

106TH CONGRESS
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H. CON. RES. 204

Voicing concern about serious violations of human rights and fundamental freedoms in most states of Central Asia, including substantial noncompliance with their Organization for Security and Cooperation in Europe (OSCE) commitments on democratization and the holding of free and fair elections.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 21, 1999

Mr. SMITH of New Jersey (for himself, Mr. HOYER, and Mr. FORBES) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Voicing concern about serious violations of human rights and fundamental freedoms in most states of Central Asia, including substantial noncompliance with their Organization for Security and Cooperation in Europe (OSCE) commitments on democratization and the holding of free and fair elections.

Whereas the states of Central Asia—Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan—have been participating States of the Organization for Security and Cooperation in Europe (OSCE) since 1992 and have freely accepted all OSCE commitments, including those concerning human rights, democracy, and the rule of law;

Whereas the Central Asian states, as OSCE participating states, have affirmed that every individual has the right to freedom of thought, conscience, religion or belief, expression, association, peaceful assembly and movement, freedom from arbitrary arrest, detention, torture, or other cruel, inhuman, or degrading treatment or punishment, and if charged with an offense the right to fair and public trial;

Whereas the Central Asian states, as OSCE participating states, have committed themselves to build, consolidate, and strengthen democracy as the only system of government, and are obligated to hold free elections at reasonable intervals, to respect the right of citizens to seek political or public office without discrimination, to respect the right of individuals and groups to establish in full freedom their own political parties, and to allow parties and individuals wishing to participate in the electoral process access to the media on a nondiscriminatory basis;

Whereas the general trend of political development in Central Asia has been the emergence of Presidents far more powerful than other branches of government; most of whom have refused to allow genuine electoral challenges, postponed or canceled elections, excluded serious rivals from participating in elections, or otherwise contrived to control the outcome of elections;

Whereas some leaders and governments in Central Asia have crushed nascent political parties, or refused to register opposition parties, and have imprisoned and used violence against, or exiled, opposition figures;

Whereas in Kazakhstan, President Nursultan Nazarbaev dissolved parliament in 1993 and again in 1995, when he also annulled scheduled Presidential elections, and ex-

tended his tenure in office until 2000 by a deeply flawed referendum;

Whereas independent media in Kazakhstan, which used to be fairly free, have been pressured, co-opted, or crushed, leaving few outlets for the expression of independent or opposition views;

Whereas on January 10, 1999, President Nazarbaev was re-elected in snap Presidential elections from which a leading challenger was excluded for having addressed an unregistered organization, “For Free Elections,” and the OSCE assessed the election as falling far short of international standards;

Whereas Kazakhstan’s Ministry of Justice registered opposition parties and movements to take part in parliamentary elections on October 10, 1999, but a leading challenger was again excluded, and the OSCE has criticized the conduct of the election;

Whereas Kyrgyzstan’s parliament has demonstrated some independence from President Askar Akaev and his government, and opposition parties can function and are represented in parliament;

Whereas independent media exist in Kyrgyzstan but have faced serious constraints, including criminal lawsuits by government officials for defamation;

Whereas local authorities in Kyrgyzstan have recently harassed opposition activists, including members of parliament, who were attempting to establish a political party;

Whereas parliamentary elections in Kyrgyzstan are scheduled for February 2000;

Whereas in Tajikistan, a civil war in the early 1990s caused an estimated 50,000 people to perish, and a military stalemate forced President Imomaly Rakhmonov in 1997 to come to terms with Islamic and democratic opposition groups and agree to a coalition government;

Whereas the provisions of their power-sharing agreement are slowly being implemented, but opposition groups in Tajikistan have not received the full allotment of their slots in election commissions or in government posts, opposition contenders for the presidency have been excluded from the race and the major opposition organization has decided to suspend participation in the work of the National Reconciliation Commission;

Whereas free and fair elections and other democratic steps in Tajikistan offer the best hope of reconciling government and opposition forces, overcoming the legacy of the civil war and establishing the basis for civil society;

Whereas a national referendum was held in Tajikistan in September 1999 on amendments to the Constitution, Presidential elections are slated for November, and parliamentary elections are expected by the end of 1999;

Whereas in Turkmenistan under the rule of President Saparmurat Niyazov, no internationally recognized human rights are observed, including freedom of speech, assembly, association, religion, and movement, and attempts to exercise these rights are brutally suppressed;

Whereas Turkmenistan has committed political dissidents to psychiatric institutions;

Whereas in Turkmenistan President Niyazov is the object of a cult of personality, all political opposition is banned, all media are tightly censored, and only one political party,

the Democratic Party, headed by President Niyazov has been registered;

Whereas parliamentary elections in Turkmenistan are scheduled for December 12, 1999;

Whereas in Uzbekistan under President Islam Karimov, no genuine opposition parties are registered, and only pro-government parties are represented in parliament;

Whereas in Uzbekistan all opposition political parties and leaders have been forced underground or into exile, all media are censored, and attempts to disseminate opposition newspapers can lead to jail terms;

Whereas Uzbekistan's authorities have laid the primary blame for explosions that took place in Tashkent on February 16 on an opposition leader whose followers have been tried in court proceedings that did not correspond to OSCE standards, and a second trial is closed to the public;

Whereas in Uzbekistan police and security forces routinely plant narcotics and other evidence on political opposition figures as well as religious activists; and

Whereas parliamentary elections are scheduled in Uzbekistan by the end of 1999: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring)*, That the Congress—

3 (1) expresses deep concern about the tendency
4 of Central Asian leaders to seek to remain in power
5 indefinitely and their willingness to manipulate con-
6 stitutions, elections, and legislative and judicial sys-
7 tems, to do so;

1 (2) urges Kazakhstan, Kyrgyzstan, Tajikistan,
2 Turkmenistan, and Uzbekistan to come into compli-
3 ance with OSCE commitments on human rights, de-
4 mocracy, and the rule of law, specifically the holding
5 of free and fair elections that do not exclude genuine
6 challengers, to permit independent and opposition
7 parties and candidates to participate on an equal
8 basis with representation in election commissions at
9 all levels, and to allow domestic non-governmental
10 and political party observers, as well as international
11 observers;

12 (3) calls on Central Asian leaders to establish
13 conditions for independent and opposition media to
14 function without constraint, limitation, or fear of
15 harassment, to repeal criminal laws which impose
16 prison sentences for alleged defamation of the state
17 or public officials, and to provide access to state
18 media on an equal basis during election campaigns
19 to independent and opposition parties and can-
20 didates;

21 (4) reminds the leaders of Central Asian states
22 that elections cannot be free and fair unless all citi-
23 zens can take part in the political process on an
24 equal basis, without intimidation or fear of reprisal,

1 and with confidence that their human rights and
2 fundamental freedoms will be fully respected;

3 (5) calls on the leaders of Turkmenistan and
4 Uzbekistan to condemn and take effective steps to
5 cease the systematic use of torture and other inhu-
6 man treatment by authorities against political oppo-
7 nents and others, and to permit the registration of
8 independent and opposition parties and candidates;

9 (6) encourages the Administration to raise with
10 the governments of other OSCE participating states
11 the possible implications for OSCE participation of
12 any participating state in the region that engages in
13 clear, gross, and uncorrected violations of its OSCE
14 commitments;

15 (7) encourages the Administration to seek for-
16 mation of an OSCE Human Dimension Mission to
17 Turkmenistan and Uzbekistan to investigate the
18 human rights situation; and

19 (8) urges the Voice of America and Radio Lib-
20 erty to expand broadcasting to Central Asia, as
21 needed, with a focus on assuring that the peoples of
22 the region have access to unbiased news and pro-
23 grams that support respect for human rights and
24 the establishment of democracy and the rule of law.

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