

# SILENCING CENTRAL ASIA: THE VOICE OF DISSIDENTS

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JOINT HEARING  
BEFORE THE  
SUBCOMMITTEE ON  
INTERNATIONAL OPERATIONS AND HUMAN RIGHTS  
AND  
SUBCOMMITTEE ON THE MIDDLE EAST  
AND SOUTH ASIA  
OF THE  
COMMITTEE ON  
INTERNATIONAL RELATIONS  
HOUSE OF REPRESENTATIVES  
ONE HUNDRED SEVENTH CONGRESS  
FIRST SESSION

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## **SILENCING CENTRAL ASIA: THE VOICE OF DISSIDENTS**

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**WEDNESDAY, JULY 18, 2001**

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEES ON INTERNATIONAL  
OPERATIONS AND HUMAN RIGHTS, AND  
THE MIDDLE EAST AND SOUTH ASIA,  
COMMITTEE ON INTERNATIONAL RELATIONS,  
*Washington, DC.*

The Subcommittee met, pursuant to call, at 2 p.m. in Room 2172, Rayburn House Office Building, Hon. Ileana Ros-Lehtinen [Chairman of the Subcommittee on International Operations and Human Rights], presiding.

Ms. ROS-LEHTINEN. The Subcommittee will come to order.

Today, the Subcommittee on International Operations and Human Rights and the Subcommittee on the Middle East and South Asia are meeting jointly to hear testimony on the subject of Silencing Central Asia: The Voice of Dissidents.

When the five countries of Central Asia, Kazakhstan, Turkmenistan, Uzbekistan, Tajikistan and Kyrgyzstan, achieved independence following the collapse of the Soviet Union 10 years ago, many Americans had high hopes that democracy and respect for human rights, so long suppressed by Soviet communist tyranny, would take root in these storied lands of the ancient Silk Road.

Regrettably, that has not happened. In fact, the prospects for democracy and respect for human rights have progressively deteriorated.

Central Asia presents the United States with a fundamental dilemma. It is a resource rich area in a strategically important part of the world. The regimes that rule these countries use the specter of Islamic insurgency to justify their repression. Actually, their brutality generates popular support for the very forces they seek to eradicate.

In Kazakhstan, for example, President Nazarbayev has virtually eliminated any semblance of an independent judiciary, freedom of the press is essentially non-existent, and opposition political party leaders are either in exile or are constantly harassed by government forces.

In a technological twist on repression, the government even controls and manipulates all traffic on the Internet. There is, thus, little accountability for the government's action.

Time and time again, we have heard about corruption in Kazakhstan. A recent article in *The Wall Street Journal* of July 6th and one by Seymour Hersh, the Pulitzer Prize winning journalist,

in the July 9th *New Yorker* described the bribes and the corruption that exist there at the highest levels. Corruption, especially in Kazakhstan, is at an appalling level and it should and must stop.

At the hearing that Mr. Gilman chaired on June 6th of this year, the State Department witness, Mr. Clifford Bond, stated that "the over-arching goal of U.S. policy in Central Asia is to see these states develop into stable, free-market democracies, as a bulwark against potential instability and conflict in the region."

Yet, the persistence of corruption and repression has eroded public support for the region's governments. It has undermined economic development and discouraged foreign and domestic investment.

In short, these countries appear more likely to be sources of instability and conflict, rather than bulwarks against those threats to U.S. interests in the region.

U.S. policy toward Central Asia during the previous 8 years failed to address this troubling situation effectively. That was because the message from Washington was inconsistent and lacked credibility. There are hopeful signs, however, that real change is on the way.

Secretary of State Colin Powell recently responded to a written question submitted at a hearing of the Senate Foreign Relations Committee by Senator Biden about what message Secretary Powell would send to the leaders of Central Asia on the fundamental importance of human rights.

Secretary Powell responded by saying,

"The message we should send to these leaders is very simple: Democracy and respect for human rights are basic values for the United States government and its people. We will continue to press you on these issues at every opportunity. We think it is in your own self-interest to empower your citizens, both politically and economically, because in the end they will not support you if they do not have a stake in your country's future."

There is real hope for the people of Central Asia. There is real hope as we have seen in those words.

On March 8th during a hearing of the full House International Relations Committee hearing with Secretary Powell, I raised the matter of political imprisonment under harsh conditions of two of former Prime Minister Kazhegeldin's security assistants. One of them, Pyotr Afanassenko, has since been released. The other, Satzhan Ibrayev, is, however, still in prison and once again we urge the government of that country to release him as well.

In addition to the distinguished panel which I will introduce shortly, we have some honored guests from Kazakhstan in the audience, and I would greatly appreciate it if they would stand to be recognized this afternoon. They are all engaged in courageous actions to promote freedom of the press and democracy in their country.

They are Mr. Akezhan Kazhegeldin, Chairman of the Republican National Party and the former Prime Minister; Mr. Karishal, a Asanov journalist of the *Sol-Dat Newspaper*; Mr. Sergey Duvanov, an independent journalist; Ms. Tatyana Deltsova, another inde-

pendent journalist; and Mr. Zhumabai Dospanov, an official of the Republican National Party.

If you would all please stand up.

Thank you very much for joining us today. Thank you.

[Applause.]

Ms. ROS-LEHTINEN. Thank you.

Two additional opposition figures that the Committee invited to attend this hearing were, unfortunately, detained at the airport and prevented by the government of Kazakhstan from traveling to Washington. We are holding their seats reserved for them when that panel convenes, though they were prevented from attending this hearing. And they are Mr. Amirzhan Kosanov, a senior officer for the Republican People's Party, and Mr. Yermurat Bapi, the editor-in-chief of the opposition *Sol-Dat Newspaper*. I pray for their safety and I hope that one day they will be able to share their views with this Committee.

And I want to now recognize Mr. Ackerman for his opening statements. I would like to apologize for the absence of our Ranking Member, Ms. McKinney, who had a longstanding commitment and will be unable to join us today and, thus, I will ask that both of our statements be entered in full in the record.

[The prepared statement of Ms. Ros-Lehtinen follows:]

PREPARED STATEMENT OF THE HONORABLE ILEANA ROS-LEHTINEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF FLORIDA, AND CHAIRWOMAN, SUBCOMMITTEE ON INTERNATIONAL OPERATIONS AND HUMAN RIGHTS

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At the hearing that Mr. Gilman chaired on June 6th of this year, the State Department witness, Mr. Clifford Bond, stated that "the overarching goal of U.S. policy in Central Asia is to see these states develop into stable, free-market democracies, as a bulwark against potential instability and conflict in the region." Yet, the persistence of corruption and repression has eroded public support for the region's governments, undermined economic development and discouraged foreign and domestic investment. In short, these countries appear more likely to be sources of instability and conflict, rather than bulwarks against those threats to U.S. interests in the region.

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Mr. Akezhan Kazhegeldin, Chairman, Republican National Party; Mr. Kazhegeldin is the former Prime Minister of Kazakhstan.  
 Mr. Karishal Asanov, of SolDAT newspaper;  
 Mr. Sergey Duvanov, an independent journalist;  
 Ms. Tatyana Deltsova, another independent journalist;  
 Mr. Zhumabai Dospanov, Republican National Party.

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#### COMMENT AFTER TESTAMONY

I thank all of you for your testimony and I would like to especially thank those guests of the Committee who are here from Kazakhstan and who are on the front line of the fight for freedom.

A true national dialogue could begin if individuals of the stature of Mr. Kazhegeldin, who is with us today and who now lives in exile, are given personal guarantees for their safety and that of their families before returning to Kazakhstan.

[The prepared statement of Ms. McKinney follows:]

#### PREPARED STATEMENT OF THE HONORABLE CYNTHIA A. MCKINNEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF GEORGIA

I would like to open by thanking our subcommittee chairwoman, Congresswoman Ileana Ros-Lehtinen and Chairman Gilman for calling this important hearing. I would also like to recognize my colleague and ranking member on the Subcommittee on the Middle East and South Asia, Congressman Gary Ackerman, who will join with us for this important joint hearing.

Certainly, in assessing the present day human rights situation in Central Asia, there are reasons for serious concern.

Democratic opposition to the one party state systems of the Central Asian is rarely tolerated, as virtually all opposition activists have emigrated, have ceased activity, or are in jail.

They are nations where most of its citizens desire and thirst for democracy in the face of oppression that did not end with the lifting of Soviet colonialism.

A recent Human Rights Watch release reported that "Central Asian governments have made, at best, only limited progress toward democracy in the last ten years".

More Central Asians are living in poverty today than a decade ago.

A good example of this poverty can be found in the current health care system in this region. Health care is a basic human right and an excellent example of one facet of the current crisis facing the majority of Central Asians.

Independence meant a drastic decline in health care. The newly independent states were confronted with the task of supporting a health care system that no longer was capable of meeting the needs of its citizens.

In a series of articles published earlier this year by the online publication Eurasia Insight, the current health crisis was well documented.

Current health indicators reflect the deplorable state of health care in Central Asia. Adult life expectancy plummeted from 63.3 per thousand in 1991 to 59.7 in 1995, and UNICEF reports that life expectancy at birth is five years less than in Eastern Europe and 11 years less than in Western Europe.

The primary causes of death are due to the resurgence of many previously contained diseases, among them typhoid, flu, diphtheria and drug resistant tuberculosis.

Also problematic are cardiovascular disease, alcohol abuse, maternal and childhood illnesses, and violence.

As Tajikistan, the poorest and least developed country in Central Asia, copes with civil war and its aftermath, and a host of natural disasters, 85 percent of its population lives in poverty. Per capita health care expenditures are shockingly low at less than \$1 USD per person and cannot possibly assure adequate care.

Official state health indicators show increased transmission of water borne and communicable diseases, and elevated mortality and morbidity rates. It is unlikely that current levels of mortality and morbidity due to water-borne, parasitic and vaccine-preventable diseases will be reduced any time soon.

"Its hard to keep our babies healthy," said Gulmira Rahimova, a Tajik refugee from the Pamir Valley "In the winter, families cannot buy coal to heat our homes; the children fall ill with pneumonia, and acute respiratory illnesses and colds are very common." For food, she said, "We can afford only tea and bread." Without money, food or health care, sick children remain untreated.

"Our children die. This is not a secret," she said. "For six years we have been living in Kyrgyzstan and none of us have visited a physician, because we cannot afford it."

Those who speak out for Democratic values and basic human rights like health care often pay a heavy price.

Western observers have registered hundreds of instances in Central Asia of torture to extract confessions, claiming that detainees are beaten, given electric shocks, mutilated, raped, starved and often killed.

Just last week the Uzbek government detained a prominent human rights activist who died in prison and who, according to sources, was tortured while in detention.

Acacia Shields, from Human Rights Watch, gave a powerful testimony before this Subcommittee in September of 2000 in a hearing on the State Department Annual Report on International Religious Freedom for 2000.

Shields, interviewed hundreds of victims and relatives of victims of religious discrimination in Uzbekistan and chronicled dramatic and disturbing attacks on Christian believers and several detentions of Christians for alleged missionary activity, one of which was documented in the 1999 State Department's Religious Freedom report.

Also, the problem of Uzbek government-ordered discrimination and violence against pious Muslims is on a vast scale.

Western diplomats believe, however, that far from curbing religious extremism, Uzbek President Karimov is fueling it.

"It's a misguided policy," said one senior diplomat in Tashkent.

"The people he is locking up are not terrorists, they are devoutly religious members of the opposition.

"I have seen the young relatives outside courtrooms, red in the face with anger, their fists clenched. Karimov is pushing them right into the arms of the extremists."

Officers from the former KGB monitor mosques, while police frequently plant drugs, bullets and religious leaflets on suspects.

The practice is so widespread that some Muslims have sewn up their pockets.

Show trials are held almost daily. Dozens of men and women are jailed for up to 20 years after being charged with seeking Karimov's overthrow, solely because they are devoutly religious.

In some cases, playing football has been presented as evidence that suspects were trying to acquire the fitness that fighters in a holy war would need.

Human Rights Watch in Uzbekistan has reported that a building what can only be described as a concentration camp at Jaslyk has reportedly been built "exclusively for Muslim prisoners."

According to the Human Rights Society of Uzbekistan there have been at least 38 deaths in custody in this facility.

Madame Chairwoman and Mr. Chairman, I look forward from today's witnesses who I know really care about the people who are affected by this dire human rights situation in Central Asia and are looking for solutions and ways that the United States can help.

Thank You.

Ms. ROS-LEHTINEN. Mr. Ackerman?

Mr. ACKERMAN. Thank you very much, Madam Chair.

I believe that Central Asia is a region of the world where several important U.S. interests converge, yet it does not receive the attention that it deserves.

First and foremost, Central Asia is a key to future U.S. energy needs. Kazakhstan, for example, has recently announced an oil find that will place it among the top five oil exporters in the world by the end of the decade. Kazakhstan also has significant reserves and natural gas to exploit as well. Similarly, Turkmenistan has a substantial proven reserve of natural gas. Both of these nations for their own reasons wish to trade with the West and the United States should be pursuing policies to encourage them in this regard, but the region is not simply about U.S. energy needs.

There are other serious developments about which we should be concerned. Chief among these is the rise of fundamentalist Islam among the Central Asian countries and, equally disturbing, the response of individual governments to that threat.

Clearly, Uzbekistan and Kyrgyzstan are the most threatened by the Islamic Movement of Uzbekistan, an organization designated by the State Department last fall as a foreign terrorist organization. Yet it is important for these governments to defend themselves against the IMU without abusing the human rights of their citizens.

Uzbekistan has failed on this last point and some critics note that the same officials who were repressing dissent and religion during the Soviet era have simply continued to carry out their functions.

Kyrgyzstan also has a mixed record on human rights. The irony of this situation is that such repression results in political opposition expressing itself wherever it can. Under such circumstances, Islamic extremists become a legitimate alternative to the government.

Terrorism in Central Asia raises the obvious questions about the role of a Taliban in the region. The fighting in Afghanistan is clearly destabilizing to the region and the Taliban seeks to export their version of Islam wherever they can.

It is important for U.S. policy to address questions of security in Central Asia in an effective way that encourages the countries in the region to promote political pluralism, economic opportunities and human rights for their citizens.

On this point in particular, what was once a promising start to democratization in the immediate aftermath of the collapse of the Soviet Union has slid into authoritarianism. The human rights situation in Central Asia has declined in the last several years. Citizens are losing the ability to freely change their governments and

a free press is all but non-existent in most of the region. Tajikistan is the most notable exception here, but overall this is a trend that needs to be reversed. Less freedom is not the answer to the concerns about terrorism.

Madam Chair, I hope today the Subcommittee will begin a long running dialogue on an important region of the world, a dialogue which will allow us to focus our policies and assistance programs in such a way as to encourage the development of democratic and pluralistic societies, as well as furthering other important U.S. interests.

Madam Chair, I look forward to hearing this afternoon's testimony.

Ms. ROS-LEHTINEN. Thank you so much, Congressman Ackerman.

And now I am pleased to recognize Chairman Benjamin Gilman of New York, the Chairman of the Subcommittee on Middle East and South Asia, with whom we are jointly holding this hearing, for his opening remarks.

Chairman Gilman.

Mr. GILMAN. Thank you, Madam Chairperson. I am pleased that our two Subcommittees, the Subcommittee on International Operations and Human Rights and our Subcommittee on the Middle East and South Asia, are working together today to review the present state of human rights in Central Asia, with regard to the voice of the dissidents in that part of the world.

Central Asia is slowly emerging from the repressive influences of the Soviet past and to its credit that region has created an atmosphere of religious tolerance. For example, Kazakhstan, a predominantly Muslim country, has permitted the appointment of a Roman Catholic bishop for southern Kazakhstan and is prepared to welcome a visit by the Pope later this year.

Kazakhstan has also removed restrictive legislation on missionary activities. The region's small Jewish communities live in a tolerant atmosphere, as related to us just the other day by the Chief Rabbi who is here in the audience. Many of their members have parents who survived the Holocaust only because they were able to flee to Central Asia during World War II.

Nonetheless, there are still major areas of concern. Central Asia would benefit from a freer media. Journalists are being harassed and face an array of taboo subjects. Police have shut down newspapers on the pretext that they have not paid their taxes. Sometimes the harassment takes more subtle forms. For example, in Kazakhstan, proposed amendments to the law on mass media would restrict Russian and foreign language papers and foreign language broadcasting. While presented as an attempt to increase local content, they do represent an attack on more open foreign media sources.

Central Asia would also benefit from freer elections. The region's governments all too often resort to intimidation and the manipulation of election results. Their governments bar legitimate opposition politicians from running in the first place, and sometimes legitimate concerns about religious extremism are used as a pretext for political repression.

In short, there is a great deal of room for improvement and while Central Asia already benefits from an atmosphere of religious and ethnic tolerance, it is now time to make more progress in creating an atmosphere of political tolerance as well.

Thank you, Madam Chair.

Ms. ROS-LEHTINEN. Thank you very much for that opening statement.

Congressman Issa, please, for your opening statement you are recognized as well.

Mr. ISSA. Thank you, Madam Chairwoman.

What I would like to do because I realize that this panel could have been infinitely long and there still would have been more who wanted to be on is just quickly recognize as Mr. Gilman referred to him, the Chief Rabbi of Kazakhstan, who is here in the audience today.

Ms. ROS-LEHTINEN. Would you stand up?

Mr. ISSA. Please.

Ms. ROS-LEHTINEN. Thank you very much, sir, for joining us. Thank you.

Mr. ISSA. Also, the Chairman of the Civil Party of Kazakhstan, one of the major parties.

Ms. ROS-LEHTINEN. Thank you.

Mr. ISSA. The Muslim spiritual leader of Kazakhstan, who I believe is here today.

Ms. ROS-LEHTINEN. Thank you very much.

Mr. ISSA. Mr.—and this is the only name I will try—Sergei Karshenko.

Ms. ROS-LEHTINEN. You are very brave, Mr. Issa. Thank you.

Mr. ISSA. I will not try to pronounce any more names. And I also had the head of the Women's Democratic Party. I do not want to miss her.

And I am very proud of your attempt.

Ms. ROS-LEHTINEN. Welcome to our Subcommittee.

Mr. ISSA. I have as a freshman just begun the study of these regions in detail. No surprise that as an American businessman you often miss those areas that we have not yet begun major trading with, but in looking into this entire region, I have found that Kazakhstan stands out as perhaps one of the brighter lights in the region. It is not perfect, not without flaws, but the fact that members of all the dissident parties and some of the minority parties that make up their parliament, since no one party enjoys that out of the 16, were able to come here freely and to each tell me that I was wrong on whatever I thought, including, quite proudly, the woman whose name I did not try who heads up the Women's Democratic Party who is seeking to have a mandated 50/50 rule in their parliament where half of all delegates must be women. This is something that even in America we have not had—maybe we have, Madam Chairwoman, tried to have that.

But I think that there is in fact a healthy debate going on, a real attempt to deal with the post-70 years of rule of a less than benevolent dictator. I do not think that when we look at the former Soviet Union outside of Russia we are looking at equal situations.

Russia has now reclaimed its original borders but those were always the borders of preference. This region has been one which

was used for nuclear testing, this has been a region that has had pushed upon it immigration, both positive and negative, and it is a region that without a doubt has probably suffered more under its own leadership under the Soviet Union than probably any other region, any other area would suffer under their own population and so for long.

In closing Madam Chairwoman, because I do not believe I know enough yet to do a full 5 minutes on this, I would just have all of us as we go through the day and evaluate each of these countries and hear about what I often call the acne or the blemishes that are on these young democracies that we think back to our own history and we remember that it took nearly 20 years from our Declaration of Independence to where we had our first free election and re-election and it took, as is often said, 4 score and 7 years to recognize that the African-American was a full citizen of this country.

And I believe that when we look at these countries and the progress they have made we should look at the direction they are going, the progress they are making openly and recognize that there is in fact much to do. But there also is a concerted effort in many of these countries to do the right thing and I hope that we will continue to provide what leadership we can in that effort. And I relinquish the balance of my time. Thank you.

Ms. ROS-LEHTINEN. Thank you so much and I would like to thank Congressman Smith and Pitts for allowing me to jump over them before I recognize them because Chairman Burton has another important commitment that he must get to, so Chairman Burton, we are honored by your presence and we would like to recognize you for an opening statement.

Mr. BURTON. I want to thank my colleagues for allowing me to go ahead. I have to meet with the speaker in just a little bit, so I apologize for doing that and I will reciprocate at some point in the future, Chris.

Madam Chairman and Mr. Chairman, I would like to commend you for holding this hearing regarding the silencing of dissidents in Central Asia. Over the last year, I have received many visitors from Central Asia who claim to represent oppressed groups in that area. Unfortunately, the information they have provided me, if it is accurate, does not give me much reason for optimism about the future of democracy in that region.

Last November, I supported House Concurrent Resolution 397 which passed the House of Representatives. You may recall that it urged the Central Asia countries of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan—and, boy, that is a lot of them to get through—to come into compliance with the Organization for Security and Cooperation in Europe, the OSCE, commitments on human rights, democracy and the rule of law.

It also called for the holding of free and fair elections that did not exclude genuine challenges to permit independent and opposition parties and candidates to participate on an equal basis with representation in election commissions at all levels and to allow domestic, non-governmental and political party observers as well as international observers.

Madam Chairman and Mr. Chairman, I understand that we asked the Central Asia countries and their emerging systems to ac-

compish a lot when we passed this resolution. However, I do not believe that this resolution was unreasonable.

If emerging democracies are to survive, then their leaders must not be allowed to slip back into the authoritarian ways of the past.

I would like to welcome all of our witnesses here today, but I am particularly interested to hear testimony when I come back related to Kazakhstan. I have been informed that there are two prominent Kazakhs in the audience today who I would like to briefly acknowledge. The first is Mr. Kazhegeldin, who I wish would stand up—

Mr. Kazhegeldin, are you here?

There he is.

Ms. ROS-LEHTINEN. Welcome, Mr. Prime Minister.

[Applause.]

Mr. BURTON. Who is the former Prime Minister of Kazakhstan. And the second is Ms. Tania Deltsova, a former television reporter who was forced to leave—

[Applause.]

Ms. ROS-LEHTINEN. Thank you.

Mr. BURTON. She is very prominent. She is one of the leading reporters over there. Who was forced to leave Kazakhstan because she had the courage to report critically about what the government was doing.

Madam Chairman and Mr. Chairman, I believe that it would be of great value to the government of Kazakhstan if it could initiate a dialogue with people like these individuals and attempt to create the conditions necessary for them to return home and have freedom of the press and freedom of the commentators on television to tell the people of that country the situation like it is.

I would also like to encourage the government of Kazakhstan to be as inclusive as possible when it carries out dialogue with other segments of the society over there.

And Madam Chairman and my colleagues, thank you very much for letting me go ahead and I will be back shortly.

Ms. ROS-LEHTINEN. Thank you. And so far, Mr. Burton, I believe you get the prize for attempting to pronounce both the countries and the individuals from those countries, something I did not think I was up to the task for.

Mr. Smith, let us see how you fare in that.

Mr. SMITH. Thank you, Madam Chair. And I want to thank you and Mr. Gilman for chairing this very, very important hearing on silencing Central Asia, the voice of dissidents. Unfortunately, as I am sure our witnesses will detail, overall trends in the region are extremely discouraging.

Chairwoman Ros-Lehtinen and Chairman Gilman may know that the Helsinki Commission, which I chair, has held three hearings on Central Asia since 1999, including one on Kazakhstan. Partly on the basis of testimony during those hearings, I introduced H.Con.Res 397, which expressed the Congress' concern about the lack of democratization and violations of fundamental human rights throughout Central Asia. It is important to note that the measure passed the House last November by an overwhelming majority, 362 to 3 Members of the House. And since then, things have been getting worse.

At the time, I argued and others argued on the Floor that the main cause of repression in Central Asia was the determination of Central Asia leaders to perpetuate themselves in power by any means necessary. This desire in turn is fueled by their corruption, which they strive to conceal from their impoverished publics.

The pattern is both depressing and infuriating. Rulers enrich themselves, their families, and a favored few while the rest of the population struggles to eke out a miserable existence.

In turn, the authoritarian leaders must suppress freedom of the press and the right to engage in political activity. Dissidents are harassed and jailed. Human rights defenders are tortured while being held in incommunicado detention.

Indeed, one of the greatest challenges facing the Organization for Security and Cooperation in Europe is the emergence in Central Asia of an entire region where basic OSCE concepts and commitments are not only ignored, they are flouted with increasing brazenness.

Turkmenistan's President Niyazov made himself virtual President for life in December 1999. Kazakhstan's President Nazarbaev, who has extended his tenure in office through referenda, canceled elections and has staged deeply flawed elections last summer, arranged to receive lifelong privileges and perks.

In Kyrgyzstan, President Akaev has already rigged two elections in order to keep serious contenders from running against him. He is now reportedly planning to stage a referendum on extending his tenure in office from 5 to 7 years.

Welcome to the club, President Akaev, your chariot is waiting.

I continue to suspect that some of these leaders who already have established royal families are establishing dynasties where this will be passed on to their children.

Recent developments in the region provide even more cause for alarm, Madam Chairwoman. In fact, I have learned that the Kyrgyzstan authorities have just brought new charges against opposition leader Felix Kulov, who is already serving a 7-year jail term. Kyrgyzstan's Foreign Minister Imanaliev told me last month that he thought Kulov would be freed. He must have misread President Akaev's intentions.

But most appalling of all is the situation in Uzbekistan, where literally thousands of people have been arrested, allegedly for belonging to radical Islamic groups or for involvement in terrorist activity. According to international human rights organizations, police planting of evidence is routine, as is torture in detention and in prison.

I was horrified to learn of the death—or should I say the murder—of human rights activist Shovrik Ruzimuradov. After being detained on June 15th, he was held incommunicado by the Minister of Internal Affairs until July 7th, when his severely bruised, lifeless body was delivered to his family, including seven children. Some internal organs had been removed, apparently to conceal lesions from the torture. But that did not stop the Uzbek authorities from claiming that he had committed suicide.

This pattern of brutality must stop, Madam Chair. At the OSCE parliamentary assembly in Paris the week before last, I introduced an anti-torture resolution which called on participating states to

exclude in courts of law or legal proceedings evidence obtained through the use of torture or other forms of cruel, inhuman or degrading treatment. It also calls for a complete ban in law and in practice of incommunicado detention.

Madam Chairwoman, in Kazakhstan, the nexus between corruption and repression of the media has come to the fore with particular force with the recent publication in *The New Yorker* of an article about high level corruption. I understand we will hear much more from our witnesses on this important issue and about the intimidation of the independent and the opposition media which has been practically silenced.

In this connection, I was amazed to learn that the authorities prevented two Kazakh opposition people from traveling to Washington, as you pointed out in your opening comment, to testify before this body. Amazed not that Kazakhstan's authorities would violate freedom of movement, but that they would do so in a way calculated to inflict the greatest possible damage on their already tarnished reputation.

Now it is held up to the light for all to see and hopefully that will be part of the story when the press write their stories about this hearing. Those two people are not here today and I thank you for holding open their seats because we did want them to testify.

Finally, Madam Chair, words fail us when speaking about Turkmenistan, a nightmare kingdom run by a world class megalomaniac, Saparmurat Niyazov. He has carefully isolated his country from the outside world and proceeded to violate every human right imaginable, including freedom of conscience.

Along with Congressman Pitts and Congressman Aderholt, I have twice met with Turkmenistan's Ambassador, seeking to facilitate the release from prison of Shageldy Atakov, a Baptist pastor who has been in jail since 1999 on trumped up charges. We also sent Turkmen President Niyazov a letter about this case but we have never heard or received any response from him.

Throughout the region, intensified repression has evoked growing desperation and we are already witnessing the consequences: armed insurgents invaded Uzbekistan and Kyrgyzstan in 1999 and 2000. While they have not yet launched any major assault this year, we should not expect them to go away any time soon. Impoverishment of the populace fills their ranks, threatening to create a chronic problem.

The Central Asian leaders' marriage of corruption and repression has created an explosive brew. Indeed, in Uzbekistan, in late June and early July, there were political protests, remarkable events for such a tightly run police state, with important implications for the future stability of that country and region.

I look forward like the rest of the panelists to our witnesses and I thank you, Madam Chair, for yielding me this time.

Ms. ROS-LEHTINEN. Thank you so much, Chairman Smith.

I would like to recognize for an introduction Chairman Gilman.

Mr. GILMAN. Thank you, Madam Chairman.

We are pleased that we have in the audience a leading senator from Canada, Senator Jerry Grafstein, who is a Senior Senator on Canada's Foreign Relations Committee.

Thank you for being with us.

Ms. ROS-LEHTINEN. Welcome.

Mr. GILMAN. He is also co-Chairman of the Canadian-American Interparliamentary Group.

Ms. ROS-LEHTINEN. Thank you so much, Chairman Gilman.

Mr. Pitts, and we thank you for your patience. We would like to recognize you for an opening statement.

Mr. PITTS. Thank you, Madam Chairwoman, and thank you, Chairman Gilman, for convening this important hearing this afternoon.

I believe Central Asia is of immense strategic importance to the United States. Economic prosperity, the growth of democracy, the establishment of the rule of law in Central Asia is essential for regional stability and for U.S. national security.

This region is precariously surrounded by Russia, China, Afghanistan, Pakistan, Iran, Iraq. Corruption is a big problem. Proliferation of military technology and weapons of mass destruction has worsened. There are blatant human rights abuses by oppressive regimes in some areas. And terrorist cells of Islamic fundamentalists run free through many of the countries.

Yet Central Asia an energy rich region full of potential for economic growth. The people are hungry for democracy, and they are thirsty for strong relations with the United States. If we do not comprehensively engage this region, the United States will have no standing to affect positive change and the downward trend will continue in some of these countries. We must build relationships with these countries, both economically and politically. We must demonstrate that freedom and democracy lead to prosperity, and in doing this, we need to be an honest partner with them. We need to highlight positive steps taken toward change and send a clear message when respect for human rights is violated.

All Central Asia countries have fallen short of some OSCE standards to varying degrees. However, the hesitancy on the part of Congress to highlight progress that has been made in the region is of great concern. For example, while far from perfect, Kazakhstan does provide limited freedom of expression. Is this good enough? No, but there is more freedom in Kazakhstan than most other countries in the region. This provides us an opportunity to encourage the good that has been done. We must look at Kazakhstan and other countries with promise in the region not only from OSCE standards but also as a potential leader in building regional cooperation.

In keeping with my belief that we must highlight the positives as well as the negatives, I want to submit for the record a letter from the Chief Rabbi of Kazakhstan, Cohen Yeshayah, who is with us today.

Would you please stand? Thank you, sir.

[Applause.]

Mr. PITTS. Rabbi Yeshayah's statement highlights Kazakhstan's good record, progress, and treatment toward the minority Jewish population. We must be vigilant in protecting human rights around the world, but if we do not engage countries, particularly in Central Asia, wisely, our efforts will be counterproductive. By positively engaging countries such as Kazakhstan, working together on shared interests and encouraging leadership that leads to pros-

perity, we will be able to more effectively address throughout the region the concerns that I have mentioned previously.

I look forward to hearing from our witnesses this afternoon about the state of freedom of expression in this region. Specifically, I want to know what the United States can do to more effectively engage this region to affect positive change and to encourage the potential for good in this region, and what progress has made in this region that Congress should highlight in an effort to build regional cooperation and bilateral cooperation with the United States.

And I want to thank you again, Madam Chairman, for your leadership and I yield back the balance of my time.

[The prepared statement of Mr. Pitts follows:]

PREPARED STATEMENT OF THE HONORABLE JOSEPH R. PITTS, A REPRESENTATIVE IN  
CONGRESS FROM THE STATE OF PENNSYLVANIA

I thank Chairwoman Ros-Lehtinen and Chairman Gilman for convening this hearing this afternoon.

I look forward to hearing from our witnesses about the state of freedom of speech and press throughout the region. This is a region to which Congress needs to pay greater attention and I again thank Chairman Gilman for convening an excellent hearing on Central Asia in June when we heard from State Department.

Economic prosperity, the growth of democracy, and the establishment of the rule of law in the Central Asian states is essential for regional stability and U.S. national security.

Unfortunately, the hope and optimism that characterized the early years of independence in Central Asia has given way to a backward trend toward oppressive police regimes. When raising concerns about violations of freedom of speech, it is vital that we not only address the effect on the media. Freedom of speech applies not only to journalists and the media, but also to individuals throughout a society. When individuals are prohibited from speaking about their political or religious views, the basic right of freedom of speech is violated.

This is most notably apparent in Turkmenistan, where President Niyazoy—taking a page from North Korea's rulers—created a new religion that places him in a divine role. In fact, KNB officials persecute those who peacefully practice religious beliefs other than the three sanctioned by the state.

Also of great concern, and I want to emphasize this point, is that U.S. has not adequately responded to this backward trend toward oppression and our policy toward this region, from the beginning, has failed.

Central Asia is of strategic importance to the United States. It offers many challenges and benefits.

It is precariously surrounded by Russia, China, Afghanistan, Pakistan, Iran, and Iraq. Corruption runs rampant. Proliferation of military technology and weapons of mass destruction has worsened. Blatant human rights abuses by oppressive regimes have increased. And, terrorist cells of Islamic fundamentalists run free through many countries.

Yet, Central Asia is an energy rich region full of potential for economic growth. The people are hungry for democracy and thirsty for strong relations with the U.S. If we do not comprehensively engage this region, the U.S. will have no standing to effect positive change and the downward trend will continue.

We must build relationships with these countries—both economically and politically, and show them that freedom and democracy leads to prosperity. In doing this, we need to be an honest partner with them. We need to highlight positive steps toward change are taken and send a clear message when respect for human rights is violated.

All Central Asian countries have fallen short of OSCE standards to varying degrees. This fact is not in dispute. However, the hesitancy on the part of Congress to highlight progress that has been made in the region is of great concern. For example, while far from perfect, Kazakhstan does provide limited freedom of expression. Is this good enough? No. But, there is more freedom in Kazakhstan than most other countries in the region. This provides us an opportunity to encourage the good that has been done. We must look at Kazakhstan and other countries with promise in the region not only from OSCE standards, but also as a potential leader in building regional cooperation.

In keeping with my belief that we must highlight the positives as well as the negatives, I want to submit for the record a letter from the Chief Rabbi of Kazakhstan, Cohen Yeshaya, which highlights Kazakhstan's good record of treatment toward the minority Jewish population.

We must be vigilant in protecting human rights around the world. But if we don't engage countries, particularly in Central Asia, wisely, our efforts will be counterproductive. By positively engaging countries, such as Kazakhstan, working together on shared interests, and encouraging leadership that leads to prosperity, we will be able to more effectively address, throughout the region, the concerns I mentioned previously.

Thank you, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Pitts.

Mr. Tancredo?

Mr. TANCREDO. Thank you, Madam Chairman. Madam Chairman, I approach this hearing today with a tiny bit of mixed emotions, I suppose, because on the one hand I am thoroughly convinced of the problems that exist as were outlined and detailed by Mr. Smith, a person for whom I have the absolute greatest admiration, and a person I consider to be a close friend, I will support him in every endeavor he undertakes on behalf of the issue of human rights around the world, in our own country, and certainly we have confronted those issues together in the recent past.

I have no doubt that the problems he identified exist and I have no doubt that they exist to the degree that he emphasized them. And therefore I am glad to be here today to lend whatever I can to the discussion that would lead to the alleviation of some of those problems and issues.

I do, however, also want to join with my friend and colleague Congressman Pitts and I think Mr. Issa who I heard just a part of his opening statement, who indicated that it is important for us to be cognizant of whatever progress has been made, especially in Kazakhstan.

It is difficult—it is one thing to read the country report and you have on paper a lengthy discussion of Kazakhstan, certainly not a positive picture being painted of the situation in that country. It is one thing to read that, it is another to sit face to face with individuals who have come here at their own expense to tell me a different story. To tell me that life in Kazakhstan although not perfect by any means is certainly not as bad, not as dreary, not as oppressive as that that was painted in this document.

So therefore that is why I say I come here with mixed emotions. It is hard for me to discount what they told me. I looked him—the Rabbi sitting straight across from me at the table—I looked him in the eye. I believe what he said. I believe what he said about his own ability to practice his religion in Kazakhstan freely.

Now, I may have been misled, I do not know, but all I can tell you is I believe him and I believe the people that were accompanying him when they told me about the freedom they enjoyed to practice both their religion and/or their political persuasion.

So it will be interesting today to hear from all sides on this issue, but I did want to at least bring to the attention of the Committee my own feelings here that are somewhat, as I say, divided on the topic.

If in fact what the witnesses I spoke to told me is true, then there is great hope that Kazakhstan can be the model for the rest of the region because although I do not wish to downplay even for

a moment some the problems that were identified in earlier comments, both by the Chairman and by Mr. Smith, I do not wish to even get near that, I believe that we must address them, I also think it would be a disservice to ignore the possibility, the possibility, that what we have blossoming in Kazakhstan is an embryonic democracy that in some cases desperately needs our help and at least our understanding.

Thank you, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you so much and I would also like to thank Mr. Schiff and Mr. Wexler for joining our Subcommittee.

Mr. Rohrbacher, for opening statement?

Mr. ROHRBACHER. I guess sometimes it is hard to tell whether it is a flower with some thorns or whether it is just a weed.

Let me just say I was in Kazakhstan a few years ago. I think it is very interesting that when I was in Kazakhstan that Tania Deltsova, who is with us today, was on television as a news lady and that she was there giving the news. Today she is here in exile in fear of her life. I think it is also interesting that a few years ago when I was there Mr. Kashgeldin was a prominent political figure and he is perhaps the most well known opposition figure in Kazakhstan and he was there at that time and now he is here in fear of his life.

So what does that tell you about the direction of Kazakhstan?

It is not getting better. It is getting worse.

There was hope right after the fall of the Soviet Union that the Stans would indeed evolve into better societies, but if you take a close look, Madam Chairman, I think you will find—maybe I have made a mistake, but I believe that every one of the Soviet era bosses that ran these governments in the Stans as puppets of the Soviet Union are still in charge of the country in which they reside and hold power.

Nazarbaev, you will have to correct me if I am wrong, was part of the whole Soviet apparatus during the Cold War and during the time when the Soviet Union controlled that country. He was part of the iron fisted regime run by Moscow and now he is supposedly heading in the right direction? I do not think so.

What we have to do is realize that there is great potential and there was tremendous potential in the Stans right after the fall of the Soviet Union. There was potential for peace and prosperity and freedom that those people had never ever experienced. But these tough guys who run that region have not been willing to let go. They have not been willing to loosen their grip and that area by and large is still under the control of tyrants and gangsters.

There is a fellow down in Turkmenistan, his name is Turkman Bashi. He has statues and pictures of himself all over the place with this big hat on. I mean, he is a caricature of himself, for Pete's sakes.

This does not bode well. The most sophisticated group that I found in the Stans, Madam Chairman, was in Uzbekistan and even in Uzbekistan, where you have a relatively sophisticated leadership compared to Nazarbaev and Bashman Turkey or Turkman Bashi, these people are just not permitting freedom in Uzbekistan. They are not permitting freedom in that area and they wonder why their people are turning to Islamic fundamentalism. The people are turn-

ing to Islamic fundamentalism in that area, I think it is a problem, because it is, at least, an honest alternative where you have people who believe in something and are not just corrupt dictators.

As much as I think the world knows that there is a threat to the peace of the world through fanaticism that we find in this fundamentalism, the way you eliminate the fundamentalist threat to that part of the world and to the rest of the world, indeed, is not through repression, which drives people into the ranks of the fanatics, but instead through opening up a society and through democracy. It is so tragic that in Uzbekistan and in Kazakhstan and other places that the tough guys who run these countries have been unwilling to open up their societies for fear that they themselves and their little clique will lose their favored positions.

And with that, I am looking forward to hearing anyone willing to contradict me in what I just said.

Thank you.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Rohrbacher.

[Applause.]

Ms. ROS-LEHTINEN. I would like unanimous consent to insert into the record a briefing report on the current condition in Kazakhstan by Ambassador Nelson Ledsky of the National Democratic Institute for International Affairs.

Without objection.

[The information referred to follows:]



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Congresswoman Ileana Ros-Lehtinen  
2160 Rayburn House Office Building  
Washington, DC 20515-0918  
July 17, 2001

Dear Congresswoman Ros-Lehtinen:

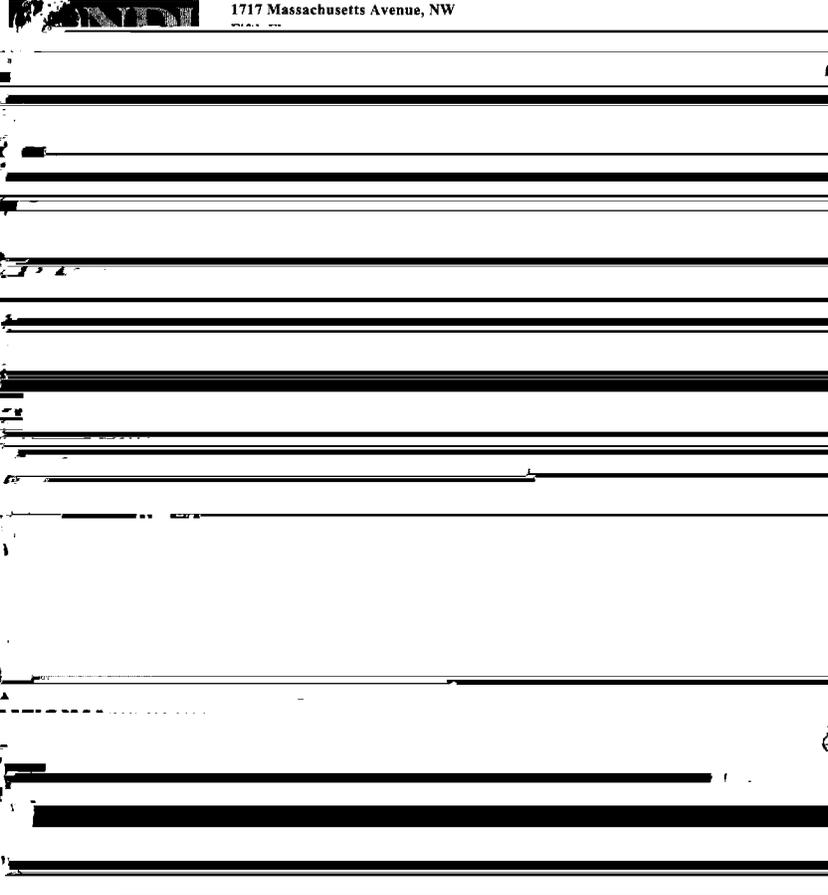
In connection with the current visit to Washington, DC of Kazakhstani political figures, the National Democratic Institute for International Affairs (NDI) has prepared a briefing report on current conditions in Kazakhstan. NDI, which has been working in Kazakhstan since 1992, re-opened its office in Almaty in 1999. It is our hope that this report will lend a perspective to the hearing you will be holding on July 18, 2001.

We would appreciate if you would distribute copies of this report to members of your subcommittee, as well as to other Congressional representatives interested in Central Asia.

Sincerely,

Ambassador Nelson Ledsky  
Program Manager, Eurasia

1717 Massachusetts Avenue, NW



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## DEVELOPMENTS IN KAZAKHSTAN

### I. BACKGROUND

The government of Kazakhstan, headed by President Nursultan Nazarbaev, has grown increasingly authoritarian in recent years. This central Asian state, which gained independence in 1991, initially displayed openness to political diversity and human rights. In 1995, however, President Nazarbaev disbanded the newly elected parliament and then conducted two questionable national referenda to extend his presidential term and change the Constitution to increase his own power. In January 1999, the president once again expanded his tenure and authority through hastily called presidential elections, which domestic and international observers criticized as failing to meet international standards.

This concentration of power within the executive branch has posed barriers to civil society's



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Within days of the media law's consideration, local authorities began to harass and intimidate members of the non-governmental organization network. Individuals that had not taken part in the advocacy campaign were targeted along with those that had been involved directly. Non-governmental organizations received letters from bodies such as the local Prosecutor's office, Tax Committee, or Financial Police, erroneously questioning the legality of their finances and insinuating that the groups either sever their international contacts or face continued investigation. Non-governmental organization leaders were also summoned for questioning and visited by officials, who repeated the message and warnings intimated in the letters. The threats grew more personal and concrete when offices and homes of civic organization members were raided, personal computers and program files were seized, and ominous inquiries about relatives were made.

These episodes of harassment were taken up with the government of Kazakhstan by the U.S. State Department and the U.S. Embassy in Kazakhstan. NDI's Chair, Secretary Madeleine Albright, likewise spoke to top Kazakhstani government officials about the mistreatment. By mid-May 2001, the threatening incidents appeared to have ceased.

Events which took place in June 2001 have led NDI to wonder whether another round of harassment has begun. A non-governmental organization member conducting advocacy training in the city of Atyrau was escorted to the local police department and detained. After several hours, he was released without explanation. Additionally, a non-governmental organization leader in Almaty received an anonymous phone call warning him to stop his advocacy activities, and another member was approached by an officer of the Ministry of Internal Affairs (MVD), who hinted that physical violence might ensue should advocacy work continue.

### III. THE FUTURE

Since re-opening its office in Almaty in 1999, NDI has been witness to the fact that citizens in Kazakhstan are increasingly interested in moving towards a democratic system. NDI trained thousands of citizens to become election monitors for the 1999 presidential elections. Non-governmental organizations with training from NDI gathered tens of thousands of signatures during advocacy campaigns in the past year. Citizens throughout Kazakhstan volunteered to participate in advocacy initiatives promoting freedom of the press and other democratic ideals. These groups have remained undeterred in the face of government intimidation. Non-governmental organization programs and strategies in Kazakhstan are growing more widespread and sophisticated, meaning that controlling this civic activity requires a greater effort by the government.

NDI remains concerned about the harassment of ordinary citizens in Kazakhstan. The repressive behavior of the government may even increase as the opposition grows more organized and ordinary citizens become more involved in demonstrations of disapproval. This harassment, imprisonment, and assault of independent media journalists, opposition figures, and non-governmental organization leaders constitute a major threat to the development of democracy in Kazakhstan.

Ms. ROS-LEHTINEN. I would like to recognize Mr. Wexler for an opening statement.

Mr. WEXLER. Thank you, Madam Chairman. I will be very brief. I simply want to associate myself with the remarks of Mr. Pitts and Mr. Tancredo and hope that we have a very serious evaluation of the human rights conditions in Kazakhstan and the Central Asia states but that that examination exist within a perspective of the relevance to American foreign policy and with an understanding not only of what exists today, but also what existed in those regions 5 years ago and 10 years ago and that we make an honest evaluation, both the good and the bad, and I applaud you having the hearing.

Thank you.

Ms. ROS-LEHTINEN. Thank you so much.

Mr. Sherman of California, welcome.

Mr. SHERMAN. Thank you, Madam Chairwoman, and thank you for holding these hearings about an important area of the world.

There is, I think, a false dichotomy where people say, well, we are worried about Islamic extremism, and Islamic extremism is bad for human rights, even worse than the repressive regimes that exist in some of the Central Asian states, and it is bad for America, both economically, but also for these countries, many of which border Afghanistan that could be the source of new terrorist attacks against America and our interests. So obviously we have an interest in opposing Islamic extremism.

And some would say, well, the way to do that most effectively is to wink and nod at the human rights abuses that exist in some Central Asian republics. I think it is just the opposite. We have to make sure—and I think my colleague from California pointed this out—that the people of these Central Asian countries have an honest alternative to Islamic extremism and do not have to deal with this Hobson's choice of a corrupt repressive regime on the one hand and Islamic extremists on the other.

It is in our security interests as well as in our human rights interests. It is in the interests of the safety of Americans as well as in our interests in terms of promoting democracy worldwide that we focus on human rights and press rights and democracy in Central Asia.

I am particularly concerned about the situation in Kazakhstan where the President seems to have virtually eliminated any semblance of an independent judiciary and freedom of the press is essentially non-existent. He has rigged elections. And I would hope that through these hearings and in other ways we can redouble the effort that we made when we passed House Concurrent Resolution 397 in favor of an independent media and that we would not see a situation as exists in Kazakhstan and some of the other countries where journalists can be thrown in jail for "defaming the state" or "defaming a political leader."

I know there are times when we wake up in the middle of the night kind of wishing that defaming a Member of Congress might be a criminal offense, but when we wake up in the morning we recognize that the freedom of all Americans and the freedom of people in any country require that the journalists be free to say whatever

they are going to say and if there is an action that it be only a civil action and only in the most extreme circumstances.

So I want to commend the Committee Chair for holding these hearings and hope that we achieve stability, as we are most likely to see a pro-American and anti-Islamic fundamentalist approach in these countries if we stand up for human rights, a free press and an independent judiciary.

I yield back.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Sherman.

And my sincere thanks to all of our colleagues for being here today. We had an excellent turnout and I think that it shows the importance that this subject has to the United States.

Today we are joined by an exceptional panel of witnesses to thoroughly explore the issues of human rights violations in Central Asia. We will first hear from the State Department witnesses.

Here today is our good friend, Secretary Parmly, who I would point out has a cot in the back of the room because we have him here so often testifying.

Mr. Michael E. Parmly has served as the Principal Deputy Secretary of State for the Bureau of Democracy, Human Rights and Labor since April 3, 2000. Mr. Parmly served as the Acting Secretary of State for DRL up until late May. A career member of the Senior Foreign Service, he has served as the Minister Counsellor for Political Affairs in the American Embassy in Paris, a very tough tour of duty, I know, as well as the Deputy Chief of Mission and Charges d'Affaires at the American Embassy in Sarajevo, Bosnia, Herzegovina. So he made up for his work there.

He has also worked as the political counsellor at the U.S. Mission to the European Communities in Brussels and American embassies in Luxembourg, Bucharest, Rabat and Madrid.

Thank you, Michael, as always for being with us.

He is joined today by his colleague, Ambassador William B. Taylor.

Ambassador Taylor is the Coordinator of U.S. Assistance to the New Independent States at the State Department. At this post, he oversees the bilateral economic, security, democracy and humanitarian assistance of all U.S. Government agencies providing assistance to the 12 new independent states of the former Soviet Union.

Before coming to work for the coordinator's office in July 1992, Ambassador Taylor spent 5 years in Brussels as the Special Deputy Defense advisor to the U.S. Ambassador to NATO and prior to his overseas duty, Ambassador Taylor directed an in-house Defense Department think tank and served for 5 years on the staff of Senator Bill Bradley.

Thank you both for joining us today and we look forward to your testimony. As always, it will be entered in full in the record and we ask you to summarize your remarks.

Michael, welcome.

**STATEMENT OF MICHAEL E. PARMLY, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR**

Mr. PARMLY. Thank you, Madam Chairperson. As always, it is a pleasure to appear before your Committee. I am honored to appear

with my colleague, Bill Taylor, and appreciate the opportunity to discuss with you and your Committee the state of democracy and political freedom in Central Asia. We share the concerns and the hopes that you and all of the Members expressed here this morning.

Let me elaborate a bit on that.

As these countries approach their tenth anniversary of independence, the states of Central Asia continue to face difficult social, economic and political problems. In addition, as has been pointed out, the region is bounded by a tough neighborhood: Russia, China, Afghanistan, Iran, creating an "Arc of Instability" that poses additional challenges. Against this backdrop, the five Central Asian states have made varying attempts at democratization and free-market economic reform, with varying results.

The goal of U.S. policy in Central Asia is to see these states develop into stable, free-market democracies, both as a goal in itself and as a bulwark against regional instability and conflict in that tough neighborhood. This broader goal serves three core strategic interests: regional security, political/economic reform and energy development. While our security and energy interests are important, in the long run none of these goals can be achieved until these governments undertake comprehensive reforms to enfranchise their people both economically and politically.

Therefore, we have encouraged, and Ambassador Taylor will talk about that, both through across-the-board political engagement and a variety of assistance programs, the formation of democratic civil societies and the development of free-market economies. We believe that such democratic values and institutions are the only real guarantors of long-term security and prosperity in this region and throughout the world.

We have made this point repeatedly, here in Washington, in the respective capitals, and in other venues, such as the OSCE's weekly meetings in Vienna.

Now, what about the countries themselves?

In some countries, particularly Kazakhstan and Kyrgyzstan, there has been progress on economic reform. However, despite such efforts, progress toward democracy has been uneven at best, and some do see a trend toward backsliding. In places like Turkmenistan, it is almost non-existent. Even more disturbing, however, has been the degree of backsliding in countries that once were so promising, such as Kazakhstan and Kyrgyzstan.

Growing levels of corruption, as has been pointed out, have also contributed to reduced media and political freedoms throughout the region. We know these countries are capable of doing more and we want to help their societies make that leap to democracy. Probably the most promising thing in the immediate wake of the fall of the Berlin Wall and the collapse of the Soviet Union was the growth of genuine civil societies in most of these countries, perhaps with one exception. We do see increasing restrictions in them. We need to help these societies by focusing on those elements essential for a flourishing democracy: political accountability, access to a marketplace of ideas, and an active civil society.

I would prefer rather than go into the rest of my remarks, Madam Chairperson, that I pass the baton over to Ambassador Taylor.

[The prepared statement of Mr. Parmly follows:]

PREPARED STATEMENT OF MICHAEL E. PARMLY, PRINCIPAL DEPUTY ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS AND LABOR

Madame Chairman, I am honored to represent the Administration here today, and I appreciate the opportunity to discuss with you and your committee the state of democracy and political freedom in Central Asia. We share the concerns many of you have expressed about trends in the region.

As they approach their tenth anniversary of independence, the states of Central Asia continue to face difficult social, economic and political problems. In addition, the region is bounded by Russia, China, Pakistan, Afghanistan and Iran, creating an "Arc of Instability" that poses additional challenges. Against this backdrop, the five Central Asian states have made varying attempts at democratization and free-market economic reform, with varying results.

The overarching goal of U.S. policy in Central Asia is to see these states develop into stable, free-market democracies, both as a goal in itself and as a bulwark against regional instability and conflict. This broader goal serves three core strategic interests: regional security, political/economic reform and energy development. While our security and energy interests are important, in the long run none of these goals can be achieved until these governments undertake comprehensive reforms to enfranchise their people both economically and politically.

We have therefore encouraged, both through across-the-board political engagement and a variety of assistance programs, the formation of democratic civil societies and the development of free-market economies. We believe that such democratic values and institutions are the only real guarantors of long-term security and prosperity in this region and throughout the world. We have made this point repeatedly, both here in Washington, in the respective capitals and in other venues, such as the OSCE's weekly meetings in Vienna.

In some countries, particularly Kazakhstan and Kyrgyzstan, there has been progress on economic reform. However, despite such efforts, progress towards democracy has been uneven at best, while in places like Turkmenistan, it is almost non-existent. Even more disturbing, however, has been the varying degrees of backsliding in countries like Kazakhstan and Kyrgyzstan. Kyrgyzstan had been making progress but has recently chosen to retreat from that path by harassing NGOs and independent media. Growing levels of corruption have also contributed to reduced media and political freedoms throughout the region. We know these countries are capable of doing more and we want to help their societies make that leap to democracy. We need to help them by focusing on those elements essential for a flourishing democracy: political accountability, access to a marketplace of ideas, and an active civil society.

*Political accountability*, particularly as embodied by national elections, is the most obvious and well monitored aspect of democracy. In this area, the Central Asian republics have performed abysmally since gaining their independence. Each country recently has held two rounds of national elections, and all have been judged by the international community to be badly flawed. They have run the gamut from the problematic to the absurd. Turkmenistan's December 1999 elections were an utter farce, restricted to hand-picked government candidates and resulting in a Soviet-style turnout of nearly 99 percent. Tajikistan's elections, though flawed, were a major improvement over the previous round five years before; most significantly, they brought into office members of the Islamic Renaissance Party, the only openly Islamic party to participate in a Central Asian government coalition.

But of course, political democracy goes deeper than mere elections. Against all odds and despite the best efforts of these governments to suppress it, there are signs of a nascent democracy in much of Central Asia. Opposition parties proliferated throughout Central Asia in the aftermath of the break-up of the Soviet Union, and they continue to function in all but Turkmenistan, albeit under extreme pressure in most cases. Courageous political figures continue to speak out against government repression and corruption, facing personal risk of harassment, incarceration, and expulsion, not to mention the risk to their families, friends and associates. Nevertheless, such personal bravery can only go so far, and these democratic movements are in a vulnerable position. As a result of repeated manipulated elections, the Central Asian countries have only the faade of representative democracy—they

have national legislatures not accountable to the people, which for the most part rubber stamp decisions by the executive.

The fate of the *independent media* in Central Asia is similar. Many independent newspapers, magazines, radio and TV stations sprang up over the last decade, some with broad news coverage and some with narrow target audiences. In Kazakhstan and Kyrgyzstan especially, these independent outlets flourished in the early years. However, they have come under increasing pressure of late, as their respective governments have conducted campaigns designed to eliminate and/or take over any news media that criticize or differ publicly with government policies. The governments have used various tactics: restrictive registration, frivolous or trumped-up tax investigations, criminal libel proceedings and withholding airwave frequencies or printing services, and orchestrating hostile buyouts of publishers or broadcasters by government surrogates.

Independent media face different challenges in the other Central Asian states. Media freedom is merely a footnote in Turkmenistan, where all outlets are government-owned and censorship is strict. The government of Uzbekistan allows private control only of local, non-political media outlets, and even they are coming under pressure in 2001. In Tajikistan independent media are an aberration from the situation in neighboring countries—the media thankfully survive because of government non-intervention. However, we were concerned by the recent efforts of the Tajik government to seek the extradition of Dodojon Atovulloev, an independent journalist who publishes a Tajik newspaper in Moscow. Fortunately, the reaction in Russia and abroad was strong and the Russian government released him shortly thereafter.

Finally, *NGO activity* has been perhaps the most impressive sign that while the governments of Central Asia often cling to autocratic traditions of the past, their people are truly beginning to understand the meaning of civil society. NGOs exist in all of the Central Asian countries and at all levels of society, even in Turkmenistan. Many of these organizations operate not only at the grass roots, but also take a leading role in advancing their chosen cause at a national level. They span such issues as health care & HIV/AIDS, environmental protection & resource conservation, women's and children's rights and faith-based organizations. NGO activities are not limited just to providing social services, but are increasingly taking on riskier issues, such as documenting human rights abuses and advocating peaceful political change and greater accountability of their governments.

For the most part, the Central Asian governments do not harass NGOs which do not engage in political activity and which avoid criticizing official policies. On the other hand, they often crack down on those NGOs that are politically active. NGOs involved in electoral education, election monitoring, and support for political party formation suffer badly under government restrictions.

In *Kazakhstan*, for example, the government continues to harass those NGOs and independent media outlets that recently lobbied against the draft media law. Tax police seized financial records and computers and asked the NGOs about "foreign financing" and their ties to the National Democratic Institute (NDI) and the OSCE. The government claimed the NGOs broke the Law on Public Associations by accepting foreign funding of their activities, even though this law applies only to political parties and labor unions. We are concerned that this kind of harassment hampers the legitimate efforts of Kazakhstani citizens to exercise their rights to petition parliament.

Even more disturbing in *Uzbekistan* has been the recent death of Shovrik Ruzimuradov, head of the local branch of the Human Rights Society of Uzbekistan (HRSU). We were deeply dismayed to learn that Ruzimuradov died in police custody only two weeks ago, possibly as a result of ill-treatment. He had been held incommunicado, unable to see any of his family members or colleagues. His body was turned over by the police July 7, less than three weeks after his arrest. The Government of Uzbekistan maintains it is conducting a thorough investigation into Mr. Ruzimuradov's death. Nothing less would be acceptable. Ruzimuradov, who once served as a deputy in the Uzbek parliament, had spoken out against government actions in recent months. Unfortunately, our most recent reports indicate increased pressure by Uzbekistan law enforcement agencies on members of NGO human rights groups.

#### DIPLOMATIC INITIATIVES AND ASSISTANCE PROGRAMS

In the face of such adversity and hardship, courageous men and women throughout Central Asia are risking their careers, their safety and, in the case of Mr. Ruzimuradov, their very lives, to bring democratic change to the region. We cannot abandon them in their struggle.

Against this backdrop, what can we do to help the people of Central Asia to achieve the dream of democracy and create for themselves a truly civil society, where political activists, independent journalists, and NGOs can operate freely and without risk to their livelihoods?

Over the past decade, we have given the Central Asian governments advice on constitutional and legislative reforms to create freely elected democratic political institutions. We have helped them create electoral commissions and the infrastructure necessary to administer free and fair elections. We have regularly reminded them of their obligations, as OSCE-participating states and members of the international community of nations, to respect and guarantee the fundamental human rights of their citizens. We have raised these issues at every level, from presidential meetings right down to daily embassy contacts both here in Washington and in their capitals abroad. Sometimes we succeed. Last month, the government of Kazakhstan withdrew from parliament a troubling draft law on religion, after consultation with the OSCE and others. Similarly, the Government of Uzbekistan released human rights activist Ismail Adylov after senior U.S. officials repeatedly raised the case during Foreign Minister Kamilov's visit to Washington last month.

We have also emphasized to these governments that it is very much in their own best interest to complete the transition to a free-market democracy, as the only final guarantor of security, stability and prosperity. We remind them that their policies of repressing political ideas and restricting economic opportunity will only increase dissatisfaction among their population.

Even more topical is the problem of Islamic extremism. We have repeatedly expressed our view to Uzbekistan's President Karimov that his persecution and repression of legitimate, peaceful practitioners of Islam is counterproductive. Rather than lessening the threat, he is actually radicalizing Uzbekistan's disaffected and disenfranchised youth and driving them into the arms of the Islamic Movement of Uzbekistan and its radical allies. We have seen signs that the governments of Kazakhstan and Kyrgyzstan may soon escalate their own campaigns against peaceful Islamic activities, and we have cautioned them against such steps.

Unfortunately, our efforts to promote democracy and respect for human rights in Central Asia have not been enough. Indeed, these governments seem to be giving up on the reality of democracy (though they cling to the rhetoric). As a result, we have altered our approach. Democracy and human rights issues take up more of the agenda in our bilateral discussions. We raise general problems and individual cases ever more frequently in public statements or at the OSCE Permanent Council in Vienna.

In addition, we have reoriented our assistance programs to these states, shifting our democracy, economic, and humanitarian assistance more toward direct grants to local communities or via local NGOs, and rely less on government-to-government aid. We can point to rays of hope where targeted assistance has made a difference. For example, some communities have greater access to fresh water as a result of their use of citizen advocacy skills nurtured by U.S.-funded NGOs. Independent newspapers in Kazakhstan and Kyrgyzstan have been able to fulfill their important function as watchdogs by trying to hold governments accountable, albeit at the local level. With U.S. support and training, newspapers regularly report on such issues as local corruption. In the case of Mr. Ruzimuradov's recent death, his courageous colleagues at the Human Rights Society of Uzbekistan were able to immediately inform the world of his tragic demise because it has a website and internet access, made possible in part by U.S. assistance.

Lest the governments misunderstand, we have made clear the central tenet of our assistance programs: "Aid Follows Reform." We do not seek to subvert these governments, nor undermine their authority. However, we will not allow our assistance to contribute to activities inconsistent with our own core values and beliefs.

As long as the Central Asian states remain unwilling to create democratic and market economic institutions and are unable to set aside ethnic and national rivalries to work together, they will be vulnerable to internal instability and/or external threats. The United States is trying to help these countries integrate into the Euro-Atlantic community of nations, to deepen their commitment to democratization, the rule of law and the principles of the Helsinki Final Act, the Copenhagen Document and other OSCE documents their governments have all signed. We hope that these nations, at a crossroads both metaphorically and geographically, can and will develop over time into functioning free market democracies. We continue to urge them to undertake the reforms that will allow for a lasting and fruitful partnership with the United States and the West.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Parnly. We would be glad to recognize Ambassador Taylor.

Thank you.

**STATEMENT OF WILLIAM B. TAYLOR, JR., COORDINATOR OF  
U.S. ASSISTANCE TO THE NEW INDEPENDENT STATES, U.S.  
DEPARTMENT OF STATE**

Mr. TAYLOR. Thank you, Madam Chairwoman and Mr. Chairman. I appreciate being here. Glad to be able to join you in this important discussion. Congratulations for bringing attention to this issue.

Several of your colleagues, Madam Chairwoman and Mr. Chairman, have talked about the security interests and economic interests, energy interests that we have. I think it is important to remind ourselves why we do care about this region.

You have indicated by this hearing that this is an important area for the U.S. Congress and the American people. We remind ourselves that for four decades of the last century we fought a battle of ideas with a very powerful adversary to these ideas and in the end we won on the strength of democracy, on the strength of market ideas.

This battle, Madam Chairwoman, as you know, was not cheap and we have taken steps to deal with these issues so that we try to ensure that this problem does not arise again. And that is why it is important for Central Asia to be independent and to be sovereign and each of the five countries to be independent and sovereign. That is why it is important for Ukraine to be sovereign. That is why the independence of Moldova and Georgia and the other countries of the Caucasus are important to us. It is important that these countries make it and Central Asia ought to make it as well. We do not need to go back to the problems that we had in the last century.

Mike has described the problems that face these governments, that face these people, as they struggle toward some form of democracy and some form of market economy that will make them better off both economically and politically.

The question for us is what can we do? How can we help? And several of your colleagues, Madam Chairwoman, have asked this question.

We began this program of assistance in 1992 with the hope, with the expectation, that we would be able to work with governments, in particular, in Central Asia, but in other parts of this region as well. And in some cases, we have, but in most cases we have been disappointed. It has been very difficult to work with these governments.

Our assistance to governments is only useful when they are eager to make the reforms, when they are eager to make the steps toward democracy, toward protection of human rights, toward an independent judiciary that several people have mentioned as well.

We therefore have shifted our focus. We shifted our focus away from governments and we are working with the non-governmental sector. We are working with grassroots. We have found a couple of local governments that we can work with. We have focused a lot of our attention on exchanges, on bringing young people, young Kazakhs, young Kyrgys, young Turkmen, to the United States where their minds are amazingly changed and they go back to

their countries different people with an understanding of the important of democracy and of a market economy.

Chairman Gilman talked about media. We have tried to work in several areas with the media. Chairman Gilman also talked about elections, how important it is to have free and fair elections. Here is a good example of where we tried to work with central governments and central election committees and have had no luck, have had very little luck in making changes that are necessary for free and fair elections.

So we have changed our approach and we work now with grassroots, we work now with media, we work now with non-governmental organizations that do care about both independent media in the first case and free and fair elections in the second case.

Kazakhstani non-governmental organizations and media outlets are now joining forces to protest and did join forces to protest a draft media law. That showed an encouraging movement in Kazakhstan.

You introduced Nelson Ledsky from NDI. NDI was instrumental in this effort. In the end, of course, President Nazarbaev overturned those efforts, but this was a good effort that demonstrates the power and effectiveness of non-governmental organizations and people in Kazakhstan to make changes and to hold their representatives accountable.

We have undertaken several initiatives, Madam Chairman, in support of independent media, non-governmental organizations, access to information in Central Asia and we plan to do more.

We are developing ways to increase our support for independent print and broadcast media, including providing legal defense to journalists and media outlets harassed by the state.

We are providing small grants to non-governmental organizations, including media watchdogs, human rights and election monitoring non-governmental organizations.

We have established and are maintaining 17 public access Internet sites in the Central Asian countries and we have an additional 14 that are en route, that are underway.

Madam Chairman, the most successful assistance programs that we have in Central Asia, I believe, are our exchange programs that I mentioned earlier, in particular, those that bring young people, high school students, undergraduates, graduates, here to the United States where they live in American families, in American homes and attend American high schools. These programs reach out to the next generation of leaders and the next generation of business people and the next generation of non-governmental organization leaders in these countries.

Since 1992, we have brought almost 10,000 Central Asians to the United States on these programs. We have done about 1,100 a year for the past couple of years. These young people go home, Madam Chairman, as little revolutionaries, as one of our Ambassadors who came out of that part of the world described them. These little revolutionaries, these subversives, go back into their countries and they can tell people what it is like to live in the United States, what it is like to live in a market democracy, what it is like to understand how this is important to them as individuals and in their communities.

Madam Chairman, Congressman Issa talked about the fact that this is going to be a long-term effort. We do have interests there. We do have concerns about what kind of values are being pushed. We do acknowledge this is going to be a generational change. Our assistance can continue to play an important role by supporting these young people, the young journalists, young non-governmental activists who are working to better their societies. We look forward to talking with you about these issues and are pleased again to be able to be here today to have this discussion.

Thank you, Madam Chairman.

[The prepared statement of Mr. Taylor follows:]

PREPARED STATEMENT OF WILLIAM B. TAYLOR, JR., COORDINATOR OF U.S. ASSISTANCE TO THE NEW INDEPENDENT STATES, U.S. DEPARTMENT OF STATE

Madame Chairman, I, too, am honored to testify before the Committee here today. While Mike Parmly represents the policy side of the house, I'm here to represent the assistance side, and I'm ready to answer any questions you may have about our efforts to promote democratic reform in Central Asia. But with your indulgence, I would first like to make a short statement.

Against the backdrop of the conditions that Mike has just described to you, the question arises: What can the U.S. do to help the people of Central Asia create democratic societies, given the fact that their governments are standing in the way of reform? As Mike said, we tell our foreign government interlocutors that U.S. assistance follows reform—that is to say, if you're ready to reform, we're ready to help. Unfortunately, in the case of Central Asia, some of the governments have not been willing to reform; as a result, our assistance is focused on helping those brave individuals who are pursuing democratization from the grassroots level, even as their governments seek to thwart their every move. It's an uphill battle to say the least, but we are committed to support these democratically minded folks as long as they're willing to keep struggling.

Since fiscal year 1992, we have provided about \$250 million in democracy-related assistance to the five Central Asian countries, including \$35 million in FY 2000 and \$36 million in FY 2001. For a combined regional population of some 54 million, that's certainly not a lot of money. We'd like to be able to allocate more money for Central Asia, but we face significant resource constraints.

Our democracy programs in Central Asia are almost entirely non-governmental in their focus. For example, while we have tried working with some of the Central Asian governments to promote free and fair elections over the past several years, it quickly became clear to us that the election officials were not interested in allowing, or were under orders not to allow, free and fair elections to take place. We therefore shifted the focus of our election-related assistance entirely to the non-governmental sector, working with NGOs and independent media outlets to help inform voters about their choices and to monitor the electoral process. The same is true of our other democracy-building programs as well. They are targeted almost exclusively at the non-governmental sector, with the exception of a few programs that work with reform-oriented local governments.

As Mike described in his testimony, the Central Asian countries have surprisingly active independent media outlets and NGOs, especially considering the inhospitable working environment that they face. The example of Kazakhstani NGOs and media outlets joining forces to protest a repressive draft media law was a very encouraging one. We would be happy to see similar grassroots coalition-building in the other Central Asian countries.

Over the past few years, we have undertaken numerous initiatives to support independent media, NGO development, and access to information in Central Asia, and we plan to do more. We are looking at creative ways to increase our support for independent print and broadcast media, including providing legal defense to journalists and media outlets harassed by the state. We are providing small grants to NGOs, including media watchdog, human-rights and election monitoring NGOs. In addition, we have established and are maintaining 17 public-access Internet sites in the Central Asian countries, with 14 additional sites to be opened soon.

There is a broad consensus that some of the most successful assistance programs we have are our exchange programs, especially those that bring over high school, undergraduate and graduate students to the United States. These programs reach out to the next generation of leaders. Since 1992, we have brought almost 10,000

Central Asians to the U.S. on our academic and professional exchange programs, including about 1,100 per year for the past several years. As one of our ambassadors once told me, these young people return home as “little revolutionaries,” and many go on to assume influential positions in their countries’ governments and parliaments. The Uzbek Government apparently shares our view of the importance of exchanges, because they have been allocating government resources to send young Uzbeks to the U.S. on academic exchange programs—we applaud them for their far-sightedness.

We can point to numerous examples where targeted assistance has made a difference. With our help, independent newspapers in Kazakhstan and Kyrgyzstan have been able to fulfill their important function as watchdogs by trying to hold governments accountable, albeit at the local level. Internet access is helping to counter the isolation of human-rights activists in Central Asia. Mr. Ruzimuradov’s courageous colleagues at the Human Rights Society of Uzbekistan were able to immediately inform the world of his tragic demise because it has a website and Internet access, made possible in part by U.S. assistance. Similarly, Ismail Adilov’s human rights organization was able to announce his freeing from detention on its website, on which it credited the efforts of our embassy in Tashkent with helping to facilitate the release.

We acknowledge the fact that change in Central Asia is going to be a long-term, generational process. Our assistance can continue to play an important role by supporting courageous young journalists and NGO activists who are working to better their societies. Thank you once again for the opportunity to be here today—I look forward to answering your questions and hearing your thoughts and recommendations.

Ms. ROS-LEHTINEN. Thank you. Thank you so much for being with us today.

I have just a few questions to ask you and I will recognize my colleagues.

I had made mention in my statement of the July 9th edition of *The New Yorker* containing the article by Mr. Hersh on oil and corruption in Kazakhstan and one of the most chilling passages in his article reads as follows: “Nazarbaev,” and I apologize for my pronunciation, “has been cracking down on the press and on opposition political parties. During a visit last winter, I met with dissident editors who told of newspapers and radio stations being closed. One prominent journalist was convicted of insulting the President in print.”

Would you say that this is still the situation in Kazakhstan and are there steps that the United States and the international community as a whole should be taking to censure this type of reprehensible behavior and make countries like Kazakhstan pay some kind of price for suppressing freedom of the press and could, for example, a country be expelled from the Organization for Security and Cooperation in Europe for not meeting certain criteria for freedom of the press and what other options are available?

Mr. PARMLY. Thank you, Madam Chairwoman, for your interest and for that question specifically.

To take your last point first, I would not recommend expelling, even if it were possible, Kazakhstan. I think it is much more important to work with the government and with the people, the civil society, if you can, to build up the capacity of that government.

We do speak directly with the governments involved. I do think that your characterization is accurate. It does appear to me that there has been backsliding, in particular in the area of press freedom and that gives us particular concern. We have addressed that directly. My immediate superior, Lorne Craner, the Assistant Secretary, has addressed this directly with the senior Kazakh leader-

ship. We simply have to continue that effort of speaking truth to power.

I am not overly discouraged, but it is a long-term effort.

Ms. ROS-LEHTINEN. Ambassador Taylor, I do not know if you have anything to add to that?

Mr. TAYLOR. No.

Ms. ROS-LEHTINEN. Thank you.

And just one more question on the normal trade status for Kazakhstan. Legislation has been introduced, as you know, in both the House and the Senate to extend permanent normal trade relation status to Kazakhstan.

Do you believe that human rights conditions should be included in this legislation? And since Kazakhstan would gain more from having the status than would the United States, would it not be reasonable to expect Kazakhstan to meet certain requirements of civilized behavior in order to have increased access to our very profitable U.S. market?

Mr. PARMLY. Again, Madam Chairperson, to me, engagement is the best way to bring about change. The strength of the United States, the idea, the value of the United States is in fact its ideal and that comes through engagement, not through cutting one's self off from that engagement.

I could see an interest in particular circumstances in withholding trade benefits. American legislation has often maintained that sort of conditionality. I would prefer to see the positive engagement, however. But I could probably give you a fuller answer to that question upon consultation with my colleagues back at State.

Ms. ROS-LEHTINEN. Thank you so much.

Mr. Schiff?

Mr. SCHIFF. No questions.

Ms. ROS-LEHTINEN. Thank you.

Mr. Chabot, since you were not here for the opening statements, if the other Members do not mind, I would like to start with you.

Thank you.

Mr. CHABOT. Thank you.

I am concerned about the insurgency mounted by Islamic extremists in several of the former Soviet republics of Central Asia. What particularly concerns me is that the actions of the area's corrupt and repressive governments are generating popular support for the insurgents. For example, in Kazakhstan, President Nazarbaev has virtually eliminated any semblance of an independent judiciary, freedom of the press is essentially non-existent, and he has rigged elections to ensure his hold on power.

Would you agree that this is the kind of behavior that generates support for Islamic extremists and thus threatens U.S. interests in Central Asia? And what does the Administration propose to do to persuade the dictators of Central Asia that it is their own best interests to end repression and corruption in their countries?

I would be happy to hear your views on that.

Mr. PARMLY. Mr. Chabot, I think you have hit the nail on the head. That in fact is a message that we have attempted to carry quietly but persistently to the governments involved. Obviously, we have no interest in seeing a growth of Islamic fundamentalism or

radicalism in that critical part of the world, sitting on top of so many resources.

What is the best way to resist it? Is pure hard nosed repression the best way? Or is in fact engaging with the population itself the best way to pull the population away from the temptation of radical fundamentalism?

We think it is much more engagement and we have attempted to make that point to the governments in question, that it is a false dichotomy to say, well, it is either harsh repression or it is Islamic fundamentalism. In fact, the one feeds the other.

Mr. CHABOT. Thank you.

Next, Attorney General Ashcroft in a speech at the Hague at the end of May said, and I quote,

“We must come to a recognition personally and culturally that corruption is not just a violation of the law, not just an economic disadvantage and not merely a political problem, but that it is morally wrong. Corruption can no longer be seen as an accepted cost of doing business. It is now widely recognized that the consequences of corruption can be devastating, devastating to economies, devastating to the poor, devastating to the legitimacy and stability of government and devastating to the moral fabric of society.”

Applying the Attorney General’s observations to Central Asia, has widespread and pervasive corruption reached the point where the legitimacy and stability of the governments in the region are now threatened and what is the U.S. Government doing to address this growing problem?

Mr. TAYLOR. Mr. Chabot, if anything, the governments in this part of the world are too stable. I think your question is a very good one, that is, is corruption a problem for these societies. Certainly. It is a problem for these societies across the region. It is, of course, not just in Central Asia, it is in other parts of the region as well.

Does it threaten the stability of these countries? Probably not. It probably should, but, again, if there are problems in Central Asia, it is not unstable governments, it is too stable governments.

This is what we need to help stimulate. We need to stimulate some additional thought, some pluralism of thought, within these societies. In partial answer to your question, what we are doing is trying to get independent journalists to identify corruption, to report on corruption. We are trying to get non-governmental organizations who care about this issue to focus on this issue and to make their views clear to their governments. I mentioned earlier how it is now beginning to be possible to work through parliaments in this part of the world to at least express views. It is only beginning and it is still very young, but there have been a couple of successes that we can begin to point to, again, with the help of the National Democratic Institute.

Mr. CHABOT. Before I run out of time, let me ask my final question, if I could, and I thank you for your response.

The July 9th edition of The New Yorker contains an article by Seymour Hersh on oil and corruption in Kazakhstan. One of the

most chilling passages in his article read as follows, and I again quote,

“Nazarbaev has been cracking down on the press and on opposition political parties. During a visit to Almaty last winter, I met with dissident editors who told of newspapers and radio stations being closed. One prominent journalist was convicted of insulting the President in print.”

Is this the situation in Kazakhstan and are there any steps that the United States and the international community should be taking to censure this behavior and make countries like Kazakhstan pay some kind of price for suppressing freedom of the press? Could, for example, a country be expelled from the Organization for Security and Cooperation in Europe for not meeting certain criteria for freedom of the press?

Mr. PARMLY. Thank you, Mr. Chabot. I had in perhaps some of my remarks earlier, before you arrived, addressed that question and the comments of Hersh. I do not want to subscribe to Hersh's comments lock, stock and barrel. Lord knows he has written far too much that I would not subscribe to. But that characterization is awfully close to our analysis of the situation, namely, that there is backsliding in particular in the area of press freedom.

What do we do about it? No, I would not subscribe to the idea that Hersh is quoted as proposing there, expelling them from OSCE. I would say that continued engagement is the best way to address it.

Mr. CHABOT. Thank you very much for your response and I thank the Chairman for holding this important hearing.

Ms. ROS-LEHTINEN. Thank you so much.

Mr. Wexler?

Mr. WEXLER. If I could maybe just follow on that line with respect to the freedom of press.

Mr. Tancredo, I think, talked about meeting with the Chief Rabbi and I think there is a gentleman in the front right of way who he probably also met with. I had the opportunity to meet with him, I am sure many people did, who portrays himself as an independent member of the media and I have no reason to doubt that portrayal.

Clearly it seems that this is a situation in Kazakhstan where there are some good examples and examples that are undesirable.

Is that accurate? I mean, do we have here a situation where there are some very bad examples of freedom of the press and yet at the same time some examples where freedom of the press does in fact exist? Or is it something different than that?

Mr. PARMLY. It is hard to generalize about a region when it involves five countries with their different makeups.

Mr. WEXLER. How about just specifically Kazakhstan, then?

Mr. PARMLY. Okay. Well, I was going to contrast Kazakhstan to Turkmenistan. Turkmenistan, for example, I do not see that much positive to work with, although there was in the immediate post-Soviet era the flourishing of a civil society there. Hopefully we can get back to that.

The fact that there are contrasting examples in a country like Kazakhstan, the fact that there are representatives there, does give

one hope. I think a number of Members have correctly pointed out we need to work with those governments to make the point that, unless they have an ulterior motive, they need not fear the flowering and flourishing of a truly free civil society with opposition voices in the press and the political sphere.

I am not sure all the leadership in all these countries understands that principle. That is a cherished principle to the United States. It should be an important element of stability to their society, and that is the point that we continue to try to make.

Mr. WEXLER. I appreciate that. In terms of your characterization of the backsliding, I think that is the word you used in terms of freedom of the press, I am curious to analyze—again, it is all relative to where they were, to where they are and we can make favorable or unfavorable comparisons to Russia, to China, to other countries in the region, in what respect, again, specifically, to Kazakhstan, to make it more manageable, has the backsliding occurred? And is there any—why would the government from your point of view pursue that course? Are they designing to backslide on the freedom of the press? Or are there other elements at play?

Mr. PARMLY. It is hard to impute motives to even American colleagues, much less officials of other governments. I would not want to get into that game.

We do notice backsliding. For example, an effort on the media law to make it more restrictive; for example, on the law of religion to make it more restrictive. These are areas where we have seen the backsliding.

Mr. WEXLER. And with respect, say, to this law of religion, making it more restrictive, what does that mean?

Mr. PARMLY. It is a question of registration of religion, how many members a religious group requires in order to be able to register as an official religion in a society.

Mr. WEXLER. So previously there were no registration requirements?

Mr. PARMLY. Previously, the requirement was your group had to have 10 members. Now, you have to have 50 members. In other words, you have to constitute a much more significant group in order to be recognized.

Mr. WEXLER. And that may be a very legitimate analysis, but is that—with all due respect, I mean, to say they are backsliding on freedom of religion is an important statement and it may be exactly accurate, but is that the basis of what we are alleging, that the registration is now 50 people as opposed to 10?

Mr. PARMLY. No. If it was one isolated example, that would be one thing. There is a pattern. And one sees evidence in pursuit of tax authorities, pressure on advertisers. One sees the pattern in a variety of ways.

Mr. WEXLER. Okay. I appreciate that. Thank you.

Ms. ROS-LEHTINEN. Thank you so much.

Mr. Smith?

Mr. SMITH. Thank you very much for your testimonies and for the good work you do on behalf of human rights. I do have a couple of questions.

I understand that an American expert went to Kazakhstan to investigate the possibility of establishing an independent printing

press so opposition and independent newspapers would be able to publish. Can you tell us what the results of that investigation were? Is there any hope of establishing such a printing press in Kazakhstan?

And while you are getting some information on that, Cassandra Cavanaugh from Human Rights Watch has a number of very important points she makes in her testimony. One of them is that, and I just want to quote her briefly,

“At times, U.S. policymakers have justified close relations with countries with poor human rights records due to important strategic interests. Often, such cooperation is accompanied by claims that abuser governments are ‘moving toward’ compliance with human rights standards, or are making progress, however gradual. But the trends in the Central Asia,”

she goes on,

“as we have seen, are toward more repression, not less, and greater authoritarianism, not democracy.”

She goes on to say that

“U.S. policy during the past 8 years has failed to address these problems effectively, largely because the message conveyed to these governments has been inconsistent”

and then points out that with the Ex-Im Bank, for example, we provide significant amounts of money to Kazakhstan and the number that she has here is \$60 million and \$900 million to Uzbekistan.

And I am wondering, you know, I have argued this as well, that very often we say rhetorically human rights matter and then with our wallets and our pocketbook we say trade, trade, trade, providing economic largesse to an abuser country. It does not take long for the dictatorship to read between the lines and they just go through the motions. I am sure that those policy statements or rhetorical statements in the past were well meaning by the previous Administration and by the Bush Administration, but if it is not backed up with deeds, they fall flat.

Mr. TAYLOR. Mr. Smith, let me address the printing press question, the first part. You are right, we did commission a study of the viability of printing presses, independent printing presses, commercially based printing presses, in both Kazakhstan and Kyrgyzstan.

The conclusions are that independent—and this is no surprise to this Committee—that independent media faces a very difficult time in both of those countries and surrounding countries as well, although the focus was Kazakhstan and Kyrgyzstan.

We have made some attempts in the past to support an independent press and provide a printing press itself. What has happened in the past is the government has taken it over or there have been other ways of reducing the effectiveness of that.

We are looking to see if there are—we are looking at this report right now, Mr. Smith, and we will have some response for you, if you are interested in how this comes along—

Mr. SMITH. I am.

Mr. TAYLOR. The climate there is very difficult for independent presses and we are looking for ways that we can get around that problem.

Mr. SMITH. And Mr. Parmlly?

Mr. PARMLY. You posed the fundamental question for those who have been working in human rights for a long time: at what point does engagement become basically a support for a repressive regime and stop being an inducement to go to positive change?

We examine and reexamine that question every day. Even when we come to an initial conclusion, we reexamine it. I do not like the term conditionality. I think it can convey the wrong impression to a foreign people, not so much a foreign government, but a foreign people. It is as if we are saying, we want to help you, however, if my help is not going to have the effect that we are seeking, then we are going to have to pull back. There is not an easy answer to your question, though.

Mr. SMITH. Would you agree that a human rights impact statement not unlike what we do with environmental impact statements before we do anything significant in the area, whether it be building a bridge or building a dam, would be advisable when you are talking about bank loans?

It seems to me there is no real, honest way to let us assess this in real terms, what will this mean for the human rights situation.

Mr. PARMLY. In fact, while I do not know if I would want to go all the way that you seem to be indicating. We try to insist that this factor is taken into consideration.

I can tell you that with the support of the Secretary of State and Deputy Secretary Armitage that this factor is being systematized and regularized, what Loren likes to call maintstreaming. These factors are taken into consideration.

I would have to take back and discuss with Loren whether legislation that specifically requires a human rights impact statement should be necessary. But it is an interesting idea.

Ms. ROS-LEHTINEN. One more question, Mr. Smith.

Mr. SMITH. Very brief. Do you believe Uzbekistan and Turkmenistan will be designated as countries of particular concern under the International Religious Freedom Act?

Mr. PARMLY. From everything that I have seen about those two countries, to be off that list would be wrong.

Mr. SMITH. Do you have an assessment on that? I know that the Administration will be making a formal statement very shortly.

Mr. PARMLY. We are undertaking that actively right now. I do not have a conclusion for you. Certainly those are two of the countries we are looking at.

Mr. SMITH. Thank you.

Ms. ROS-LEHTINEN. Thank you.

Mr. Pitts?

Mr. PITTS. Thank you, Madam Chairwoman, and thank you for your testimony today.

When raising concerns about violations of freedom of speech, I think it is vital that we not only address the effects on the media, but also to individuals throughout a society. When individuals are prohibited from speaking about their political or their religious views, the basic right of freedom of speech is violated.

Now, I have tried to share this with certain Central Asia leaders that combatting terrorism can be done through criminal laws that already exist. Laws that restrict freedom of religion are not needed to combat criminal activity, including terrorism, and I think this is particularly true in Uzbekistan. I want to know would you agree with that assessment? How do you view this? If you do not agree, could you explain?

Mr. PARMLY. I do agree with that assessment. There are a variety of ways of combatting terrorism and heaven knows the United States, which has suffered the scourge of terrorism, is as sensitive to that as any country. But in combatting terrorism, one should not—and this is a message we convey to these governments—one should not go all the way to the other extreme because that then feeds the conditions which support terrorism in the population.

That is an important point that we have made repeatedly and at very high levels to many of the governments in this region.

Mr. PITTS. Now, we have heard about the backsliding taking place in the region. How has this backsliding been influenced by neighbors such as Russia and China and what steps are Russia and China taking to build relations and to engage the region?

Can you elaborate on that?

Mr. PARMLY. Let us put China aside for a second and we can come back to it, if you want. The relationship between Russia and these countries which used to be under the control of Moscow are obviously complex and difficult to manage. The fact that there is a sizeable Russian population in many of these countries further complicates the issue.

We have not seen the Russian government feeding the backsliding trend. On the contrary, some dissidents or independent leaders, if they feel the need to leave their country, will end up in Moscow and will operate out of Moscow.

Is that the sign of a policy of Mr. Putin, decided at the highest level? I cannot say. That is what in fact exists.

Mr. PITTS. Well, some of the laws, for instance, the religious registration law, that is an old Soviet-style law that they seem to be copying. Are there other examples like that?

Mr. PARMLY. The laws that they may be copying do come from the Soviet tradition. It is a very complex picture, and this hearing is not focused on the religious condition or the freedom of the press in Russia. If anything, we have seen incremental but nonetheless real progress in Russia in a number of these areas. Progress, not so much in the area of the press, which raises a lot of concerns, but certainly in the area of religion, where we have seen very slow incremental progress on the part of Russia.

Mr. PITTS. Did you want to mention China?

Mr. PARMLY. I will have to think about that, Mr. Pitts. The influence that China has in that region, I think is likely to be growing, but that is a function of China; it is not a function of the societies in Central Asia.

Mr. PITTS. But China is very aggressively pursuing relationships there.

Mr. PARMLY. China is opening up, I think. That can be good and it can be bad.

Mr. PITTS. Okay. One other question. As we rightly focus on the horrific human rights abuses in the region, are there examples of hope, of progress, with which the U.S. Government can encourage governments to bring further democracy developments to the region?

Mr. PARMLY. Mr. Pitts, as I said at several points in my testimony, there are courageous people working with civil society. You are going to hear in other panels from a number of these courageous people who continue to speak out. That, to me, is a reflection of the human spirit. The desire to think freely and to exercise one's individual rights is not a regional thing, it is a human thing. That is one of the reasons I work in the office that I work in.

Specific examples are legion, but I would rather that you wait for the other panels and let those people speak for themselves.

Mr. PITTS. Thank you for your testimony.

Thank you, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you very much, Mr. Pitts.

Mr. Tancredo?

Mr. TANCREDO. Thank you, Madam Chairman. I want to follow up just for a moment on my colleague Mr. Pitts' question with regard to China especially.

It is my understanding that as part of a scheme, of a plan on the part of the Chinese leadership, part of that plan is to put as many Chinese nationals into these emerging—well, into the Stans, if you will, as possible and that there are now several million Chinese that have moved into the area, taken jobs, and that represent a fairly substantial part of the GDP of the entire region.

Number one, is it true that there is this kind of growing influence on the part of newly arrived Chinese in this area of the world? And do you think that if that is accurate, what do you think the implications are of that phenomenon? Either one of you.

Mr. PARMLY. Again, it is a very intriguing question. I do not think I have given it enough thought. If you do not mind, I would like to take it and get back to you at a further point after I have reflected more on it.

In terms of your specific question as to whether there is a growing Chinese presence, I think that is, as I said, more a reflection of greater activism on the part of China as a result of economic growth, perhaps looking for markets. Since the dynamic in China really demands continued economic growth in order to stay on top of the continuing expanded population, it is natural that they would be looking for markets.

Is there a strategic influence that they are also seeking? Again, if you do not mind, I would like to take that question and get back to you, sir.

Mr. TANCREDO. No, I do not mind at all. In fact, in that process, if you do not mind, I would like to allow you to review the information that I have looked at from several scholars, Chinese scholars, specifically, that have identified this particular phenomenon and brought it to my attention and I have attempted each time I have had the opportunity to discuss the issue with representatives from the countries involved to bring it up and they certainly believe that there is a problem, but I just really wondered what the State De-

partment thought about that, so I will provide that for you and then I will be happy to hear what you have to say.

Mr. PARMLY. Thank you very much, Mr. Tancredo.

Mr. TANCREDO. Thank you.

I have nothing further.

Ms. ROS-LEHTINEN. Thank you very much.

Mr. Rohrbacher?

Mr. ROHRBACHER. Thank you very much.

Mr. Taylor or Mr. Parmly, when did you fellows start working for the State Department?

Mr. PARMLY. Sir, I have been working for the State Department for over 24 years. I did not have any gray hair when I started.

Mr. ROHRBACHER. All right. And Mr. Taylor?

Mr. TAYLOR. And I started in 1992.

Mr. ROHRBACHER. 1992? You know, I am just wondering when the Bush people are going to begin showing up here at the hearings. I just do not quite understand it. We are getting near August now. Is there sort of a lack of direction from the White House in terms of personnel?

You do not have to answer that—

Mr. PARMLY. No, in fact, well, from the day that Colin Powell walked in the State Department, I can tell you we all changed.

Mr. ROHRBACHER. I am sure of that. I have heard that in every Administration. It is all right.

Mr. PARMLY. And we all changed for the better.

Mr. ROHRBACHER. I have been around, too. I have seen lots of these changes take place.

Let me ask you a little bit about two witnesses for this hearing from Kazakhstan who were detained at the airport in Kazakhstan by the secret police and denied the right to travel here. What was the State Department's response to this incident?

Mr. PARMLY. We were very concerned about it.

Mr. ROHRBACHER. Is that all? Did we condemn it? Is there not any condemnation? I mean, you can be concerned about leaving the teapot on the stove. This is something far different. There has been no official response. Is that correct?

Mr. PARMLY. First, let me say what we did.

Mr. ROHRBACHER. Okay.

Mr. PARMLY. We were all offended. I am not sure which adjective describes best our reaction to the news, but more than just an emotional—

Mr. ROHRBACHER. How about an official protest? Has there been—

Mr. PARMLY. More than an emotional reaction.

Mr. ROHRBACHER. Okay.

Mr. PARMLY. We actually went in and have approached the Kazakh government and asked for an explanation.

Mr. ROHRBACHER. Asked for an explanation? Has there been an official protest by our government?

Mr. PARMLY. No, I do not know that that is in fact the case.

Mr. ROHRBACHER. Well, I hope it is forthcoming. When we mentioned about corruption earlier, you mentioned how important it is that corruption is reported on. Does the VOA actually have stories

about the corruption that is ongoing in the Stans, especially Kazakhstan?

Mr. PARMLY. I believe so. I would have to check back on the record.

Mr. ROHRBACHER. Okay. That is fair.

Mr. PARMLY. It is certainly a phenomenon that concerns the U.S. Government considerably and we have raised it directly. We do not just rely on VOA editorials. We have raised it directly with the governments involved.

Mr. ROHRBACHER. Yes, but I would hope that the VOA would be alerted and be part of this effort. In a country without any freedom of press, the VOA would have a major influence on public opinion there.

Let me just state for the record that I have time and time again pointed out that evidence suggests to me that the last Administration had a policy of either secretly supporting or at least acquiescing in the control of Afghanistan by the Taliban and I do not expect you to comment on that, but that needs to be in the record of this hearing when you are talking about Central Asia.

At the same time, it appears from what you are saying today that for the last 8 years, we have been in a relatively positive relationship to the tough guys, strong men, gangsters, dictators, whatever you want to call them, that run the Stans.

There seems to be a pattern here. I mean, some sort of a willingness to go along with the Taliban on one side of the border and then on the other side of the border supporting the gangsters who are using the Taliban as an excuse to keep their own people living under their oppression.

I do not quite know what the word is, but it seems rather bizarre.

One last thing about China. This idea that China is opening up I think is totally consistent with what I just described as the policy of the last Administration. Some day I think that that "opening up" of China will prove very detrimental to everyone's freedom.

Let me ask this question. Does China have an agreement to provide the arms and training for the Stans?

Has there been a recent agreement by China to provide the weapons for these countries?

Mr. PARMLY. I am not an expert on that subject. I will have to take the question and get back to you.

Mr. ROHRBACHER. Mr. Taylor, do you know the answer to that question?

Mr. TAYLOR. I do not. I will be glad to help take a look.

Mr. ROHRBACHER. Let me note that I think that you—when you bring yourself up to date—might find that China has signed an agreement with many governments in the Stans to provide them their military equipment. This is not totally out of synch with what they did, for example, in such democratic countries as Burma, where they came in and provided the dictatorship with the weapons they needed to suppress their own people.

My question now is: Is there any evidence of Nazarbaev or any of these cuckoos like Turkman Bashi or any of these other guys down there having cut deals with Communist China that may be

actually detrimental to their own people but very positive toward maintaining their own power?

Mr. PARMLY. I will have to look and get back to you, sir.

Mr. ROHRBACHER. All right. I would suggest there is some evidence that might indicate that the Chinese are thinking along these lines and I would hope the State Department might focus on that.

Thank you very much, Madam Chairman.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Rohrbacher.

And I would like to recognize Mr. Smith for a follow-up question.

Mr. SMITH. Just, Ambassador Taylor, you mentioned earlier that it is so difficult to work with these governments on issues related to democracy that you have turned to civil society and NGOs. Is it your testimony that these governments are not reformable, that they have just gone beyond the pale and now it is a matter of finding some other avenue to try to empower the people?

Mr. TAYLOR. That is not my testimony, Mr. Smith. In particular, when you take a look at the range of areas that we work with them on, that is, in addition to the democracy side, we are working on the economic side.

Again, I go back to our interest in having these societies make it as free and independent societies. We are working with, as you indicated, the civil society on the democracy side, but on the economic side, they—they, which ones? We are talking about Kazakhstan in particular, to some degree Kyrgyzstan—have been taking steps toward a market economy that has taken some strength, some political will, to privatize their enterprises.

And in those cases, on that side, on the economic side, they have indicated that they can pursue reform successfully. On the democratic side, for the reasons that we have all discussed here today, it has been much less the case.

Mr. SMITH. Just on Kyrgyzstan and Felix Kulov; have we expressed our displeasure—and hopefully our outrage—over the additional charges that have been brought against him?

Mr. PARMLY. Mr. Smith, that is one of the cases that we raise most frequently with the government.

Mr. SMITH. And what is their response?

Mr. PARMLY. Unsatisfactory. They talk about threats, they talk about charges of one sort or another and we just keep going back at them.

Mr. SMITH. Thank you very much.

Ms. ROS-LEHTINEN. Thank you so much.

Thank you, Mr. Parmly, and thank you, Ambassador Taylor, for excellent testimony.

We will begin the second panel by hearing the testimony of Dr. Cassandra Cavanaugh.

Dr. Cavanaugh has recently joined the faculty at the College of the Holy Cross as an Associate Professor of History. Through her doctoral studies, Dr. Cavanaugh concentrated on Russian and Central Asian relations. She formerly worked as a senior researcher on Central Asia with Human Rights Watch.

Previously, she has served as a program officer in the region for the International Research and Exchanges Board and as an intern at Radio Free Europe, Radio Liberty Research Institute in Munich.

While at Human Rights Watch, she conducted fact finding missions throughout the Central Asian region and the Russian federation.

Thank you very much for joining us and welcome to Dr. Cavanaugh.

Mr. Bigeldin Gabdullin will be our next witness. He is the editor-in-chief of the major opposition newspaper in Kazakhstan entitled *21st Century*. Through his newspaper, he has been highly critical of the government officials there. Subsequently, he has been shot at, and the offices of his newspapers have been fire bombed.

Due to an inability in printing offices that would take on contracts for fear of reprisals against them, *21st Century* had to purchase its own small printing press, which on December 27th, unknown individuals allegedly broke into their offices and short circuited the machine.

We look forward to hearing from your personal account of the situation facing journalists in the region. We thank you and we appreciate your courage in being with us today.

Following will be Dr. Ariel Cohen.

Dr. Cohen's expertise lies in the areas of Russian foreign policy and the new independent states, among many other topics. Currently, the research fellow in Russian and Eurasian Studies at the Davis International Studies Institute at the Heritage Foundation, Dr. Cohen has produced numerous analyses on these topics which have been published in leading journals and newspapers in the U.S. and around the world.

Previous to his work at the Heritage Foundation, he was the senior consultant at Burson, Marsteller as well as USAID, the World Bank, Radio Free Europe Radio Liberty also.

We look forward to hearing your analysis of the situation in Central Asia and we welcome Dr. Cohen's testimony today.

Our fourth panel member today will be Mr. Frank Smyth. He is the Washington Representative of the New York-based Committee to Protect Journalists.

Mr. Smyth has long been involved in press freedom issues such as formerly serving as an elected official of the El Salvador Foreign Press Corps Association. A freelance journalist, he has covered Central American and African countries and has worked as a consultant for both Human Rights Watch and Amnesty International and has often been published in *Nation*, *The New Republic*, *The Wall Street Journal*, and *The Washington Post*, among others.

In addition to representing the Committee to Protect Journalists here in DC, he also carries out investigative missions for the Committee to Protect Journalists.

And we thank you very much, Mr. Smyth, for being with us today.

Also testifying today will be Dr. Fiona Hill from the Brookings Institution. A fellow at Brookings, Dr. Hill focuses on energy issues, foreign policy, security, economic freedom, democracy in Central Asia. Currently, she is working on a project entitled Power and the State in the New Russia.

Dr. Hill also serves in other capacities with regards to Central Asia. She is an advisor to the President of the Euroasia Foundation and has served as a consultant for the U.N. Special Envoy and missions in the region.

We welcome Dr. Hill today.

And, lastly, we are joined by Mr. Oleg Kviatkovski. He is the executive director of the TV and radio station Channel 31 and he worked as a journalist throughout the 1970s and the 1980s including serving as a staff correspondent from 1979 to 1982 of the *Builders Newspaper of the State Committee of Construction* of the Soviet Union.

He has also been able to work as a reporter in other former Soviet republics. During this time, he was awarded honors by the Union of Journalists of the U.S.S.R.

We welcome all of our witnesses today and we look forward to your testimony. We thank you and we would like to especially thank those guests of the Committee who are here on the front lines, on the fight for freedom. True national dialogue would begin if individuals of the stature of the former Prime Minister who joins us today and who now lives in exile is given personal guarantees for their safety and that of their families before returning to their home countries. So we thank you.

We will be putting all of your testimony in its entirety in the record and we ask you to please summarize your remarks and we have a clock here that tells us when your 5 minutes is up.

So we will begin with Dr. Cavanaugh.

Thank you so much, Cassandra, for being with us.

**STATEMENT OF CASSANDRA CAVANAUGH, ASSISTANT  
PROFESSOR OF HISTORY, COLLEGE OF THE HOLY CROSS**

Ms. CAVANAUGH. Thank you very much, Madam Chairman, for honoring Human Rights Watch on whose behalf I am testifying today with the honor to appear before you.

A privately funded international non-governmental organization, Human Rights Watch has promoted the observance of international human rights norms in the Central Asian republics of the former Soviet Union since the late 1980s and since 1994 through our offices in the region.

It is our assessment, and we concur with the assessment that has been voiced here by several of your Members, that in the past 5 years the states of Central Asia have absolutely reversed whatever tiny steps toward democracy and pluralism that they have made in the early 1990s.

The term dissident in the title of this hearing is sadly very, very fitting. In some of these countries, it is true people may discuss social problems to a limited degree, but these governments still suppress absolutely any attempt to translate discussion into opposition. Individuals who dare oppose the governments become dissidents in the Soviet sense and are subject to increasingly severe forms of oppression.

Today, I would like to discuss three aspects of the region's mounting record of repressing dissent, the aspects which demonstrate most clearly how this repression paralyzes progress toward real political reform and economic development.

Firstly, the political control over the judiciary and, secondly, the linkage between corruption and repression, and, finally, the particularly severe treatment in some countries of those who try to defend their fellow citizens' rights.

In conclusion, I would like to share with you some of the recommendations that Human Rights Watch has recently made to the Bush Administration on U.S. policy toward the Central Asian states in the hopes that the U.S. Government will consistently use the enormous leverage at its disposal to bring about real democratic change in the region and I would request that this memorandum which we have submitted to the staff here together with my testimony be entered into the hearing record, if that is possible.

Mr. ISSA. [Presiding.] Without objection, so ordered.

Ms. CAFANAUGH. Thank you. Whether by banning public demonstrations and detaining their would-be participants, closing down critical newspapers, harassing or jailing writers and party activists on politically motivated charges or sending thugs to assault them, all five governments in the region to a greater or lesser degree attempt to silence the voice of dissent.

It is difficult to conjure a more vivid or recent example of this harassment than what happened 2 days ago when security agents in Kazakhstan prevented Mr. Kosanov and Mr. Bapi, two opposition members who were to be here in this room today from boarding their flight to Washington.

Without the rule of law, no person, whether a political activist, a penniless pensioner who takes to the streets or a powerful foreign investor, is safe from the arbitrary action of governments.

Sadly, the Soviet practice of telephone justice when the local Communist Party boss could order any violation of the law with a simple phone call, has grown more, not less entrenched in Central Asia over the past 10 years. Leaders in the region use this governance by telephone to manipulate elections, influence the outcome of trials and thus suppress dissent.

In Kazakhstan, the government used it this year to dismiss two elected city council members from the opposition Republican People's Party and the outspokenly critical Russian organization, Lad, and this says something to this image of ethnic concord that I gather some of you have been hearing about Kazakhstan.

Political justice is not only a matter of the arbitrary actions of government officials. In many cases, dissent itself is criminalized in law. Therefore, the kinds of political charges filed against dissidents in Central Asia bear a startling uniformity. Kazakhstan, Kyrgyzstan, Uzbekistan and Tajikistan have laws that criminalize affronts to the honor and dignity of the President or other government officials.

Those whose religious belief prompts them to dissent or who are accused of membership in banned peaceful religious organizations, including Islamic organizations, may be charged with inciting religious or national enmity. These are the laws that Congressman Pitts was talking about.

And this also happened late last year in Kazakhstan. Four men were convicted of illegal religious activity and two of them were sentenced to jail time. So this, again, says something about this image of religious tolerance that you are hearing about Kazakhstan.

The classic political offense is the charge of attempting to or inciting others to overthrow the constitutional order, reminiscent of the notorious Article 58 of the Soviet Union's criminal code, which

punished so many dissidents for anti-state activity. And this charge or charges like it are used across the region right now against those who dare to criticize the government, whether they are political activists or ordinary citizens.

Now, it is no secret that by repressing speech governments hope to stop the flow of information on the corruption that has become the hallmark of their rule, crippling any hope for accountability and transparency, the basic building blocks of both democracy and real economic reform in efficient markets.

Now, you have heard about many such cases in Kazakhstan and you will continue to hear about more. You also might have heard about the case of Dodojon Atovullo, the Tajik journalist and editor. Now, only intense international pressure last week persuaded Russia not to extradite him back to Tajikistan where he still faces all three classic political charges.

Now, this is somewhat of an exception because you should know that Russia over the past year has sent back dozens of lesser known Central Asia dissidents to meet their unjust fates in their country of origin. So this also says something about how Russia is fueling this backsliding in the Central Asia region.

Other lesser known whistleblowers have not fared so well as Dodojon. Police arrested Nomonjon Arkabaev, coordinator for the Kyrgyz Committee for Human Rights in late June after he tried to publish an article exposing the authorities' manipulation of land privatization.

Ms. ROS-LEHTINEN. [Presiding.] Dr. Cavanaugh, if you could summarize your remarks?

Ms. CAVANAUGH. Oh, I am so sorry.

Ms. ROS-LEHTINEN. Thank you.

Ms. CAVANAUGH. Yes. Of course. What can the U.S. do?

There are two examples that I want to bring to your attention and a general caution. One has already been pointed out by Congressman Smith. The Ex-Im Bank has extended \$900 million to Uzbekistan in financing and in May of this year, the same month that Uzbekistan threw in a psychiatric hospital one of the members of a local human rights organization, Ex-Im Bank gave Uzbekistan another \$50 million in loans.

Now, Human Rights Watch supports the draft bill to create the Office for Human Rights Impact Assessment at the Ex-Im Bank, but we would also like to see some sort of interim control to make sure that no more taxpayer money goes to these abuser governments.

Another example is the EBRD, the European Bank for Reconstruction and Development. Now, this bank is required by its charter to assist only countries that are committed to the principles of democracy.

Ms. ROS-LEHTINEN. If you could summarize it in just one more minute?

Ms. CAVANAUGH. Sure. Of course.

Ms. ROS-LEHTINEN. Thank you, Dr. Cavanaugh.

Ms. CAVANAUGH. \$500 million to Kazakhstan, \$600 million to Uzbekistan. The U.S.—and I hope that Congress will urge the Administration to instruct its representative on the EBRD's board to

identify specific benchmarks for U.S. support for continued or enhanced lending by international financial institutions.

In closure, let me say that it is not only our core national values but also pragmatism demands that the U.S. press Central Asian governments to uphold their obligation to protect free expression. It is not enough that these countries make it as independent states. It is important that their people enjoy the freedoms that we throughout Soviet history hoped that they would be able to have access to.

An authoritarian legacy in this region is not a full victory in the Cold War.

Thank you for your attention.

[The prepared statement of Ms. Cavanaugh follows:]

PREPARED STATEMENT OF CASSANDRA CAVANAUGH, ASSISTANT PROFESSOR OF  
HISTORY, COLLEGE OF THE HOLY CROSS

Thank you for giving Human Rights Watch the opportunity to testify before you. Since the late 1980s, Human Rights Watch has promoted the observance of international human rights norms in the Central Asian republics of the former Soviet Union. We maintained an office in Dushanbe, Tajikistan from 1994 to 2000, and in 1996 opened an office in Tashkent, Uzbekistan. Our general assessment is that Central Asian governments have, in the past two to three years, completely reversed the small steps toward democracy which some of them made in the early 1990s, and that their ongoing violations of their citizens' rights threaten—more than any other factor—to destabilize further an already troubled region.

The term “dissident” in the title of this hearing is fitting. In a democratic society, people who dissent from government policies may seek real change. We tend not to call them dissidents because they have the opportunity not only to dissent, but also to group together and form opposition movements. But in the authoritarian states of Central Asia, individuals who directly criticize government policies, or accuse their governments of violating citizens' rights and attempt to hold them accountable, become dissidents, for effective opposition to the government is not tolerated. In some states people may openly discuss social problems to a limited degree, but the governments prevent discussion from translating into action; in other states, any mention of strife, poverty or injustice falls under the censor's pen.

Today I would like to discuss three aspects of the region's mounting record of repressing dissidents that demonstrate most clearly how this repression paralyzes progress toward political and economic reform: the use of politicized justice and impunity for police brutality, the linkage between corruption and repression, and finally the particularly severe treatment of those who try to defend their fellow citizens against these rights violations. In conclusion I would like to share with you some of the recommendations Human Rights Watch has made to the Bush administration on U.S. policy toward the Central Asian states in the hopes that the U.S. government will consistently use the enormous leverage at its disposal to bring about real democratic change in the region. I request that this memorandum, together with the written version of my testimony that I will summarize, be entered into the hearing record.

A RECORD OF REPRESSION

Central Asian governments have arrested and otherwise persecuted scholars and writers, journalists and editors, opposition political activists and even ordinary persons who dare to express critical views. Whether by banning public demonstrations and detaining their would-be participants, closing down critical newspapers or other media, jailing journalists and activists on politically-motivated charges or attacking them physically, all five governments in the region, to a greater or lesser degree, attempt to silence the voice of dissent, the voice of opposition. It is difficult to conjure a more vivid and recent example of this harassment than what happened just two days ago, when security agents in Kazakhstan prevented Amirzhan Kossanov and Ermurat Bapi, two opposition party members who were to testify in this room today, from boarding their flight to Washington.

*Political Justice*

Without the rule of law, no person, whether a penniless pensioner who takes to the streets, or a powerful foreign investor, is safe from the arbitrary action of the

government. Sadly, the Soviet practice of “telephone justice,” when a local Communist Party boss could order any violation of the law with a simple phone call, has grown more, not less entrenched over the past ten years.

Leaders in the region use “telephone justice” to suppress dissent, manipulate elections, influence the outcome of trials, and the like. In Kazakhstan, the government used it to dismiss two city council members who were from the opposition Republican People’s Party and the Russian organization “Lad.” Similar “telephone calls,” or arbitrary interventions, have arranged the dismissal of dissidents or their family members from state employment or educational institutions, with no hope of redress. Dissidents may face criminal charges, whether clearly political in nature or based on non-political acts, and be jailed or forced into exile.

Politicized justice is not only a matter of the arbitrary actions of government officials; in many cases, dissent itself is criminalized in law. Because of this, the kinds of political charges filed against dissidents in Central Asia bear a startling uniformity. Kazakhstan, Kyrgyzstan, Uzbekistan, and Tajikistan have laws that criminalize “affronts to the honor and dignity” of the president or other government officials. In Kazakhstan, political activist Madel Ismailov served a year in a prison camp for this offense; the state has recently lodged this charge against other activists. Libel is a criminal offense. Those whose religious belief prompts them to dissent, or who are accused of membership in banned, peaceful Islamic organizations may be charged with inciting religious or national enmity.

The classic political offense is attempting to, or inciting others to overthrow the constitutional order. It is reminiscent of the notorious Article 58 of the Soviet Union’s criminal code, which punished so many dissidents for “anti-state activity.” And it is used across the region against those who dissent, whether they are political activists or ordinary citizens.

In Uzbekistan, charges of anti-constitutional activity and illegal religious activity have been used to jail literally thousands whom the state suspects of disloyalty. Uzbekistan is a country where dissidence can have fatal consequences, thanks to the state’s tacit acceptance of police torture. In the past three years, at least sixteen religious prisoners died in custody in Uzbekistan. I would like to tell you about one of them, Emin Usmon, who died in March.

Emin Usmon was a well-known writer and commentator in Uzbekistan. Police detained him on February 11 this year, and accused him of religious radicalism. Persons close to Usmon maintain that it was his attempts to defend the rights of other persons so accused which angered the government. Early on the morning of March 1, police brought his body back to his family home, at the same time as fifty to sixty officers in uniform and plainclothes surrounded Usmon’s neighborhood. Initially, police told the family that Mr. Usmon had committed suicide, a highly suspicious allegation, considering that Mr. Usmon’s well-known religious beliefs would prevent him from contemplating such a step. However, the death certificate ultimately supplied to the family stated that he had died of a “brain tumor.” No independent medical examination was allowed, nor was the family allowed to view the body as is customary. Nonetheless, one relative saw clearly a still-bleeding wound on the back of Mr. Usmon’s head during the procedure of preparing the body for burial. Police officers demanded that the family bury the body immediately, and the cemetery was surrounded by police officers, who did not allow other relatives or neighbors to take part. Those who did were questioned by police and warned not to discuss what they had seen. The conflicting account provided by police as to the cause of death, the clandestine return of the body and burial, and the refusal by police to allow the family to view the body all indicate that the actual cause of Mr. Usmon’s death was physical mistreatment while in custody.

I have no recent examples of the persecution of dissidents in Turkmenistan. This is not because the government has suddenly grown tolerant, but because with the jailing in 2000 of Nurberdi Nurmamedov, co-chair of the opposition movement *Agzybirlik*, Turkmenistan silenced its last voice of dissent. While Mr. Nurmamedov was released in December 2000, after swearing an oath of loyalty to Turkmen President Saparmurad Niyazov, he is under constant surveillance, and must know that his life and liberty, and that of his family, hang in the balance.

#### *Repression and Corruption*

By repressing dissidents, governments hope to stop the flow of information on the corruption that has become a hallmark of their rule. High levels of corruption are associated with low levels of development. The ability of the governed to speak out against abuses by those who govern them is the first principle of accountability and transparency in government, basic building blocks of both democracy and efficient economic markets.

You have heard of the case of Dodojon Atovullo, editor of Tajikistan's *Charogi Ruz* (Daylight), Tajikistan's most popular and long-lived opposition paper. Only thanks to intense international pressure did Russia decline to extradite him to Tajikistan, where he stands accused of all three classic political charges: insulting presidential honor and dignity, inciting religious and national enmity, and calling for the overthrow of the constitutional order. Mr. Atovullo had over the past few months published several stories, in his own and other papers, exposing the corruption of those at the highest levels of government, and their alleged involvement in the narcotics trade.

Other, lesser known whistleblowers have not fared so well. Police arrested Nomonjon Arkabaev, coordinator for the Kyrgyz Committee for Human Rights (KCHR) in the southern town of Osh, in late June. Arkabaev had published an article in a local paper decrying local authorities' manipulation of the land privatization process to their own benefit. During a search of his home, police claimed to have found leaflets of the banned religious group, Hizb ut Tahrir (the Party of Liberation), which Arkabaev's supporters say were planted by the police. Arkabaev has been charged with calling for the overthrow of the constitutional order, and on July 3 announced a hunger strike to protest the trumped-up charges.

#### *Attacking the Defenders*

As the case of Nomonjon Arkabaev demonstrates, sometimes those who attempt to defend their fellow citizens face the most severe repression. The government of President Askar Akaev has for several years attempted to stamp out Arkabaev's organization, the KCHR, whose chairman, Ramazan Dyrlydaev, was forced into exile in 2001.

Uzbekistan has not relented in its aggressive hostility toward defenders. Uzbek authorities released rights defender Mahbuba Kasymova after she served seventeen months in prison, but almost immediately began harassing her when she began engaging in human rights activism. Elena Urlaeva, an activist from the Human Rights Society of Uzbekistan, was locked in a psychiatric hospital and forced to undergo treatment. This is a chilling throwback to the Soviet era.

At times the results are tragic. On July 7, Uzbek police returned the body of Shovrik Ruzimurodov to his family, the second Uzbek dissident to die in police custody in the last four months. Ruzimurodov had been a deputy in Uzbekistan's Supreme Soviet, elected during the halcyon days of glasnost in the late 1980s, and had remained an outspoken opposition activist, despite having been arrested on political grounds in 1992 and 1998. In the last year, Ruzimurodov, a member of the Human Rights Society of Uzbekistan, had done everything possible to provide international organizations with information on the plight of villagers displaced from their homes at gunpoint and unjustly accused of collaborating with Islamic rebels. Arrested on June 15, Ruzimurodov was not allowed any contact with his family, who were not even informed of his whereabouts until July 7, when they received the news from police that he was dead. As after the suspicious death of Emin Usmon, police forced the rapid burial of Ruzimurodov, and encircled his entire village to prevent outsiders from witnessing the evidence of their acts.

#### WHAT CAN THE U.S. DO?

International policy-making toward the Central Asian states often focuses on factors seen to contribute to the region's potential for conflict, such as drug trafficking, disputes over access to water, or the ongoing war in Afghanistan. Regional governments never tire of citing what they term the "threat of Islamic fundamentalism," and their international interlocutors, alarmed by the specter of the Taliban, often take these assertions at face value. Countries in such a difficult security environment, it is implied, should not have their policies examined too closely. The fact that this committee is holding this hearing shows that you reject this logic. These countries' own policies toward their citizenry, more than any external threat, pose the main danger to regional stability. Repression aggravates social tensions. It widens the gulf between citizens and their governments, undermines economic reform, deters honest investment, and stunts the development of strong civil societies.

At times, U.S. policymakers have justified close relations with countries with poor human rights records due to important strategic interests. Often, such cooperation is accompanied by claims that abuser governments are "moving toward" compliance with human rights standards, or are making progress, however gradual. But the trends in the Central Asia region, as we have seen, are toward more repression, not less, and greater authoritarianism, not democracy. Therefore, we believe that U.S. policy toward the region should be reoriented to arrest the downward political trends.

U.S. policy during the past eight years has failed to address these problems effectively, largely because the message conveyed to these governments has been inconsistent. Rhetorical assertions of the importance of human rights and democratization as the key to developing full relations with the U.S. have been coupled with an assistance policy that conferred benefits on those states, without regard for their human rights performance. This approach has badly undercut the U.S. government's human rights message, providing virtually no incentives to curb abuse and pursue reform. Policy-makers, particularly in the areas of economic and security assistance, seemingly fail to consult the thorough and evenhanded reporting on human rights issued annually by the Department of State.

Assistance granted through the United States Export-Import Bank has done much to contradict the U.S. human rights message to the region. By FY 2000, Kazakhstan had received more than \$60 million in Export-Import Bank financing, and Uzbekistan had received nearly \$900 million. In May of this year, after three years of a brutal crackdown against peaceful Muslims, and just one month after rights defender Elena Urlaeva was locked away in a psychiatric hospital, the Export-Import Bank issued another two loans, totaling more than \$50 million, the main beneficiary of which are enterprises controlled by the Uzbek government. *Human Rights Watch welcomes the draft bill to create an office for human rights impact assessment within the Export-Import Bank, but we hope that until such an office is created, that there can be some effective oversight to ensure that no more U.S. taxpayer money is funneled to abuser governments without a thorough review.*

The European Bank for Reconstruction and Development, with its statutory requirement to assist only countries that are "committed to and applying the principles of multiparty democracy, pluralism and market economics," has enormous leverage to press for change. Yet, rather than draw explicit connections between investment decisions and countries' adherence to these principles, the Bank has invested significant sums in abusive countries: \$571.7 million in Uzbekistan; \$149 million in Kyrgyzstan, and \$500 million in Kazakhstan. And with the exception of Turkmenistan, where it pointed to the total lack of political reform, the Bank has cited only the lack of progress in macroeconomic reform as justification for any scale back of investment. Even as the Bank announced that its commitments to Uzbekistan would decrease this year because of that government's currency policy, the EBRD Board also voted to hold its 2003 annual meeting in Uzbekistan's capital, boosting that country's political prestige.

The EBRD's praise of Kazakhstan despite ongoing persecution of opposition figures also casts doubt on its consistency in applying the principles of its charter. The country strategy approved in January 2001 cites Kazakhstan's cooperation with the post-election activities of the Organization for Security and Cooperation in Europe (OSCE) as proof of the government's good faith reform efforts, giving the government credit for talk rather than for change. In fact, Kazakhstan's opposition walked out of the OSCE-sponsored roundtables to protest the government's refusal to commit to real reform.

To stem this trend, Congress should instruct the U.S. representative to the Bank to incorporate full, up-to-date information on the human rights conditions in each country in the Bank's deliberations on strategy and individual lending projects. It should urge the administration to identify specific benchmarks for U.S. support for continued or enhanced lending by the international financial institutions.

Because regional governments often charge their peaceful, non-violent opponents with attempting to forcibly overthrow them, Human Rights Watch would like to caution against making military-security cooperation the centerpiece of bilateral relations with the states of Central Asia. An unconditional emphasis on anti-terrorism cooperation supports these governments' equation of ideas they disfavor with terrorism, and communicates that the U.S. considers the threats they face to be fundamentally external, rather than stemming from poor governance at home. It makes little sense to equip Central Asian governments to battle insurgents if at the same time those governments continue to pursue policies that may drive their own citizens to support the insurgencies, whether actively or passively. *Where security assistance does go forward, for example under the Cooperative Threat Reduction program, it should be everywhere paired with a clear human rights message that the level, nature, and recipients of such assistance depend on human rights performance. We hope that Congress will urge the administration to develop a coordinated inter-agency strategy on security assistance in the region, to ensure that all the actors involved, including the Departments of Defense and Justice, the FBI and the CIA deliver the same, consistent message.*

Finally, Congress must urge the administration to use all the policy tools at its disposal to secure improvements in Central Asia. A regrettably underused tool is the International Religious Freedom Act. In the next month, the Bush administration

will determine which states it will name as countries of particular concern for religious freedom. *The U.S. must take a consistent and principled approach to IRFA implementation. Uzbekistan and Turkmenistan should be designated as countries of particular concern this year. A clear signal should also be sent to the governments of Kazakhstan, Tajikistan, and Kyrgyzstan that repression of peaceful religious expression also risks their designation as countries of particular concern.*

CONCLUSION

Not only our core national values, but also pragmatism demands that the U.S. press Central Asian governments to uphold their international obligations to protect free expression. Corruption will never be rooted out unless the activities of the powerful are exposed to the light of day, and until citizens have the ability to hold their own governments accountable. Human Rights Watch believes that a policy that fully and consistently integrates human rights concerns into all aspects of U.S. relations with these countries offers the best hope for concrete improvements and for effectively addressing the economic stagnation and political instability in the region. Thank you very much for your attention.

Ms. ROS-LEHTINEN. Very much Thank you.  
Mr. Gabdullin?

**STATEMENT OF BIGELDIN GABDULLIN, JOURNALIST  
[NATALIE V.M. CLARKSON, INTERPRETER]**

Mr. GABDULLIN. Distinguished Chairman and other distinguished Members, my name is Bigeldin Gabdullin. I am a journalist, the editor of the newspaper *XXI Century*, which has been shut down by the Kazakh authorities and which was earlier fire-bombed. I appreciate very much the opportunity to testify at these hearings.

I apologize for my English. I am trying very hard. I spent only the last few months in United States since I was forced to leave my country for printing the truth.

I am very grateful for the honor of appearing before Members of the United States Congress. The fact that you have repeatedly shown interest in the human rights situation and the state of democracy in our country is deeply appreciated. The representatives of the opposition parties of Kazakhstan realize that everything that is said by us in Washington will become known to the whole world. You give us hope.

The regime of Mr. Nazarbaev fears this forum. It attempts, therefore, to prevent our representatives from coming here. I must tell you that Amirzhan Kosanov and Ermurat Bapi, who were invited to attend these hearings, were detained at the airport and their passports were seized by security officers, although these officers knew perfectly well where they were going.

The Kazakh minister of foreign affairs, Mr. Idrisov, said in a newspaper interview that these hearings are nothing but an insignificant behind-the-scenes gathering arranged by a small group of Congressmen who had invited their friends, and I quote his words,

“I would like you to understand that these hearings are not official. These are backstage hearings.”

Well, accordingly, it seems that all of us testifying and present here are unofficial persons behind the curtains. But those who have come here from Kazakhstan represent not Nazarbaev, Idrisov and the likes of them. We represent our people.

Every one of the colleagues here with me today has tragically suffered persecution at the hands of Mr. Nazarbaev. Moreover, our

comrade Satzhan Ibraev is in prison wrongfully charged. We fear for his life and hope you will help this prisoner of the conscience.

The leaders of the Republican People's Party of Kazakhstan, Akezhan Kazhegeldin, has also been wrongfully charged with preparing an armed insurrection. Another ten or so fabricated criminal indictments have been prepared against him ranging from non-payment of taxes to arms possession. He has been forced to live abroad for the last 3 years in spite of the fact that developments in his country demand his presence, since he is the most likely candidate to win any honestly conducted election.

Nazarbaev will never voluntarily agree to true and honest elections. His main goal is unlimited and permanent power. For the sake of this goal, he has violated the Constitution, suppressed democracy and destroyed civil liberties. Yet for him power is not a goal in itself, but a means to an end: self-enrichment. President Nazarbaev, his family and his entourage have created an unprecedented system of corruption, have helped themselves to fabulous riches, and their actions have distorted their legitimacy and credibility of the government.

I am attaching a note to this statement that gives specific details of the corruption of the Nazarbaev regime, This journalistic investigation was conducted with the help of freedom loving people in a number of countries.

The United States Department of Justice is currently conducting an investigation in all the bribes to Mr. Nazarbaev in the form of cash, planes, tennis courts and other luxuries.

It is known how negative Nazarbaev's regime reacted to the passage of Congressional Resolution 397 and the State Department report on human rights violations in Kazakhstan. According to information received from our allies in Kazakhstan's government circles, Mr. Nazarbaev asked the Administration to cancel or dilute these hearings. This is hard to believe as it was hard to believe the reports that the Mr. Nazarbaev had asked Secretary Albright to stop a U.S. criminal investigation involving him as the recipient of multi-million dollar bribes. And yet that turned out to be the truth.

We realize that only the people of Kazakhstan can secure democracy and freedom in our country. We do not ask the United States to intervene in the political process and to bring about—

Ms. ROS-LEHTINEN. Mr. Gabdullin, if you could summarize?

Mr. GABDULLIN. Okay. The same applies to the Internet. The regime controls all providers and engages openly in censorship. The latest example: an article by Seymour Hersh in The New Yorker was blocked out from the opposition site Eurasia, because this article tells of how Nazarbaev helped sell Iranian oil and what commissions he received in return.

According to news reports, the son of Slobodan Milosevic is hiding out in Kazakhstan. Where will Nazarbaev's grandchildren flee to if popular unrest breaks out? Only to Cuba, to Afghanistan, perhaps North Korea. But only as long as these remain repressive states as Kazakhstan is today.

Ladies and gentleman, I thank you for your interest and for your help in giving all of us hope that the United States of America does care about the repression and corruption that exists in our country.

Thank you very much.

[The prepared statement of Mr. Gabdullin follows:]

PREPARED STATEMENT OF BIGELDIN GABDULLIN, JOURNALIST

Members of Congress,

My name is Bigeldin Gabdullin. I am a journalist, the editor of the newspaper "XXI Century", which has been closed down by the Kazakh authorities and which was earlier fire-bombed. Criminal proceedings have been started against me in Kazakhstan on charges of insulting the honor and dignity of President Nazarbayev.

I am very grateful for this opportunity to appear before members of the United States Congress. The fact that you have repeatedly shown interest in the human rights situation and the state of democracy in our country is deeply appreciated. The representatives of the opposition parties of Kazakhstan realize that everything that is said by us in Washington will become known to the whole world.

The regime of Mr. Nazarbayev fears this forum. It attempts, therefore, to prevent our representatives from coming here. I must tell you that Amirzhan Kosanov and Ermurat Bapi, who were invited to attend these hearings, were detained at the airport and their passports were seized by security officers, although these officers knew perfectly well where Kosanov and Bapi were going.

The minister of foreign affairs, Mr. Idrisov, said in a newspaper interview that these hearings are nothing but an insignificant behind-the-scenes gathering arranged by a small group of congressmen who had invited their friends and I quote his words "I would like you to understand that these hearings are not official. These are backstage hearings". Well, accordingly, it seems that all of us testifying and present here are unofficial persons behind the curtains. But those who have come here from Kazakhstan represent not Nazarbayev, Idrisov and the likes of them. We represent our people.

With me in this room are the leaders of the opposition. Every one of them has been a victim of persecution. The family of Gulzhan Ergalieva was attacked, she was beaten, her husband was crippled for life. Dzhumai Dospanov, the leader of the opposition in Western Kazakhstan has facing constant pressure and was tried in court for his activities.

The journalist Sergei Duvanov has been deprived of the right to practice his profession because he was unwilling to tell lies and conceal the truth. Tatiana Deltsova lost her job because she reported in her news program on television about the provocations staged by the special services against Professor Masanov and Amirzhan Kosanov, who together with their families were physically sealed in their apartments with all telephone lines cut and were threatened in order to stop them from attending an opposition meeting. Tatiana was forced to leave Kazakhstan, and she is here today.

Veteran human rights advocate Karashal Asan Ata, a prominent dissident during the Soviet period, was recently tried for criticizing the President. He was charged with insulting the honor and dignity of the President. The newspaper "SolDat", which published his article, was also closed down. Ermurat Bapi, chief editor of that paper, was sentenced to a year in prison and remained free only thanks to a timely amnesty.

However, our comrade—Satzhan Ibraev—is in prison charged with preparing an armed attack. We fear for his life and ask you to help this prisoner of conscience.

The leader of the Republican People's Party of Kazakhstan, Akezhan Kazhegeldin, has also been charged with preparing an armed insurrection. Another ten or so criminal indictments have been prepared against him ranging from non-payment of taxes to arms possession. He has been forced to live abroad for the last three years in spite of the fact that developments in his country demand his presence, since he is the most likely candidate to win any honestly conducted election.

Nazarbayev will never voluntarily agree to true and honest elections. His main goal is unlimited and permanent power. For the sake of this goal he has violated the Constitution, suppressed democracy and destroyed civil liberties. Yet for him power is not a goal in itself but a means to an end—self-enrichment. President Nazarbayev, his family and his entourage have created an un-precedented system of corruption, have helped themselves to fabulous riches, and have perverted officialdom.

I am attaching a note to this statement which explains how, when and how many millions of dollars were received in bribes and how much money was stolen from the national treasury, where and in what accounts these funds are kept, and who among the American businessmen acted as an intermediary in paying and receiving bribes and helped with the embezzlement. This is the result of the journalistic investigation conducted with the help of the true friends of Kazakhstan in different countries.

The Department of Justice of the United States is currently conducting an investigation prompted by suspicions that American companies have been paying bribes to President Nazarbayev. He was demanding bribes not only in the form of money but in planes, tennis courts and other luxuries.

It is known how sensitively Nazarbayev's regime reacted to the passage of Congressional Resolution 397 and the State Department report on human rights violations in Kazakhstan. According to information received from our allies in Kazakhstan's government circles, President Nazarbayev asked the Administration to exert influence on your committee in order to cancel these hearings. This is as hard to believe as it was hard to believe the reports that the President had asked Madeleine Albright to stop a US criminal investigation involving him as the recipient of multi-million dollar bribes. And yet, that turned out to be the truth.

We realize that only the people of Kazakhstan can secure democracy and freedom in Kazakhstan. We do not ask the United States to intervene in the political process and to bring about the replacement of the president. But we know how effective US support of democratic forces can be when they are helped to overcome an information blockade. There are no newspapers left which are not controlled by the regime. This is so because all printing facilities are under its control. Please, help create an independent printing facility in Almaty! This would allow the opposition to carry truth to the people.

The same applies to the Internet. The regime controls all providers and engages openly in censorship. The latest example: an article by Seymour Hersh, which appeared in the "New Yorker" was blocked out from the opposition site "Eurasia", because this article tells of how Nazarbayev helped sell Iranian oil and what commissions he received for this. I am, therefore, asking the United States Administration in the name of all democratic parties to create an independent Internet provider which would not violate freedom of information.

With these tools we will be able to return our country to the road to democracy. An important prerequisite for the peaceful political development of Kazakhstan is the opportunity for us all to live and engage in political activity in our own homeland. If the leader of the democratic forces Akezhan Kazhegeldin, other political figures and journalists continue to be kept out of the country, public outrage will be used by proponents of violent action. This has already happened in Tajikistan and Uzbekistan. It may happen in Kazakhstan as well.

The longer Nazarbayev remains in power, the greater the likelihood of violence, extremism and religious fanaticism. To those who place their hopes on Nazarbayev, who wish him well, I would give the following advice: help him depart the political arena with dignity. Nudge him toward a peaceful dialogue with the opposition and toward a democratic transfer of power. Counsel him to think of how his name will appear in history books. His children are mired in corruption, but his grandchildren are still young and innocent. He must think of them. According to news reports, the son of Slobodan Milosevic is hiding out in Kazakhstan. Where will Nazarbayev's grandchildren flee to if popular unrest breaks out? Only to Cuba, to Afghanistan, to Iran. But only as long as these remain rogue states.

I thank you for your interest and for your help in giving all of us hope that the United States of America does care about the repression and corruption that exists in our country.

Ms. ROS-LEHTINEN. Thank you. Thank you so much.

[Applause.]

Ms. ROS-LEHTINEN. Dr. Cohen?

**STATEMENT OF ARIEL COHEN, SENIOR POLICY ANALYST, THE HERITAGE FOUNDATION**

Mr. COHEN. Thank you, Madam Chairwoman. Thank you, the Members, and thank you staff for having me here today.

I would like to put the issues we are discussing in the context of American interests and the geopolitical developments of Central Asia. As you well know, on the 14th of June, just before President Vladimir Putin went to see President George W. Bush in Ljubljana, he met with Jiang Zemin and the Shanghai Cooperation Organization (SCO). The Shanghai Six agreements were signed with the specific purpose to coordinate Russian and Chinese policy in Central Asia. That includes addressing the issue of radical political

Islam, but this is also the case of the two great regional powers sending a message to the regimes that the Russian and the Chinese models, not the western democratic model, are the one to follow.

The United States has several important state interests in Central Asia. It should strive to deny one country or group of countries, such as Russia or China, the ability to dominate the region to the exclusion of American presence, deny China the ability to establish a new sphere of influence in the region; to prevent transformation of Central Asia into a base for radical Islamic forces such as the Taliban or Usama bin Ladin's organization, including stopping these entities from establishing training camps and bases of operations in the region and frustrating any attempts to subvert or take over Central Asian governments; and to encourage support and development of civil society, the rule of law and transparent market economy. I would argue that all these goals are interconnected.

The opposition to the United States as a sole superpower is the key component of developing a strategic partnership between Moscow and Beijing. In addition, both Russia and China are concerned about Moslem radical movements in their territories and around their borders, including in Central Asia.

In the long term, the threat of Moslem insurrection in Central Asia could well become more serious. The ruling regimes allied with Russia today suffer from a lack of legitimacy and are bereft of democratic process. Economic reforms in Central Asian countries are sputtering or stalling, corruption is running rampant, GDPs are flat, and living standards are abysmally low.

These conditions provide fertile ground for Islamic radicals, who are busily recruiting and training the next generation of Jihad warriors. The radical, drug-pushing Taliban regime across the Amu Darya River is particularly menacing. But the secular authoritarian and corrupt regimes of Central Asia rely upon their traditional ties to Moscow as a form of life insurance, and Russia believes it must either fight the Islamic fundamentalists in the deserts of Central Asia or face them in Northern Kazakhstan, where many ethnic Russians reside.

Russia finds its options limited. It can either face the instability in Central Asia on its own, or to bring in China as a partner. Beijing views Central Asia, with its weak governments and rich natural resources, especially oil and gas, as a future natural sphere of influence. The recent institutionalization of SCO demonstrates that Moscow and Beijing hope to be decisionmakers in Central Asia, possibly to the exclusion of Turkey, Iran, and the United States. What remains to be seen is how effective Moscow and Beijing are going to be.

Economically, Central Asia's rich countries, such as Kazakhstan and Turkmenistan, with their huge oil and natural gas deposits, suffer from glaring inequities in distribution of wealth. In both countries, only the ruler, his family, and a few political allies and cronies benefit from energy riches, while the majority of population suffers from low incomes, social underdevelopment, diseases and environmental pollution.

In poor countries, such as Kyrgyzstan and Tajikistan, the situation is desperate. When hit by drought or other natural disasters, rural dwellers are often on the verge of starvation. The populations of these countries are turning en-masse to drug trafficking and other illicit activities.

While the people are dissatisfied, and often desperate, the rulers are most of all interested in their own power and political survival, as well as personal enrichment. They are doing everything possible to deny the development of legitimate channels of protest, such as political parties and free media. Instead, the aggrieved population is turning to radical Islam's promises to deliver the true path of Allah, even at the price of great personal sacrifice and suffering.

According to human rights organizations such as Amnesty International and Human Rights Watch the opposition media and activists, both in the respective countries and in exile, as well as the eyewitness accounts of western experts, the Central Asian governments generally attempt to paint all opposition with one brush: that of international terrorism and Islamic fundamentalism. That is wrong.

The existence of the Islamic threat in Central Asia is undeniable and the United States should take it seriously, but that does not mean that we should justify repression against political parties, such as Erk and Birlik in Uzbekistan, the National Republican Party led by former Prime Minister Akezhan Kazhegeldin in Kazakhstan, or Ar-Namys, led by the former Vice President Felix Kulov in Kyrgyzstan.

The repression in Turkmenistan is well documented and I will not dwell on that now.

Uzbekistan is holding between 15,000 to 30,000 political opponents and religious activists in its jails.

Ms. ROS-LEHTINEN. Thank you, Dr. Cohen. If you could summarize.

Mr. COHEN. Many reports claim that some people are arrested for as little as wearing a beard or distributing a leaflet.

It was hardly surprising, Madam Chairwoman, that President Nazarbaev lashed out at the last Shanghai Six summit against the United States, accusing Washington of being too didactic and aggressive in promoting democracy.

The failure of local elites to embrace participatory frameworks of governance and transparent market reforms, to oppose corruption, and to recognize basic individual rights has led to the current rise in political instability. The threats of Islamic insurrections and internal political opposition are forcing these governments to appeal to regional powers for support.

The United States should fully recognize the threat of Islamic extremism. We suffered from it during the explosions at the World Trade Center, when terrorists attacked U.S. military personnel at Khobar Towers, in Saudi Arabia and when people died in the attack against the *Cole*. However, in Central Asia, unfortunately, regime insecurity is also a case for brutality, a motivation to silence the voices of political opposition and criticism.

Ms. ROS-LEHTINEN. Thank you, Dr. Cohen.

Mr. COHEN. This Administration should take these issues very seriously and we should put it in the context of our relationship in

Central Asia that also involves China and Russia. We should promote the cause of democracy and human rights in Central Asia.

Ms. ROS-LEHTINEN. Thank you so much.

Mr. COHEN. Thank you, Madam Chairman.

[The prepared statement of Mr. Cohen follows:]

PREPARED STATEMENT OF ARIEL COHEN, SENIOR POLICY ANALYST, THE HERITAGE FOUNDATION

U.S. INTERESTS IN CENTRAL ASIA

Central Asia, geopolitically and economically, is an important region of the Eastern Hemisphere, occupying areas adjacent to several nuclear powers, such as Russia, China, India and Pakistan. It is located in proximity to a potential nuclear power, Iran, and is a major repository of oil, natural gas, gold, uranium and other minerals.

While historically predominantly Turkic and Moslem, Central Asia was influenced by Russia, which conquered it during the second half of the nineteenth century and continued its rule during the Soviet period. However, currently, Russian influence is increasingly being supplanted by that of China and Islamic movements and forces, some of them militant, with bases in Afghanistan, Pakistan and beyond. To the lesser extent, Turkey and the West—the United States and the European Union—have influence as well. In the future, the competition for influence in Central Asia is likely to increase.

On July 16, the presidents of Russia and China signed a Treaty for Good Neighborliness, Friendship and Cooperation in Moscow. This treaty is the first such agreement between these two Eurasian powers since Mao Zedong signed a treaty with Joseph Stalin of the USSR in 1950, four months before the outbreak of the Korean War. The 1950 pact was clearly driven by anti-Western sentiments.

The motivations behind this new treaty are much more complex, and involve serious geopolitical, military, and economic considerations. In a sense, it is a logical product of the improvement in Sino-Russian relations that began under the last Soviet leader, Mikhail Gorbachev. It also should be taken as a signal to the Western world that a major geopolitical shift may be occurring in the Eurasian balance of power, with serious implications for the United States and its allies.

The treaty comes on the heels of another significant security arrangement: On June 14, Russia, China, and four Central Asian states (Kazakhstan, Kyrgyzstan, Uzbekistan and Tajikistan) announced the creation of the Shanghai Cooperation Organization (SCO), a friendship ostensibly aimed at confronting Islamic radical fundamentalism and promoting economic development. Taken together, the formation of the SCO, coupled with the July treaty signing, portend an important geopolitical transformation for Central Asia, Russia and China. These two regional giants are positioning themselves to define the rules under which the United States, the European Union, Iran, and Turkey will be allowed to participate in the strategically important Central Asian region.

The U.S. has several important state interests in Central Asia. It should strive to:

- Deny one country or a group of countries, such as Russia and China, the ability to dominate the region to the exclusion of American presence; and deny China the ability to establish a new sphere of influence in the region
- Prevent the transformation of Central Asia into a base for radical Islamic forces, such as the Taliban or Usama Bin Ladin's organization, including stopping these entities from establishing training camps and bases of operations in the region and frustrating any attempts to subvert or take over Central Asian governments;
- Prevent the region from becoming a major corridor for drug trade into Europe and the Commonwealth of New Independent States
- Ensure access for U.S. companies to energy and other natural resources and markets in the region
- Encourage and support the development of civil society, the rule of law and transparent market economy

Thus far, achieving these goals has been difficult, especially in the areas of the observance of human rights and support of legitimate political dissent.

## GEOPOLITICAL CONTEXT OF U.S. POLICY IN CENTRAL ASIA

Opposition to the United States as the sole superpower is a key component of the developing strategic partnership between Moscow and Beijing. In addition, both Russia and China are concerned about Moslem radical movements in their territories and around their borders. Since the 1970s, the Turkic Moslem Uighurs in the Western Chinese province of Xinjiang, 7 million strong, have been conducting a violent struggle for independence. They have killed police and soldiers, planted bombs and robbed banks. In 1997, Uighur militants exploded a bomb in Beijing, wounding 30 people. They have also developed connections to radical Islamic movements and are training in religious schools (medrese) and camps in Afghanistan and Pakistan. Uighurs also reside in Kazakhstan and Kyrgyzstan, across the border with China.

The stability of Xinjiang is important to China. It is seen as a test case of central control, relevant to Beijing's grip over Tibet and Inner Mongolia. Xinjiang is also viewed as a traditional buffer against Turkic Moslem invasions from the North-West. The province also contains three major oil basins: the Turpan, Jungar and Tarim, with up to 150 billion barrels of reserves, according to some optimistic estimates. Last but not least, the People's Liberation Army maintains numerous bases and nuclear weapons testing grounds in the region, which could be threatened if the Uighurs gain control.

Russia is in a similar position as it enters its seventh year of conflict in Chechnya. Radical Moslem penetration of other North Caucasus autonomous republics, such as Dagestan, is increasing, as evidenced by non-Chechen participation in terrorist activities in Russia. The Russian leaders fear a chain reaction among the country's 20 million Moslems.

In the long term, the threat of Moslem insurrection in Central Asia could well become more serious. The ruling regimes, allied with Russia, suffer from a lack of legitimacy and are bereft of democratic process. With economic reforms in the Central Asian countries sputtering or stalling, corruption is running rampant, GDPs are flat, and living standards are abysmally low. These conditions provide fertile ground for Islamic radicals, who are busily recruiting and training the next generation of Jihad warriors. The radical, drug-pushing Taliban regime across the Amu Darya river is particularly menacing.

The flood of drugs and weapons across the Tajik-Afghan border is a challenge to the Russian expeditionary force (the reinforced 201st Infantry Division), while indigenous support for the Taliban, as well as the pervasive corruption and political maneuvering that characterize both Moscow and Dushanbe, prevent Russia and the Tajiks from effectively countering the Islamic rebels.

The secular, authoritarian, and corrupt regimes of Central Asia rely upon their traditional ties to Moscow as a form of life insurance. And Russia believes it must either fight the Islamists in the deserts of Central Asia or face them in Northern Kazakhstan, where many ethnic Russians reside.

Russia finds its options limited. It can either face the instability in Central Asia on its own or to bring in China as a partner. Beijing views Central Asia, with its weak governments and rich natural resources—especially oil and gas—as a future natural sphere of influence. The recent institutionalization of the SCO demonstrates that Moscow and Beijing hope to be the decisionmakers in Central Asia, possibly to the exclusion of Turkey, Iran, and the United States. What remains to be seen is how effective the two countries will be against the Taliban, the Islamic Front of Uzbekistan, and the Bin Laden organization.

## SOURCES OF DISSENT: THE FAILURE OF POST-COMMUNIST REFORMS IN CENTRAL ASIA

Since the collapse of the USSR, all five Central Asian states have been ruled by the Soviet-era *nomenklatura*, the communist elite which attempted to transform itself into nationalist leadership. Kazakhstan, Uzbekistan and Turkmenistan are still ruled by the men who were in charge in the mid-1980s, while Tajikistan and Kyrgyzstan are governed by leaders who have been in power since the early 1990s. However, instead of following models of democracy and market reforms, all these leaders have either largely ignored the reform process, as is the case in Uzbekistan and Turkmenistan, or made some attempt to initiate economic reforms, but then backtracked and are now mired in unprecedented corruption, lack of transparency and criminality. It is little wonder these regimes are quickly run out of legitimacy and popular support, and have to revert to brazen manipulation of their political system, or outright authoritarian methods, to remain in power and fight off political challenges.

Economically, Central Asia's resource rich countries, such as Kazakhstan and Turkmenistan, with their huge oil and natural gas deposits, suffer from glaring inequities in the distribution of wealth. In both countries, only the ruler, his family,

and a few political allies and cronies benefit from the energy riches, while the majority of the population suffers from low incomes, social underdevelopment, diseases and environmental pollution.

In poor countries, such as Kyrgyzstan and Tajikistan, the situation is desperate. When hit by drought or other natural disasters, rural dwellers are often on the verge of starvation. The populations of the two countries turning en masse to drug trafficking and other illicit activities. High unemployment levels among young males are a sure-fire prescription to fuel militant Islamic movements, as numerous examples from Algeria to Indonesia demonstrate.

While the people are dissatisfied, and often desperate, the rulers are most of all interested in their own power and political survival, as well as personal enrichment. They are doing everything possible to deny the development of legitimate channels of protest, such as political parties and the free media. Instead, the aggrieved population is turning to radical Islam's promises to deliver "the true path" of Allah, even at the price of great personal sacrifice and suffering.

#### SILENCING THE VOICES OF DISSENT

According to human rights organizations such as Amnesty International and Human Rights Watch, the national commission on human rights, opposition media, and activists both in the respective countries and in exile, as well as the eyewitness accounts of Western experts, the Central Asian governments generally attempt to paint all opposition with one brush—that of international terrorism and Islamic fundamentalism.

The existence of the Islamic threat in Central Asia is undeniable. However, it is important to distinguish between militant Islamic radicals, moderate Islamic activists, clerics and politicians, and secular, Westernized human rights activists. By persecuting the two latter categories, the ruling regimes tend to isolate themselves and increase the possibilities of social upheavals which could result in the deposition of these regimes in the future.

It is also important to emphasize that without developed political channels for redressing grievances, ensuring freedom of worship, facilitating political change and the rule of law, striving for manageable levels of corruption, and protecting freedom of the media and freedom of association, thousands of Central Asians: Uzbeks, Turkmen, Kazakhs and others, will swell the ranks of radical organizations, such as the Islamic Front of Uzbekistan, the Moslem Brotherhood, and others.

Banning genuine political parties, such as Erk and Birlik in Uzbekistan, the National Republican Party led by the former Prime Minister Akezhan Kazhegeldin in Kazakhstan, or Ar-Namys, led by the former Vice President Felix Kulov in Kyrgyzstan, is a sure way to incur criticism abroad and fan the flames of dissent at home.

The degree to which dissent is repressed is uneven throughout the region. Turkmenbashi (Chief-of-Turkmens) Saparmurad Niyazov's Turkmenistan is the most oppressive, with all the trappings of a totalitarian dictatorship. Niyazov was proclaimed president-for-life by his tame parliament. He built a 40-foot golden statue of himself, which rotates to follow the sun. He regularly purges Turkmenistan's libraries and schools of books he dislikes. Opponents to Niyazov are kept in extremely harsh imprisonment for lengthy periods; after being forced to publicly confess their guilt on national TV. The lives of many of the regime's opponents are threatened. Religious minorities, including Christians, are constantly harassed.

There is no independent media, and heavy censorship of the Internet and news from abroad, as well as restrictions on travel, are in place.

President Islam Karimov's Uzbekistan developed an ideology which is based on worship of the past, including the cult of Amir Timur (Tamerlane), in whose honor a shrine was erected in the center of the capital city Tashkent. Tamerlane's empire covered most of today's Central Asia, but reached as far as Russia in the West, and China and India in the East. This is an outright cult of military power and territorial aggrandizement.

Uzbekistan is holding between 15,000 to 30,000 political opponents and religious activists in its jails. Many reports claim that some people are arrested for as little as wearing a beard or traditional Moslem garb. According to local and Western human rights organizations, torture is widespread, despite Uzbekistan being a signatory of the international convention banning torture.

At one point, between 70 and 80 percent of all mosques were shut down under the pretext of lack of registration. There are very few, if any, attempts to find a modus vivendi with moderate Moslems. The Uzbek government hopes that Russia and China will support its authoritarian policies, if Uzbekistan initiates rapprochement with Moscow and Beijing, and distances itself from the West. However, the

slow pace of economic reforms, and threats from radical Moslem organizations on its borders may ultimately provoke destabilizing hostilities, and it is not clear whether China and Russia will be capable of protecting the Karimov regime.

The leadership of Kazakhstan also demonstrates a heavy hand in dealing with political opposition. As in other Central Asian countries, libel is a criminal offense, and insulting the president often is a cause for criminal prosecution, as Madel Ismailov, the leader of Workers' Movement found out in 1999. Other opponents of the regime, such as Mikhail Vasilenko, Petr Svoik, and Mels Yeleusizov, a leader of the environmental movement, have been placed in administrative detention.

Freedom of the press suffered a heavy blow when the Franklin Press, a printing house supplied to Kazakhstan with American taxpayer's funds, was forcibly sold to a company controlled by Dariga, President Nazarbaev's daughter. Boris Giller, the founder of the leading privately-held free media company, Caravan, was forced to sell his asset and has emigrated from the country in 1998. Dariga Nazarbaeva, the owner of Caravan, also controls most of Kazakhstan's electronic media.

Freedom of the media is extremely important, as Mr. Nazarbaev is reportedly under a at least one grand jury indictment in this country, according to a report by Seymour Hersh in this month's issue of the New Yorker. No official Kazakhstani newspaper is permitted to print this news, as by law all personal information about the president and his family is a state secret. In addition, according to a new law, the Parliament granted President Nazarbaev immunity from prosecution for any and all crimes committed while in office, with the exception of high treason.

It was hardly surprising that President Nazarbaev lashed out at the last Shanghai Six summit against the United States, accusing Washington of being too didactic and aggressive in promoting democracy. Today in Kazakhstan, opposition newspapers are often harassed and even physically attacked, and Internet access is kept artificially expensive. Internet sites are controlled by the security services, and opposition sites are often censored.

In Kyrgyzstan and Tajikistan, some improvements in the mid-1990s was followed by a deterioration in handling political dissent, observing the rule of law and respecting freedom of the press.

#### CONCLUSION

The failure of local elites to embrace participatory frameworks of governance and transparent market reform, oppose corruption, and recognize basic individual rights, has led to the current rise in political instability. The threats of Islamic insurrections and internal political opposition are forcing the governing regimes to appeal to regional powers for support. The United States should fully recognize the threat of Islamic extremism in the region and elsewhere, as this extremism is aimed against American interests and American citizens, as the World Trade Center, Khobar Towers and the Cole attacks have demonstrated. However, unfortunately, regime insecurity is also a cause for brutality, a motivation to silence the voices of political opposition and criticism. While this may work in the short term, it can make things worse in the long run, including in Central Asia.

Thus far, the U.S. Administration, EU governments, and international organizations, have failed to convince Central Asian leaders to follow democratic models, to make their economies attractive to foreign investment, or to respect the pluralism of political opinions. This is a political, as well as a civilizational choice the Central Asian leaders have actively made, while at the same time seeking succor in Moscow and Beijing.

Today, with Russia and China attempting to play the leading role in the region, the chances of Central Asia embracing democracy remain slim. However, the United States should continue to uphold the ideas of freedom of speech, free media, freedom of religion, and the rule of law. These ideals are not contradictory to American political goals in the region—on the contrary, if implemented, they would make the political systems of Central Asian countries more sustainable and legitimate, and thus would increase regional security and stability, enhance economic development, and boost foreign investment.

Ms. ROS-LEHTINEN. Thank you, Dr. Cohen.

Mr. Smyth?

#### **STATEMENT OF FRANK SMYTH, WASHINGTON DIRECTOR, COMMITTEE TO PROTECT JOURNALISTS**

Mr. SMYTH. Good afternoon, I want to thank the Subcommittees for inviting the Committee to Protect Journalists to be here today.

I am Frank Smyth, the Washington representative of CPJ. I will summarize briefly a report written by my colleague Emma Gray, CPJ's program consultant for Europe and Central Asia, who is unable to be here in person. I will be happy to take questions, but regret that since I am not an expert in the region, I may have to refer queries to Ms. Gray—

Ms. ROS-LEHTINEN. Mr. Smyth, if I could just interrupt you a second?

Mr. SMYTH. Sure.

Ms. ROS-LEHTINEN. I have been informed that while the former Prime Minister was here some officials tried to serve him with a subpoena.

Is that correct? If we could just—

Mr. Smyth, if we could interrupt you for a second.

Mr. SMYTH. Sure.

Ms. ROS-LEHTINEN. If we could ask the former Prime Minister to please confirm that in the microphones.

Who tried to serve you with a subpoena?

Mr. KAZHEGELDIN. That is right. It is Deputy Consul of Kazakhstan in United States. His surname is Sabiko.

Ms. ROS-LEHTINEN. And he was here?

Mr. KAZHEGELDIN. Yes. That is right.

Ms. ROS-LEHTINEN. Serving you with a subpoena.

Mr. KAZHEGELDIN. This took place just few minutes ago.

Ms. ROS-LEHTINEN. And was he successful in giving you a subpoena?

Mr. KAZHEGELDIN. Not yet.

Ms. ROS-LEHTINEN. Not yet. Do you fear for the safety of your family back home because of these kind of actions?

Mr. KAZHEGELDIN. I hope. I hope.

Ms. ROS-LEHTINEN. We will be glad to help you in that.

Mr. KAZHEGELDIN. Thank you.

Ms. ROS-LEHTINEN. Thank you.

Mr. KAZHEGELDIN. Thanks a lot.

Ms. ROS-LEHTINEN. Mr. Smyth, and if I could, if I could recess the Committee momentarily, we have a series of votes. It is wonderful to be interrupted by democracy.

We would like to recognize Mr. Gilman for just a brief moment before we go for our votes.

Mr. Gilman?

Mr. GILMAN. Well, I think we ought to instruct whoever is here, that trying to serve a subpoena on any of our witnesses is wholly inappropriate; and we will instruct our staff to prevent that from happening.

Ms. ROS-LEHTINEN. I have done so with our staff director.

Mr. GILMAN. Thank you, Madam Chairman, I hear we now have four votes when we go back. That is almost 45 minutes.

Ms. ROS-LEHTINEN. I know. I apologize to our witnesses. I truly do. We have a series of votes and, as I say, it is always wonderful to be interrupted by democracy. It is a good sound to hear those bells go off. But we will be gone for almost an hour and then we will resume the testimony of our three remaining witnesses and resume with the questioning.

Mr. WEXLER. Madam Chairman?

Ms. ROS-LEHTINEN. Yes, Mr. Wexler?

Mr. WEXLER. If I could—

Ms. ROS-LEHTINEN. Yes.

Mr. WEXLER. In the process of this hearing, we have heard in terms of the direct action apparently of the Kazakhstan government two somewhat outrageous actions, one with respect to holding the people at their airport and, two, with respect to the former Prime Minister. I would highly encourage that at the quickest opportunity that Madam Chairman ask the Kazakhstan government to come before this Subcommittee and explain their actions.

Ms. ROS-LEHTINEN. Be glad to do that. Thank you, Mr. Wexler. We will attempt to do that in the 45 minutes break that we have for votes. So we would make that formal request at this time and we will have our staff working on it. Thank you.

And with that, the Committee is recess.

[Recess.]

Mr. GILMAN. [Presiding.] The Committee will come to order. Chairman Ileana Ros-Lehtinen is on the Floor with an amendment. She will try to rejoin us as quickly as possible. In the meantime, we will proceed with our witnesses.

I think our next witness is Frank Smyth, Washington Director of the Committee to Protect Journalists. Mr. Smyth.

Mr. SMYTH. Thank you, Mr. Gilman. Good afternoon. Thank you for inviting the Committee to Protect Journalists to testify at today's hearing. I am Frank Smyth, the Washington representative of CPJ. I will briefly summarize a report written by my colleague Emma Gray, CPJ's program consultant for Europe and Central Asia, who is unable to be here in person. I will be happy to take questions, but regret that since I am not a regional expert in the region, I may have to refer queries to Ms. Gray, who would be pleased to answer them in written form.

Earlier this month, one incident occurred that highlights the urgent need to monitor press freedom and human rights in Central Asia. It serves as a reminder of the fate of journalists and other members of civil society who dare criticize their government publicly.

On July 5, Russian authorities in Moscow arrested Dodojon Atovullo, the exiled publisher and editor of the Tajik opposition newspaper Charogi Ruz (Daylight). Atovullo was an outspoken critic of the Tajik government and his newspaper has frequently accused government officials of corruption, nepotism, and drug trafficking.

He was arrested by Russian authorities at the request of Tajikistan, which sought his extradition. Atovullo faces charges of insulting the Tajik President and his lawyer said he would face the death penalty if extradited to Tajikistan. Fortunately, Russia denied the extradition request and, on July 11, Atovullo flew to Germany where he now lives.

His exile demonstrates an inescapable fact of life for the citizens of Central Asia: that speaking out is dangerous.

I shall briefly summarize press freedom conditions in each country, then discuss some common problems faced by the media throughout the region, and finally offer some suggestions.

In Kazakhstan, the most striking feature of the media landscape is the tight control exerted by the family and business associates of the President, Nursultan Nazarbaev, over the country's most influential newspapers and broadcast outlets. What the regime does not own outright, it aims to stifle through the harassment and persecution of journalists.

Often the intimidation is conducted through the courts. Libel is a criminal offense. Earlier this year, Yermurat Bapi received a 1-year sentence for "publicly insulting the dignity and honor of the President."

Kyrgyzstan's reputation for allowing more press freedom than any other Central Asian country was sullied last year by a severe government clamp down on independent media in advance of parliamentary and presidential elections last year. As a rule, attacks on journalists take the form of legal pressure rather than imprisonment or beatings and the recent crackdown shows no sign of easing.

Libel remains a criminal offence, although earlier this year hopes were raised that the parliament would repeal the relevant statutes.

In Uzbekistan, President Islam Karimov's increasingly oppressive regime has carried out a wholesale attack on human rights, including those of journalists. The situation has worsened in recent years, as Karimov has used the threat of Islamic terrorism as a pretext for jailing thousands of Moslems. In carrying out their profession, journalists are forced to walk an ever more hazardous minefield created by the newly-adopted anti-terrorism laws.

Torture of political detainees is also commonplace. and at least two journalists have been tortured.

C.P.J. is investigating two more cases, Shonazar Yermatov and Majid Abduraimov, in which reporters face long prison sentences for what appear to be trumped up criminal charges that we believe were issued in fact over both men's writings.

And I wish to correct our written statement that has been circulating here where we wrote that we believe both men were jailed. In fact, although both men have been charged, only one Yermatov, has been jailed.

In Tajikistan, as the still Atovullo case shows, reporting remains a dangerous profession, especially for the few journalists who dare to investigate power struggles in the political and military elite or trafficking in weapons and drugs by organized criminal gangs.

The state controls the single publishing house in Tajikistan and applications for broadcasting licenses as well can take years to be processed.

In Turkmenistan, it is not possible to speak of a free press in Turkmenistan. On April 5, President Saparmurat Niyazov summarily banned opera and ballet in his country, claiming both were "alien" to Turkmen culture.

The state controls all publishing and broadcast licenses, and last year took steps to regulate the Internet as well.

Lack of political and civil rights is a pattern throughout Central Asia and aspects of state pressure against the media include: overwhelming state ownership of media; state monopolies on printing facilities and distribution networks; lack of official accountability; lack of transparency of government funding; absence of judicial im-

partiality; markedly increased pressure prior to elections; insult laws that carry criminal penalties; punitive tax inspections; misuse of libel laws leading to the imposition of crippling fines; beatings and torture of political opponents in Uzbekistan and Turkmenistan in particular.

C.P.J. would like U.S. officials and lawmakers to make strong public and private statements that make clear the U.S. commitment to press freedom as a cornerstone of democracy. We would like those words to be backed up by action linking any cooperation or non-humanitarian aid to concrete improvements in freedom of expression.

We would also call on you to support international organizations that support independent media in the region, such as the OSCE, the Eurasia Foundation, USAID, Internews, the Soros Foundation, and others.

Mr. GILMAN. Mr. Smyth, we would welcome your summing up.

Mr. SMYTH. Yes, sir. The pressure on journalists is part of Central Asia's shocking human rights record. It is both our duty and in our interests to act to support those men and women who care enough about their fellow citizens and are courageous enough to risk their liberty, and sometimes their lives, to speak the truth.

Thank you, Mr. Gilman.

[The prepared statement of Mr. Smyth follows:]

PREPARED STATEMENT OF FRANK SMYTH, WASHINGTON DIRECTOR, COMMITTEE TO PROTECT JOURNALISTS

Good afternoon. Thank you for inviting the Committee to Protect Journalists to testify at today's hearing. I am Frank Smyth, the Washington representative of the CPJ, and I am presenting a report written by my colleague Emma Gray, CPJ's program consultant for Europe and Central Asia who is unable to be here in person. I will be happy to take questions, but regret that since I am not a specialist in the region, I may have to refer queries to Ms. Gray who will be pleased to answer them in written form.

INTRODUCTION

In the past two weeks two incidents have occurred that highlight the urgent need to monitor press freedom and human rights in Central Asia. They serve as chilling reminders of the fate of those brave journalists and other members of civil society who dare to criticize their government publicly.

The death-in-detention of former Uzbek parliamentarian Shovriq Rusimorodov, an activist with the Human Rights Society of Uzbekistan, is a tragic addition to the long list of Uzbek government opponents who have died for their views. Rusimorodov had most recently annoyed the authorities by speaking out on behalf of fellow citizens who had been convicted of collaboration with armed insurgents, and others who had been forcibly displaced from their villages. He was arrested on June 15, and held incommunicado for three weeks. Uzbek officials barred access to a lawyer or to family members. His body was delivered to his family on July 7, and his colleagues believe he was tortured to death.

On July 5, Russian authorities in Moscow arrested Dododjon Atovullo, the exiled publisher and editor of the Tajik opposition newspaper *Charogi Ruz* ("Daylight"). Atovullo was an outspoken critic of the Tajik government. He was arrested by Russian authorities at the request of the Tajik government, which sought his extradition. His newspaper has frequently accused government officials of corruption, nepotism, and drug trafficking. Atovullo faces charges of sedition and insulting the president, and his lawyer said he would face the death penalty if extradited to Tajikistan. The Russian authorities denied the extradition request. On July 11, Atovullo returned to Germany where he now lives.

The fate of these two courageous individuals demonstrates an inescapable fact of life for the citizens of Central Asia: that speaking out is dangerous. Journalism is a hazardous profession in many of the countries that CPJ monitors, and the republics of Central Asia are no exception. Since it is a region where the United States

has interests and influence, we welcome this opportunity to discuss ways of improving the press freedom climate in the region.

I shall outline press freedom conditions and CPJ's work in each country, then discuss common problems faced by the media throughout the region, and finally offer some suggestions on ways in which the IOHR and MESA subcommittees could act to ease the plight of journalists in Central Asia.

#### KAZAKHSTAN

The most striking feature of the media landscape in Kazakhstan is the tight control exerted by the family and business associates of President Nursultan Nazarbayev over the country's most influential newspapers and broadcast outlets. What the regime does not own outright, it aims to stifle through the harassment and persecution of journalists.

Often this intimidation is conducted through the courts. Libel is a criminal offense in Kazakhstan, despite a growing international consensus that no one should ever be jailed for what they say or write. Earlier this year, CPJ wrote to President Nazarbayev to protest the one-year jail sentence handed to Yermurat Bapi, editor of the newspaper *Soldat*, who was convicted of "publicly insulting the dignity and honor of the president." Though the editor was pardoned, he remains a convicted criminal who is banned from traveling abroad.

Media outlets that cover taboo subjects experience official harassment, including the confiscation of print runs and tax raids on editorial offices. State-owned printing houses often refuse to print newspapers that touch on hot-button issues such as high-level corruption. Meanwhile, the law against publishing state secrets criminalizes unauthorized disclosure of such information as the private life and health of the president and his family.

Journalists who work for news outlets financed by the political opposition are targets of intimidation. Government officials and associates of the president often file defamation suits against such news outlets, which regularly face crippling fines imposed by pliant judges.

To highlight the regime's harassment of opposition and independent journalists, CPJ placed Nazarbayev on its annual list of the "Ten Worst Enemies of the Press" last year. In 2001, the country's press freedom record remains abysmal.

#### KYRGYZSTAN

Kyrgyzstan's reputation for allowing more press freedom than any other Central Asian country was sullied by a severe government clampdown on independent media in advance of parliamentary and presidential elections last year. The country's poor economic conditions are also a major factor hampering media pluralism. As a rule, attacks on journalists take the form of legal pressure rather than imprisonment or beatings, but the recent crackdown shows no sign of easing.

Libel remains a criminal offence though earlier this year hopes were raised that Parliament will repeal the relevant statutes. The U.S. media development organization Internews has been active in persuading government officials to consider such a move.

Most libel cases are tried in fact in civil courts, and suits filed against newspapers often result in huge fines. In April, the opposition daily *Asaba* was declared bankrupt after losing a battle over repayment of loans and its inability to pay an unprecedented US\$100,000 damage award to a parliamentary deputy who alleged that the paper had libelled him repeatedly over many years. In the past, *Asaba* had frequently been harassed by Kyrgyz tax authorities, and its newsprint stocks were often confiscated. The opposition weekly *Res Publica* and the independent daily *Delo Nomer* have also faced concerted legal harassment including several libel suits, some of which resulted in heavy fines.

Complicated media registration laws have impeded the activities of the independent press. On June 20 the Justice Ministry cancelled the registration of 16 Kyrgyz media outlets, including two owned by outspoken government critics. The two editors—Aleksandr Kim and Melis Eshimkanov—claim the cancellation may be politically motivated, rather than a bureaucratic mistake as the registering body claimed. In one recent victory however, Osh TV, one of the first independent stations in Central Asia, won a long-standing court battle with the government that allowed it to retain a popular broadcasting frequency.

#### UZBEKISTAN

President Islam Karimov's increasingly oppressive regime has carried out a wholesale attack on human rights, including those of journalists. The situation has worsened in recent years, as Karimov has used the threat of Islamic terrorism and

fundamentalism as a pretext for jailing thousands of Moslem believers and cracking down on civil and political rights. In carrying out their profession journalists are forced to walk an ever more hazardous minefield created by newly-adopted anti-terrorism laws.

Torture of political detainees is commonplace. CPJ has documented at least three cases of journalists being held under appalling conditions in notorious penal colonies. At least two of the journalists were tortured. The third is in extremely poor health; we fear for his life if his incarceration continues.

CPJ is investigating two more cases—Shonazar Yermatov and Majid Abduraimov—in which reporters face long prison sentences for bribery and extortion or for possession of narcotics. In spite of the courts' rulings, we believe that both men were in fact charged because of their writing. Uzbek police commonly plant narcotics or bundles of money as an effective means of silencing critical voices, according to local human rights sources.

Government domination of the media, including the Internet, is all but absolute. Close allies of the president or other government officials own the main media companies. The government has a monopoly on printing presses and newspaper distribution, and it finances the main newspapers.

Uzbekistan is one of the few countries in the world that routinely practices prior censorship. The State Press Committee reviews articles before publication, and can order any material to be withdrawn. It is not unusual for newspaper editors to receive phone calls from officials demanding revisions. The current edition of *Dangerous Assignments*, CPJ's biannual magazine devoted to news and analysis about the global struggle for press freedom, includes a vividly detailed report of the local censorship regime written by an anonymous Uzbek journalist. (The article is included as an annex to this testimony.)

#### TAJIKISTAN

Tajikistan is still reeling from the devastation of the five-year civil war, which ended in 1997. In dire conditions of instability and poverty, reporting remains a dangerous profession, especially for the few journalists who dare to investigate power struggles in the political and military elite or trafficking in weapons and drugs by organized criminal gangs. According to Tajik sources, local law enforcement agencies are responsible for much of the harassment, beatings, and threats that journalists endure.

The state controls the single publishing house in Tajikistan, and the authorities intervene when they do not wish an article or newspaper to see the light of day. Applications for broadcasting licenses can take years to be processed.

The Tajik Penal Code stipulates that "the distribution of clearly false information defaming a person's honor, dignity, or reputation" is punishable by up to two years in jail. Insulting or defaming the president carries a maximum of five years imprisonment. Most attacks take the form of violent beatings, reportedly at the hands of the police or security forces.

In this bleak picture, one relatively bright spot is the northern Tajikistan province of Sugd, near the Uzbek border. Sugd emerged relatively unscathed from the civil war, and independent journalism seems to be thriving there today. The London-based Institute for War and Peace Reporting recently reported 10 independent TV stations and 17 privately-owned newspapers in the region, all of which operated without undue pressure from local authorities. The new ventures are supported by international organizations such as the OSCE, the Eurasia Foundation, USAID and Internews. One cannot overemphasize the vital role that such organizations play in funding, training and technical support for local journalism.

#### TURKMENISTAN

It is not possible to speak of a free press in Turkmenistan, where the local government takes isolationism to absurd extremes. On April 5, for example, President Saparmurat Niyazov summarily banned opera and ballet in his country, claiming both were "alien" to Turkmen culture.

The state controls all publishing and broadcast licenses, and last year took steps to regulate the Internet as well. In May 2000, the Ministry of Communications rescinded the licenses of the country's five private Internet Service Providers (ISPs), giving Turkmentelecom and other state communication entities an information monopoly. Given Turkemistan's dismal economic record, few journalists were in a position to take advantage of the Internet in any case, but the ruling exacerbated their isolation.

Aside from the state news agency, Turkmenistan has ten Turkmen language publications and one Russian publication (a few Russian newspapers also circulate in

the country). All foreign visitors must submit to strict surveillance by the Council for the Supervision of Foreigners, further restricting outside influence over the country.

As well as institutionalized controls over the media, President Niyazov's cult of personality is omnipresent and overwhelming. The newspapers and airwaves are filled with tributes to Niyazov's "glorious" words and deeds.

Few dare to speak out against a regime that routinely jails and tortures political and religious dissidents. The few journalists that do write for foreign publications use pseudonyms.

#### COMMON THREADS

The region as a whole suffers from poverty, political instability and rampant corruption. Lack of political and civil rights is a pattern throughout Central Asia—aspects of state pressure against the media include:

- overwhelming state ownership of media
- state monopolies on printing facilities and distribution networks
- lack of official accountability
- lack of transparency of government funding
- absence of judicial impartiality
- markedly increased pressure prior to elections
- insult laws that carry criminal penalties
- punitive tax inspections
- misuse of libel laws leading to the imposition of crippling fines
- beatings and torture of political opponents in Uzbekistan and Turkmenistan

#### CONSEQUENCES

Repression and violence, or the threat of it, is ever-present for many reporters, encouraging self-censorship as a survival mechanism. Investigative reporting is rare. As a rule, journalists avoid sensitive topics, and at most will reprint international media articles about taboo issues (although attributing a story to an outside source does not necessarily shield editors from prosecution).

The lack of official transparency and accountability means that journalists have a hard time corroborating facts. As a result, the regional press is often dominated by anecdotes and second-hand information. Stories of huge national importance and concern, such as HIV/AIDS, drug trafficking, military manoeuvres, and official corruption, are covered rarely and often inadequately. As a result there is little public trust in the press.

The citizens of Central Asia are denied access to information. Absence of public debate about issues allows repressive regimes to stay in power. But if democratic reforms are to take place, ordinary people must have the opportunity to learn about issues of real concern to them, in order to debate them and press their leaders for change.

#### RECOMMENDATIONS TO THE SUBCOMMITTEES

The conflict in Afghanistan and concerns about international terrorism and the narcotics and weapons trade make Central Asia of growing strategic importance to U.S. security interests. Energy issues, particularly with regard to Kazakhstan, are also high on the U.S. economic agenda.

These factors mean an increasing need for engagement. It is in the interests of the U.S. as well as the people of Central Asia to back policies that encourage respect for the rule of law, an independent judiciary, greater accountability of police and security services, the decriminalization of defamation laws, adopting a Freedom of Information law, and greater transparency in the ownership, management and funding of state-run media outlets, printing facilities, and distribution networks.

CPJ would like U.S. officials and lawmakers to make strong public and private statements that make clear the U.S. commitment to press freedom as a cornerstone of democracy. We would like those words to be backed up by action linking any cooperation or non-humanitarian aid to concrete improvements in freedom of expression. We would also call on you to support international organizations that support independent media in the region, such as the OSCE, the Eurasia Foundation, USAID, Internews, the Soros Foundation, and others.

The pressure on journalists is part of Central Asia's shocking human rights record. It is both our duty and in our interests to act to support those men and

women who care enough about their fellow citizens and are courageous enough to risk their liberty, and sometimes their lives, to speak the truth.

**Annex**

### **NEWS FROM THE COMMITTEE TO PROTECT JOURNALISTS**

For more information: Alex Lupis, (212) 465-101, ext. 112, alupis@cpj.org.

FOR IMMEDIATE RELEASE:

*The following article appeared in the Summer 2001 issue of Dangerous Assignments, CPJ's biannual magazine devoted to press freedom issues worldwide.*

## The Sound of Silence

*Uzbekistan has one of the most strict censorship regimes in the world, as the author learned when she launched her journalism career in Tashkent.*

**By Adele Lotus**

**Tashkent**—My career began with a failure. Just a few hours before my first documentary was due to air on state television, an Uzbek government censor was deconstructing my portrait of the national healthcare system.

The year was 1997, and our conversation was not going well. The bureaucrat was unhappy that I had pointed out flaws in the health system, but what really drove him mad was my attempt to tell Uzbek viewers how such problems were dealt with in the United States. “Why are you propagandizing America?” he screamed, spraying me with his spit. “Are the Americans behind this?”

Then he offered to cut me a deal. “We can compromise,” he said. “I understand that you are a young journalist and this is your first job. Your friends and family must be sitting in front of their television sets waiting for your debut. But there will be no debut. What a pity! So here is what we’ll do.”

He outlined his plan. I was to sit down and write a detailed explanatory note “naming all those who stood to benefit from the distribution of such films in Uzbekistan, and explaining why.” Meanwhile, he would cut out certain parts of the film, change others, and broadcast it in this new form.

“Well, let’s shake on it,” he concluded brightly. But we did not shake hands, because I refused to change my program. The state channel aired a cartoon in its place.

#### **How it works**

Uzbek censors often compare themselves to traffic lights. In this metaphor, journalists are drivers, and readers and viewers are pedestrians. The censors believe that their job is to prevent catastrophes between drivers and pedestrians.

Most Tashkent newspapers are published from the same high-rise building on Matbuotchilar Street. The third floor of this building houses the “traffic lights.”

Every newspaper must submit an advance proof of every edition to the censor, who reads each headline and article, including the obituaries and the weather forecast. The censor uses red ink to cross out photographs, phrases, and even whole articles that are not to his liking.

Editors are required to fill the white spaces left by the censor with empty phrases and worthless items, so that the outward appearance of the newspaper does not suffer and traces of censorship are not evident to the reader.

I know of only one case in the history of Uzbek journalism where an editorial staff refused to carry out this degrading procedure. On April 6, 2000, the newspaper *Samarkand*, published in the city of the same name, ran an attack on censorship that contained numerous blank spaces where the censor had removed undesirable words and phrases.

The story was entitled "Who has Greater Love for His or Her Fatherland?" The author contrasted people hired to conceal society's flaws (censors), with people driven by their professional honor to tell the truth (journalists). There was a lot of white space in that piece after the censor got through with it.

As a rule, the censor is authorized to make independent decisions. However, he will sometimes ask a higher authority to rule on a doubtful item. Only when the censor is satisfied with the contents of the newspaper does he sign the proof. The newspaper cannot be printed without his signature.

Not all censors are the same, of course. A censor's severity will vary with his intellect, level of education, and degree of political conservatism, not to mention his mood, literary taste, and personal feelings about a particular writer or editor. The work is exhausting and poorly paid, so it's not surprising that censors are rarely drawn from the best and brightest classes of society.

#### **Letters of the law**

During Soviet times, censorship was the responsibility of GLAVLIT, the Main Directorate for the Protection of State Secrets in the Press. GLAVLIT distributed lists of proscribed information to editors and publishers in each Soviet republic, and meticulously reviewed all publications to ensure that its instructions were followed. After Uzbekistan gained independence in 1991, the local branch of GLAVLIT was renamed the National Committee for Protection of State Secrets in the Press (UZLIT).

The same bureaucrats remained on staff, and UZLIT to this day is the main censor of print media in Uzbekistan, just as GLAVLIT was under the Soviet Union.

Despite this bureaucratic continuity, however, Uzbek law is conflicted on the issue of censorship. Chapter 15, Article 67 of the Constitution states that "censorship of mass media is not permitted" in the Republic of Uzbekistan, and that "nobody has the right to demand preliminary coordination of published reports or materials, as well as content changes or their full removal from print or broadcast."

Yet according to Chapter 7, Article 29 of the same Constitution, expressions of opinion can be restricted to ensure the protection of state secrets or "other secrets." The word "secret" is not defined, which in practice allows the censors to proscribe virtually anything in a newspaper (*see sidebar*).

#### **Censoring the past...**

Ever since independence, our censors have been trying to erase the Soviet past from the consciousness of the Uzbek people. In order to wipe out the memory of Russian colonial domination, they comb through draft newspaper articles searching for direct and indirect references to the Soviet Union. The censors are allergic to words such as "Communist," "pioneer," "revolution," and "perestroika," as well as the names of old Soviet leaders and pictures of people wearing Soviet regalia. Whenever they find such words and images, they cross them out.

Even in crossword puzzles, it is forbidden to mention Russian names and cultural traditions. For example, a Tashkent newspaper recently tried to run articles about the Russian actor Vladimir Vysotskiy and the Russian

poet Anna Akhmatova. The censor spiked both stories, using the same rationale in each case: "It is necessary to write more about the representatives of Uzbek culture."

#### **...And the present**

Domestic censorship is also an instrument of foreign policy. International news sections contain no information about Russia, Kazakhstan, and Turkmenistan, with which Uzbekistan has uneasy relations. Also, the names of these states cannot be printed. If an editor submits the phrase "as reported by the Russian [or Kazakh, or Turkmen] press," the censor will invariably substitute "as reported by the foreign press."

Despite their aversion to the Soviet Union, the censors have also worked to replace the geographical term "Central Asia" with the old Soviet term "Middle Asia" in Uzbek media usage. Why? Because "Middle Asia" excludes Kazakhstan, Uzbekistan's chief regional rival.

Closer to home, the censors do their best to root out even the most glancing reference to ideologies contrary to that of the state. No information can be published about banned political parties and unregistered human rights organizations. And because of Uzbek government concerns about the advent of political Islam in Central (sorry, Middle) Asia, for example, censors routinely bar photographs of men with beards or "Middle Eastern" facial features. From the censors' point of view, beards are *prima facie* evidence of Islamic fundamentalist beliefs. A "Middle Eastern" appearance, meanwhile, reminds them of regimes that are eager, they fear, to export fundamentalism to Uzbekistan.

#### **One happy family**

At the same time, Uzbek citizens wish to promote a positive image of Uzbekistan in the eyes of its own citizens, as well as the global community. To this end, Uzbek media manufacture myths of stability and prosperity, just as the Soviet press did in the past. For this reason, Uzbek journalists are not allowed to mention the existence of corruption, unemployment, poverty, prostitution, the black economy, or the exploitation of child labor by cotton farmers.

When a Tashkent newspaper wrote about a government campaign to help the elderly, the censorship crossed out negative adjectives such as "decrepit," "sick," and "feeble." When the same newspaper ran an article noting an unusually large number of sick children due to the cold winter that year, the censor ruled that it was never cold in Uzbekistan and that all Uzbek children were healthy. Needless to say, the published version of this article bore little resemblance to the original draft.

Another newspaper submitted an investigative article about a murder connected to the illicit sale of human organs to be used in transplants. The censor rejected the story on the grounds that "this newspaper is read by foreign diplomats, who might form the impression that such crimes are common in Uzbekistan. Then the state's image will suffer."

However, the editor of the newspaper insisted on running the story. After lengthy negotiations with his superiors, the censor allowed a significantly abridged version of the article to appear. In the published story, all details describing the nature of the crime were omitted, along with words such as "blood," "dismembered body," and "murder." The censor's final verdict was that "the public must not be traumatized!"

#### **Go West**

A journalist whose work is regularly abridged or rejected is forced to become careful about his choice of topics and the manner in which he treats them. According to a recent opinion poll, meanwhile, 54 percent of Uzbek journalists believe that censorship is necessary to prevent the dissemination of state secrets, maintain public order, and promote an attractive image of the state.

Journalists who are not willing to sacrifice their professionalism leave state-owned media to work for foreign news agencies. However, this does not end their troubles. The state security services monitor whatever Uzbek journalists publish in the foreign press. The authorities have been known to harass Uzbek journalists whose international work was considered damaging to the state's reputation.

A colleague of mine who works for the Uzbek Service of the U.S. government-funded Radio Liberty network once aired a report about poverty and homelessness in Samarkand. She was promptly summoned to meet with municipal authorities, who told her that poor and homeless people existed in every country, not only in Uzbekistan, and insisted that she not call attention to this problem.

The government does not hesitate to blacklist journalists who break either written or unwritten rules. A colleague of mine once made the mistake of asking a difficult question at a cabinet minister's press conference. The minister could not answer the question, but he could and did make life difficult for my colleague. Today, he is unable to find work at any Uzbek news organization, even when positions are available.

My brave but unemployed colleague is an exception. Most Uzbek journalists are all too willing to censor themselves in order to keep their jobs. As a result, journalists here can hardly be described as the fourth estate of Uzbek society. Most of the time, it would be more accurate to describe them as the public relations arm of an authoritarian regime. By writing what the government wants them to write, they are helping to project the illusion of democratic reform in Uzbekistan.

In July 2000, for example, the head of the state news service held a press conference for accredited foreign and domestic journalists. He announced that his goal was to promote "objectivity" in reporting on Uzbekistan. According to him, "objectivity" meant that journalists had a duty to publish positive news about the country.

One of our leading newspapers covered the press conference as follows: "It was noted that it would be convenient if journalists who work in the foreign-owned media would cooperate closely with the appropriate government departments when obtaining information, specifically with the press service of the President of Uzbekistan." said *Pravda Vostoka*. "Surely, the majority of journalists [who write about Uzbekistan in the

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foreign press] are citizens of Uzbekistan. This, along with their journalistic duties, lays on them additional civic responsibilities."

The writer was not very specific about these "additional civic responsibilities." He didn't need to be. In Uzbekistan, it is the censor's job to make such things clear.

**Zin It**

- Criminal activity, the prison population, and the national prison system (in particular, the number of prisons and their location). It is also forbidden to publish information about closed court hearings and ongoing investigations.
- Estimates of the number of Uzbek citizens suffering from alcoholism and drug addiction.
- Issues relating to nuclear energy, including radioactive contamination of air, soil, water, and food.
- Agricultural problems, including livestock illnesses such as foot-and mouth disease.
- Outbreaks of plague, cholera, typhoid fever, and dysentery. Journalists are also not allowed to report on the discovery of new diseases.

*Source: "List of Information Prohibited from Publication in District, City and Large-Circulation Newspapers, as well as Radio and Television Programs" (Internal Uzbek government document).*

*Adele Lotus is the pseudonym of an Uzbek journalist. Translated from the Russian by Olga Tarasov.*

Mr. GILMAN. Thank you, Mr. Smyth.  
We will now proceed to the next panelist, Dr. Fiona Hill, Fellow of Brookings Institute.  
Dr. Hill?

**STATEMENT OF FIONA HILL, FELLOW, BROOKINGS  
INSTITUTION**

Ms. HILL. Thank you, Chairman Gilman. I would just ask in the interests of time, as I am going to summarize my oral statement today, that my written testimony along with a policy brief that I have submitted from the Brookings Institution be included in the hearing record.

Mr. GILMAN. Without objection, it will be included in the record.

Ms. HILL. Thank you. I think we have heard a great deal from my colleagues on this panel today as well as Members of the Committee about the state of the repression in Central Asia, and the problems that each of the countries are experiencing. And so what I thought I would do is actually cut right to the chase with some recommendations for what the United States can do, as I know that Cassandra Cavanaugh was not able to complete her recommendations and I think some of mine certainly overlap with hers.

What I would like to state, is that I think in spite of all of the persistent infringements on rights in the region we must not disengage and cut these states off diplomatically. I would argue that without the involvement of the United States and other western countries in Central Asia, these violations will only get worse, not better.

The Central Asian states, as we have heard, are very fragile. They are very much vulnerable to outside pressures and in the absence of engagement by countries like the United States they are likely to be pulled in other directions by their immediate neighbors, which, of course, include Russia, China, Afghanistan and Iran, and those directions will not lead toward democracy.

I believe that the United States can engage in Central Asia without reinforcing the authoritarian regimes we see there and without facilitating the governments' infringements of the basic freedoms and human rights that my colleagues have outlined.

The Central Asian states have already made some political commitments to western norms and they can be pressured to live up to them, especially by the United States, because with the exception, perhaps, of Turkmenistan, all the Central Asian states have either forged close relations with the U.S. or they would like to do so and, of course, the U.S., as we have also heard, is a major donor in the region.

So what I would like to recommend is that we look very carefully at how current U.S. assistance is being used and try to target it effectively and I want to make just three quick points on this.

First of all, obviously the United States shares the security concerns of Central Asian governments about Afghanistan and radical Islamic terrorism, but obviously as we have heard from many people here today, while the militant groups are real threats to regional security, the abuses of human rights are equal threats because they are increasing public support for the extremists and I think that that is without a doubt the case.

And the United States has some considerable leverage with regional governments. A significant proportion of the U.S. assistance that Ambassador Bill Taylor and his colleague from the State Department talked about is targeted toward issues like border security and helping to train local Central Asian governments in dealing with counter-insurgency operations.

Now, Congress has actually already played a very special role here. The emphasis on human rights was enshrined in the 1992 Freedom Support Act that Ambassador Taylor referred to and last year, in 2000, Uzbekistan came into serious risk within Congress of losing certification for its military to military programs. As a result, the Pentagon had to elevate human rights issues in its special forces training curriculum.

Now, as Cassandra Cavanaugh was pointing out, there has not been similar scrutiny of other U.S. Government programs. This includes Ex-Im, TDA and other programs carried out by the FBI, the CIA and the Treasury and many other agencies, to ensure that they are also protecting basic freedoms in their programs. So Congress, I believe, in fact could mandate mutually reinforcing security and human rights objectives throughout Central Asia and emphasize the importance of having cooperation among all the U.S. Government agencies and international human rights groups. This was one of the questions that one of the Committee Members put to the State Department panel.

So, again, I believe that the U.S. Congress should and can mandate close monitoring, evaluation and assessment of all U.S. funded programs related to security issues and require, indeed, regular reporting on the impact of these programs on human and civil rights from the full range of agencies that implement them. I think that was in fact Congressman Chris Smith's question.

Second, I think Congress can also emphasize U.S. support for regional non-governmental organizations that seek to increase citizen participation in government and access to objective sources of information. That was a point from my colleagues here. And they can do this rather than emphasizing support of the regional governments. This was something that Ambassador Bill Taylor said had already started to happen, but I think more emphasis could be put

on this. Because as we have heard, in Central Asia, local advocacy groups need sustained support from international counterparts if they are going to be able to keep up their pressure on governments to stop blatant abuses of human rights and to curb the increasing tendencies to crack down on dissent. And already as we have heard, to some degree, outside pressure from international organizations like Human Rights Watch and Amnesty International and others, and from the government of the United States has been effective in securing the release of some journalists and activists from prison.

International organizations in conjunction with local groups and journalists have highlighted government abuses and incidents that would otherwise go unremarked abroad, like the incidents that we have heard about today. In addition, the offices of international organizations in the region have frequently served as safe havens for those fleeing abuse while pressure has been put on the governments either to free them or to curb their abusive activities. And these kinds of activities by international organizations and local organizations should be given significant U.S. political and financial support.

Third, and finally, I think U.S. Government funding for broad-based civil society programs and NGO development remains essential. My colleague from CPJ already mentioned some of the U.S. foundations like the Eurasia Foundation and the Open Society Institute and many others who have been active in Central Asia for almost a decade now. They have already forged active partnerships with experienced local groups, some of whose members are here today and they are trying create permanent institutions in the region that will be able to support civil society when other Western donors are not able to step in or have withdrawn. So creating local capacity to effect and sustain change beneath the radar screen of governments is very important.

And, finally, even in closed states like Turkmenistan, I think simply maintaining a presence on the ground is important. The U.S. Embassy there has been able to fund very small groups of people through its democracy assistance activities. It shows that even Turkmenistan, a very closed state, cannot remain immune to outside influences, even as it tries to disengage from engagement, not even in Central Asia and not in the 21st century.

So I would just like to emphasize these points and thank you very much for this opportunity.

[The prepared statement of Ms. Hill follows:]

PREPARED STATEMENT OF FIONA HILL, FELLOW, BROOKINGS INSTITUTION

For my testimony, I will offer a broad perspective on developments in Central Asia. We are focusing today on the threats to the basic freedoms of expression and assembly in Central Asia. It is clear from the public record, as well as from the testimony of my colleagues on this panel from Human Rights Watch and the Committee to Protect Journalists, that there are flagrant violations of these basic freedoms in all of the Central Asian states. But I would like to stress that restrictions on the media and the infringements on freedom of assembly are only two manifestations of much broader repression in Central Asia.

Regional governments justify this repression as a necessary feature of a concerted campaign to stamp out acts of terrorism, get rid of Islamic militant groups either emanating from neighboring Afghanistan or operating across borders within Central Asia itself, and to curtail the activities radical Islamic political movements. But, in continuing to abuse basic freedoms, Central Asian governments are in effect

radicalizing their own populations rather than effectively rooting out the individuals or groups engaged in terrorism or promoting extremism. Looking across the region:

- In states like Uzbekistan, large-scale arbitrary arrests, detention, torture, and other forms of ill-treatment are becoming the norm. This is exacerbated by the virtual absence of due process throughout Central Asia, and a prison system in a state of collapse where chronic overcrowding and mistreatment have led to catastrophic outbreaks of tuberculosis and other infectious diseases.
- Freedoms of religion have been impinged upon. Practicing Muslims have been arrested and mosques closed.
- Prominent opposition leaders have been hounded abroad, and dissidents have been arrested, imprisoned and killed.
- In some states, political opposition movements have been outlawed and public demonstrations have been forcibly broken up or banned.
- Journalists have been subjected to trumped up judicial proceedings, intimidated, and beaten.
- Newspapers have had their offices raided by various government paramilitary forces and subjected to mysterious arson attacks. They have had issues confiscated, access to printing denied, electricity cut off, or their operations simply closed down.

The reports on daily incidents and systematic violations of human rights in Central Asia can neither be dismissed nor ignored. These abuses are consistent with a pattern of political development across the Central Asian states. They also contribute to the further destabilization of an already fragile security situation in the region.

Opposition groups have now been forced underground and every government clamp down or arrest of innocent civilians increases sympathy, if not support, for extremist groups. Groups like *Hezb' ut Tahrir*, an Islamic renaissance party, have made considerable inroads into states like Uzbekistan and Kyrgyzstan, among educated urban youth as well as among the rural poor, by espousing an ideology of political reform, social justice, and wealth redistribution that is increasingly compelling to a disaffected population denied other forms of association or political participation. The fact that *Hezb' ut Tahrir* also seeks the creation of an austere Islamic caliphate in Central Asia has been overshadowed by its appeal to common grievances.

#### LITTLE FUNDAMENTAL CHANGE AT THE TOP OF CENTRAL ASIAN POLITICS

In considering the situation in Central Asia, we need to bear in mind that ten years after the dissolution of the USSR, at the top of Central Asian politics there has been little fundamental change. While the leaderships of these states have implemented some political reforms by creating parliaments, political parties and electoral mechanisms, in general the vertical power structures of the USSR remain intact. Executive rule is strong, and legislatures are weak. Politics are focused on the routine of elections but presidents manipulate these elections and rule by decree to bypass parliament.

Indeed, with only one exception, the “new democratic” Central Asian presidents are former Soviet party secretaries who have preserved their old authority. They and their close associates have also effectively privatized the Central Asian states. State assets have been transferred into the hands of networks of elites that have replaced or simply evolved from the old Communist Party nomenclature. These networks are based on geographical association, common educational background, and extended family ties and they are clustered around the presidents.

The entrenchment of these old-Soviet leaders, their families, and close associates at the upper echelons of power has constrained the development of a new generation of leaders, and prevented opposition political parties from presenting themselves as viable alternatives to the ruling regime. As in the Soviet period, the people of Central Asia have few intermediaries between themselves and high politics.

#### RESTRICTIONS ON THE DEVELOPMENT OF THE PRESS

The press, which should and could play the role of intermediary, is—at best—denied advertising revenues and other means of ensuring financial sustainability by the region's persistent economic crisis. It must rely for support on the patronage of the state or powerful business cliques with their own agendas. The press is thus vulnerable both to manipulation and direct repression. Journalists must answer more frequently to big political and business “bosses” than to their own editors and the population. In regions far from capital cities, the media is even more vulnerable

to pressures from local leaders. Low salaries and inadequate training also often result in bribe-taking among journalists and poor professional standards, eroding public support for the media as a democratic institution. At worst, in states like Turkmenistan and Uzbekistan, the media is heavily censored and kept under tight control.

Governments in general—again as a hold-over from the Soviet period—see the mass media as a tool of political propaganda. In Kazakhstan, for example, President Nazarbayev's immediate family and associates directly control most media outlets as well as the bulk of the economy. While there are no significant alternatives for financial support, independent newspapers and TV stations will remain small in size and scope in Central Asia.

#### PATTERNS OF POLITICAL DEVELOPMENT IN CENTRAL ASIA

Looking across the Central Asian states, there are common patterns in political development but also distinct differences in the political situations of states like Turkmenistan, Uzbekistan, and Tajikistan, on the one hand, and Kyrgyzstan and Kazakhstan, on the other.

Turkmenistan is the most extreme of the Central Asian states and is well on its way to joining the ranks of states like Belarus and North Korea that have turned inward upon themselves, retreating from interactions with the outside world and reducing their dependence on it, rather than seeking engagement. Here, an insular political regime has been established with a Soviet-style personality cult around the president—the self-styled “Father of the Turkmen” (*Turkmenbashi*) and recently declared “President for Life”—that brooks no other contender for power. There are no political parties, no political opposition, and almost no manifestations of civic life outside the sphere controlled by the government.

Uzbekistan has also become a closed society and closed economy in an attempt to stave off what its leadership perceives to be inevitable political and economic collapse if reforms are enacted. All political opposition has been repressed, although there is some modest scope in some spheres for activity by non-governmental groups (NGOs), especially on a local level and in areas of the country that have been particularly hard hit by social and environmental problems.

Tajikistan has fallen apart at the seams after five years of civil war in the 1990s. The state has been effectively regionalized, if not communalized, and the government's influence is confined to the capital, Dushanbe. While this precludes effective attempts at authoritarian rule, it does not prevent abuses of authority when actors outside the government—particularly local journalists investigating high-level corruption—try to challenge the president. But a daunting array of social and economic problems, and poor inter-regional communications, have distracted the government and loosened controls. As a result Tajikistan has a flourishing grassroots NGO community, and public debates have taken place openly and regularly in Tajikistan that are rare elsewhere in Central Asia.

In Kazakhstan, while the president dominates political life, keeps a tight rein on the opposition and has effectively exiled leading political figures, the country's huge energy reserves have also brought the country closer to the West and have generated resources for development. Growth in the private sector has already begun to drive a modest degree of political reform with the emergence of a more active middle class and property-owning interest groups who have a stake in democratic as well as economic development. NGOs operating in the private enterprise sector, such as small business advocacy groups and professional associations, have been fairly successful in Kazakhstan. The Kazakh government has also been somewhat flexible and open to innovation, especially at the community level, allowing grassroots and civil advocacy groups to lobby for legislative improvement and change. In addition, the government has pursued an active and ambitious program of sending the cream of its youth from all social backgrounds to study in the West and then finding employment for them in government ministries and international organizations. This does not compensate for the continued attempts to stifle the media and other civil actors in Kazakhstan, but it does offer a space in which more progress can be made.

In Kyrgyzstan, which was once touted by the US government and other international observers as a bastion of democracy in Central Asia, the president has cracked down on opposition groups and attempted to ban domestic monitors from observing elections. But, in the period preceding this crack down, NGOs and other grassroots organizations were able to establish themselves as part of the political landscape. Even now, the NGO movement has retained a voice with the Kyrgyz government and it is not uncommon for NGOs to advocate through the courts, parliament or legislature even as the government arrests and detains activists.

Overall, at this juncture, there is a sense of impending crisis in Central Asia. Regional governments have developed a siege mentality. The intensification of the civil war in neighboring Afghanistan, and the activities of regional militant groups like the Islamic Movement of Uzbekistan have contributed to this, as have the mounting domestic economic and social problems.

When the USSR collapsed, the Central Asian states were the poorest and least developed of all the Soviet republics, as well as the most geographically distant from the West. Over the course of the last decade, the Central Asian states, as a group, have fallen further behind former Soviet neighbors as well as the West. Soviet-era achievements in education, infrastructure, industrial development, and health have been seriously eroded.

The Asian and Russian financial crises of 1998 set Central Asian economies back further—leading to the devaluation of currencies, untenable debt burdens, and the withdrawal of foreign investment. Although Kazakhstan has the potential to become a prosperous country in the future by virtue of its energy resources, landlocked, resource poor countries like Tajikistan and Kyrgyzstan have little hope of effecting a turn around. Recent regional drought has put them at risk of a humanitarian disaster, and a staggering 70–80% of their populations have fallen beneath the poverty line. In recent years, as a result of this economic deprivation, there has been a massive exodus of ethnic Russians and the most progressive members of indigenous ethnic groups from Central Asia. Reports from Kyrgyzstan suggest, for example, that one tenth of the total population has left for Russia over the last decade.

High unemployment among those who remain has fostered the smuggling of raw materials, and trafficking in arms and drugs across porous regional borders, but legal cross-border trade has broken down. Protectionist tariff policies, stringent visa regimes, and corrupt customs officials have all ruptured the so-called “shuttle trade” in food stuffs and consumer goods across Central Asia and with Russia that the region’s population relies on to survive. Government searches for drugs and weapons are often used as ruses by border guards to shake down traders. And the government of Uzbekistan has also begun to mine its border with neighboring Tajikistan and Kyrgyzstan—ostensibly to guard against incursions by Islamic militants, but more evidently to curb routine border crossing. Uzbek mines have killed or injured more than fifty Tajik citizens alone since the mining began this spring. The majority of casualties have been inhabitants of border settlements who were visiting relatives or tending livestock. In addition, there have been a rash of highly-publicized suicides among desperate Kazakh and Kyrgyz shuttle-traders who have been stripped of all their money and goods by officials on other international borders.

Disease has had an easier time crossing the region’s borders. The heroin trade across Tajikistan, Kyrgyzstan, and Kazakhstan from Afghanistan has created a burgeoning intravenous drug problem and an HIV/AIDS outbreak that mimics the early epidemic in Africa. Regional health workers fear an escalation in the next two years that will overwhelm local medical systems and the region’s miniscule international programs. A major HIV/AIDS crisis would be the final straw for states like Tajikistan and Kyrgyzstan. The growing HIV/AIDS epidemic along drug routes threatens to undermine the entire region’s meager economic and political achievements.

It is clear that—outside Kazakhstan where the economic situation is more robust and Turkmenistan where a quasi-totalitarian system is in place—the other Central Asian governments fear a social explosion. They have good reason to do so as frustration with misrule and lack of significant progress with reform continues to build up. Both Kyrgyzstan and Uzbekistan have recently contended with, and crushed, major street demonstrations.

In May, the Kyrgyzstan government directly blocked a series of protests and street rallies by opposition groups against the suppression of freedom, human rights violations, and steep rises in the cost of food, electricity, gas, and water. The government banned public demonstration during holidays and weekends, tried to confine those that took place to remote locations, sent directives to students and workers warning of dire consequences if they joined rallies, spread rumors of clashes and bloodshed, and even organized distractions with street sales of low-priced food, outdoor concerts, and races to lure away would-be demonstrators. Protest leaders who chose to proceed with rallies were arrested, accused of trying to destabilize society, and fined. Pensioners, the unemployed, and street traders who also participated in the rallies were harassed by police. These developments were covered by local journalists with assistance from the London-based Institute of War and Peace Reporting.

Earlier this month, in Uzbekistan, the authorities were slightly less creative but just as determined to break up demonstrations of women and children protesting the detention of their relatives and members of the *Hezb' ut Tahrir* organization. Women in religious dress were seized directly from city streets, even if not gathered in distinct groups, and taken into custody and fined. Again, this crackdown was reported by local human rights organizations and journalists with the assistance of international counterparts.

Kyrgyz and Uzbek opposition figures predict that demonstrations such as these will become more frequent over the next several months as more poverty-stricken and persecuted citizens vent their rage in public. This will in turn increasingly frighten the governments, resulting in further repression and stricter punishments.

#### CONCLUSIONS AND RECOMMENDATIONS

How should the United States react to the violations of basic freedoms given the course of developments in Central Asia?

I would argue that, in spite of the persistent infringements on rights, we must not disengage and cut these states off diplomatically. Without the involvement of the US and other Western countries in Central Asia, these violations will only get worse, not better. These are fragile states and they are vulnerable to outside pressures. In the absence of engagement with the United States and with the West, the Central Asian states are likely to be pulled by all their immediate neighbors (including Russia, China, Afghanistan and Iran) in directions that will not necessarily lead toward democracy. The strong impulse to conform to the negative exigencies of the neighborhood is clearly exemplified in the fate of Kyrgyz President Askar Akayev, who embraced relations with the West and genuinely pursued a democratic path in the early years of his presidency, but was unable to sustain it given Kyrgyzstan's political and economic isolation and its dependence on Uzbekistan, Kazakhstan and Russia.

The United States can engage in Central Asia without reinforcing authoritarian regimes and facilitating governments' infringements of basic freedoms and human rights. The Central Asian states have already made some political commitments to Western norms, which they can be pressured to live up to through active diplomacy. It is important to local governments how they are perceived on the outside—especially in the United States. With the exception perhaps of Turkmenistan, all the Central Asian states have either forged close relations with the US or would like to do so, and the US is a major donor to the region.

There are several approaches the United States can take. It can censure Central Asian governments with punitive measures by cutting back on aid and programs and making their restoration conditional on verifiable improvements in government policies and behavior on human rights. Conditionalities and binding constraints are clearly important in trying to mitigate against continued violations. Or, instead of cutting aid and programs until some improvement is seen, the US can also look at how its current assistance is being used and target it more effectively. I would in fact recommend the latter approach.

In general, expectations are critical in promoting changes in behavior and encouraging reform. The Central Asian states need to have a sense of where they are going. While Russia and some of the other former Soviet states can reasonably expect to move toward the West in its broadest conception over the next decade or so, the Central Asian states can realistically have little expectation of doing so. In Central Asia, we are not likely to see democratic systems, as we understand them, develop in our lifetimes, given the magnitude of the political and social changes necessary to effect this. But we need to maintain our interactions and keep the hope alive of improved and eventual close relations with the West.

The US shares the security concerns of Central Asian states about Afghanistan and radical Islamic terrorism. But while militant groups are real threats to regional security, the human rights abuses perpetrated by Central Asian governments are becoming an equal threat as they increase public support for the extremists. Here, the United States has considerable leverage with regional governments to encourage a change in behavior. A significant proportion of US assistance is currently targeted toward initiatives to bolster border security as well as to increase the effectiveness of regional militaries in counter-insurgency operations. This includes programs implemented through the State Department and the Pentagon, as well as through the US Agency for International Development, the FBI, the Treasury Department, the Department of Energy and other agencies.

Congress has a special role to play here and it has already stressed the importance of ensuring the protection of human rights through US foreign assistance. For Central Asia and other former Soviet States, the protection of Human Rights was

emphasized in the 1992 Freedom Support Act. In 2000, Uzbekistan came close to losing congressional certification for military-military programs, funded under the auspices of the Freedom Support Act. As a result, the Pentagon elevated human rights issues in its special forces training curriculum.

However, there has not been similar scrutiny of other US government programs such as those training customs officials, drug enforcement agencies, and police, for example, to examine whether or not these programs emphasize the protection of basic freedoms. There is already considerable evidence from independent as well as official studies that drug interdiction efforts in countries like Tajikistan, Kyrgyzstan, and Uzbekistan, funded by the United Nations as well as the US, have become riddled by corruption and permitted violations of civil liberties.

The US Congress can emphasize mutually reinforcing security and human rights objectives throughout Central Asia by mandating cooperation between the Pentagon, State Department and other US government agencies, and international human rights groups. It can also mandate close monitoring, evaluation, and assessment of US-funded programs related to security issues and require regular reporting on the impact of these programs on human and civil rights from the *full* range of agencies that implement them.

In addition, Congress can emphasize US support for regional non-governmental organizations that seek to increase citizen participation in government and access to objective sources of information. In Central Asia, local advocacy groups need sustained support from international counterparts like Human Rights Watch, the Committee to Protect Journalists, Amnesty International, and others if they are to keep up their pressure on governments to stop blatant abuses of human rights and to curb the increasing tendencies to crack down on dissent. Outside pressure from international organizations and governments like the United States has been effective in securing the release of journalists and activists from prison. International organizations in conjunction with local groups and journalists highlight government abuses and incidents that would otherwise go unremarked abroad. In addition, the offices of international organizations in the region have frequently served as safe havens for those fleeing abuse while pressure on Central Asian governments has been exerted on their behalf. These activities should be given significant US political and financial support.

Finally, US government funding for broad-based civil society programs and NGO development remains essential. US foundations like the Eurasia Foundation and the Open Society Institute, which have been active in Central Asia for almost a decade now, have forged active partnerships with experienced local groups and are now focusing on creating permanent institutions in the region that will be able to support civil society once Western donors have withdrawn. Creating local capacity to effect and sustain reform is crucial. In closed states like Turkmenistan, simply maintaining an international presence on the ground is important. By funding even small numbers of people through democracy initiatives supported directly by the US Embassy and other activities, the US can demonstrate that countries like Turkmenistan can not remain completely isolated in the 21st Century—even in Central Asia.

Mr. GILMAN. Thank you, Dr. Hill, for keeping within the time constraints.

We will now proceed to Oleg Kviatkovski, Executive Director the TV Radio Station 31 Channel Almaty, Kazakhstan.

Please proceed.

**STATEMENT OF OLEG KVIATKOVSKI, EXECUTIVE DIRECTOR,  
TV-RADIO STATION 31 CHANNEL, ALMATY, KAZAKHSTAN  
[DIMITRY ZARAECKNEK AND VLADIMIR GOLDGOR, INTER-  
PRETERS]**

Mr. KVIATKOVSKI. [Through interpreter.] Chairman Gilman, Members of Congress, ladies and gentleman, I am Oleg Kviatkovski. I am the Executive Director of the media holding company Channel 31. I am very happy to have this opportunity to speak today before such an important audience.

The writer Ilya Ehrenburg once said “When those that are eyewitnesses are silent, legends are born.” Having spent 2 or 3 days in Washington and having talked with Congressmen, representa-

tives of the State Department and Democratic Institutes of the United States, I have become convinced that there are many legends in your country about my Kazakhstan, legends which are not connected at all with reality as it stands.

I know this reality not from somebody else's words. I have lived 30 of my journalistic life and I have given it to Kazakhstan and I have something that I can use to compare with.

My mother is a Russian woman and for 25 years lived in Tajikistan. My wife is a Kazakhstan woman and was born in Uzbekistan in the town of Namangan which today is a center of religious extremism in post-Soviet Asia. For 2 years, I worked in Turkmenistan, where today there are over 3,000 monuments to President Niyazov and his parents. I saw how Kyrgys and Uzbeks killed each other in the Soviet town of Osh.

Yes, I have things that I can use to compare with and I have drawn my conclusion. That which I mentioned above has never been, and I trust, will never occur in my Kazakhstan.

I am the Chairman of an independent private information holding company created in 1993 which is called the Kazakh NTV. Every day, we transmit live over 12 news programs and we consider that there are about a million people that watch them throughout the country at prime time. The station broadcasts for 20 hours during the day. The Channel 31 holding company includes the television channel, the radio, newspaper, magazines and the Internet channel as well. We are an independent means of mass media information and we truly earn our bread.

Channel 31 has its history of independence. As you probably know, we had tense relations with the government because of the political reporting that we had which was reflected in the report of the State Department on human rights.

We do not serve just the government apparatus, we serve society. For us, the government point of view is only one of many. I, for example, have known Mr. Nazarbaev for 27 years and I come to see him only when I want to myself.

Our principles are freedom of the press, freedom of the market, integration into a civilized world. We understand democracy as a defense of the rights of the minority. For this reason, people come to our television and to our newspaper very different people, including representatives of the radical opposition. Everyone comes to us and speaks there as people that are presently in this hall, Tatiana Deltsova, Gorjon Almagiev, and, for example, three times we invited the former Prime Minister, Kazhegeldin to speak on television to our people listening and the invitation remains in force and we again repeated this, but he says he only wants to speak when it is a live broadcast.

My country does not need to be defended. It needs only to have a fair evaluation of those reforms which are now taking place. We independent Kazakhstan journalists consider our main goal not a popular criticism of the authorities at any cost, but an exact and maximally broad presentation of the facts and opinions and this is not that easy.

Mr. GILMAN. Mr. Kviatkovski, would you kindly sum up? Your time is running out. Please sum up.

Mr. KVIATKOVSKI. Okay. There is an English proverb which says those who sit on the fence get the most number of goals, more than anybody else. We do not sit on the fence, we do not look at our country through a small slit in the window, we simply live it and we wish it all the best and to the extent that we can we try to make it better.

Moses led the Jews through the desert for 40 years in order that their memory of slavery vanish by then and sovereign Kazakhstan has only been in existence for 10 years. Thank you for your attention.

[Applause.]

[The prepared statement of Mr. Kviatkovski follows:]

PREPARED STATEMENT OF OLEG KVIATKOVSKI, EXECUTIVE DIRECTOR, TV-RADIO  
STATION 31 CHANNEL, ALMATY, KAZAKHSTAN

Dear Congressmen, Ladies and Gentlemen!

I am very pleased with this opportunity to speak to such a distinguished assembly. When we learnt about the hearings in the US Congress on the status of freedom of speech and human rights in my country, Kazakhstan, I considered it to be my duty to help you get an objective and honest answer to these questions.

Let me thank the Congress of the United States of America for invitation and for this rostrum.

I would like to tell you about the latest and accurate data about the status of the mass media market in Kazakhstan. I am familiar with the state of things not through my own experience. Practically, all my 30-year-old journalist biography is tied with Kazakhstan. Both in the soviet time and all ten years of Kazakhstan sovereignty, I was and remain to be not engaged by anyone, an independent journalist. At the same time, my biography has been shaped in the way that it was possible to learn from inside not only about the problem and principles of the biggest state newspapers of the Soviet Union and the Soviet Socialist Kazakh Republic. But also, personally, participate in the formation of the new information market of the sovereign Kazakhstan, in fact, from the first days of its life.

For me, those were natural steps. Having worked for 15 years as a correspondent for the biggest Soviet and later the Russian newspaper "Trud" (Labor) in Kazakhstan, I was not directly affiliated with the Kazakhstan mass media. And at the same time, I had a good chance, without taking a look over positions and titles, names of publishers, to participate in the making of the mass media, new in principle for Kazakhstan. And all this allows me to confidently and absolutely honestly express my own view.

I have some of my own experience in promoting my product on the complex and even supersaturated, not only in Kazakhstan but also in entire Central Asia. For two years, my own private information agency "KODA" engaged in delivering news to more than 2,000 electronics addresses of nine countries, has been working. This is a complex but a perspective and attractive business. Not accidentally, there are 15 information agencies and 13 of them belong to private business.

And recently, I signed a personal contract and took the position of Director General of a headlong developing holding, a private television—and radio company "The 31st Channel". All the components of the holding have good perspectives, a newspaper "Megapolis", Internet-newspaper "Navigator", "Radio-31", magazines "Season" for men and women. But the television company belonging to the holding is particularly popular. Observers are watching news programs, information and analytical programs for 16 hours a day. The 31st Channel is popular in Astana and Almaty, two of our capitals, it is extending the span of its broadcasting becoming in fact the republican channel. The 31st channel is often called "the Kazakh NTV". This is, of course, an exaggerated but a very flattering for all of us assessment.

On the whole, speaking about the mass media market in my country, I consider stable development, quality and quantity growth of the Kazakhstan mass media to be an important index of its real status and level of democratization. I will give you just a few figures. *By July 1, 2001* there are *1,431* mass media operating in Kazakhstan. Including *950* newspapers and *342* magazines. *One hundred and twenty-four* television—and radio companies are broadcasting their television and radio programs on a regular basis. *Seventy-six* companies are working on independent radio frequencies.

Experience, stability and perspectives of the mass media of our country serve as a good ground to assert that development of the information market in Kazakhstan is a natural result ensured by all participants of the process. In no way could the role of all branches of power of the state itself be denied. These are only two examples. All restrictions on opening of private mass media by physical and legal entities of the Republic have been removed. Censorship is forbidden by the Constitution. And not accidentally that after such steps, a number of mass media belonging to private capital has increased. Out of all operating mass media *more than 70% are non-governmental*. For example, currently, non-governmental organizations own 116 mass media in Kazakhstan.

On this open and easily assessable information landscape sometimes it is strange to hear statements that, for example, Russian speaking mass media are being limited. Let us together, dear Congressmen, evaluate whether it is true.

A simple analysis of all accessible irrefutable figures convince that the processes of development of mass media in Kazakhstan reflect the fact that our country is a poly-ethnic, multi-confessional state, stable, both in terms of social and inter-ethnic aspect. There is no and has never been discrimination on any basis in our country. Including, in the sphere of media-business. It would not be of place to remind here that, in spite of migration, departure from the sovereign country of those, who in the Soviet period arrived here, as they said then, “on the call of the Communist Party”, currently, represented in Kazakhstan are 130 nationalities and ethnic groups. Located in not the quietest region, experiencing economic problems together with other countries, persistently implementing not easy for citizens reforms, Kazakhstan has escaped shocks, conflicts, and wars. It has escaped, as you know, as opposed to many other countries of the post-Soviet space. For we Kazakhstanis, this is the most important thing. I am appealing to you, citizens of such a stable, powerful, and prosperous country as the United States, to understand and assess how we do value the quietness of our common house—Kazakhstan. And in the quietness not only the famous Kazakhstan crop of wheat grows. Children grow only in the quietness. And they are growing, by the way, in multinational families. Such as mine: a Russian husband and a Kazakh wife. In my favorite Almaty, every fourth family is composed of people of different nationality.

But I am back to our story about our mass media.

Out of 1292 printed publications, 218 are published in Kazakh, 540—in Russian, 407—both in Kazakh and Russian, 127—in the languages of other ethnic groups of Kazakhstan.

One can read articles in Ukrainian, Korean, Uigur, Dungan, Turkish, German, English, Polish and other languages Arabic in newspapers and magazines of Kazakhstan.

In spite of the complex economic situation, the power is finding possibilities through state demand to finance national periodic publications in Ukrainian, Korean, Uigur, and German languages. By the way, this cannot be found in any other country in the post-Soviet space.

Dear Congressmen! Let me begin the next part of my statement with a rhetorical question. Can you imagine an American television company buying air frequency just to rebroadcast the product of the other company? I think you cannot even imagine such a thing in America. By the way, there are corresponding requirements of the 1971 Bern Convention to which Kazakhstan joined three years ago. Now, we bear full responsibility for protection and observance of the copyright.

And, by the way, now and then international organizations, foreign community lay well-grounded claims to some of our private television companies. Kazakhstan representatives of the private media-business, passionately engaged in broadcasting, making copies, and at times, to say frankly, in piracy, have already been caught by hand by experts of the Association of American film producers. The civilized world which Kazakhstan is striving to has long ago introduced full order in all these things.

But why does striving for such an order in the Kazakhstan land provoke at times insulting accusations aimed at us? Why are our precise and cautious steps practically on the path passed through by you assessed as violation of freedom of speech, violation of the right of access to information and such like. You already know that we speak about the recently adopted amendments and changes to the Law “On mass media”. This amendment limiting the volume of retranslation of somebody else’s production by television companies has become the main “arrow” out of all aimed at the Kazakhstan authorities by critics. This was accepted as ban on freedom of mass media.

With it all, opponents are asserting that there are no limitations put on re-broadcasting in other countries. But, I am sorry, we visit the West and we know that a question in such a plane has never arisen and cannot be ever arisen. Could you

prompt me where else in the civilized world there is another country where a television company having obtained part of the limited frequency resource is using it for re-broadcasting somebody else's production by generously diluting it with its advertisements? I will not take your time. Kazakhstan specialists have thoroughly investigated the state of things with re-broadcasting in other countries. And have become convinced that there are simply no analogues to the Kazakhstan situation. Re-broadcasting of programs of foreign television—and radio companies amounts to 90 % of the air time.

Alas, this is our Kazakhstan know-how in mass media. And we surprise the world with this not less than "the new Russians" from Brighton Beach who have taught Americans to make money on the gasoline diluted with water. But not a single normal country will ever pride itself on such a know-how. Neither Kazakhstan wants to take pride in it, remaining at the same time self-critical and self-ironical.

What if to try to combine the problem of re-broadcasting with that of providing freedom of speech . . . I think that it was there and then the rights of those Kazakhstan journalists who did not have a chance to get access to air with their product were violated. Now the Kazakhstan television air has not been cleared yet of passionate seekers of making easy money on someone else's, neither able or willing to produce its own, original. To steal somebody's product is still easy in our country than to create one's own. As for freedom of access of our citizens to international information, I can reassure you that we have access to the world's information resources through the system of cable and air-cable television. We watch, for example, programs of CNN, BBC, we are learning from the best materials of other foreign agencies and television companies.

From the point of view of the big private company where I am now a top manager, I can prove it in a reasoning way. We have been long enough working in unequal and incomparable conditions with re-broadcasting companies. And now, we all have to care about the development of the national television industry. Those, who do not want or cannot do that, have to take offence not at amendments to the Law but at themselves.

At last, I want to express my own point of view on the questions asked with regard to the adopted by our Parliament amendments ranking web sites in popular telecommunication networks as mass media. Having experience of running my own electronic agency with such web sites, I consider such legislative innovations to be absolutely fair. The technical level of presenting information and the character of its means have changed just before our eyes. In Kazakhstan, the Internet is becoming rooted into all spheres of life. There are about 80 companies providing the Internet services in the republic. Over 100,000 of our citizens make use of wide opportunities of the World Network. Currently, there are about one thousand Kazakhstan web sites. It is clear that these headlong opening virgin lands need a new legal basis, and, at least, some minimal rules of game. This, by the way, is being understood in Kazakhstan.

But in no way could still the processes related to information activities of representatives of the national segment "The Internet" get under the effect of the Kazakhstan legislation. Information placed on Kazakhstan web sites practically falls out of the legal sphere. That leads to violation of rights and freedoms of citizens, unfortunately, there are such examples . . .

Taking this into consideration, the Kazakhstan Parliament accepted the proposal of the Government to rank information placed on web sites in popular telecommunication networks *with the purpose to publicly disseminate mass information* to the means of mass information. You would agree that human rights should be violated nowhere. Neither they should be violated in the Internet.

The heart of the solution is that owners of the electronic pages disseminating information contrary to the Constitution and the legislation will take every responsibility in accord with the legislation on mass media. And I will underline again: not Kazakhstan was the first country to attend to such a problem. Identification of information placed on web sites with information of traditional mass media complies with the international practice of legal regulation of the Internet network. Now, in many countries of the world including the Russian Federation, measures to regulate and put new technologies related information activities by the state in order, are being taken. And, in the first place, it concerns the Internet network which is called "a trash tank" in Russia.

It is important that the innovations adopted in our country do not affect the Internet itself, its development and related to it technological problems. Nobody deprives Kazakhstan citizens of the right to create personal web sites, electronic trade and other segments of the Internet.

You know better than others about the important role played by laws aimed against defamation in the democratic society. This is the well-known law on libel

that plays such a role in the United States. Taking into consideration the changes I have mentioned about, the same role can quite democratically and efficiently be played by the updated Law "On mass media" in Kazakhstan.

I do not at all want to say that in Kazakhstan there are no problems in development of information space. But those are objective problems common to all the countries that have stood on the path of liberal development after the totalitarian past. You also know well about them, our major real problems. With my statement I wanted to draw your attention to the undoubted democratic improvements taking place in the sphere of the Kazakhstan mass media. If it adds a little and amplifies your idea of the real state of things in our country, helps you assess it in an unbiased way today and in the future, I will be sincerely happy.

Mr. GILMAN. Thank you very much, Mr. Kviatkovski.

Mr. Kviatkovski, is it true that your channel is owned by a company controlled by the President's son-in-law?

Mr. KVIATKOVSKI. No, that is not true.

Mr. GILMAN. To all of the panelists, how do you rate the five Central Asian countries in terms of respect for human rights, in terms of media freedom, religious freedom, human rights conditions? Could you give us an indication and I will start with Dr. Cavanaugh.

How do you rate the five Central Asian countries? Just quickly, if you would.

Ms. CAVANAUGH. Human Rights Watch tries not to rank countries, believing that all victims of human rights abuses—

Mr. GILMAN. Well, just good, medium, bad.

Ms. CAVANAUGH. Freedom of speech is an absolute value. If some people have the opportunity to express their opinions in print, that is a good thing, in print or in broadcast. But if others do not, that is not freedom of speech.

Mr. GILMAN. So how do you rate some of these? Do you prefer not to rate them?

Ms. CAVANAUGH. I prefer not to rate them.

Mr. GILMAN. All right. Mr. Gabdullin, do you want to rate some of the Asian countries, some of the Central Asian countries? While you are looking that over—

Dr. Cohen? Is Dr. Cohen here? Has he left? All right.

Frank Smyth, do you want to rate the countries?

Mr. SMYTH. I am not sure I want to rate them, Chairman, but I will tell you that Turkmenistan has the least amount of free press, according to our findings. Uzbekistan we describe as an increasing repressive regime. Kyrgyzstan has had more press freedom in the past than other Central Asian countries, though we are worried about the future. And Kazakhstan and Tajikistan fall somewhere in between those.

Mr. GILMAN. And, Dr. Hill?

Ms. HILL. If you look at the overall space in which civil society sectors in general can operate in, there is more scope for that in Kazakhstan, Kyrgyzstan, Tajikistan, but for a variety of sectors it depends on the kind of activity that they are trying to undertake.

In local communities, in Kazakhstan, for example, where people are advocating on issues related to the private sector, there is actually quite a lot of flexibility and in Tajikistan the government's authority does not extend very much further than the capital city so a lot of activity happens in Tajikistan simply because the government cannot interfere with it. But it very much depends on what kind of activity you are talking about.

Mr. GILMAN. And do you rate Kazakhstan?

Ms. HILL. In comparison with Uzbekistan and Turkmenistan, Kazakhstan fares a lot better, but this, as Cassandra Cavanaugh said, when you are looking at absolute principles, there are basically no "men on white horses" in this part of the world.

Ms. ROS-LEHTINEN. Mr. Kviatkovski?

Mr. KVIATKOVSKI. Certain Kazakhstan newspapers are simply seized in Ashkhabad. They are not permitted to come into Turkmenistan. And in Uzbekistan, there is only one Russian language newspaper that is published locally. Kazakhstan cannot be compared to the others, the situation is much better, although we are not completely happy with it and we think that it should be improved.

Mr. GILMAN. Thank you very much.

And let me ask the panelists how effective is our U.S. democratization, the rule of law and other human rights related aid been in the Central Asian countries?

Dr. Cavanaugh? Just quickly, if you would.

Ms. CAVANAUGH. In supporting and attempting to give voice to opposition groups, there have been some successes and certainly there are some groups in Kazakhstan, in Kyrgyzstan, that would not have the opportunity to do what they do had it not been for U.S. support. I think it can certainly be improved, particularly in a place like Uzbekistan where for a long time the U.S. had been reluctant, really to support—

Mr. GILMAN. So upon the whole, are we doing good things or just mediocre?

Ms. CAVANAUGH. We are doing some good things. We could be doing a lot more.

Mr. GILMAN. Thank you.

Mr. GABDULLIN, United States assistance is it effective?

Mr. GABDULLIN. [Through interpreter.] Speaking of American aid, the problem is that there is no transparency and that most of the money goes to the regime.

Mr. GILMAN. And what recommendation does he make to make that a better proposition?

Mr. GABDULLIN. [Through interpreter.] I hope that the new Administration will open its eyes to what is happening in Central Asia. There are terrible dictatorial regimes that are arising there and if you pardon the simile, the simile is that you cannot be a little bit pregnant, there is either freedom or no freedom.

Mr. GILMAN. Thank you.

Mr. Smyth?

Mr. SMYTH. Mr. Gilman, I am not in a position to evaluate past aid, but in terms of a policy recommendation, the Committee to Protect Journalists very much would like to see any aid to the region linked to concrete progress in terms of press freedom and we do see bilateral, multi-lateral and private NGO aid to all be playing a positive role.

Mr. GILMAN. Thank you.

Dr. Hill?

Ms. HILL. I agree with my colleague from the Committee to Protect Journalists. The aid that the United States Government has passed into the region through private organizations has in fact

been very effective and the U.S. Government assistance has also gone directly to local non-governmental organizations as well as international organizations or U.S.-based organizations. That has been very effective.

It is the assistance that has gone directly to the governments at the top like our colleague from Kazakhstan said that has been diverted and has not been very effective. Some more grassroots support is essential.

Mr. GILMAN. So better it should go to local groups.

Ms. HILL. Yes. And the State Department and USAID and others have begun to move in that way now.

Mr. GILMAN. Any particular groups we should focus on in any of these countries?

Ms. HILL. Well, I mean, many of the groups represented here today do get some assistance through U.S. channels, but there is the Eurasia Foundation, Internews, the Soros Foundation, of course, George Soros supports this largely out of his own funding, but also does many partnership programs with U.S. assistance groups. There are many groups like this in the region.

Mr. GILMAN. Thank you.

Mr. Kviatkovski?

Mr. KVIATKOVSKI. [Through interpreter.] All of the Kazakhstan participants of American grants appear off and on Kazakhstan television. And judging by the way they look and the results they get, your money is well used. But the number of such people is very small and, as a journalist, I would like to see American participation in the media business. This would help resolve many problems, including the problem of democracy.

Mr. GILMAN. Thank you. One last question. How can our nation and the international community support more media freedom in Central Asia?

Mr. Kviatkovski?

Mr. KVIATKOVSKI. [Through interpreter.] According to the rule on mass media, foreign capital can participate in the mass media 20 percent worth participation. We do not have any private capital because we are a poor country, poor population. Berlusconi, Ted Turner and others did not come to us. We do not have advertising in press, so the press cannot earn money on its own, so we have to ask money from somebody and I think the question of investment in media in Kazakhstan is one of the main issues that we should raise.

Mr. GILMAN. Dr. Hill?

Ms. HILL. There are a number of organizations like Internews, the Eurasia Foundation, the Soros Media Network Programs and many other organizations that are working with journalists in Central Asia to try to help them both increase their professional standards and their management skills in terms of turning their media outlets into viable businesses.

This kind of activity could be given a lot more attention in U.S. assistance. Groups are also executing media defense funds for journalists who are coming under persecution. The Committee to Protect Journalists and many others have carried this kind of thing out, so we can in fact do more in this regard and we already have some channels to work with.

Mr. GILMAN. Mr. Smyth?

Mr. SMYTH. As I had stated before, linking any cooperation or non-humanitarian aid to concrete improvements and freedom of expression is indispensable and we would also advocate supporting groups, including the OSCE, Eurasia Foundation, USAID, Internews, the Soros Foundation and others, Mr. Chairman.

Mr. GILMAN. Mr. Gabdullin?

Mr. GABDULLIN. [Through interpreter.] Unfortunately, I do not think that the United States really can help us secure freedom of the media. The reason for that is that in 1998, President Nazarbaev had promulgated a law that allows foreign participation only to the extent of 20 percent. So even if you helped us create a free, independent printing facility, after a week, somehow the regime would find a way of appropriating it. There have been cases of that before. But we do need an independent printing facility. We need Internet providers that are not controlled. And we need free radio stations and newspapers.

Mr. GILMAN. Thank you.

Dr. Cavanaugh?

Mr. GABDULLIN. [Through interpreter.] The only way to secure freedom of the press and of the media is to support democratic forces so that they could replace the existing dictatorship.

Mr. GILMAN. Thank you.

Dr. Cavanaugh?

Ms. CAVANAUGH. I just want to add to what my colleagues have said by reminding us all that it is oftentimes the Radio Liberty and Voice of America supported by the U.S. Congress that actually provide the citizens of a region with news about their own countries and I think it is very, very important to support and expand the work of both those broadcasting agencies.

I also think that it could be a very positive thing if there was more support for valuable programs like the ones run by Internews because they are giving journalists the opportunity to organize for themselves, as Fiona Hill said.

But, finally, I think the most important thing the U.S. can do to support media freedom and the freedom for all manner of dissidents is to give them political support. That is, when these regimes crack down on any form of dissidents, throw people in jail, attack them, make sure there are political consequences, consequences with bilateral relations, consequences through assistance, through international financial institutions.

Mr. GILMAN. Thank you, Dr. Cavanaugh.

And I want to thank all our panelists.

Mr. Issa?

Mr. ISSA. Thank you, Mr. Chairman.

Today, I think we have absorbed a lot of information. I am sure that between the too harsh and the too sympathetic probably lies a great deal of truth and I am not sure that we will sort it all out today, but I think at the end of the day we are probably all going to admit that all of these countries need a lot of improvement and, with perhaps one exception, most of them at least are seeking it in some way.

I am going to use my time to bring to the record something that I am very concerned about because this hearing has been some-

what taken back by the serving of a summons and the interpretation of it before the camera.

I have taken the liberty of contacting the Embassy of Kazakhstan and gleaning some documents which I believe are correct translations. Actually, I am sure they are because one of them comes from the former Prime Minister's attorney, who claims that the document is a summons.

Unfortunately, I have also been given now a copy of a letter to the former Prime Minister—a response from the former Prime Minister's attorney here in Washington on Connecticut Avenue and serving on Judiciary. I will take the liberty of short cutting all the legalese. It says I am not accepting service on behalf of my client, catch him if you can, you know, I am not required by any legal imperative or duty to accept service of any documents addressed to him by your government. And it says find any way to serve him this summer.

I want go on the record as saying that the service here before this Committee was a grave error on behalf of the law firm that was trying to serve this information. However, it is my interpretation, and I am going to yield my time in a moment to another person, that this was not a surprise—this information that a subpoena had been served on the console to the former Prime Minister. So as I said earlier, it appears as though this is informational, not a subpoena, since I do not think anyone assumes that a subpoena served in the United States has any merit for extradition purposes without the United States Government's concurrence.

I would like to yield my time to, I do not see him in the audience—to a representative of the Ambassador of Kazakhstan. If you could come up to one of the microphones—I only have a few minutes—to give the explanation from the Ambassador as Mr. Pitts and I just heard in the other room for the record. And would you please identify yourself to the microphone.

Mr. UMAROV. Thank you very much for giving me this chance. Unfortunately, the Ambassador is not here and he authorized me to say a few words explaining the situation which has happened today.

Mr. GILMAN. Please identify yourself and your title.

Mr. UMAROV. My name is Kairat Umarov. I am the Minister-Counselor of the Embassy of Kazakhstan.

I would like to say just a few words and I am sorry if I am a little bit nervous, since I have never had a chance to speak to such a distinguished audience. I would like to say that, of course, we are very sorry that this incident has taken such a turn. In fact, our numerous attempts to send this information, or to relay this information to Mr. Kazhegeldin personally under the instruction of our government have not given any results and the letter of the lawyer whom this information has been sent which has been quite recently quoted here stating that "Accordingly, I am returning the documents left at my office so that you may endeavor to properly deliver them as you determine best."

And those documents were not delivered today. Our consul just wanted to relay the information about the situation to Prime Minister Kazhegeldin. He refused to hear from him and that took such a dramatic turn.

Actually, why we did that and why the Embassy was partially responsible for that. There is no possibility to find out the exact address of Mr. Kashgeldin here in the United States, we do not know his whereabouts and you cannot serve something or send someone information, because you do not know his address or who legally represents him.

Mr. ISSA. Thank you very much. And I would like to summarize my time with a question to the panel.

Mr. GILMAN. If I might, if the gentleman will yield?

Mr. ISSA. Yes, of course.

Mr. GILMAN. We thank you for your explanation, but it was certainly an inappropriate use of a congressional hearing to serve papers on one of our witnesses.

Mr. ISSA. Thank you, Mr. Chairman.

Mr. GILMAN. Thank you for yielding.

Mr. ISSA. And I think just a closing question for the panel.

In light of this incident, as unfortunate as it was, does anyone here on this panel think that this kind of behavior is inconsistent with developed nations' attempts to investigate previous individuals using subpoenas? Is there anything that I misunderstood about whether this is a human rights violation or simply something that every country does under the rule of law?

Ms. HILL. If I could just make a comment on this, I mean, sadly, this is somewhat typical of some of these incidents in other countries, not just in Central Asia but in the former Soviet Union, we have had similar incidents with Russian—well, rather, as you will remember several instances with some very prominent Russian figures who have been in the United States or elsewhere in Europe having similar kinds of incidents. But I think what is underscored here is the difficulty of having normal political debate and political process within the countries themselves, so that now they have to resort—both sides in the countries, the opposition and the government—to hiring public relations firms and legal firms to represent them, to basically fight out their political battles here in the United States. And I think that sadly Washington has become increasingly the battleground for governments and their oppositions from places like the former Soviet Union where more normal democratic processes have been stifled in their own countries.

Mr. GABDULLIN. [Through interpreter.] What I would like to say is the occurrence that just took place here demonstrates very clearly how difficult it is for us journalists to deal with that regime. What you saw was the face of the regime and the face of Nazarbaev. There is really no more comment that I should make. You see what is happening.

Mr. KVIATKOVSKI. [Through interpreter.] The people who live in Kazakhstan, they do not find anything new and we all, the people who are present, the people of Kazakhstan who are present here today on both sides, we know what is going on.

We know the history of criminal actions toward our Prime Minister. We know that one of his guards has already been liberated and the case about the other one is being reconsidered right now. And we know Mr. Kazhegeldin's as well. As far as I can judge from his access to Internet, he is ready for a direct dialogue with Mr.

Nazarbaev. He is ready for a direct dialogue in the air, in the live dialogue.

Mr. GILMAN. Let me interrupt. Let me interrupt. The gentleman's time has expired.

Mr. ISSA. Mr. Chairman, if I could ask unanimous consent to have that letter placed in the record?

Mr. GILMAN. And the letter is from whom and what date?

Mr. ISSA. From the attorney on behalf of the former Prime Minister.

Mr. GILMAN. And it is dated July 17, 2001 and without objection it is made part of the record.

[The information referred to follows:]



**ҚАЗАҚСТАН РЕСПУБЛИКАСЫ  
ЕЛШІЛІГІНІҢ КОНСУЛДЫҚ  
БӨЛІМІ**

**Вашингтон қаласы**

**CONSULAR SECTION OF THE  
EMBASSY OF KAZAKHSTAN**

**Washington, D.C.**

No. 86

July 16, 2001

**Law Offices  
Yablonski, Both & Edelman  
Suite 800  
1140 Connecticut Ave., N.W. :  
Washington, D.C. 20036  
Mr. Charles Both**

**Dear Mr. Both,**

Please find attached the summons of the Department of Investigation of the Ministry of Internal Affairs of the Republic of Kazakhstan to Mr. Akezhan Kazhegeldin, received from the Ministry of Foreign Affairs of Kazakhstan.

Hereby, we kindly request your assistance to transmit these documents to your client Mr. Akezhan Kazhegeldin.

Thank you for your cooperation in this matter.

Enclosure: 2 pages.

Sincerely,

A handwritten signature in black ink, appearing to be 'B. Sadykov'.

**Berik L. Sadykov  
Head of Consular Section**

*Unofficial translation*

**Summons**

The Department of Investigation of the Ministry of Internal Affairs of the Republic of Kazakhstan, in accordance with Articles 206-209 of the Criminal Processing Code (CPC) of the Republic of Kazakhstan, hereby notifies Mr. Akezhan Magzhanovich Kazhegeldin, born in 1952 in Georgievka village, Zharminski district, Semipalatinsk region, native Kazakh, currently residing outside the Republic of Kazakhstan and evading appearance in person before at the investigative authorities, that, according to Article 208 of CPC of Kazakhstan, he has to appear in person before investigator at the address: room # 207, 4 Manasa Street, Astana, at 3 p.m. on July 19, 2001, for getting acquainted with the Resolution of summoning him as a defendant and executing other procedures with regards to the criminal case being investigated in relation to him.

Moreover, Mr. A.M. Kazhegeldin is hereby notified that according to Article 69 of CPC of the Kazakhstan, he has a right to hire an attorney or a legal representative, who should also appear in person at the above address at the given time.

In case of his failure to hire an attorney, he has a right to request the investigative body to provide an attorney for his/her participation in the criminal proceeding.

The Department of Investigation of the Ministry of Internal Affairs of the Republic of Kazakhstan informs Mr. A.M. Kazhegeldin that the investigative authority is charging him with the fact that, in his tenure as Prime Minister of the Republic of Kazakhstan from 1995 to 1997, he signed a number of Resolutions of the Government of the Republic of Kazakhstan contradictory to the legislation in place at that time, as a result of which the state suffered damages in the total amount of 30,379,607,606 Tenge; as well as, abusing his power of the Prime Minister of the country, he repeatedly solicited and took bribes in large amounts totaling 2,937,000 US dollars; illegally acquired, stored and transferred firearms and munitions to a group of people; evaded paying taxes in the amount of 2,938,728 Tenge.

In case Mr. A.M. Kazhegeldin further avoids appearing in person at the specified date, time and place, the criminal case, in accordance with Article 280 of the CPC of the Kazakhstan, will be forwarded to the prosecutor's office for a decision of bringing the case to the court.

Следственный департамент Министерства внутренних дел Республики Казахстан в соответствии со статьями 206-209 Уголовно-процессуального Кодекса Республики Казахстан уведомляет Кажегельдина Акежана Магжановича, 1952 года рождения, уроженца с. Георгиевка Жарминского района Семипалатинской области, казаха по национальности, находящегося в настоящее время вне пределов Республики Казахстан, уклоняющегося от явки в органы следствия о том, что согласно статьи 208 УПК Республики Казахстан, он обязан явиться к следователю по адресу: гор. Астана, ул. Манаса, 4, корпус 2, кабинет 207 к 15 часам 19 июля 2001 года, для ознакомления с Постановлением о привлечении в качестве обвиняемого и совершения с его участием иных процессуальных действий по расследуемому в отношении него уголовному делу.

Кроме того, Кажегельдин А.М. уведомляется о том, что в соответствии со статьей 69 УПК Республики Казахстан, он может для участия в деле избрать защитника или законного представителя, которым также надлежит явиться по вышеуказанному адресу в обозначенное время.

В случае невозможности избрания защитника он вправе просить следственный орган об обеспечении его защитником для участия его в уголовном процессе.

Следственный департамент МВД Республики Казахстан доводит до сведения Кажегельдина А.М., что органом следствия он обвиняется в том, что будучи Премьер-Министром Республики Казахстан, в период с 1995 по 1997 годы, принял ряд постановлений Правительства Республики Казахстан, противоречащих действовавшим в тот период законодательным актам, в результате чего государству причинен ущерб на общую сумму 30 379 607 606 тенге, а также противоправно используя должностные полномочия Премьер-Министра страны, неоднократно вымогал и получал взятки в крупных размерах в общей сумме 2 937 000 долларов США, незаконно приобретал, хранил и передавал огнестрельное оружие и боеприпасы в группе лиц и уклонялся от уплаты налога на сумму 2 938 728 тенге.

В случае дальнейшего уклонения и неявки Кажегельдина А.М. в указанный срок, время и место, уголовное дело в соответствии со статьей 280 УПК Республики Казахстан будет направлено прокурору для решения вопроса о передаче суду.

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July 17, 2001

By Messenger & Facsimile 202.232.3541

Mr. Berik L. Sadykov  
 Head of Consulate Office  
 Embassy of the Republic of Kazakhstan  
 1401 16<sup>th</sup> Street, N.W.  
 Washington, D.C. 20036

Dear Mr. Sadykov:

This is in response to your letter number 86, dated July 16, 2001, and left by Federal Express at my office at 9:30 am this morning.

As I previously explained to you, although I represent Mr. Kazhegeldin in the United States, I am not authorized by him, nor required by any legal imperative or duty to accept service of any legal documents addressed to him by your government. Under the applicable legal authority and procedure, service of legal documents on a party's counsel, as opposed to the party himself, renders such service a nullity. See for example, *Harrison v. Prather*, 404 F.2d 267,273 (5<sup>th</sup> Cir. 1968); *In re Smith*, 126 F.R.D. 461, 462 (E.D. NY 1989); Moore's Federal Practice ¶ 45.06[1], at 45-49; Federal Practice and Procedure, Wright & Miller, § 2461, at 447. Accordingly, I am returning the documents you left at my office so that you may endeavor to properly deliver them as you determine best.

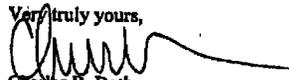
I am, however, again struck by the nature of the charges being alleged and the coincidence of the timing of the announcement. It comes as no surprise to me, nor will it be to any objective of reasonable person, that these charges are the of the same quality and nature as those that have been reiterated ever since Mr. Kazhegeldin announced his intention to challenge President Nazarbayev during the illegal 1999 Presidential Election. As we have demonstrated previously the charges are frivolous and that they are motivated to harass and intimidate the Kazakhstan Opposition. We stand ready to again defend against the bogus charges in any democratic and legitimate forum. Your country's effort to stop the Opposition's activities will not succeed.

As to the timing, it is apparent that these charges are again being announced at the very moment that the Kazakhstan Opposition is scheduled to testify before the US Congress on the deplorable state of human rights, democracy and the suppression of the media in your country. Should the authorities in Kazakhstan believe that these charges will be considered valid or legitimate they are surely mistaken.

Mr. Berik L. Sadykov  
Head of Consulate Office  
July 17, 2001  
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It would be preferable that your government directed its efforts at improving conditions within the country as opposed to attempting to prevent others from honestly and constructively seeking change.

Very truly yours,



Charles R. Both

cc: David Franz  
US Department of State  
Kazakhstan Desk Officer

Mr. ISSA. And the summons, too.

Mr. GILMAN. And is Mr. Pitts available? Is Mr. Pitts in the ante-room?

The Committee will stand in a short recess waiting for——

All right. Dr. Cavanaugh?

Ms. CAVANAUGH. Thank you, Mr. Chairman and Congressman Issa. I just wanted to say that with all due respect it seems to me that the question that we might ask ourselves about this incident is not whether or not this is part of a normal, legal procedure, which it may or may not be, I am not qualified to answer that, but whether or not it reflects a vacuum or an inability, as Dr. Hill said, for the parties in Kazakhstan to express their views and to carry out any sort of normal political dialogue, as Mr. Kviatkovski was saying, within the country.

It seems to me that Mr. Kazhegeldin's party, the Republican National People's Party, was able to conduct its activities without harassment, then these sorts of incidents would not be happening and this sort of selective prosecution of enemies might not be what we would be witnessing.

Mr. GILMAN. Are there any other comments by the panelists?

[No response.]

Mr. GILMAN. If not, I want to thank our panelists for being here today. We understand Mr. Pitts is detained elsewhere, so we will——

If he is not arriving within a minute or two, we will conclude our hearing and allow him to submit his statement for the record and with any questions to submit them as part of the record.

[Pause.]

Mr. GILMAN. We will be in recess for just a minute or two to allow Mr. Pitts to arrive. If not, we will have to adjourn the hearing.

[Recess.]

Mr. GILMAN. Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chairman. I apologize for having to run between markup and this hearing.

First of all, for Dr. Cavanaugh, you said something that I would like to ask about. What benchmarks are you using regarding your statement that Central Asian governments are backsliding, and that the reforms of the 1990s are fading?

And, what action would you recommend the U.S. Government to take or private organizations to take to help reverse the trend of going backwards away from democracy and freedom?

Ms. CAVANAUGH. Thank you for coming back and posing this really very important question, Mr. Congressman.

The backsliding that we have seen in the countries of Central Asia, all five countries, even including Turkmenistan, has been in the area of democratization and the ability for political parties to function, certainly in the area of the media.

It has been experienced by own colleagues in the human rights movement who have faced increasing obstacles to their ability not only to operate, but just to live safely and enjoy basic personal security for themselves and their families. And this is in all five countries of the region, without exception.

Mr. PITTS. What are the root causes for this retrogression away from freedom?

Ms. CAVANAUGH. Well, it is my impression that as rulers began to witness some of the processes that were going on in their countries in the mid 1990s, these habits, and in some cases, they are old Soviet habits, came back into play. I think that the lack of a concerted international effort to tell these countries that there are going to be consequences if you move back and not forward, I think unfortunately that this played a large part in allowing this kind of backsliding to happen.

Now, your question as to what the U.S. can do about it, I think that the U.S. has several legislative tools. Congress has several tools at its disposal to not only register our displeasure, but to provide clear incentives for these countries to get better.

The International Religious Freedom Act is a wonderful tool that if all of the information were fully to be taken into account, I believe that Uzbekistan and Turkmenistan would certainly fall into the rubric of countries of particular concern and that, as you know, very well, allows the Administration a whole menu of different kinds of actions that could be taken.

I think that having a more solid human rights assessment on Ex-Im assistance and letting our representative at the EBRD know that we want every single incident of a human rights violation taken into account when new country strategies are put into place. This is very important.

I think that the example of Kazakhstan is a very instructive one. This year, the EBRD put into place a new country strategy for Kazakhstan and they said that while Kazakhstan has some problems, it is not in violation of the charter, which demands that a country be democratizing in order to receive aid. But the only evidence that the EBRD looked at was the fact that Kazakhstan was participating in a process of dialogue with the OSCE.

Now, what the EBRD did not look at is that the OSCE is completely frustrated with Kazakhstan right now because the government refuses to implement any of its recommendations.

So really implementing more fully, more consistently those tools that we already have at our disposal, I think, could be much more effective.

Mr. PITTS. Thank you. Mr. Oleg Kviatkovski, are you familiar with an article that was published here in the United States entitled "The Price of Oil"? It was in *The New Yorker Magazine* by Seymour Hersh. Are you familiar with that article?

Mr. KVIATKOVSKI. [Through interpreter.] Yes, I do.

Mr. PITTS. You mentioned you have complete freedom of expression, freedom to report any issue. Would your TV channel broadcast a story about high-level corruption in Kazakhstan based on an article like that?

Mr. KVIATKOVSKI. [Through interpreter.] In one of the issues of our newspaper named Megopolis, there was an extensive article about these issues that were discussed in the article in *The New Yorker Magazine*, I mean about oil and gas in Kazakhstan. Well, it was not kind of a format that you have in the United States, our readers are different people, but we did discuss this issue.

Mr. PITTS. Does anyone else want to comment on that, the freedom of expression there?

Mr. GABDULLIN. [Through interpreter.] I would like to add that if the so-called holding that Mr. Kviatkovski is working for—

Mr. GILMAN. Would you put the mike closer to you?

Mr. GABDULLIN. [Through interpreter.] If he would—if that particular media holding would have published or re-published the article you are talking about, the same fate that was mine would have met him.

Mr. PITTS. If there were allegations of corruption of certain individuals? Is that what you are referring to?

Mr. GABDULLIN. [Through interpreter.] It is not so much statements about corruption, but the fact that it is the corruption of the President that is being mentioned there. That would make it impossible to publish that material.

Mr. GILMAN. The gentleman's time has expired.

Mr. Issa?

Mr. ISSA. I would ask unanimous consent that the following statement be placed in the record.

Mr. GILMAN. Please.

Mr. ISSA. Mr. Pitts and I both had a telephone conversation with the Ambassador in which he, even though it has been said by his—

Mr. GILMAN. Which Ambassador?

Mr. ISSA. The Ambassador from Kazakhstan to the United States. And even though his representative has said it, I wanted to reiterate that we both received and would want to convey an apology both to the Chair and this Committee and to the former Prime Minister for an incident that he deeply regrets.

Mr. GILMAN. The statement is properly noted for the record.

I want to thank the panelists once again. I want to thank the translators who were here who did an outstanding job and we appreciate your taking the time to be with us.

The Committee stands adjourned.

[Whereupon, at 6 p.m., the Committee was adjourned.]



## A P P E N D I X

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### MATERIAL SUBMITTED FOR THE HEARING RECORD

QUESTIONS FOR THE RECORD SUBMITTED BY THE HONORABLE DANA ROHRBACHER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA TO PRINCIPAL DEPUTY ASSISTANT SECRETARY MICHAEL E. PARMLY

*Question: Does China have an agreement to provide arms and training for the Stans? Has there been a recent agreement by China to provide the weapons for these countries?*

Answer: We are not aware of the Chinese providing any arms to the Central Asian states. They have provided non-military assistance (uniforms) and military training to some Central Asian states, most notably to Kyrgyzstan. China recently announced it was giving about one million dollars to Tajikistan for military exercises, training and rearmament. The Central Asian republics continue to work with China on many issues of mutual interest, including, for example, counter-terrorism training that has taken place under the aegis of the Shanghai Cooperation Organization (SCO).

*Question. Is there any evidence of Nazarbayev or any of these cuckoos like Turkmanbashi or any of these other guys down there having cut deals with Communist China that may be actually detrimental to their own people but very positive towards maintaining their own power?*

Answer: There has been cooperation with China on security issues, including clauses in the SCO to extradite extremists. That said, we are not aware of any agreements as such that would help keep the current Central Asian governments in power. We would welcome receiving any information you may have on this subject, and recognize the importance of your question.

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The following material, which has been submitted for the record but is not reprinted here, is on file with the Subcommittee on Middle East and South Asia of the House Committee on International Relations:

Submitted statement of Rabbi Cohen Yeshaya, Chief Rabbi of Kazakhstan;  
Submitted statement of Azat Peruashev, Civil Party of Kazakhstan;  
Open letter to the Members of House Committee on International Relations with regard to the July 18, 2001 hearing from Mr. Umurzak Aitpaev, Deputy Chairman of the National Language Institute 'Kazak Tili', Mr. Oleg Kvyatkovski, Executive Director of '31st Channel' TV and radio company, Mr. Cohen Yeshaya, Chief Rabbi of Kazakhstan, Mr. Oleg Rubets (Ali Haji Ibn Usman Al Apsheroni), Speaker of the Muslim Community of Kazakhstan, Mr. Azat Peruashev, Secretary General of the Civil Party of Kazakhstan, Ms. Raushan Sarsembaeva, Chair of Democratic Women's Party of Kazakhstan, and Mr. Sergei Harchenko, Editor-in-Chief of 'Kostanai News' newspaper;  
Submitted statement of Mr. Umurzak Aitpaev, Deputy Chairman of the National Language Institute 'Kazak Tili';  
Submitted statement of Sergei Harchenko, Editor-in-Chief of Regional 'Kostanai News' newspaper;  
Overview of Political Reform and Democratic Developments in Kazakhstan from the Embassy of the Republic of Kazakhstan dated July 16, 2001.