

Kazakhstan and Its Preparations for the OSCE Chairmanship in 2010

The Republic of Kazakhstan joined the Organization for Security and Co-operation in Europe (OSCE) in January 1992. It is important to note that Kazakhstan's accession to the OSCE was initiated by the Western participating States of this influential international organization. For our country, which only gained independence 18 years ago, in 1991, it was vital to take part in political, social, and economic developments on the territory stretching from Vancouver to Vladivostok. Kazakhstan therefore endeavoured – successfully – to put the principles of the Helsinki Final Act of 1975 into practice. Over this period, Kazakhstan and the OSCE have acquired important experience in strengthening regional security and the development of an open civil society.

In the early stages of the relationship between Kazakhstan and the OSCE, the main focus was on the exchange of information and practical advice that would foster the reforms in our country necessary for the period of transition to a market economy. The development of relations between Kazakhstan and the OSCE facilitated the creation of the framework for co-operation, resulting, in particular, in the adoption of a range of bilateral documents, such as the Memorandum of Understanding between the government of the Republic of Kazakhstan and the OSCE. In January 1999, the OSCE Centre was opened in Almaty (currently the OSCE Centre in Astana). As the result of the Memorandum of Understanding signed with the Office for Democratic Institutions and Human Rights (ODIHR), Kazakhstan began to develop projects aimed at facilitating the protection of human rights, electoral legislation, and the reform of the taxation and judiciary systems.

The direct involvement of representatives of Kazakhstan in OSCE structures began in 2008, when the Finnish OSCE Chairman-in-Office invited Kazakhstan to participate in the Economic and Environmental Committee of the Organization. In 2009, Dora Bakoyannis, the 2009 OSCE Chairman-in-Office from Greece, invited the representatives of Kazakhstan to head the Contact Group with the OSCE Mediterranean Partners for Co-operation, and appointed a Kazakh diplomat as her Personal Representative on Combating Intolerance and Discrimination against Muslims.

In our view, Kazakhstan's Chairmanship in 2010 is an important event for both our country and the OSCE. For Kazakhstan it signifies, first of all, a recognition of the need to promote political, social, and economic reforms and to take on the responsibility for security on the territory of the Organization along with its OSCE partners.

Note: The views contained in this contribution are the author's own.

For the OSCE, the decision regarding Kazakhstan's Chairmanship was somewhat unexpected: For the first time in history, the position was applied for by a member of the Commonwealth of Independent States (CIS), a country that is going through political and economic transformation, a country geographically located mostly in Asia, and a country where Islam is the dominant religion.

For these reasons, it was not easy to reach a consensus on Kazakhstan's Chairmanship of the OSCE. Kazakhstan first applied in 2003 in the hope of being awarded the Chairmanship in 2009. The decision in November 2006 to defer Kazakhstan's Chairmanship demonstrated institutional problems within the Organization and the absence of explicit criteria for the election of the Chairmanship. It became clear that the decision depended more upon the need to overcome the stereotypes held by EU member countries regarding the members of the CIS.

The reservations held by some Western partners about Kazakhstan and its desire to chair the OSCE were mostly dispelled at the 15th OSCE Ministerial Council Meeting (Madrid, 29-30 November 2007). Speaking at this event, Marat Tazhin, the Minister of Foreign Affairs of Kazakhstan, said that not only was Kazakhstan continuing to modernize its own political system in line with OSCE recommendations, but that as the holder of the OSCE Chairmanship, it would also assume responsibility for supporting the fundamental principles of the Organization, including by strengthening the mandate of ODIHR.¹

As the result, Kazakhstan was awarded the OSCE Chairmanship in 2010 instead of 2009. This decision was taken in view of the need to continue reforming the political, judicial, and social systems as well as to train Kazakh staff to work in OSCE structures.

Another step in preparing Kazakhstan to take on the functions of the OSCE Chairmanship was the invitation of the Finnish 2008 Chairmanship to Kazakhstan and Lithuania to join the extended "triumvirate" of Chairs (the OSCE Troika) as early as 2008 to work on the OSCE's long-term programmes. Kazakhstan thus began work within the OSCE structure two years before it took on the Chairmanship, which was an opportunity for it to gain experience and, even more importantly, enabled it to attract its partners' attention to the current problems of the Central Asian region.

One must recall that Kazakhstan joined the OSCE Troika during a difficult period. The global financial crisis has had a negative impact on the whole system of international relations. The efficiency of the OSCE was challenged by the recent surge of international terrorism, drug trafficking, illegal migration, and the consequences of the global environmental, food, and energy crises. Now the OSCE faces the need to search for new and efficient

1 See *Address of H.E. Dr. Marat Tazhin, Minister of Foreign Affairs of the Republic of Kazakhstan, at the OSCE Ministerial Meeting* (Madrid, November 29, 2007), MC.DEL/38/07, 29. November 2007, at: http://www.osce.org/documents/mcs/2007/11/28529_en.pdf.

forms of co-operation that will represent an adequate response to contemporary challenges and threats.

The most difficult year for the OSCE was 2008, during which key events such as the declaration of Kosovo's independence, the war in the Southern Caucasus, and the self-declared independence of Abkhazia and South Ossetia were discussed and addressed outside the OSCE framework. The events in Kosovo and the Southern Caucasus have shown that the OSCE's principle of universal security is not yet a reality. This led to recognition of the need for a change of approach to the system of security in the OSCE area.

Issues related to the creation of a new security system in Europe that could adequately respond to challenges and risks associated with the current stage of global development were addressed at the 17th Annual Session of the OSCE Parliamentary Assembly held in the capital of Kazakhstan, Astana, from 29 June to 3 July 2008. Speaking at the forum, Nursultan Nazarbayev, the President of Kazakhstan, said that "deep geopolitical transformations happening in recent years have made us recognize that there is no merely European or merely Asian security. Destabilization in one state threatens the security of Eurasia as a whole".²

The President assured his OSCE partners that our country is aware of its role as a responsible participant in regional and global economic, military, and political developments. Kazakhstan is an important component of the global energy extraction and transport/transit infrastructure, and is among the largest exporters of hydrocarbons in the world.

Kazakhstan currently has a large stock of energy and food resources and can increase the amount it supplies to the world market on the condition that it receives investment capital and new technologies developed by the European countries. Close co-operation will be beneficial for all the OSCE participating States. Kazakhstan supports the transformation of the activities of the OSCE to meet the interests of all the Organization's participating States, and views its forthcoming Chairmanship as a good opportunity to breathe some fresh air into the interaction between them.

The decision to award Kazakhstan the Chairmanship of the OSCE in 2010 gave an important boost to the political, social, and economic reforms in the country. By the end of 2008, Kazakhstan had carried out reforms aimed at increasing the efficiency of its political system. These included the development of a balanced system of interaction between the three branches of governmental power; strengthening the system of party representation; empowering local authorities; and increasing the transparency of the judicial

2 *Vystuplenie Prezidenta N.A. Nazarbaeva na otkrytii 17-oi ezhegodnoi sessii Parliamentskoi Assamblei OBSE*, [Speech of President N.A. Nazarbaev at the opening of the 17th Annual Session of the Parliamentary Assembly of the OSCE], Astana 29 June 2009, at: http://www.akorda.kz/www/akorda_kz.nsf/sections?OpenForm&id_doc=AC0A7F9C8664DEFD06257478000F693&lang=ru&L1=L2&L2=L2-16 (author's translation).

system. The constitution was amended to enhance the role of political parties. Elections to the lower house of Parliament, the *Mazhilis*, were held in 2007.

Kazakhstan is co-operating closely with ODIHR and the OSCE in carrying out its political reforms. In 2007-2008, regular consultations between the experts of the Central Election Commission of Kazakhstan and ODIHR were held to develop recommendations on how to amend the election legislation and the law on mass media. According to the Ministry of Culture, some three thousand periodicals are published in Kazakhstan, 80 per cent of which belong to private legal entities and individuals.

Kazakhstan has adopted the concept of mass-media self-regulation, which will help to solve a wide range of problems. New amendments to the law on mass media have eased restrictions on journalists and increased their security. The registration procedure for mass media has been significantly simplified and the right to sue governmental organizations and their employees for denying access to requested information has been established.

The changes in the law on political parties were made to improve organizational and legal aspects of the activities of political parties, as well as to strengthen their authority, further develop democracy in Kazakh society, and create a political system that would conform to international standards. The state registration procedure and the rules for financing political parties elected to Parliament have also become simpler. Currently in Kazakhstan, where the population is 16 million, there are ten registered political parties.

A new amendment to the election law makes it impossible for the lower house of Parliament to consist of only representatives of a single party. If only one party receives more than seven per cent of votes cast, the party receiving the second highest number of votes will also receive its seats in Parliament. This ensures the participation of at least two political parties in the lower house.

A special programme entitled *The Path to Europe* was adopted in Kazakhstan in 2008. It stipulates that the country is interested in co-operation with European countries in the fields of energy, transport and transit, technology transfer, education, and humanitarian collaboration. This is an indication of Kazakhstan's intention to build up a strategic partnership with Europe in the long term.

Humanitarian development always remains in the focus of attention of our country's governmental bodies. In April 2009, the conference of the Human Rights Commission under the President of the Republic of Kazakhstan discussed *National Action Plan on Human Rights* for 2009-2012. Representatives of the judiciary, lawyers, the police, and non-governmental organizations participated in developing the plan. The document covers practically all areas of society and consists of 22 chapters, which concern the political, social, cultural, and economic rights of Kazakhstan's citizens. Undertaking a project of this kind is a new experience for our country. The pro-

posals that have been made strengthen the power of lawyers, particularly with regard to people in need of free expert legal assistance.

The project analyses national legislation to examine its conformity with international human rights standards. As Kazakhstan is about to assume the Chairmanship of the OSCE, it is important that documents approved by Parliament and the government conform to international standards and fulfil the tasks set out by the head of the state in the programme *The Path to Europe*. The National Action Plan includes measures aimed at regulating the activities of governmental bodies as well as programmes on human rights that had been adopted earlier.

During discussions on this project, a decision was also taken to confirm the National Action Plan, which had been prepared by a working team, taking into consideration all the remarks and proposals made. We are planning to publish the National Action Plan on Human Rights in Kazakh, Russian, and English, and to distribute it widely in both Kazakhstan and abroad.

Together with the OSCE Centre, we organize annual training events and seminars in Astana for representatives of governmental and non-governmental bodies closely related to the area of human rights protection. For example, the recent training course for prosecutors drew particular interest. It imparted knowledge of international legal documents on co-operation in criminal justice, and on the global experience in the fields of customs, education, and health. Women's non-governmental organizations and organizations with a focus on protection and rehabilitation of the poor also receive considerable support from the OSCE Centre.

Kazakhstan's government pays particular attention to co-operation with non-governmental organizations. For this purpose, the Public Chamber of the *Mazhilis* was created and civil forums are held regularly. Kazakhstan's NGOs actively co-operate with ODIHR and the OSCE in discussing their duties in relation to the people.

There are some 4,000 religious communities in Kazakhstan, representing over 40 confessions, including both world and traditional religions. The congresses of leaders of world and traditional religions, held in Astana since 2003, have made a successful contribution to the growth of mutual understanding between religions. These forums receive support from the leaders of the main world religions and international organizations working on the development of communication between civilizations and cultures.

In July 2009, the Third Congress of Leaders of World and Traditional Religions took place in Astana, with the United Nations participating and lending technical support. The topic of the forum was "The Role of Religious Leaders in Building a World Based on Tolerance, Mutual Respect and Co-operation". Following a proposal from Kazakhstan, the UN General Assembly proclaimed 2010 to be the International Year for the Rapprochement of Cultures.

On the eve of Kazakhstan's Chairmanship, our institute, the Kazakhstan Institute for Strategic Studies (KazISS) under the President of the Republic of Kazakhstan, together with the OSCE Centre in Astana and Al-Farabi Kazakh National University, started to implement a three-year project, *2010: The Republic of Kazakhstan is the Chairman of the OSCE*. The purpose of this project is to attract authoritative Kazakh and foreign experts to participate in the discussion and to create recommendations on Kazakhstan's activities in the OSCE to be provided to the government of the Republic of Kazakhstan, the OSCE, and to governmental and non-governmental organizations. Its other purpose is to acquaint the general public in the Organization's participating States with the programme of Kazakhstan's Chairmanship of the OSCE.

In 2008, as part of this project, two international academic conferences took place at our institute. At the conferences, we considered the role and prospects of the OSCE in the contemporary world, and various concepts of security on the Eurasian Continent. In 2009, we held four conferences, at which we considered Kazakhstan's experience of achieving unity between ethnic and religious groups, democratization in Central Asian countries, the problems of regional security, and the tasks Kazakhstan has to perform during its OSCE Chairmanship.

The key questions currently being asked of the OSCE concern how it can be adapted to new international realities and how can it strengthen its comparative advantages. In the immediate future, the Organization's main task will be to strengthen its role in the global system of international relations. In our opinion, creating a Eurasian security area as part of a global security order is a very important step for the OSCE. To achieve this, it is necessary to collaborate effectively not only with the UN, EU, and NATO, but also with regional organizations such as the Conference on Interaction and Confidence-Building Measures in Asia (CICA), the Eurasian Economic Community (EAEC), the Collective Security Treaty Organization (CSTO), and the Shanghai Cooperation Organisation (SCO). We may also co-operate with such influential bodies as the Organisation of the Islamic Conference (OIC), over which Kazakhstan will preside in 2011. It should be noted that Kazakh diplomats currently occupy the position of general secretary in both the SCO and EAEC.

Kazakhstan is aware of the uniqueness of the OSCE. When it holds the Chairmanship, it will therefore continue developing the Organization's principal activities – politico-military, economic and environmental, and humanitarian. Our country supports the OSCE's efforts to strengthen civil society institutions and the rule of law and to promote democratic reforms in the participating States. Kazakhstan also thinks it is necessary to preserve ODIHR's mandate, supports proposals to regulate election monitoring, and believes that there must be representatives from all the OSCE countries in election monitoring missions and other OSCE structures.

In the early 1990s, Kazakhstan voluntarily renounced its nuclear potential – the fourth largest in the world. Our country remains an active supporter of regional security and will continue the policy of maintaining stability in the whole OSCE area, including Central Asia, which is an integral part of it.

Instability in Afghanistan is a matter of particular concern today. Kazakhstan is therefore planning to help the OSCE strengthen its role in managing the situation that has emerged in this country as a result of the recent conflict. Our country will also join the world community in combating the threat that comes from the territory of Afghanistan.

As to the OSCE's economic and environmental activities, Kazakhstan is planning to attract the Organization's attention to landlocked countries, whose further economic development depends on the development of their transport infrastructure. The solution of this problem is directly connected with energy security.

The world economic crisis makes the energy problem still more significant for further economic growth. Balancing the interests of the consumers and producers of energy resources is a key contemporary problem for the world community. As a major exporter of energy resources, Kazakhstan supports the diversification of export routes.

Kazakhstan shares the OSCE's concern about environmental protection. How to use water resources economically, how to follow ecological standards in the extraction and transport of hydrocarbons, and how to shift to alternative production technologies are the problems that must be at the centre of attention in the discourse of the OSCE.

In the human dimension, the OSCE has vital experience in preventing and overcoming ethnic and interdenominational crises that may help to overcome the divide between civilizations. Kazakhstan is a secular state and therefore strictly opposes discrimination of any kind, including on the ground of religion, provided that the activity of religious communities is transparent.

Since 2003, the main priorities of the participating States have been to reform the OSCE; overcome regional conflicts; combat terrorism, religious extremism, and drug trafficking; assist in combating human trafficking; and strengthen tolerance and religious freedom.

Ever since Kazakhstan applied for the Chairmanship of the OSCE, we have been systematically developing our programme. President Nazarbayev defined the purposes of Kazakhstan's Chairmanship of the OSCE at the *Tolerance Implementation Meeting on Promoting Inter-Cultural, Inter-Religious and Inter-Ethnic Understanding* that was held in Almaty in 2006:

- Taking into consideration the general political situation in Central Asia, Kazakhstan is ready to guarantee genuine and long-term security in the region.
- As the Republic of Kazakhstan has a positive experience of achieving accord between ethnic and religious groups, our country will aim at fur-

ther developing the dialogue between civilizations, acting as a bridge between East and West.

- The Republic of Kazakhstan is pursuing the path of democratic modernization of its political system, and is therefore ready to strengthen the potential of the OSCE, taking into consideration the interests of all participating States.

Kazakhstan will announce the programme for its Chairmanship of the OSCE in early January 2010, in conformity with the usual practice of the Organization. However President Nazarbayev and other official representatives of the country have already voiced the main ideas that will underpin the Kazakhstan Chairmanship's programme:

- to make a practical contribution to ensuring security and stability in the whole Eurasian area;
- to enhance the role and significance of Central Asia in the OSCE region and promote democratic values;
- to be ready to build on Kazakhstan's rich experience of presiding over number of regional organizations (CIS, EAEC, SCO, CICA) by organizing constructive co-operation of the OSCE with those regional organizations;
- to strengthen the role of the OSCE as a unique platform for dialogue between Europe and Asia.

In assuming the Chairmanship of the OSCE, Kazakhstan will thus adhere to a strategy of comprehensive co-operation, entering into constructive dialogue with all members of the global community, with an emphasis on trust and mutual understanding, and the overall goal of achieving stable development in the world.