

# Central Asia

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The situation for most minorities in the former Soviet states of Central Asia (Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan) has worsened markedly since independence in 1991. Their lot in much of the region has been especially affected in 2004–5 by two main phenomena: the fight against terrorism and fundamentalism, and the drive to increase the status of each state's 'titular' people and their language (the language of the majority ethnic group in each country, i.e. Kazak in Kazakhstan, Uzbek in Uzbekistan). The former has had the effect of adversely affecting some religious minorities and occasionally impacted more on specific minorities seen as sympathetic to Islamic fundamentalists or linked to ethnic insurgency movements in neighbouring countries, while the latter has resulted in language and other policies that discriminate against many minorities, and has resulted in their exclusion from a number of areas of economic, employment and political opportunities. Overall, except for the more consistent responses from international human rights organizations such as the UN, which have continued to decry breaches of international standards, the reactions from Western countries, including Russia and the United States (US), have tended in 2004–5 to be more 'forgiving' in the context of the 'War on Terrorism'. The one notable exception has been the more robust response of the international community to the 2005 Andijan massacre in Uzbekistan.

### **Kazakhstan**

In Kazakhstan, the last decade has seen a dramatic emigration: nearly 2 million people, mainly Russian (approximately 28 per cent of the population) and other non-Kazak minorities, are believed to have left the country. Language legislation that privileges the Kazak language is increasingly perceived by non-Kazak minorities, especially those who are Russian-speaking, as discriminatory and exclusionary, and is often cited as one of the factors for this large-scale flow out of the country, in addition to better economic opportunities elsewhere. Though the Russian language is deemed 'equal' to Kazak under the Constitution, a programme of 'Kazakhization' initiated in 2001 is increasing the use of the Kazak language as the main language of government. Despite the Kazakhs only representing about 53 per cent of the population, territorial gerrymandering

has assured Kazakh majorities in the country's political divisions. Minorities have in recent years claimed to experience difficulty in establishing organizations at the political level. In practice, the 1997 Law on Languages and subsequent regulations and legislation have set into motion policies which not only favour the Kazakh language, but also effectively discriminate against and exclude members of the Russian, Uighur and other minorities from various economic, political and employment opportunities, as well as breaching their rights as minorities in areas of language use. Reactions from countries with an interest in the region's minorities, and especially Russia, have been largely muted in 2004–5, because of strategic and economic interests (linked to its significant oil and gas resources, a large part of which transits via Russia).

The current Constitution prohibits the formation of associations or political parties that have ethnic, religious or nationalist identities. Some minorities are also specifically targeted in the fight against 'terrorism' and 'separatism'. A 1995 cooperation agreement with China included a clause about fighting separatism. Since then, some Uighur activists have been extradited to China and executed there. Some Uighur minority groups have claimed they face bureaucratic obstacles in their dealings with state authorities because of the stereotyping of Uighur activists as 'separatists'.

Religious minorities in 2004–5 have been generally free to operate, and are not subject to any state-sanctioned harassment, though there are occasional problems reported with some local authorities (US State Department, *Country Report on Human Rights Practices 2004: Kazakhstan*). However, in July 2005, President Nursultan Nazarbaev signed amendments entitled 'On additions and amendments to laws of the Republic of Kazakhstan relating to national security' which may substantially restrict freedom of religion in the country, especially for non-traditional religious minorities, making it compulsory to register all religious communities and banning the activities of all religious organizations that have not been registered. Some reports suggest that the new legislation could be used to ban all unregistered religious activity, affecting particular religious minorities such as Baptists, other Protestants, Ahmadiya Muslims, non-state-controlled Muslims and Hare Krishna devotees.

## Kyrgyzstan

The situation for minorities in Kyrgyzstan has not improved significantly in the last five years. The country has experienced the departure of large numbers from minority groups, though perhaps to a lesser extent than many of its neighbours. Despite this, it can be described as the most tolerant and receptive towards minorities of the Central Asian states. It was the only country in the region to have retained Russian as an 'official' language (i.e. 'language of inter-ethnic communication'). Kyrgyz, until 2004, was the 'state language'.

The trend towards a 'Kyrgyzstan for the Kyrgyz' has picked up steam in 2004, however, through language legislation passed by the lower house of parliament on 12 February. This legislation seems to pave the way to further disadvantaging minorities such as the Uzbek-speaking minority (about 16 per cent of the population) and Russian-speaking minority (perhaps 11 per cent), especially since the new language provisions require that candidates for elected office need to demonstrate proficiency in Kyrgyz, as do students wishing to enter or graduate from university. State officials are to use primarily Kyrgyz, though Russian remains as a 'language of inter-ethnic communication'. The Uzbek minority, based in the restive southern parts of the country, in particular may experience this as a way of assuring the dominance of the Kyrgyz majority. The former's almost complete exclusion from administrative and political positions, despite their now constituting the largest minority in the country, has probably contributed to the strength of fundamentalist beliefs (often officially described as Wahhabist interpretations) among some Uzbeks, and to government crackdowns and suspicion against members of this minority. It is still unclear what the effects of the revolution in June 2005, which saw then President Askar Akayev deposed, will mean in terms of the treatment of minorities in Kyrgyzstan. Prior to his being deposed in 2005, many international organizations such as the Organization for Security and Cooperation in Europe (OSCE) had tended to view Akayev in quite positive terms, though concerns had been expressed as he seemed to be moving towards a more authoritarian regime in 2004–5.

## Tajikistan

The situation in Tajikistan is similar in many respects to that of its neighbours. The titular ethnic group, while a majority, faces the legacy of the

dominance of the Russian language in many aspects of political and economic life. Since independence, Tajiks have attempted to assert their dominance by linguistic and other preferences that tend to discriminate against and exclude minorities, often leading to resentment or even an exodus. Uzbeks, the largest minority at around 21 per cent of the population, are concentrated in areas usually associated with opposition to the government. This has led to a general distrust of Uzbeks, and in turn discriminatory treatment towards them in many institutions of the state. Once again, oppressive measures have been presented as necessary in the name of the fight against 'terror' and 'separatism'. The civil war that broke out in the country after 1992 has meant a massive departure of some 400,000 Russians – and Uzbeks – so that today the former constitute less than 3 per cent of the population. Russian is not an official language, but a language of 'inter-ethnic communication' under the Constitution. Despite constitutional provisions that initially appear to guarantee the use of minority languages, and despite the large percentage of minorities in the country, in particular Uzbeks, minorities are largely excluded from employment in public service. The limited use of the Uzbek language by state authorities in particular is probably discriminatory, although in the field of education the use of the Uzbek language is more prevalent.

The situation of religious minorities in 2004–5 is relatively better in Tajikistan than in some of its neighbours. While religious groups must register, there are no reports of denial of registration of religious minorities, and Tajikistan permits the formation of political parties of a religious character, something no other country in the region permits. The fight against Islamic fundamentalism has led the government to ban one group, Hizb ut-Tahrir, though most outside observers describe it as a non-violent organization. Most of its activists who have been imprisoned since 2000 are members of the Uzbek minority.

While on the surface there are a number of rights guaranteed to minorities under the country's Constitution and legislative provisions, implementation remains unclear and uncertain for minorities, leading the UN Committee on the Elimination of Racial Discrimination to request additional information from Tajik authorities,

especially as to the actual use of minority languages in education, the media and other areas.

## Turkmenistan

Turkmenistan's minorities are, proportionally speaking, less numerous in this often forgotten part of Central Asia, with Turkmens representing more than three-quarters of the entire population of the country. The Russian language still has a prominent position in political and elite circles, but it is increasingly supplanted by the Turkmen language. Religious minorities, however, are severely hampered through a series of legal restrictions to freedom of religion. A 1997 law on religious organizations not only requires registration of all religious communities, it also requires proof that there are more than 500 adherents in the same district. Until 2003, only the Russian Orthodox Church and Sunni Muslims satisfied this requirement and were officially registered, with the effect that individuals belonging to religious minorities such as Bahá'ís, Buddhists, Jews, Jehovah's Witnesses and many others were denied permission to conduct public religious activities. Amnesty International has reported that religious minorities are often harassed and even tortured by the police. State authorities justify the need for this legislation on the basis of the fight against terrorism and for reasons of security. The real motive has more to do with realpolitik: it is one of the tools used by President Saparmurad Niyazov – also known as the 'Father of Turkmens' – to maintain an iron grip on Turkmenistan's population and suppress dissent. This all changed dramatically for the better from March 2003 however, with amendments to the law requiring only five members of a religious community in the same district in order to be registered and statements indicating that the authorities would comply with international standards protecting religious minorities. In May 2003, this was followed up by President Niyazov signing two decrees which lifted various requirements burdening religious organizations. Since 2003, four more religious minorities (Seventh Day Adventists, Bahá'ís, Baptists and Hare Krishnas) have been registered. Despite these positive steps, the activities of non-registered religious minority groups are often restricted, with many still unable to establish places of worship. It is also reported that ethnic Turkmen members of

unregistered religious groups accused of disseminating religious material received harsher treatment than members of other ethnic groups (US State Department, *Country Report on Human Rights Practices 2004: Turkmenistan*).

Legislation adopted after 2000 defines high treason, casting doubts on the internal or external policies of President Niyazov. Members of the Russian minority have increasingly spoken with their feet, with more than 200,000 leaving the country since 1995, and especially after 2003 when a new law forced them to renounce Russian citizenship or lose the right to own property in Turkmenistan. This country is seen as one of the most despotic of the region, with the authoritarian regime tolerating no opposition or freedom of the media. For example, the president ordered the renaming of calendar months in 2002 in order to honour some of the country's 'national personalities', including his mother, whose name is now officially the name for the month of April.

While legislation would appear to grant minorities the right to education and access to public services in their own language, in practice this is not true except for the Russian language. Certain minorities are, in addition, specifically targeted by the government in such a way as to prevent them from claiming linguistic rights. Uzbeks, who were fairly numerous and concentrated in the north of the country, were forcibly transferred to desert areas of the country, 'diluting' their numbers to a level where authorities need not respond to their language preferences. A presidential decree of November 2002 initiated the forcible resettlement of the populations of three largely Uzbek regions (Dashowuz, Lebap and Ahal) to a largely uninhabited and uninhabitable desert in north-western areas of the country and was partially implemented in 2005. Reports in 2005 refer to continuing and active state attempts to assimilate them, including prohibitions on 'wearing native Uzbek dress to school, and an accompanying requirement that all Uzbeks wear Turkmen dress. Finally, like the Russian minority, Uzbeks are denied access to higher education; to career and employment opportunities; and to heritage-language education.'

Despite the relatively prestigious position of the Russian language, authorities have also moved to close down a number of Russian-language schools since October 2002, and in practice all non-Turkmen teaching has been severely restricted if not

yet extinguished. In July 2004, Radio Mayak, the only Russian-language news and radio service available, was shut down by the government because of 'technical difficulties' and replaced by a Turkmen language station. These and other measures increasingly adopted since 2001 are all part of a movement by state authorities to impose the 'Turkmenization' of most areas of public life in the country.

Reports in 2004 indicate a gathering move by the government to close minority ethnic and cultural centres. It is reported that no teaching will be permitted in minority languages from 2005; education is to be conducted in Turkmen only, with the exception of one official Russian-language school in Ashgabat (Human Rights Watch, *Turkmenistan: Human Rights Update*, May 2004). There is also still a flow of ethnic minorities leaving Turkmenistan in 2004–5 as a result of what is seen as systematic discrimination against non-Turkmen ethnic minorities, such as ethnic Azeris reportedly compelled to leave the country in substantial numbers after purges which saw the replacement of minorities in state institutions with ethnic Turkmen employees.

Countries such as the US have not been overly critical of such extreme restrictions on minorities, perhaps due to an unwillingness to jeopardize their own interests – such as the currently useful corridor to Afghanistan, and flyover rights which Turkmenistan granted to the US in 2001. Reactions from international organizations have been sharper, with the UN General Assembly adopting a resolution on human rights in Turkmenistan in December 2003, and the UN Commission on Human Rights also adopting a resolution on the situation of human rights in Turkmenistan in April 2004. The Committee on Elimination of Racial Discrimination has also specifically criticized Turkmenistan over its treatment of minorities, especially in the fields of education and employment (CERD/C/60/C0/15).

## Uzbekistan

Minorities have left Uzbekistan in very large numbers, partly as a consequence of the repressive regime of President Islam Karimov, but also because of the limited opportunities for minorities that are linked to discriminatory practices by authorities in favour of the Uzbek majority (US State

Department, *Country Report on Human Rights Practices 2004: Uzbekistan*). The Russian-speaking minority has seen an exodus of almost a third of its numbers since independence in 1991, and in 2004 constituted only about 5 per cent of the population. The largest single minority, the Tajiks, probably comprise close to 8 per cent of the population, but they remain largely excluded in many areas of public life. The regime of President Karimov has often been seen to target Tajiks. Thousands of individuals are detained for political or religious reasons, including human rights activists. The position of minorities in the country is thus similar to that of others who experience the difficulties of living in a repressive regime. The Russian language is still widely used by state authorities in daily activities, however, despite the Uzbek language being the only official language. The fight against terror and fundamentalism has in Uzbekistan an ethnic dimension which has severely impacted on the Tajik minority, with the forcible resettlement in 2000 of thousands of mostly ethnic Tajik families from southern mountain villages, burning and bombing of mainly Tajik villages, and the destruction of their homes and fields because of allegations that Islamic militants had infiltrated these villages.

Because of a special autonomy arrangement granted to the Republic of Karakalpakstan, the Turkic-speaking Karakalpaks have in legal and practical terms much greater protection of their rights and in the use of their language, though they comprise less than 2 per cent of the population. The status of other minorities, and the use of their languages, are significantly less, and in the case of Tajik almost non-existent outside of some localities despite their being present in greater numbers than Russians.

The repressive regime took a particularly bloody turn in 2005 following the Andijan massacre. Hundreds of unarmed people protesting in the eastern city of Andijan, perhaps as many as 750, were killed on 13 May 2005 by Uzbek government forces. The protest started when a group of armed people freed a group of 23 local businessmen accused of Islamic extremism and took officials hostage in the local government building. The protest then grew into a rally of thousands of mostly unarmed people who voiced their anger against government corruption, repression and growing poverty in the region.

The massacre led to widespread condemnations – including European Union sanctions in 2005 – though these still seem surprisingly muted given the massive numbers of unarmed civilians, including women and children, who were killed by security forces. The US was ‘ejected’ from Uzbekistan for its criticisms when the Uzbek government requested it leave its military base in southern Uzbekistan. Russia has been supportive of President Karimov’s actions and indeed increased its presence and conducted joint military exercises with the Uzbek military in September 2005.

Overall, the situation of minorities has seen no improvement in 2004–5. For religious minorities, reports following the Andijan massacre suggest there is in fact a tightening of that country’s repressive religion policy. In addition to members of the Tajik minority who may be tagged as ‘fundamentalists’, religious minorities such as Hare Krishna, Jehovah’s Witnesses and Protestants in Karakalpakstan (where all activities of this minority have been banned) show an increase in 2005 in restrictions and prohibitions. Indeed, the repressive nature of the government restrictions on religious activities, including from non-government-sanctioned Islamic groupings, may breed further resistance in the next few years. ■