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A Decade of Membership in the Organization for Security and Cooperation in Europe

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The OSCE Secretariat is in Vienna, Austria, where weekly meetings of the participating States' permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations. Periodic consultations are held among Senior Officials, Ministers and Heads of State or Government.

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys numerous missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <www.osce.org>.

ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance by the participating States with their OSCE commitments, with a particular emphasis on human rights.

The Commission consists of nine members from the United States Senate, nine members from the House of Representatives, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair rotate between the Senate and House every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

The Commission also contributes to the formulation and execution of U.S. policy regarding the OSCE, including through Member and staff participation on U.S. Delegations to OSCE meetings. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from participating States. The website of the Commission is: <www.csce.gov>.

DEMOCRACY AND HUMAN RIGHTS TRENDS IN EURASIA AND EAST EUROPE

A Decade of Membership in the Organization for Security and Cooperation in Europe

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INTRODUCTION

The ten-year anniversary of the collapse of the Union of Soviet Socialist Republics (USSR), an original signatory to the 1975 Helsinki Final Act, fell in 2001. The following year marked another milestone, perhaps less widely noticed: the passage of a decade since the entry of the Eurasian and East European States into the Organization for Security and Cooperation in Europe (OSCE)*, which embraces all of Europe, the former Soviet Union, the United States and Canada. Membership in the now 55-nation organization is predicated on the acceptance of certain bedrock principles of democracy, a wide array of human rights commitments and modern norms of statecraft, including respect for the rule of law and promotion of civil society.

Each of the OSCE participating States, including those examined in this report, has committed to "build, consolidate and strengthen democracy as the only system of government of our nations." Similarly, the participating States have declared that "human rights and fundamental freedoms are the birthright of all human beings, are inalienable and are guaranteed by law. Their protection and promotion is the first responsibility of government. Respect for them is an essential safeguard against an over-mighty State."

In a step designed to preserve the unity of the Helsinki process, each new participating State submitted a letter accepting in their entirety all commitments and responsibilities contained in the Helsinki Final Act, and all subsequent documents adopted prior to their membership (see Appendix I). To underscore this continuity, the leaders of each of the countries signed the actual original Final Act document (see Appendix II).

At the time, many observers believed—or hoped—that the fall of communism would usher in a new era and the relatively speedy emergence of states that treat their citizens and neighbors with respect. This report examines to what extent current realities justify the hopes and expectations of a decade ago.

True, many did not share the grandiose vision that peoples liberated from Russian-Soviet communism would easily or quickly take on the attributes of Western political culture and standards. And the more cynical among them, glancing at Central Asia today, might enjoy saying, "I told you so." In fact, 10 years ago, various analysts—echoed quietly by some delegations to the OSCE—wondered whether countries with such different histories, traditions, and cultures should join the club of Western nations.

Some of their skepticism is well founded, as will be seen below. Still, when Leonid Brezhnev signed the Helsinki Final Act in 1975, the USSR was a totalitarian state which obviously had no intention of implementing the human rights commitments being accepted by the then 35 participating States in Helsinki. Over a decade passed before the emergence of a Soviet leader—Mikhail Gorbachev—who, while trying to renew a communist system he deeply believed in, nevertheless understood that its modernization required the application, at least to some degree, of Helsinki principles adopted nearly two decades earlier. Ultimately, of course, Gorbachev got more than he bargained for, a testament to the subversive power of freedom, even when doled out in small doses.

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* (The Conference on Security and Cooperation in Europe (CSCE) was transformed in January 1995 into the Organization for Security and Cooperation in Europe (OSCE), the title that will be used throughout this report.)

The legacy of the Soviet experience is relevant to the post-Soviet era. Authoritarian leaders claim, with obviously self-serving motives, that little can be expected of them after such a short time, given their history, traditions, "mentality," security concerns, poverty and – increasingly – the perceived threats posed by terrorism and by Islamic radicalism. The refrain is repeated so often that it is easy to dismiss the argument as sheer cynicism.

In fact, the contention that time is needed to overcome the legacy of the past is perfectly reasonable within limits. More important would be signs that the general trends of political development in these countries are positive: that there is reason to believe, based on current outlines of state and social structures, that in the foreseeable future, citizens would enjoy basic human rights. Especially important among them are freedom from fear of official reprisal for political activity or reporting about politics, where organized political movements could contest for power on an equal basis, and where separation of powers limits the natural tendency of the executive branch to arrogate to itself all decision-making authority, either out of self-interest or the even more dangerous conviction that it knows best.

Unfortunately, in numerous former Soviet states, it is impossible to project the development of such societies from the trends of the past decade. Precisely what has evoked concern is the realization that very different kinds of societies are arising: variations of "strongman" regimes, where leaders do everything possible to remain in power indefinitely, where they—along with family, friends and favored few—control or monopolize their country's economic assets and possibilities, and where they and lower-level officials keep the press from informing the public about their misdeeds.

Central Asia, of late in the center of international attention because of the U.S.-led campaign in Afghanistan and the war on terrorism, is the cynics' best argument. Indeed, in key regards, citizens of Central Asian states enjoy less freedom than they did a decade ago. For instance, in the late 1980s and early 1990s, some opposition movements could and did operate even in Turkmenistan. In Uzbekistan, in December 1991, a well-known poet and writer was allowed to run against the incumbent for the presidency. None of this would be possible today; in neither country is opposition permitted. In Kazakhstan and Kyrgyzstan, the press was freer in the early 1990s than in 2002, and political pluralism had far better prospects.

In the extreme, in Turkmenistan, President Niyazov initated a general crackdown following the alleged attack on him on November 25, 2002. This bodes ill for the one regime that has made no pretense of establishing multiple political parties or an independent media or judicial system. Niyazov has labeled the alleged attack "terrorism" and is using that label to justify limiting even further freedom of movement, speech, association, religion and other fundamental freedoms and human rights. Turkmenistan is quickly becoming the harshest and most repressive regime in the region.

Today, Central Asia is the region within the OSCE space where the principles of democracy and human rights are ignored or flouted wholesale, and observance of human rights is more a function of Western pressure than a reflection of the commitment of heads of state to reform. Next to the outbreak of wars, such as in Yugoslavia or Tajikistan, unresolved conflicts like Nagorno-Karabakh, Abkhazia, or South Ossetia, and the trafficking of human beings, the absence of democracy and a pattern of clear, gross and uncorrected human rights violations throughout Central Asia and the improbability of much improvement in the near term are the largest problems facing the OSCE.

Elsewhere in the region, the picture is not all bleak. In some respects, even the least liberalized, transitional states have instituted some reforms. Among them, nowhere does a Soviet-style, planned economy remain in place; in some countries market reforms and privatization have led to growth, although numerous—perhaps even defining—abuses attended these processes.

In terms of personal freedom, citizens of the majority of former Soviet republics today enjoy greater freedom of movement, though respect for freedom of residence is not universally respected, with burdensome *propiska* schemes are still in place in some countries. Emigration is not forbidden and exercising the right to travel for tourism or family visits abroad is usually not a problem.

In Russia, Ukraine, and Moldova, significant progress has been made in establishing institutions of modern states that offer at least the potential of democratic governance: new, non-Soviet constitutions; elected parliaments; an active fourth estate; some judicial reforms; and numerous NGOs, testifying to a vibrant civil society. Yet even in these countries, the executive branch dominates all others. Moreover, Russia, in addressing an armed secessionist movement in Chechnya, has resorted to brutal methods of warfare against the civilian population that have shocked and dismayed even its well-wishers, resulting in the most egregious violations of international humanitarian law anywhere in the OSCE region. In Ukraine, members of the executive branch, including President Kuchma, have been tainted by various accusations of corruption, illicit arms sales and implicated in the murder of a journalist.

The notable exception beyond Turkmenistan, cited earlier, is Belarus, a strongly authoritarian state ruled by Alyaksandr Lukashenka, where president and parliament are illegitimate, the media is controlled and censored, and the public's ability to exercise freedoms is constrained. The opposition in Belarus is repressed. Indeed, if the testimony of former high-ranking officials is credible, the country's leadership is culpable in the disappearance and demise of several opposition political activists.

Belarus' political development gives the lie to those skeptics who argued against admitting the more distant Newly Independent States to the OSCE because of their alleged cultural incompatibility with Helsinki principles and values. Under Lukashenka, Belarus convincingly demonstrates that a country of nominally Christian Slavs in the heart of Europe can be as repressive and intolerant as mostly Turkic, nominally Muslim peoples closer to Asia and the Middle East. What counts in both cultures is political leadership.

Armenia, Azerbaijan and Georgia are very different but they share some important traits. All have developed political pluralism and boast a lively network of politically active NGOs, which often have an antagonistic relationship with their governments. The prospects for real politics, however, in the Caucasus are much less clear. There are many opposition parties but few are serious, and even those are generally centered around strong personalities or regional affiliation. Generally speaking, in none of these countries has the opposition coalesced to seriously challenge the heads of state who dominate their political systems.

Yet, both Azerbaijan and Georgia are ruled by elderly men who received their political training in the Soviet system. Neither is likely to change substantially his mode of governing, but in both countries, succession will become an acute issue in the next few years, perhaps sooner. Heydar Aliev's plans for an orchestrated transfer of power, with all the attendant implications for Azerbaijan's political development, are fairly clear—the question is whether he will be successful and if so, for how long. What Eduard Shevardnadze plans to do when he leaves office in 2005, assuming he has such plans, is known only to

him. In both countries, opposition leaders link their opportunities to the departure or demise of Aliev and Shevardnadze, but with so much at stake, other interests—including business, criminal and foreign—will make their influence felt.

In Armenia, forces opposed to President Robert Kocharian and his backers in government, the military, and business have their work cut out for them. They are largely free to pursue their goals, and if they can reach agreement among themselves, might have real chances. But, control of the state apparatus and patronage possibilities give the powers that be enormous advantages.

Nevertheless, in none of the three countries is the future set in stone, and there is reason to hope for more democratic development in the future. The eventual exit of Aliev and Shevardnadze may create scenarios difficult to envision today, and a successful opposition coalition in Armenia is far from impossible. A key factor in all three countries might be the involvement of large masses of the discontented, if they shake off their apathy and disinterest in democratic politics which, from their perspective, has thus far brought few benefits.

The OSCE has established offices in all the Eurasian and Caucasian states. These offices—originally designated missions—which are supposed to monitor and promote implementation of Helsinki commitments have had a mixed record of success. In some countries, especially Turkmenistan, the mission has labored under difficult conditions, constrained by an extremely repressive state. The offices also have earned a mixed reputation. In states where opposition is permitted, such as Kazakhstan or Azerbaijan, opposition parties and activists—though generally grateful for the OSCE presence as a watchdog and prod on the government—sometimes accuse the offices of being too supportive of governments. The host regimes, especially in Central Asia, have tried to move the OSCE and its local representatives away from "overemphasis" on human rights issues and toward greater involvement in security, economic and environmental initiatives.

Considerations of space preclude a serious examination of the problem of corruption in the former Soviet Union. But corruption is not merely a peripheral issue or another item on the list of negative phenomena analysts trot out when describing or decrying post-Soviet reality. High-level corruption is a fundamental impediment to the rise of modern societies and political systems. Leaders determined to remain in office and to continue exploiting their position for the economic well-being of their families and friends (or "clans") cannot permit democracy or a free press or an independent judiciary. Nowhere is the nexus between corruption and intimidation of the press clearer than in Kazakhstan, where journalists who dare, for example, to write about foreign investigations into President Nazarbaev's finances risk legal action or physical retribution.

Nor is normal politics possible. Fear of the consequences, should an outsider come to power and begin to uncover the scale of abuse, induces leaders to ensure that no serious rivals come to the fore and that elections are carefully-controlled exercises – when they take place at all, instead of being conveniently canceled or postponed, as has become common in Central Asia.

Again for considerations of space, this report does not focus on the judiciary. The omission certainly reflects no assumptions about the issue's significance. On the contrary, the emergence of courts willing to defy the executive branch would mark a crucial stage in the development of democratic systems.

However, the absence of independent judiciaries is characteristic of Belarus, the Caucasus and Central Asian countries, and to a lesser degree Russia, Ukraine and Moldova. In the southern tier of the former Soviet Union specifically, it is extremely unusual for courts to rule on the side of media outlets sued by officials or in favor of an opposition party excluded from an election – much less to refuse to ratify the results of an election the OSCE has slammed or damned with carefully faint praise but which everyone understands has been rigged. In fact, this has never happened.

So, for example, Kazakhstan's Supreme Court in 1999 decided that Akezhan Kazhegeldin—former prime minister, opposition leader and would-be presidential candidate—could not run in the election because of an administrative infraction. President Nazarbaev's public appeal to the court to "let" Kazhegeldin run was a transparent ploy designed to foster the implausible image of judicial independence. In libel cases, lower-level courts in Kazakhstan routinely sentence or fine journalists who pursue avenues unpalatable to the authorities.

In Armenia, a court handed down a suspended 3-year sentence in February 2002 to a bodyguard of President Robert Kocharian who was charged with involuntary manslaughter, even though he was among a group of bodyguards who in September 2001 reportedly beat someone to death in a Yerevan nightclub. According to many reports, local and foreign witnesses were too afraid to testify against them, and nobody was sentenced to prison.

Azerbaijani courts have upheld the Central Election Commission's exclusion of the Musavat Party from parliamentary elections in 1995. Further, the courts ruled in 2000 that the party did not break the threshold for parliamentary representation – despite the widespread view among domestic and foreign analysts that Musavat is one of the country's most popular opposition parties.

One of the oddest cases of a politically-motivated perversion of justice was the conviction of Felix Kulov by a Kyrgyz military court – after he had already been acquitted of the charges in a previous trial. Not coincidentally, Kulov was in 2000 the most serious challenger to President Askar Akaev.

Many more examples could be adduced but these should suffice to make the case that courts are manipulated or controlled in many former Soviet republics. Consequently, it would be of little benefit to describe here the programs designed and financed by the U.S. Government or European organizations to train judges and make them more independent of the state.[1]

Another subject not examined in this report is torture. Again, the omission does not reflect the subject's importance—the right of citizens not only to a fair trial but not to be abused while in police custody—but rather considerations of space and the prevalence of the problem. Domestic and international human rights groups, as well as the U.S. Department of State's annual *Country Reports on Human Rights Practices,* have documented the extensive use of torture by law enforcement agencies throughout the former Soviet Union.[2] Mistreatment of detainees is common, as is the application of physical pressure to secure confessions. Because torture is so widespread, for the purposes of this report, it will be assumed. The one

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[1] See, for example, the State Department's assessment of the process in Georgia, which completed a judicial reform in 1999: " … judicial authorities continued to experience pressure from the executive branch and powerful outside interests." U.S. Department of State, *Country Reports on Human Rights Practices for 2001* (2002).

[2] Human Rights Watch, for example, has published reports on torture in Azerbaijan, Georgia, Russia and Uzbekistan.

exception is Uzbekistan, where between 6,000-7,000 people are in jail for reasons human rights groups maintain political. Because of the numbers involved and the particularly brutal methods employed, a section on torture has been included in the report on Uzbekistan.

Finally, trafficking in persons has become one of the most serious human rights, rule of law and security issues facing the countries covered in this report. Their record is mixed: most have only barely begun to acknowledge and address the crisis through legal initiatives. Little or no protection has been provided to care for victims of trafficking. Examining the entire breadth of the trafficking issue from the standpoint of the judiciary and law enforcement exceeds the scope of this report.

To provide more detailed information and also to justify the general assessments above, the rest of this report will examine all the states more closely, focusing on the following areas:

1) the conduct of elections
2) the authority of the Parliament
3) the freedom of assembly
4) the freedom of association
5) the freedom of speech
6) the freedom of religion

ARMENIA

Armenia, like Azerbaijan, has had to build an independent state in the shadow of the Nagorno-Karabakh conflict. In both countries, the dispute has helped galvanize the national movement and brought down heads of state. While Armenia has been militarily successful, taking the contested territory and a swathe of land around it, the war and its aftermath have drained resources and influenced political culture—not to mention engendering over 300,000 refugees and a general sense of drift. Many Armenians have voted with their feet, emigrating in droves. Though officials claim there are more than three million people in the country, the unofficial figures are about two million.[1]

In the first half of the 1990s, Armenia seemed the model of stability, compared to neighboring Azerbaijan and Georgia, which were wracked by coups and civil conflict. President Levon Ter-Petrossian, who led Armenia to independence, enjoyed genuine popularity and initially steered the country in democratic directions. But by the 1995 parliamentary election, a leading opposition party had been banned for dubious reasons and relations had worsened significantly between the president and his ruling party and a growing opposition movement.

In the second half of the decade, Armenia became a country of surprises, with the flagrantly rigged reelection of Ter-Petrossian in 1996, followed by his ouster/resignation in February 1998 and the election of Robert Kocharian, former leader of Nagorno-Karabakh. The most stunning, traumatic events took place in October 1999, when armed men burst into parliament and killed Prime Minister Vazgen Sarkissian, Speaker Karen Demirchian and several others. Though the assassins claim they acted on their own, many Armenians suspect other forces were behind the plot. Opposition leaders, including relatives of Sarkissian and Demirchian, accuse Kocharian of having played some role in killing the two politicians who were his most serious rivals.

Though Kocharian's position was shaky in the aftermath of October 1999, he has rebounded to become Armenia's indisputably dominant figure. Opposition parties have held demonstrations and disrupted parliamentary proceedings, demanding his impeachment, but they are disunited and Kocharian—barring another major surprise—seems strongly entrenched.

Political pluralism has been achieved in Armenia but the right of the people to choose their government, based on the record of elections, is in serious question. The presidential elections scheduled for 2003 will demonstrate several key issues critical to Armenia's future: whether the country can hold a free and fair presidential election; whether opposition forces can unite to challenge the president; and whether media will be free to report fairly about the process.

ELECTIONS

Levon Ter-Petrossian, who led Armenia's national movement, was overwhelmingly elected president in 1991. Since then, Armenia's record on elections has mostly not met OSCE standards. A leading opposition party, the Armenian Revolutionary Federation (ARF), was banned six months before the 1995 election. The party's exclusion, plus allegations of violence and intimidation against independent candidates and other complaints, led the OSCE Parliamentary Assembly to judge the elections "free but not fair."

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[1] U.S. Department of State, *Country Reports on Human Rights Practices for 2001* (2002).

The 1996 presidential election was falsified, as acknowledged in 1998 by Vano Siradeghian, then Minister of Internal Affairs.[2] When the Central Election Commission announced Ter-Petrossian had been reelected by just enough to avoid a runoff, protesters stormed parliament, beating the speaker and deputy speaker, and troops had to restore order.

A weakened Ter-Petrossian was forced to leave office in February 1998. In the pre-term election the following month, Robert Kocharian, whom Ter-Petrossian had appointed prime minister, defeated Karen Demirchian, Armenia's former Communist Party leader, in the only runoff presidential election in the Caucasus to date. The OSCE Office for Democratic Institutions and Human Rights (ODIHR) warned after the first round that if the infractions observed recurred in the second round, the election's legitimacy would be in question. The ODIHR's final verdict concluded that the election had not met OSCE standards.[3]

In the parliamentary election of May 1999, Demirchian—the country's most popular politician—allied with Defense Minister Vazgen Sarkissian, the most influential politician, predetermining their victory and making vote-rigging superfluous. The ODIHR deemed the election "a relevant step towards compliance with OSCE standards," but still reported serious continuing problems with voter lists, military voting and insufficiently representative election commissions.

Presidential elections are scheduled for February 2003 and parliamentary elections two months later. The maneuvering around these elections has already begun— many observers maintain the failure of two major independent TV stations to win their tenders to continue broadcasting reflected the government's determination to restrict the flow of information and opinion in advance of the campaign (see below). Also, pro-Kocharian deputies proposed changing the rules governing the composition of election commission so that he could name five members of commissions on various levels. In July 2002, parliament amended the election code, dissolving the Central Election Commission. The new commission will consist of nine members from six parties and blocs which have factions in parliament, and three appointed by Kocharian.[4]

PARLIAMENT

The Republic Bloc, led by Ter-Petrossian's Armenian National Movement, won at least two-thirds of the seats in the 1995 election and dominated the legislature throughout its tenure. In the May 1999 election, the Unity Bloc, led by Vazgen Sarkissian and Karen Demirchian, won a preponderance of seats. Speaker Demirchian announced his intention to strengthen the parliament's prerogatives and for several months, parliament resisted some executive branch initiatives, such as the civil service law and the effort to strip Vano Siradeghian (ally of Sarkissian and target of Kocharian) of his parliamentary immunity.

But after the October 1999 assassination of Demirchian and Sarkissian, their bloc splintered, with some joining the opposition to Kocharian and others remaining loyal to him. Today, Kocharian, who adeptly rations out rewards and pressure, can count on the backing of a majority of the 131 deputies. In fact, a delegation of opposition activists, including legislators, told a Washington audience in July 2002 that he controls about two-thirds of parliamentarians.[5] But Kocharian's relations with the opposition are dete-

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[2] Siradeghian disappeared in April 2000, after having been indicted on charges of leading a group of Internal Affairs officers engaged in murder, as well as large scale embezzlement.

[3] The ODIHR's assessment went through several stages, in a highly controversial process. See Commission on Security and Cooperation in Europe, *Report on Armenia's Presidential Election*, June 1998.

[4] Noyan Tapan news agency, August 1, 2002.

riorating. In June 2002, parliament's last session before summer recess degenerated into bedlam when opposition deputies, angered by Speaker Armen Khachatrian's refusal to discuss the issue of impeaching Kocharian, took over the rostrum for several days. The opposition charged that Khachatrian's attempts to stifle the debate were illegal; leaders of Unity, the ARF, and Orinats Yerkir (sponsored by Kocharian ally, Defense Minister Serzh Sarkissian) factions backed the Speaker. Fisticuffs ensued and the session was cut short.

Opposition leaders have threatened to resume their campaign to include impeachment on the agenda when parliament reconvenes, prompting tough talk from Kocharian: "If in the autumn any deputies again try to disrupt a session of parliament, then they will have to be grabbed by the ears and taken to a police station to enable the country's legislative body to function normally …" He added that he is obliged to ensure that the three branches of government function properly. If they cannot, "I myself will settle any such situation by presidential decree, and I am fully entitled to do so according to the Constitution."[6]

Obviously, the confrontation between Kocharian and his opposition is heating up, as presidential and parliamentary elections approach. It remains to be seen whether opposition parties will be able influence the parliament's docket or if Kocharian will make good on his threats to discipline dissident legislators.

Kocharian's 1998 campaign platform included promises of constitutional reform to redress the imbalance between the country's strong presidency and parliament. But in February 2002, a parliamentary commission decided to adopt his variant, which largely retains executive branch dominance, rejecting an alternative draft by opposition parties, which sought to create a parliamentary system. A referendum on the proposals will likely be held in spring 2003, parallel with parliamentary elections. In December 2001, Kocharian had stated flatly that only his preferred proposed amendments would be put before the voters. He said he was prepared to cede some authority, but Armenia needs a semi-presidential system to complete its transition to democracy and the free market.[7]

FREEDOM OF SPEECH

Virtually every point of view can find expression in Armenia's media. Political parties, including those associated with the previous regime, publish newspapers highly critical of President Kocharian. According to Armenian officials, there are 17 TV channels in Yerevan and 35 in the rest of the country.[8]

Despite this pluralism of opinion, opposition parties, human rights groups, the Council of Europe, the OSCE Representative on the Media and the U.S. Government have all expressed concern about recent trends which threaten to limit freedom of expression. The most worrying symptom was the loss in April 2002 of a TV broadcasting license by the Noyan Tapan and A1+ companies. Both stations had the

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[5] The event was organized by the National Democratic Institute.

[6] Arminfo, Yerevan, June 18, 2002.

[7] *Inter alia*, Kocharian's plan would require the president to win parliament's consent to appoint a prime minister, would allow him to dissolve parliament only in six specific cases and would deprive him of the right to dismiss Constitutional Court judge. *RFE/RL Caucasus Report*, Vol. 4, No. 42, December 20, 2001.

[8] Statement by the Armenian Delegation to the OSCE Permanent Council, Vienna, June 20, 2002.

reputation for quality reporting which, though critical of Kocharian, was considered objective.[9] Subsequent appeals of the verdict, based on the claim that the ruling was politically motivated—the National Television and Radio Commission is appointed by the president—have been turned down. Kocharian and Armenian officials have denied any improprieties or political motives in the licensing process.

The removal of these stations from the airwaves galvanized large demonstrations and condemnations by media monitoring organizations. On May 3 (World Press Freedom Day), the National Press Club organized a rally under the banner "No to Censorship" and awarded Kocharian the title "Enemy of the Press." Demonstrators demanded that A1+ and Noyan Tapan regain their licenses and that the authorities abandon attempts to introduce the new draft law on media.[10]

That law has also drawn the attention of the Council of Europe. In March 2002, the Council's experts criticized provisions ordering the creation of a government agency charged with "state oversight" of the media, and which would issue and revoke licenses.[11] On February 20, Kocharian, responding to complaints about the draft, said the law would not be adopted without the approval of the Council's experts.[12]

On a positive note, criminal charges against Nicol Pashinian, who edits the newspaper *Haykakan Zhamanak,* were dismissed by Armenian prosecutors on April 11, 2002. He had been accused of slandering a government official.[13]

FREEDOM OF ASSEMBLY

Freedom of assembly has largely been observed in Armenia, although the authorities have also shown signs of cracking down. Spring 2002 saw a large number of demonstrations by opposition parties after A1+ and Noyan Tapan lost their broadcast licences. Beginning in April, there were weekly rallies organized by an opposition bloc of parties denouncing the closure of the television stations, some of which drew large crowds. For example, several thousand demonstrators marched through central Yerevan on April 12 on behalf of A1+ and also called for Kocharian's resignation.[14]

On May 10, about 5000 people marched through central Yerevan to demand Kocharian's impeachment, even though the authorities had not given permission for the demonstration and warned the organizers they were acting illegally.[15] After another protest on May 14, the authorities took action. On May 15, a representative of a coalition of 14 opposition parties informed the OSCE Office in Yerevan that after

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[9] According to the OSCE's Representative on the Media, *"A1+* was the only broadcaster that basically provided airtime to all parties and movements in the highly politicized climate that exists in Armenia." Freimut Duve, Regular Report to the Permanent Council, June 20, 2002.

[10] OSCE Office in Armenia, Activity Report, Apri 23–May 13, 2002. The U.S. Embassy's statement noted that "The decision on April 2 to award TV frequency 37, to date held by A1+ Television, to the Sharm group raises serious questions about the future of free and independent media in Armenia. One of the major criteria of whether elections are free and fair is the extent to which parties and candidates have effective ways to present their views to the electorate, particularly through television. A1+ performed a valuable public service in offering substantial media access to a broad spectrum of opinion makers, political leaders, and those holding differing views."

[11] *RFE/RL Newsline*, March 5, 2002.

[12] *RFE/RL Newsline*, February 21, 2002. Another controversial article would require journalists to apply in writing to interview government officials and pay them an honorarium.

[13] *RFE/RL Newsline*, April 12, 2002.

[14] *RFE/RL Newsline*, April 13, 2002.

[15] *RFE/RL Newsline*, May 11, 2002.

700-800 people had marched on parliament the previous day calling for Kocharian's impeachment, police entered activists' homes by force in the capital and other cities and arrested them. They were sentenced to administrative detention and fines.[16] On May 17, the opposition accused the police of an "unprecedented" crackdown.

Opposition parties organized supporting rallies during the June 2002 spectacle, when opposition deputies were demanding that parliament discuss Kocharian's impeachment. Having promised to resume the campaign in the fall, it appears more demonstrations are likely. The presidential and parliamentary elections scheduled for 2003 will also be the focus of opposition parties trying to galvanize support for pressure on Kocharian or to damage his image if police reprisals are not carefully controlled.

FREEDOM OF ASSOCIATION

There are many registered political parties and NGOs in Armenia. After Ter-Petrossian left office, the ban on the ARF was lifted and the party has supported Robert Kocharian ever since. No political parties or NGOs that have applied for registration have been refused.

Fourteen parties which, to varying degrees, are strongly opposed to Kocharian, have formed a bloc. The three main parties among them are Republic, the People's Party (led by Karen Demirchian's son), and the Socialist Armenia Union. These parties, perhaps joined by others, will try to select one candidate to challenge Kocharian in the next presidential election.

FREEDOM OF RELIGION

The Armenian Apostolic Church enjoys a privileged status as the national church, and the right to proselytize is denied to any other religious group. In 2000, the Armenian Apostolic Church and the Armenian Government signed a Memorandum of Understanding, designed to lay the foundation for a future Concordat, which has not yet been finalized.[17]

The 1991 law on religious organizations requires all religious groups, except the Armenian Apostolic Church, to register.[18] To qualify for official recognition, religious groups must be "free from materialism and of a purely spiritual nature," as well as adhere to doctrine based on "historically recognized Holy Scriptures."[19] In addition, in 1997, the number of members required to qualify for registration was increased from 50 to 200.[20] Unregistered organizations may, among other things, not publish materials or rent meeting facilities.

While no NGOs or political parties that wanted to be registered have been refused, the same cannot be said about religious confessions. Armenia's Council on Religious Affairs has refused to sanction the registration of the Jehovah's Witnesses, justifying the decision on the grounds that the faith's adherents cannot perform military service.

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[16] OSCE Office in Armenia, Activity Report, May 14—27, 2002.

[17] Geraldine Fagan, *Armenia: Will Apostolic Church Get Concordat?*, Keston News Service, September 27, 2001.

[18] U.S. Department of State, *International Religious Freedom Report for 2001*.

[19] U.S. Department of State, *Country Reports on Human Rights Practices for 1993* (1994).

[20] U.S. Department of State, *Country Reports on Human Rights Practices for 1997* (1998).

Criminal sanctions have also been sought against Jehovah's Witnesses for conducting religious services.[21] In addition, Jehovah's Witnesses have been jailed for their conscientious objection to military service, as no appropriate alternative civilian service exists.[22] Currently, there are 22 Jehovah's Witnesses in prison for conscientious objection. Eight Jehovah's Witnesses who had been jailed for refusing military service were released after serving a part of their sentence. They are still under arrest but are allowed to live at home on the condition they report regularly to local police.[23]

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[21] Felix Corley, *Armenia: Prosecutors Fail in Attempt to Imprison Jehovah's Witness*, Keston News Service, April 19, 2002.

[22] Geraldine Fagan, *Armenia: Conscientious Objector Sentenced As Others Freed*, Keston News Service, September 18, 2001.

[23] Information provided by the Jehovah's Witnesses.

AZERBAIJAN

Azerbaijan is the only Muslim country in the former Soviet Union where a nationalist, democratic movement, the Popular Front, ousted the Communist Party and came to power. But like Armenia, Azerbaijan has had to build an independent state in conditions of warfare, followed by an unresolved territorial conflict, while coping with huge numbers of refugees—officials generally claim one million; international organizations cite a figure closer to 700,000. The country's progress towards democracy has suffered accordingly, though the decisive factor in this regard has been the shrewdly authoritarian President Heydar Aliev.

After a rebellion by a warlord brought down President Abulfaz Elchibey and the Popular Front that governed from 1992–1993, former Communist Party boss Heydar Aliev returned to power. He signed a cease fire in the Nagorno-Karabakh conflict with Armenia, put down several attempted coups d'etat, eliminated armed groups, suppressed separatist movements, reestablished Baku's control of the rest of Azerbaijan, and methodically tightened his own grip on the country.

The political system Aliev has created features highly centralized, personalized, hands-on rule, replete with a cult of personality and constant positive coverage of the head of state in government-run media. He controls all branches of government and the state's instruments of coercion. Aliev tolerates organized political opposition, but within strictly-defined parameters. That is, opposition parties exist and function, publish newspapers and have some representation in parliament. But, they have little access to state media, which consistently portray them in the worst possible light, and their ability to influence the political process—not to speak of actual decision-making—is carefully restricted.

Aliev, desirous of being recognized as a democratic leader, maintains that under his rule, Azerbaijan is becoming a law-governed state. However, he gives every sign of trying to install his son Ilham as heir-successor, thus creating the first family dynasty in the former USSR. While Aliev is alive and in power, there is little reason to expect any more political reform than seen to date. His influence on Azerbaijan has been so overwhelming that his eventual departure will surely usher in major changes. How Azerbaijan develops in the post-Aliev era depends in large measure on whether chronically fractious opposition parties can mobilize society to resist Aliev's dynastic plans.

ELECTIONS

Abulfaz Elchibey's 1992 election as president garnered generally good grades.[1] Under Aliev, Azerbaijan's record has been consistently poor. Elections have been falsified to exclude opposition leaders from participation and to lower artificially their tallies at the polls, while inflating the results of the ruling party, Yeni Azerbaijan, which Aliev heads.

Thus, the 1995 parliamentary election, the 1998 presidential election, the 1999 local elections and the 2000 parliamentary election all failed to approximate OSCE standards. Council of Europe observers noted some improvement in the second round of the 1999 local elections, but the head of the ODIHR publicly described what he witnessed during the 2000 parliamentary election as "primitive falsification." Even the politically meaningless parliamentary bi-elections in April 2002, which the British Embassy monitored, were marred by rampant irregularities.

[1] His tally of only about 60 percent was quite "modern," by post-Soviet standards in the Caucasus.

The referendum held on August 24, 2002 on constitutional amendments offered opportunities for improvement, but ultimately repeated established patterns. Azerbaijani authorities rejected demands by opposition leaders, supported by the U.S. Government, for a postponement to provide more time to educate the electorate. According to official tallies, about 88 percent of eligible voters turned out, of whom over 96 percent voted in favor of reforms Aliev had proposed. Opposition parties blasted the results as ludicrous, claiming the voter participation had failed to meet minimum turnout requirements. On August 26, the U.S. State Department, noting widespread irregularities, said the referendum had not promoted Azerbaijan's democratization or helped lay the foundations for a fair presidential election in 2003.

Institutionalized election rigging in Azerbaijan has engendered widespread disillusionment and a corresponding loss of faith in the possibility to change or even influence the political system through the ballot box. Each election has confronted opposition parties with a dilemma: to participate in a contest they see as unfair or to boycott, and the decision-making process has exacerbated long-standing differences among them. Their virtual unanimity in agreeing to boycott the August 24 referendum was quite unusual.

PARLIAMENT

After two elections deemed unfair by the OSCE, Azerbaijan's Parliament is largely a tool for Aliev. Of 125 deputies, only a handful are members of the opposition, even fewer than in the previous (1995-2000) parliament. Opposition deputies have a forum for their positions but cannot influence the outcome of deliberations, much less veto or overturn any initiative clearly favored by Aliev.[2]

Generally, the legislature sanctions what Aliev has already decided to do. The most recent example relates to the August 24 referendum, which opposition parties voted to boycott after the authorities refused to agree to a series of conditions. Perhaps mindful of international criticism of the referendum's timing and modalities, Aliev called the already-recessed parliament into extraordinary session to debate the issue. The ultimate vote was 92 in favor, five against the referendum, indicating the relative strength of pro-Aliev and opposition forces. In another example, in June 2002, parliament passed (in the second reading) a constitutional amendment "On regulation of the exercise of human rights and freedoms," which opposition deputies slammed for "further extend[ing] [the] limitless plenary powers of law enforcement authorities" by a vote of 106 to seven.[3]

One of the proposed constitutional amendments in the August 2002 referendum concerned the transfer of power in case the president is incapacitated or leaves office. Whereas the 1995 constitution designated the speaker of parliament as the acting president, Aliev preferred to name the prime minister as second in line (leading to widespread expectation that he would select his son Ilham). Opposition deputies condemned the proposal, seeing it, *inter alia*, as intended to weaken the legislature further. But even more meaningful was the proposal to eliminate proportional voting, as opposed to a mixed system of 100 seats elected first-past-the-post and 25 from party lists. The opposition, which maintains that vote rigging is easier if there are no party lists, saw the move as an effort to make the parliament even easier for the executive to control. With the referendum's passage, proportional voting has now been eliminated.

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[2] Parliament has even limited its own oversight role. In June 2002, the legislature passed (by 107 votes) a law regulating its relationship with the Cabinet of Ministers. Speaker Murtuz Alesqerov said the cabinet is directly accountable to the Head of State; parliament may discuss budget policy, but does not have the right to "interfere" in the government's work or to evaluate its performance. *RFE/RL Newsline*, June 19, 2002.

[3] *Turan*, June 7, 2002.

FREEDOM OF ASSOCIATION

Freedom of association is restricted and inconsistently observed in Azerbaijan. The main opposition parties have been registered for years; some of them have been in the past or are now represented in parliament. However, other political parties have either not been registered or registered only after considerable delays.

For example, the Civic Unity Party, which backs former President Ayaz Mutalibov—who has been in Moscow since his 1992 flight from Baku—has not been registered.[4] The Ministry of National Security on July 26, 2002, claimed that six people, including Mutalibov, had tried to stage a coup. He has denied the accusation. The Azadlyq Party, which has been operating since 1996, has also not been registered.[5]

The Justice Ministry finally registered the opposition party Adalat on May 11, 2002; the party had submitted its documents in June 2001.[6] Two other parties—Modern Musavat and the National Unity Party—were registered in May 2002, having applied about a year earlier.[7]

Though numerous NGOs are registered, many are not. At a round table held in Baku on May 22, 2002, a participant noted that about 1,400 NGOs are registered in Azerbaijan, but some 1,200 organizations await registration. For example, in June 2002, a district court in Baku was slated to hear the lawsuit of the Association of Civil Culture Development against the Ministry of Justice. The Association was established in January 2000 but still is not registered.[8]

In March 2002, Azerbaijan's Parliament amended the law so as to require the registration of foreign donor grants with the authorities. International NGOs, fearing unwarranted intrusion by Azerbaijan's Government into the relations between themselves and Azerbaijani groups, strongly backed the campaign against the amendment mounted by Azerbaijani groups. Though parliament Speaker Alesqerov dismissed their concern, maintaining that Azerbaijan is "one of the most democratic countries in Europe," President Aliev ultimately declined to sign the measure.

MEDIA

Freedom of speech is inconsistently observed in Azerbaijan. Opposition newspapers denounce government policy, criticize Aliev's actions, and analyze intra-government discord and foreign policy. However, certain topics—especially criticism of Aliev himself or his family and allegations or implications about their finances—are likely to draw official attention.

Government-controlled publishing houses often refuse to print offending publications; courts fine media outlets or hand down jail terms to editors and journalists. Moreover, newspapers are too expensive for many people, who rely mostly on television for news. Only state TV and radio cover the entire country, and they are pro-Aliev. Space TV and ANS TV have carefully offered other perspectives, including interviews with opposition leaders, but more and more carefully and less and less often.

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[4] Mutalibov is widely seen as Moscow's man in the wings, waiting for Aliev's demise.

[5] On May 22, members of the party picketed the Justice Ministry to protest their lack of registration. *Turan*, May 22, 2002.

[6] *Assa-Irada*, May 11, 2002.

[7] *Assa-Irada*, May 10, 2002.

[8] Legal Education Society, The Human Rights Center of Azerbaijan, June 6, 2002.

In December 2001, President Aliev met with media representatives to hear their concerns. Subsequently, he signed an order which called, *inter alia*, for possibly freezing the debts of newspapers to the state-owned printing house for a one-year term and granting credits. Still, official harassment of independent media continues, with courts leveling heavy fines, media outlets closed and journalists threatened and assaulted.[9]

In addition to intimidation by the authorities, Azerbaijani print media, as elsewhere in the former USSR, face daunting economic obstacles, given high operating costs and paucity of advertising revenues. According to opposition sources, officials have bought up many newspapers over the last few years. They also claim that Aliev's offer to freeze the debts of newspapers was contingent on their "good" behavior.[10]

Some critical publications are perennially in trouble, such as the magazine *Monitor*, edited by Elmar Husseinov, who has had constant run-ins with the authorities. *Monitor* managed to issue only one edition on April 6, 2002, after which printing houses refused to print the magazine—the result, according to a widespread view, of government pressure. On August 7, the New York-based Committee to Protect Journalists wrote a public letter to Aliev, protesting the treatment of *Monitor* and documenting the long history of Husseinov's tribulations with officialdom.

Journalists risk physical reprisals for doing their job, such as covering demonstrations. On May 1, 2002, the RUH Union of Journalists provided the Ministry of Internal Affairs with videotape of policemen striking journalists during an April 27 opposition rally, demanding the officers be punished.[11] A reporter for the opposition newspaper *Yeni Musavat* was attacked on June 4 by two men who mentioned his unflattering references in print to Heydar Aliev's son Ilham.[12]

FREEDOM OF ASSEMBLY

Freedom of assembly is highly constrained in Azerbaijan. Authorities occasionally permit opposition demonstrations in Baku, as on May 4, 2002, but often do not. Policemen have beaten participants in unsanctioned rallies which have occasionally led to serious confrontations—as on April 27, 2002. Azerbaijani authorities often detain opposition leaders or keep them from leaving their party headquarters to attend rallies.[13]

Presumably recalling that mass rallies in the late 1980s and early 1990s precipitated the fall of the communist regime, the authorities ban large crowds in Azadlyq (Freedom) Square in downtown Baku, and offer instead locations such as a racetrack on the outskirts of the capital, or other points in the city. Opposition groups, citing the constitution's guarantee of freedom of assembly, have often insisted on meeting in Freedom Square—they have never received such permission, however.[14]

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[9] The RUH Committee to Protect the Rights of Journalists recorded over 25 legal actions against journalists and media outlets in 2000, with court fines totaling 803,500,000 manats ($175,593.) *Turan*, January 4, 2001.

[10] *Azerbaijan Democracy Monitor,* No. 02 (35), April 2002.

[11] *Sarq*, May 1, 2002.

[12] *RFE/RL Newsline*, June 5, 2002.

[13] *Turan,* April 26, 2002.

[14] *Zerkalo*, May 7, 2002. In April 2002, Baku authorities suggested alternative sites, provided that "mottoes directed against the statehood, independence and state attributes of Azerbaijan are not displayed." *Assa- Irada*, April 26, 2002.

The most serious recent clashes surrounding a demonstration took place on June 3-4, 2002 in Nardaran (near Baku). A month before, carloads of police were called in to prevent residents from protesting socio-economic and political grievances with the local administration. When numerous police officers entered Nardaran on June 4, one village resident was killed, and dozens, including policemen, were injured. In August, local elders held talks with officials, including the Minister of National Security and the Prosecutor General, demanding the release of those arrested; otherwise "mass actions" would ensue.[15] Azerbaijani authorities, claiming that Islamic and pro-Iranian sentiment has traditionally been strong in the village, accused outside forces of provoking the clashes and blamed the opposition for stoking the flames.

People who take part in unsanctioned demonstrations risk criminal prosecution. After the deeply flawed November 2000 parliamentary elections, protests broke out in various cities. In Shekhi, police reportedly beat and detained hundreds; 27 Shekhi demonstrators were sentenced in July 2001 to jail terms of four to six years. In February 2002, police stormed the Society of Karabakh Invalids, whose members (disabled Karabakh war veterans) had begun a hunger strike for pension increases; they reportedly beat men on crutches and in wheelchairs. In July 2002, 15 veterans received jail sentences ranging up to six years.

FREEDOM OF RELIGION

Generally, Azerbaijan's record on religious freedom has been fairly good and, especially in the first half of the 1990s, religious groups operated with relative ease. For example, Jehovah's Witnesses, who have not been registered in neighboring Armenia or Georgia, have been functioning throughout Azerbaijan.

In 1996, the authorities began introducing restrictions on religious associations.[16] Concern over the influence of neighboring Iran igniting extremist groups in mostly Shi'a Azerbaijan prompted the creation of the Directorate of Caucasus Muslims, which subordinated all Muslim groups under its control. Furthermore, four mandatory campaigns to register and reregister religious confessions have taken place, each time reducing the number of officially recognized groups. The registration process, run by the Religious Affairs Department until the creation in 2001 of the State Committee for Work with Religious Associations, is non-transparent and subject to arbitrary decisions.[17] In addition to registration issues, women are often not permitted to wear head scarfs in universities and institutes.[18]

The importation of religious literature has faced significant bureaucratic delays. Azerbaijan's authorities have also liquidated churches and deported foreigners for spreading "religious propaganda."[19] In addition, authorities internally deported Vahid Nagiev, pastor of a Seventh Day Adventist Church, and his family, from Nakhichevan, citing an alleged terrorist threat. Also, the liquidation of the Love Baptist Church for statements allegedly made by the pastor was excessive and out of step with Azerbaijan's OSCE commitments. Authorities have justified other raids on churches because they lacked state registration; in one instance, leaders were jailed for two weeks. A Russian co-religionist of a Baku protestant church was also forcibly deported for spreading "religious propaganda."

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[15] *Hurriyyat*, August 7, 2002.

[16] U.S. Department of State, *Country Reports on Human Rights Practices for 1996* (1997).

[17] Liz Fuller, *Azerbaijan Moves to Impose Tighter Control over Religious Organizations*, Eurasianet.org, August 27, 2001.

[18] Zarema Velikhanova, *Muslim Girls Challenge the State,* Institute on War and Peace Reporting, May 31, 2002.

[19] Felix Corley, *Special Report - Azerbaijan: Religious Liberty Before the Papal Visit*, Keston News Service, May 9, 2002.

POLITICAL PRISONERS

Azerbaijani authorities deny anyone is in jail for political reasons; nevertheless, most human rights organizations contend many people are. However, the figures submitted by various sources have ranged from approximately 50 to hundreds. For this reason, it has proved conceptually controversial, politically sensitive and practically impossible over the years to compile a list of political prisoners accepted by all human rights groups and opposition political parties.

Azerbaijan's January 2001 admission to the Council of Europe was contingent *inter alia* on resolving the problem of political prisoners, and the Council has pressured Baku to reexamine prisoners' cases or simply to release them. Throughout 2001, there were periodic amnesties.[20] Meanwhile, the Council's rapporteurs eventually compiled a list of 716 names, based on information provided by Azerbaijani human rights organizations.

On May 14, 2002, President Aliev's Chief of Staff told reporters most of those on the list had been pardoned. The most controversial among those still in prison are: Rahim Gaziev, Minister of Defense under the Popular Front government (1992-1993); Alikram Hummatov, who during the same period led a Talysh separatist movement in southern Azerbaijan; and Iskander Hamidov, Minister of Internal Affairs for the Popular Front. Due to pressure by the Council of Europe, as of midsummer 2002, all three are being retried. On August 8, an official told reporters that 450 of the 716 individuals on the Council's list had been amnestied; the remaining cases were being "studied."[21]

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[20] According to Azerbaijani officials, since 1995 President Heydar Aliyev has signed 27 amnesty decrees, freeing 2,700 prisoners. *525 Qazet*, June 4, 2002. On August 8, *Turan* reported the number was approaching 3,000.

[21] *Turan*, August 8, 2002. The Council of Europe's engagement in the political prisoner issue in Azerbaijan has not been without serious tension: Azerbaijani officials have accused a Council rapporteur, Andreas Gross, of anti-Azerbaijani prejudice, and some have refused to meet with him.

BELARUS

When measured against other European countries, the state of human rights and democracy in Belarus is abysmal, bearing closer resemblance to some of the countries of Central Asia. Compliance with OSCE commitments is poor and has deteriorated steadily since the mid-1990s. Belarus stands out from many post-Soviet states in that its record with respect to human rights and democracy in the immediate post-independence period indicated measured progress, but underwent a dramatic reversal following the 1994 election of authoritarian leader Alyaksandr Lukashenka. Most significantly, the November 1996 illegal and unconstitutional referendum enabled him to impose a new constitution, abolish the duly elected parliament (the 13th Supreme Soviet) and replace it with a rubber-stamp legislature, and extend his own term of office to 2001.

Belarus, a country of ten million people strategically located in the heart of eastern Europe, has an old, rich and often calamitous history. Over the course of the last century, the people of Belarus suffered profoundly the horrors of both Nazi and Soviet domination. The 1986 Chornobyl explosion also resulted in severe consequences, as Belarus was hard hit by this nuclear disaster. The legacy of hundreds of years of russification left its mark as well, and Belarus emerged independent in 1991 with a weaker sense of national (read: Belarusian) identity than other former Soviet subjects such as the Baltic nations or Ukraine. While national self-awareness was relatively weak, some degree of popular discontent was stirred up by Moscow's incompetence in dealing with the Chornobyl crisis and by the unearthing of mass graves of Stalin's victims at Kuropaty near the capital of Miensk.

INDEPENDENCE: THE BEGINNINGS OF PROGRESS

The independence of Belarus was restored *de jure* in December 1991, and subsequently Belarus removed nuclear weapons from its territory. During the first few years of independence, Belarus started economic liberalization and structural reforms, but, like other post-Soviet countries, suffered economic decline and growing corruption. Chairman of the Supreme Soviet (at that time, the Head of State) Stanislau Shushkevych, tried to walk a narrow line between the small opposition Belarusian Popular Front, which strongly favored independent statehood and economic reform, on one side and appeasing the pro-Russian parliamentary majority on the other. Shushkevych was removed from his chairmanship by the parliament in January 1994.

Thereupon, the government of Prime Minister Vyacheslau Kebich proceeded to move forward with a projected "economic union" with Russia. Shushkevych's dismissal energized reform elements to organize strike committees throughout Belarus and a demonstration in Miensk in February 1994 to demand the government's resignation and new parliamentary elections. Public discontent with the deteriorating economy made it difficult to delay a presidential election and by March, parliament voted to create the post of president, and shortly afterwards, a new constitution. For all the growing discontent, most observers expected Prime Minister Kebich—supported by *nomenklatura* influence and the predominantly conservative populace—to emerge victorious in the July 1994 presidential election. Nevertheless, he was defeated by Alyaksandr Lukashenka, a populist, anti-corruption crusader with "simple solutions to complex problems." With his election in a second round of balloting, the reversal of even limited progress began. Lukashenka's election interrupted the transformation to a market economy, as he began to centralize all authority in the executive and took steps which hampered economic development.

During the early, pre-Lukashenka years, the human rights picture was mixed. Little progress was made on political reform, but the government did not attempt to suppress political activity. Most of the press remained subsidized by the government or, at the very least, used state-run printing facilities. There were occasional attempts by the authorities to shut down several newspapers and radio programs. In contrast to the Soviet era, freedom of religion was generally observed, although bureaucratic impediments remained. Freedom of assembly was relatively unhampered and public demonstrations occurred frequently. Political parties were allowed to function freely, as were various national minority and professional organizations.

LUKASHENKA TAKES POWER AND 1996 CONSTITUTIONAL REFERENDUM

Since his election in July 1994 to a 5-year term as the country's first president, Alyaksandr Lukashenka has steadily consolidated power in the executive branch through authoritarian means. He used a non-democratic referendum in November 1996 to amend the 1994 Constitution in order to broaden his powers and illegally extend his term in office. Parliamentary elections in May 1995 failed to elect enough members for a quorum, but repeat elections held that December seated enough new members for the 13th Supreme Soviet to begin deliberations in early 1996. Although the 1994 Constitution provided that the old parliament retain its competency until replaced, Lukashenka deemed it as illegitimate and refused to work with its members, and the frequency and scope of his decrees increased as the year progressed. A number of these decrees served to limit the activity of political parties and access to the media. Governmental restrictions on the freedoms of speech and press, peaceful assembly, religious activity and movement all increased. Assaults against the opposition became more common.

In April 1995, 16 hunger-striking parliamentarians were beaten by masked special security forces as they were forcibly ejected from the parliament. Following a May referendum, in which the flag and national emblem (Pahonia) were changed to resemble those of the Soviet era, individuals began to be harassed for displaying the old national symbols. At the same time, Lukashenka embarked on a policy of re-Russification—which has continued to this day—following the brief, partial renaissance of Belarusian language and culture in the immediate post-independence years. That year Lukashenka signed a decree ordering schools to return to Soviet-era textbooks. According to the U.S. Department of State's annual *Country Reports on Human Rights Practices in 1995*: "The government's human rights record worsened markedly as Belarus turned back to Soviet-era authoritarian practices."

Indeed, 1995 set the tone for the following years, when the human rights and democracy record deteriorated further. Throughout 1995 and 1996, Lukashenka largely ignored Constitutional Court rulings which pronounced various presidential decrees unconstitutional. In November 1996, fearing the presidential impeachment campaign launched by the Supreme Soviet in the wake of his numerous violations of the Constitution, Lukashenka conducted a referendum calling for an amendment to the Constitution which would broaden his own powers, ignoring the Constitutional Court's ruling that the Constitution could not be amended by referendum. The referendum, riddled with violations of democratic norms, was not recognized as legitimate by the international community, with the notable exception of the Russian Federation. This illegitimate referendum extended Lukashenka's personal power and his term of office by two years, disbanded the duly-elected 13th Supreme Soviet and created a new legislature and constitutional court subservient to him. The new bicameral legislature was not elected directly, but was created out of remnants of the 13th Supreme Soviet through a combination of volunteers, as well as presidential appointments, regional council elections, and some who were pressured to join. The 1996 referendum has been de-

scribed as a "legal Chornobyl" and a coup-d'etat in which "political processes lost all semblance of constitutionality and legality."[1] This created a constitutional and political crisis in Belarus which continues to the present day.

ILLEGITIMATE REFERENDUM: THE AFTERMATH

In the aftermath of the illegitimate 1996 referendum, the human rights climate continued to deteriorate. The Lukashenka regime hampered freedom of the media by tightly controlling the use of national television and radio, administrative and economic measures were used to cripple the independent media, and NGOs and the political opposition were targeted for repression, including imprisonment, detention, fines and various forms of intimidation and harassment.

The regime sought to repress civil society by restricting freedom of assembly and association. Peaceful protests were often violently suppressed, most notably at the massive October 1999 Freedom March and at a mass demonstration in March 2000, in which hundreds of opposition activists were detained following a peaceful rally. Police clubbed protesters with night sticks, hitting journalists and sending armored cars into central Miensk.

A restrictive law required NGOs, political parties and trade unions to re-register. Some were disbanded. The independence of the judiciary has further eroded, especially as Lukashenka alone controlled judicial appointments, and legislative power was decidedly concentrated in the executive branch.

A new low in Belarus was reached in 1999. Early that year, the disbanded 13th Supreme Soviet set May 16 as the date for the next presidential election and established an electoral commission, since the democratically adopted 1994 Constitution recognized July 1999 as the end of Lukashenka's term of office. Lukashenka took actions to neutralize the opposition and thwart the election process, including the imprisonment of the leading presidential candidate, former Prime Minister Mihail Chygir, and Viktor Gonchar, Head of the Central Election Commission (CEC). While the CEC appointed by the opposition concluded that the final results of the voting were invalidated by various violations and impediments placed by Belarusian authorities, the ballot served as an important barometer of democratic engagement by the citizens of Belarus. In the months leading up to the election, Lukashenka had imprisoned Chygir on what were clearly politically motivated charges, arrested hundreds of election officials and volunteers, and instituted administrative proceedings against others.

THE 2000 PARLIAMENTARY ELECTIONS

The expiration of Lukashenka's legitimate term of office, continuing human rights violations, and the disappearance of several prominent opposition figures—former Interior Minister Yuri Zakharenka, Viktor Gonchar, and Anatoly Krasovsky—provided a disturbing backdrop to the October 2000 parliamentary elections—the first since the illegal referendum of 1996.

Attempts by the OSCE Advisory and Monitoring Group to facilitate a dialogue between Lukashenka and the opposition with the view of ending the constitutional crisis went nowhere, thwarted by Lukashenka's intransigence.

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[1] Testimony of Anatol Lebedka, Commission on Security and Cooperation in Europe hearing "Belarus at the Crossroads", March 2000, p. 19.

In April 2000, the OSCE set four criteria for international recognition of parliamentary elections to be held on October 15: respect for human rights and an end to the climate of fear; opposition access to the state media; a democratic electoral code; and the granting of real power to the new parliament. Regrettably, the Lukashenka regime responded with at best halfhearted measures aimed at giving the appearance of progress while keeping democracy in check. Instead of using the electoral process to return Belarus to the path of democracy and end that country's self-isolation, Lukashenka further tightened his grip on power, launching an intensified campaign of harassment against the democratic opposition and fledgling independent media. The Lukashenka regime denied registration to many opposition candidates on highly questionable grounds; detained, fined, or beat over 100 individuals advocating a boycott of the elections; burglarized the headquarters of an opposition party; and confiscated 100,000 copies of an independent newspaper. Accordingly, a technical assessment team dispatched by the OSCE concluded that the October 15, 2000 parliamentary elections "fell short of meeting minimum commitments for free, fair, equal accountable, and transparent elections."

MISSED OPPORTUNITY: THE 2001 PRESIDENTIAL ELECTIONS

Any hopes for change in the lead up to the September 9, 2001 presidential election were dashed, despite vigorous efforts by the international community, and especially the OSCE, to encourage compliance with the four election-related conditions set by the OSCE Troika in 2000. The U.S. State Department concluded that "the regime committed widespread human and civil rights violations, including physical mistreatment of opponents, manipulation of the regime-dominated mass media, intimidation of election observers, and manipulation of the vote count.[2] The dominant state-owned media outlets were overwhelmingly biased in favor of Lukashenka, and the Belarusian authorities did everything they could to thwart the opposition, including ruling by decree, failing to guarantee the independence of the election administration, and allowing abuses in "early voting." In addition, unprecedented obstacles erected by the authorities impeded normal long-term observation of the election, while Lukashenka lashed out with vitriolic threats against OSCE mission head Ambassador Hans-Georg Wieck and U.S. Ambassador Mike Kozak in the closing days of the campaign.

Furthermore, in the summer of 2001, two former investigators in the Belarusian Office of the Prosecutor made public allegations that senior officials had organized a death squad to liquidate opponents of the regime. Later, other officials, including the warden of Belarus' death row prison, confirmed the existence of the Ministry of Interior death squad unit allegedly responsible for a series of politically motivated murders. According to the former investigators, the death squad, which was sanctioned by senior regime officials, was responsible for the disappearances and murders of 13th Supreme Soviet Vice-Chairman Viktor Gonchar and his associate Anatoly Krasovsky, and former Minister of Internal Affairs Yury Zakharenka, all of whom disappeared in 1999. Russian ORT Television cameraman Dmitry Zavadsky disappeared in 2000. The U.S. State Department noted the credible and detailed revelations made by the Belarusian investigators and stated that they took these allegations very seriously. The Belarusian authorities have not yet provided an accounting of the whereabouts of these individuals.

FREEDOM OF RELIGION

The majority of the population adheres nominally to the Russian Orthodox Church, as members of the Roman Catholic Church were persecuted during the Soviet period. Catholics, Jews, Protestants and other faiths comprise roughly 15-20% of the population today. The 1996 amendment to the Constitution

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[2] U.S. Department of State, *Country Reports on Human Rights Practices for 2001* (2002).

authorized the government to regulate religious organizations, and a highly restrictive religion law passed in Fall 2002 would provide for even greater government control. In addition, the government favors the Russian Orthodox Church as part of a broader strategy to promote "Slavic unity" in the region and greater political unification between Belarus and Russia.

An increase in harassment towards minority religious groups by state authorities has occurred in recent years, with leaders being arrested and detained temporarily. Several religious communities have been denied registration, thus making it very difficult to rent or purchase property to conduct religious services. Adding to an already difficult situation, the 2002 law makes illegal unapproved religious activity and religious communities with fewer than 20 members, while placing sharp limitations on religious meetings conducted in private homes.

In addition, the government has demonstrated that crimes against minority religious groups will not be vigorously pursued, as demonstrated with several incidents, including the December 2000 firebombing of a Miensk synagogue and the 2002 demolition of an Autocephalous Orthodox Church in the village of Pahranichny in Hrodono oblast. State-run media has also increased its attacks on minority faiths.

SITUATION TODAY: STATUS QUO

The status quo in Belarus has essentially prevailed since the illegitimate 1996 referendum. The regime's human rights record remains poor. The legislative branch is largely limited in its powers. The judiciary is not independent and, with few exceptions, is unable to act as a check on the all-powerful executive branch. Prosecutors are also not independent. Police abuses against detainees, arbitrary arrests and detentions are problems. The executive, under the heavy-handed rule of Lukashenka, continues to acts in an unrestrained manner, accountable to no one. The regime refuses to conduct an investigation in the 1999–2000 disappearances of political opponents in which it is implicated, and it remains complicit in the reported supplying of weapons and military training to Iraq. Furthermore, it engenders its self-isolation by its noncooperative attitude with the OSCE, best exemplified by its de facto closure of the OSCE Assistance and Monitoring Group in Belarus in 2002.

Civil society remains weak as a result of restrictions imposed by the government and harassment of NGOs. The authorities continue their relentless assault against NGOs and the independent media, using civil and criminal defamation laws to muzzle journalists or newspapers. Despite the stifling climate, however, civil society, especially in the pre-presidential election period exhibited considerable activity and democratic development.

GEORGIA

Georgia has experienced much instability since the Soviet Union collapsed. The ouster of the country's first democratically elected, controversial president, Zviad Gamsakhurdia, in late 1991 ushered in a period of rampant lawlessness bordering on anarchy. In March 1992, former Georgian Communist Party boss and Soviet Foreign Minister Eduard Shevardnadze returned home, with an international reputation for helping to liberalize the Soviet Union and end the Cold War. It took him several years to restore some normalcy in the country and regain his undisputed leadership position. Shevardnadze promoted pro-Western, reformist lawmakers in the party he created, the Citizen's Union of Georgia (CUG). Their prominence, plus progress in media freedom and the growth of civil society, as well as Shevardnadze's reformist impulses and rhetoric, seemed to promise a bright future. Bolstered by Western capitals, Shevardnadze talked about joining NATO while counting on transit fees from the planned Baku-Tbilisi-Ceyhan oil pipeline.

Today, many of those hopes have dissipated or seem questionable. Shevardnadze's perennial balancing between the contending forces of change and stasis has doomed reform efforts, already jeopardized by pervasive corruption. The public has lost faith in the country's leadership, in politics in general, and grown ever angrier about continuing hardships while a tiny stratum of officials and people with close ties to Shevardnadze grow wealthy.

Tbilisi also faces unremitting pressure from Russia, resentful of Georgia's pro-Western stance and ambitions. Many Russian officials, including President Vladimir Putin, reportedly loathe Shevardnadze—who has survived several assassination attempts—and Moscow has connived in Georgia's effective dismemberment. Tbilisi must cope with the consequences of defeat in two territorial conflicts and with some 250,000 refugees from Abkhazia. That former autonomous republic, after a war in which volunteers from Russia and Russian forces fought against Georgia, is no longer under Tbilisi's jurisdiction. Neither is South Ossetia or Ajaria, which is run by a regional boss with close ties to Russian military and economic circles. In both Russo-Chechen wars, Moscow has accused Georgia of failing to fight Chechen "terrorism." Russian planes have invaded Georgian airspace and bombed Georgian territory, and Russian officials and generals regularly threaten unilateral operations inside Georgia.[1]

To judge by the results of the June 2002 local elections, Shevardnadze's popularity has mostly vanished. Georgia's territorial integrity remains violated, the economy lurches from crisis to crisis, and Shevardnadze's bet on a team of young reformers has ended with their denunciation of his unwillingness to address corruption. With the field more open than ever before and the outcome less predictable, all parties and factions are preparing for the 2003 parliamentary elections, with an eye on the 2005 presidential contest—when Shevardnadze, who has traded on his indispensability for years, will be precluded from running.

ELECTIONS

Georgia's record on elections is mixed, though the trends are not promising. In 1995, Eduard Shevardnadze was elected president and his party, the CUG, won a majority in parliament. The OSCE's ODIHR and the OSCE Parliamentary Assembly saw the contest as generally fair, despite the arrest of some opposition candidates and other types of chicanery. ODIHR called the election "a major step forward."

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[1] Vladimir Socor, "No 'Secret Protocol' Over Georgia," *The Wall Street Journal Europe*, August 9-11, 2002.

In the tensely-fought 1999 parliamentary election, there was some intimidation and violence during the campaign and on election day. The CUG dominated election commissions at all levels and enjoyed preferential treatment in the electronic and state-owned newspapers. Charges of fraud dogged the election and only 13 of 19 members of the Central Election Commission (CEC) signed the document announcing the results. The ODIHR saw the election as "a step towards" meeting OSCE commitments.

The most heavily criticized contest was the November 2000 presidential election, in which Shevardnadze, already increasingly unpopular, was reelected by an implausible 78 percent. Even his closest supporters in parliament conceded at the time that the figure was substantially inflated, and blamed local officials for trying to curry favor with the president.

By the June 2002 local elections, the political landscape had changed fundamentally: the CUG had split, the contending factions submitted separate lists of candidates, and Shevardnadze's former allies were campaigning against him. The CUG was barred from fielding a party list when a Tbilisi court suspended the party's registration. Former Speaker Zurab Zhvania, now in opposition to Shevardnadze, accused the authorities of manipulating the CEC and the judicial system to prevent him from taking part in the elections. The vote itself was marred by irregularities. Balloting was declared invalid in Zugdidi and Khashuri (western Georgia) and in Rustavi where armed men attacked a van and stole some 40,000 ballots. The head of the Council of Europe's observer delegation concluded: "The democratic process under way in Georgia does not live up to the expectations of its people, who definitely deserve more."[2]

The results of the election, however flawed, clearly indicated how Shevardnadze's star has fallen: the pro-presidential CUG (which was eventually allowed to field a party list) did not break the four-percent threshold, whereas the opposition National Movement-Democratic Forum and the Labor Party both did well.

The breakaway statelets of Abkhazia and South Ossetia do not participate in Georgian elections. Ajaria, the Black Sea fiefdom of autocrat Aslan Abashidze, usually does but elections have a Central Asian character. In June 2002, for example, according to official tallies, Abashidze's son was reelected as mayor of Batumi with 96 percent. Abashidze's party Revival won 94 percent and all 35 of the town council seats. Abashidze often does not permit international observers to monitor voting and in June 2002, barred the Washington-based National Democratic Institute for International Affairs.[3]

Parliamentary elections scheduled for 2003 are widely seen as a barometer of Georgia's future transfer of power when Shevardnadze leaves office in 2005. With the stakes so high, the contending parties will doubtless do everything possible to improve their chances. The contest will also demonstrate whether Georgia's worsening election record will turn around or become further mired in a pattern of manipulation and fraud.

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[2] Prime-News news agency, June 3, 2002.

[3] Georgian Television, June 17, 2002.

PARLIAMENT

Opposition parties have been consistently represented in parliament. Shevardnadze's CUG won a majority in the 1995 parliamentary election, and Shevardnadze protege Zurab Zhvania became speaker, a post he held until late 2001. Other parties to break the five-percent threshold were the opposition All-Georgian Revival Union, headed by Aslan Abashidze, and the National-Democratic Party which criticized but often cooperated with Shevardnadze.

The 1999 parliamentary election was billed as a contest for Georgia's future between the pro-Western CUG and the pro-Russian Revival Union. With the barrier for parties raised from five to seven percent of the vote, the CUG won about 42 percent; Revival Union and Industry Will Save Georgia also made it into parliament. Revival Union continued its oppositionist stance but could not block CUG initiatives.

Supportive of and backed by Shevardnadze, the CUG gradually turned into a "ruling party" and, under Zhvania's strong leadership, parliament became an institution to be reckoned with, though Zhvania and his allies generally promoted Shevardnadze's agenda. But the CUG's cohesion was more apparent than real. Uniting pro-Western reformers and Shevardnadze's communist-era cronies who sought to impede systemic reform, the party survived as long as its component parts and individual leaders thought their chances to achieve policy success and/or win popularity were greater by staying in the party than by leaving.

In fall 2001, after Shevardnadze left the CUG, the party finally sundered, as Zhvania and other erstwhile Shevardnadze allies broke with their mentor and went into open opposition.[4] As a result, there is today no ruling or even dominant party in parliament, which is composed of 14 groups. The correlation of forces within the body and the nature of the relationship between the executive and legislative branches have become difficult to ascertain. The parliamentary elections slated for 2003, it is hoped, will bring some clarity to the situation.

FREEDOM OF ASSEMBLY

Generally, officials respond positively to requests to stage a demonstration. However, confrontations have occurred between police and supporters of the late President Zviad Gamsakhurdia, often called "Zviadists." Though their movement is split into numerous groups, many have never accepted Eduard Shevardnadze as Georgia's president, and they sometimes hold rallies demanding his resignation. In May 2001, for example, police and "Zviadists" clashed in Tbilisi and the police dispersed the participants.[5]

FREEDOM OF ASSOCIATION

No political parties are banned in Georgia; indeed, observers have long maintained there are too many parties for a population of about 5 million. Those registered include several communist parties and the Stalin Party, headed by the late dictator's grandson.

Perhaps more important and indicative as a sign of a developing civil society, NGOs have sprouted, acquiring in the process growing political clout and significance. In fact, so influential have NGOs become that Shevardnadze has launched a campaign against them. On April 24, 2002, he claimed, perhaps in jest, that Georgian NGOs may be supported by international terrorists[!]

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[4] Mikheil Saakashvili, who had left parliament to become Minister of Justice, resigned in September 2001, complaining of the impossibility of coping with pervasive corruption.

[5] U.S. Department of State, *Country Reports on Human Rights Practices for 2001* (2002).

Shevardnadze's remarks followed his September 2001 call for closer government control of financial grants to NGOs. He was apparently discomfited by the ability of these organizations not only to collect and disseminate information but to constitute a check on Shevardnadze and his government while placing them in an embarrassing position. For example, some NGOs submitted their own report to the UN Human Rights Commission, while investigation by others has led to the resignation of top officials for tax evasion. As Georgian bureaucrats do not control NGO grants, which limits the ability to threaten their funding, Shevardnadze ordered the Finance Ministry to prepare a draft law on "grants and humanitarian assistance." He also sought to levy a "symbolic" 0.2 percent profit tax on NGOs, which would effectively remove their nonprofit status. Inspectors would also be able to check their financial operations and the contents of project proposals.

Then-Finance Minister Zurab Nogaideli refused to comply. After he accused the executive branch of trying to "violate the principles of democracy" in its attempts to control NGO activity, Shevardnadze dismissed him.[6]

On May 20, 2002, a group of Georgian NGOs released a statement expressing their "deepest concern regarding the recently launched wide-scale attack on democratic values and institutions that could lead the country to the autocratic governance or bring it [to] insurrection and violence." They continued that officials had characterized NGO activities like [the] "dissemination of information about human rights violations among [the] international community, criticism towards the President and the Government, and fight against corruption" as "betrayal of [the] homeland" and "actions directed against the national interests." Some officials had called for opening criminal cases against NGOs for an "attempted coup d'etat." The NGOs concluded that "statements and actions of the President, inhibitions on free media, non-governmental organizations, political opposition and religious minorities [and] cultivation of violence in the public life constitute a gross violation of the Constitution of Georgia and is pointing to the new policy of the Government, that is the policy of refusal of democracy."

On July 10, 2002, a group of thugs attacked the Liberty Institute, Georgia's leading human rights organization, which has often angered officials with its exposés of malfeasance and defense of persecuted minorities. Georgian NGOs and human rights activists saw the raid as the latest in a series of threats against the non-governmental sector. To add insult to injury, on July 25 a Tbilisi district court conditionally freed the only man apprehended for participating in the attack. The suspect, a member of the extremist Orthodox group Jvari ("Cross"] had confessed, saying he had wanted to punish those who were defending "members of sects, enemies of the Georgian church."[7]

FREEDOM OF SPEECH

Freedom of speech has made impressive strides in Georgia. Various political parties publish newspapers which discuss virtually all subjects—not always responsibly—including allegations and rumors about high-level corruption. As elsewhere in the former Soviet Union, journalists complain about official refusal to provide information. Also common is the charge that provincial papers are under greater pressure from local officials than big-city media outlets.

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[6] Jaba Devdariani, "Civil Society Builds Terror in Shevardnadze's Mind," posted on *TOL Wire* on May 10, 2002.

[7] Sozar Subari, "Georgia: Attack Inquiry under Fire," *IWPR'S Caucasus Reporting Service*, No. 139, July 26, 2002.

Given the precipitous decline in living standards in Georgia, many people cannot afford to buy newspapers and get most of their news from TV. One of the most telling achievements of Georgian democratization has been the emergence of Rustavi-2, an independent TV station which features hard-hitting exposés of official corruption, especially on the live weekly broadcast "Sixty Minutes." For example, on June 23, 2002, the show accused the head of the Interior Ministry's anti-drug department of selling drugs in his own office through a go-between, basing the charge on videotape secretly made by the station.[8] The station has also reported on financial links between Shevardnadze's family and state institutions.

Rustavi-2 and its staff have often reported warnings and official pressure. Lead reporter Akaki Gogichaishvili claims he has received anonymous death threats, including one in June 2000 from the Prosecutor General's office.[9] But Rustavi-2 can claim credit for inspiring otherwise disillusioned and apathetic Georgians to an historic act of defiance. In November 2001, the authorities tried to pressure the station by sending in the tax inspectors. The transparent, provocative ploy backfired: thousands of angry street protesters congregated to defend Rustavi-2, calling for the resignation of government leaders. The weakened and unpopular Shevardnadze was forced to accept the resignations of the official who had ordered the raid and the Minister of Internal Affairs, whom he had strongly defended; he then sacked the entire Cabinet.

The outpouring of popular support for the independent TV station showed how much Georgians had become attached to freedom of speech, how much independent TV can shed light on official behavior and executive privilege, and that Georgians can still be mobilized to defend their rights. According to the station's Gogichaishvili, however, Rustavi-2's reports have not been able to effect systemic change or even stir Shevardnadze to punish official misdeeds: "During all the years of the fight against corruption, there has not been a single person who has been charged or jailed."[10]

FREEDOM OF RELIGION

Georgia has one of the worst records on freedom of religion of all the former Soviet republics. Though Georgians take pride in their traditions of tolerance and Russian Orthodox believers, Jews and Muslims have long lived in relative harmony, the advent of nontraditional, actively proselytizing religions has sparked a virtually proto-fascist movement of Georgian Orthodox fanatics. Since 1999, they have engaged in a wave of violent assaults against minority religions, including Baptists and Catholics, but especially Jehovah's Witnesses. Georgia's authorities, including President Shevardnadze, are well aware of the problem and the international community's concern and outrage. Nevertheless, none of the perpetrators of these attacks has been arrested or brought to justice.

Basil Mkalavishvili, a defrocked Georgian Orthodox priest who has led the campaign of assaults, was finally charged in September 2001 with several crimes, as was his leading accomplice. However, since January 2002, at least seven attempts to try him have failed. Hordes of supporters have invaded the courtroom, intimidating the witnesses who naturally are reluctant to testify under such circumstances. The Ministry of Internal Affairs, though responsible for maintaining law and order, has done nothing to ensure that the trials can proceed.

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[8] Rustavi-2 TV, June 23, 2002.

[9] Robyn Dixon, "Fraud Goes Through (Mansion) Roof, Georgians Say," *Los Angeles Times*, April 26, 2002. On May 14, 2002, someone fired a shot at the station's building—again. Rustavi-2 TV, May 14, 2002.

[10] Robyn Dixon, "Fraud Goes Through (Mansion) Roof, Georgians Say," *Los Angeles Times*, April 26, 2002.

Against the background of religious violence, lobbying by the Georgian Orthodox Church, and Shevardnadze's pledge that legislation will remove the causes of the assaults, pressure has intensified to pass a law on religion—which Georgia, alone among the former Soviet republics, has not yet adopted. However, the latest drafts have evoked concern among non-Orthodox confessions, which fear restrictions on their ability to preach their faith to others or to engage in charitable activity.[11] In addition, the Georgian Orthodox Church and President Shevardnadze signed a concordat, concretizing the church's relationship to the state and giving the church unequaled rights and benefits.

Shevardnadze on May 17, 2002, issued a decree on "Measures Strengthening Protection of Human Rights in Georgia." He specifically instructed the Procuracy, the Ministry of Justice and the Ministry of Internal Affairs to "take corresponding measures to ensure the implementation of freedom of thought, conscience, religion and belief, [to] investigate and submit to the court every act of violence committed against religious minorities in order to have the perpetrators punished; [and] conduct training of personnel in the field of human rights, including the matter of inadmissibility of religion-based intolerance." Two days later, Shevardnadze followed up his decree with an article published in the local press, in which he said, *inter alia*: "I condemn religious extremism and any kind of violence originating from a religious background, which is unacceptable for any civilised society."[12]

The decree was the second he had issued in the last few years along similar lines—with no noticeable impact. While Shevardnadze's rhetoric has been almost impeccable, his follow-through has been invisible.

The campaign against religious minorities and apparent immunity of the perpetrators have shown that people can break the law in Georgia—if they hold the right office or have the right patron. Basil Mkalavishvili's rampages signal the creeping triumph of mob rule in Georgia. The failure of the country's law enforcement agencies to place Mkalavishvili in custody and the inability of the legal system to try him indicate a systemic breakdown. The July 20, 2002 attack on the Liberty Institute, which has stoutly defended Jehovah's Witnesses and other minority religions, demonstrates that not only nontraditional faiths are in danger in Georgia—civil society itself is at risk.

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[11] Felix Corley, "Serious Concerns over Draft Religion Law," *Keston News Service*, July 9, 2002.

[12] Cited in Felix Corley, "Georgia: Religious Minority Leaders Condemn Religious Violence—Again," *Keston News Service*, July 8, 2002.

KAZAKHSTAN

In the early 1990s, Kazakhstan seemed to be building a democratic state with societal input into decision making and relative freedom of speech. Ten years after the country's accession to OSCE, however, President Nursultan Nazarbaev gives every indication of intending to remain in office for life, manipulating, rigging or canceling elections and making use of referenda to extend his tenure in office. He has managed to keep the legislative and judicial branches well in hand, while not permitting any alternative sources of power to emerge, and turning energy- and resource-rich Kazakhstan into a virtual family-owned enterprise. Meanwhile, the possibilities for opposition political activity or speaking one's mind have narrowed and become increasingly dangerous.[1]

Nazarbaev has not eliminated opposition entirely, as in Uzbekistan and Turkmenistan, but he has kept opposition representation in parliament too small to defy his initiatives and limited the opposition's ability to work with the public. Because normal politics – the ability to contest for power or to hope for redress of grievances through the impartial administration of justice have become impossible in Kazakhstan, an important locus of opposition political activity has gone outside the country: former Prime Minister Akezhan Kazhegeldin, whom Nazarbaev has accused of corruption and who cannot safely return home, has conducted a campaign of international lobbying, providing information about Nazarbaev and his method of ruling to Western governments, parliaments and media. These efforts have helped uncover allegations of corruption, which Nazarbaev has sought to stifle inside Kazakhstan through his control of the media.

In late 2001, Nazarbaev's system suffered several new blows: an open rupture between the president and his powerful son-in-law signaled intra-family discord, perhaps over succession issues. At the same time, a group of high-level officials also broke with Nazarbaev, launching an attempt at elite opposition. Nazarbaev responded with a crackdown that continues to this day. He demoted and transferred his son-in-law, and while he tolerated (and perhaps promoted) a less radical opposition movement—Ak Zhol—he jailed the leaders of another, more oppositionist movement—Democratic Choice of Kazakhstan (DCK). In spring and summer 2002, assaults on the independent and opposition media intensified, indicating both Nazarbaev's concern and his sense of impunity about the consequences of cracking down.

ELECTIONS

Nursultan Nazarbaev, whom Kazakhstan's Supreme Soviet (legislature) had elected president in 1990, confirmed his position in a non-contested election in 1991. In 1995, he inaugurated a period of presidential rule by decree, and convened an Assembly of the People, which passed a resolution extending his tenure as president until 2000.

In January 1999, Kazakhstan held pre-term presidential elections. Nazarbaev ran against three contenders, in the country's first nominally-contested presidential election. The official results gave him 81.7 percent of the vote. Because of the exclusion of would-be candidates, along with the snap nature of the election, intimidation of voters, the ongoing attack on independent media, and restrictions on freedom of assembly, the OSCE's ODIHR refused to send a full-fledged observer delegation, dispatching instead a small reporting mission. Its assessment concluded that Kazakhstan's "election process fell *far* short" of OSCE standards. [Emphasis added.]

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[1] For the best and most recent account, see Martha Brill Olcott, *Kazakhstan: Unfulfilled Promise,* Carnegie Endowment for International Peace, Washington, 2002.

In October 1999, Kazakhstan held elections for parliament's lower chamber, in which political parties, for the first time, could submit party lists for 10 of 77 seats. Otan (Fatherland), the party of Nazarbaev, came in first; the next highest vote-getters were the opposition Communist Party, the pro-presidential Civic Party, and the Agrarian Party. The OSCE's ODIHR observed both rounds of the election. Its assessment of the first round noted improvements in the legislative framework and lauded the introduction of party-list voting but criticized widespread and pervasive interference in the process by executive authorities, as well as an unfair election campaign. ODIHR called the first round "a tentative step towards" compliance with OSCE commitments. The assessment of the second round was more harsh, citing flagrantly falsified protocols and continued interference by officials. Maintaining that "significant doubts remain regarding the outcome of the first round both for the ten deputies elected in the proportional party-list race and the 20 deputies elected from the single-mandate constituencies," ODIHR concluded that the election fell short of OSCE commitments.

PARLIAMENT

Nazarbaev dissolved parliament in December 1993. Elections were held in March 1994, in which many inconvenient candidates failed to be registered, and 40 slots were set aside for candidates from the presidential list. Even the resulting legislature, however, proved insufficiently obedient. When a disgruntled candidate who had lost her race filed a suit to invalidate the results of the voting in her electoral district, the Constitutional Court ruled the entire election invalid, thus giving Nazarbaev an opportunity to disband parliament again in March 1995. New parliamentary elections were held in December 1995.

After a series of unfair elections, most deputies are beholden to Nazarbaev and the legislature cannot counter executive authority. Nevertheless, the body today numbers some opposition deputies, including the head of the Communist Party; they have tried to focus attention on allegations of high-level corruption and to muster support for politicians who have suffered repression. For example, after Prime Minister Tasmagambetov acknowledged on April 4, 2002, that about $1 billion had been stocked in a secret Swiss bank account in 1996 under Nazarbaev's name, a group of deputies announced their intention on April 10 to file inquiries with the bank. They demanded that the government reveal how much money was in the account and guarantee that there are no more secret accounts.[2]

A few weeks later, on April 29, two parliamentarians called for the establishment of a public committee to support detained leaders of the opposition DCK: Mukhtar Ablyazov, in custody on corruption charges, and Galymzhan Zhakiyanov, under house arrest on corruption charges (see below). The deputies described the charges brought against the DCK leaders as "so ridiculous that even people without a legal education could understand" that they were trumped up.[3]

At present, parliament's few opposition members are capable of embarrassing Nazarbaev but not actually weakening him. Future allegations or revelations of corruption, especially if the public knew about them and could express indignation, might induce more deputies to raise awkward questions for Nazarbaev even if they did not join or consider themselves "parliamentary opposition."

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[2] Tasmagambetov claimed Nazarbaev established the account with proceeds from the sale of part of the Tengiz oil field and that $880 million in emergency funds had been used to "save the country from bankruptcy" during two financial crises. The Prime Minister also said that anyone who raised doubts about the explanations could be liable under criminal law.

[3] Interfax-Kazakhstan news agency, April 29, 2002.

FREEDOM OF ASSOCIATION

Freedom of association is restricted in Kazakhstan. Opposition parties, such as the Communist Party, the Republican People's Party headed by opposition leader-in-exile Akezhan Kazhegeldin, and Azamat, are registered and function, and some of them have parliamentary representation. But it took a long time for the most oppositionist party—the Republican People's Party—to be registered, under strong pressure from the OSCE before the 1999 parliamentary election.

Moreover, recent attempts to create new opposition parties have been severely suppressed by the authorities. Specifically, the movement DCK that arose in March 2002 has drawn official ire and repression. As mentioned above, two of its leaders are in custody: Mukhtar Ablyazov, former Minister of Power, Industry and Trade, was detained in March 2002 and formally indicted on May 12. Galymzhan Zhakiyanov, former Governor of Pavlodar Oblast, was charged with abuse of office while he held that position. The latter's case is particularly instructive, considering its international implications: Zhakiyanov sought protection in the embassy premises shared by Britain, France and Germany. Kazakhstan's authorities promised the French Ambassador in writing that if Zhakiyanov left the embassy voluntarily, he would be under house arrest pending legal proceedings. But on April 10, Interior Ministry police seized him at home and took him to a prison in Pavlodar. In July, Ablyazov was sentenced to six years in jail; in August Zhakiyanov received a 7-year term. Nazarbaev clearly wanted to make an example of them for any other would-be opposition activists among Kazakhstan's officials.

On June 25, 2002, Kazakhstan's Parliament passed a law imposing extremely tight restrictions on political parties. The provisions raise from 3,000 to 50,000 the number of members a party need to be registered, and require parties to have a branch office and at least 7,000 members in each of Kazakhstan's regions. Only the pro-Nazarbaev Fatherland Party (OTAN) and the Civil Party—and possibly the Communist Party—can muster such support, so the rest of the 19 parties currently represented in parliament will most likely be de-registered. The OSCE Center in Almaty has strongly criticized the law for threatening political pluralism in Kazakhstan. In fact, the law severely restricts freedom of association and represents a major step backwards, jeopardizing Kazakhstan's prospects of developing normal politics.

There are many NGOs in Kazakhstan, including independent human rights groups. Though tolerated, they are not necessarily left alone. In November 1999, the Almaty offices of the Kazakhstan International Bureau for Human Rights and Rule of Law—the foremost human rights institution in the country—were destroyed by a suspicious fire.

In April 2002, after the official acknowledgment of Nazarbaev's foreign bank account, opposition leaders from Kazakhstan's oil-producing regions established an organization called the "People's Oil Fund" to monitor government finances. The founders of the Fund said they hoped to promote transparency and to expose any other secret stashes held by "high-ranking bureaucrats in Astana." The group has not been registered.

FREEDOM OF ASSEMBLY

Freedom of assembly is restricted in Kazakhstan. A March 17, 1995 presidential decree issued while parliament was disbanded remains in force and limits the ability of citizens to participate in unsanctioned demonstrations. Gaining permission for such gatherings is difficult, and authorities have detained or jailed violators.

For example, on April 25, 2002 police in Almaty detained 12 members of Kazhegeldin's People's Republican Party of Kazakhstan and other opposition groups to prevent them from picketing a hotel where a government-sponsored media conference was being held. The demonstrators hoped to publicize the government's systematic violations of human rights and media freedoms. They were held for seven hours before being charged and put on trial.[4]

FREEDOM OF SPEECH

Freedom of speech is highly restricted in Kazakhstan. Dariga Nazarbaeva, the president's daughter, runs Khabar, the country's main TV station. Newspapers and TV can report on many issues, including intra-government discord and low-level corruption. However, attempts to discuss Nazarbaev, his family or allegations of their corruption are almost certain to result in harassment or worse.

In 1996-97, the government began closing down independent TV and radio stations by setting the price prohibitively high when awarding tenders for broadcasting permits. The campaign against the independent and opposition press intensified in 1998. The publisher of *Karavan* was forced to sell the country's most popular newspaper, which is widely believed now to belong to the president's relatives. Even cruder methods were employed in September 1998, when the offices of the opposition newspaper *21st Century* were firebombed. Two days later, the authorities closed the paper down. *Dat*, which began operations in April 1998, had the temerity not only to print articles about the finances of Nazarbaev's family, but to do so in the Kazakh language, which the authorities apparently found particularly irritating. The tax police confiscated its computers in July of that year. In November, *Dat* was fined the huge sum of $435,000 for violating various regulations and effectively forced into bankruptcy. In May 2000, the Committee to Protect Journalists placed Nazarbaev on its annual list of "Ten Worst Enemies of the Press."

As a result of these policies, the opposition press has largely been silenced. The independent media that have been forced, by court decision or by other means, to suspend their activities, include: *Vremya Po*, *Respublika-Delovoye Obozreniye*, *Respublica 2000* as well as the TAN, ERA and IRBIS TV channels. The head of the OSCE office in Kazakhstan, told a conference in Almaty on June 13, 2002 that independent and opposition media in Kazakhstan face increasing legal and economic pressures, while national media are concentrated in the hands of persons close to Nazarbaev.[5]

In April 2002, Nazarbaev announced his intention to establish "a public council on information policy under the head of state." The council's ostensible mandate is to prevent "arbitrary actions against the media in the provinces." But Nazarbaev's real intentions can be inferred from his remark that there would be no problems "if we had a culture of mutual relations between the authorities and the media, if the media had enough qualifications and enough wisdom and responsibility to solve the questions in coordination [with the authorities].… the task of these commissions and bodies is to build such relations."[6]

Apart from making it difficult or impossible to publish, Kazakhstan's authorities also confiscate entire runs of editions that manage to see the light of day. In May 2002, for example, copies of *Kazakhstan* (the former Kazakh-language supplement of the newspaper *Respublika*) and the collection of articles *Vsya*

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[4] *RFE/RL Newsline*, April 26, 2002.

[5] He also pointed out that the Administrative Offenses Code that came into force in January identifies 40 separate offenses of which the authorities may accuse the media. *RFE/RL Newsline*, June 14, 2002.

[6] Khabar Television, April 29, 2002.

Respublika were seized in Semipalatinsk. The editors of the publications announced at a May 6 news conference that the papers sent from Almaty were seized by officers in plain clothes and police officers at the railway station.[7]

In May and June 2002, after the revelations about Nazarbaev's reported $1 billion Swiss bank account, the assault on independent media intensified. Irina Petrushova, the editor of an opposition newspaper, found a decapitated dog hung by its paws outside her office. On a screwdriver driven into its torso was a warning: "There won't be a next time." The dog's head, with a similar note, was at Petrushova's house. A few nights later, someone threw three Molotov cocktails into her office and burned it to the ground. The Almaty TV station TAN was forced off the air when its cable was sliced in the middle of the night. Two attempts to repair it were ineffective: first, someone severed it with a gunshot and then drove nails into it. The opposition newspaper *Soldat,* which has often been harassed, was attacked by four men who stole the computers and assaulted two workers.[8]

In October 2002, Sergei Duvanov, one of Kazakhstan's best known journalists, was charged with raping an underage girl. The accusation followed by several months a charge of criminal libel "for insulting the honor and dignity of the President" after he published an article detailing the corruption investigation of Kazakh officials by the U.S. Department of Justice and the Swiss Government. In August, Duvanov had been hospitalized after a violent attack by three individuals who told him to stop writing muckraking articles. They beat him severely, cut a cross into his chest and warned him: "Next time, we'll cripple you." Duvanov's trial began in December, and was clearly designed to intimidate journalists who delve too deeply into high-level corruption. Previously, another journalist who published an article on this subject, Lira Baseitova, suffered the worst of tragedies: her daughter died in mysterious circumstances while in police custody on June 21.

It is clear that Nazarbaev and his family fear, perhaps above all else, the development of free media. As the number of allegations about corruption on the highest level in Kazakhstan mount, brave journalists willing to address this most delicate topic face serious danger.

FREEDOM OF RELIGION

Until recently, Kazakhstan's record on religious freedom was positive. With significant portions of society adhering to various faiths, authorities permitted fairly unrestricted religious freedom. However, in the mid-1990s, official interference with religious communities began to rise, as the government sought control over new religious groups. The national security apparatus (KNB), concerned about Islamic extremism, became more active in the surveillance and deportation of Muslim missionaries in 1998, KNB leaders openly stated that prohibiting the spread of Islamic and Christian "religious extremism" was a top priority.

While the law does not require religious groups to register with the Ministry of Justice, they need registration to gain the legal personality to rent or purchase real property, employ workers, or obtain visas for foreign co-religionists. However, a new article in the Administrative Code, introduced in 2001, imposes

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[7] *Vremya*, May 7, 2002.

[8] Peter Baker, "New Repression in Kazakhstan: Journalists Targeted After President Implicated in Scandal," *Washington Post*, June 10, 2002.

criminal sanctions on leaders of groups refusing to register. Under the pretext of the new clause, local authorities have detained and beaten leaders of groups refusing to register. In addition, parliament introduced a new religion law increasing the ability for the government to control and monitor religious. However, the Constitutional Council of Kazakhstan deemed the draft law unconstitutional in April 2002, and President Nazarbaev chose not to appeal.

On the other hand, there has recently been an increase in the number of fines and court orders closing down churches of Baptists who refuse to register.

KYRGYZSTAN

During the early 1990s, Kyrgyzstan enjoyed a reputation as the most democratic country in Central Asia. Before independence, President Askar Akaev had headed not the Communist Party but the Academy of Sciences; he was more Western-oriented and inclined to permit dissidence than his regional counterparts. Democratization—division of powers and the growth of civil society—developed in Kyrgyzstan faster and deeper than anywhere else in Central Asia.

Accordingly, there were opposition and independent Members of Parliament who refused, for instance, to sanction some Akaev-backed initiatives, like dual Kyrgyz-Russian citizenship. While Akaev was more powerful than the legislature and the judiciary was nowhere near independent, Kyrgyzstan's president was not an omnipotent Central Asian "super-executive."

The media in Kyrgyzstan were also the freest in the region. True, independent and opposition newspapers were always under pressure, and some were forced to close because they covered high-level corruption. But criticism of the government and, to a degree, even of Akaev was possible. In this relatively liberal atmosphere, a large network of NGOs emerged, including human rights groups.

In the second half of the 1990s, the honeymoon ended, as domestic criticism intensified and Akaev presumably felt emboldened by the shift to hard-line policies in neighboring Kazakhstan. When his rivals announced their intention in 1999 to run for president, his regime rapidly turned towards repression. Since then, opposition leaders have been arrested, co-opted or otherwise removed from politics, while independent media have been pressured into silence, self-censorship or out of existence. Kyrgyzstan's reputation as an oasis of freedom in Central Asia and Akaev's image as a democrat have dissipated.

In early 2002, long pent-up popular discontent erupted. The spark was the arrest in January of a southern legislator, Azimbek Beknazarov, who opposed a border deal that would cede territory to China. After two months of official refusal to respond to public demands for his release, on March 17 demonstrators were fired upon by police and six people died. In the ensuing crisis, thousands of people protested all over the country; Akaev was forced to dismiss his government in May and agree, in principle, to a coalition government. As 2002 came to an end, tensions remained high and opposition groups were determined to bring Akaev down. Though future events are unpredictable, it appears that Kyrgyzstan is the only country in Central Asia where civil society is powerful enough to pose a possible threat to the president.

ELECTIONS

The 1995 parliamentary election featured widespread vote buying, and many deputies were under investigation for corruption. In the snap presidential election Akaev called in October 1995 for December of that year, two serious contenders were disqualified shortly before the vote. Still, few would have claimed that Akaev would not have outpolled any other contender, even if not by typical Central Asian margins.

By the late 1990s, after years of declining living standards and growing outrage over official corruption, that argument had become harder to make. Among Akaev's leading rivals was Felix Kulov, who had been Vice President, Minister of National Security, Governor of Chu Oblast, and Mayor of Bishkek. He left the government in April 1999 and formed the Ar-Namys (Honor) party. Another challenge to Akaev was posed by entrepreneur and independent parliamentarian Danyar Usenov, who headed the El (Bei Bechara), (Party of Poor People) party.

Their challenge evidently frightened Akaev and his entourage. In the February-March 2000 parliamentary election, the authorities barred three of four opposition parties. They excluded Usenov from running in the second round and contrived to keep Kulov from winning in his district. The OSCE's ODIHR strongly criticized the second round and explicitly questioned the results in Kulov's district, concluding that he had been deliberately robbed of victory.

After Kulov's defeat, his supporters began holding protest demonstrations in Bishkek. On March 22, 2000, the Ministry of National Security arrested Kulov, for alleged abuse of power while he was Minister of National Security.

The rigged parliamentary elections and the subsequent arrest of Felix Kulov tarnished Kyrgyzstan's reputation and discredited President Akaev, who had clearly acted to ensure that Kulov and Usenov would not win a parliamentary seat to use as a springboard for a presidential bid. Kulov's arrest demonstrated, moreover, Akaev's willingness to manipulate the country's law enforcement apparatus and justice system to remove his political rivals from contention.

With Kulov in jail, Akaev faced no serious contenders in the October 2000 presidential election and was easily reelected. ODIHR's assessment was that the election "failed to comply with OSCE commitments for democratic elections and failed to reverse the negative trends identified during the parliamentary elections."

Despite persistent rumors that Akaev would organize a referendum to extend his tenure from 5 years to 7, he in August 2001 denied any such intentions and announced he would not run for a third term. In May 2002, Akaev reaffirmed that he will not run again in 2005.

PARLIAMENT

Even after the deeply flawed 2000 elections, about 14 members of the lower chamber's 60 parliamentarians belong to opposition parties, such as the Communists or Ata Meken, or are independent. Some opposition deputies have been extremely outspoken critics of Akaev, particularly Adaham Madumarov and Azimbek Beknazarov, whose arrest in January 2002 led ultimately to the bloody confrontation between their supporters and the authorities. Controlling parliament has not been easy for Akaev, who—having jailed Felix Kulov—now sees his most serious rivals in the legislature.

The most contentious issue between the executive and legislative branches has been the 1999 Sino-Kyrgyz border agreement which calls for Kyrgyzstan to cede 95,000 hectares of territory to China. Akaev negotiated the accord with Beijing, without involving his own legislature. Beknazarov opposed the deal and demanded that parliament exercise its constitutional prerogative to discuss and debate its terms. His insistence led to his arrest in January, on highly suspect charges of failing, when he was a prosecutor in the 1990s, to indict someone in a murder case.

Growing opposition to the agreement among parliamentarians and the public necessitated strenuous arm-twisting by Akaev to get the accord approved. Despite the upper chamber's very small number of opposition-oriented members (about two), the Senate failed twice on May 13 to ratify, with only 21 of 36 deputies present voting in favor. Akaev, who was in Moscow, had to rush back to Bishkek for another

vote. The Senate on May 17, in Akaev's presence, ratified the agreement, with 30 of the 45 deputies (the required two-thirds majority) voting affirmatively. Despite parliamentary ratification, however, the accord remains extremely unpopular in Kyrgyzstan.

FREEDOM OF SPEECH

In the early 1990s, several newspapers (such as *Free Mountains*, *Kriminal* and *Politika*) which reported on high-level corruption were forced to close. In the last few years, as the Akaev regime has cracked down on the opposition and independent media, newspapers critical of the government have been crippled by slander lawsuits. Such publications include *Asaba,* an opposition newspaper suspended by the authorities, which has now resumed publication with a new editor and team which stresses "financial stability." The editorial offices of the independent *Vecherniy (Evening) Bishkek* were occupied by the militia in 1999 and the chief editor forced out. The paper is reportedly now controlled by President Akaev's son-in-law.

Perhaps the best known and most harassed opposition newspaper has been *Res Publica.* Chief editor Zamira Sadykova in 1995 received a suspended sentence for libel and was banned for 18 months from working as a journalist. She was jailed in 1997 for libel; the sentence was condemned by Amnesty International. *Res Publica* most recently had to pay about 2,700 dollars for allegedly having offended someone's "honour and dignity," a frequent method of closing down papers. Between January and May 2002, *Res Publica* was not published, until the paper paid off its latest fine.

In 2001, Kyrgyz authorities ordered the re-registration of all media outlets. Some independent newspapers have managed to reregister but they all operate with the constant threat of lawsuits, so media outlets effectively practice self-censorship. In January 2002, the authorities issued Decree Number 20, which envisioned mandatory inventory and government registration of all typographical and printing equipment and stricter controls on their import. Officials justified the decree as a necessary measure to combat the dissemination of religious extremist leaflets. NGOs, journalist organizations, the OSCE and the U.S. Government urged Akaev to revoke the decree. Their interventions were ineffective until after the March 2002 riots and the fall of the Kyrgyz Government in May, when the decree was annulled.

On May 3 (World Press Freedom Day), 2002, the Committee to Protect Journalists included Kyrgyzstan among the world's 10 worst places to be a journalist: "President Askar Akaev has used the threat of international terrorism as an excuse to curb political dissent and suppress the independent and opposition media. Compliant courts often issue exorbitant damage awards in politically motivated libel suits, driving the country's most prominent newspapers to the brink of bankruptcy. The state publishing house refused to print several newspapers that criticized Akaev. Meanwhile, officials found legal excuses to cancel the licenses of several independent papers."

FREEDOM OF ASSEMBLY

Freedom of assembly has been restricted in Kyrgyzstan. Hina Jilani, the Special Representative of the U.N. Secretary General on Human Rights Defenders, expressed concerns in her report after a visit to Kyrgyzstan in summer 2001 that "the right to denounce and protest human rights violations has been repressed and that freedom of assembly and freedom of association, though guaranteed by the Constitution, are frequently violated in practice."

In 2002, however, large crowds have demonstrated throughout the country. Previously, supporters of Felix Kulov had gathered in Bishkek to protest his imprisonment and demand his release, but the authorities generally ignored or mistreated them. Kyrgyz Deputy Interior Minister Keneshbek Duyshebayev said in May that since the beginning of the year, 35 unsanctioned events—rallies, pickets and traffic obstructions—had been organized in Bishkek. But particularly influential have been demonstrations in the south; the arrest of southern parliamentarian Azimbek Beknazarov in January, compounded by the emotional issue of the border agreement with China, mobilized large crowds. Thousands of protesters assembled in the south and blocked the main highway between the north and south of the country, demanding, among other things, the release of Beknazarov (which was done on May 19); the resignation of Akaev and his impeachment; the scotching of the border accord; and the punishment of the officials responsible for the shootings on March 17 that caused six deaths. On March 24, a court handed Beknazarov a suspended sentence and time already served. Demonstrators continue to demand his acquittal.

The demonstrations in Kyrgyzstan, which ultimately led to the downfall of the government in May, were the first large-scale protest movement in Central Asia in years and indicated the depth of popular resentment and the capacity for public galvanization. They were important for another reason as well: the authorities' release of Beknazarov, who had remained in prison despite relatively small, ongoing peaceful demonstrations on his behalf, showed Kyrgyzstan's leaders, elite and public that "street politics" can be effective, whereas no other vehicle of registering public discontent and influencing government policy had worked.

Inspired by this lesson, the opposition in fall 2002 sought to oust Akaev by means of large protests but the authorities grew more adept at co-opting opposition leaders and imposing logistical impediments on demonstrations. Preempting the marchers descending upon Bishkek, law enforcement closed roads leading to the capital and confiscated participants' food and other supplies. If "street politics" seemed effective in spring-summer, by fall, the opposition effort petered out. Akaev, for his part, has proposed legislative initiatives to crack down on unsanctioned demonstrations.

FREEDOM OF ASSOCIATION

There are over thirty political parties registered in Kyrgyzstan. Four opposition political parties—Ar-Namys, Ata-Meken, El and the People parties—have united to form the Peoples Congress. The imprisoned Felix Kulov was elected chairman of the movement.

There are many NGOs in Kyrgyzstan; the authorities have been cracking down on those critical of the government, especially the Kyrgyz Human Rights Committee, headed by Ramazan Dyryldaev. The committee was twice de-registered, in 1995 and 1998; its members have experienced consistent harassment and about 15 have been arrested at various times. In July 2000, the authorities occupied the committee's offices which they sealed, effectively shutting down the NGO. Dyryldaev, who was in Vienna at the time, remained there, fearful of arrest.

Dyryldaev returned to Kyrgyzstan in May 2002, accompanying Gerard Stoudmann, Director of the OSCE's ODIHR. On May 16, Dyryldaev was arrested in front of the parliament where people were demonstrating against the signing of the border agreement with China but was soon released, and he continues his activity as head of the Human Rights Committee.

Still, several of Dyryldaev's associates were beaten by police. In the superheated atmosphere of the last few months, with large-scale demonstrations a daily occurrence, NGO leaders, especially those with oppositionist leanings, have been singled out for criticism in government-controlled media. For example, the pro-governmental newspaper *Erkin Too* has accused leaders of various organizations of escalating tensions in the society with funding from abroad. Among the activists attacked were: Tolekan Ismailova, the former head of the Coalition of NGOs "For Democracy and Civil Society;" Edila Baisalov, the current head of the Coalition of NGOs; Dyryldaev, Chairman of the Kyrgyz Committee on Human Rights; Zamira Sadykova, the editor-in-chief of *Res Publika*; Ghiaz Tokombaev, the leader of the Republican (National) Party; Chynara Jakypova, the head of the Institute of War and Peace Reporting (IWPR); and Emil Aliev, the assistant of Felix Kulov, and the representative of the opposition Ar-Namys Party.

FREEDOM OF RELIGION

Kyrgyzstan has enjoyed a degree of religious freedom since independence, although recent government actions are troubling. The State Commission on Religious Affairs, created in 1996, oversees registration of religious groups and is charged with protecting freedom of conscience.[1] However, under a 1997 presidential decree, all religious communities must now register with the Ministry of Justice. While many Muslim and Christian religious communities have registered successfully, the government has repeatedly denied the Catholic Church, whose member are mainly ethnic Kyrgyz.[2] In addition, the registration of new churches has slowed, as the government fears creating religious-based conflicts in rural areas.

However, due to security concerns about Islamic extremists, the government increased its surveillance of mosques throughout the country.[3] In 2002, also under the pretext of state security, the government issued a decree tightening publishing regulations for religious groups and calling for an "audit," which would affect Muslim and Christian groups equally.[4] A new religion law is under consideration; input from an OSCE/ODIHR Panel of Experts on Freedom of Religion or Belief should safeguard its liberal approach.[5]

POLITICAL PRISONERS

Kyrgyzstan's most prominent political prisoner is Felix Kulov, who was charged with abuse of power. In a stunning move, a military judge acquitted him on August 7, 2000. There has never been a good explanation for Kulov's acquittal, which was so at odds with the general trends in the region and within Kyrgyzstan when Akaev felt challenged. In any case, in the subsequent handling of the Kulov case, Kyrgyzstan's judicial authorities reverted to the norm. When Kulov announced that he would run in the presidential elections, the Board of the Military Court decided to reconsider the case and on September 11, 2000, the Military Court annulled his acquittal. According to the Kyrgyz Committee on Human Rights, after his acquittal of Kulov, military judge Ashimbek uulu Nurlan was sent to Batken Oblast to work. In May 2002, Akaev signed a decree dismissing the judge.

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[1] U.S. Department of State, *Country Reports on Human Rights Practices for 1996* (1997).

[2] U.S. Department of State, *International Religious Freedom Report for 2001.*

[3] U.S. Department of State, *International Religious Freedom Report for 2001.*

[4] Igor Rotar, *Kyrgyzstan: New Decree Set to Tighten Religious Controls*, Keston News Service, February 8, 2002.

[5] Advisory Panel of Experts on Freedom of Religion and Belief of the OSCE/ODIHR, *Analysis of the Draft Law of the Kyrgyz Republic "On Freedom of Religion and Religious Organizations,"* March 30, 2001.

After prosecutors successfully appealed his surprise acquittal in August 2000, he was retried, convicted and sentenced in January 2001 to seven years imprisonment. Subsequently, prosecutors launched another criminal case against him. On May 8, 2002, a district court in Bishkek convicted him of embezzlement and sentenced him to 10 years in jail, plus confiscation of property. Moreover, Kulov will be barred from occupying state or municipal posts for three years upon his release from prison.

Before his release in August 2001, dissident Topchubek Turgunaliev was Kyrgyzstan's best known political prisoner. Turgunaliev, a former Rector of Bishkek State University, had previously been convicted of insulting the "honor and dignity" of the President and spent time in jail. In 1999, he was convicted of "ideological leadership" in an alleged plot to assassinate President Akaev and sentenced to 16 years in prison; the sentence was later reduced to 6 years. In August 2001, under mounting pressure from domestic and international human rights groups, Akaev pardoned him, citing his age and poor health. Turgunaliev is now the director of a newly formed human rights organization, the Institute for Human Rights and Liberties.

MOLDOVA

The decade following the dissolution of the Soviet Union has been difficult and painful for Moldova. In addition to a steep economic decline, rampant corruption, and the emigration of large numbers of its citizens, the virtual secession of Transdniestria from the rest of Moldova has effectively divided this small country into two parts. The fact that Transdniestria was the base of most of the country's industry and now functions, among other things, as a haven for smugglers and other criminal activity has further challenged a succession of leaders in Chisinau. Moldova's economy has deteriorated to the point that the country now has the lowest per capita income in southeastern Europe. More than 650,000 persons, or about 15 percent of the population, have left the country to look for work elsewhere, either legally or illegally. Many in the latter category have been young women who have made Moldova a major supplier of trafficked persons. A *Wall Street Journal* article in reporting on conditions in rural Moldova in early 2002 noted that many rural villages had lost almost all of their young women.

Despite these daunting problems, Moldova's record with respect to democracy, human rights and the treatment of minorities has been respectable. Political debate within the country is lively, elections are competitive and by and large free and fair, the press is diverse and can be highly critical of the government, religious liberty is generally respected and national minorities accommodated. The communist government that came to power in 2001 has tightened controls over local government and attempted to increase its influence over the judiciary but was rebuffed in efforts to reintroduce the compulsory study of Russian. Authorities in secessionist Transdniestria have seen little need to bring their practices into conformity with international norms and ignore the laws and regulations of the government in Chisinau. The State Department has characterized the human rights record of the Transdniestria authorities as "poor" in its 2001 *Country Report on Human Rights Practices* for Moldova.

ELECTIONS

In the past decade elections have been held regularly in Moldova and have been consistently characterized by outside observers, including OSCE, as "generally free and fair." Election campaigns have been characterized by lively and open debates among highly competitive political parties. Results of elections have been respected and two changeovers of power have been orderly and uncontested. The ruling Communist Party, which was given a clear popular mandate in 2001, faces an active and outspoken parliamentary opposition. Indeed, this opposition would be even broader had the current opposition parties while in power not raised the threshold for representation in parliament from four to six percent prior to the 2001 elections. While over 10 political parties continue to be active, only three are now represented in parliament.

FREEDOM OF ASSEMBLY

Political and non-governmental organizations are routinely allowed to organize rallies and protest government policies, although there have been occasional conflicts with the police. In April 2002, the ruling Communist government attempted to suspend the activities of an opposition party for organizing unsanctioned rallies in front of the parliament. Following strong protests from the international community, the government backed down. During this period, unknown persons abducted a leader of the opposition. He reappeared unharmed two months later. One possible obstacle to future political activity by the opposition is a recently passed law requiring deputies to get permission from local authorities before having public meetings with voters. It is not yet possible to evaluate the practical impact of this legislation.

JUDICIARY

The Moldovan judiciary suffers from serious under funding, a shortage of qualified personnel and a tradition of subservience to the executive inherited from Soviet times. There are frequent reports of corruption among judges and the readiness of the judiciary to yield to political pressure. The police are also under-trained and short of resources. A 2002 report by the Council of Europe's Anti-Torture Committee has charged that the use of torture by the police in Moldova has increased and that prisons are unsanitary and overpopulated.

Despite these serious shortcomings, Moldova's judiciary has shown that it can assert its independence. A recent U.S. academic study on Moldova concluded that the country has made "slow but steady progress" during the past 3 years in improving judicial independence, reducing the power of prosecutors and providing greater criminal protection for its citizens.

FREEDOM OF MOVEMENT

The major restriction on the movement of Moldova's citizens is the lack of financial resources to travel and difficulty in obtaining foreign visas. With rare exceptions the authorities do not restrict the right of citizens to leave the country. There are no legal limitations on movement within the country. As noted above, adverse economic conditions have induced approximately 650,000 Moldovans to leave the country.

FREEDOM OF RELIGION

Moldova's registration requirements for religious organizations are complex. Nevertheless, the General Secretary of the European Baptist Federation has called Moldova "a model for growing churches in Central and Eastern Europe." The leadership of the Moldovan Orthodox Church, which retains its link with the Moscow Patriarchate, has most parishes and church property under its control. It has pressed the government to resist efforts by a Romanian-affiliated branch of the Orthodox Church to register as a religious association. However, following a successful appeal by this church to the European Court of Human Rights, government recognition of this branch as a religious association was granted. In 2000, the Moldovan Government reported that 18 religious denominations had been recognized.

One potentially troublesome development has been parliament's passage of a law in July 2002 claiming to protect citizens from "illegal acts performed under the guise of religious activities." It remains too early to assess the real impact of this legislation which has a disturbing resemblance to a notorious catchall statute from the Soviet era.

Some Evangelical churches and Jehovah's Witnesses in Transdniestria have reportedly been threatened with closure by authorities because they refuse to register with authorities, or are allegedly "foreign agents."

FREEDOM OF MEDIA/SPEECH

The shortage of financial resources has made Moldova's print press highly dependent on the sponsorship of political patrons. The vast majority of the print media are affiliated with political parties. Yet, although the press can be highly partisan, it is also diverse and thus allows a broad spectrum of opinion to be made available. As has been the case throughout the former Soviet Union, journalists have been occasionally attacked or threatened for writing articles exposing corruption.

In 2001, the OSCE criticized Moldova's electoral codes for being "overly restrictive" on the media and preventing voters from making a fully informed choice. The existence of tough libel laws providing for stiff fines and speedy retractions is a significant deterrent to investigations by journalists. The registration of broadcasting companies remains under strict government control and actual registration demands a complex authorization process. In 2002, journalists groups complained that the state television which had established a reputation for generally unbiased coverage was exhibiting bias towards the ruling Communist Party and making little room for dissenting voices. In January 2003, the OSCE Representative on Freedom of the Media, Freimut Duve, wrote to the Moldovan Foreign Minister to express his concern over several reported cases of harassment of journalists. Previously, noted Duve, he had been "very complimentary regarding the state of free media in Moldova."

The authorities in Transdniestria have pursued a heavy-handed approach to the media and actively harassed newspapers for publishing dissenting opinions, in particular regarding the possibility of reaching an accommodation with the Chisinau government. The OSCE's Media Representative characterizes the region as "firmly stuck in the time warp of pre-*glasnost* time."

ETHNIC MINORITIES

Despite serious differences with Russophone Transdniestria that effectively split the country, the government has made a determined and ongoing effort to court Moldova's Russian minority. Indeed, some Romanian political activists claim that the government has been overly solicitous in this regard and organized large, and ultimately successful, street demonstrations in the spring of 2002 when the Education Ministry announced plans to require Russian language instruction in the public schools. During the past decade, there have been periodic reports by ethnic Russians of harassment by Romanian speakers.

Treatment of other ethnic minorities has been generally satisfactory, although there have been intermittent disputes with the Gauguz minority in the south and complaints about patterns of racially motivated violence and police abuse directed towards elements of the country's Roma community. Moldova's 1994 language law provides for the use of Russian, Ukrainian, Bulgarian, Hebrew, Yiddish and Romani to satisfy the "national-cultural necessities" of the leading ethnic minorities. Anti-Semitic incidents have been rare, although some have charged that certain Romanian elements continue to trivialize the Holocaust and defend the actions of the World War II Antonescu fascist regime.

RUSSIAN FEDERATION

Russia has made uneven but meaningful progress during the past 10 years in creating functioning democratic institutions, tolerating diverse points of view, developing an outspoken and relatively independent media, and demonstrating respect for individual rights. Nevertheless, institutions remain fragile, and there is a long list of shortcomings. These include a weak and easily cowed judiciary, frequent high handedness by police and other security officials, a continued penchant for excessive secrecy, widespread corruption and a lack of tolerance for religious and ethnic minorities by a large sector of the population.

Thus, while the Russian Government, in principle, guarantees internationally recognized civil liberty and human rights to its citizens under the country's 1993 constitution, implementation of these rights is too often undercut by ineffectual enforcement and a weak tradition of rule of law. The ongoing conflict in Chechnya has exacerbated the overall situation witnessing extreme brutality and atrocities by both sides including the large-scale killings of civilians and the mass displacement of Chechen civilian noncombatants in "clean-up" operations by Russian forces. In late October 2002, approximately 700 hostages (the exact number is unclear) were taken by Chechen terrorists in a Moscow theater. In the ensuing rescue operation, over 100 hostages died of gas used by security forces to pacify the hostage-takers. The incident prompted the Duma to pass legislation restricting press freedom in its coverage of terrorism-related incidents. At the end of 2002, Moscow forced the OSCE Assistant Group in Chechnya to leave.

On balance, there has been more good news than bad news coming from Russia over the past decade although recent trends are troubling. Elections have been held regularly and have been judged "generally free and fair." There has been a decline in influence of political extremists represented both by communist diehards and far-right elements. A plethora of non-governmental organizations is emerging to promote reforms, and this NGO sector has become more confident and capable of working towards the achievement of practical goals. The right to organize protest demonstrations and political rallies is now taken for granted, and the previous onerous restrictions on travel abroad have been largely dismantled. President Putin, since coming to power in early 2000, has taken some tough and controversial actions to strengthen central authority, clamping down on the independent power of regional officials and attacking some of Russia's most powerful media barons. While Putin has also opened a dialogue with Russian civil society and has taken a strong public stance against ethnic violence and anti-Semitism, law enforcement has been slow to put his words into practice.

ELECTIONS

International observers have described Russian Parliamentary and presidential elections over the past decade as being "largely free and fair." At the same time, there have been persistent allegations of ballot irregularities and accusations in the press of widespread fraud. Rumors of ballot fraud were circulated regarding the December 1993 referendum on the new Constitution that greatly strengthened the power of the president, although solid evidence was never produced. In the most recent presidential election of March 2000, international observers cited "serious irregularities" including the use of government staff to campaign for the president. However, the OSCE ODIHR observation team rejected Russian press allegations questioning the validity of Putin's election victory and characterized the overall election as a "benchmark in the ongoing evolution of the Russian Federation's emergence as a representative democracy."

Multiparty elections are held regularly throughout Russia for a broad variety of regional and local posts. Although these elections are often fiercely contested, ideology and party affiliation are generally less important than personalities and promises to deal with specific grievances such as the economy, job losses, crime fighting and ethnic issues. Regional election results are sometimes challenged in court, with complaints normally involving improper financial contributions or illegal use of "administrative resources" rather than ballot fraud.

PARLIAMENT

The collapse of the Soviet Union saw the rise and fall of a variety of political parties spanning the philosophical spectrum. By the mid-1990s this proliferation had reached the point where a U.S. diplomat in Moscow commented that a Russian political party could be as small as two persons with a typewriter—the Chairman owning the typewriter. By 1993, parliamentary opposition to President Yeltsin produced a political crisis that culminated in Yeltsin's issuance of a presidential decree on September 21 that disbanded the bicameral bodies of the Congress of People's Deputies and the Supreme Soviet, inherited from Soviet times. This act led to an unsuccessful armed revolt by anti-Yeltsin forces in the parliament, including Yeltsin's own vice-president.

In the December 1995 national elections to the 450-member Russian State Duma, the current parliament's lower house, 43 parties were represented on the ballot. Of these 43, four parties achieved the 5 percent threshold for representation. The current Duma, elected in 1999, features several political parties and factions, or coalitions recognized under the parliament's internal rules. Although the opposition Communist Party technically holds a plurality of Duma seats, it lost a power struggle with the pro-Putin Unity faction in early 2002 and was forced to give up several committee chairs. The Putin Administration has been generally successful in getting its legislative proposals through parliament through its collaboration with the Unity faction and other center and center-right elements in the Duma.

The new upper house of parliament is the Federation Council and is composed of two representatives from each of Russia's 89 regions. Russia's constitution gives this body much less power than the Duma, and the Council is far less partisan than the lower house.

In July 2001 President Putin signed a bill that would significantly limit the number of political parties through the application of stringent membership and financial requirements. The new measures limit the level of private donations, bar foreign financial contributions and stipulate that a party must have 10,000 members and a minimum of 100 members in each of Russia's 89 regions.

JUDICIAL SYSTEM

Russia's judiciary is not fully independent, remains subject to political pressure and outright intervention, is heavily under-funded and short of qualified personnel. Corruption among judges and police is widespread. Prisons are overcrowded and disease ridden, and court facilities are run down and poorly equipped. On the positive side, Russian law schools are now graduating a new generation of lawyers capable of defending their clients and judges are starting to demonstrate some degree of independence.

After several unsuccessful attempts at judicial reform in the 1990s, a comprehensive reform package was passed by the Duma and signed by President Putin in late 2001. This package limits judges' terms to six years, except for the Constitutional Court, and provides for substantial pay increases. A new code of criminal procedure is being implemented over a two-year period ending in 2004. It contains measures to

introduce legal experts into bodies that rule on the dismissal of judges, provides for transferring the right to issue search and arrest warrants from prosecutors to the courts and envisions a presumption of innocence. The new code also allows for the retraction of confessions, requires the participation of a defense attorney in almost all criminal cases, provides for a form of plea bargaining and prohibits double jeopardy.

The authorities have continued to use murky secrecy regulations promulgated by the security services to accuse both Russian citizens and foreigners of compromising classified material, despite the fact that such regulations are theoretically unconstitutional. The late 1990s saw a number of accusations against scientists and other public servants who were charged with passing classified information to foreign powers ("spy mania"). In December 2000, the security services reinstituted the practice of investigating anonymous complaints, a practice subsequently upheld by the Russian Supreme Court.

FREEDOM OF ASSEMBLY

Freedom of Assembly has been generally respected in Russia over the past decade. Protest demonstrations have become a commonplace event. In certain cases authorities have refused or curtailed demonstrations for reasons that appear to be political. The Moscow City Government has outlawed demonstrations by neo-fascist groups. In July 2002, President Putin signed an "anti-extremist" bill that was formulated by the government as a response to rising skinhead and racist attacks. This bill empowers the authorities to suspend activities of organizations "recognized as dangerous" and has been criticized by many human rights activists as a measure that could restrict legitimate public protest.

FREEDOM OF RELIGION

The early 1990s witnessed the introduction of a law on religious activity, a dramatic expansion of church re-openings and construction as well as an expansion of religious organizations, and a flow of foreign missionaries to Russia. In response to nationalist criticism and pressure from the leadership of the Russian Orthodox Church to deal with the growth of "totalitarian sects," a more restrictive Law on Freedom of Conscience and Religious Associations was promulgated in 1997. This law established a two-tiered system of religious associations distinguishing between religious organizations required to register with the government but enjoying full judicial standing, and "religious groups" that are unregistered associations of believers who are permitted to congregate and hold services but without judicial standing. This law also requires churches to demonstrate that they have existed for 15 years before they can register, although a Constitutional Court decision in 1999 provided some leeway in the enforcement. Some international observers have concluded that Orthodox clerics or bodies serving as experts on religious matter have resulted in policies that are disadvantageous toward minority groups.

Regional authorities have often harassed "nontraditional groups," with Evangelical Protestants, Jehovah's Witnesses and Mormons as frequent targets. Nevertheless, a decade ago, membership in Russia's Mormon churches was only a few hundred. Now there are more than 15,000 members. Since January 2001, the Moscow branch of the Salvation Army has faced legal challenges to its activities in the city. The creation in early 2002 by the Vatican of five Roman Catholic dioceses from existing communist-era apostolic administrations brought a heated response from both the leadership of the Orthodox Church and Nationalist politicians. Seven Roman Catholic clergymen have been denied permission to reenter Russia. In September 2002, the Keston Institute published a list of thirty-three foreign religious workers either barred from entering Russia or forced to leave under various circumstances since 1998.

FREEDOM OF MOVEMENT

The elimination of the onerous communist-era restrictions on travel abroad for most Russian citizens has been one of the most dramatic changes in Russia during the past decade. Travel abroad now depends on the availability of financial resources and visas for the countries of destination. The 1996 law on entry and exit stipulates that a person with access to state secrets may be denied exit permission for 5 years after leaving a sensitive position, with an additional 5 years in special cases. Individuals applying for sensitive employment positions are expected to sign statements acknowledging the restrictions that may be placed on foreign travel.

A government interagency commission is authorized to examine specific cases where exit visas have been denied. This commission granted permission to travel in about 75 percent of the cases it reviewed in 2001. Emigration applicants may also be denied exit passports if they are subject to military conscription or under criminal investigation. Some Chechen citizens of Russia have asserted that they have been denied exit permission to prevent their providing to international audiences accounts of Russian military abuses in Chechnya.

Although the Russian Constitutional Court has declared unconstitutional the notorious internal passport system of the Soviet era, many of Russia's 89 regions still have laws that restrict migration and registration. In 1998, the Mayor of Moscow publicly denounced the court's decision and stated his unwillingness to comply with it. There have been many complaints about the arbitrary and harsh treatment by Moscow police towards people of Caucasian appearance picked up in the city with insufficient documentation.

FREEDOM OF SPEECH/MEDIA

The media has blossomed in Russia following the end of communist rule. The growth of independent newspapers and periodicals has been impressive and offers readers a broad range of opinion. By 2001, there were about 600 television stations operating throughout Russia. Yet, despite this vast improvement, the government periodically seeks to place limits on what is printed or broadcast on sensitive themes, particularly Chechnya. This tendency has become more pronounced since President Putin came to power in 2000. The October 2002 hostage-taking incident in Moscow prompted both houses of the Federal Assembly to pass legislation restricting press freedom in its coverage of terrorism-related incidents. Commenting on these new press restrictions, prominent political commentator Boris Kagarlitsky wrote: "We have come closer to the creation of an authoritarian regime in the last three weeks than we had in the preceding three years." The measures were also criticized by the OSCE media representative.

With apparent government encouragement, the partly state-owned natural gas firm, Gasprom, effectively took control of NTV, one the country's leading independent television stations in April 2001. Gasprom then moved against two newspapers controlled by NTV's former parent company, Media-Most, shutting down the daily *Sevodnya* and firing the staff of the weekly *Itogi*. The then Media-Most head and government critic, Vladimir Gusinsky subsequently fled to Spain to avoid embezzlement charges. In September 2001, a Moscow court ordered TV-6, Russia's remaining private television network, to be dissolved following a lawsuit by a minority shareholder, the petroleum company Lukoil. The majority shareholder in TV-6, Boris Berezovsky, had already left Russia in 1999 after facing corruption charges by the State Prosecutor. Russia's press minister subsequently admitted that the circumstances surrounding the closure of the two most popular and critical independent TV networks "certainly had a political background." The two remaining national television channels are government controlled.

For all the focus on the problems involving these national, Moscow-based broadcasters, the regional media, located away from the spotlight are probably more frequently under pressure. International media experts have noted that in the regions primarily the authorities effectively control the media and that the few remaining independent outlets are gradually being taken over or put out of business. Regional media, generally operating on very limited budgets, are also constrained by threats to withhold printing supplies or be charged with libel suits. Violence has also been used in certain individual cases. In Krasnodar, journalist Dmitri Ermakov died in July 2001 under mysterious circumstances after uncovering information linking local authorities to criminal activities. One month later in Lipetsk the police took over the local television station that had produced reports criticizing the region's governor.

The Moscow-based Glasnost Defense Fund has documented the violent deaths of many journalists during the past decade, although a specific link between their work and their deaths has not been directly established, except in the case of Chechnya. Reporting from the Chechen war zone is very tightly controlled, and a number of Russian journalists have been obliged to leave Russia for publishing unauthorized material.

CHECHNYA

The fierce struggle between Russian forces and Chechen insurgents continues unabated as demonstrated by the October 2002 takeover of a Moscow theater with 700 hostages held by Chechen guerillas and the subsequent commando raid to free the hostages that killed 50 Chechen fighters and over 120 hostages. The Chechen conflict has been characterized by brutality and gross violations of human rights by both sides. Thousands of civilians have been killed in Chechnya from bombings and artillery shelling. Hundreds, particularly males of military age, have been killed or disappeared following military sweep operations by the Russian army. Moscow asserts that the war in Chechnya is an integral part of the war against terrorism. The U.S. Government has confirmed links between some insurgents in Chechnya and terrorist organizations.

As far as can be determined, by the end of 2002, no Russian soldier, or at least no high-ranking officer, had been prosecuted and convicted for committing violations of humanitarian law. One colonel, Yuri Budanov, charged with rape and murder of a 17-year-old Chechen woman, was acquitted in December 2002 on grounds of temporary insanity.

As of June 2002, an estimated 150,000 persons were living in refugee camps in areas adjacent to Chechnya, and were resisting intense pressure to return to those parts of Chechnya the Russians claim to have "pacified." In March 2002, reacting to international criticism, the Russian military issued an order directing its troops to follow basic rules of military procedure during sweep operations. Russian human rights activists claim that this order is being ignored.

TAJIKISTAN

Tajikistan is the only country in Central Asia that experienced serious violence as a result of the breakup of the USSR, and the country's path since independence has been scarred by a five-year civil war and the subsequent slow recovery. Regional power struggles broke out after Tajikistan declared independence in September 1991. The United Tajik Opposition (UTO), a cluster of nationalistic and Islamic groups, took up arms against the Russian-backed Popular Front led by Imomali Rahmonov and elites from the southern Kulyab province. The ensuing conflict, which turned into a struggle between secularists and Islamic forces, led to the death of at least 50,000 people, displaced some 800,000 and wreaked economic devastation. Tajikistan is the poorest country in Central Asia, and the dismal state of the economy hinders reform efforts.

The June 1997 General Agreement of Peace and National Reconciliation in Tajikistan formally ended the civil war. The accords called for the opposition's disarmament (which occurred by 1999), for 30 percent of government posts to be filled by UTO representatives until parliamentary elections in 2000, and for the creation of a bicameral parliament. Indeed, many opposition members have been incorporated into the government at both the national and local levels. In contrast to its neighbors, Tajikistan has adopted a policy of participation in government and tolerance as a means to stem the rise of militant Islam; it is the only Central Asian country with a legal Islamic political party.

In 2002, there were some signs of progress. The independent radio station Asia-Plus was registered in August, exit visas were abolished, the criminal code was reformed, a conference on corruption—sponsored by international donors—was held in May, and thousands of Afghans living on the Afghan-Tajik border returned home safely.

On the other hand, progress in rebuilding weak and dysfunctional institutions has been slow since the end of hostilities. Rahmonov has consolidated power, and a personality cult has developed around him in certain parts of the country. While he has established control over the countryside, former guerillas, many of whom reportedly have become crime bosses, still hold power in some areas. Abductions, arrests and extrajudicial killings of politicians, businessmen and others have occurred, although not necessarily by the government, and not in 2002.

Human Rights Watch states in its 2001 report on Tajikistan that it had "documented numerous cases of extortion, kidnaping, and beating of ordinary civilians by Ministry of Internal Affairs, Ministry of Defense and Ministry of Emergency Situations personnel. Members of these units were also responsible for unlawful killings of civilians during operations to locate and confiscate illegal arms." Murder has also featured in political culture and score-settling. On April 11, 2001, Deputy Interior Minister Habib Sanginov, a former UTO political representative, peace accords negotiator and leader of the government's fight against organized crime, was killed in Dushanbe, along with his bodyguards and driver. Presidential foreign policy advisor Karim Yuldashev and Minister of Culture Abdurahim Rahimov were also assassinated last year. In August 2002, the Interior Ministry announced that it had learned who was responsible for at least seven killings of political figures, including Rahimov; only one had been apprehended and international warrants had been issued for the arrests of the other suspects.

In sum, state-building and development are lagging in Tajikistan. Drug use has risen sharply, and the country is one of the main transit points for narcotics; published reports indicate that 30 to 50 percent of Tajikistan's economic activity is linked to narcotics trafficking. Moreover, the return of Islamic fighters from Afghanistan has raised concerns about religious extremism. Tajikistan's prospects hinge on whether, in this unpromising environment, the government can succeed in building democratic institutions and rule of law, combating rampant corruption, and developing the economy.

ELECTIONS

Tajikistan's five elections since independence—presidential elections in 1991, 1994 and 1999 and parliamentary elections in 1995 and 2000—were declared not free and not fair, although the latest elections were seen as an improvement over previous polls.

Imomali Rahmonov took over the presidency from Rahmon Nabiev in November 1994, later extending his five-year term to seven years. The OSCE declined to monitor the 1995 parliamentary elections, which the UTO, continuing its armed rebellion, refused to recognize.

The authorities permitted strictly-controlled political demonstrations prior to the November 1999 presidential elections but ultimately Rahmonov ran uncontested: two candidates were prevented from participating a month before polling day, while two others withdrew in protest. An Islamic Renaissance Party (IRP) candidate was listed on the ballot just before election day. On election eve, Rahmonov and Abdullah Nuri, former UTO leader and now head of the IRP, agreed to hold fair, multiparty parliamentary elections the following year to compensate for the less-than-democratic presidential race.

The February-March 2000 elections were preceded by violence, including bomb blasts in Dushanbe. The participation of six parties — the Peoples Democratic Party (PDP), the IRP, the Communist Party, the Democratic Party of Tajikistan/Almaty Platform, the Socialist Party and the New Opposition — did provide some diversity. Media restrictions were relaxed and opposition candidates were able to campaign. However, the PDP received most broadcasting time and press coverage. Official figures gave the PDP about 65 percent, the CPT 23 percent, and the IRP seven percent; all surpassed the five-percent threshold. The election was peaceful, each party received free airtime on state media, and all candidates were permitted to hold rallies. Overall, however, the election fell far short of OSCE standards. A joint OSCE-UN mission cited many irregularities, including widespread proxy voting, the exclusion of some opposition parties, a lack of objective coverage, interference of election commission officials in the voting process, non-transparency in the vote count, and a highly inflated voter turnout.

Parliamentary by-elections in December 2000 and May 2001 were a step backwards. Opposition candidates were prevented from running on technicalities involving registration, leaving pro-government candidates an open road to victory.

PARLIAMENT

Opposition forces have some representation in parliament and government, although not nearly enough to check executive power or counter the initiatives of the ruling party. The IRP holds two seats in parliament. Some of its members occupy senior government posts (including minister of emergency situations, deputy prime minister and most other deputy ministerial posts), and its members hold local positions as well.

However, the IRP's meaningful participation in national-level decision-making is limited. Some members have criticized the slow pace of implementing the peace accords but seem willing to take a long-term approach to solving their problems through reforming the government. Freedom House's report on 2001 described the current parliament as "a better representative of the people than the Soviet-style rubber-stamp parliament was."

FREEDOM OF SPEECH

Conditions for journalists, though far from ideal, have improved markedly since the civil war when as many as 80 journalists were killed. Though the constitution prohibits censorship, the press has been rated "not free" since 1991, according to Freedom House's *Survey of Press Freedom*. Journalists function in an environment largely monopolized by state-owned establishments, and media outlets are financially strapped. The government offers "friendly advice" to reporters about content, and the State Committee on Television and Radio controls the issuing of licenses — which are expensive and require long waits — so journalists often exercise self-censorship. The government also maintains financial control by subsidizing nearly all publications and electronic facilities as well as the country's only publishing house. Still, the IRP maintains its own independent printing press.

Most broadcasting comes under governmental purview, although the government has no monopoly on the Internet: Tajikistan has one state-owned provider, and four private Internet Service Providers operate. However, only three percent of the population can afford Internet access.

Asia-Plus was scheduled to begin broadcasting in September 2002, making it the capital's first independent news agency. The station originally sought a license in 1998 but its application was rejected in July 2002. President Rahmonov, under international pressure, had to intervene to reverse the decision. Dushanbe remains without an independent television station, although independent stations do operate in other cities, particularly in the relatively liberal northern region of Soghd. In August 2002, the closed joint stock company TV Servis was granted a license to rebroadcast 12 foreign television channels in Dushanbe.

Journalists who offend the government or powerful individuals risk arrests, beatings and other forms of violence. In May 2000, Saifullo Rahimov, the director of the state radio and television, was murdered. Saifadin Dostiev, correspondent of the Tajik-language service of RFE/RL, was badly beaten in May 2000. A reporter for the publication *Badakhshon* was fired last year after writing a story critical of local authorities. However, according to Internews, a media-training organization, no beatings of journalists have been reported in 2002. And in July, charges were dropped against Dodojon Atovulloyev, exiled editor of *Charoghi Ruz* which has often been critical of the government.

FREEDOM OF ASSEMBLY

Freedom of assembly is limited in Tajikistan. NGOs and political groups must obtain permits from local authorities to demonstrate; participants normally do not face reprisal but demonstrations are rare. Permits for political rallies, however, are more difficult to obtain than those for NGO-related events. In May 2001, local Kulyab authorities obstructed an IRP meeting and briefly detained two members.

FREEDOM OF ASSOCIATION

Five political parties are registered in Tajikistan but registration by the Ministry of Justice is often hampered by inadequate legislation and can be a arduous process. In several cases, applications were denied on technicalities, such as "insufficient membership" or for unknown reasons. Six parties were banned

in 1999 alone, as was the Adolatkhoh (Justice) Party last year in two oblasts. Moreover, the government has "made politically motivated arrests, and there were credible allegations of cases of illegal government detention of rival political factions."[1]

Most unusual in the Central Asian context is the legal status of the IRP. Founded in the mid-1970s, the party no longer calls for an Islamic state but rather a society in which "Muslims would be accorded a fitting place." The IRP was registered following the reversal in September 1999 of a law prohibiting political parties based on religious affiliation.

The government reportedly has harassed IRP members and Mokhtar Jalilov, chief bodyguard of First Deputy Prime Minister Akbar Turajonzoda, was convicted to five years' imprisonment last year for being a "witness" to the 1997 murder of a Russian border guard colonel. According to the State Department's Human Rights Report on 2001, "The trial was believed widely to be an indirect attack on Turajonzoda by his political opponents. The evidence against Jalilov was poor, and numerous witnesses supported the defense's alibi."

The NGO community is fairly active in Tajikistan. Freedom House (2002) reports that the government generally does not interfere in their operations and that groups that do not officially register are not necessarily illegal. Advocacy by Tajik NGOs yielded Resolution 132, which slashed registration fees for community organizations to $25 and to $60 for national-level NGOs. As a result, according to the Ministry of Justice, the number of registered NGOs dramatically increased in 2001: 320 NGOs were registered that year alone, a 35 percent increase over the previous year. A recent conference broadcast by Tajik media between President Rahmonov and NGO representatives sent positive signals to the NGO community. During the conference, Rahmonov estimated that nearly 2,000 NGOs now operate in the country.

FREEDOM OF RELIGION

As mentioned, Tajkistan is the only country in Central Asia which has legalized an Islamic party and brought its representatives into government at both national and local levels. Muslims are allowed to practice their religion freely, but mosques and religious schools must be approved by the muftiate. Tajik authorities required all mosques to reregister two years ago, resulting in the closure of smaller and more radical ones, and religious schools were required to submit their curricula to authorities. In an unpopular move, Tajik authorities also outlawed the use of loudspeakers for call to prayer in large cities.

As elsewhere in Central Asia, Tajik authorities are increasingly concerned about the Islamic organization Hizb ut-Tahrir (Party of Liberation), which calls for the overthrow of the Uzbek Government and the establishment of the Caliphate and Shariat law. Although the organization claims to advocate only peaceful means, its messages have grown more violent and anti-American. The party is banned in Tajikistan, and one of the organization's leaders was detained by Tajik authorities in August 2002. Arrests of party members are generally on the basis of reported activities, not simply on alleged membership or association with members; moreover, the number of arrests is much lower than in neighboring Uzbekistan, and trials appear to be more open.

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[1] U.S. Department of State , *Country Reports on Human Rights for 2001* (2002).

Christian groups that do not comply with registration procedures required by law have faced petty harassment, and others have had their applications turned down. In the final months of 2001, three Christian churches were bombed. In one of these cases, Islamic extremists were reportedly involved; in the other two, three persons were accused and one escaped. Tajikistan's Jewish community, which numbered 20,000 before independence, now totals only 2,000. Baha'i and Hare Krishna groups experience some instances of discrimination. In 1999 British national Abdullah Mugharebi, a prominent Baha'i leader, was murdered.

FREEDOM OF MOVEMENT

Tajik citizens can freely choose their workplace and place of residence and are permitted to travel. Tajikistan's Jackson-Vanik amendment status has been determined to be in "no violation" of freedom-of-emigration requirements, a status renewed in mid-2001. Importantly, exit visas were abolished in August 2002. Many checkpoints were eliminated in recent months, as they often served as opportunities for members of law enforcement to engage in extortion.

TURKMENISTAN

Turkmenistan, the most repressive former Soviet republic, has not liberalized at all since 1992. Instead, President Saparmurat Niyazov has presided over the establishment of a near-totalitarian political system and a regime considered one of the world's most repressive. He has not allowed alternative leaders or competing centers of power and authority, such as political parties or movements, to emerge. Turkmenistan's communist-era political system has evolved into more personalized forms, transcending party rule, and characterized by a full-fledged cult of personality and Soviet-style controls on a fearful populace.

Niyazov renamed himself Turkmenbashy (leader of the Turkmen), in an apparent aping of Turkey's Mustafa Kemal, and has added the appellation "The Great" to his name.[1] His portraits are ubiquitous, along with the slogan "Khalq, Vatan, Turkmenbashy" (People, Nation, Turkmenbashy). Cities, towns and enterprises have been renamed after Niyazov, and his image adorns the currency. In fact, Niyazov's all-embracing cult of personality—which he occasionally justifies as a temporary necessity to give the population something to believe in now that communist ideology is dead—has in recent years taken even more extreme, megalomaniacal forms. A frequently cited example is the gold statue of Niyazov in central Ashgabat which rotates so that he always faces the sun (or vice versa) and the nearby statue which depicts the infant Niyazov being offered to a grateful Turkmen nation. In 2002, he released the *Rukhnama*, a book of his wisdom and teachings that is obligatory for citizens to study and appears intended to displace other sources of historical information and spirituality. In August 2002, he surpassed even his own record for grandiose buffoonery by renaming the months of the year, reserving two for himself and his deceased mother.[2]

In November 2001, former Foreign Minister Boris Shikmuradov resigned from the government, fled the country and declared his opposition to Niyazov. His move sparked a series of defections, which marked the first time during Niyazov's tenure that a group of former high-ranking officials publicly declared their intention to drive him from power and formed a movement in exile to do so.

An obviously concerned Niyazov, presumably fearing a coup, responded with a purge of the security apparatus—hitherto seen as his staunchest support—and the military. In November 2002, Turkmen officials announced that a failed attempt to assassinate Niyazov had taken place, Shikmuradov and his associates were accused of the crime, along with some foreigners—including the Uzbek Embassy in Ashgabat where Shikmuradov allegedly hid. A wave of arrests followed, including former Foreign Minister and Ambassador to the OSCE, Batyr Berdier, and culminating in the capture of Boris Shikmuradov himself in late December. Reports of torture of those detained and mistreatment of their families soon began to emerge.

The arrest of Shikmuradov signaled Niyazov's crushing of Turkmenistan's overt opposition movement at least for now. Nevertheless, while popular attitudes toward the country's all-powerful ruler are difficult to gauge, it is reasonable to assume residual resentment among the elite, whose members might yet

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[1] In official pronouncements he is generally called "President Saparmurat Turkmenbashy (Niyazov) the Great."

[2] He also "redefined" the ages of man, stipulating, for example, that old age did not begin until 85. Claudia Rosett, " The Real World: Turkmenistan's Dictator Is No Joke to Those He Rules," *The Wall Street Journal Europe*, August 28, 2002.

launch another attempt against Niyazov; he has made many enemies among his officials, whom he often humiliates while sacking them.

Niyazov has never demonstrated the slightest inclination to loosen his control of Turkmen society, to rethink his views or to regard seriously the commitments he undertook when Turkmenistan joined the OSCE in 1992. The crackdown underway since late 2001 indicates his determination to retain absolute power, i.e., the right and ability to make all decisions about matters of state and even trivial issues arbitrarily. There is no reason to expect any liberalization in Turkmenistan while he is in power.

ELECTIONS

Elections in Turkmenistan have been farces. In December 1994, Turkmenistan held elections to a new 50-seat parliament (Mejlis). According to official figures, turnout was 99.8 percent. The races were uncontested, so the composition of the legislature was known well in advance. Practically all of the 50 parliamentarians were members of the Democratic Party—formerly the Communist Party—the only political party in Turkmenistan, and headed by Niyazov.

In the December 1999 parliamentary elections, Turkmen officials claimed the seats were contested. Nevertheless, OSCE's ODIHR declined to send observers. Its needs assessment mission concluded that the pre-election process "does not meet minimal OSCE commitments for democratic elections … the legal framework is flawed and the rules and regulations produced by the CEC (Central Elections Commission) do not address the shortcomings of the law. In addition, the preparations for these elections indicate that there will be no plurality of candidatures and the bodies … administering the election process are neither effective nor independent."

Niyazov has, moreover, played a very negative pioneering role in perverting democratic practices in Central Asia, by introducing the referendum as a means of extending his own tenure in office, cancelling elections and by insisting on absurdly high polling figures. In January 1994, he organized a referendum to extend his tenure in office until 2002; according to the announced results, fully 99.9 percent of the electorate cast ballots, and 99.99 percent voted for the initiative.

In December 1999, delegates to the Halq Maslakhaty (People's Council), ostensibly the most authoritative representative body in the country but actually a rubber stamp for Niyazov, gave him the right to remain in office permanently. His virtual coronation as "president for life" flagrantly flouts OSCE commitments, which call for regular and competitive elections. Niyazov subsequently announced he would remain in office until 2010, when contested presidential elections will be held.

PARLIAMENT

As Niyazov totally dominates the country's political system, Turkmenistan's Parliament exercises no power or authority. When he wants to, he replaces one Speaker with another. The legislature is a rubber stamp body for the executive; in fact, the parliament and the government are located in the same building in Ashgabat.

FREEDOM OF SPEECH

There is no freedom of speech in Turkmenistan. All media are subject to Soviet-style censorship and are primarily designed to glorify Niyazov, whose policies are always described as wise and farsighted. Newspapers also feature an oath on the front page, which reads, *inter alia*: "Turkmenistan, beloved homeland … for the slightest harm I cause you, may my hand fall off; for the slightest calumny about you,

may my tongue become powerless; at the moment of treason to your holy banner, may my breath be cut off." Niyazov is frequently shown on TV, criticizing his ministers or lower-level officials for failing to carry out successfully some task he has given them.

In May 2002, Freimut Duve, the OSCE's Representative on the Media, announced the release of a report on the media in Turkmenistan, prepared by outside experts. His concise assessment was that "Turkmenistan … is the only member of the OSCE where currently media freedom, in the basic understanding of the wording of my mandate, is non-existent … the notion of freedom of the media has not undergone any real changes since the days of the Soviet regime. Furthermore, in the course of the entire decade since the disintegration of the Soviet Union, the Turkmen Government has carried out a deliberate policy of subjecting all of the nation's media to the interests of building their totalitarian state."

Duve also complained in a letter to Turkmen Foreign Minister Rashid Meredov, on April 30, 2002, that "the print-run of a Moscow-based newspaper *Komsomolskaya Pravda* had been confiscated because of an article describing the situation in your country." Moreover, Duve continued, "access to the newspaper's website was blocked by Turkmenistan's sole internet-provider, state-run Turkmentelekom." Since early 2002, Turkmenistan's authorities have blocked access to several other web-sites, among them *Vremya Novostei*, *Yevraziya*, *TsentrAziya*, *Deutsche Welle*, *Erkin Turkmenistan*, and *Gundogar*.[3]

FREEDOM OF ASSOCIATION

There is no freedom of association in Turkmenistan, the only remaining one-party state in the former Soviet bloc. The Democratic Party (the renamed Communist Party), headed by Niyazov, is the sole registered party. No opposition groups were ever registered, and none is allowed to function today. Anyone who tries to engage in unauthorized political activity, alone or with others, risks imprisonment.

During a meeting in May 2002 in Ashgabat with—appropriately enough—Belarusian strongman Alyaksandr Lukashenka, Niyazov said, "Turkmenistan will get a multiparty system and an opposition in time, but it has had more important things to do since independence, such as ensuring that the people's living standards don't plummet."[4]

According to independent sources, there are about 500 NGOs in Turkmenistan, of which 60 are registered. However, no new NGOs have been registered since 1995. Nor are NGOs allowed to engage in any activity that even smells political, much less oppositionist. NGOs activists who step out of line risk imprisonment, surveillance, the destruction or confiscation of property or not being allowed to exercise their right to freedom of movement. In recent months, the authorities have reportedly called in NGO activists for talks, as opposed to harsher methods.

As independent activity, political or not, is impossible in Turkmenistan, in June 2002, representatives of various Turkmen parties and NGOs convened in Vienna. They decided to consolidate forces in order to

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[3] The latter is the website of Boris Shikmuradov. On May 3, 2002, the Web site <erkin.net> belonging to former Turkmen Foreign Minister Avdy Kuliev, an opposition activist in Moscow since 1992, was destroyed by hackers, <cjes.ru> reported the following day. Turkmen authorities had made the site inaccessible to Turkmentelekom subscribers in February 2002.

[4] In fact, living standards have plummeted for the great majority of the population.

promote the observance of the rights and freedoms of the Turkmen people, to meet international principles and standards in the field of human rights and freedoms, including freedom of speech and mass media, freedom of association, belief, and participation in governance.

Turkmenistan's opposition-in-exile decided to form a coordinating-consultative body, called the "Roundtable of the Turkmen democratic opposition." Members include "Agzibirlik," the Russian community of Turkmenistan, the Communist Party, the Social-Democratic Party of Turkmenistan, the Board of Veterans of the Turkmen international warriors, the Turkmen diaspora in Afghanistan and Iran; the National Patriotic Movement of Turkmenistan, the National Democratic Movement of Turkmenistan, and the popular social movement "Mertebe."

FREEDOM OF ASSEMBLY

There is no freedom of assembly in Turkmenistan. So repressive has the atmosphere been since the early 1990s that it is quite rare even to hear of attempts to organize demonstrations.

Nevertheless, RFE/RL reported in April 2002 that protesters gathered outside the building of the Committee for National Security (KNB) in Ashgabat for the second day to complain about misdeeds by the security organs and to demand that members of the KNB who violated the law should be punished.[5] In August 2002, opponents of Niyazov's regime reportedly distributed antigovernment leaflets in the main bazaar in Ashgabat.

The most publicized demonstration in Turkmenistan took place in July 1995, when about 1,000 residents of Ashgabat marched along the city's main street, and reportedly made political demands, calling for new presidential and parliamentary elections. Furthermore, they distributed leaflets urging local Russians to ignore rumors that the march was directed against Russian speakers, to whom they appealed not to be so patient with Niyazov's lies and promises. Subsequently, law enforcement officials described the marchers as "drug addicts" on television, and several participants remained in jails for years afterward. They were released before Niyazov's 1998 visit to Washington.

FREEDOM OF RELIGION

There is no freedom of religion in Turkmenistan. Article 11 of Turkmenistan's constitution guarantees religious freedom but Turkmen legislation is extremely restrictive: the 1991 Law on Freedom of Conscience and Religious Organizations, amended in 1995 and 1996, requires all religious groups to register. However, registration eligibility hinges on a religious community having 500 adherents in each locality wishing recognition (as opposed to 500 in the entire country). While not specified in the law on religious organizations, the government prohibits unregistered communities from holding any religious meeting or proselytizing. Individuals caught participating in such meetings risk monetary fines and criminal sanctions.[6]

Accordingly, approved religious communities are primarily limited to government approved Sunni mosques and Russian Orthodox Churches. Government raids against unregistered religious groups are common, often followed by arrests, internal deportation, and seizures of property. The government even

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[5] An RFE/RL correspondent on the scene estimated the group to number 300 the first day, about 50 the next. Niyazov, in sacking high-ranking members of the KNB, complained the service had been selling drugs, as well as torturing suspects and raping young women.

[6] U.S. Department of State, *International Religious Freedom Reports for 2001*.

bulldozed an unregistered Adventist Church in 1999, seized the property, and is turning the site into a public park.[7] While longtime Baptist prisoner Shageldi Atakov was released in January 2002, several Jehovah's Witnesses remain jailed due to their refusal to swear an oath of loyalty to President Niyazov. Recently, Turkmen authorities forced a group of Protestants from a small eastern village to renounce their faith and swear an oath on Niyazov's "spiritual book" *Ruhnama*.[8]

FREEDOM OF MOVEMENT

Freedom of movement is limited by the government, both internally and for international travel. Turkmen citizens must carry internal passports, and the government limited travel abroad through its power to decline the issuance of passports. In January 2002, however, the government discontinued its exit visa regime for citizens. Reports of forced internal migration have arisen, especially concerning ethnic Uzbeks from the provinces of Dashoguz, Lebap, and Ahal. Also, there are reports of the government internally exiling individuals and communities allegedly involved in the assassination attempt of Niyazov.

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[7] U.S. Department of State, *International Religious Freedom Reports for 2001*.

[8] Felix Corley, *Turkmenistan: Protestants Forced to Renounce Their Faith*, Keston News Service, May 17, 2002.

UKRAINE

While Ukrainian citizens enjoy far more freedom now than during the Soviet era, the country's human rights and democracy record remains mixed. Ukraine's history was often marked by brute repression and massive, egregious abuses of human rights and the suppression of Ukraine's cultural and linguistic identity, and the lack of independent statehood—whether as part of the Russian Empire or the Soviet Union—has made the process of nation-building and the development of civil society a challenge. Nevertheless, some progress is being made and an emerging civil society is showing increasing signs of vibrancy and promise as an agent of positive change.

The state of human rights and democracy reflects the ambiguities present within the Ukrainian leadership and society. Ukraine still needs to resolve a fundamental question: Will it choose the path of democratic Europe where human rights are respected and the rule of law prevails, or will it remain mired in post-Soviet authoritarianism? Most levers of political power in Ukraine are in the hands of the president. The police and security apparatus as well as revenue-generating agencies report directly to the president. He appoints the prime minister and members of the cabinet, the governors of regions (oblasts) and heads of county (rayon) administrations. However, Ukraine has managed to create—if still weak and underdeveloped—checks on the powerful executive branch. These include a Verkhovna Rada (parliament) which spans the political spectrum, but whose majority is now pro-presidential; some, albeit inadequate, judicial reforms; an active though constrained media; and a growing number of non-governmental organizations. The 1996 constitution enshrines separation of powers, although in practice there is still a way to go.

Substantial progress in the area of political and civil rights has been marred by some governmental actions, such as inappropriate and at times heavy-handed efforts to influence the media—particularly during election campaigns. In contrast to a number of other post-Soviet countries, Ukraine has enjoyed peaceful transitions of power and a notable degree of social peace and stability, tolerance and pluralism. Ukraine has been largely untouched by interethnic antagonism and conflict.

However, progress in Ukraine has been thwarted by the inadequate development of the rule of law and an independent judiciary, and pervasive, high-level corruption that has undermined citizens' confidence in their government. An unprecedented scandal involving President Leonid Kuchma has marked a setback in the progress Ukraine has made. The crisis began with the disappearance and murder in September 2000 of independent investigative journalist Heorhiy Gongadze and assumed major proportions a few months later, when the leader of the Socialist Party revealed to the Rada audiotapes of conversations among Kuchma and other top officials suggesting complicity in Gongadze's disappearance, graft, suborning of judges, interference in criminal investigations and falsifications of elections. One such recording, authenticated by the U.S. Government, makes it clear that President Kuchma gave his personal approval for the sale of sophisticated military equipment to Iraq. The deplorable handling of the Gongadze case by the authorities illustrates that democracy and the rule of law in Ukraine have yet to be consolidated.

In summary, Ukraine's human rights and democracy record has been inconsistent, with improvements in some areas and regression in others. With respect to overall trends, the late 1990s witnessed retrogression, especially with respect to elections, media freedom and corruption. These remain problematic, with improvements in some areas and reversals in others. Perhaps the biggest obstacle to democratic development, however, is the power of the executive and the closely-connected oligarchic elite. There is concern that in the run up to the 2004 presidential election, the current powers may push to limit democ-

racy to the extent they can—administratively and judicially—while paying lip service to values and democratic norms expected among European countries. Or, there are indications that they may be compelled to compromise as civil society, various political forces in the parliament and perhaps even political and business elites increasingly look towards integration into the Euro-Atlantic community.

ELECTIONS AND OPPOSITION REPRESENTATION IN PARLIAMENT

Ukrainian elections generally have reflected the will of the electorate and have been determined to be largely free if not always altogether fair. At the same time, they have also been marred with serious irregularities and violations, especially noted in more recent elections.

There have been three presidential elections, all of which witnessed the peaceful and constitutionally sanctioned transfer of power. President Leonid Kravchuk was elected in a free and fair election in December 1991, which was held as Ukrainians voted overwhelmingly, in an historic referendum, for restoration of independence. President Kuchma defeated the incumbent in 1994 in what were considered to be largely free and fair elections. He was reelected to a second 5-year term in November 1999 elections, which were criticized for failing to meet a significant number of OSCE-related election commitments, including inappropriate pressure on the media and pro-incumbent bias, a systematic and coordinated campaigning by state administration and public officials in contravention of Ukrainian law. These violations, however, did not have a decisive effect on the outcome, given Kuchma's substantial margin of victory over his communist opponent.

Even more serious violations were reported during an April 2000 referendum designed to expand the president's authority. The executive branch put substantial pressure on government agencies to ensure a favorable vote, and the polling was deemed neither free nor democratic. At the same time, however, its results have yet to be implemented by the Rada, and it is doubtful that this attempt to convert Ukraine into a presidential state with a weak parliament will be successful given the strengthening and representation of opposition parties in the Rada.

Independent Ukraine has seen three parliamentary elections. The first, in 1994, resulted in a 450-seat, unicameral Rada that included a substantial mix of communists, national democrats and nonaligned representatives. Despite various irregularities and transgressions, voters generally were able to express their political will freely. The 1998 parliamentary elections were held under a new election law which replaced the majoritarian system, introducing a mixed electoral system where half of the deputies were elected from single-mandate districts and half from national party lists. Again, there were violations and irregularities, and the campaign, albeit generally peaceful, was marred by incidents of violence.

The March 2002 parliamentary elections had both positive and negative features. The OSCE observation team concluded that the elections indicated progress over the 1998 elections, including multiparty election commissions and party observers and improved mechanisms to address election disputes, but noted problems including failure to guarantee a level playing field for all candidates and parties, interference in the elections by the authorities and abuse of administrative resources. Problems were also evident in the July 14 by-elections, especially against a candidate who was an outspoken critic of President Kuchma. Despite these problems and the use of considerable state resources by the authorities, a significant portion of the electorate showed its independence and voted for opposition parties and candidates. The pro-presidential coalition failed to overcome the pro-democratic, pro-reform Our Ukraine coalition in the party-list vote. Moreover, for the first time since independence, the Communist Party does not constitute

the largest faction in the Rada. On the other hand, questions have been raised as to whether the elections reflected the will of the voters as many of the 225 newly-elected deputies representing districts were reportedly pressured into joining the pro-presidential forces. The opposition's solid electoral showing did not translate into their predominance in the new Rada.

Since independence, Ukrainians have been divided into three broad political orientations—the communists, who are diminishing in influence with the passage of time; the national democratic, reformist, pro-Western, center right; and the pro-presidential coalition of parties led by various oligarchs. Political forces have frequently realigned which has often led to executive-legislative deadlock and stalemate on important issues and hampered the decision-making process and political and economic reforms. Nevertheless, many important laws have passed over the course of the last decade, including more recently a new Land Code that will help develop a land market, new codes for criminal and civil law, as well as amendments to improve laws on political parties, elections and the judiciary. Implementation and enforcement of many laws by the executive branch, however, has been weak.

FREEDOM OF EXPRESSION

A major area of human rights concern has been freedom of expression. Despite constitutional and legislative guarantees for freedom of speech and press, the authorities have used tax and libel laws to stifle freedom of expression by opposition media, especially during the 1999 presidential election campaign. Opposition newspapers have been harassed and even suspended. Pressure by the authorities—including the use of "*temniki*" (secret instructions from the Presidential Administration to editors about which subjects should be covered)—has contributed to censorship in the media. Another major source of interference on both the print and electronic media comes from the oligarchs who control much of the media and often have close ties with the authorities. The president exercises substantial control through the National Council for Television and Radio Broadcasting, which assigns airwave frequencies to broadcasters. This agency has refused to renew licenses of media outlets that have been critical of the government.

Journalists have been murdered or physically attacked with very few cases resolved. Four journalists were killed in 2001, allegedly in response to their reporting about illegal activities of local or national authorities, and there were 28 incidents of physical and verbal harassment against journalists.[1] More than 2 years after his murder, the case of investigative journalist Heorhiy Gongadze remains unresolved (see *Rule of Law/Corruption* below).

Others journalists have since been intimidated, especially through the use of libel laws, although manipulation through these laws appears to be declining. A new criminal code that went into effect in September 2001 eliminated any criminal penalty for libel. However, because there is no limit to the damages that may be awarded under a civil libel suit, opposition newspapers are still under pressure by authorities, and some have been forced to suspend printing after publishing articles highly critical of top officials.

There are signs that the authorities may be slowly responding—albeit inconsistently—to the considerable domestic and international pressure. During the 2002 parliamentary election campaign, tax inspections against newspapers were frozen, and over the course of the last eighteen months, according to the

[1] Reporters Without Borders.

U.S. Department of State, unannounced tax, fire, and building code inspections have not been abused to interfere with the news media. On the other hand, serious allegations of increased political censorship have emerged since the June 2002 appointment of Viktor Medvedchuk as chief of the powerful Presidential Administration, especially relating to coverage of major anti-presidential protests that took place in September. Furthermore, Ukrainian radio stations that retransmit Western broadcasts such as Voice of America and Radio Liberty have been threatened with not having their licenses renewed.

Irrespective of the various constraints and pressures—whether by state authorities or private owners—there are a variety of viewpoints in the print and, to a lesser extent, electronic media. Some print media are highly critical of inadequacies in Ukraine's political system and of high-ranking officials, including the president.

FREEDOM OF RELIGION

Religious rights are guaranteed and religious activity, suppressed during the Soviet period, has exploded. According to the State Department's 2002 *International Religious Freedom Report*, "the generally amicable relationship among religions in society contributed to religious freedom." The Ukrainian Greek-Catholic Church, forcibly incorporated by Stalin into the Orthodox Church in 1946, is enjoying a renaissance. Denominations of all kinds operate freely and openly, although a 1993 amendment to the 1991 law on freedom of conscience restricts some activities of foreign-based religious organizations. There are isolated instances of discrimination. Nevertheless, many minority and "nontraditional" religions are thriving in Ukraine.

Some religious disputes over property and jurisdiction still exist. This is especially the case between the two main factions of the Ukrainian Orthodox Church, divided between the independent, pro-Ukrainian Kyiv Patriarchate, and the Moscow Patriarchate which, while autonomous, owes its allegiance to the Russian Orthodox Church. Although significant progress has been made in the transfer of most places of worship to their original owners, the pace has slowed as the most difficult cases remain.

The Ukrainian Government has condemned anti-Semitism and encouraged the development of Jewish culture. Opportunities for Jews in Ukraine to pursue their religious and cultural activities have expanded significantly. While never widespread since independence, anti-Semitic acts and publications in local newspapers have continued to decrease.

NATIONAL MINORITIES

A 1992 law on national minorities, with strong guarantees for protection, was passed shortly after independence, as was a liberal and inclusive citizenship law. Ukraine's treatment of its minorities has been largely positive, and the government supports the cultural development of its minority groups, despite the limitations of financial resources. Most of the approximately 260,000 Crimean Tatars who were deported by Stalin, mainly to Central Asia, have acquired citizenship, especially following a 1998 agreement signed with Uzbekistan which provided a streamlined procedure to acquire Ukrainian citizenship. Roma, located mostly in the western Transcarpathian region, are often victims of police abuse and societal discrimination. Roma and, to a lesser extent, Crimean Tatars, do not enjoy in practice the same rights as the rest of the population.

FREEDOM OF MOVEMENT

Dramatic progress has been made with respect to freedom of movement, including emigration. In 1993, Ukraine eliminated its requirement for exit visas, and all citizens are eligible for passports for travel abroad. Citizens who wish to emigrate or travel abroad generally are able to do so freely.

Until recently, the *propiska* system—the nationwide requirement to register at the workplace and place of residence in order to be eligible for social benefits—remained in place, but in November 2001, the Constitutional Court ruled the *propiska* system unconstitutional.

RULE OF LAW / CORRUPTION

Establishing the rule of law has been a formidable challenge in independent Ukraine, and widespread, high-level corruption has greatly undermined the rule of law throughout the country. It has also had a profound negative impact on the human rights of Ukrainian citizens as well as on their economic well being. Pervasive corruption and links between officials and organized crime have often clouded the distinction between political acts and criminal acts. Such activities have also undermined citizens' confidence in the authorities.

The September 2000 murder of independent journalist Heorhiy Gongadze, who was investigating corruption and whose case has drawn considerable international attention illustrates the intersection between corruption, media freedom, and the rule of law. Many observers believe that the authorities, specifically the Procurator General's office, are hampering the investigation and handling it in a cavalier and unprofessional manner, raising fundamental questions about Ukraine's commitment to the rule of law. The authorities have been uncooperative with Gongadze's widow and his mother, even after a court gave them status that legally permitted them access to the details of the investigation. The cases of other murdered journalists investigating crime and corruption, including that of Ihor Alexandrov, have also been suspect as have the investigations of possibly politically-motivated murders of other high-profile individuals. There has been virtually no progress in the investigation of the cases.

The root of corruption in Ukraine, as well as all post-communist states, lies in the concentration of wealth among a small elite dependent on its relationships with various officials. High-ranking officials have been implicated in corruption. While those connected with Ukraine's lucrative energy sector have been especially susceptible, corruption pervades all levels of government and is partly fueled by excessive regulation. Ukraine has been ranked as one of the most corrupt countries in the region.

Throughout the last ten years, little progress has been made in the following problem areas: the torture and ill-treatment of detainees and prisoners, including instances of torture that have led to deaths; refusal of prompt access by detainees to legal counsel or failure to inform relatives of their detention and arrest; police abuse and harassment of racial minorities; wretched prison conditions; arbitrary arrests and detentions. All too often, investigations of cases of alleged torture and abuse have been "slow, frequently lacking in thoroughness and often inconclusive," according to Amnesty International. The new criminal code does provide penalties for torture, and the Human Rights Ombudsman, created in 1998, has publicized and pressed various human rights cases actively. Other legislation passed within the last year has brought about some reforms in the legal system designed to address the problem of arbitrary arrest and detention. While amendments passed in July 2001 have limited prosecutors' authority, improvements are needed in the implementation and enforcement of these laws.

The judicial branch has also faced considerable pressure from the authorities, raising serious questions about its independence. Courts and prosecutors remain vulnerable to the influence of the executive branch, especially as they are funded through the Ministry of Justice which controls the organizational support of the courts. However, legislative changes in 2001 have assigned more power to the courts and improved the independence of the judiciary.

UZBEKISTAN

Under President Islam Karimov, Uzbekistan has become a repressive police state, where opposition is banned, media are subject to Soviet-style censorship and the growth of civil society has been crippled, if not entirely stifled. Karimov apparently intends to remain in power indefinitely, and has controlled and rigged elections in pursuit of that goal.

Five parties are represented in Uzbekistan's Parliament; none is remotely oppositionist, though some analysts see Karimov's control of the legislature as hedged by the ambitions of regional bosses. For the most part, parliament is a rubber stamp institution. The courts, in political matters, are reliably compliant, sentencing those accused of political or religious crimes to long prison terms.

The most populous Central Asian country, Uzbekistan is also the state where, by virtue of tradition and history, political Islam has emerged as a threat, particularly in the form of the Islamic Movement of Uzbekistan (IMU), which the U.S. Government has classified as a terrorist organization. For the last five years, and especially after bomb blasts in Tashkent in February 1999, Karimov's regime has been engaged in a virtual war against religious Muslims who want to worship outside the system of state-controlled mosques. Uzbek and international human rights organizations estimate that thousands of people have been jailed for religious reasons; planting of evidence is common, as is torture in prison, both to obtain confessions and as punishment. Karimov has largely ignored advice from many sources, including the U.S. Government, that his crackdown only strengthens the very Islamic and radical dangers he claims to be combating.

Since September 11, 2001, and the intensification of relations with Washington, Karimov has made some gestures to loosen the state's grip on society: he permitted the registration of an independent human rights organization, amnestied prisoners, and most recently, has claimed that pre-publication censorship has been lifted. On August 29, 2002, he urged "radical" democratic changes, telling parliament that the country is ready for freedom of the media, political activity, independent courts and economic liberalism.[1] Based on past practice, however, there is little reason to expect more than tactical concessions and no reason to look forward in the foreseeable future to genuine political reform.

ELECTIONS

In the December 1991 presidential election, Karimov allowed Mohammad Solih, well-known poet, writer and leader of the opposition Erk party, to run against him. He did not permit Abdurrahim Polat, leader of the opposition Birlik movement, to register as a candidate. According to official figures, Solih got about 12 percent of the vote. That was the last time any electoral exercise in Uzbekistan bore any resemblance to actual elections.

The OSCE refused to send international observers to the 1999 parliamentary elections, in which five pro-government parties participated. In the 2000 presidential elections, to which the OSCE also refused to send observers, Karimov allowed—instructed—one individual to run against him. His purported rival announced that he intended to vote for Karimov.

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[1] *Washington Post*, August 30, 2002.

The results of the January 2000 election gave Karimov another 5-year term, but he was apparently not content with being "reelected." In December 2001, Uzbek authorities announced plans to hold a referendum to extend Karimov's tenure in office from five years to seven. That exercise took place in January 2002. Uzbekistan's Parliament on April 5, 2002 confirmed the extension of Karimov's term to 2007, at which point he might become eligible for another seven-year term.

PARLIAMENT

The structure of Uzbekistan's 250-seat parliament, established in 1993, gave regional leaders (*hokims*) the right to be nominated as candidates to parliament. Moreover, unlike other officials, they did not have to resign their other posts. In the December 1994 parliamentary elections, they won 67 percent, and effectively, an even larger majority.[2]

Afterwards, Karimov created several pro-government parties, perhaps to check the power of the National Democratic Party (successor to the Communist Party) and to create a semblance of pluralism. These parties include Adolat (Justice); Milliy Tiklanish (National Rebirth), and Fidokorlar, which was apparently Karimov's most trusted party.

In the December 1999 parliamentary elections, it appears that regional elites sought to resist increasing centralization and Karimov-backed policies that reduced their share in the proceeds from cotton production. Despite strong presidential endorsement, Fidokorlar only won 16 percent, whereas the hokims' bloc was only slightly reduced, from 167 to 110, and hokims constituted a majority of candidates nominated by the regional councils.

It is possible that such resistance to thoroughgoing presidential centralization induced Karimov to call for the referendum extending his tenure from five years to seven and creating a bicameral legislature which he could more easily control.[3] Still, while regional elites may have jousted with Karimov over resources and money, there is no evidence that they disagree with him over policies explicitly relating to democratization and human rights, such as censorship, the registration of independent NGOs and the toleration of opposition political activity. Uzbekistan's Parliament has not yet displayed the capability to restrain Karimov or to limit the power of the executive branch.

FREEDOM OF ASSEMBLY

There is no freedom of assembly in Uzbekistan. Attempts to organize demonstrations are rare and are usually punished by imprisonment.

Interestingly, in the last year, there have been several instances when women tried to demonstrate on behalf of their jailed male relatives. On April 23, 2002, for example, over 20 women protesting the torture to which their relatives were subjected in prison tried to organize a demonstration in Tashkent. They were quickly surrounded by law enforcement and dragged into waiting buses. Hundreds of women reportedly wanted to join their ranks but the roads were blocked. This was the second such attempted demonstration in recent months.[4]

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[2] See Alisher Ilkhamov, "The Limits of Centralization: Regional Challenges in Uzbekistan," in Pauline Jones Luong, editor, *The Transformation of State and Societies in Central Asia*, Cornell University Press, forthcoming.

[3] *Ibid.*

[4] Human Rights Society of Uzbekistan, April 25, 2002.

On August 27, 2002, Uzbek authorities detained Elena Urlaeva and another woman who were participating in a protest outside the Ministry of Justice against government abuses. The next day, the two were transferred to a psychiatric hospital for compulsory treatment, including forced administration of drugs.[5]

FREEDOM OF ASSOCIATION

There is no freedom of association in Uzbekistan. All registered political parties are safely non-oppositionist. The opposition parties Erk and Birlik have not been registered since 1992 and have not been allowed to function as parties, i.e., participate in elections or freely distribute literature or meet with the public. According to Erk spokesmen, party members are in jail for their political activity and are tortured; Erk activists not in jail are closely monitored by police. A September 21, 2002 appeal by the Human Rights Society of Uzbekistan listed eight of its members behind bars.

On April 4, 2002, Karimov announced that he is ready to meet opposition members in exile who return to Uzbekistan, particularly if they had recommendations on economic reforms. Karimov stressed that his invitation extends only to those who have not been involved in terrorist activities, especially the February 1999 explosions in Tashkent, and who do not hope to reestablish the caliphate (the declared goal of the banned organization Hizb-ut-Tahrir). He said nothing, however, about the possibility of allowing Erk and Birlik to gain registration, and there is little reason to expect sanctioned opposition parties in the foreseeable future.

Karimov long refused to register independent human rights groups. In recent years, moreover, the government has jailed at least three human rights activists—one died in custody in July 2001, after torture; two were released. In 2001, activist Elena Urlaeva was imprisoned in a psychiatric hospital for two months. However, with the U.S.-Uzbek rapprochement following September 11, Karimov finally yielded to American pressure; before his visit to Washington in March 2002, the Ministry of Justice registered the Independent Human Rights Organization of Uzbekistan, the first opposition-oriented association to win that status. By Uzbek standards, the group's registration was a breakthrough. However, other independent human rights groups remain unregistered, although they do function. The best known among them is the Human Rights Society of Uzbekistan. Recently, several more have emerged, including Ezgulik (Good Deed) and Mazlum (The Oppressed).[6]

Apart from the politically sensitive human rights groups, according to recent official data, there are 338 NGOs registered at the Ministry of Justice, operating on a national level, and 3,000 NGOs registered at regional branches of the ministry, operating on a regional basis. The government in fact registers only those whose activity has a politically neutral character.

FREEDOM OF SPEECH

There is no freedom of speech in Uzbekistan; most media are subject to Soviet-style censorship. While occasional stories about low-level corruption may appear in the press, Karimov and his policies are off limits. Those who try to print or distribute unsanctioned newspapers or bulletins, such as those put out by Erk or Birlik, face serious criminal penalties. There are some independent newspapers in Uzbekistan, such as Hurriyat, but their content has been strictly controlled.

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[5] Human Rights Watch, "Uzbek Rights Defender in Psychiatric Detention," August 30, 2002.

[6] On May 21, 2002 *Ezgulik*'s application for registration was rejected by the Ministry of Justice.

Karimov has criticized the low level of the media in the past, avoiding the issue of how media can develop in such a tightly run political system. In an address to parliament on April 4, 2002, Karimov said that Uzbekistan had much work to do: "Freedom of speech and the press is central to the given problems, and finds itself alongside these urgent tasks.…We want to build an open, legal democratic state, so we must do great work in this direction." On May 10, he returned to the issue in a joint press conference with German Chancellor Gerhard Schroeder on national TV, acknowledging: "Despite what is in our laws…we are still far from international standards. The media today is not the fourth estate that it is in all developed countries."

Karimov turned these views into policy shortly thereafter: Uzbekistan's chief censor lost his job and on May 13, for the first time ever, Uzbek newspapers were published without previously clearing government censors. Also, the State Committee for the Press redefined the functions of the agency for protecting state secrets, which may no longer cut or demand changes in press articles.[7]

Still, despite the official shift, editors and journalists understand what is expected of them and what will get them into trouble. As Internews—a U.S. NGO that monitors and helps develop independent media—has pointed out, the state agency that licenses mass-media organizations can withdraw a license at any given moment. An Uzbek newspaper published an article calling on journalists to "stop seeking excuses" and publish whatever they want, knowing they are "protected by law and supported by the president."[8] But, the Committee to Protect Journalists (CPJ) told a press conference in Tashkent on June 10 that the abolition of censorship has not fundamentally improved conditions for journalists, as Uzbek authorities "routinely encourage self-censorship by threatening critical journalists with imprisonment." The CPJ delegation called for the release from prison of Uzbek journalists Mukhammad Bekjonov, Yusuf Rozimurodov and Majit Abdurahimov.[9] The extent of Karimov's commitment to freedom of the media will become clear when journalists who reject self-censorship try to write something their president finds offensive or inconvenient.

FREEDOM OF RELIGION

Uzbekistan's government claims that Islam has regained its revered place after 70 years of Soviet atheism. But Karimov's regime, which faced a challenge from radical Muslims in the Fergana Valley in late 1991, has always feared politicized Islam and has sought to impose strict state control of religion. Karimov's government does have reason to fear radical Islam: two organizations have emerged in Uzbekistan which openly challenge the state's avowedly secular stance—the Islamic Movement of Uzbekistan (IMU) and Hizb-ut-Tahrir (Party of Freedom). The IMU, which is linked to al-Qaeda, has pledged to overthrow Karimov and in 1999 and 2000, staged incursions into Kyrgyzstan with the aim of establishing bases in Uzbekistan. Hizb-ut-Tahrir's stated goal is to reestablish the caliphate using nonviolent methods, but the organization is openly anti-Semitic and anti-Western.

The Uzbek Government controls the hierarchy of approved Muslim leaders, deciding who may become an imam and what they can say in mosques.[10] Moreover, imams require periodic re-approval from the muftiate, the State's Committee on Religion and the National Security Committee.

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[7] *RFE/RL Newsline*, May 10, 2002.

[8] *Inson va Qonun* (Man and Law), May 14, 2002.

[9] Khabar Television, Almaty, June 11, 2002. One journalist is from *Yangi Asr* and the two others from the banned opposition newspaper *Erk*. *RFE/RL Newsline*, June 12, 2002.

[10] U.S. Department of State, *Country Reports on Human Rights Practices for 1993* (1994). Igor Rotar, *Special Report—Uzbekistan: Muslim Clergy Under State Control,* Keston News Service, April 23, 2002.

Since 1997 and especially after the February 1999 explosions in Tashkent, which Karimov called an assassination attempt and blamed on radical Muslims allied with some secular opposition figures (specifically Mohammad Solih), the authorities have cracked down hard on religious Muslims. Thousands have been jailed for practicing Islam outside of government-regulated religious institutions, and for their affiliation with unregistered Islamic organizations. Human Rights Watch has documented over 800 such cases since 1999; detainees are held in secret, tortured, and denied access to counsel. At trial, judges ignore allegations of torture—used to extract confessions—and sentence defendants to as many as twenty years in prison for possessing or distributing unsanctioned religious literature, belonging to unofficial religious organizations, or adherence to religious ideals viewed as hostile to the state.

Approved mosques are allowed to operate, and Christian communities exist in relative peace, if they do not attempt to proselytize indigenous groups not traditionally Christian. Yet, the 1998 Freedom of Conscience and Religious Organizations law restricts religious freedom to groups deemed a threat to national security, bans proselytizing and private religious instruction, and only permits government approved clerics to wear religious dress.[11] In addition, the government instituted registration requirements crafted to make achieving official recognition very difficult. Individuals attending an unregistered group, under the 1999 amendments to the criminal code, are potentially subject to three to five years imprisonment for belonging to an "illegal" group. Individuals caught attending meetings of "banned" religious groups risk up to 20 years' imprisonment.[12] Uzbek courts frequently hand down lengthy prison sentences for alleged participation in illegal or banned groups. Furthermore, torture of individuals jailed for religious related crimes is reportedly severe.[13]

TORTURE

According to Uzbek and international human rights organizations, torture is rampant in Uzbek police stations and prisons. In a December 2000 report, Human Rights Watch documented dozens of cases of torture, and fifteen deaths in custody. The report also detailed the methods used, including asphyxiation and rape. Police often threaten to torture detainees' family members, and sometimes abuse them in the presence of detainees. These charges were confirmed by Uzbek opposition activists who testified at a Helsinki Commission briefing on March 28, 2002.[14]

In August 2002, the bodies of two religious inmates in the notorious Jaslyk prison, Muzafar Avazov and Husnidin Alimov, were returned to their families for burial. Individuals who had seen one of the bodies claimed that it showed clear signs of torture; Uzbek authorities reportedly prevented viewing of the second body. Sixty to seventy percent of Avazov's body was burnt, according to officials. "Doctors who saw the body reported that such burns could only have been caused by immersing Avazov in boiling water."[15]

In the most recent statement of condemnation and concern, the United Nations Committee against Torture on May 8, 2002, cited the "numerous, ongoing and consistent allegations of particularly brutal acts

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[11] U.S. Department of State, *International Religious Freedom Reports for 2001*.

[12] U.S. Department of State, *International Religious Freedom Reports for 2001*.

[13] Human Rights Watch, *U.N. Criticizes Uzbekistan for Torture*, Press release, May 13, 2002.

[14] "Escalating Violence and Human Rights Violations in Central Asia," March 28, 2002.

[15] Human Rights Watch, "Uzbekistan: Two Brutal Deaths in Custody Deaths Reveal "Horror" of Uzbek Prisons," August 10, 2002.

of torture by law enforcement personnel." The Committee called on Tashkent, inter alia, to review all convictions since 1995 that were based solely on confessions, as they may have been coerced through torture.[16]

Traditionally, Uzbek law enforcement officials who commit torture have been confident of their impunity. In the last year, there have been two high-profile cases when policemen have been sentenced to long prison terms for torturing detainees. The first occurred in January 2002, when a Tashkent court sentenced four police officers to 20 years in jail for torturing a man to death in October 2001 and for injuring his brother. On June 6, a court in Margilan sentenced three policemen to terms between 5 and 15 years for fatally injuring a suspect last year.[17]

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[16] The Committee also complained about the lack of transparency in Uzbekistan's criminal justice system and the lack of statistics on detainees, complaints about torture, and investigations into such complaints.

[17] *RFE/RL Newsline*, June 7, 2002. The dead man had been detained on November 4, 2001 on suspicion of belonging to the banned Islamic organization Hizb-ut-Tahrir.

APPENDIX I

LETTERS FROM STATES ACCEPTING EXISTING HELSINKI COMMITMENTS

Secretariat of the
Conference on Security and
Co-operation in Europe
PRAGUE

CSCE Communication No. 10
Prague, 7 January 1992

To the Points of Contact

Note and letter from the Russian Federation

The following is circulated at the request of the Russian Federation:

- Note verbale, dated 6 January 1992, from the Embassy of the Russian Federation. A courtesy translation into English is also attached.

- Courtesy translation into English of a letter from Mr. A. V. Kozyrev to Mr. H.-D. Genscher, Chairman-in-Office of the CSCE Council.

Address:
CSCE Secretariat
Thunovská 12, Malá Strana
110 00 PRAGUE 1

Telephone:
+ 42 - 2 - 311 97 93
311 97 94

Telefax:
+ 42 - 2 - 311 62 15

Telex:
121 614 CSCEC

Embassy of the Russian Federation

The Embassy of the Russian Federation in the Czech and Slovak Federal Republic presents its compliments to the Secretariat of the CSCE in Prague and has the honour of providing herewith the following information:

The participation of the Union of Soviet Socialist Republics in the CSCE process will be continued by the Russian Federation. The participating States of the Commonwealth of Independent States, in accordance with the decision made by the Council of Heads of State of the CIS on 21 December 1991, support Russia in continuing the membership of the USSR in international organizations.

The Russian Federation retains full responsibility for the commitments enshrined in the Helsinki Final Act, the Charter of Paris for a New Europe and all other documents of the Conference on Security and Co-operation in Europe, and declares its firm intention to act in conformity with the provisions of those documents.

The Embassy of the Russian Federation in the Czech and Slovak Federal Republic takes this opportunity to renew the assurances of its highest consideration to the Secretariat of the CSCE.

Prague, 6 January 1992

To: The Secretariat of the CSCE in Prague

Letter from Mr. A.V. Kozyrev to Mr. H.-D. Genscher

Dear Mr. Minister,

I have the honour to inform you that the participation of the Union of Soviet Socialist Republics in the CSCE process is being continued by the Russian Federation. In this connection, I would request that the title "Russian Federation" be used instead of "Union of Soviet Socialist Republics" in the context of CSCE activities, beginning with the CSO meeting in Prague from 8-10 January 1992, and also in pan-European institutions.

The Russian Federation retains full responsibility for the commitments and obligations enshrined in the Helsinki Final Act, the Charter of Paris for a New Europe and all other documents of the Conference on Security and Co-operation in Europe, and declares its firm intention to act in conformity with the provisions of those documents.

The Government of the Russian Federation hopes that the Independent States previously belonging to the former USSR who express their intention to participate independently in the Helsinki process and reaffirm their CSCE commitments will be able to do so.

Recognizing the Helsinki process as one of the determining factors in European development and as a guarantee for the strengthening of stability and security on the continent, the Russian Federation is in favour of developing and intensifying that process as much as possible. The Russian Federation fully intends to continue its participation in the collective work of the participating States in the preparation of Helsinki-2 with a view to increasing the efficiency of the activities of the CSCE structures and institutions and providing the process with the capacity to react promptly to any challenges which may arise, inter alia by creating a reliable potential for the prevention and settlement of conflicts.

May I request you, Mr. Minister, to distribute this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Andrei KOZYREV

ПОСОЛЬСТВО РОССИЙСКОЙ ФЕДЕРАЦИИ

№ I

Посольство Российской Федерации в Чешской и Словацкой Федеративной Республике свидетельствует свое уважение Секретариату СБСЕ в Праге и настоящим имеет честь информировать о следующем.

Участие Союза Советских Социалистических Республик в процессе СБСЕ продолжается Российской Федерацией. Государства-участники Содружества независимых государств в соответствии с решением Совета глав государств СНГ от 2I декабря I99I г. поддерживают Россию в том, чтобы она продолжила членство СССР в международных организациях.

Российская Федерация сохраняет в полном объеме ответственность за обязательства, закрепленные в хельсинкском Заключительном акте, парижской Хартии для новой Европы, а также всех других документах Совещания по безопасности и сотрудничеству в Европе, и заявляет о своей решимости действовать в соответствии с положениями этих документов.

Посольство Российской Федерации в Чешской и Словацкой Федеративной Республике пользуется случаем, чтобы возобновить Секретариату СБСЕ уверения в своем весьма высоком уважении.

Прага, " 06 " января I992 года

СЕКРЕТАРИАТУ СБСЕ В ПРАГЕ

г.Прага

SIXTH MEETING OF THE
COMMITTEE OF SENIOR OFFICIALS

PRAGUE 1992

JOURNAL No. 1

[Excerpt]

1. Date: Monday, 27 January 1992

5. Decisions:

(b) The wording of the draft letter of accession to the CSCE to be submitted by each State on the territory of the former Soviet Union was agreed (Annex 2).

Aiming at confirmation by 1 p.m. on Tuesday, 28 January 1992 at the latest, it was the understanding of the Committee that the Council, on the basis of such letters, would grant admission to Armenia, Azerbaijan, Belarus, Kazakhstan, Kirgistan, Moldova, Tadzhikistan, Turkmenistan, Ukraine and Uzbekistan as participating States of the CSCE.

Draft Letter of Accession to the CSCE to be submitted by each State on the territory of the former Soviet Union

(Addressed to the Foreign Minister of the Czech and Slovak Federal Republic as Chairman-in-Office of the CSCE Council of Ministers)

Dear Mr. Minister,

The Government of [name of the State] hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of [name of the State] accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of [name of the State] agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of [name of the State] recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of [name of the State] underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of [name of the State] invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in [name of the State] toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of [name of the State] will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of [name of the State] expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of [name of the State] at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

CSCE

SECOND MEETING OF THE COUNCIL

PRAGUE 1992

JOURNAL No. 1

[Excerpt]

1. Date: Thursday, 30 January 1992

3. Admission of participating States and of observers:

On the basis of letters of accession (cf. Annex 2 of Journal No. 1 of the Sixth Meeting of the Committee of Senior Officials), Armenia, Azerbaijan, Belarus, Kazakhstan, Kirgistan, Moldova, Tajikistan, Turkmenistan, Ukraine and Uzbekistan were admitted as participating States in the CSCE. The texts of the letters are attached (Annex 1).

2-C/Journal No. 1
Annex 1

ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅՈՒՆ
ԱՐՏԱՔԻՆ ԳՈՐԾԵՐԻ
ՆԱԽԱՐԱՐՈՒԹՅՈՒՆ

РЕСПУБЛИКА АРМЕНИЯ
МИНИСТЕРСТВО
ИНОСТРАННЫХ ДЕЛ

375019, Երևան—19

375019 Ереван—19

Prague, 27/1 1992 г.

№

H.E. Jiri DIENSTBIER
Foreign Minister of the Czech and
Slovak Federal Republic
Chairman-in-Office of the CSCE
Council of Ministers

Dear Mr. Minister,

The Government of the Republic of Armenia hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Armenia accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of the Republic of Armenia agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of the Republic of Armenia recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Armenia underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of the Republic of Armenia invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on Progress in the Republic of Armenia toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Armenia will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of the Republic of Armenia expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Republic of Armenia at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

Raffi K. Hovannisian

Raffi K. HOVANNISIAN
Minister of Foreign Affairs
of the Republic of Armenia

2-C/Journal No. 1
Annex 1

АЗӘРБАЈҸАН РЕСПУБЛИКАСЫ

ХАРИЧИ ИШЛӘР НАЗИРЛИЈИ

АЗЕРБАЙДЖАНСКАЯ РЕСПУБЛИКА

МИНИСТЕРСТВО ИНОСТРАННЫХ ДЕЛ

Баку-370601, Контрол зона, № 2.
Баку-370601, Контрольная зона, № 2.
Telefon 93-88-34

№ _____ / _____ 199 ____ ил/г.
На Ваш № _____ от _____ 199 ____ г.

28 January, 1992

Dear Mr.Minister,

The Government of Azerbaijan hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the conference on Security and Co-operation in Europe.

The Government of Azerbaijan accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence and Security building Measures, the Government of Azerbaijan agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of Azerbaijan recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of Azerbaijan underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of Azerbaijan invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in Azerbaijan toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of Azerbaijan will concur in the admission of all other States established on the

АЗӘРБАЈҸАН РЕСПУБЛИКАСЫ

ХАРИЧИ ИШЛӘР НАЗИРЛИЈИ

АЗЕРБАЙДЖАНСКАЯ РЕСПУБЛИКА

МИНИСТЕРСТВО ИНОСТРАННЫХ ДЕЛ

Бакы-370601, Конгрес пл., № 2.
Баку-370601, Конгрессная пер., № 2.
Телефон 93-88-34.

№ _____ от _____ 199 ____ г.
На Ваш № _____ от _____ 199 ____ г.

territory of the former Soviet Union as full participating States.

The Government of Azerbaijan expresses its readiness for signature of the Helsinki final Act and the Charter of Paris by the Head of State or Government of Azerbaijan at the earliest convenience.

I kindly ask you, Mr.Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr.Minister, the assurances of my highest consideration.

Sincerely,

Sadihov G.M.
Minister of Foreign
Affairs of Azerbaijan

H.E. Mr.Eiri Dienstbier,
Minister of Foreign
Affairs of Czech and Slovak
Federative Republic

Minsk, 28 January 1992

Dear Mr.Minister,

The Government of the Republic of Belarus hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Belarus accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of the Republic of Belarus agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

TO HIS EXCELLENCY
MR.JIRI DIENSTBIER,
FOREIGN MINISTER OF THE CSFR,
CHAIRMAN-IN-OFFICE OF THE CSCE
COUNCIL OF MINISTERS

The Government of the Republic of Belarus recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Belarus underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of the Republic of Belarus invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in the Republic of Belarus toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Belarus will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of the Republic of Belarus expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Republic of Belarus at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

Pyotr K. KRAVCHANKA,
Minister for Foreign Affairs
of the Republic of Belarus

2-C/Journal No. 1
Annex

31. 1. 1992

КАЗАК ССР
СЫРТКЫ ІСТЕР
МИНИСТРЛІГІ

МИНИСТЕРСТВО
ИНОСТРАННЫХ ДЕЛ
КАЗАХСКОЙ ССР

Alma-Ata, 29, January 1992

Dear Mr. Minister,

The Government of the Republic of Kazakhstan hereby adopts the Helsinki Final Act, the Chapter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Kazakhstan accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence and Security-building Measures, the Government of the Republic of Kazakhstan agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of the Republic of Kazakhstan recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Kazakhstan underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of the Republic of Kazakhstan invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of Council of Ministers of the CSCE. This Mission will report to the participating States on progress in the Republic of Kazakhstan toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Kazakhstan will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of the Republic of Kazakhstan expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Republic of Kazakhstan at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating State of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

Tuleutai Suleimenov,

Minister of Foreign Affairs
of the Republic of Kazakhstan

His Excellency
I. Dinstbir
Chairman-in-Office of the
CSCE of Ministers,
Foreign Minister of the Czech
and Slovak Federal Republic

29 January 1992

Dear Mr. Minister,

The Government of the Republic of Kirgistan hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Kirgistan accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of the Republic of Kirgistan agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of the Republic of Kirgistan recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Kirgistan underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

H.E. Jiri Dienstbier
Deputy Prime Minister and Minister of Foreign Affairs
of the Czech and Slovak Federal Republic
Chairman-in-Office of the CSCE Council of Ministers

The Government of the Republic of Kirgistan invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in the Republic of Kirgistan toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Kirgistan will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of the Republic of Kirgistan expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Republic of Kirgistan at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

M. ENGNALIEV
Minister of Foreign Affairs
Republic of Kirgistan

2-C/Journal No. 1
Annex 1

MINISTERUL
AFACERILOR EXTERNE
AL REPUBLICII MOLDOVA

277033, Chişinău
Piaţa Marii Adunări
Naţionale, 1
tel. 23-99-40
telex 169130
telefax 23-23-03

Kishinău, 28 January 1992

Dear Mr.Minister,

The Government of the Republic of Moldova hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Moldova accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence-and Security - building Measures, the Government of the Republic of Moldova egrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provision on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

His Excellency Mr. Jiři Dienstbier
Minister of Foreign Affairs
Czech and Slovak Federal Republic
Chairman-in-Office of the CSCE
Council of Ministers

The Government of the Republic of Moldova recognizes the reguirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Moldova uderlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of the Republic of Moldova invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on the Republic of Moldova toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Moldova will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of the Republic of Moldova expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Republic of Moldova at the earliest convenience.

I kindly ask you, Mr.Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr.Minister, the assurances of my highest consideration.

Sincerely,

Nicolae Ţîu
Minister of Foreingn Affairs
of the Republic of Moldova

NŢîu

Ministry of Foreign Affairs
of the Republic of Tadzhikistan

Ref. No. 129
28.01.92

Dear Mr. Minister,

The Government of the Republic of Tadzhikistan hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Tadzhikistan accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of the Republic of Tadzhikistan agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of the Republic of Tadzhikistan recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Tadzhikistan underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of the Republic of Tadzhikistan invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in the Republic of Tadzhikistan toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Tadzhikistan will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

Mr. Jiri Dienstbier
Minister of Foreign Affairs
of the Czech and Slovak Federal Republic

The Government of the Republic of Tadzhikistan expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Republic of Tadzhikistan at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

(Signed) Lakim Kayumov
Minister of Foreign Affairs
of the Republic of Tadzhikistan

Dushanbe, 28 January 1992

Вилоятии
Хоҷа Ленин
Ҷумҳурии Тоҷикистон

Министерство
Иностранных Дел
Республики Таджикистан

Исх.№ 129
от 28.01.92г.

Уважаемый господин Министр,

В настоящем письме Правительство Республики Таджикистан заявляет о своем принятии Хельсинкского Заключительного акта, Парижской Хартии для новой Европы, а также всех остальных документов Совещания по безопасности и сотрудничеству в Европе.

Правительство Республики Таджикистан берет на себя в полном объеме все обязательства и ответственность, оговоренные в этих документах, и заявляет о своем намерении действовать в соответствии с содержащимися в них положениями.

В связи с Венским документом по мерам укрепления доверия и безопасности Правительство Республики Таджикистан согласно

МИНИСТРУ ИНОСТРАННЫХ ДЕЛ
ЧЕШСКОЙ И СЛОВАЦКОЙ ФЕДЕРАТИВНОЙ
РЕСПУБЛИКИ
ГОСПОДИНУ ИРЖИ ДИНСТБИРУ

применять все положения Венского документа по мерам укрепления доверия и безопасности и разделяет понимание того, что географические рамки применения Венского документа должны быть как можно скорее пересмотрены, с тем, чтобы добиться полной гарантии применения на его территории правил транспарентности, предсказуемости и предотвращения конфликтов. Конкретные положения, касающиеся вышеупомянутого вопроса, будут обсуждены на переговорах по МДБ и включены в Венский документ 1992 года.

Правительство Республики Таджикистан понимает потребность скорейшего вступления в силу Договора по обычным вооруженным силам в Европе. С этой целью Правительство Республики Таджикистан подчеркивает необходимость того, чтобы государства, территория которых входит в район применения ОБСЕ, обязались способствовать скорейшей ратификации Договора ОБСЕ и в сотрудничестве с другими соответствующими государствами, недавно получившими независимость, взяли на себя все обязательства бывшего Советского Союза по Договору ОБСЕ.

Правительство Республики Таджикистан приглашает к себе с визитом миссию докладчика, которая организуется Председателем Совета министров ОБСЕ, и всячески содействует ее деятельности. Подобная миссия представляет государствам-участникам доклад об успехах, достигнутых в Республике Таджикистан в деле полного выполнения обязательств ОБСЕ, и оказывает содействие в достижении этой цели.

Правительство Республики Таджикистан согласно с тем, чтобы все другие государства, образованные на территории бывшего Советского Союза, были приняты в качестве

полноправных участников СБСЕ.

Правительство Республики Таджикистан готово к тому, чтобы глава государства или правительства Республики Таджикистан в ближайшее удобное время подписал Хельсинский Заключительный акт и Парижскую Хартию.

Прошу Вас, господин Министр, распространить копии этого письма в Совете министров СБСЕ среди всех представителей государств-участников.

Примите, господин Министр, уверения в моем высоком уважении.

Искренне Ваш,

Лакиим Каюмов
Министр иностранных дел
Республики Таджикистан

Душанбе, 28 января 1992 года.

29 January 1992

Dear Mr. Minister,

The Government of Turkmenistan hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of Turkmenistan accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of Turkmenistan agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of Turkmenistan recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of Turkmenistan underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

H.E. Jiri Dienstbier
Deputy Prime Minister and Minister of Foreign Affairs
of the Czech and Slovak Federal Republic
Chairman-in-Office of the CSCE Council of Ministers

The Government of Turkmenistan invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in Turkmenistan toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of Turkmenistan will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of Turkmenistan expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of Turkmenistan at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

A. Kuliev

Avdi Kuliev
Minister of Foreign Affairs
Republic of Turkmenistan

Translation from Ukrainian

Kiev, 28 January 1992

№ 2/55-1226

Dear Mr. Minister,

The Government of Ukraine hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of Ukraine accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidenc and Security-building Measures, the Government of Ukraine agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of Ukraine recognized the requirement for prompt entry into force of

H.E. Mr. J.DIENSTBIER

Foreign Minister of the Czech and Slovak
Federal Republic,
Chairman-in-Office of the CSCE Council
of Ministers

Praha

the Treaty on Conventional Armed Forces in Europe. To that end, the Government of Ukraine underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of Ukraine invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in Ukraine toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of Ukraine will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of Ukraine expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of Ukraine at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

(signed)

Anatoly Zlenko
Minister for Foreign Affairs
of Ukraine

УКРАЇНА

МІНІСТЕРСТВО
ЗАКОРДОННИХ СПРАВ

м.Київ, "27" січня 1992 року

Шановний пане Міністр,

N 21/35-1226

Цим листом Уряд України засвідчує своє прийняття Хельсінкського Заключного акта, Паризької хартії для нової Європи і всіх інших документів Конференції з безпеки та співробітництва в Європі.

Уряд України бере на себе в повному обсязі всі зобов"язання і відповідальність, що випливають з цих документів, і заявляє про свій намір діяти у відповідності з їх положеннями.

Стосовно Віденського документа про міри зміцнення довіри і безпеки Уряд України згоджується на застосування всіх положень Віденського документа про міри зміцнення довіри і безпеки і на розуміння, що географічні рамки його застосування мають бути якнайшвидше переглянуті з метою забезпечення повного застосування на його території правил транспарентності, передбачуваності і запобігання конфліктів. Конкретні положення щодо цього будуть вироблені на переговорах про міри зміцнення довіри і безпеки і будуть включені до Віденського документа 1992 року.

Уряд України визнає вимогу швидкого набуття чинності Договором про звичайні збройні сили

Його Превосходительству
пану Іржі ДІНСТБІРУ,
Міністрові закордонних справ
Чеської і Словацької
Федеративної Республіки
як Голові Ради Міністрів НБСЄ,
м.Прага

в Європі. З цією метою Уряд України наголошує на необхідності для держав, територія яких входить до району застосування Договору про ЗЗСЄ, зобов"язатися вжити негайних заходів для ратифікації Договору про ЗЗСЄ і в співробітництві з іншими відповідними державами, що недавно стали незалежними, взяти на себе усі зобов"язання по Договору про ЗЗСЄ колишнього Радянського Союзу.

Уряд України запрошує Місію Доповідача і всіляко сприятиме візитові цієї Місії, яку буде сформовано Головою Ради Міністрів НБСЄ. Ця Місія доповість державам-учасницям про прогрес в Україні в справі повного здійснення зобов"язань НБСЄ і надасть допомогу в досягненні цієї мети.

Уряд України підтримає вступ усіх інших держав, що виникли на території колишнього Радянського Союзу, як повноправних держав-учасниць НБСЄ.

Уряд України висловлює готовність до того, щоб Глава Держави або Уряд України при найближчій нагоді підписав Хельсінкський Заключний акт і Паризьку хартію.

Я просив би Вас, пане Міністр, надіслати копії цього листа усім представникам держав-учасниць Ради Міністрів НБСЄ.

Прийміть, пане Міністр, запевнення у моїй глибокій повазі.

Щиро Ваш,

Анатолій Зленко
Міністр закордонних справ
України

28 January 1992

Dear Mr. Minister,

The Government of the Republic of Uzbekistan hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Uzbekistan accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of the Republic of Uzbekistan agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictability and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of the Republic of Uzbekistan recognizes the requirement for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Uzbekistan underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

H.E. Jiri Dienstbier
Deputy Prime Minister and Minister of Foreign Affairs
of the Czech and Slovak Federal Republic
Chairman-in-Office of the CSCE Council of Ministers

The Government of the Republic of Uzbekistan invites and will fully facilitate the visit of a Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in the Republic of Uzbekistan toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Uzbekistan will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of the Republic of Uzbekistan expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of State or Government of the Republic of Uzbekistan at the earliest convenience.

I kindly ask you, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE Council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

Fatih G. TESHABAYEV
First Deputy Minister of Foreign Affairs
Republic of Uzbekistan

CSCE

FIRST ADDITIONAL COUNCIL MEETING

HELSINKI 1992

JOURNAL

[Exerpt]

1. Date: Tuesday, 24 March 1992

5. Decisions:

(b) On the basis of a letter of accession dated 28 February 1992 (cf. Annex 2 of Journal No. 1 of the Sixth Meeting of the Committee of Senior Officials) from the Deputy Minister of Foreign Affairs of Georgia to the Chairman-in-Office of the CSCE Council (see Annex 2), the Republic of Georgia was admitted as a participating State of the CSCE, in virtue of paragraph 54 of the Final Recommendations of the Helsinki Consultations.

C/1-AM/Journal
Annex 2

საქართველოს რესპუბლიკის
საგარეო საქმეთა
სამინისტრო

MINISTRY OF FOREIGN
AFFAIRS OF THE
REPUBLIC OF GEORGIA

МИНИСТЕРСТВО
ИНОСТРАННЫХ ДЕЛ
РЕСПУБЛИКИ ГРУЗИЯ

To the Foreign Minister of the Czech and Slovak
Federal Republic as Chairman-in-Office of the
CSCE Council Ministers

Dear Mr. Minister,

The Government of the Republic of Georgia hereby adopts the Helsinki Final Act, the Charter of Paris for a New Europe, and all other documents of the Conference on Security and Co-operation in Europe.

The Government of the Republic of Georgia accepts in their entirety all commitments and responsibilities contained in those documents, and declares its determination to act in accordance with their provisions.

Concerning the Vienna Document on Confidence- and Security-building Measures, the Government of the Republic of Georgia agrees to apply all the provisions of the Vienna Document on CSBMs, and to an understanding that the geographic scope of its application should be revised as soon as possible in order to ensure full effect of the rules of transparency, predictibility and conflict prevention on its territory. Specific provisions on the above matter will be negotiated in the CSBM Negotiations and included in the Vienna Document 1992.

The Government of the Republic of Georgia recognizes the requirment for prompt entry into force of the Treaty on Conventional Armed Forces in Europe. To that end, the Government of the Republic of Georgia underlines the need for States with territory in the CFE area of application to undertake to move forward promptly with the ratification of the CFE Treaty and to assume, in co-operation with other relevant newly independent States, all CFE obligations of the former Soviet Union.

The Government of the Republic of Georgia invites and will fully facilitate the visit of the Rapporteur Mission to be arranged by the Chairman of the Council of Ministers of the CSCE. This Mission will report to the participating States on progress in the Republic of Georgia toward full implementation of CSCE commitments and provide assistance toward that objective.

The Government of the Republic of Georgia will concur in the admission of all other States established on the territory of the former Soviet Union as full participating States.

The Government of the Republic of Georgia expresses its readiness for signature of the Helsinki Final Act and the Charter of Paris by the Head of Government of the Republic of Georgia at the earliest convenience.

I kindly ask You, Mr. Minister, to circulate copies of this letter to all representatives of the participating States of the CSCE council of Ministers.

Please accept, Mr. Minister, the assurances of my highest consideration.

Sincerely,

T. Japaridze
Deputy Minister

February 28, 1992
Tbilisi

APPENDIX II

SIGNATURES AFFIXED TO THE 1975 HELSINKI FINAL ACT

The Foreign Ministers of the States of the former Soviet Union, in their request for accession to the OSCE, expressed their willingness for the Head of State or Government of their country to sign the Helsinki Final Act and the Charter of Paris at their earliest convenience.

ARMENIA

DONE at Helsinki on 8 July 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Republic of Armenia.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF ARMENIA

G. HAROUTIUNIAN, VICE-PRESIDENT

AZERBEIJAN

DONE at Helsinki on 8 July 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Azerbaijan Republic.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the AZERBAIJAN REPUBLIC

ABULFAZ ELCHIBEY, PRESIDENT

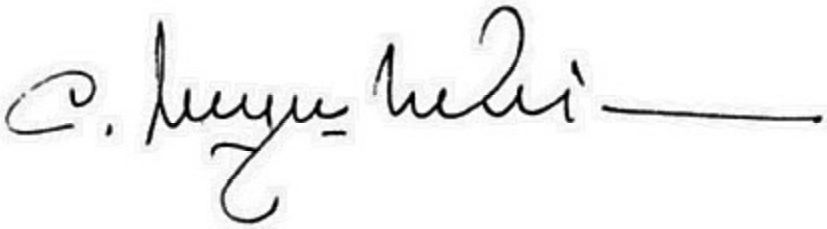
BELARUS

DONE at Helsinki on 26 February 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Republic of Belarus.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF BELARUS



STANISLAV SHUSHKEVICH, PRESIDENT

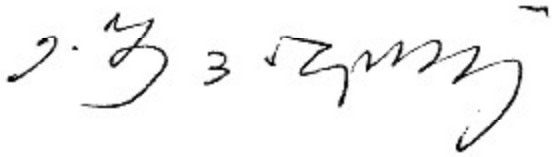
GEORGIA

DONE at Helsinki on 8 July 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Republic of Georgia.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF GEORGIA



EDUARD SHEVARNADZE, CHAIRMAN OF THE STATE COUNCIL

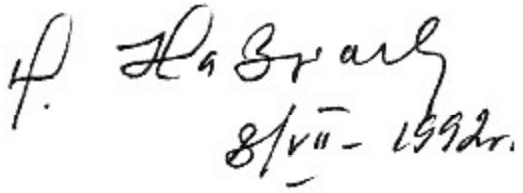
KAZAKHSTAN

DONE at Helsinki on 8 July 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Republic of Kazakhstan.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF KAZAKHSTAN



NURSULTAN NAZARBAEV, PRESIDENT

KYRGYZSTAN

DONE at Helsinki on 8 July 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Republic of Kyrgyzstan.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF KYRGYZSTAN

ASKAR AKAEV, PRESIDENT

MOLDOVA

DONE at Helsinki on 26 February 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Republic of Moldova.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF MOLDOVA

MIRCEA SNEGUR, PRESIDENT

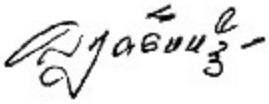
TAJIKISTAN

DONE at Helsinki on 26 February 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to the Republic of Tajikistan.

SIGNATURE

of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF TAJIKISTAN



RAHMAN NABIEV, PRESIDENT

TURKMENISTAN

DONE at Helsinki on 8 July 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to Turkmenistan.

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of the FINAL ACT
of the Conference on Security and Co-operation
in Europe, done at Helsinki on 1st August 1975

in the name of TURKMENISTAN

SAPARMURAT NYAZOV, PRESIDENT

UKRAINE

DONE at Helsinki on 26 February 1992 in one original in English, French, German, Italian, Russian and Spanish, which shall be kept in the archives of the Government of the Republic of Finland together with the Final Act, a true copy of which shall be transmitted to Ukraine.

SIGNATURE

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in Europe, done at Helsinki on 1st August 1975

in the name of UKRAINE

LEONID KRAVCHUK, PRESIDENT

UZBEKISTAN

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SIGNATURE

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in Europe, done at Helsinki on 1st August 1975

in the name of the REPUBLIC OF UZBEKISTAN

ISLAM KARIMOV, PRESIDENT

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