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The Human Rights Situation In Central Asia: A Survey

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Abstract:

One hundred years ago, as a result of the Anglo-Russian rivalry known as "The Great Game" a gigantic strategic barrier was established from the Pacific Ocean to the Caspian Sea, i.e., from Manchuria to Mongolia to Xingjian to Afghanistan to Russian Central Asia. This region includes both dependent and independent countries, multiethnic nation states, and empires, and a mixture of beliefs (Islam, Buddhism, Confucianism, Christianity and Shamanism) and peoples (Iranians, Turks, Huns, Mongols and others). The diversity is such that the region came to be known as a new centre of gravity in the world, a whirlpool in which met political currents following from China, Russia, India and the Middle East. This centre of gravity as part of the legendary silk route from China to Byzantium (Istanbul) and on to Rome is known as Central Asia or (Turkistan) the land of Turks.

The Central Asian States that emerged from the breakup of the USSR have been ruled in an authoritarian manner from the very beginning. Although, Central Asian Republics out lines a parliamentary system with guarantees for basic human rights and political and economic freedom, the respective government's maintained strict control over their countries institutions and population. The government has continued to justify their systematic crack down on any opposition as an effort to ensure stability and progress. Likewise, Uzbekistan's President Islam Karimov laid the ground work for a lifetime presidency in a January 2002 referendum. So does by the, Kyrgyzstan's Askar Akayev, who once cultivated a progressive reputation, has stifled opposition activity and popular protests, and Kazakhstan's Nursultan Nazarbayev, despite promising broader democracy in speeches does nothing to put it in practice. ¹ There is repression of opposition parties, Islamic groups and the media. In this connection, In Tajikistan during the civil war 1992-1997, united Tajik opposition invoked Islamic slogans in its armed struggle against the old nomenclature. In Kyrgyzstan, the lay opposition was under relatively smaller pressure, but there too, the authorities continued to hinder and repress its activities throughout the decade. State leaders took tough measures to weaken or destroy Islamic opposition. This included repressions, detentions and provocations organized by the authorities. Efforts were made to impose state control on religious life to the broadest extend possible. There are no political parties registered in Turkmenistan who can exercise their powers without the prior consent of the ruling president. There are no known plans to allow independent parties to function in the country.²

Although, the constitutions of Kyrgyzstan, Tajikistan, Turkmenistan, and Kazakhstan define the form of government as democratic republics. However, the respective government's human rights record worsened and is poor in several key areas. These governments limit citizen's ability to change their government. Prison conditions are very poor, and there were many cases of arbitrary arrests and detention. Executive domination of the judiciary limited citizen's rights to due process. Executive branch interference affected verdicts involving prominent opposition figures. The government restricted freedom of speech and the press authorities, pressured journalists who criticized individual members of the government. These governments used bureaucratic means to harass and pressure the independent media, non-governmental organization (NGO) and the opposition. The governments at times restricted freedom of

¹ Terrorism in Central Asia: an overview, p. 256.

² "Central Asia after September 11, 2001- Political Islam draws back", Centre for Eastern Studies, December, 19, 2002.

assembly; in particular, there were serious problems with political parties' rights to free assembly. These governments's generally respected freedom of religion, however at times it infringed on the right. Governments of all these republics harassed and pressured human rights groups. After deadly episode of 9/11 the human rights situation in CAR republics has worsened.³

Turkistan can be divided into Eastern and Western Turkistan. Eastern Turkistan now constitutes the part of the Chinese autonomous province of Xingjian and the Western Turkistan stretches to the Caspian Sea. Today, Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan comprise the main land of Central Asia which occupies an area over 1.5 million square miles. About 60 per cent of the region is desert. Given its distant location from the oceans, the region was marked by the lack of precipitation. This led to the conditions of extreme aridity over the greater part of the area which was surrounded by an unbroken chain of mountain ranges, nearly four thousand miles long, from east to west. The region is dominated by two great rivers, the Amu Darya and the Syr Darya, both rivers flow into the Aral Sea.⁴ Before, Islam first took root in seventh century CE, Central Asia has already been exposed to other religions; like, Shamanism, Hellenism, ⁵ Zoroastrianism, ⁶ Manichaeanism, ⁷ Buddhism, ⁸ Judaism, and Christianity. The seventh century witnessed one of the most significant changes with the coming of Islam in the region. Since then, Islam had a great impact all over the region and continues to be traditional religion of the great majority of the indigenous people of Central Asia. 11 After the invasion of Arabs in the Amu-Darya and Syr-Darya region, a new model of faith and way of life came into being in Central Asia. The Central Asians embraced their philosophies and accepted their language for the comprehension and propagation of Islamic culture and Islamic teachings. In the words of Ahmad Hasan

³ Central Asia after September 11, 2001- Political Islam draws back", Centre for Eastern Studies, December, 19, 2002.

⁴ Martin McCauley, Afghanistan and Central Asia, A Modern History, Longman, London, 2001, pp.21-23.

⁵ James Critchlow, "Islam and Nationalism in Soviet Central Asia" in Ramed Pedro, (Ed.), Religion and Nationalism in Soviet and Europeans Politics, Duke University Press, London, 1984, p.105.

⁶ Giampaolor R. Capisani, The Hand Book of Central Asia, I.B Tauris Publishers, London, 2000, p.118.

⁷ Lawrence Krader, Peoples of Central Asia, Uralic and Atlantic Series, Vol.26, Indiana University, Bloomington, Monton and co., The Hague, 1963, p.119.

⁸ Peoples of Central Asia, p.118.

⁹ The Hand Book of Central Asia, p.119.

¹⁰ The Hand Book of Central Asia, p.120.

¹¹ The Hand Book of Central Asia, pp .202-03.

Dani,"Islam gave new socio-religious system to Central Asia after the conquest of Arabs". An absolutely new religious ideology, which influenced and fashioned their private, public and state life. As a result, from tenth century Central Asia emerged as one of the great centers of Islamic learning and culture, with special reference to the great Silk Road cities of Bukhara and Samarqand. Samarqand.

Intellectual advances of Muslim scholars of Central Asia, however, did not last long given the annexation of Central Asia to Russia in 18th Century. During the Czarist rule, Muslims in Central Asia underwent unprecedented persecution as a result of which besides other things, human rights violations came to the surface. Mosques were destroyed and turned into warehouses and official stores. Scores of Mullahs were liquidated and imprisoned. Muslims were subjected to all sorts of discrimination. Islam was considered a mortal enemy because of strong resistance involving several rebellions inspired and led by Muslim religious leaders.¹⁴

Stalin, the Secretary General of the Soviet Union from 1924 to 1953,¹⁵ strictly controlled Islam and regulated Islamic practice through state laws and regulations which included invalidating Muslim law, abolishing Shariah courts, confiscating waqfs and closing maktabs and Madrasas (schools).¹⁶ Many mosques were closed and the Islamic clergy persecuted. Soviet officials confiscated religious property and either placed mullahs under strict government control or forced them out of their religious positions. After early concessions to the Muslims to win support for the Soviet Union, the Soviet government viewed Islam as a political and ideological threat and set out to destroy it. Mullah's as Islamic teachers were considered a primary threat to the Russian and the Soviet State. Given the harsh treatment meted out to the Muslim population of the region, human rights violations became the order of the day. Muslims were subjected to all

¹² Ahmad Hasan Dani, New Light on Central Asia, Renaissance Publishing House, Delhi, 1993, p.60

¹³ Jeremy Gunn, "Shaping an Islamic Identity; Religion, Islamism, and the State in Central Asia", Sociology of Religion, Vol.64, No.03, 2003, p.389.

¹⁴ Ross Masood Hussian, "Cultural Evolution of Islam in Central Asia, Impact on Society and politics", in N.N Vohra, (Ed.), Culture, Society and Politics in Central Asia and India, India International Centre, Delhi, 1999, pp.264-65.

¹⁵ John M. Thompson, A Vision Unfulfilled: Russia and the Soviet Union in the Twentieth Century, D. C. Heath, 1996, p.78.

¹⁶ Christopher S. Mott, Understanding Uzbekistan: Your Guide to Effectiveness in Uzbekistan, 44 ABA, Ltd. Spring 1994, p. 45.

sorts of harassments and religious subjugation.¹⁷ However, in 1985, when Gorbachev came to power he set out to transform Soviet society through his policies of perestroika (radical economic destructing and reform), and glasnost (openness). Though intend to remedy socio-economic and political ills in the country, Gorbachev's glasnost became an official vehicle for the expression of ethnic, linguistic, cultural, environmental and religious grievances that had not been addressed openly in the recent decades. Consequently, independent Islamic observance came into being, and the question of religious freedom along with other rights was boldly flagged. ¹⁸

With the disintegration of the Soviet Union, Central Asian Republics announced its independence from USSR in 1991. After the collapse of the USSR, the Central Asian States for the first time in their history faced a challenge and possibility of determining their own independent national policies. The collapse of communism left many segments of society without any particular direction. This created an opportunity for the old nomenclature system of the communist trained and conformist minded people to remain in power. The understanding of the ruling elite that the implementation of a new system would require new methods of government, made them realize that if such new system would come to exist, the need for their presence in power will disappear. Therefore, the personified regime of President, Islam Karimov and others were quick to link the future of their people and their newly independent states with their personalities. As such, the mythical hopes of free elections and if difficult, but at least a future without repression, soon vanished under the exercise of state repression by all these regimes. Although all the Central Asian republics have their own constitution, which outlines a parliamentary system with guarantees for basic Human Rights and political and economic freedom, the respective governments maintained strict control over the country's institutions and population. The governments have continued to justify their crackdown on any opposition as an effort to ensure stability and progress. 19 Since the Central Asian states that emerged from the break-up of the USSR have been ruled in a definitely authoritarian manner from the very beginning. Their leaders reinforced their positions by eliminating political opposition. Beatings, harassment, jailing, torture and persecution have virtually eliminated public protests in Central Asian republics. Despite the end of communist era, the Central Asian governments have made little progress in moving away from the Soviet Style repression of human rights, especially religious freedom, despite largest and most devote

The Gorden Road to Smarkand, p. 23.

¹⁷ The Golden Road to Smarkand, p. 25.

¹⁸ Central Asia Since Independence, pp 22-23.

¹⁹ Central Asia since Independence, p. 35.

Muslim population in the region. ²⁰ The repression the Muslims suffered at the hands of the Soviet Union continues in a new guise under the newly independent Central Asian regimes. On the top of it, the Afghan scenario, followed by deadly episode of 9/11 and subsequently the attack on Afghanistan and presence of US-allied, troops adds new dimensions to the human rights record of Central Asian republics, which was not otherwise best as per the requirement and international standard of human rights. ²¹ The 'war against terrorism' is now permitting states like Uzbekistan and Tajikistan to continue their campaign of suppression and oppression against their own subjects, albeit now with greater international backing. And according to reports related to human rights situation in the Central Asian republics.

2. Turkeminstan

Turkmenistan is believed to be one of the most repressive countries in the World. The government systematically violates virtually all civil, political, economic, social and cultural rights. Since political power and decision making is concentrated in the office of the President. In 1999, Saparmurat Niazove was made President for life. Although he has vowed to relinquish this office in 2010, it is extremely unlikely that he will in fact step down. There are no political parties registered in Turkmenistan that are independent of the President. There are no known plans to allow independent parties to function in the country. Turkmen opposition figures were either driven into exile in the early 1990's or imprisoned. Likewise no independent human rights organization is able to operate in Turkmenistan. The government is hostile toward civic organizations in general and has pursued on aggressive campaign to control and limit their activities. In 2003 the government imposed draconian new restrictions on civil society in the form of a new criminal law mandating prison terms and "Corrective labour" for civil society advocates who do not register with the state. The government virtually never registers independent non-governmental groups.

There seems no freedom of expression in Turkmenistan. A 2000 report by the OSCE, representative on Freedom of the media stated that "In light of the State's exclusive monopoly of the media, censorship in Turkmenistan is total. "The government subjects all newspaper outlets to pre-publication censorship. Radio and television are tightly controlled by the

²⁰ Martha Bril Olcott, Central Asia's New States: Independence, Foreign Policy, and Regional Security, United States Institute of Peace Press, 1996, p. 117.

²¹ Voice of America, Washing ton DC, 8 March, 2006.

government. It has banned most-Russian language media and has introduced draconian measures to limit access to the internet.

In Turkmenistan all religions other than Russian Orthodox Christianity and Sunni Islam are illegal. In a resolution adopted on April 15, 2004 the United Nation Commission on Human Rights cited government "restrictions on the exercise of freedom of thought, conscience, religion and belief, including the harassment and persecution of members of independent faith groups and the discriminatory use of the registration procedures for such groups.²² However, Muslims and orthodox Christians operate under strict government control, and their situation has worsened during the past years. For example, the government's implementation of restrictions stating only ethnic Turkmen can serve as Imams, even in official mosques.²³ The government has reportedly also denied the right of the Russian Orthodox Church to publish its literature and to import literature from abroad.²⁴

The government of Turkmenistan has decimated the country's education system. The elimination of certain core subjects-such as foreign languages-from school curricula and emphasis on the Rukhnama (A book written by president Niazov) deprives students of access to basic knowledge and information. Students must pay tuition to attend university within the country, which eliminates many people's access to higher education in practice. In recent years the government has reduced secondary education by one year, thereby threatening student's access to higher education abroad. President Niazov has also declared that all higher education degrees received after 1993 from institution abroad are invalid in Turkmenistan and has ordered that bearers of such degrees are dismissed from state jobs.

Other human rights violations include, abuse of the rights of ethnic minorities as President Niazov has implemented an aggressive policy to promote ethnic homogeneity in Turkmenistan. The government has closed minority ethnic and cultural centers and eliminated or sharply limited instruction in foreign language s(Including the native languages of ethnic minorities in the country): By 2005 the government will close down all foreign language schools and education will be conducted in Turkmen only. Ethnic minorities are treated as second class citizen. Ethnic Uzbek, Kazaks, Russia, and other non-Turkmen citizens report systematic

²³ Rights Group Memorial Report, Russia, 2004.

²² OSCE Report, 2000: WWW.OSCE.Co.in.

²⁴ The Turkmen governments State approved Sunni Imam Nasrullah Ibn-Ibadullah, the country's former chief Mufti, was sentenced to twenty two years in Prison on charges related to his reported refusal to use the Rukhnama in religious services, Notably, Ibadullah is an ethnic Uzbek and was replaced by an ethnic Turkmen as Mufti, on March 29, 2004, President Niazov ordered that no additional Mosque are to be built in the country. Human Rights Update, May, 14, 2004, WWW.Human Rights Update.co.in.

employment discrimination, ethnic Azeri's have reportedly been compelled to leave Turkmenistan in large numbers after massive purges of state. In spite of constitutional guarantees, international standards and Islamic norms the Turkmen government has taken only a few small steps forward towards respect for human rights.

3.Kazakhstan

Since President is the head of the both state and government. As the high administrator, the President has exclusive authority to appoint heads (chairpersons) of provinces, regions, and cities thus providing a strong vertical chain for the exercise of executive power. Current President Nursultan Nazarbayev was elected to a 7 year term in a 1999 election that, many observers note, fell short of international standards. The legislature and judiciary, as well as regional and local governments are not independent from executive control, and changes or amendments to the Kazakh constitution require President's consent. Under such conditions, as reported by various human rights organizations, members of the security forces are reported to have committed human rights abuses. On some occasions, members of the security forces, including police, tortured, beat and otherwise mistreated detainees. Prison conditions remained harsh though government committed to take an active role in efforts to improve prison conditions and the treatment of prisoners, after continuing pressure from various human rights and non-governmental organizations. However, on the other hand the government continued to use arbitrary arrests and detentions. Amendments to several laws governing the authority of procurators further eroded judicial independence. The government infringed on citizens privacy rights as well²⁵.

4.Kyrgyzstan²⁶:-

Like other Central Asian Countries, the 1993 constitution of Kyrgyzstan defines the form of government as democratic republic. However, the government's human rights record worsened and was poor in several key areas. The government limits citizen's ability to change their government. Prison conditions are very poor, and there were many cases of arbitrary arrests and detention. Executive domination of the judiciary limited citizen's rights to due process. Executive branch interference affected verdicts involving prominent opposition figures. The government restricted freedom of speech and the press authorities pressured journalists who

²⁵ Voice of America, 8, March, 2006.

²⁶ Located between Uzbekistan and Kazakistan surrounded by snowing peaks on all sides, the area amidst energy mountain slopes was always rich in valuable mineral resources and fauna- flora of nature. Shela Gujral, Asian Republics, USSR, Gowar-Sons Publishers Ltd, New Delhi, 1987, P.24.

criticized individual members of the government. The government used bureaucratic means to harass and pressure the independent media, non-governmental organization (NGO) and the opposition. The government at times restricted freedom of Assembly; in particular, there were serious problems with political parties' rights to free assembly. The government at times inhabited freedom of association. The government generally respected freedom of religion, however at times it infringed on the right. The government harassed and pressured human rights groups. Violence against women is a problem that authorities often ignore, and societal discrimination against women persists. Trafficking in women and girls for the purpose of forced prostitution also is persistently prevailing in the country and there is a growing number of street children. Discrimination against ethnic minorities and child labour are problems concerning human rights record of the Kyrgyzstan.²⁷

5.TAJIKISTAN

Like other Central Asian Countries. Tajikistan²⁸ too is ruled by an authoritarian regime that has established some nominally democratic institutions including a constitution adopted in 1994. As for as human rights record is concerned it remained poor and further worsened in past few years. Security forces tortured, beat, and abused detainees and other persons, and they were responsible for threats and abuses of civilians. Prison conditions remained harsh and life threatening. However, the government agreed to permit International Red Cross Committee to make prison visits. The government restricted freedom of assembly and association by exercising strict control over political organizations. By intimidating demonstrations and the government imposed restrictions on freedom of movement within the country.

Although, the constitution of Tajikistan provides freedom of religion, and the government generally respected this right in practice with some restrictions. The law on religion and religious organizations requires religious organizations to be registered by the state committee on religious affairs (SCRA). Officially, registration was justified as a means to ensure that religious groups act in accordance with law; however, a practical purpose was to control their political activity. In order to neutralize the political Islam within the country, in July 2002, President Rakhmonov criticizes the IRP of Tajikistan (Islamic opposition operates legally and is present in the structure of the government) for disseminating radical ideology, during his speech in the city of Isfara. Since August, i.e. shortly after the US confirmed that three Tajiks

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²⁷ Bureau of Democracy, Human Rights and Labour-2000: www.state.gov.co.in.

²⁸ Tajikistan is in the close neighborhood of China and Uzbekistan. From Caspian Sea to Altai Mountain, a sprawling area of 15, 60,000, square kilometer is known as Tajikistan. Shela Gujral, Asian Republics, USSR, Gowar-Sons Publishers Ltd, New Delhi, 1987, P.24.

from the Isfara district were among the prisoners kept in Gauntanamo prison camp, the authorities have closed eight unregistered mosques, banned the activities of fifteen imamkhatibs. The real motive behind these measures is probably the authorities' intention to weaken potential political opponents.²⁹ Like other rights, the Tajik constitution provides for freedom of speech and press, however, the government restricted these rights in practice. Journalists, broadcasters, and individual citizens, who disagreed with government policies on occasion, were discouraged from speaking freely or critically. Editors and Journalists, fearful of reprisals, often exercised self-censorship.

6.Conclusion

To sum up, the present ruling elite's are a legacy of a bygone era, clinging ruthlessly to power. As Central Asian societies do not have a history of democratic popular participation in politics. Popular sovereignty was not even an issue in the Khanates, where leadership was hereditary. Khans claimed their throne and asserted legitimacy on the basis of their lineage and upholding of the Sharia. The ulema were important players in sanctifying khans and directing the population to submit to their rule. Popular sovereignty was alien to Central Asia. This remained true for the 20th century experience of the region, for not even the Soviet system with its doctorial rule allowed popular sovereignty to become a political reality. Soviet style democracy made a mockery of citizens' rights and free political participation. This pre-Soviet and Soviet experiences have left a legacy of authoritarian culture. 30 That is why, despite the end of communist era, the Central Asian governments have made little progress in moving away from the Soviet Style repression of human rights, especially religious freedom, despite largest and most devote Muslim population in the region. Many thought the collapse of the Soviet Union would permit them to return to Islam as they whole-heartedly desired. Unfortunately, the repression the Muslims suffered at the hands of the Soviet Union continues in a new guise under the newly independent Central Asian regimes. The 'war against terrorism' is now permitting states like Uzbekistan and Tajikistan to continue there campaign against Islam, albeit now with greater international backing. As such, the violation of the freedom of religion gave birth to other human rights violations as well. Although all the Central Asian republics have their own constitution, which outlines a parliamentary system

²⁹ "Central Asia after September 11, 2001- Political Islam Draws Back", Centre for Eastern Studies, December 19, 2002.

³⁰ Shahram Akbarzadeh, "The political shape of Central Asia", Central Asian Survey, Vol.16, No.04, 1997, p.527.

with guarantees for basic human rights and political and economic freedom, the respective governments maintained strict control over the country's institutions and population. Central Asian governments as such could not protect its citizen's human rights.

Regional elites are apparently convinced that pressure from Western governments, particularly the United States, to respect human rights and to democratize is essentially rhetorical. They remain unimpressed by western and eastern academics, humanitarian organizations and government official who argue that greater political repression in the long run forces opposition into the Islamist camp and encourages Islamic radicalization.

It seems that the political elites of Central Asian states are interested in preserving the sense of danger created by Islamic radicalism and extremism. There are two important reasons for this; (a) The commitment of the United States and other countries in the struggle against terrorism affords the local regimes a unique opportunity to request more financial and military support, and it should be remembered that it is the state leaders who control the expending of assistance funds; (b) The struggle against Islamic fundamentalism is a good cover for ruthless elimination of all kinds of opposition, both real and potential. The authorities point to Islamic fundamentalism as the main threat to internal and regional stability and security and use this as a pretext to start anti-fundamentalist campaign.

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