

CIVIL AND POLITICAL RIGHTS IN UZBEKISTAN AND CENTRAL ASIA: IMPLICATIONS FOR POST- 2014 U.S. FOREIGN POLICY

HEARING
BEFORE THE
TOM LANTOS HUMAN RIGHTS COMMISSION

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HOUSE OF REPRESENTATIVES

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CIVIL AND POLITICAL RIGHTS IN UZBEKISTAN AND CENTRAL ASIA: IMPLICATIONS FOR POST-2014 U.S. FOREIGN POLICY

THURSDAY, JUNE 25, 2015

HOUSE OF REPRESENTATIVES,
TOM LANTOS HUMAN RIGHTS COMMISSION,
Washington, D.C.

*The Commission met, pursuant to call, at 2:05, p.m., in Room 2123,
Rayburn House Office Building, Hon. James P. McGovern [co-chair of the
Commission] presiding.*

Mr. McGOVERN. Good afternoon, everyone. Welcome, and thank you for attending today's hearing: The Civil and Political Rights in Uzbekistan and Central Asia: Implications for post-2014 U.S. Foreign Policy.

I would like to welcome our distinguished witnesses who are leading efforts in the United States Government and civil society to promote human rights in Central Asia. I would also like to thank the staff of the Commission for organizing this important hearing.

Today's focus on civil and political freedoms in Uzbekistan and Central Asia comes at a timely moment. With the withdrawal of U.S. troops in Afghanistan, we have an opportunity to make human rights a priority in U.S. foreign policy towards the region. While Central Asian states have been key partners in providing logistical and operational support to U.S. troops in Afghanistan, the exigencies of the war have overshadowed serious human rights abuses occurring in all five countries. These abuses must be brought to light and addressed, because they also represent a serious threat to long term security and prosperity in the region.

All the Central Asian states to varying degrees systematically deny their citizens fundamental freedoms enshrined in the Universal Declaration of Human Rights. Uzbekistan's authoritarian government routinely detains and tortures human rights activists, journalists, religious believers, artists, and other perceived critics of the government. According to some international human rights observers, thousands of people are imprisoned on politically motivated charges.

Turkmenistan and Tajikistan and Kazakhstan are also ruled by authoritarian regimes that restrict freedoms of speech, press, association, and

religion, and deny due process of law. Very little progress has been made towards creating open and accountable governments that protect basic rights.

While Kyrgyzstan has a more democratic form of government, it is at risk of reversing this progress as its legislature continues measures that would restrict the space for civil society, including a prohibition on free speech for those promoting more positive attitudes towards non-traditional sexual relations.

In the next phase of our foreign policy towards Central Asia, it is important that we seriously engage with the regions' governments to improve the poor human rights conditions in each country. The respect for human rights, including the right of citizens to express their grievances and peacefully advocate for changes in or with their government is the best strategy to address the security challenges we face today. History has shown us again and again that internal repression makes countries vulnerable to instability, extremism, and conflict.

So we are here today to discuss and explore ways the United States can contribute to promoting civil and political rights in Uzbekistan and the wider Central Asian region. I look forward to hearing your analysis and recommendations. And at this point, I would like to turn it over to our co-chair, Congressman Joe Pitts.

[The prepared statement of Co-Chair McGovern follows:]

PREPARED STATEMENT OF THE HONORABLE JAMES P. MCGOVERN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS AND CO-CHAIR OF THE TOM LANTOS HUMAN RIGHTS COMMISSION

Welcome everyone, and thank you for attending today's hearing, Civil and Political Rights in Uzbekistan and Central Asia: Implications for Post-2014 U.S. Foreign Policy. I would like to welcome our distinguished witnesses who are leading efforts in the United States government and civil society to promote human rights in Central Asia. I would also like to thank the staff of the Commission for organizing this important hearing.

Today's focus on civil and political freedoms in Uzbekistan and Central Asia comes at a timely moment. With the withdrawal of U.S. troops in Afghanistan, we have an opportunity to make human rights a priority in U.S. foreign policy towards the region. While Central Asian states have been key partners in providing logistical and operational support to U.S. troops in Afghanistan, the exigencies of the war have overshadowed serious human rights abuses occurring in all five countries. These abuses must be brought to light and addressed, because they also represent a serious threat to long-term security and prosperity in the region.

All the Central Asian states, to varying degrees, systematically deny their citizens fundamental freedoms enshrined in the Universal Declaration of Human Rights. Uzbekistan's authoritarian government routinely detains and tortures human rights activists, journalists, religious believers, artists, and other perceived critics of the government. According to some international human rights observers, thousands of people are imprisoned on politically motivated charges.

Turkmenistan, Tajikistan, and Kazakhstan are also ruled by authoritarian regimes that restrict freedoms of speech, press, association, and religion, and deny due process of law. Very little progress has been made towards creating open and accountable governments that protect basic rights. While Kyrgyzstan has a more democratic form of government, it is at risk of reversing this progress as its legislature considers measures that would restrict the space for civil society,

including a prohibition on free speech for those promoting more positive attitudes toward non-traditional sexual relations.

In the next phase of our foreign policy towards Central Asia, it is important that we seriously engage with the region's governments to improve the poor human rights conditions in each country. Respect for human rights – including the right of citizens to express their grievances and peacefully advocate for changes in or with their government – is the best strategy to address the security challenges we face today. History has shown us again and again that internal repression makes countries vulnerable to instability, extremism, and conflict. So we are here today to discuss and explore way the U.S. can contribute to promoting civil and political rights in Uzbekistan and the wider Central Asian region. I look forward to hearing your analysis and recommendations.

Mr. PITTS. Thank you, Mr. Chairman, and thank you for your work on this important hearing on human rights climate in Central Asia. And I would also like to thank our witnesses for their participation here today.

In recent years, U.S. foreign policy towards Central Asia was largely influenced by our nation's security interests and military strategy in Afghanistan. As troop presence in Afghanistan decreases, it is integral that the United States broadens our foreign policy strategy to address civil and political stability in the region. Central Asian leaders have expressed their commitment to democratization, but little progress has been made to liberalize their political systems or increase protection of human rights and free expression of their citizens. And while each country presents a particular set of civil and political challenges, to some extent in all the Central Asian countries, they have human rights abuses of varying degrees.

The United States State Department has reported restrictions on freedom of speech, press, religion, association, and assembly, lack of independent judiciaries, arbitrary application of justice, and abuses by law enforcement and government officials. Human rights groups report particularly egregious abuses against citizens, including detention, extortion, torture, and targeted violent attacks on the basis of ethnicity, religion, gender, and political party. Further, the region is recognized as a breeding zone for human trafficking, with many of these countries serving as the source, transit point, and destination for countless, men, women, and children subject to forced labor or sex trafficking.

Now, I believe it is easy to observe that where political and civil rights suffer, other abuses of human rights are sure to follow, and the regions record -- their record on human trafficking is a sad reflection of that fact.

As we witness the continued oppression and abuse of increasingly authoritative regimes, there is evidence of increased radicalization and security threats within civil society. Recent reports on Islamic State foreign fighters suggest a surge in militants from Central Asia joining the ranks of ISIS fighters in Iraq and Syria. The Helsinki Commission, on which I serve, recently observed this issue, and I believe that a lack of respect for human rights can also contribute to this bursting and disturbing dynamic.

Since the September 11 terrorist attack, our government's policy towards the region recalibrated to focus on three issues: the promotion of security, domestic reforms, and energy development. The governments in this region have all backed U.S. efforts on the war of terror to some varying degrees. Much of this support culminated in the U.S. coalition's reliance on the northern distribution network. The continued importance of regional stability continues to merit strong relations with the United States. However, as we witness the ongoing withdrawal of American forces from the immediate region, I am afraid that our ability to advocate for gains in the issue of domestic reforms may suffer.

Last year Director of National Intelligence, James Clapper, stated that the greatest risk to regional stability is longstanding internal governance issues, not external military threats. I would echo the importance that internal governance will have not just a regional stability, but on economic development, energy development, and the very vitality of the region.

So with that, I look forward to the insight of our panels and their recommendations for improving the human rights climate, and would offer my willingness to continue to work with these governments in fostering a mutually beneficial and collaborative relationship with the United States Government.

So thank you, Mr. Chairman, for the hearing. And I yield back.

Mr. McGOVERN. Thank you very much. And I want to yield to the gentleman from Rhode Island, Mr. Cicilline, for a brief statement.

Mr. CICILLINE. Thank you, Mr. Chairman. And I want to thank the co-chairs of this Commission, you, Mr. McGovern, and Mr. Pitts for calling this very timely and important hearing. Central Asia is not always at the top of many people's mind, but it is of tremendous importance to the long-term security interests of the United States.

I want to begin by recognizing that the Andijan massacre in 2005, during which hundreds of civilians were brutally murdered by Uzbek security forces remains a stain on the Government of Uzbekistan and indeed on the international community, as we have been unable to secure an independent investigation that would begin to lead to justice or closure for the families of the hundreds of innocent civilians who were killed. I want to reaffirm unequivocally that this issue should remain at the top of U.S. relations with Uzbekistan, and I urge the government of President Karimov to allow access for an independent international inquiry so the victims and their families may have justice.

As we deal with a variety of foreign policy issues, such as crises in the Middle East, the thawing of relations with Cuba, securing a nuclear agreement with Iran, the small countries of Central Asia can sometimes be forgotten, but they are vitally important in a number of ways. First, Central Asia has the dubious honor of being one of the world's most repressive regions. All but one, Kyrgyzstan, are determined to be not free by Freedom House, and in fact, Turkmenistan and Uzbekistan consistently rank among the, quote, "worst of the worst," Freedom House list of the world's worst human rights violators. At the same time, many of these countries have played or continue to play a role in supporting the United States military efforts in South Asia, meaning that the United States engages them on a variety of issues beyond the human rights sphere. However, this can also afford an opportunity to push on human rights issues, though our success has been mixed.

With Uzbekistan expelling U.S. forces after we pressed for an inquiry into the Andijan massacre, while on the other hand in Kyrgyzstan, there have been some positive democratic developments, though much remains to be achieved. While the countries of Central Asia have different political systems, ethnic populations, and international leanings, the fact remains that each of them continues to face serious human rights issues that must be addressed.

I am particularly interested in hearing from the witnesses on two issues that are tied together. Russia's ongoing negative influence on the laws and governance in the region of Central Asia, and in particular how that influence has led to attempts to target the lesbian, gay, bisexual, and transgender communities in these countries. The government of Vladimir Putin holds great sway over

many of the Central Asian republics, all of which were created after the breakup of the Soviet Union. Most concerning are the Central Asian countries' attempts to adopt homophobic or xenophobic laws criminalizing propaganda supporting same sex or non-traditional relations and stigmatizing international NGOs as foreign agents.

The international community has had some success in pushing back on the anti-homosexuality laws. Kazakhstan's Constitutional Council struck a proposed law down earlier this year. However, Kyrgyzstan is still considering their own anti-homosexual laws while targeting civil society. Even where bad legislation has been struck down, the fact remains that the LGBT communities in Central Asia remain marginalized, sometimes criminalized, and are exposed to high levels of violence, harassment, and discrimination. I would very much like to hear from our witnesses about the efforts being made by the United States Government on the ground in these countries to promote the rights of LGBT communities as well as what more can be done at multilateral institutions to move these countries in the right direction.

Moreover, given the difficult operating environment and the overwhelming need for human rights reform, how is the United States Government engaging at the government level, but also with civil society, to promote the freedoms of expression, assembly, association, and religion.

I again thank the two co-chairs for calling this hearing, and I look forward to hearing the testimony of our witnesses, and thank you for being here today. And with that I yield back, Mr. Chairman.

Mr. McGOVERN. Well, thank you very much. And with that, I would like to introduce our first panel of witnesses. From the Department of State, I am pleased to welcome Mr. Daniel Rosenblum, Deputy Assistant Secretary for Central Asia in the Bureau of South and Central Asian Affairs, and Mr. Rob Berschinski, Deputy Assistant Secretary in the Bureau of Democracy, Human Rights, and Labor. Both bureaus have shared leadership in promoting human rights in Central Asia, and I am eager to hear about your efforts, progress, and challenges in engaging in the region.

Mr. Rosenblum, welcome, and why don't you begin.

STATEMENTS OF DANIEL ROSENBLUM, DEPUTY ASSISTANT SECRETARY FOR CENTRAL ASIA, BUREAU OF SOUTH AND CENTRAL ASIAN AFFAIRS, U.S. DEPARTMENT OF STATE; AND ROB BERSCHINSKI, DEPUTY ASSISTANT SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR, U.S. DEPARTMENT OF STATE

STATEMENT OF DANIEL ROSENBLUM, DEPUTY ASSISTANT SECRETARY FOR CENTRAL ASIA, BUREAU OF SOUTH AND CENTRAL ASIAN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. ROSENBLUM. Thank you very much, Co-chairmen, all members of the Commission. Thanks for holding this hearing today on the state of civil and

political rights in Central Asia. Hearings like this one help to amplify our values and our message to both governments and the people of Central Asia.

We are also grateful for the many letters from Members of Congress to governments of the region which shine a spotlight on certain prisoner cases or express concern about policies and legislation that restrict internationally recognized human rights. We also appreciate your efforts here in Washington and the time that you and your staff take to travel to Central Asia, talk with the regions' officials, journalists and human rights defenders, and let them know what we stand for and why it matters.

Now I would like to briefly review the U.S. Government's policy priorities in Central Asia, and then I will go into a few country specifics. This is a region of secular governments and mainly Muslim populations that are valuable partners in countering terrorism, violent extremism, trafficking, and weapons proliferation.

This is a region that borders Russia, China, Iran and, of course, Afghanistan, where we have spent a lot of blood and treasure. And we see Central Asia as a key to Afghanistan's future stability and success. And this is a region whose natural resources and trade routes can help drive economic growth in Asia and beyond.

And so for all these reasons, we are engaged in this region, and our strategy there has three main objectives. The first is to develop strong security partnerships, especially related to counterterrorism and border security. The second is to build a foundation for inclusive prosperity by helping each of the countries integrate into the global rules-based trading system, as exemplified by the WTO, while improving economic linkages within the region and with its neighbors in South Asia and in Europe. The third objective is to promote internal political and economic reform, especially accountable governance and rule of law.

Respect for human rights is at the core of all three objectives, and our constant message to each state in Central Asia is that sustained stability and prosperity cannot be achieved through intimidation, suppression, and corrupt governance. In fact, such tactics are shortsighted and counterproductive to the long-term interests of any country.

What is more, if a state does not respect human rights, the rule of law, and accountable governance, we, the United States, are limited in what we can achieve in our relations with them, whether it be in the political, economic, or security spheres. So it is really in everyone's interest that these countries improve their records on human rights and thereby achieve the full potential for bilateral cooperation with the U.S.

That is our common message to the countries of the region. However, the five Central Asian countries are not a single, undifferentiated group. They are five individual states, each with its own political and economic trajectory. Reflecting this fact, the human rights situation is also different in each country.

Kyrgyzstan is a functioning parliamentary democracy, though its parliament is currently considering legislation that would punish expressions of LGBT identity and limit civil society organizations.

Kazakhstan has upheld some of its international human rights obligations, but is also placing undue pressure on political opposition, independent media, and some religious groups it deems non-traditional to Kazakhstan.

Tajikistan has made limited progress on human rights, and we have expressed serious concerns about its policies on political competition, independent media, and religious freedom.

As for Uzbekistan and Turkmenistan, there is not much on the positive side of the human rights ledger, while the negative balance is quite high.

We are working hard to improve the situation. Our ambassadors in each country and our officials here in Washington and at the OSCE in Vienna raise these issues at the highest levels and on a regular basis. Human rights are a part of every major conversation. And our diplomatic efforts have achieved some results. Take labor rights as an example, which is a foundation for a strong and resilient economy.

Turkmenistan has worked to eliminate forced child labor from its annual cotton harvest, though adult forced labor remains a serious concern. And after several years of effort and work with us and others, Uzbekistan has mostly eradicated state-sponsored forced child labor in its cotton sector and is now working with the ILO and the World Bank on addressing adult forced labor. There is obviously far, far more that needs improvement, but efforts like these are a start.

We also know that dialogue alone is not enough. So with congressional support, we also have assistance programs that promote the rule of law, independent judiciaries, and economic opportunities for disadvantaged groups, just to name a few. These programs will not change things overnight, but they can have positive impacts and help build the capacity for improved conditions down the road.

Strengthening civil and political rights in Central Asia is a top priority for us, and we are thankful that we have the U.S. Congress as a vocal and effective partner. The situation is a challenging one and not likely to change quickly or easily. We have no doubts about that. But we believe that through consistent, specific, and patient engagement with the governments and people of the Central Asian states, we can enhance prospects for long term stability in the region, develop a more solid basis for mutually beneficial government-to-government ties, and improve the lives of the people of Central Asia.

Thank you, and I look forward to your questions.

Mr. McGOVERN. Thank you very much. Mr. Berschinski.

**STATEMENT OF ROB BERSCHINSKI, DEPUTY ASSISTANT
SECRETARY, BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND
LABOR, U.S. DEPARTMENT OF STATE**

Mr. BERSCHINSKI. Thank you. Chairman McGovern, Co-chairman Pitts, members of the Commission. It is an honor to be here speaking with you today on the human rights situation in Central Asia.

I assumed my current position three weeks ago, having most recently come from the U.S. Mission to the United Nations, where I had the privilege of working under a staunch advocate for human dignity in Ambassador Samantha Power, and witnessed on a daily basis the importance of principled U.S. leadership. I am proud to be able to carry with me these lessons to the Bureau of Democracy, Human Rights, and Labor.

I want to begin my remarks by reiterating a critical point that DAS Rosenblum just made, which is that protection and promotion of human rights and freedoms are essential to security and stability in the Central Asia region. Restrictive governance and heavy-handed tactics risk fueling social grievances that catalyze the very security threats that both we and the Central Asian governments seek to address.

Central Asian governments are particularly anxious about external geopolitical developments, from instability in Afghanistan, to pressure from Russia. These uncertainties have led the region's governments to accelerate efforts to neutralize independent and opposition voices they had already deemed threatening to the stability of their regimes. For this reason, now more than ever, the people of Central Asia feel that the true added value of continued U.S. engagement is that we promote principles that other partners will not.

Most importantly, the respect for their individual rights and freedom is an integral corollary to and component of our cooperation in other respects. So while we work with the countries of the region in a number of areas, as you just heard, we continue to call for political reforms and for the region's governments to respect the universal rights of their citizens, as well as for an end to corrupt governance. Only when these conditions are met will the Central Asian states truly provide their peoples with the free, prosperous, and secure societies that they deserve.

With this context, I want to briefly discuss various areas of concern, providing a few illustrative examples, and then turn to our diplomatic efforts and, in some cases, successes.

First, with respect to religious freedom and the interrelated issue of countering violent extremism. A significant area of concern is the intensification of heavy-handed policies, including detentions, tortures, and punishment of peaceful religious activities and expression under the guise of countering extremism. These policies generate a cycle of repression that breeds radicalization, which in turn breeds further repression. And so the United States is using every opportunity we have, as I will early next week when I travel to

Astana for a regional Countering Violent Extremism conference, to highlight that violent extremists do not need freedom of religion to conduct their activities, but rather the Central Asian people require it to be an effective bulwark against violent extremism.

Turning to political space and recent elections, we know meaningful participation in free, fair, transparent electoral processes, including space for opposition, is a key part of a healthy pluralistic democracy. Unfortunately, as you mentioned, these processes are largely denied in the region. Recently we have seen severely problematic elections, including in Uzbekistan, where a March 29 presidential election not only convened the constitutional limit of two consecutive presidential terms, but lacked genuine political alternatives and involved restrictions on freedoms of expression and association.

Similarly, Tajikistan's March 1 parliamentary elections were neither free nor fair. And, finally, Kazakhstan's April 26 snap presidential elections lacked political alternatives and took place within a restricted media environment that stifled public debate and freedom of expression.

We have also seen tighter limitations on the operating space for independent civil society and the media throughout the region, including through the introduction of legislation aimed at restricting the activities of NGOs. This is extremely troublesome, especially at a time when civil society should be assisting governments in the region in addressing unprecedented socioeconomic challenges.

Following Moscow's lead, Kyrgyzstan has introduced a draft, quote, "foreign agents" law that if it moves forward threatens to greatly curtail civil society and damage Kyrgyzstan's reputation as a democratic country.

In Kazakhstan, the government enacted a criminal code that sharply increases the range of offenses and gravity of criminal punishments for civil society. Draft legislation introduced late last year seeks to establish a government, quote, "operator" to control funding to NGOs.

And after meaningful U.S. engagement, we recently learned that the government of Kazakhstan has revised the draft criminal code and will not regulate private or foreign funding to NGOs. Yet this is a situation that we are monitoring very closely.

With respect to restrictions on media, in Uzbekistan we have longstanding concerns about the lack of space for free, independent media and the very real threats to journalists who undertake this essential work.

In Tajikistan, there are continued reports of blocked web content and telecommunications during politically sensitive periods, an issue I raised and discussed with the Tajikistani delegation during an annual bilateral conference two weeks ago at great length.

And in Turkmenistan, the government enforces censorship and continues to subject journalists to growing harassment and surveillance.

Political disenfranchisement is compounded by rampant corruption in the region, which isolates a wide swath of citizens from resources and undermines the impact of foreign investment. Corruption in Central Asia has a direct impact on the prosperity of the region's people. Without robust democratic institutions and

strong rule of law, as well as respect for labor rights and space for the free exchange of information, Central Asia's huge economic potential, which we just heard about, cannot be fully realized.

Finally, further constraining the breadth of our bilateral and regional cooperation with the Central Asian states are continued reports of systemic abuse and ill treatment of citizens by state security forces. It is imperative that military and police forces effectively prevent and account for human rights violations that have undermined public trust and security.

As a step towards broader security and justice sector reform, we have called upon the region's governments to grant unobstructed access by relevant UN special mandate holders and other third party monitors, such as the ICRC. In Uzbekistan, for instance, at least eleven UN special mandate holders have outstanding entry requests to which the government has not responded.

Given this clearly difficult operating environment, we continue to call both publicly and privately for political reform in Central Asia, recognizing that it is both a moral and strategic imperative for the United States to work, however painstakingly, towards big democratic rights-respecting region. We make these calls frequently and at the highest levels, and will continue to do so until we see meaningful change.

We also make clear to regional governments that we could do more through our bilateral relations in the security sector, in the economic realm, and through people-to-people exchanges if these governments would undertake meaningful reform and improve their human rights landscapes. To that end, we make use of individual meetings and annual bilateral consultations to have frank discussions that set the stage for many other engagements we pursue over the course of the year, as well as our assistance programming.

As you heard, we have seen a modicum of progress in certain corners of the region. For example, we are pleased to see the progress Uzbekistan has made in working with the ILO on forced child labor in its cotton sector.

In Tajikistan, we have repeatedly raised a problematic law on public associations, and the Ministry of Justice has modified the law with language that we hope will protect NGOs from some of the scrutiny and interference they may have otherwise faced.

And in Turkmenistan where, frankly, there isn't much to celebrate, we have repeatedly raised the issue of religious freedom with the government, and several prisoners of conscience have subsequently been released late last year and early this year.

In conclusion, we intend to build on these small improvements by speaking plainly to the Central Asian governments and offering the view that it is in our as well as their best interests to promote their people's rights and freedoms while addressing credible security threats.

Thank you, and I look forward to our discussion.

[The prepared statement of Mr. Berschinski follows:]

PREPARED STATEMENT OF ROB BERSCHINSKI

Civil and Political Rights in Uzbekistan and Central Asia

Testimony
Robert Berschinski
Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor
As Delivered Remarks to the Tom Lantos Human Rights Commission

Washington, DC

June 25, 2015

Introduction

Co-Chairman Pitts, Co-Chairman McGovern, it is an honor to be here to speak with you today on the human rights situation in Central Asia. I assumed my current position three weeks ago, having come most recently from the U.S. Mission to the United Nations, where I had the privilege of working under a staunch advocate for human dignity in Ambassador Samantha Power, and witnessed on a daily basis the importance of principled U.S. leadership. I am proud to be able to carry with me these lessons to the work of the Bureau of Democracy, Human Rights, and Labor.

I would like to begin my remarks by reiterating a critical point DAS Rosenblum made, which is that protection and promotion of human rights and freedoms are essential to security and stability in the region. Restrictive governance and heavy-handed tactics risk fueling social grievances that catalyze the very security threats that we and the Central Asian governments seek to address.

Central Asian governments are particularly anxious about external geopolitical developments, from instability in Afghanistan to pressure from Russia. These uncertainties have led the region's governments to accelerate efforts to neutralize independent and opposition voices they already deemed threatening to the stability of their regimes.

For this reason, now more than ever, the *people* of Central Asia feel that the true added value of continued U.S. engagement is that we promote principles that other partners will not: most importantly, that respect for their individual rights and freedoms is an integral corollary to (and component of) our cooperation in other regards.

So while we work with the countries of the region in a number of areas, we continue to call for political reforms and for the region's governments to respect the universal rights of their citizens, as well as for an end to corrupt governance. Only when these conditions are met will the Central Asian states truly provide their peoples with the free, prosperous, and secure societies they deserve.

With this as context, I want to briefly discuss various areas of concern, providing a few illustrative examples, and then turn to our diplomatic efforts and, in some cases, successes.

Religious Freedom/CVE

A significant area of concern is the intensification of heavy-handed policies, including detentions, torture, and punishment of peaceful religious activities and expression under the guise of “countering extremism.”

These policies generate a cycle of repression that breeds radicalization, which in turns breeds further repression. And so the United States is using every opportunity we have—as I will next week at an Astana Regional CVE Summit—to highlight **that violent extremists do not need freedom of religion to conduct their activities; rather, the Central Asian people need it to be an effective bulwark *against* violent extremism.**

Political Space and Elections

Turning to political space and recent elections, meaningful participation in free, fair, transparent electoral processes—including space for opposition—is a key part of a healthy, pluralistic democracy.

Recently, we have seen severely problematic elections in the region. According to the OSCE, **Uzbekistan’s** March 29 presidential elections not only contravened the constitutional limit of two consecutive presidential terms, but lacked genuine political alternatives, and involved restrictions on freedoms of expression and association.

Similarly, **Tajikistan’s** March 1 parliamentary elections were neither free nor fair. The government harassed and interfered in the campaign activities of opposition groups like the Islamic Revival Party of Tajikistan, and engaged in ballot box stuffing that unseated this party from their last remaining parliamentary seats.

Finally, **Kazakhstan’s** April 26 snap presidential elections lacked political alternatives, and took place within a restrictive media environment that stifled public debate and freedom of expression. Current anti-democratic efforts to preserve presidential power challenge the development of political pluralism and threaten long-term economic vibrancy and security in Kazakhstan.

Civil Society and Media Freedoms

We have also seen tighter limitations on the operating space for independent civil society and the media throughout the region, including through the introduction of legislation aimed at restricting the activities of NGOs. This is extremely troublesome, especially at a time when civil society should be assisting governments in addressing unprecedented socioeconomic challenges.

Following Moscow’s lead, **Kyrgyzstan** has introduced a draft “foreign agents” law, that, if it moves forward, threatens to greatly curtail civil society and damage Kyrgyzstan’s reputation as a democratic country.

In **Kazakhstan**, the government enacted a Criminal Code that sharply increases the range of offenses, and gravity of criminal punishments, for civil society. Draft legislation introduced late last year seeks to establish a government “Operator” to control funding to NGOs. After meaningful U.S. engagement, we recently learned that the government revised the draft Criminal Code and will not regulate private or foreign funding to NGOs. We are watching this situation closely to guard against restrictive amendments.

With respect to restrictions on media:

In **Uzbekistan**, we have long-standing concerns about lack of space for free, independent media and the real threats to journalists who undertake this essential work.

In **Tajikistan**, there are continued reports of blocked web content and telecommunications during politically sensitive periods, an issue I raised with the Tajikistani delegation during this month’s Annual Bilateral Consultation.

And in **Turkmenistan**, the government enforces censorship and continues to subject journalists to growing harassment and surveillance.

Corruption

Political disenfranchisement is compounded by rampant corruption, which isolates a wide swath of citizens from resources and undermines the impact of foreign investment. Corruption in Central Asia has a direct impact on the prosperity of the region’s people. Without robust democratic institutions and strong rule of law, as well as respect for labor rights and space for

the free exchange of information, Central Asia's huge economic potential cannot be fully realized.

Endemic corruption in **Tajikistan** perpetuates poorly managed and crumbling energy infrastructure, including the TALCO Aluminum plant that is thought to consume up to 40% of the country's electricity.

In **Uzbekistan**, endemic corruption among the political elite contributes to a poor investment climate, discouraging increased foreign investment.

And despite establishing Central Asia's only parliamentary democracy, corruption in **Kyrgyzstan** is eroding public trust, including in the police and judiciary.

Torture and Security Force Conduct

Finally, further constraining the breadth of our bilateral and regional cooperation with the Central Asian states are continued reports of systemic abuse and ill treatment of citizens by state security forces. It is imperative that military and police forces effectively prevent and account for human rights violations that have undermined public trust and security.

As a step toward broader security and justice sector reform, we have called upon the region's governments to grant unobstructed access by relevant UN special mandate holders and other third party monitors like the ICRC. In Uzbekistan, at least eleven UN special mandate holders have outstanding entry requests to which the government has not responded.

Diplomatic Efforts and Successes

Given this clearly difficult operating environment, we continue to call, both publicly and privately, for political reform in Central Asia, recognizing that it is both a moral and a strategic imperative for the United States to work, however painstakingly, toward a democratic, rights-respecting region. We make these calls frequently and at the highest levels, and we will continue to do so until we see meaningful change.

We also make clear to regional governments that we could do more through our bilateral relations—in the security sector, with economic initiatives, and through people-to-people exchanges—if these governments undertake meaningful reform and improve their human rights landscapes.

To that end, we make use of individual meetings and Annual Bilateral Consultations to have frank discussions with Central Asian interlocutors on tough human rights issues. These formal discussions serve as markers for the many other engagements we pursue throughout the year, as well as for our assistance programming.

We have seen a modicum of progress in certain corners of the region. For example, we are pleased to see **Uzbekistan's** recent willingness to work with the ILO on a *Decent Work Country Program*, agreement to conduct cotton harvest third-party monitoring, and effort to address forced child labor in the cotton sector.

In **Tajikistan**, we have repeatedly raised a problematic Law on Public Associations. The Ministry of Justice modified the law with language that we hope will protect NGOs from some of the scrutiny and interference they may have faced otherwise.

And in **Turkmenistan**, where, frankly, there is not much to celebrate, we have repeatedly raised the issue of religious freedom with the government, and several prisoners of conscience have subsequently been released.

In conclusion, we intend to build on these small improvements by speaking plainly to the Central Asian governments and offering the view that it is in *our*, as well as *their*, best interests to promote their people's rights and freedoms while addressing credible security threats.

Thank you, and I look forward to our discussion.

Mr. McGOVERN. Well, thank you very much, both of you, and I appreciate your statements and appreciate all that you do. I have a few questions.

You know, Uzbekistan and Kazakhstan are led by aging rulers of questionable human rights records, to say the least. Does anyone think that political succession in these countries is likely to impact the human rights situation? Are there people on deck that we think are more promising or will be more sensitive to the issues of human rights issues than these guys?

Mr. ROSENBLUM. Congressman, thanks for that question. I will start off and my colleague can supplement later, but first of all, I think it is hard to predict exactly what impact succession might have in a domestic situation, and I don't want to get too deeply into hypothetical or speculative. But I will say that presidential succession is, of course, an important issue in any country, and if it is not managed properly, there is a risk of instability resulting from the struggles, which could actually compromise human rights interests.

And it is for that reason that we remain so deeply engaged in Central Asia through our embassies and through our constant engagement. And there is no doubt that this question of succession is absolutely key to the future of countries in the region and particularly the two that you mentioned, and for that reason, we stress the importance of engagement at all levels of society and government too, because we want to have partners and friends in all corners of these countries. So that is what I would say. Rob, if you want.

Mr. BERSCHINSKI. If I could just add, I think what history shows us is that succession planning is incredibly difficult in authoritarian situations, in part because -- in large part, because those environments are characterized around individuals and not institutions, and so by nature in these situations, institutions are weak.

And so that is why a lot of our work goes into attempting, and recognizing how difficult this is in the context of the two countries you mentioned, on strengthening institutions and suggesting improvements to problematic political processes. And just to tee off of what DAS Rosenblum just mentioned, that is why we are focused on engagement with the people of these countries and doing what we can to support them.

Mr. McGOVERN. I appreciate that. It doesn't sound very optimistic. I am not saying that you are not hopeful, but, I mean, I don't think we should all be waiting to expect that whoever succeeds them is somehow going to change things very dramatically without other factors coming into play.

Let me ask you a question about U.S. foreign assistance and security cooperation. You know, recently the United States provided Uzbekistan with over 300 MRAPs. Could somebody explain the rationale for the initiative, given Uzbekistan's human rights record? How do you balance providing security assistance and promoting human rights? And what other arms sales to the Central Asian states are underway or being contemplated?

Mr. ROSENBLUM. Congressman, I will attempt to answer that. So when we get requests for transfers of military equipment, in this case it was the Excess Defense Articles program, the EDA program, there is an actually very long process of reviewing the requests and looking at who the recipients will

actually be within the country, looking at the security needs that it is trying to address, the ability of whoever it is going to, to sustain the equipment, and other factors, including human rights and the dynamics of the region in terms of sort of the security balance within the region.

We delivered these mine-resistant ambush-protected vehicles, the so-called MRAPs, to Uzbekistan after this careful review, and it was done because we determined that they would help to improve Uzbekistan's border security and its ability to carry out counterterrorism and counternarcotics operations. And because these were deemed to be purely defensive vehicles, purely defensive equipment.

They will be used only by Ministry of Defense personnel. Internal security or police forces are not authorized to use the equipment, and the equipment is subject to end-use restrictions and regular monitoring by U.S. personnel on the ground.

The other piece of this gets to vetting of the actual units that will be using the equipment, and that has to go through a process to ensure compliance with human rights concerns as well.

The security cooperation with Uzbekistan that we have is always infused with this element of the connection between protection of human rights and security partnership. And the points that DAS Berschinski mentioned in his opening about the interrelationship is something that I, you know, would emphasize, and that is that whenever we do training, whenever we have a dialogue about security cooperation, there is always an element in there about how important the protection of human rights is, or there are courses that are actually oriented towards that goal that are part of the security training.

Mr. McGOVERN. Are there other arms sales that are underway or being contemplated for

Mr. ROSENBLUM. The only other

Mr. McGOVERN. Central Asian states?

Mr. ROSENBLUM. The only other current, and this has actually also unfolded over a long period of time, transfer of equipment is for utility helicopters, UH1s, UH.1s, to Kazakhstan under the Excess Defense Articles program. Two of them have already been delivered and there are two more that are, you know, in process.

We do have a standing offer to consider requests under the Excess Defense Articles program that we have made to all the Central Asian countries. So far the Kazakhstan helicopters and these MRAPs in Uzbekistan are the only two that have gone forward.

Mr. McGOVERN. And you are confident with the oversight that is in place? I mean, the reason why I ask, you know, is, you know, a lot of people ask, you know, what can we do to make ensure that U.S. foreign assistance dollars aren't being used to, you know, to actually support things that we are very much against or are not used to train individuals, for example, who end up committing human rights abuses on behalf of either a government or an extremist group.

And I raise that because there have been some media reports in recent weeks that a high-ranking officer from Tajikistan's elite national police force who

defected to join Islamic State reportedly received military training from the United States over the course of several years. And so, you know, it just begs the question, you know, are we confident that these checks and balances that we have in place, you know, prevent things like this from happening, or having armaments or military equipment ending up in the wrong hands?

Mr. ROSENBLUM. I would say, Congressman, that we are confident that we are doing everything we can, everything within our power to monitor and to vet participants in security training and to see what happens to equipment after it is transferred to countries. The case that you cited is a good example of how you can't always control every factor in these situations.

So in that case, you had a high-ranking, the leader actually, of the interior ministry, the elite security forces in Tajikistan, defecting to ISIL, and that individual had participated in a number of training programs over the years, starting when he was a lower ranking person, as he worked his way up through the ranks. And had each time been vetted for the kinds of things we look at, which is any connection to gross violations of human rights by him or the unit that he was assigned to, and he had passed all those standard vetting procedures.

And I should also point out that he and all the other participants in training courses are selected and recommended by the governments first, but he had passed all that vetting. And, very frankly, I don't think the government of Tajikistan anticipated either that this outcome would happen, and so it was I would say a surprise as much to the Government of Tajikistan as to us.

Mr. McGOVERN. Just one final question. I mean, is there any indication that the Central Asian states are generally responsive to international pressure to improve the protection of basic political freedoms and human rights? I mean, the reason I ask that is because, you know, some of us here in Congress who are involved in passing the Magnitsky Act, which was originally global in intent, that it then got narrowed down to Russia specific, but we are talking about expanding the scope of the Magnitsky Act, you know, could that be a potential tool, an effective tool to encourage Central Asian states to improve the protection of basic civil and political freedoms?

The sanction would be targeted more against individuals that we know are not good and, you know, denying them -- that there be a consequence for either being guilty of corruption or gross human rights violations.

Mr. BERSCHINSKI. I think -- and, Mr. Congressman, this also speaks to the example of the Tajikistani official. The message that we are bringing to these governments that we hope to have some amount of traction, given what they are concerned about in terms of transnational threats, the message that we are delivering at the highest levels and that I will have the opportunity to deliver in Kazakhstan next week, is that their repression, whether it be repression of religious expression or other forms of expression, or freedom of assembly, access to media -- all of these attempts to crack down on civil society have the inverse effect to what they truly desire in terms of their own security and the potential radicalization of their populations, both within their borders and those that would go off to places like Syria and Iraq and fight for ISIL.

It remains to be seen to what extent those governments will accept that argument, but at the same time, it is a very real one. The empirical data is firm on this in terms of what motivates radicalization, and so I think it is a very powerful message.

Mr. McGOVERN. Thank you. Mr. Pitts.

Mr. PITTS. Thank you, Mr. Chairman. Secretary Rosenblum, let me ask you about the EEU, the Eurasian Economic Union. As you know, the EEU is an economic union between Kazakhstan, Russia, and Belarus that was created in 2014 with Armenia and Kyrgyzstan joining later in 2015. And the EEU provides an integrated market, which facilitates trade and free movement and currently includes three supranational structures: an executive commission, a court, and a development bank. Now, Russia has been pushing for more integration with a possible parliament and shared currency in the future.

My question to you is what impact is the Eurasian Economic Union likely to have on human rights in the region, and what kind of impact is the EEU likely to have, if any, on regional human rights issues?

Mr. ROSENBLUM. Congressman, that is an excellent question. The EEU is something that many people are focused on now as it is a fairly new player and there is a lot of speculation about what it means.

I would say at this point we haven't seen any move to harmonize laws or regulations that fall outside the economic sphere, including those related to human rights. Of course, if this was to happen, we would have concerns and we would raise those concerns with member governments. So far it appears to be a purely economic organization. And I would add that some of the member states, including, in Central Asia, Kazakhstan and the newest member, Kyrgyzstan, have really insisted, and publicly, on this that it remain an economic and a trading organization and not be a political organization.

So, again, we will continue to monitor it closely, because that would have implications in that scenario, but so far we don't see any move in that direction.

Mr. PITTS. Let me follow up with the Shanghai Cooperation Organization. That is an economic, and political, and military organization that was originally founded in 1996, originally called the Shanghai Five until Uzbekistan joined in 2001, and that organization is focused on regional military cooperation and economic cooperation through loans and easing trade barriers. With regards to regional security, the organization's currently focused on combatting terrorism, separatism and extremism, and Turkmenistan is not a member.

Do the security-related activities of the SCO contribute or detract from human rights practices within Central Asia?

Mr. ROSENBLUM. Congressman, as you know, the U.S. is not a member of the SCO, although of course we do follow its meetings and talk to its member states frequently. They do have several security programs and groupings within SCO that work to address security issues. There is a regional antiterrorism center in Tashkent, Uzbekistan, under the SCO umbrella.

And I think, you know, what we have seen is that different governments participate in these programs to different degrees when they believe there is some

benefit to them. It is a, you know, in principle, the organization can be a valuable forum for dialogue among neighbors. But I would point out that the sort of principles and values of the organization are different from that of other regional organizations, like the OSCE. And we actually believe that the OSCE is a much stronger forum on issues of human rights.

Obviously, you know, the basic principle of OSCE with its three baskets, and the idea that those three baskets are all inseparable elements of security, that security is not just hardware and hard security, it is also about the economic element and it is about the human dimension, you know, that is something that we believe is right, is the right approach, and that is why, of course, we work through that organization. But let me -- I will ask if

Mr. PITTS. Yeah. Secretary Berschinski.

Mr. ROSENBLUM. Rob wants to add.

Mr. BERSCHINSKI. Sure. Just a little bit to add to that. Our engagement continues to highlight the benefit of respect for human rights across all elements of society in these countries, and that obviously includes the security sector, as I mentioned previously. And so to kind of build off of the point about how we believe that engagement through the OSCE is probably a better way to go, our firm belief is that when combating transnational threats, infusing respect for human rights should be at the core of everything that these countries do. Thank you.

Mr. PITTS. Secretary Berschinski, let me continue with you on the issue of religious freedom. The basic question is how can the United States use the CPC, the Country of Particular Concern mechanism, more effectively to improve religious freedom in Central Asia? I would note that the State Department has designated Uzbekistan and Turkmenistan as CPCs for their particularly severe religious freedom violations, but indefinitely waived punitive action against them. What has the effect of the CPC designation been and what is your opinion on lifting the waivers?

Mr. BERSCHINSKI. Thank you, Congressman, for that question. As you mentioned, Turkmenistan, Uzbekistan and, I should add, Saudi Arabia, have all been designated as CPC countries. And under its legal authority, the Secretary of State has issued a national interest waiver on the sanctions that come under the International Religious Freedom Act.

These countries most certainly engage in a number of human rights abuses with respect to freedom of religion: detention and imprisonment of religious minorities, issues dealing with religious groups having to register with the governments, and a significant amount of harassment. We continue to engage often and at the highest levels with these governments, urging them to improve their religious freedom in their countries.

And to your question, I would say that listing as a CPC does in itself have an effect. There is a reputational hit in terms of the listing. And we have seen that, though we are nowhere near where we need to be, we have made some amount of progress through the listings themselves and the sustained engagement, as I mentioned in my opening statement -- for instance, with the Turkmenistanis,

in releasing some small amount of political prisoners held for their religious beliefs.

Of course, we need to continue working with these governments through bilateral and multilateral means. In the meeting I held with the Tajikistani foreign minister just a couple of weeks ago, I raised this and had a fairly lengthy conversation with both him and the chairman of their religious commission. And with respect to Tajikistan, this is a country that knows that we are watching and that the Secretary has it within his authority to designate at any time. Thank you.

Mr. PITTS. Okay. Let's continue a little bit on the Tajik situation. The U.S. Commission on International Religious Freedom since 2012 recommended that Tajikistan be designated as a CPC. Can you speak as to why they haven't been listed on the CPC list, or why not?

Mr. BERSCHINSKI. So yes, sir. As I mentioned, there are a number of ongoing deficiencies in Tajikistan with respect to religious freedom. We take USCIRF's recommendation seriously. That said, the Secretary made his determination on the basis of recommendations from the Department of State. As I mentioned, we communicate very clearly and plainly the problems that continue to exist within Tajikistan, and as I mentioned, also communicate clearly to the government that the Secretary has the authority to designate and will make that decision in due course on the basis of the information that we provide.

Mr. PITTS. Well, let's go, then, to Kazakhstan and Kyrgyzstan. According to international observers, religious freedom conditions in Kazakhstan and Kyrgyzstan are also deteriorating. What other actions can the U.S. take to encourage religious freedom in these countries?

Mr. ROSENBLUM. Congressman, if you will allow me, if I could just say another word on Tajikistan

Mr. PITTS. Yeah. Sure.

Mr. ROSENBLUM. on the previous question

Mr. PITTS. Go ahead.

Mr. ROSENBLUM. and then go to your last question.

In terms of the CPC designation, it is clear to me that the possibility of that designation is definitely a motivating factor at least in terms of engaging in dialogue about our concerns and talking about ways we can address them.

In February of this year, I went to Tajikistan together with Deputy Assistant Secretary Berschinski's predecessor in his job to engage in a dialogue about the concerns we had, which are about registration of religious groups, they are about some of the laws that restrict the rights of women and children to worship publicly, and other issues as well. And it was a very open and candid dialogue. We definitely have different perspectives on the appropriateness of some of those restrictions, but we talked about, you know, very practical ways that laws could perhaps be amended or modifications could be made to eliminate or at least reduce some of those restrictive policies.

Your question about Kazakhstan, Kyrgyzstan, we do raise issues of religious freedom and concerns about legislation on a regular basis with both countries when those issues come up. And I think, you know, just to reemphasize a point that I think both of us have made a couple of times now, we definitely

draw the connection between the policies that relate to freedom of conscience, freedom of belief, and freedom to worship and the bad effects of making people -- forcing people to worship underground or be perhaps more vulnerable to recruitment by extremist groups with extremist ideologies. So that, it remains an important element of our dialogue with ...

Mr. PITTS. Some of these governments seem to be stuck in that old Soviet model of registering, you know, depending on the size, and you know, these religious groups. Are they threatened mostly by the extremist Muslim elements? What is the motivation? Or is this just the old Soviet model influence?

Mr. ROSENBLUM. You know, I do think that there is a different tradition in terms of how you regulate religion, certainly very vastly different from ours, in the region, which sometimes makes it hard to have a -- you know, when we have the dialogue, to find a common understanding. And I am not sure I am competent to analyze whether it is because of the Soviet primarily, the Soviet influence, or some other reason. But a lot of what goes on, I think, is motivated by one of two things: one is concern about the possibility of radicalization or radical groups that might operate within the country, and wanting to monitor and be aware of those, and that mostly concerns, I would say, the majority of the population, which are Muslim in the countries. But I think there is also not the same established respect for diversity of religion, which is so embedded in our culture and extends to even very small groups being accepted as valid expressions of religious faith, and that is not part of -- I would say it is not part of kind of the cultural legacy in general.

That said, you know, the picture's not the same everywhere in the region, as I said in my opening statement, and I think there is some, you know, reason for optimism. And I would just point to the last week or two weeks ago, there was a very large conference held in Kazakhstan sponsored by the Government of Kazakhstan, a gathering of leaders of world religion. Our special envoy for religious affairs, Mr. Shaun Casey, represented the United States there, and was very impressed with this dialogue and discussion that was promoted by the Government of Kazakhstan. So, again, you know, I would say it is not a uniformly bleak picture.

Mr. PITTS. Thank you, Mr. Chairman.

Mr. McGOVERN. Mr. Cicilline.

Mr. CICILLINE. Thank you, Mr. Chairman. And thank you again to our witnesses. I would like to first turn to the issue of LGBT security, the security of LGBT persons in the region, and get your assessment of how much of that, if any, is being driven by the Russian influence in the region, these anti-propaganda laws, and what we are doing, what the United States is doing to push back on that direction.

And, thirdly, what are we doing to ensure the safety and security of embassy personnel who are members of the LGBT community working in this region in Central Asia and this part of the world?

Mr. BERSCHINSKI. I think the answer to the first portion of your question, I will take a tack similar to what DAS Rosenblum just mentioned, which is the answer is probably a combination of both cultural factors and some amount

of influence, or a reflection of the approach undertaken by Russia recently. You know, the extent to which one is greater than the other, I wouldn't want to guess at, but that said, I think both are probably factors.

We are watching the restriction of rights with respect to LGBT persons very closely, expressing concern both publicly and privately. Our position has not changed, which is that no one should be harassed or threatened with violence or have violence committed upon them or imprisoned because of who they are or who they love, and that is a message that we have made to the governments of the region repeatedly.

Mr. CICILLINE. And what about the third part of that? What are we doing to assure the security of embassy officials and personnel who are members of this community working in places, as I said, that are very intolerant to members of the LGBT, to say the least?

Mr. ROSENBLUM. Congressman, I guess I would say as a general matter that the safety and security of our personnel is job one for all of our ambassadors and all of us back in Washington supporting them as well. And I think the key thing for our personnel is awareness of what they might face in the country, and, you know, taking the necessary precautions, and also our ambassadors, our representatives stressing in every dealing that they have, both diplomatically, but also through our programs, our assistance programs, the importance of respect for the rights of all citizens and all diplomats regardless of gender, race, or sexual orientation. It is in sort of the core of our message at all times, including with, you know, officials who are not necessarily the foreign ministry, but in other ministries as well who deal with the police and other things. So it is, again, at the core of our dealings.

Mr. BERSCHINSKI. Could I just add one thing quick, Congressman?

Mr. CICILLINE. Of course.

Mr. BERSCHINSKI. While stipulating that, of course, our top priority is the safety and security of U.S. personnel, I would also add that being relatively new to DRL, one of the aspects of our actions that I have been very impressed with is that we have emergency funds as well that we use on occasion to protect human rights defenders and those that might be threatened in various ways, to provide medical care, transportation sometimes, and that this too we have -- this is an incredible tool and it is one that we have brought to bear in terms of protecting LGBT people within the region.

Mr. CICILLINE. Thank you. To follow up on another area that the chairman referenced, with respect to our foreign assistance to all these countries in Central Asia, do we condition that assistance on meeting any benchmarks or making progress on any of these human rights, religious expression, freedom of the press issues? And if we don't do that, in instances where they receive waivers, are those waivers conditioned on some agreement to meet any kind of benchmark? Because the sort of final question is, if we don't, and we grant these waivers liberally, and we deeply engage in conversation, but there is no consequence or even an expectation of changed behavior, is it actually an effective way to approach this whole set of issues?

Mr. ROSENBLUM. Congressman, that is a really good question, an interesting one, and one that coincides very closely with my previous job before here where I was in charge of the foreign assistance coordination for Central Asia and the former Soviet region in general. And this question came up often.

The first thing I would say is that the structure of our assistance is in general and almost entirely not oriented towards giving large sums of money, budget support, you know, or things, equipment to the countries of the region. It is much more oriented, almost exclusively, to technical assistance, exchanges, training, and kind of exposure to ideas and knowledge. And so in that respect, we are able to target that kind of assistance to the people who we think will benefit from it or who are more, I guess you could say reform-oriented, or share our view of how their society should develop.

And to the extent that we do provide assistance to any country, the degree of it is connected to the situation, the overall situation in governance. I will give you an example here that the two biggest recipients right now of assistance in Central Asia from our foreign assistance funding is Kyrgyzstan and Tajikistan, with a lot of that assistance being oriented towards basic development needs and poverty alleviation, economic development, and so on.

We used to have a very large assistance program right after 9/11 in the early 2000s in Uzbekistan, and after the Andijan events which were referred to earlier, that assistance diminished considerably. We still engage in Uzbekistan, and as I was saying earlier this sort of opportunistic working with partners where we think progress can be made, but it is much less than it could be.

And then finally I will say this goes back to the point that I made in my opening statement, which is that in order to realize the full potential of our relationship, I think I said some words to that effect, including through foreign assistance, there has to be some change.

Mr. CICILLINE. And with the chairman's indulgence, I will just follow up that with one question. Could you speak a little to sort of the current status of civil society and particularly NGOs and our ability to effectively assist them to advance this work? The kind of description of the conditions in which the representatives from NGOs and civil society find themselves is pretty dismal in this region.

Are there things we can be doing differently, better to make their work more impactful? And is my assessment, which is pretty dim, accurate?

Mr. ROSENBLUM. I will start. So this goes back to something that we have said previously today about the differentiation between the countries, that it isn't all one, you know, undifferentiated region. I would say that the state of civil society and NGOs in Kyrgyzstan in particular is pretty vibrant and active. I think that is also an accurate statement to be made about Kazakhstan as well. And NGOs play a role in both engaging with the government and doing advocacy and policy recommendations and so on, but also in terms of protecting parts of the population, protecting the rights of minority groups within the population, providing health services or social protection and other things.

So there is a lively, active civil society movement in several of the countries of the region. It is more difficult for them to operate in other places.

There are severe restrictions put on their ability to advocate, their ability to fund themselves. And this goes back to some of the things we were talking about earlier about legislation and seeking legislative changes to open more space for civil society groups. We are able to, I would say everywhere in the region, to at least have some kind of engagement with civil society. But our ability to provide training or exchange opportunities or grants and so on isn't the same everywhere.

Mr. BERSCHINSKI. If I could just add a couple of things to that. I would just make three points, one of which Dan largely covered. But just in terms of our approach to supporting civil society, the first, again, is pushing back on these restrictive NGO laws and how seriously we take that.

The second is not only in terms of our engagement with regional NGOs both when we visit from Washington and on a much more frequent basis those posted overseas, not only is it a good in its own right and we learn from that experience and share information and hopefully build these groups' capabilities somewhat, but also we have heard that it serves, not always, but largely a protective function for those groups. That is the feedback we receive from them, that their engagement with personnel from our embassies overseas often is good for them from a perspective of protection.

And then third, and this is something that I am looking forward to doing personally next week, is bringing those voices into the policymaking process and ensuring that they are not cut out of the policymaking process. So when we have next week this regional summit on countering violent extremism, not only has the United States fought for and has insisted upon robust civil society participation, but also I will be going out there a day early to meet with regional groups and ensure that their voices infuse the interventions I bring into that conversation and ensure that that becomes part of the policymaking process.

Mr. CICILLINE. Thank you. I yield back, Mr. Chairman. Thank you.

Mr. McGOVERN. Well, thank you both very much for your time with us here today. I appreciate it. Appreciate all the work that you do. And we appreciate your answers. And we may have some follow up questions that we will submit to you in writing. But again, we very much appreciate you being here today. Thank you.

I am now pleased to call the next panel, Ms. Allison Gill, Central Asia expert at Amnesty International; Dr. Sanjar Umarov, former political prisoner in Uzbekistan and founder of Sunshine Uzbekistan, a political coalition established to promote human rights, rule of law, and social and economic reforms in Uzbekistan; Mr. Jeffrey Goldstein, senior policy analyst for Eurasia at Open Society Foundations.

I want to thank you all for your presence today, especially Dr. Umarov, for his willingness to share his personal experience, as well as his insights from leading an opposition movement in Uzbekistan. I look forward to hearing all of your testimonies and recommendations for U.S. policy. I would like to formally submit the written testimonies of all the witnesses into the hearing record. And I would also like to formally submit the written testimony from Human Rights Campaign to the record.

Mr. McGOVERN. And while you come up, I also want to take this opportunity to acknowledge one of our staffers here, Soo Choi. Tomorrow is her last day with the Tom Lantos Human Rights Commission. And we want to publicly appreciate all the great work that she has done. And we wish her well. I don't know how you go on with your life without being here, but you will manage.

But I want to call the witnesses to the table and look forward to hearing your testimony. And we will begin with Ms. Gill.

Ms. Gill, why don't you begin. Welcome.

**STATEMENTS OF ALLISON GILL, CENTRAL ASIA EXPERT,
AMNESTY INTERNATIONAL; DR. SANJAR UMAROV, FORMER
POLITICAL PRISONER IN UZBEKISTAN; AND JEFF GOLDSTEIN,
SENIOR POLICY ANALYST, EURASIA, OPEN SOCIETY
FOUNDATIONS**

**STATEMENT OF ALLISON GILL, CENTRAL ASIA EXPERT,
AMNESTY INTERNATIONAL**

Ms. GILL. Good afternoon. On behalf of Amnesty International, I want to thank you for the opportunity to speak with you today and I want to thank the Commission for its attention to Central Asia.

In the context of deepening authoritarian trends in Central Asia, and entrenched human rights violations, including endemic torture, talking about shrinking space for civic freedoms may sound purely academic or not much cause for concern given how small the space was in the first place. But there are worrying signs that the governments in all five countries in Central Asia are becoming ever more intolerant of independent scrutiny and monitoring of their human rights records by often shutting their borders to critical voices and by squeezing the life out of domestic civil society through regulation and restriction, as well as through more brutal methods such as harassment, torture and other ill treatment, and arbitrary imprisonment. They also sometimes are using national security rhetoric to justify repression of civil society. This has enormous implications for human rights as well as the rule of law and stability.

Now, we heard on the first panel that it is not a monolithic region, that there is differentiation among the five countries. And that is very true. But the trend across the region is of shrinking space for civic freedoms. And I am just going to touch upon a couple of recent developments in each of the five countries.

The Government of Kazakhstan continues its crackdown on freedom of expression, including by closing independent media outlets critical of the authorities. Any street protest, even by an individual, requires express government permission. Unscheduled street rallies, no matter how small and peaceful, have been repeatedly disrupted by the police, often with the use of excessive force.

In Tajikistan, where the government has persecuted people and groups working on issues such as freedom of expression, religious freedom, and political

participation, in the last couple of weeks the tax authorities have conducted intrusive audits of 22 human rights organizations on a request from the State Committee on National Security, on the basis of possible security threats they may pose.

In Kyrgyzstan, where there is still a vibrant civil society, some groups have come under enormous pressure. And as we heard, the parliament is considering two pieces of restrictive legislation closely modeled on laws in Russia, a homophobic propaganda law that would restrict freedom of speech by imposing criminal penalties for promoting nontraditional sexual relations that would make work on LGBT rights impossible, and a foreign agents law that would force groups that receive foreign funding and undertake vaguely defined political activities to register with the government as foreign agents.

And in just one recent example of the crackdown on civil society in Uzbekistan, on May 29 police officers and medical personnel viciously assaulted activist Elena Urlaeva as she was documenting forced labor in the cotton fields. Police detained her for many hours, hit her on the head, forcibly injected her with sedatives, and subjected her to a body cavity search and forced X-rays, ostensibly to look for the memory card to the camera she used to photograph people forced to work in the fields.

In Turkmenistan, the government uses imprisonment to retaliate against dissent, and refuses to provide information about the fate and whereabouts of people imprisoned many years ago for political reasons, which may amount to enforced disappearance. It has also recently waged a campaign to remove or destroy private satellite dishes, which provide the only independent sources of information for many in the population.

Across the region we also find that torture remains a serious and pervasive problem. And although some steps toward accountability have been taken over the last two decades, they have not resulted in eliminating torture and other ill treatment. Endemic corruption in law enforcement bodies and the judiciary contributes to a climate of impunity in the region, leading in turn to a lack of public confidence in the justice system. Many are unwilling to testify against members of the security forces for fear of reprisals.

The governments of Central Asia are increasingly invoking national security, the fight against terrorism, and combating anti-state activity to justify repressive measures against actual or suspected members of outlawed Islamist groups and parties. Those detained on charges related to national security or religious extremism are at particular risk of torture and other ill treatment.

In researching our April 2015 report on torture in Uzbekistan, we spoke with a woman in her 60s that we call Zuhra, not her real name, and she told us that police detained her, took her to a basement detention facility, and held her without charge for several weeks. She was beaten on her body, kicked in her head and her face, subjected to sexual humiliation. She saw women dragged by their hair, forcibly stripped naked and beaten, their bones broken. She was brought to court only to prolong her detention. She was tortured to extract evidence about her relatives, many of whom are in prison or are being investigated on charges related to religious extremism.

Uzbekistan uses cooperation in the so-called war on terrorism to justify persecution of those who practice their faith outside state approved mosques and those who are suspected members of banned Islamist groups, and also persecutes their families and even entire communities. Zuhra told us that there are no men left in her family. They are all in prison or have fled, fearing persecution.

As Ban Ki Moon, the UN Secretary General, said on his recent visit to Central Asia, "Curbing freedoms may create an illusion of stability in the short run," but in his words, failure to respect rights creates space for extremism. And by attempting to shut down efforts to shine light on the real issues plaguing Central Asia, by shrinking the civic space even further, tightening restrictions on freedom of expression and association, Central Asian governments can project an image of security while escaping effective accountability for human rights violations. It is urgent to push back against this increasing clampdown, to take steps to protect those documenting abuses, and to increase scrutiny and accountability, to end impunity in the short term, and to ensure real stability in the long run.

We want to challenge the notion that strategic patience will produce substantive human rights improvements in Central Asia. Instead, we urge the United States to engage more meaningfully and robustly with Central Asian governments on human rights. One of the most important things the U.S. Government can do is to help push all the Central Asian governments to open their human rights records to effective independent scrutiny. This means all five countries would allow domestic and international human rights groups to work without harassment and interference. And the Governments of Turkmenistan and Uzbekistan would grant permission for access to their countries for visits by all the special mandate holders of the UN High Commissioner for Human Rights.

We also specifically urge the U.S. Government to take a leadership role, together with like-minded states, in moving forward on the creation of a special mechanism at the United Nations to report specifically on Uzbekistan's human rights records. We have made some other recommendations that I have submitted in the written testimony. Thank you.

[The prepared statement of Ms. Gill follows:]

PREPARED STATEMENT OF ALLISON GILL

In the context of deepening authoritarian trends in the region, entrenched human rights violations including endemic torture, and serious restrictions on fundamental freedoms, talking about "shrinking space for civic freedoms" sounds purely academic, or perhaps even not much cause for new concern given how small the space was in the first place. But there are worrying signs that governments in all five countries in Central Asia are becoming ever more intolerant of independent scrutiny and monitoring of their human rights records, by often shutting their borders to critical voices and by squeezing the life out of domestic civil society through regulation and restriction, as well as through more brutal methods such as harassment, torture and other ill-treatment, and arbitrary imprisonment. They also sometimes use national security reasons to justify repression of civil society.

This has enormous implications for human rights as well as the rule of law and stability.

The government of Kazakhstan continues its crackdown on freedom of expression and the free media including by closing independent media outlets critical of the authorities for publishing materials deemed to be “extremist” and “inciting social discord.” Defamation remains a criminal offence. Any street protest, even by an individual, requires express government permission. “Unsanctioned” street rallies, irrespective of how small and peaceful, have been repeatedly disrupted by the police, often with use of excessive force.

In Tajikistan, where the media are already tightly controlled and the government has persecuted people and groups working on issues such as freedom of expression, including religious freedom, and political participation, the tax authorities have recently conducted intrusive audits of 22 human rights organizations on request from the state committee on national security on the basis of possible security threats they pose.

In Kyrgyzstan, where there is still a vibrant civil society, some organizations are coming under increasing pressure and the parliament is considering two new pieces of restrictive legislation closely modeled on laws in Russia: a homophobic “propaganda law”, that would restrict freedom of speech by imposing criminal penalties for “promoting non-traditional sexual relations” that would make work on LGBT rights impossible; and a “foreign agents” law that would force groups that receive foreign funding and undertake vaguely defined “political activities,” to register as “foreign agents”.

Following the Andijan massacre in 2005, Uzbekistan unleashed a fierce crackdown against civil society, imprisoning many human rights defenders, and kicking out international journalists and monitoring groups. In just one more recent example of such brutality, on May 29 police officers and medical personnel viciously assaulted activist Elena Urlaeva as she was documenting forced labor in the cotton fields. Police detained her for many hours, hit her on the head, forcibly injected her with sedatives, and subjected her to an intrusive body cavity search and forced x-rays, ostensibly to look for the memory card to the camera she used to photograph people forced to work in the fields.

In Turkmenistan, the government uses imprisonment to retaliate against dissent and refuses to provide information about the fate and whereabouts of many people imprisoned years ago for political reasons - which might amount to enforced disappearance. It has waged a campaign to remove or destroy private satellite dishes, which provide the only independent sources of information for many in the population.

Across the region we also find that torture remains a serious and pervasive problem, and although some steps toward accountability have been taken over the last two decades, they have not resulted in eliminating the practices of torture and other ill-treatment. Endemic corruption in law enforcement bodies and the judiciary contributes to a climate of impunity in the region, leading, in turn, to a lack of public confidence in the criminal justice system. Many are unwilling to testify against members of the security forces for fear of reprisals against themselves and their relatives and associates. The governments of Central Asia are increasingly invoking national security, the fight against terrorism and combating “anti-state” activity to justify repressive measures against actual or suspected members of outlawed Islamist groups and parties. Those detained on charges related to national security or “religious extremism” are at particular risk of torture and other ill-treatment.

In researching our April 2015 report on torture in Uzbekistan, a woman in her 60s named Zuhra (not her real name) told us that police detained her and took her to a basement detention facility and held her without charge for several weeks. She was beaten on her body, kicked in her head and face, and subjected to sexual humiliation. She saw women dragged by their hair, and forcibly stripped naked, and beaten. She saw police officers walk on women’s backs and break their legs and noses. Zuhra was brought to court only to prolong her detention. Zuhra was tortured to extract evidence about her relatives, many of whom are in prison or are being investigated on charges related to religious extremism. Her story is emblematic of how Uzbekistan uses cooperation

in the so-called “war on terrorism” to justify persecution of those who practice their faith outside state approved mosques and those who are suspected members of banned Islamist groups and their families and even entire communities. Zuhra told us that there are no men left in her family—they are all in prison or have fled, fearing persecution. Just a few months after Zuhra’s release, two of her relatives were sentenced to long prison terms on extremism-related charges. They showed evidence of their injuries in court and testified that they only confessed to the charges because police tortured them but the judge remained silent. Zuhra’s case is disturbing but all too common. It is emblematic of the government of Uzbekistan’s opportunism—the government embraces the mantle of the US-led “war on terrorism” to justify serious human rights abuses against anyone who practices religion outside of tight state controls.

As Ban Ki-moon, the UN Secretary-General, said on his recent visit to Central Asia, “Curbing freedoms may create an illusion of stability in the short run,” but, in his words, failure to respect rights creates space for extremism.

And by attempting to shut down efforts to shine light on the real issues plaguing Central Asia, by shrinking the civic space even further, tightening restrictions on freedom of expression and association, Central Asian governments can project an image of security while escaping effective accountability for human rights violations.

It is urgent to push back against the increasing clampdown on fundamental rights and freedoms in Central Asia, to take steps to protect those documenting abuses, and to increase scrutiny and accountability to ensure accountability in the short term and real stability in the long run.

We want to challenge the notion that “strategic patience” will produce meaningful human rights improvements in Central Asia. Instead we urge the US to engage more meaningfully and robustly with Central Asian governments on human rights.

One of the most important things the US government can do is to help push all the Central Asian governments to open their human rights records up to effective independent scrutiny. This means all five countries would allow domestic and international human rights groups to work without harassment and interference, and the governments of Turkmenistan and Uzbekistan would grant permission for access to their countries for visits by the special mechanisms of the UN High Commissioner for Human Rights.

Given our recent work on Uzbekistan we also make the following recommendations and urge the US government to seize the opportunity to:

- Take a leadership role, together with likeminded states, in moving forward on the creation of a special mechanism at the United Nations to report specifically on Uzbekistan’s human rights record.
- Urge the government of Uzbekistan to open its record to independent scrutiny, including by allowing visits by all 12 UN special human rights monitors that have requested access, allowing NGOs to register and operate without interference, and ending the crackdown on civil society.
- Call for the release of all those imprisoned on politically-motivated charges, such as human rights defenders and journalists.
- Push Uzbekistan up the agenda within the OSCE, which would encourage other member states, especially in Europe, to be more outspoken on broad issues and individual cases in Uzbekistan — including on violations related to torture, and freedom of expression and association.
- Welcome the US Ambassador’s recent statements on Elena Urlaeva and encourage diplomats to make firm public messages on the need to respect human rights.
- Ensure that human rights, in particular the prohibition of torture and other cruel, inhuman or degrading treatment, are on the agenda in all appropriate bi-lateral and multi-lateral meetings involving Uzbekistan and adopt resolutions where appropriate urging the

Uzbekistani government to bring its laws, policies and practices into full compliance with its international human rights obligations.

- Provide technical and other support to the government of Uzbekistan in an effort to amend the Criminal Procedure Code to expressly prohibit torture and other cruel, inhuman or degrading treatment; and to include the prohibition on the use of information or evidence extracted under torture in criminal and other proceedings.
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Mr. McGOVERN. Thank you very much. And now I would like to ask Mr. Umarov to begin. And again, we are honored that you are here. Thank you.

STATEMENT OF DR. SANJAR UMAROV, FORMER POLITICAL PRISONER IN UZBEKISTAN

Dr. UMAROV. Mr. Chairman, members of the Commission, thank you for inviting me to testify at this hearing. Your Commission is named after a special man, the late Representative Tom Lantos. As the only Holocaust survivor to become a Member of Congress, he was renowned throughout the world for his fierce dedication to human rights, and he is fondly remembered to this day. Speaking at this event is a great honor for me. I have a written presentation I would like to submit for the record with your permission.

Mr. McGOVERN. Without objection.

Dr. UMAROV. At this point, I would like to present a shorter version.

The focus of today's hearing is U.S. policy in Central Asia as Washington draws down its force from Afghanistan. But U.S. policy has always featured an interlocking combination of goals, even before September 11, 2001, and the campaign in Afghanistan.

The United States has had four basic aims: To support the independence and sovereignty of the countries in the region, to cooperate with them in security matters, to marketize Central Asia's vast energy resources and diversify their delivery routes to the outside world, and to promote democratization and human rights. Those goals remain in place today.

Deputy Secretary Blinken's policy statement a few months ago basically reiterated the same priorities, despite a changed international environment. It is clear that more progress has been made realizing the first three than the last. The State Department's annual reports document the widespread, even systemic, violation of human rights by authoritarian corrupt regimes in Central Asia that have blocked the emergence of institutions that could jeopardize their positions, failed to develop checks and balances, permit democratization, safeguard human rights, or establish reliable rules for the transfer of power. This applies to five regional states to varying degrees, but I maintain it is accurate overall.

What is even more depressing is that these assessments and similar reports by international NGOs have changed little over the years. I suspect the country reports of 1995 or 2005, when I was arrested, will differ only in the details and names of the incarcerated and repressed.

Of course, the United States hopes to spread democracy around the world, but Washington has a limited number of instruments to press other capitals to make reforms they oppose out of perceived self-interest. The experience of the last 25 years shows that such efforts have not succeeded in effecting systemic change in the face of strong resistance by local elites.

Nor should we be deluded about the policy ramifications of the military drawdown from Afghanistan. Will the United States really shift its priorities in Central Asia from security to democracy promotion just because U.S. troops are leaving Afghanistan? The Taliban remains a serious threat, and with the Islamic

State already drawing several thousand recruits from Central Asia, security will surely remain a top priority. So will the emphasis on independence.

Given President Putin's assault on Ukraine and a much more threatening Russian approach to neighboring countries, the American commitment to supporting the sovereignty of Central Asian states will be important as before. Regional capitals will seek that assurance, and Washington will strive to provide it. As regards energy and developing other economic sectors, that will obviously continue to play a critical role in U.S. policy. The New Silk Road Initiative is the latest iteration of a constant focus of attention over the decades, along with renewed stress on connectivity and regional integration.

Finally, the promotion of democracy is a bedrock of U.S. policy throughout the world, even in unfriendly or unappreciative regions. This too will continue no matter whether U.S. troops are based in Afghanistan or not. Even then the prospects for success are not encouraging.

Given these realities, I think we must recognize that a new day of democratic development is not necessarily about to dawn in Central Asia. The region's leaders and elites will hardly grow less corrupt or more indulgent of criticism, dissent, opposition political activity, or independent judiciary.

Most recently, President Karimov of Uzbekistan again orchestrated his reelection despite constitutional term limits. And the same can be expected elsewhere in the region. So, barring extraordinary development, we are likely to see more of the same with regard to regional effects on the ground and U.S. policy. This is an especially difficult acknowledgment for me as a former political prisoner in Uzbekistan.

Nobody more than I will welcome change for the better, and nobody here understands better the consequence of the more of the same. I was a successful businessman in Uzbekistan who got into politics because of deplorable conditions in cotton sector. In 2005, I was moved to create the Sunshine Coalition in response to blatant corruption. My attempt to build a large plant for the production of liquid hydrocarbons from natural gas using American technology was blocked when we were told we could only act through a company controlled by the President's daughter. When I refused, I was arrested in October 2005.

During my pretrial detention, which lasted 4 months, I was interrogated continuously and often beaten. After a farcical trial, I was sentenced to 14 1/2 years. I was sent to a prison colony and placed in solitary confinement for 14 months. But my lowest point came in January 2008, when I was thrown in the monkey cage, a cell open to the elements. The first time I nearly froze to death. The second time they threw me in there because I refused to confess that the United States gave me \$20 million to overthrow Uzbekistan's government. They broke my thumb and choked me, permanently damaging my vocal cords. But I refused to sign. I lost all hope that I would ever get out. But one day while I was in the prison hospital, I was summoned to the administration building. To my astonishment, within minutes I was released. Just when all seemed lost, I was free and reunited with my family.

My story, Mr. Chairman, a political arrest, trumped up conviction, and tortured in jail all reflect more of the same. Refusing to pay a bribe and trying to

reform politics in the country whose leadership refused to tolerate sincere attempts at reform made me a prisoner of conscience. So what can the U.S. Government do?

First, we should recognize that outside of Kyrgyzstan, today's Central Asian leaders will not voluntarily step down, allow fair elections, or permit emergence of the robust civil society, no matter how often or urgently they are exhorted to do so. I see no persuasive evidence that they can be induced or pressured into making systemic reforms. Still, the United States should continue to criticize human rights violations and try to move this country in a progressive direction.

Second, reform will be a long-term process. Apart from youth exchanges, which should be supported and expanded, I believe we should more actively engage Central Asian parliaments. Of course, they do not play the same role as the U.S. Congress, but the potential unpredictable benefits are worth the effort. In Uzbekistan, the Oliy Majlis has a critical, albeit formal, role in the transfer of power and government makeup.

However implausible today, I could imagine that Oliy Majlis beginning to exercise its natural constitutional role. A generational change in leadership is inevitable. Opportunity for greater engagement with individuals who are now in parliament who may in future play key governmental, security, and prosecutorial roles, should not be missed.

In general, Mr. Chairman, I do not believe isolation of even the most repressive Central Asian country is a fruitful course. And with Russia now openly threatening its neighbors, I hope the United States will continue to support the sovereignty and territorial integrity. However critical I might be of my homeland, I share with all Uzbeks a deep commitment to its independence.

I also believe that relations should be developed between Central Asian countries and regions in the United States. In my own city of Memphis, Tennessee, a center is being established that will focus on developing ties with Central Asia. With all respect to Washington, regional centers have an important role to play in fostering economic, cultural, and educational relations that will help promote democratization.

For the near term, I think the most important thing Washington can do is seek the release of political prisoners. This is how I was freed, not because Uzbek authority regretted my treatment, but because my family organized a campaign of pressure with the help of Member of Congress, diplomats, and international organizations. I would like you to note that Congressman Lantos was one of the signers of the resolution on my behalf, which played such an important role in getting me released. I was lucky. Unfortunately, there are many such prisoners in Uzbekistan. Last year, Human Rights Watch issued a report on political prisoners in my homeland.

I would like to mention three who deserve American intercession: Mohammad Bekjanov, who is the longest imprisoned journalist in the world; Rustam Usmanov, head of the first private bank, Rustam Bank, in Uzbekistan, and Elena Urlaeva, an incredibly brave human rights activist who has been harassed for years and jailed many times, occasionally in psychiatric institutions.

In closing, Mr. Chairman, my policy suggestions may seem limited. But if I thought more broad-ranging measures would be more effective at this point, I would recommend them. I hope to be able one day to take a more active role in bringing reform to Uzbekistan. But for now, I do what I can to help my native land even as I reside in freedom and security with my family in Tennessee.

Thank you, and I look forward to your questions.

[The prepared statement of Dr. Umarov follows:]

PREPARED STATEMENT OF DR. SANJAR UMAROV

Mr. Chairman, members of the Commission, thank you for inviting me to testify at this hearing. Your Commission is named after a special man, the late Representative Tom Lantos. The only Holocaust survivor who became a Member of Congress, he was renowned throughout the world for his fierce dedication to human rights, and is fondly remembered to this day. Speaking at this event is a great honor for me.

The focus of today's hearing is U.S. policy in Central Asia, as Washington completes its drawdown of forces from Afghanistan. Let me begin by expressing a certain sympathy for Assistant Secretary Malinowski and Deputy Assistant Secretary Rosenblum. They have a hard job, especially when it comes to promoting human rights.

But U.S. policy has always featured an interlocking combination of goals, even well before September 11, 2001, and the military campaign in Afghanistan. Throughout, Washington has had four basic aims: to support the independence and sovereignty of the states in the region; to cooperate with them in security matters; to develop and marketize Central Asia's vast energy resources and diversify their delivery routes to the outside world; and, to promote democratization and human rights.

Those goals remain in place today, almost 25 years after the collapse of the USSR. Deputy Secretary Blinken's policy statement a few months ago basically reiterated the same priorities, despite a changed international environment.

I think any fair minded observer would conclude that more progress has been made realizing the first three than the last. Perhaps the best evidence for that are the State Department's annual reports on human rights, which Secretary Malinowski oversees. Reading the sections on Central Asia is a sobering enterprise.

Documented there in detail are the widespread, even systemic violations of human rights by authoritarian, corrupt regimes that have blocked the emergence of institutions that could jeopardize their positions, failed to develop checks and balances, permit democratization, safeguard human rights, or establish reliable rules for the transfer of power. This generalization applies to the five regional states to varying degrees but I maintain it is accurate overall.

Even more depressing, however, is the realization that these assessments, and similar investigations by many international NGOs, have changed little over the years. If we look at any country report since 1995 or a description of my own trial, imprisonment and torture, it would seamlessly fit with today's accounts of the abuse and torture of so many of our brothers and sisters, sons and daughters, and mothers and fathers.

This is not an indictment of the U.S. Government or an expression of doubt about its sincerity. Of course, the United States would like to see the spread of democracy around the world. The problem is that Washington has a limited number of instruments to press other capitals to make reforms they strongly oppose out of perceived self interest. I think the experience of the

last 25 years demonstrates that American efforts have not succeeded in effecting systemic democratization in the face of determined resistance by local elites.

Moreover, the former Soviet republics have models other than Western democracy to emulate. Russia has gone from a developing democracy back to authoritarianism, and Moscow daily warns its neighbors about the nefarious aims of the United States, which supposedly promotes color revolutions. Nearby China, which shares with Russia an aversion to the basic precepts of liberal democracy, has been playing an ever more important economic role in Central Asia, with growing political implications.

Nor should we be deluded about the policy ramifications of the military drawdown from Afghanistan. Will the United States be inclined or able to shift its priorities in Central Asia from security to democracy promotion, just because U.S. troops are leaving Afghanistan? Washington has degraded the leadership of al-Qaeda but the Afghan Taliban remains a serious threat. And with the Islamic State conquering and holding territory in Iraq and Syria, making inroads in other countries, and already drawing several thousand recruits from Central Asia, security will surely remain a top priority.

So, I believe, will the emphasis on backing independence. President Putin's assault on Ukraine has signaled a much more threatening Russian approach to neighboring countries. In this new order, the American commitment to supporting the sovereignty and territorial integrity of Central Asian states will be as important as before. Regional capitals will seek that assurance and Washington should strive to provide it.

With regards energy and developing other economic sectors, they will obviously continue to play a critical role in U.S. policy. The New Silk Road Initiative is the latest iteration of a constant focus of attention over decades, along with renewed stress on connectivity and regional integration.

Finally, the promotion of democracy is a bedrock of U.S. policy throughout the world, even in unfriendly or unappreciative regions. This, too, will continue, no matter whether U.S. troops are based in Afghanistan or not, even when the prospects for success are not encouraging.

So barring extraordinary events -- which cannot be excluded, given the age of some of the region's presidents and the lack of reliable succession mechanisms -- we are likely to see more of the same with respect to regional facts on the ground and U.S. policies. Central Asia's leaders and elites will hardly grow less corrupt or more indulgent of criticism, dissent, opposition political activity or an independent judiciary. Most recently, President Karimov of Uzbekistan again orchestrated his reelection, despite Constitutional term limits, and the same can be expected elsewhere in the region.

At the same time, the United States will not stop pursuing its security and economic goals in Central Asia because of disappointment over stalled democratization, no matter how blatant the provocation. This year marks the tenth anniversary of the massacre in Andijon. Yet despite a period of downgraded relations, Washington never sought to cut ties with Tashkent. I think we must recognize that a new day of democratic development is not necessarily about to dawn in Central Asia. This is an especially difficult acknowledgment for me, as a former political prisoner in Uzbekistan. Nobody more than I would welcome change for the better and nobody understands better the consequences of "more of the same."

I was a successful businessman in Uzbekistan who stepped into politics in the early 2000s because of the deplorable conditions in the cotton sector. Then, in 2005 I was moved to create the Sunshine Coalition in response to blatant corruption. My attempt to build a large plant for the production of liquid hydrocarbons from natural gas using American technology was blocked when we were told we could only act through the company ZeroMax -- which was, then, controlled by the President's daughter.

When I refused to pay a bribe, I was arrested in October 2005. During my pre-trial detention, which lasted four months, I was interrogated continuously, and often beaten. Once, a car backed up to my cell window and pumped in exhaust.

My trial on January 30, 2006 was farcical but my sentence was not: fourteen-and-a-half years! I was sent to a prison colony, and placed in solitary confinement in a tiny cell with a concrete floor, an open toilet, and no sink. Whenever my stay in solitary was almost done, officials would extend it for another two or three weeks. This happened repeatedly, over 14 months.

Throughout this time, I was not allowed any contact with my family. During my first year in jail, my son tried unsuccessfully to see me 20 times.

But my lowest point came in January 2008, when I was thrown in the "monkey cage," a cell open to the elements. The first time I nearly froze to death. The second time they threw me in there, because I refused to confess that the United States gave me \$20 million to overthrow Uzbekistan's government, they broke my thumb and choked me, permanently damaging my vocal chords. But I refused to sign.

Frankly, I lost all hope that I'd ever get out. But one day while I was in the prison hospital, I was summoned to the administration building. To my astonishment, I was released! Just when all seemed lost, I was free and reunited with my family.

My story -- a political arrest, trumped up conviction and torture in jail -- all reflect "more of the same." Refusing to pay a bribe to launch a business project that would benefit the country and its people made me dangerous to the authorities. And because I was also trying to reform politics in a country whose leadership refuses to tolerate sincere attempts at reform, I ended up a "prisoner of conscience."

So what can the U.S. Government do? What should the U.S. Government do?

First, policy should be based on an objective reading of the realities: outside of Kyrgyzstan, today's Central Asian leaders will not voluntarily step down, allow fair elections, or permit the emergence of a robust civil society -- no matter how often or urgently they are exhorted to do so. I see no persuasive evidence that they can be induced or pressured into making systemic reforms. Still, the United States should continue to criticize human rights violations and try to move these countries in a progressive direction.

Second, reform will be a long-term process. Apart from youth exchanges, which should be supported and expanded, I believe one way to leverage our impact on development is to more actively engage Central Asian parliaments. Of course, they do not play the same role as the U.S. Congress, but the potential, unpredictable benefits are worth the effort. In Uzbekistan, for example, the Oliy Majlis has a critical, albeit formal role in the transfer of power and government make-up. However implausible today, one could imagine a scenario where the Oliy Majlis begins to exercise its natural constitutional role. A generational change in leadership is inevitable. Greater engagement with individuals now in parliament who may in the future play key governmental, security and prosecutorial roles can effectively highlight the US Government's sincere, long-term goal of democratization and respect for human rights.

I also think we should give certain state-sponsored institutions a chance to prove themselves. Earlier this month, a new Institute for Democracy and Human Rights was established in Tashkent. Of course, the National Human Rights Center, which has long been Uzbekistan's interlocutor on human rights issues, was merely engaged in whitewashing the country's awful record while promising reforms. But let us at least give this new organization a chance before concluding it is no better or more effective.

In general, Mr. Chairman, I do not believe isolation of even the most repressive Central Asian countries is a fruitful course. And with Russia now openly threatening its neighbors, I hope the United States will continue to support their sovereignty and territorial integrity. However critical I might be of my homeland, I share with all Uzbeks a deep commitment to its independence.

I also believe that relations should be developed between Central Asian countries and regions in the United States. In my own city of Memphis, Tennessee, a center is being established that will focus on developing ties with Central Asia. With all respect to Washington, I think regional centers have an important role to play in fostering economic, cultural and educational relations that will help promote democratization.

In the meantime, Washington can and should urge Central Asian countries towards reform but for the foreseeable future, I think this will mostly take the form of seeking the release of political prisoners. This is how I was freed -- not because Uzbek authorities regretted my treatment but because my family organized a campaign of pressure, with the help of Members of Congress, diplomats and international organizations. Eventually Tashkent concluded that my continuing imprisonment and torture were counterproductive. I would like here to note that Congressman Lantos was one of the signers of the resolution on my behalf, which played such an important role in getting me released.

I was lucky. Unfortunately, there are many such prisoners in Uzbekistan. Last year, Human Rights Watch issued a sad, eye-opening report on political prisoners in my homeland. I would like here to mention three who deserve American intercession: Mohammad Bekjanov, who is the longest-imprisoned journalist in the world; Rustam Usmanov, head of the first Private Bank "Rustam Bank" in Uzbekistan; and Elena Urlaeva, an incredibly brave human rights activist, who has been harassed for years and jailed many times -- and oftentimes committed to psychiatric institutions against her will.

On certain other issues, pressure can be effective. In Uzbekistan, for example, the international campaign by retailers against Uzbek cotton has resulted in positive changes, although much remains to be done. Ideally, the problem could be resolved by the use of technology, especially of American origin, that will obviate the need for human labor in picking cotton.

In closing, Mr. Chairman, my policy suggestions may seem limited. But if I thought more broad ranging measures would be effective at this point, I would recommend them. I hope to be able one day to take a more active role in bringing reform to Uzbekistan. But for now, I do what I can to help my native land even as I reside in freedom and security with my family in Tennessee.

Thank you and I look forward to your questions.

Mr. McGOVERN. Thank you very much. And finally, Mr. Goldstein, welcome.

**STATEMENT OF JEFF GOLDSTEIN, SENIOR POLICY ANALYST,
EURASIA, OPEN SOCIETY FOUNDATIONS**

Mr. GOLDSTEIN. Thank you, Mr. Chairman. And thank you for the opportunity to testify today. As you noted in your opening remarks, since 2007 American policy in Central Asia was largely an adjunct of American policy in Afghanistan. Policy initiatives in Central Asia were largely judged on a single factor: would they promote or would they put at risk the northern distribution network. And this unfortunately led to an American policy in Central Asia that was highly risk averse.

It also led to almost a complete failure of American public diplomacy in the region when it came to issues of democracy and governance. The administration's approach of handling delicate human rights issues behind closed doors produced almost no positive results. In fact, human rights standards declined pretty much throughout the region.

I wanted to address one issue that Deputy Assistant Secretary Rosenblum raised, which was the comment that one successive American policy has been the decline in the use of child labor in cotton in Uzbekistan. And I think it is interesting to drill down into that. I think it is no accident that only a matter of weeks after the State Department announced that it was downgrading Uzbekistan to the lowest level, tier three, for trafficking in persons, that the Uzbeks reversed course, and after many years of refusing to do so, decided to engage with the ILO on child labor issues.

What is missing from this, though, is the fact that for many years the State Department, for fear of angering President Karimov, and putting at risk the northern distribution network, had maintained Uzbekistan on the tier two watch list status. And it was actually only you here in Congress who forced the State Department's hand by passing a new reauthorization of the TVPA that limited the amount of time that the State Department could maintain a country on tier two watch list status.

So in fact it was outside pressure, including from Congress and the NGO community, that forced the administration's hand to take what ultimately was a successful initiative. The initiative unfortunately did not originate in the administration.

Seeing Central Asia through the Afghanistan lens also led to what we believe was a significant mismatch between the U.S. Government's own threat perception and its foreign policy and foreign assistance policy.

Co-chairman Pitts mentioned General Clapper's statement in 2015 that the Central Asian states most likely will face crisis, potentially with little warning, because of unclear succession plans, weak economies, ethnic tensions, and political repressions. And yet throughout the last several years, U.S. policy has given pride of place to hard security issues and devoted far greater resources to

things like border control assistance, anti-drug assistance, as opposed to assistance to promote democracy and human rights.

And unfortunately, I have to say that this approach continues to this day. Dr. Umarov mentioned Deputy Secretary Blinken's March 31 policy statement. And there again in listing U.S. priorities in the region, Mr. Blinken followed the old script. First off was hard security, combating terrorism and violent extremism.

Secondly, a not too hidden swipe at Russia, supporting sovereignty and independence in these countries. Only then, as has unfortunately always been the case in these last many years, did he get around to mentioning governance and democracy as priorities.

Now, I don't want to make the impression that radical forces and outside threats from Russia are not a threat. I think they are. This clearly shows up in a number of Central Asians who are now appearing in Syria and Iraq to fight with ISIL. It shows up in the legislation that others have talked about appearing there that is copied in fact in many cases about the only thing changes is replace Russian Federation with name of your country in this repressive law.

I would like to disagree slightly with Deputy Assistant Secretary Berschinski when he talked about the anti-LGBT legislation we are seeing in the region. As you will recall, he said this is a combination of factors, that these are conservative societies and there is also some influence from Russia.

But the point I would make is these societies today are no more conservative than they were 20 years ago. And this was not a political issue until people with a political agenda, people coming from Russia, took advantage of the conservative nature of these societies to make this an issue as part of their culture war, which I think it is very important for this distinguished body to recall is very much designed to paint the U.S. and the west as the decadent enemy, anti-Russian, trying to create regime change throughout this region.

I think that what the United States Government needs to do is to recraft a policy to better address the threat analysis that General Clapper stated, and which we firmly agree. The United States needs to do much more to deal with the fact that it is these regional governments' own repressive policies and their failure to deal with key human security challenges that are sowing threats to stability in the region, and therefore threats to the U.S.'s own national interest.

Now such an approach, as we heard from Dr. Umarov, is not going to be welcomed on the part of the governments of Central Asia. But I think the United States has generally and unfortunately taken a policy approach of 'we need these people more than they need us, therefore we have to be very careful.' I think this policy understates the leverage the United States has. We have heard before this is a rough neighborhood. Not all of the neighbors are people that they get along with. Even Uzbekistan has in fact withdrawn from the CSTO, the military security organization created by the Russians. And this desire to keep the U.S. Government engaged provides leverage.

Many of these countries want the laying on of hands provided by high level visits back and forth. Others, the poor ones, need American assistance. All of them want American security assistance. And this provides leverage. And we

think that this leverage should be used as the focus of a long-term, value-driven engagement that would put human security rather than more traditional security at the core of U.S. policy. So we would recommend that while the United States continue to engage with regional governments on issues of mutual interest, the U.S. also needs to push back harder in areas of human rights, governance, and democracies. And the United States needs to do this more publicly.

Unfortunately, and I used to work at the State Department, it is very easy when you are in a State Department embassy to think of your counterpart as the government of a country. But there is another audience out there that is listening to what you say, or hearing the silence when you don't say anything.

It is very important that United States officials make clear to the governments in these regions that we want to work with you on issues where we have mutual interests, but where we think you are taking actions that are contrary to American national interests, we are going to say so and we are going to say so publicly.

The United States needs to reconfigure its approach to security in Central Asia, focusing increasingly scarce assistance resources away from the security sector and onto broader human security issues, including support for democratization, good governance, civil society and independent media, education, health care, and employment.

A friend of mine is now the head of the UN drug agency in Kyrgyzstan. And she told an interesting story, which was that in 2010, under the previous government, the Kyrgyz approached the OSCE to request \$7 million to create a vetted anti-narcotics unit. It was stood up, but the first time they went after a narco-trafficker who had very high level protection in the government, the government disbanded the unit. A few months later, the Bakiyev government fell and the new government went to the UN and said can we have \$5 million to create a new vetted counternarcotics unit?

And sad to say, one of the major uses of the American taxpayers' assistance dollars in Central Asia over the last several years have been efforts to create more vetted counternarcotics units in countries where I don't think that there is a commitment on the highest levels of governments to really fight trafficking. And in fact, in at least one of the countries where the government may be trafficker in chief.

Similarly, we think that the United States should comprehensively review security and law enforcement policy. You simply cannot produce effective reform in countries where there is no political will to create reform. And there are dangers involved in this. If you look at the videos shot when the Bakiyev government fell, the snipers firing in the crowd from the roofs of the government house in Bishkek were wearing what very much looked like U.S.-supplied uniforms. And so there is a very significant reputational risk that goes into things like providing MRAPs to Uzbekistan or helicopters to Kazakhstan.

And finally, we believe the U.S. should lead an intensive effort by international financial institutions and other key donors to refocus and coordinate assistance programs to address the alarming decline in Central Asian human capital and the socioeconomic threats posed by the current prospect of a deep and

long lasting recession in Russia that is at least in some part the product of U.S. policy choices in imposing sanctions on Russia. Thank you very much.

[The prepared statement of Mr. Goldstein follows:]

PREPARED STATEMENT OF JEFF GOLDSTEIN

The U.S. in Central Asia: The Case for Long-Term, Value-Driven Engagement

Since 2007, American policy towards Central Asia has largely been an adjunct of Afghanistan policy. Central Asia was seen as an essential link in the logistics route supplying U.S. troops in Afghanistan. Policy initiatives toward Central Asia were largely judged on the basis of whether they would promote or potentially put at risk Central Asian commitment to the so-called Northern Distribution Network. This produced a U.S. policy that was decidedly risk-averse, and caused the U.S. to forego opportunities to use what leverage it did have to seek concessions or even to speak out strongly in public about regional countries' deficiencies in the areas of democracy, human rights, governance and economic development. Meanwhile, the Administration's declared policy of dealing with human rights issues through quiet diplomacy produced almost no positive results. In fact, human rights standards declined sharply in most of the region.

Seeing Central Asia through the Afghanistan lens also led to a mismatch between the United States' own threat assessment and its diplomatic and foreign assistance policies. The 2015 Worldwide Threat Assessment by the U.S. Intelligence community states, and I quote that: "Central Asian states remain concerned about regional instability in light of a reduced Coalition presence in Afghanistan.... On the whole, however, the Central Asian states will probably face more acute risks of instability in 2015 from internal issues such as unclear political succession plans, weak economies, ethnic tensions, and political repression—any of which could produce a crisis with little warning." And yet, despite this threat analysis, with which we concur, U.S. policy has always given pride of place to hard security issues and far greater resources have been devoted to border control, counter-narcotics and security assistance than to assistance designed to deal with shortcomings in the areas of democracy and governance.

Unfortunately, this problematic approach continues to this day. In his March 31 speech on the newly-revised U.S. policy in Central Asia, Deputy Secretary of State Blinken noted, correctly I believe, that U.S. security is tied to a stable Central Asia. In describing U.S. priorities, Mr. Blinken focused first off on Central Asia's role in combatting terrorism and violent extremism. He then stated that stability would be enhanced by the Central Asian states maintaining their sovereignty and independence, implying quite clearly that containing Russia would be the second plank of U.S. policy. As they have in similar policy speeches over the last several years, development, governance and democracy once again came last in Mr. Blinken's accounting of the Administration's priorities.

I do not wish to imply that radical forces outside the region and renewed Russian hegemonism do not pose a threat to stability in Central Asia. They do. This shows up in the number of Central Asians who have joined ISIS recently and the wave of repressive laws that are being introduced across the region modeled closely on Russian legislation designed to paint independent voices as traitors and enemies and to further close the already constricted space for civic activism in Central Asia.

As the U.S. intelligence community correctly concludes, most of the problems in Central Asia are homemade, not imported. We believe U.S. policymakers need to focus more on helping the Central Asians deal with these problems.

The first challenge before U.S. policymakers working on Central Asia is to ensure that the U.S. remains engaged in the region even as Afghanistan is fading in importance, budgets are declining and more immediate crises have erupted elsewhere in the world.

Their second challenge is to shift their strategic approach. The United States government needs to focus more on dealing with this fact -- that regional governments' repressive policies and failure to deal with human security challenges are sowing the seeds for long-term instability that could seriously threaten U.S. interests.

Such an approach will be less than welcome to the current governments of Central Asia. But the U.S. is not without leverage. Surrounded by larger, stronger and at times troublesome neighbors, it is in the Central Asians' interest to keep the U.S. engaged. Beyond the general leverage provided by engagement, the United States possesses specific points of leverage with each of the states of Central Asia, be it the potential for high-level visits, needed economic assistance, or a desire for security cooperation. The administration needs to use this leverage to extract progress on human security issues.

We believe that long-term, values-driven engagement remains the best approach for the United States. Specifically, we believe that:

- The United States should continue to engage with regional governments on issues of mutual interest while also pushing back harder in areas such as human rights, governance and democratization.
- The United States should internalize the fact that the peoples of Central Asia are an important and attentive audience for official U.S. statements and make clear to regional governments that in areas where the United States disagrees with their policies U.S. officials will speak out publicly.
- The United States should reconfigure its approach to security in Central Asia, focusing increasingly scarce assistance resources away from the security sector and into areas that affect broader human security, including support for democratization, and good governance, civil society and independent media development, education, health care and employment.
- The United States should comprehensively review security and law enforcement assistance policy. The United States should only provide such assistance where there is political will to undertake the kind of reforms necessary to ensure this assistance can be used effectively.
- The U.S. should condition cooperation in the areas of greatest interest to regional governments -- mostly related to hard security -- on concrete progress on key human rights, democracy and governance problems.
- Finally, the U.S. should lead an intensive effort by International Financial Institutions and other key donors to refocus and coordinate assistance programs to address the alarming decline in Central Asia's human capital and the socio-economic threats posed by the prospect of a deep and long-lasting recession in Russia that is, at least in some part, the product of U.S. policy choices.

Mr. McGOVERN. Well thank you very much.

And we are joined by my colleague Congressman Doug Collins from Georgia. I am going to yield to him for any comments or questions he may have.

Mr. COLLINS. Thank you, Mr. McGovern. And I thank you. One of the reasons that I was asked before being appointed to this Human Rights Commission was the very stories, Mr. Umarov, that you told. It is the very thing from my background as a pastor also in the military, but also as a chaplain, but also from a lawyer background is the very issues that you bring to our consciousness here in Congress, here in Washington.

And the stories that you tell highlight many of the things that we sometimes only speak of in the abstract. For that I want to thank you for your courage, thank you for your willingness to come, but also just for being here. I think you are indomitable spirit inside and your smile after all that you described is pretty amazing.

Dr. UMAROV. Thank you. Smiles helped me a lot.

Mr. COLLINS. That might be the takeaway for the whole hearing, a smile helps you. If there is anything else. I appreciate that.

I just have one sort of basic question, because it does concern with something that had been said. The UN Secretary General had was in Turkmenistan a few weeks ago, and he said the denial of free expression leads to, among other things, a breeding ground for extremist ideologies. Specifically, anyone who would like to take it, and don't have to be a lengthy explanation, but I want to know how significant is that connection that the Secretary General appears to draw between religious repression and Islamic radicalization?

Either one of you want to take a stab at that, or just say it is Thursday afternoon, I will pass? Go ahead.

Ms. GILL. I am happy to start with that question. I think that is one of our dominant concerns throughout the region, and specifically in Uzbekistan, that these harsh so-called national security policies, counterterrorist policies, are really cracking down on religious freedom, a fundamental freedom, under the masquerade of being an effective counterterrorism policy.

What we find in -- I have conducted hundreds of interviews in the last 12 years with people or with families or with lawyers of people who are arrested, tortured, and arbitrarily imprisoned for attending a mosque that isn't on the government-approved list, for possessing banned religious literature, for possessing Korans, for wearing a hijab, a head scarf, or for wearing a beard or a head covering.

When Amnesty did its research, when I was with Amnesty last year doing research for a report on torture in Uzbekistan, we meet with some people in Kyrgyzstan. And one of the people we met with, actually an older woman, actually broke down in tears, and she said, "Look, you can buy the Koran on the street. You can't do that in Uzbekistan." And as a result, you know, dozens of members of her own family are in prison or have fled the country.

The links to radicalization I think are very poorly understood. I think it is something that the governments of the region are terrified of. I think it is

something that they should rightly be concerned about. But it is their own policies that are driving those dynamics.

Mr. COLLINS. Anything to add, Mr. Goldstein?

Mr. GOLDSTEIN. I would just add, and I would take it a little bit more broadly than just religious repression, but general repression across the board, is that one of I think my abiding frustrations is we and the people running the show in this region look at the same data set, we look at what happened on the Maidan in Ukraine, we look at what happened in Tahrir Square, in Tunisia, and we draw the conclusion that this is what happens when you don't provide your country's people with the ability to have a real say in their life, when you cut off oxygen to the population.

And they look at the same data set and they say this is what happened when you don't crack down hard enough. And I think that is sort of the core of the problem we face.

Mr. COLLINS. And I think that is one of the biggest issues in this area. And dealing with not only the internal aspects of the Central Asian region, but just in general. And I don't have time, I am not going to go into our schedule, travel changes to scheduling today, but I think there is also an interesting contrast going to be coming down through here, and Mr. Chairman we can talk about this more later, is basically the China influence here with the Silk Road, the new economic belt, this issue of China flexing its economic muscles in this area, how that will affect the contrast with Russia.

And with our drawing back militarily, however, the instability in that region is going to continue. I think, you know, for me the next 5 to 10, if not longer, years, this is going to be a constant area of overall concern in general from a human rights perspective and many other perspectives. So I appreciate the two of you being here. But sir, again, thank you for your smile, thank you for your perseverance, thank you for reminding us all that the human spirit is bigger inside than anything that we could ever put words to. And you are a living example of that.

Dr. UMAROV. I would like to also add about when I was in the prison in our colony, it was about 300 prisoners jailed as extremists, as Islamic extremists, as Muslim extremists.

And when they saw what they know what I lived in United States, my family lived in United States, and they asked many questions about United States. Especially when I told them what in the United States you may see the church in every one, two kilometers, they was happy to hear this. They was happy to know that in the United States so many churches.

So this about extremism and about labeling the believers as extremists, and why so many jailed for this, religious? Because I think it is like, you know, 100 years ago, the firefighters, when they stopped paying for the number of fights, after that the number of fights was down. Similar thing I think, you know, because they are receiving promotion -- I mean police, they are receiving promotion of the number of the people what they jailed for extremism. The extremists jailed.

There is a promotion, they are touching some, I don't know some many money, some prize for this. This way they are looking to jail just regular people, religious people, and labeling them extremists. But they are not extremists. I don't see extremists inside the jail.

Mr. COLLINS. What they are trying to do is actually against the very thing that they are claiming to be trying to be getting at. Again, thank you so much. And thank you, Mr. Chairman, for letting me go. I appreciate it. And I yield back.

Mr. McGOVERN. Well, thank you all again for being here. I mean I think that the challenge for all of us is to try to figure out how we can have a more constructive U.S. foreign policy toward this region that would encourage all the things that we have all been talking about, better human rights, better respect for religious freedom, you know, and to promote, encourage governments that actually treat their people decently.

Let me begin by asking you the same question I asked at the previous panel, and that is, you know, both Uzbekistan and Kazakhstan are led by rulers with questionable human rights records. When you think of succession in these countries, is that likely to impact anything? I mean are there forward-thinking leaders? I know entire systems have to be changed.

But I am trying to figure out who are the leaders who might help change those systems? And do we have any cause for hope, or do we expect more of the same?

Mr. GOLDSTEIN. An incredibly important and difficult question. I would say a couple of things. Anyone who has risen to a high level in these systems has fairly well bought into the system. I do think that generationally these new generations of leadership will be different. You know, sometimes those of us who are old enough to have worked in the Soviet Union or on the Soviet Union joke that you can take the boy out of the Politburo, but you can't take the Politburo out of the boy.

The new generation will not have that experience that Nazarbayev and Karimov had. On the other hand, there is some down side to that. The new generation, particularly in Uzbekistan, actually knows their neighbors far less than the older generation did.

So in fact I think there are actually some dangers in terms of the impact it will have on inter-regional. Many people think that the only reason that Uzbekistan did not intervene in Kyrgyzstan in 2010 during the violence in the south there was because Karimov decided that. Unclear what a new generation of leaders would.

I think that in Kazakhstan you have perhaps somewhat greater institutionalization than you do in Uzbekistan, which gives some greater hope that things will move in a positive direction. On the other hand, I know someone who knows Kazakhstan very well who firmly believes that because there is more money at stake, the battle will be even harder in Kazakhstan than in Uzbekistan.

These will clearly be tremendously important changes. But in what direction is just very hard to say at this point.

Mr. McGOVERN. Anybody else?

Dr. UMAROV. If, for example, it will be generational change, so the very important time will be when the old leader will go and the new leader will come. This also could be some kind of destabilization at that time because, as was said, very strong position in these countries have narcotraffickers from Afghanistan to Russia and to Europe.

And this narcotraffic mainly controlled by the people who have very strong positions in the government too. So they could use this situation to destabilize the country and to have possibility to transport more drugs from Afghanistan to Russia. This is what I wanted to add.

Mr. McGOVERN. I think what I am trying to figure out, I think what all of us are trying to figure out, are concrete U.S. policies that can actually make a difference, that are actually going to be helpful.

Sometimes I feel, especially because of the region that we are talking about, that, you know, we have kind of looked the other way too often on human rights abuses and other violations of human dignity because it fit into, you know, our priorities in Afghanistan.

And this is not the first time, if you look at our history, we have kind of looked the other way with regard to countries that have lousy human rights records, you know, because they gave us a promise that they will help us with, you know, a war that we were involved in.

And even though we are maybe winding down in Afghanistan, I hear that every year, and yet it doesn't look like we seem to ever get out of there. I wish we would. But I think it is more likely that we are going to be there a lot longer than people think.

And so I appreciate the administration's panel's kind of words that we care about human rights, we care about religious freedom, we are concerned about these laws regarding the crackdown on the LGBT community, I could go on and on and on, but I kind of feel like we need a more imaginative policy, something a little bit different, because I think based on what I am reading, I am not necessarily convinced that our condemnations or our statements or our words in our human rights report are enough.

That is why I raised issue about why we are providing Uzbekistan with over 300 MRAPs. And I appreciate all the assurances that there will be due diligence and there will be proper oversight and all that kind of stuff, but it just doesn't strike me as appropriate that we would do something like that.

But I mean I am just looking for some guidance here on things, concrete things that we can do to actually have a more positive impact on the region. And if any of you want to comment on that, I would appreciate it.

Mr. GOLDSTEIN. I would just like to reiterate one thing I mentioned during my testimony, Congressman, and that is the United States needs to do a better job of speaking out to the population beyond governments in these areas.

I mean, if you look at the first opinion polls that came out of Egypt after Mubarek fell and what they said about attitudes towards the United States. And these governments are not forever. Kyrgyzstan's already had two governments overthrown. And when the Bakiyev government fell, the new government that

came in, the new president, Roza Otunbayeva, former foreign minister, opposition leader, gave an interview for the Washington Post in which she excoriated the U.S. government for refusing to say anything about human rights publicly while the opposition was being punished.

So I think in terms of long-term U.S. interest, at the very least, what we need to do is be more open. So, for example, we heard here today about the anti-constitutional nature of President Karimov's fourth now reelection in spite of a two-term limit. Well, what did the United States government say publicly about that? Very different than what you heard at the table here today as least as far as the Uzbek population.

Mr. McGOVERN. What did we say publicly?

Mr. GOLDSTEIN. As far as I know, there was very little said, actually. And I do believe that in -- this may have been in the case of Kyrgyzstan, in Vienna at the OSCE, the U.S. Government said that it supported the conclusions of the OSCE monitoring mission. But no words about the U.S. having found this election to have been at its basis completely lacking in legitimacy, nothing like that was said.

Mr. McGOVERN. Okay. What about our embassies and our missions? I mean, are we -- do we have human rights advocates going to visit those who have been imprisoned, you know, or meeting with, you know, legitimate opposition groups or religious minorities or those groups that are under attack? I mean, are we doing that on a regular basis?

Ms. GILL. In my experience, many of the embassy staff on the ground have been very effective in that kind of

Mr. McGOVERN. Good.

Ms. GILL. outreach. And as I think Deputy Assistant Secretary Berschinski said, it tends to play a sort of protective role.

Mr. McGOVERN. Right.

Ms. GILL. And we would very -- we want to take the opportunity to welcome Ambassador Spratlen in Tashkent, very strong public statement about the treatment of Elena Urlaeva that I mentioned in my statement. She met with her, was photographed with her, made a statement.

Mr. McGOVERN. Good.

Ms. GILL. That kind of thing is important. It sends a signal that the U.S. cares very much about these activists and what they are working on. But the U.S. can do more of that. You know, that kind of statement, if it is then taken up in Washington, is even stronger and more resonant.

Mr. McGOVERN. Dr. Umarov?

Dr. UMAROV. In my opinion, it is very important to make statement before election, to make statement for the president who want to go for reelection by breaking the constitution, what United States will not support this reelection.

Because in Uzbekistan, for example, he is looking -- I mean, Karim, he is looking, first, what kind of the reaction, you know, in Washington or in other big capitals, what is the reaction, and if there is no reaction, if there is silence, so he decides to go to election, and then after election, okay, it is done, he is reelected.

So it is very important to have strong position before election to make a statement or, I don't know, have some kind of Global Magnitsky law who will strongly condemn the broke of the constitution.

Mr. McGOVERN. Well, that was going to be my next question, and that is that, you know, for a lot of these people who are entrenched in these various governments who have horrendous human rights records and some of whom are guilty of corruption, there really isn't any consequence that they face, barring something like a Global Magnitsky Act, barring something that says that, you know, publicly, we know who you are and we have a lot of evidence to prove that you are guilty of, you know, what you have been accused of, and, you know, and we are going to publicly shame you and there is a consequence with regard to your ability to travel to our country.

And, you know, we wish this were more than the United States, we would like the other countries in the region to -- in the world to get on board on something like this, but basically that if you are not going to get justice within your own country, understand that there is a consequence outside of your country, and to start naming the people who are most responsible for some of the worst abuses that, you know, we are reading about and that are being documented. And so you would think that that would be a helpful

Dr. UMAROV. Sure.

Mr. McGOVERN. development.

Dr. UMAROV. Yeah, sure. That is Global Magnitsky law will be very helpful on that.

Mr. McGOVERN. Yeah. So we originally had a Global Magnitsky bill and then it got narrowed down, because, don't ask me why, you're in the United States Congress, but we narrowed it down to Russia-specific, and but, you know, but human rights is not something that is of concern just in Russia, it should be a global concern.

And, you know, and I think kind of what frustrates me when we talk about this region of the world is that, you know, that human rights doesn't seem to be as prominent as it really should be. And, again, while we issue reports and statements, and all that is very good, it seems that that is just not enough.

Mr. GOLDSTEIN. Congressman, I would just mention that, you know, you don't need Global Magnitsky for the United States to put people in the visa ban ...

Mr. McGOVERN. We do. But they didn't need it for Russia either, but we did it because if we didn't, we wouldn't have been able to, you know, get the administration to do what they have been doing, but they can do it on their own.

Mr. GOLDSTEIN. Well, you know, not too many months ago, the United States Government banned -- or put on the visa ban list six Hungarian officials for corruption, and this is an ally country. So, you know, it is more, I would say, at the moment lack of political will than lack of instrument.

Mr. McGOVERN. Yeah. And part of it is, I think, for us to send a stronger statement that human rights needs to be central to all of our foreign policies, not just with regard to Russia, but with regard to the whole world. I mean and, you know, but you are right.

I mean, you know, our argument on Magnitsky was you don't really even need it to do what you are doing. But without it, we wouldn't have the tool to go to the administration and to make the case, you know, that they need to act, and so there are requirements that they have to react every so often. So it is important.

But, look, I don't want to keep people here. I know you have been here for a long time, but let me just, you know, ask you if there are any final things that you want to say for the record or things that we should know about or things that we should do. I welcome any comments that you might have. No? Okay.

Well, let me just say, I appreciate all of you being here. I appreciate your patience. And, Doctor, thank you so much for being here and for telling your story, and it is very important, and we look forward to working with you in the weeks, months, and years ahead. Best of luck.

Thank you.

Dr. UMAROV. Thank you.

[Whereupon, at 4:11 p.m., the Commission was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD



Tom Lantos Human Rights Commission (TLHRC)

Hearing Notice

**Civil and Political Rights in Uzbekistan and Central Asia:
Implications for Post-2014 U.S. Foreign Policy**

Thursday, June 25, 2015

2 – 3:30 a.m.

2123 Rayburn HOB

Please join the Tom Lantos Human Rights Commission for a hearing on civil and political rights in Uzbekistan and Central Asia, and the implications for United States foreign policy towards the region.

The five Central Asian Republics – the countries of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan – are all characterized by serious human rights abuses. While the scale and scope of violations vary, in all the countries there is insufficient progress towards advancing civil and political rights.

Uzbekistan's repression of civil society worsened in the aftermath of the Andijan massacre on May 13, 2005, when Uzbek government forces opened fire on thousands of mostly peaceful protesters and killed hundreds of unarmed men, women and children. The Uzbek government severely limits basic freedoms of its citizens, routinely detains and tortures human rights activists, journalists, religious believers, artists, and other perceived critics of the government, and has closed the country to outside scrutiny.

Neighboring Turkmenistan, Tajikistan, and Kazakhstan are also ruled by authoritarian regimes that restrict freedoms of speech, association and religion, and deny due process of law. Kyrgyzstan has made strides toward democracy, but is at risk of reversing progress as it considers legislative proposals that limit activity of civil society organizations and criminalize free speech "aimed at forming positive attitudes toward non-traditional sexual relations."

With the drawdown of the troop presence in Afghanistan, the United States has an opportunity to reconfigure its foreign policy towards the region, which has been dominated by the exigencies of the war in Afghanistan. This hearing will explore what the United States can do to strengthen human rights and democratic governance in the region. Please join us as experts examine the state of civil and political rights in Central Asia and provide recommendations for U.S. foreign policy.

Panel I:

- Mr. Daniel Rosenblum, Deputy Assistant Secretary for Central Asia, Bureau of South and Central Asian Affairs, Department of State
- Mr. Rob Berschinski, Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State

Panel II:

- Ms. Allison Gill, Central Asia Expert, Amnesty International
- Dr. Sanjar Umarov, Former Political Prisoner in Uzbekistan
- Mr. Jeff Goldstein, Senior Policy Analyst, Eurasia, Open Society Foundations

For any questions, please contact Soo Choi (for Rep. McGovern) at 202-225-3599 or soohyun.choi@mail.house.gov or Carson Middleton (for Rep. Pitts) at 202-225-2411 or carson.middleton@mail.house.gov.

Sincerely,

/s/

James P. McGovern, M.C.
Co-Chair, TLHRC

Joseph R. Pitts, M.C.
Co-Chair, TLHRC

Witness Biographies



Tom Lantos Human Rights Commission Hearing

Civil and Political Rights in Uzbekistan and Central Asia: Implications for Post-2014 U.S. Foreign Policy

Panel I

Mr. Daniel Rosenblum, Deputy Assistant Secretary for Central Asia, Bureau of South and Central Asian Affairs, Department of State



Daniel Rosenblum is Deputy Assistant Secretary for Central Asia at the U.S. Department of State. Working within the State Department's Bureau for South and Central Asian Affairs, Mr. Rosenblum oversees U.S. policy towards and diplomatic relations with the five Central Asian states: Kazakhstan, the Kyrgyz Republic, Tajikistan, Turkmenistan, and Uzbekistan.

During 2008-2014, Mr. Rosenblum was Coordinator of U.S. Assistance to Europe, Eurasia, and Central Asia. He was responsible for ensuring the efficient allocation and spending of foreign aid budgets averaging over \$1 billion annually. His office provided strategic guidance and oversight for all U.S. foreign assistance to more than 30 countries in the former Soviet Union, the Western Balkans, and Central Europe. He and his team coordinated the efforts of more than a dozen U.S. government agencies supporting economic reform, the development of democratic institutions and rule of law, building the capacity of law-enforcement and other security-sector institutions, and relieving human suffering through humanitarian aid. He also served as the primary U.S. government liaison with other international donors, including the European Union and multilateral development banks.

During 1997-2008, Mr. Rosenblum held a variety of other positions in the Assistance Coordinator's office, including Deputy Coordinator, Director of the Eurasia Division, and Special Advisor for Economic Programs. He played the lead role in developing economic initiatives for several regions of Russia; served as the State Department liaison to 10 U.S.-backed investment funds operating in the region; and was instrumental in designing and implementing large packages of assistance for Ukraine, Georgia and the Kyrgyz Republic following internal upheavals, and for Kosovo following its declaration of independence.

Before coming to the State Department, Mr. Rosenblum spent six years as Senior Program Coordinator at the Free Trade Union Institute (FTUI) of the AFL-CIO. FTUI conducted educational programs and provided technical assistance to labor unions in the former Soviet Union and Eastern Europe. Mr. Rosenblum managed the operation of field offices in Moscow, Kyiv, and Warsaw. While working for FTUI, Mr. Rosenblum also served as a public spokesman for the AFL-CIO on the labor movement in the former Soviet Union, and social problems associated with the transition to a market economy.

During 1985-89, Mr. Rosenblum worked as a legislative assistant to Senator Carl Levin (D-Michigan), where he advised the Senator on foreign policy, human rights, judiciary, trade, and transportation issues. He was deeply involved in legislative efforts around the U.S.-Canada Free Trade Agreement, and helped the Senator promote the interests of his constituents in a wide range of areas, including the competitiveness of the American automotive industry, scrutinizing judicial nominations, protecting veterans' benefits, and defending international human rights.

Mr. Rosenblum has a BA in History from Yale University and an MA in Soviet Studies and International Economics from the Johns Hopkins School of Advanced International Studies.

Mr. Robert Berschinski, Deputy Assistant Secretary, Bureau of Democracy, Human Rights, and Labor, Department of State



Rob Berschinski currently serves as Deputy Assistant Secretary of State in the Bureau of Democracy, Human Rights, and Labor (DRL) at the U.S. Department of State in Washington, D.C. He is responsible for DRL's work in Europe and South and Central Asia.

Mr. Berschinski most recently served under Ambassador Samantha Power as Deputy Director of the U.S. Mission to the United Nations (USUN) Washington Office. Prior to joining USUN, he served as Special Assistant to then-Deputy Secretary of Defense Ashton B. Carter, providing policy counsel on the Department of Defense's operations, management, and budget.

From 2010-2013, Mr. Berschinski served as the White House National Security Council's Director for Security and Human Rights Policy. He began civilian service as a Presidential Management Fellow in the office of the Under Secretary of Defense for Policy, and served as a defense fellow with the Senate Appropriations Defense Subcommittee. He began his professional career as an active duty intelligence officer in the U.S. Air Force, with operational assignments in Korea and Germany and deployments to Rwanda and Iraq, the latter as a member of the Joint Special Operations Command. He holds a B.A. and M.A. from Yale University, and is married to Sabrina Howell, an assistant professor at New York University's Stern School of Business.

Panel II

Ms. Allison Gill, Central Asia Expert, Amnesty International

Allison Gill is an independent human rights researcher and advocate with regional expertise in the countries of the former Soviet Union. She serves as a Central Asia expert for Amnesty International, working on issues such as torture and ill-treatment, religious freedom, arbitrary detention, due process, and national security.

Previously, Gill was the Russia director for Human Rights Watch, based in Moscow and the Uzbekistan researcher for Human Rights Watch, based in Tashkent.

Gill holds a Master of Arts in Law and Diplomacy from the Fletcher School at Tufts University and a Juris Doctor from Northeastern University School of Law. She is a graduate of Swarthmore College.

Dr. Sanjar Umarov, Former Political Prisoner in Uzbekistan



Umarov is the founder of Sunshine Uzbekistan, a political coalition founded to promote human rights, the rule of law, and social and economic reforms. He earned a PhD from Tashkent Polytechnic Institute in 1982 and taught physics and engineering in Biskra, Algeria. After returning to Uzbekistan in 1988, he began a successful career in business that included the founding of Uzdunrobita, the first cellular telecommunications company in Ex-USSR, developed venture capital projects in the energy and transportation industries, and founded an international business school in Tashkent.

With the purpose to improve economic and human rights he founded the Sunshine Coalition with other intellectuals and businessmen. After less than one year he was arrested and charged with embezzlement and money laundering. Dr. Umarov was convicted in 2006 and sentenced to 14.5 years in prison. He was placed in solitary confinement for two years and regularly tortured and forced to take psychotropic drugs. In November 2009, Dr. Umarov received an unconditional amnesty due to his poor health and an international campaign for his release. The UN Human Rights Committee eventually found that his arrest and conviction was politically motivated and obliged Uzbekistan to restore justice and cover his losses.

Mr. Jeff Goldstein, Senior Policy Analyst, Eurasia, Open Society Foundations



Jeff Goldstein is the senior policy analyst for Eurasia at the Open Society Foundations. Based in Washington, D.C., he is responsible for providing advocacy support for the organization's programs in the former Soviet Union and Mongolia.

Prior to working at the Foundations, Goldstein was senior program manager for Central Asia and the Caucasus at Freedom House. In this capacity he sought to improve human rights through legislation and policy protections.

Goldstein, a 25-year veteran of the U.S. Foreign Service, served in the American embassies in Warsaw, Seoul, Moscow, and Tallinn, and in several positions in Washington D.C. Throughout his tenure, Goldstein has played a significant role in human rights promotion. He served as the U.S. Embassy liaison to the Solidarity Movement during the latter stages of Martial Law in Poland, and as the embassy officer responsible for working with the political opposition, student and labor movements in Korea during a period of rapid democratization.

Goldstein also has a background in conflict resolution, having served on U.S. teams negotiating with North Korea on nuclear and missile proliferation issues, and also as Deputy to the U.S. Special Envoy working to help resolve "frozen conflicts" in the Caucasus and Moldova. He received his MA in international relations from Yale University and a BA in political science from the University of California, Los Angeles.

David Stacy, Human Rights Campaign, Statement Submitted for the Record



Written Statement of David Stacy
Government Affairs Director
Human Rights Campaign

Civil and Political Rights in Uzbekistan and Central Asia:
Implications for Post-2014 U.S. Foreign Policy

Tom Lantos Human Rights Commission
June 25, 2015

I. Introduction

On behalf of the Human Rights Campaign's more than one and a half million members and supporters nationwide, I write in regards to the Commission's briefing on civil and political rights in Central Asia. As the nation's largest organization working to achieve equal rights for the lesbian, gay, bisexual, and transgender (LGBT) community, HRC strongly supports the Commission's efforts to engage this issue and to provide a space for exploring the human rights of LGBT people in Central Asia.

According to the Department of State 2013 Country Reports on Human Rights Practices, all five Central Asian republics – Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan – have human rights records laden with grave abuses. As former members of the Soviet Union, these countries continue to be influenced, and possibly manipulated by, Russia's far reaching power. Unfortunately, these country's relationships with Russia have influenced their treatment of LGBT individuals. Several Central Asian countries continue to criminalize same-sex sexual activity, while others have directly imitated Russia's "anti-propaganda" laws that have the effect of criminalizing LGBT advocacy.

Advocates and the media have focused a great deal of attention on anti-LGBT laws and attitudes throughout Africa, Russia, and countries in the Middle East. While the situation in these regions continue to merit vigilance, the Central Asian republics warrant equal scrutiny since they continue to be unsafe places for their LGBT citizens.

II. Central Asian Countries

Kazakhstan

Kazakhstan decriminalized consensual same-sex sexual activity in 1998.¹ However, individuals whose sexual orientation is publicly known face physical and verbal abuse, risk of being fired from their job, denial of healthcare, and harassment from law enforcement. According to the Department of State 2013 Country Reports on Human Rights Practices, negative social attitudes against the LGBT community have effectively prevented the community from organizing and have impeded their willingness to seek access to HIV programs.² The report also notes that

¹ International Lesbian, Gay, Bisexual, Transgender, and Intersex Association (ILGA), *State-Sponsored Homophobia, A World Survey of Laws: Criminalization, Protection, and Recognition of Same-Sex Love* 16 (2014), http://old.ilga.org/Statehomophobia/ILGA_SSHR_2014_Eng.pdf.

² U.S. Department of State, *Country Reports on Human Rights Practices for 2013*, 32 (2014),

government-run HIV clinics have been accused of breaching confidentiality and reporting patients' sexual orientation to their family or employer.³ In Kazakhstan's 2014 Universal Periodic Review (UPR), Spain recommended Kazakhstan strengthen the legal framework for the protection and non-discrimination of LGBTI people, a recommendation Kazakhstan has neither accepted nor rejected outright.⁴

In addition, Kazakhstan has been influenced by Russia's continuing hostility toward the LGBT community. An increase in anti-homosexual rhetoric culminated in the introduction of a Russian-style "anti-propaganda" law that prohibits "propagandizing non-traditional sexual orientation."⁵ Politicians claimed to be promoting the protection of public morality, as part of a broad bill entitled "On Protecting Children from Information Harmful to Their Health and Development."⁶ Fortunately, in May 2015, the country's Constitutional Council blocked the bill from becoming law.

Kyrgyzstan

Kyrgyzstan's LGBT record is similar to its northern neighbor Kazakhstan. While Kyrgyzstan decriminalized same-sex sexual activity in 1998,⁷ the Department of State reports that police continue to arrest individuals for the "crime" of homosexuality.⁸ Non-governmental organizations (NGO's) have reported cases of police extortion against LGBT individuals, and noted that the entire Kyrgyz LGBT population is "susceptible to a continual cycle of police extortion and exploitation."⁹ Same-sex sexual conduct is still socially unacceptable in many parts of the country, which makes it difficult to take legal action against perpetrators of such abuses. In addition, the report notes continual oppression against LGBT individuals that the government has failed to address, such as prison officials openly assaulting gay men and reports of doctors who have refused to treat LGBT individuals.¹⁰

<http://www.state.gov/documents/organization/220605.pdf>.

³ *Id.*

⁴ UPR Info, *Responses to Recommendations & Voluntary Pledges*, <http://www.upr-info.org/en> (last visited June 23, 2015).

⁵ Susie Armitage, *Kazakhstan May Soon Have A "Gay Propaganda" Ban Of Its Own*, BuzzFeed, <http://www.buzzfeed.com/susiearmitage/kazakhstan-may-soon-have-a-gay-propaganda-ban-of-its-own#.yq0OLq0J7w> (last visited June 23, 2015).

⁶ *Id.*

⁷ U.S. Department of State, *Country Reports on Human Rights Practices for 2013*, 30 (2014), <http://www.state.gov/documents/organization/220607.pdf>.

⁸ *Id.*

⁹ *Id.*

¹⁰ *Id.*

Also modeled after the Russian “anti-propaganda” law, in March 2014, the Kyrgyz parliament published a bill that would impose criminal sanctions for spreading information about homosexuality or LGBT issues.¹¹ Advocates have learned that legislators are eager to pass the bill before the end of the 2015 legislative session. Human rights activists in Europe have been putting pressure on President Atambayev to reject the bill and Kyrgyz activists have asked others to bring as much attention to this bill as possible.¹²

In addition, the Kyrgyz parliament has advanced a bill that would severely stifle the country’s NGO community by requiring NGO’s that receive support from abroad to register as a “foreign agent,” which would restrict foreign funding and inflict burdensome reporting requirements.¹³ A lawmaker who co-sponsored the bill said that its introduction was necessary in order to stifle the “efforts by some Western-funded organizations to educate young Kyrgyz about gay rights and reproductive health.”¹⁴ <http://www.telegraph.co.uk/news/uknews/queen-elizabeth-II/11696166/Queen-baffled-by-portrait-gift-as-she-asks-German-president-Is-that-supposed-to-be-my-father.html>

Tajikistan

LGBT individuals in Tajikistan face similar harassment and extortion by law enforcement as LGBT individuals throughout Central Asia, including threats of being “outed” by security forces to their families and employers. Hate crimes against LGBT people routinely go unaddressed by law enforcement, and LGBT persons continue to face police harassment and threats of public beatings.¹⁵ In addition, the country provides no legal protection against discrimination on the basis of sexual orientation or gender identity.

While same-sex sexual conduct is legal, the Department of State reports that “homophobic attitudes and little societal tolerance....[make it] rare for individuals to disclose their sexual

¹¹ *Supra* note 1, at 19.

¹² Colin Stewart, *Pressure on Kyrgyzstan to Derail Russia-Style Anti-LGBTI Bill*, 76 Crimes Blog, <http://76crimes.com/2015/03/25/pressure-on-kyrgyzstan-to-derail-russia-style-anti-lgbti-bill/> (last visited June 23, 2015). On June 24, 2015, the bill received another procedural reading the Kyrgyz parliament.

¹³ David Trilling, *Kyrgyzstan Passes “Foreign Agents” Bill in Preliminary Vote*, Central Asia Today, <http://www.eurasianet.org/node/73721> (last visited June 23, 2015).

¹⁴ *Id.*

¹⁵ U.S. Department of State, *Country Reports on Human Rights Practices for 2013*, 26 (2014), <http://www.state.gov/documents/organization/220618.pdf>.

orientation.”¹⁶ Transgender individuals experience unique difficulties, such as significant problems changing identity documents. Although Tajik law does allow an individual to change identity documents if a medical organization provides an “authorized document,” incredibly, the Department of State notes that “because a document of this form does not exist...it is impossible for transgender persons to change their legal identity to match their gender.”¹⁷

Turkmenistan

Turkmenistan also criminalizes same-sex conduct only between men, which is punishable by up to two years in prison. Unfortunately, the law also permits the imposition of an additional two to five years in a labor camp.¹⁸ Subsequent sections of the law stipulate sentences of up to 20 years for repeated acts of same-sex sexual conduct and the spread of HIV through same-sex sexual conduct. The Department of State reports that nondiscrimination laws do not apply to LGBT individuals and that society generally does not accept transgender individuals.¹⁹ Finally, because sexual orientation and gender identity issues are taboo within society, social stigma continues to prevent reporting of bias motivated incidents.²⁰

Since its last UPR review, Turkmenistan has been unwilling to implement a recommendation that called for decriminalizing same-sex consensual relationships among men or to pass nondiscrimination protections for the LGBT community.²¹

Uzbekistan

Uzbekistan criminalizes same-sex sexual conduct only between men, which is punishable by up to three years in prison.²² Although the Department of State reports that there have been no known arrests or convictions since 2003, advocates claim that threats of prosecution are used to extort heavy bribes from gay men.²³ And while there have been no official reports of societal

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ U.S. Department of State, *Country Reports on Human Rights Practices for 2013*, 24 (2014), <http://www.state.gov/documents/organization/220620.pdf>.

¹⁹ *Id.*

²⁰ *Id.*

²¹ UPR Info, *Responses to Recommendations & Voluntary Pledges*, <http://www.upr-info.org/en> (last visited June 23, 2015).

²² See Legislation Online, *Criminal Code of the Republic of Uzbekistan, Article 120* (“Homosexual Intercourse”), <http://www.legislationline.org/documents/id/8931> (last visited June 23, 2015).

²³ U.S. Department of State, *Country Reports on Human Rights Practices for 2013*, 33 (2014), <http://www.state.gov/documents/organization/220622.pdf>.

abuse, this is often attributed to the continuing societal disapproval of LGBT individuals which prevents them from coming forward.

Since its last UPR review, Uzbekistan has been unwilling to implement recommendations that call for decriminalizing same-sex consensual relationships among men or pass nondiscrimination protections for the LGBT community, arguing that these protections are not part of the country's "obligations under internationally agreed human rights standards."²⁴

III. Suggested Policy Recommendations

To that end, HRC urges the Department of State to:

- Work more closely with its Embassies in the region to emphasize the importance of protecting the human and civil rights of LGBT persons in those countries.
- Encourage Kazakhstan, in bilateral conversations, to accept the UPR recommendation²⁵ that any programs providing HIV/AIDS treatment should not discriminate against LGBT individuals.
- Work with colleagues in the Administration and Members of Congress to encourage the Kyrgyz government to reject the anti-propaganda legislation and NGO "foreign agent" legislation currently under consideration.
- Encourage Tajikistan to prevent violence against LGBT people and provide documents that would enable transgender people to change their gender on their official documents.
- Advocate that Uzbekistan decriminalize all same-sex consensual relationships and ensure that law enforcement is not engaging in extortion of LGBT people.
- Advocate that Turkmenistan decriminalize all same-sex consensual relationships.

²⁴ UPR Info, *Responses to Recommendations & Voluntary Pledges*, <http://www.upr-info.org/en> (last visited June 23, 2015).

²⁵ *Supra* note 6.

IV. **Conclusion**

The fight for full LGBT equality in this country and around the world is far from over. Shining light on the anti-LGBT laws and attitudes in Central Asia is a significant first step to working to ensure that all people – in all countries – are afforded the full and equal treatment that they deserve. Thank you for the opportunity to provide this information to the Commission. Please do not hesitate to contact me at david.stacy@hrc.org or 202-257-7347, or my staff, as you continue to study this important subject.