elections. Recently he headed Freedom House Europe in Budapest, and was a consultant to the Open Society Institute. He has travelled extensively in Central Asia.

To clarify the subsequent discussions, it first briefly recapitulates the arguments made by proponents and sceptics of the Kazakhstan OSCE chairmanship bid.

The proponents, which included the former Soviet States as well as most of the Southern European countries such as Spain and Italy as well as Germany, argued that the organisation has no tradition of denying a chairmanship to states that seek it and which have no outstanding territorial disputes with other states. They also argued that a denial of Kazakhstan's bid would only accentuate the new divisions in Europe between the East and the West and give credibility to the argument often made in Russia that the EU is not treating former Soviet Republics as genuine partners. The proponents held optimistic views that Kazakhstan's OSCE chairmanship would accelerate further independence of Kazakhstan's foreign policy from Russia's influence, bring Kazakhstan and the whole Central Asian region closer to Europe, that it would shine a spotlight on Kazakhstan's human rights record, and would serve as an incentive for domestic reforms.

On the contrary the sceptics, including many in the US, UK, Czech and Swedish governments, among others, felt that Kazakhstan's chairmanship would hinder the work of the OSCE's institutions, especially the ODIHR, in areas such as election observation and promotion of human rights. Furthermore, they felt that within the organisation Kazakhstan's agenda would be guided by Russia, and particularly its drive to conclude a legally-binding European Security Treaty along the lines proposed by the Russian President Dmitry Medvedev, opposed by most of the EU states and the US. Moreover, these sceptics believed that Kazakhstan's poor human rights performance and its record of holding questionable elections disqualified it from chairing the OSCE and discredited its message of democracy and human rights.

The discussion over the merits of granting Kazakhstan the OSCE Chairmanship took place against a background of growing pessimism over the OSCE's role as a pan-European security forum. This was after the NATO and EU enlargement, the stalemate in resolving 'frozen conflicts' in the former Soviet states where the OSCE was mandated to play a key role, and the backsliding on human rights not only in the eastern part of the OSCE region, but also in the West. While the participating States have failed to live up to many of the OSCE standards in recent years, the OSCE as an organisation took the blame for this deterioration.³ The closing of the OSCE mission to Georgia in the aftermath of the August 2008 war between Russia and Georgia was just one of the symptoms of the OSCE's perceived decline.

Thus, Kazakhstan's chairmanship bid and the eventual chairmanship came at what many believed to be a critical moment for the organisation, seemingly raising the stakes of granting chairmanship to a country whose own adherence to the OSCE impartiality standards have been suspect. While most of the EU states – even those such as the Netherlands that traditionally prioritise human rights – eventually came to favour the Kazakhstan chairmanship bid, doubts lingered, especially in London and Prague as well as in the EU countries' embassies in Kazakhstan. A clearly expressed consensual view did not emerge prior to the 2007 Madrid Ministerial meeting.⁴ Ultimately

it was not the EU's but Washington's acquiescence to having Kazakhstan assume the chairmanship in 2010 – a year later than Astana initially proposed – that led to the consensus on this issue among the OSCE participating States.

First, the good news: Kazakhstan's chairmanship was independent

There is one point which the sceptics got wrong. Kazakhstan's chairmanship was not, as feared by many, a proxy for Russia and demonstrated that Kazakhstan has developed a strong degree of independence in its conduct of foreign policy. Many smaller EU states, had they been in the same position in 2010, would have been hard-pressed to expend less effort on the discussion of Medvedev's European Security Treaty proposal than the Kazakhstani chairmanship. Similarly, Kazakhstan made no effort to interfere in the work of the ODIHR or the other OSCE Institutions, the Representative on Freedom of the Media or the High Commissioner for National Minorities. Certainly, the Kazakhstani chairmanship did not fully back these institutions by issuing press releases of support, but a one year respite from attacks by Russia and its allies was in itself useful for these institutions, especially for the ODIHR.⁵ In fact, the timely passage of the OSCE budget for the first time in many years as well as Kazakhstan's effort to ensure that its successor, Lithuania, would get the 2011 budget passed on time were immensely useful for the smooth running of the organisation.

Kazakhstan not only abstained from interfering in the work of the ODIHR, which for many EU states was a 'red line', but it also held a significant number of various human dimension meetings and relied more heavily than some other chairmanships on the ODIHR for substantive inputs and for the selection of speakers at these conferences. The only blemish came when Kazakhstan appeared to limit access of exile groups from Turkmenistan to some of the OSCE meetings in deference to the hostility to these groups from Ashgabat officials.⁶

The real objective of Kazakhstan's chairmanship was holding a summit of heads of OSCE states in Astana. OSCE summits have not been held since the 1999 Summit in Istanbul due to the absence of prospects for consensus and therefore the lack of states willing to foot the bill for an event likely to result in failure. Yet Kazakhstan was not deterred by this, and from the beginning of 2010 persistently pushed for a Summit to be held in the new Kazakhstani capital in the year of President Nazarbayev's 70th birthday.

While many EU states initially felt that no summit should be held without substance, the EU did not develop a definite position on the issue. Rather, it waited for Washington to develop a stance on the summit and then followed the US's lead when the Obama administration decided mid-year to agree to hold a summit with limited substance in Astana in December 2010. The EU joined

Bernard Bot during his visit to Kazakhstan in May 2006.

⁵ E.g. Kazakhstan made no efforts to 'task' the ODIHR with writing meaningless reports and papers whose purpose was to justify its activities in the face of Russia's attacks as was the case with some of the previous Chairmanships.

⁶ In particular, the difference of opinions on access of Turkmen exiles between Kazakhstan, on one hand, and between the EU and the US, on the other, came to the surface during the Warsaw segment of the OSCE Review Conference in September-October 2010. Ultimately the Chairmanship left the decision to the OSCE Secretary General who allowed the Turkmen exiles to participate in the meeting.

³ A number of analytical pieces on the OSCE's decline have been published recently. E.g. Jos Boonstra, *OSCE Democracy Promotion: Grinding to a Halt?* FRIDE, Working Paper 44, October 2007; Vladimir D. Shkolnikov, 'Missing the Big Picture', *Security and Human Rights*, 2009, Vol. 4, pp. 294-306.

⁴ The support by the Netherlands was expressed by then Foreign Minister

this consensus to the surprise of its more sceptical members. While not all heads of states or Governments attended the summit, the very fact that it was held in Astana was portrayed domestically and in some international quarters as a success of Kazakhstan's foreign policy.

While a broad action plan on the future of the OSCE was not achieved, the Astana Declaration contains surprisingly strong language on human rights and the role of the civil society.⁷ This was the unexpected outcome of an unusual chairmanship.

The rest of the story: an absence of strategic gains

One of the hopes that optimists pinned on Kazakhstan's chairmanship was its potential ability to bring Central Asian states' foreign policies closer to Europe. However, this did not turn out to be the case. In fact, throughout its chairmanship, Kazakhstan had a difficult time securing consensus for its plans from its neighbour and regional rival, Uzbekistan. Behind the scenes, Uzbekistan had been questioning the Kazakhstan OSCE chairmanship bid as a public relations stunt. In 2010 Uzbekistan repeatedly stated its scepticism about the idea of the OSCE summit. Its President, Islam Karimov, was one of two no-shows among heads of former Soviet states at the summit, hardly a demonstration of interest in the OSCE values or OSCE-wide comprehensive security.⁸

But it was Kazakhstan chairmanship's handling of the crisis in Kyrgyzstan that afforded it the greatest opportunity to bring greater OSCE influence to Central Asia. As the UN and the EU took a hands-off approach to several phases of the Kyrgyz crisis, the OSCE had an opportunity to address the events in the impoverished Central Asian country. The most significant accomplishment of Kazakhstan was to negotiate the departure from Kyrgyzstan of the deposed President Kurmanbek Bakiev, whose continued presence in the country risked flaming unrest in the South of the country. However, Kazakhstan's accomplishments with regard to Kyrgyzstan ended there. Following the overthrow of Bakiev, Kazakhstan closed its border with Kyrgyzstan for weeks, in this way choking off Kyrgyzstan from needed supplies. And getting Bakiev out of Kyrgyzstan did not stop ethnic strife and bloodshed in June 2010 in Southern Kyrgyzstan. The OSCE High Commissioner for National Minorities, Knut Vollebaek characterised the events as 'attempted ethnic cleansing', as a significant number of ethnic Uzbeks living in Southern Kyrgyzstan had to flee their homes in fear of attacks by the ethnic Kyrgyz.

The OSCE could not come up with a more imaginative action than to use its controversial police training programme as an anchor for its crisis response. The OSCE agreed to deploy an unarmed police monitoring group in Kyrgyzstan, but the deployment faced delays due to the resistance – real or perceived – by the ethnic Kyrgyz in the South. It is not certain that any other chairmanship would have handled this crisis more convincingly. But what is important to emphasise is the dashing of the hopes of some proponents of the Kazakhstan chairmanship that Kazakhstan would use its knowledge of

the region to elevate the OSCE's – and therefore Europe's – standing in Central Asia. The OSCE's response to the Kyrgyzstan crisis was lacklustre and gave additional arguments to the detractors of the OSCE and especially of the organisation's ability to press for the implementation of its standards in Central Asia. Regrettably, Kazakhstan's chairmanship did nothing to dispel this perception.

The Kazakhstan chairmanship disappointed most on the domestic scene. Expectations that the chairmanship would provide impetus for domestic reform were not fulfilled. Following the granting of the chairmanship to Kazakhstan at the end of 2007, the modest steps forward in the field of human rights and democracy not only stopped, but the country started moving backwards. Independent internet sites were hacked or blocked, distribution of opposition newspapers where impeded and new legal barriers to registration of political parties were put in place.⁹ The single-party Parliament in which neither of the two chambers was even fully elected continued to be subservient to the executive branch, while further restrictions were placed on freedom of assembly. But the international community was especially appalled by the continued imprisonment of Kazakhstan's leading human rights defender, Yevgeniy Zhovtis.

Many independent observers testify that the September 2009 trial of Zhovtis for involuntary vehicular manslaughter was marred by procedural violations and that a four-year prison sentence was excessively harsh and possibly politically motivated. The EU made a number of statements on Zhovtis's case in late 2009 and early 2010, but seemed to give up after a personal appeal by US President Obama to Kazakhstan's leader Nursultan Nazarbayev did not lead to Zhovtis' release or a reduction of his sentence, much to the chagrin of the international human rights community.¹⁰

The beginning of 2011 saw the worst fears in the field of elections and political pluralism materialised. A rash and, by all accounts staged, petition campaign to extend Nazarbayev's presidential term until 2020 gathered a large number of signatures in an unrealistically short period of time. Nazarbayev used the Constitutional Council to reject this idea, but instead called snap Presidential elections. At the time of writing the presidential campaign is going ahead without any credible opposition candidate. Some of the opposition decided to boycott the elections due to the manifestly uneven playing field.¹¹ The idea that more presidential terms for the 70-year old Nazarbayev are needed for stability is tenuous at best. To put it bluntly, the OSCE Chairmanship resulted in the curtailment of civil and political rights for Kazakhstan's population. If the European supporters of Kazakhstan's bid believed that the Chairmanship would reduce the values gap between the EU and Kazakhstan, they grossly miscalculated.

Some diplomats believe that had the Western countries not supported Kazakhstan's chairmanship bid and especially

9 For a litany of human rights problems in Kazakhstan see, for example, *Human Rights Watch* World Report 2011: Kazakhstan, available at <http://www.hrw.org/en/world-report-2011/kazakhstan>.

10 E.g. see the EU statement on the case against human rights defender Evgeniy Zhovtis at the OSCE Permanent Council No. 808 Vienna, 6 May 2010 at http://www.delvie.ec.europa.eu/en/eu_osce/eu_statements/2010/May/PC%20no.808%20-%20EU%20on%20HR%20defender%20E.Zhovtis.pdf

11 Birgit Brauer, 'Kazakhstan's Leading Opposition Party Azat Boycotts Upcoming Presidential Elections,' *The Jamestown Foundation*, Eurasia Daily Monitor Volume 8 Issue 32, February 15, 2011.

7 See paragraph 6 of the Astana Commemorative Declaration at <http://www.osce.org/mc/73962>.

8 Moldova was represented by the Deputy Prime Minister, due to the national elections in that country coinciding with the Summit.

the holding of the OSCE Summit in Astana, it would not have cooperated with the West on issues of transit and over flights related to Afghanistan. However, it can be argued that the OSCE summit issue actually introduced an additional layer of complexity into Western negotiations on Afghanistan. If the OSCE summit was not on the political agenda, it is hard to imagine Kazakhstan not assisting the West with regard to Afghanistan, as a peaceful and well-governed Afghanistan is in Kazakhstan's interests. The existence of the OSCE summit issue simply handed Kazakhstan additional leverage over the West.

The same argument can be extended to the issue of deliveries of Kazakhstan's energy to Europe. The diversification of energy buyers is in Kazakhstan's interests and the OSCE Chairmanship was simply an extraneous issue that entered calculations of some in the West who believed that without granting the chairmanship or agreeing to hold the Summit in Astana, they would not be able to conclude energy contracts with Kazakhstan.

For the EU countries, the differences between the sceptics and proponents of the Kazakhstan chairmanship came once again to the surface at the Astana Summit in December 2010. In the waning hours of the summit it appeared that it would not produce a final document, largely due to the reluctance to accept the *status quo* with regard to the state of 'frozen conflicts' by some EU members such as the Czech Republic and Romania. Italian Prime Minister Silvio Berlusconi delivered a passionate speech in which he praised Kazakhstan's achievements and Nazarbayev personally and called for the adoption of the summit's final document in order not to have the summit end in an embarrassing failure for Kazakhstan's leader. Finally, the summit adopted a Commemorative Declaration but failed to produce a concrete Plan of Action to deal with the key challenges in the OSCE region, especially the 'frozen conflicts' in Eastern Europe and the South Caucasus.¹² This compromise was symbolic of the entire Kazakhstan chairmanship: both the proponents and the sceptics could point to evidence supporting their views.

The mixed results of the OSCE Kazakhstan Chairmanship ultimately do little to clarify how the EU should approach Central Asia. Therefore the debates within the EU are likely to continue between those countries who believe that the Union should prioritise human rights in its relations with Central Asia and those who believe that energy considerations along with the region's proximity to Afghanistan are primary factors which should shape those relations. Paradoxically, both camps can interpret the record of Kazakhstan's chairmanship in ways that support their respective positions.

The difficulty with any OSCE Chairmanship bid is the lack of criteria and procedures in the organisation to review whether any participating state is 'fit' to hold it. And, perhaps ultimately Kazakhstan's chairmanship bid attracted excessive attention and even excessive 'strategic' calculations. In contrast, the decision reached at the end of 2010 to award the 2013 OSCE Chairmanship to Ukraine was made with barely a discussion despite the deteriorating human rights situation in that country. However, the Kazakhstan chairmanship showed what can and

cannot be expected from an OSCE Chairmanship held by a former Soviet country. Therefore, a realistic assessment of how the EU could view Kazakhstan's chairmanship can be summarised as follows:

- Kazakhstan's chairmanship was not strongly influenced by Russia or its other CIS allies;
- The chairmanship served as an 'armistice' period in the OSCE and in heated debates over the role of human rights and democracy issues in security of Europe, and gave the embattled OSCE institutions such as ODIHR an opportunity to concentrate on fulfilling their mandate rather than thwarting outside attacks;
- Kazakhstan's chairmanship did not provide the OSCE or the EU with an additional 'window to Central Asia'. No new crisis response mechanisms emerged in the wake of the Kyrgyzstan crisis of 2010;
- The Astana Summit was marginally useful in that the declaration it produced reaffirmed commitment to human rights and democracy as essential for security of the whole OSCE region, and not an internal matter;
- The human rights situation in Kazakhstan deteriorated in the run-up to and in the aftermath of the Chairmanship leaving the values gap between that country and West larger than ever.

As a final remark, a few words are in order on the use of carrots in Western relations with Central Asian states. Kazakhstan's chairmanship bid and especially the celebration of the Astana summit primarily served the domestic public relations agenda for President Nazarbayev. Chairmanships in international organisations and holding high-level meetings in Kazakhstan and other Central Asian countries are intended to show domestic audiences that the countries' leaderships enjoy strong international support and are accepted as peers by leaders of Western democracies. A similar carrot was extended to Uzbekistan in 2003 when the European Bank for Reconstruction and Development decided to hold its prestigious annual meeting in Tashkent rather than at the regular venue in London in hopes that such a carrot would serve as an incentive for reform. The meeting fell short of expectations as Uzbekistan President Islam Karimov even demonstratively took off his headphones when Western speakers took up the topic of human rights.¹³ The Andijan massacre came two years after the carrot of playing host to a prominent international meeting was consumed by Tashkent.

International organisations holding important events in Central Asian countries where these countries are members is probably inevitable due to the political logic of these organisations. Given the fact that Central Asian regimes use these events for public relations purposes, perhaps a paradoxical lesson of the Kazakhstan OSCE chairmanship is to avoid treating these events as carrots – which will only be devoured – or even as something special. This only adds to the public relations ploys of Central Asian leaders. Rather, the West would be well advised to treat these events or chairmanships as something unavoidable and even – *horribile dictu* – mundane.

¹² Displeasure with outcomes of the Summit is clearly visible in interpretive statements to the Astana Declaration made by Romania and the Czech Republic. See Attachments 4 and 5 to the Astana Declaration at <http://www.osce.org/mc/74985>.

¹³ A short account of this event is available on http://greatreporter.com/mambo/index2.php?option=com_content&do_pdf=1&id=69



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