

REMARKS AS PREPARED

**By Deputy Assistant Secretary for South and Central Asian Affairs
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“Approaching the Organization for Security and Cooperation in Europe Chairmanship: Kazakhstan 2010”

Mr. Co-Chairman, and Members of the Commission, thank you for inviting me. I’m pleased to be here to talk about U.S. policy towards Kazakhstan. I also want to thank the Committee members for their interest, continued engagement and leadership on U.S. policy in Central Asia. The Helsinki Commission has demonstrated exemplary leadership and bipartisan cooperation in forging a strong, sustained partnership between the United States and the five Central Asian countries.

Central Asia is a region of significant importance to U.S. national interests. Recognizing the uniqueness, sovereignty and independence of each of the five Central Asian nations, U.S. policy supports the development of stable, democratic nations that are integrated into the world economy and cooperate with one another. The United States and our partners also support advancing regional security and stability. We do not view Kazakhstan or any other Central Asian nation as within any external state’s special sphere of influence; rather we seek to maintain mature bilateral relations with each country based on our foreign policy goals and each country’s specific characteristics and dynamics.

Kazakhstan established its credentials for leadership early. It was the first country to renounce its nuclear weapons voluntarily after the break-up of the Soviet Union. Kazakhstan contributed to coalition efforts in Iraq where it deployed eight rotations of engineering troops to Iraq between 2003 and 2005. Kazakhstan is providing humanitarian assistance and implementing reconstruction programs in Afghanistan. It has also provided significant support to Operation Enduring Freedom by permitting more than 4,500 over-flights for U.S. aircraft en route to Afghanistan. Kazakhstan readily agreed to participate in the Northern Distribution Network transit agreement for supplies flowing to U.S. and International Security Assistance Forces in Afghanistan. Multi-ethnic, multi-confessional Kazakhstan is a generally tolerant society.

The United States-Kazakhstan partnership has three primary goals. First, we seek to advance democratic and market economy reforms. Second, we aim to bolster Central Asian sovereignty and independence, fight terrorism and stem narcotics trafficking. Kazakhstan is a strong and reliable partner on non-proliferation. Through the Nunn-Lugar Cooperative Threat Reduction program, Kazakhstan has cooperated extensively with the U.S. for over a decade to ensure that Weapons of Mass Destruction-related materials and technical knowledge will not fall into terrorist hands. Third, the U.S.-Kazakhstan partnership seeks to foster the development of Central Asia's significant energy resources. U.S. companies are cooperating with Kazakhstan to develop its tremendous oil and gas resources. They hold major stakes in Kazakhstan's three largest oil and gas projects, Tengiz, Karachaganak, and Kashagan.

While Kazakhstan has been among Central Asia's leading countries in the development of democratic political institutions, civil society and the independent media, these institutions remain underdeveloped in Kazakhstan; the presidency dominates the political system; and the parliament elected in 2007 has representation from only one political party – the President's. We regularly encourage the government to move forward by taking concrete steps toward reform, and we have assistance programs to promote democratic reform, respect for religious freedom, and the development of civil society and independent media.

We backed Kazakhstan's candidacy as Chairman in Office of the Organization for Security and Cooperation in Europe, but recognizing its mixed record on political development, we asked Kazakhstan to delay its Chairmanship from 2009 to 2010 so that it would have time to undertake several democratic reforms. At the 2007 Madrid Ministerial, Kazakhstan publicly pledged to pass legislation that would modernize the election and media laws and liberalize the treatment of political parties by the end of 2008. It also vowed to support the Organization for Security and Cooperation in Europe's Human Dimension and the autonomy of the Office for Democratic Institutions and Human Rights.

On February 6 and 9, President Nazarbayev signed into law the amendments to the election, political parties, and media laws, which were aimed at fulfilling Kazakhstan's Madrid Ministerial commitments. While not fully addressing its commitments, this legislation marks a step forward on Kazakhstan's democratic reforms.

On April 14, the Presidential Human Rights Commission unveiled Kazakhstan's first National Human Rights Action Plan. The Action Plan for the period 2009-2012 is now before President Nazarbayev for signature. Among other proposals, the Action Plan recommends further liberalization to the recently amended laws on elections, political parties and media.

With respect to the law on elections, Kazakhstan amended the law in 2008 to ensure the presence of at least two political parties in the Mazhilis, thus excluding the possibility of a single-party Parliament, as is currently the case. In the event that only one party passes the seven percent threshold, the party gaining the next largest percentage of votes will be given mandates in proportion to the votes they received. The National Human Rights Action plan recommends that the election law be further amended to lower the electoral threshold for a party to get seats in parliament from seven percent of the vote to five percent.

With respect to the treatment of political parties, in 2008 Kazakhstan simplified the registration procedure, lowered the number of party members necessary for party registration from 50,000 to 40,000 on a national level, and established regulations on the state funding of political parties according to the number of seats gained in the Mazhilis. The National Human Rights Action Plan recommends that the minimum number of signature necessary to register a political party be lowered from 40,000 to 35,000 and further recommends that representatives of opposition parties be allowed to participate in election commissions at all levels.

Kazakhstan amended its media law in 2008 to remove registration requirements for electronic media and significantly ease registration requirements for all other media. The new legislation also put journalists on an equal legal footing with plaintiffs in libel cases. The National Human Rights Action plan recommends that by 2011, the government decriminalize libel, further improve and streamline the process of media-outlet registration, adopt a new law on access to government information, and institute a statute of limitations on libel cases.

While not raised in the context of Madrid, religious freedom is a core Organization for Security and Cooperation in Europe commitment and we are engaging Astana to protect and improve respect for this important right. In 2008, the Organization for Security and Cooperation in Europe provided a valuable critique of the restrictive amendments to Kazakhstan's religion law adopted by the Parliament in November 2008. The Constitutional Council ruled in February 2009

that the restrictive amendments violated the Constitution. Kazakhstan should consult with the Organization should it choose to consider new religion legislation.

In early 2009, Kazakhstan's Parliament began considering draft legislation that would restrict freedom of expression via the Internet. For Kazakhstan to meet its Organization for Security and Cooperation commitments to wider and freer dissemination of information and freedom of expression, Kazakhstani law should not restrict freedom of expression by the people of Kazakhstan via the internet. We expressed this view on May 6 in Vienna at a Permanent Council meeting of the Organization for Security and Cooperation in Europe.

In addition, Kazakhstan pledged in Madrid to support and preserve the current mandate of the Office for Democratic Institutions and Human Rights within the Organization for Security and Cooperation in Europe, including the integrity of its election monitoring efforts. In Vienna, although it forms part of the Organization for Security and Cooperation troika, Kazakhstan has not yet begun to play a proactive role in debates on Human Dimension issues. We look forward to Kazakhstan's defense of these human dimension principles when it assumes the chairmanship.

We now look to Kazakhstan to continue its work towards fulfilling its Madrid Ministerial commitments in cooperation with the Organization for Security and Cooperation in Europe and the Office for Democratic Institutions and Human Rights, and to bring its laws fully in line with all of its Organization for Security and Cooperation in Europe commitments. We have asked our European partners to help, and we have encouraged direct engagement by the Office for Democratic Institutions and Human Rights.

We continue to have concerns about Kazakhstan's human rights record. More than 60 defamation lawsuits targeted six independent news outlets and their reporters last year. A libel conviction and \$200,000 fine forced the weekly newspaper "Taszgharghan" to close in April for damaging the honor and dignity of a member of the Kazakhstani parliament. In recent months, we have raised questions about several unexplained attacks on journalists, seemingly targeted blockage of opposition-oriented Web sites, and criminal charges against several opposition figures.

That being said, we see new signs today that civil society is growing in Kazakhstan. Government-approved "public associations" provide platforms for open public discussion of a broad range of public opinion. The print media

regularly expose public corruption and government abuses of authority. The Committee structure in Parliament is also growing stronger and provides for publicized testimony of a broad range of opinion.

Looking forward to next year, the United States believes that a successful Kazakhstani chairmanship of the Organization for Security and Cooperation in Europe will be one in which Kazakhstan defends the human, economic and political principles upon which the organization was founded, and to which Kazakhstan has committed itself as a participating State. We look forward to close coordination and frequent communication with Kazakhstan as it prepares to take this role.

Our broader vision is for a strong, independent, and democratic Kazakhstan that is a leader and anchor of stability in the region. We believe Kazakhstan's service as Chairman in Office of the Organization for Security and Cooperation in Europe will help serve that broader vision. We hope that together, Congress and the Administration will continue to support Kazakhstan's efforts to advance democratic and economic reforms as the United States' partnership with Kazakhstan continues to grow and strengthen.

Thank you and I'd be happy to take your questions.