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Tazhin Says Kazakhstan on Track with Democratic Reforms, Ready to Lead OSCE



Kazakhstan's Foreign Minister Dr. Marat Tazhin talks to the media at the OSCE headquarters in Vienna, Austria, on April 30, 2007.

Kazakhstan's Foreign Minister Dr. Marat Tazhin addressed a special meeting of the Permanent Council of the Organization for Security and Cooperation in Europe (OSCE) in Vienna on April 30, 2007, outlining the reasons for his country's bid to chair the OSCE in 2009, the reforms in the political area Kazakhstan is pursuing and the priorities it will focus on if elected chairman.

Kazakhstan's candidacy was originally put forward in 2003. Later, the 12-nation Commonwealth of Independent States made Kazakhstan its joint candidate for 2009. In December 2006, the OSCE decided to postpone its decision on the 2009 chairmanship until the end of 2007 to give Kazakhstan more time to follow through on its political reforms.

Minister Tazhin's excerpted speech follows.

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The 30th of January marked fifteen years since Kazakhstan joined the OSCE together with other newly independent states.

At the dawn of its independence Kazakhstan required assistance of global powers and major international organizations, including the OSCE. The international community was keen to see Kazakhstan conducting a constructive foreign policy as we inherited the 4th largest nuclear arsenal in the world. Therefore, we have made a conscious choice for the balanced approaches in foreign and domestic policy. The strategy of multilateral partnership and liberalization of our society were at their core.

"Democracy", as Sir Winston Churchill used to say, "is the worst form of government except all the others that have been tried".

With this in mind, we were pinning high hopes on the dialog platform of the OSCE unique in its geographical outreach. That was precisely why the invitation to join the Organization, made by the West, was perceived in Kazakhstan as a step towards the formation of a new architecture of European security driven by equal rights and absence of dividing lines.

1. Our vision for the OSCE

In the same way as Kazakhstan in the beginning of the 1990s, our Organization faces a difficult task today: to choose an adequate route of evolutionary development and institutional self-identification.

The new century has brought new threats and enlargement of zones of instability. Globalization is drastically changing the familiar face of the world and is speeding up the unfolding processes. New structures emerge as well as modernized architectonics of the Eurasian security. In this regard the buildup of the Organization's effectiveness is becoming a priority.

Will the OSCE be able to restructure itself and become an updated equal-dialog platform bridging the Euro-Atlantic and the Eurasian space, and, ultimately, will it be able to preserve its uniqueness in the new dimension?

The notion of European security in its pure essence as of 30-40 years ago does not exist anymore. We are observing a growing interaction and interdependence of Asian and European trends in the global politics. The enlargement of the European Union has made us closer geographically and the EU Strategy on Central Asia, which is being elaborated, geopolitically.

Which place should the OSCE occupy in the updated agenda taking into account the revival of the old multilateral structures and emergence of the new ones in Eurasia that are quite successful in ensuring security and broadening cooperation? These are the issues that preordained the emergence of our Organization. Is the OSCE ready to consider the new risks? Does it retain its relevance at the current stage of development? Does it have the ability to fit into the new context of the Eurasian security?

The OSCE response to criticism speaks of its viability. We think our Organization with its broad geographical outreach, comprehensive approach to security issues and equality of participants, realized through the principle of consensus, is, undoubtedly, in demand.

We believe the Organization can continue to play an important and useful role of a dialogue platform, thus helping to verify and harmonize our positions, to work out collective decisions. Once again it must become a viable mechanism for the implementation of the universal international law instruments at the regional level in such spheres as maintenance of the politico-military security, conflict prevention, crisis management and post-conflict rehabilitation, economic and environmental cooperation, protection of human rights and democratization.

Our common task is to make the Organization strong and effective vis-à-vis the growing number of threats and challenges on its entire space.

2. Reasons and motives of our bid for the Chairmanship

I am confident that the right of a participating state to chair the OSCE is an important milestone in increasing its effectiveness. The right precisely, not the privilege. I would like to share my thoughts regarding the reasons why we hope to achieve consensus of the OSCE participating states on our bid for 2009.

Kazakhstan's initiative was first made public at the Permanent Council in the beginning of 2003. The decision to put our candidacy forward to this important post had been preceded by a period of thorough consideration, evaluation of all pros and cons, analysis of our own strengths and abilities to assume the political leadership of the Organization.

This step is not a sign of our excessive ambitions and not the goal in its own end. We consider it a logical step of the 16 year period of independent political and economic development of our country.

The issue of Kazakhstan's chairmanship in the OSCE in 2009 is becoming a truly historical maturity test both for the participating states and the Organization itself.

Kazakhstan's OSCE chairmanship bid is an important element of our conceptual vision of a secure world. It stems from the address by President Nursultan Nazarbayev made way back at the OSCE 1996 Lisbon Summit, when a vision of possible resolution of the regional stability problems was proposed on the common platform without dividing lines and block contradictions with the key role of the OSCE.

Kazakhstan's experience in successful conduct of inter-ethnic and inter-religious accord policy, where the principles of tolerant society are being realized in practice, is a model for other countries to follow.

As the OSCE Chair, Kazakhstan would like to focus on the issues of stability and security maintenance, strengthening of tolerance and non-discrimination, and the fight against international terrorism.

Kazakhstan has indeed proved its commitment to peace and security, unconditionally opting for the nuclear disarmament. Many of our OSCE partners were helpful in this process. This unique experience should be used.

A particular priority for Kazakhstan, countries of Central Asia and, I am confident, for the entire OSCE community alike, is the fight against international terrorism and religious extremism. Proximity to Afghanistan has turned our region into the OSCE's outpost, which confronts the acute security challenges and threats. Central Asia has long ceased to be the peripheral zone of global politics. Any process in the region has a direct effect on the situation in the entire Eurasian space. Our Organization has to keep its hand on the pulse of not just the Euro-Atlantic space but that of the Central Asia as well. Alternatively, the emerging vacuum, in the conditions of uneven stability in the region, will immediately be filled with other powerful trends.

It is evident today that to regain the prestige of the OSCE in Central Asia considerable systemic efforts are needed. This should become the priority not only for future chairmanships but for the current agenda as well. I urge the OSCE community to seriously consider this.

The problems of economic and environmental security are also getting more and more acute for the countries of our region.

The development of Eurasian continental transit-transport corridors has an important meaning. A good foundation for that was provided by the Almaty Action Plan on Transit Transport Cooperation.

Kazakhstan supports and intends to further develop such priorities of the Spanish chairmanship as rational and effective water management, and fight against land degradation and soil contamination.

While focusing our attention on the needs of Central Asia we stand ready to co-finance certain non-budgetary OSCE projects which are of high importance for our neighbors. Kazakhstan has already been actively supporting the states of the region as well as Afghanistan on the bilateral basis. For instance, Kazakhstan has pledged 100 million US dollars as financial aid to Kyrgyzstan. At the same time we are convinced that directing the donor aid flow under the OSCE project activities would promote greater engagement of Central Asia in the OSCE.

We need to remind ourselves that despite the transit stage complications, all Central Asian states accomplished their statehood. The surrounding areas of development, however, offer various and competing basic values' systems. Rendering one of the states of Central Asia with the post of the OSCE Chair will be a powerful stimulus for their political elites as well as the symbol of the regional states' heading towards further liberalization and openness of their political and economic systems.

Kazakhstan is the first amongst the newly independent states to put forward its candidacy to the OSCE Chairmanship – and the positive outcome of our bid will reconfirm the principle of justice and equality of all participating states, and further strengthen the authority of the Organization on the entire space of its responsibility.

From the formal point of view there are no obstacles for Kazakhstan to chair the Organization whatsoever. This is a commonly known fact that requires neither proof nor additional arguments. Naturally, chairing the OSCE would further promote the development of our political system, which in fact corresponds to our own inner intentions aimed at the systemic reforms of the society and political life in the direction of their further democratization.

As we have stressed before, for us the Chairmanship in the Organization is not an end in itself but has already become a powerful catalyst of the reform process, an additional confirmation of the rightly chosen path of further liberalization and openness. Positive outcome of our bid might have a multiplicative effect for the complex modernization of our country and the region as a whole.

3. Our concrete actions

Now in more details about our concrete steps in perfecting the political system. We often hear from our partners that they would like to see the concrete results and not the plans. Everyone knows that “the

devil hides in the details.” Today I will inform you about our results whilst highlighting the most important directions of further development at the same time.

In his recent annual address to the nation the President of Kazakhstan His Excellency Nursultan Nazarbayev has summed up the results of the nationwide dialogue on the development of the most effective ways of democratic reforms, which lasted for the past few years within the framework of various structures.

Last year the Concept of Civil Society Development in Kazakhstan was approved by the presidential decree and the Nationwide Program of Democratic Reforms was adopted.

In order to carry out the systemic political reform legislation the Government has approved the Action Plan on Deepening the Democratic Reforms.

The State Commission on Democratization chaired by the President, developed a number of specific proposals, including amendments to the Constitution. In general terms, the forthcoming constitutional reform will be aimed at considerable increase of the role of Parliament, expansion of its powers in formation of the Government, the Constitutional Council, Counting Committee, qualitative strengthening of the parliamentary control over the budget. At present a group of prominent legal experts commenced the drafting of these recommendations. They will be realized within the current year.

With regard to local governance we are further decentralizing the state management and transfer the power as much as possible to elected local assemblies (maslikhats). For these purposes the draft law “On local government” has been elaborated to create the legal basis for the strengthening of local authorities. The State Program on Support for the Development of Local Governance in Kazakhstan for 2007-2009 was adopted. Last year saw the elections of local executive authorities’ heads taking place in rural areas and cities of regional status, which became a vivid example of active introduction of local governance principles in Kazakhstan.

Significant strengthening of political parties’ role in public life and expansion of their factions’ influence and power in the Parliament represent an important direction of political reforming. To this end, amendments to the laws “On Parliament and status of members of Parliament” and “On parliamentary committees and commissions” are being drafted. Simultaneously the issue of state financing of the activity of political parties, whose representatives were elected to the Parliament, is being considered.

Concrete systemic measures in various spheres of humanitarian dimension have been both undertaken already and worked out for the future. Civil control over law-enforcement and military structures is growing. Our Ministry of Defense is now being headed by the first civilian minister following the trend set earlier by the Ministry of Interior.

I would like to draw your particular attention to concrete improvements introduced since the beginning of this year.

1. The amendments of the mass media legislation, worked out by the journalistic community of Kazakhstan itself, were submitted to the Parliament.

2. The jury trials began in Kazakhstan starting from January 1.

3. In order to increase the competitiveness of litigation and its transparency, independence from other branches of power, the draft of amendments to the Constitutional law “On judicial system and the status of judges” has been submitted to the Parliament.

4. The draft law introducing the mechanism of judicial authorization of arrest has been worked out already.

5. In few days Kazakhstan will formally join the statement on abolition of the death penalty initiated by the European Union and presented at the United Nations General Assembly at the end of last year.

6. A construction of special facility for life-term prisoners according to the international standards has started in Kazakhstan in the context of preparation for full abolition of the death penalty.

7. In connection with discussions concerning American NGOs' activity in Kazakhstan, we have elaborated and forwarded to the U.S. side a draft Memorandum of Understanding on assistance in democracy promoting programs.

8. The Parliament is currently debating the law eliminating a number of discriminatory norms in the criminal procedure code.

9. The Central Election Commission has initiated a package of amendments made on the basis of ODIHR/OSCE recommendations.

I would like to particularly stress the importance of the annual Address of the President to the people of Kazakhstan "New Kazakhstan in a New World" and its goal of achieving greater competitiveness of the country. The head of state has underlined this notion includes both the economic segment and the modernization of the political sphere and the system of social affairs.

For this purpose Kazakhstan has launched the mechanism of permanent monitoring of internal legislation's conformity with our international obligations. We are closely monitoring the trends which can worsen the situation with human rights and freedoms, and we undertake preemptive measures to ensure this from happening.

1. The draft law proposing penalty strengthening for unauthorized meetings and expanding the field of application of special means for the suppression of such assemblies was withdrawn from the Parliament on the April 13.

2. On the same day the draft law strengthening the penalty for defamation and violence was also withdrawn from the Parliament.

3. We decided to stop the drafting of the bill regulating printing activity which could have created a much more rigid field in this sphere.

4. The Ministry of Justice had initiated the draft law on issues of freedom of worship and religious associations. However, we have decided the proposed amendments require additional review to exclude excessive penalties and demand public examination.

The general line of reforms and our concrete steps touch upon such important spheres as strengthening the Parliament's role, perfection of local self-governance, improvement of the electoral legislation and practice, freedom of the media, NGOs. I would like to emphasize the efforts on maintenance of the personal rights, freedoms and security of citizens as this issue is a key one in the human dimension.

The aforementioned fundamental decision regarding judicial authorization of arrest implements the existing constitutional norm.

In order to improve the judicial system, we are monitoring court hearings in Kazakhstan together with the ODIHR. The results of this and other research of the Bureau have not revealed systemic discrepancies of Kazakhstan's judicial legislation with international norms. Moreover, with a view of ensuring the conformity with high OSCE criteria we have initiated a "follow-up mechanism" and invite ODIHR to continue the joint teamwork with judicial bodies of Kazakhstan. We propose to move away from the practices of "report made and forgotten", which breaks the spirit of monitoring. In this regard the consultations between Kazakhstan's Supreme Court and the ODIHR will start this May.

Kazakhstan persistently creates the conditions for upholding the rights of convicts and humanization of penitentiary system.

The implementation of penitentiary system reforms in Kazakhstan aims to introduce international standards in treatment of prisoners, widen the application of alternatives to imprisonment, increase the financial allocation to improve prisoners' conditions. In the last eight years number of prisoners in Kazakhstan has decreased almost in half.

In 2002, the penitentiary system was transferred from the Ministry of Interior to the Ministry of Justice. Public control over the observance of rights, freedoms and legitimate interests of convicts has been legislatively enacted later. For this purpose the special observation commissions have been

established. Subsequently, Penal Reform International has welcomed the humanization of anti-crime policy of Kazakhstan and active cooperation of penitentiary system with NGOs and the media.

In 2003, Kazakhstan has joined, and in 2005 ratified the International Covenants on Civil and Political Rights, and on Economic, Social and Cultural Rights. It is needless to speak about the importance of such a step. Currently we are working on the legal aspects of accession to two facultative protocols, which we recognize as important additional instruments to the Covenants.

Kazakhstan has joined the United Nations' Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others. Besides, this May the internal mechanism of accession to a number of international conventions in the field of slavery abolition will start. Interdepartmental group on struggle against trafficking in people was created, the special Governmental Program was adopted to implement the entire complex of measures in the given sphere.

Special attention is given to strengthening the role of NGOs. The relations between the state and the nongovernmental sector reach a new level of partnership – where a portion of state functions in social sphere is transferred to NGOs within the framework of general policy of democratization. The Coordination Council on cooperation with NGOs and the National Information Resource Center for NGOs were set up within the Government, Councils on cooperation of state bodies and NGOs are functioning in the regions.

Public experts' panel prepares necessary recommendations in the lower chamber of the Parliament (Mazhilis). Representatives of NGOs are invited to take part in the examination of draft laws concerning the human rights. Thus, according to the recommendation of NGOs, amendments and additions to the Law "On state social purchase" defining the competence of state bodies in cooperation with NGOs, are being prepared.

I also want to highlight the issues of improvement of election legislation and practice. The level and quality of cooperation between the Central Election Commission of Kazakhstan and ODIHR can be rightfully called exemplary. In the aftermath of last parliamentary and presidential elections the Bureau prepared a wide set of recommendations which were consistently implemented by within the framework of the "follow-up mechanism".

As I've mentioned before, in accordance with the ODIHR recommendations certain amendments into the electoral legislation have been drafted. In particular, the enactment of the right for registered political parties to nominate its representative with advisory voice to election commissions during preparation and conduct of election campaign is being proposed. The withdrawal of several norms that allow refusal or cancellation of candidates' registration for various reasons is also planned. The recommendation on introduction of paper confirmation of electronic voting will be realized. This list can go on for some while.

In order to fully inform about the democratic transformations taking place in Kazakhstan in various spheres we would like to organize the visits by relevant ministers and heads of departments of Kazakhstan to the OSCE Headquarters and ODIHR. Namely, the Chairmen of Supreme Court and Commission for Human Rights, Minister of Justice, Minister of Culture and Information have already expressed their readiness to visit Vienna and Warsaw.

Allow me to switch to our organizational aspects of preparation for the OSCE presidency. One of the important issues is the preparation of Kazakhstan experts for the work in the OSCE Task Force. We have selected candidates for their subsequent training at the leading specialized international educational bodies.

We take into account valuable experience of previous chairmanships while planning financial aspects of the preparation for the work within Troika and the presidency itself.

We pay particular attention to our organizational capabilities. Hosting such important international events as Summits of the Conference on Interaction and Confidence-Building Measures in Asia (CICA), the Commonwealth of Independent States (CIS), the Shanghai Cooperation Organization (SCO) and

other international organizations, Congresses of leaders of world and traditional religions, the OSCE Tolerance Implementation Meeting, present sufficient proof of our skills. This May Almaty will be the venue of the 63rd UN ESCAP, which brings together about thousand guests.

4. Conclusion

The basic development vector of our state is unconditionally directed towards democratic content. The absence of an exotic or marginal 'third way', especially in the conditions of globalization, is as evident to us as the utopia of universalistic model of democracy, applied to all walks of life. At the same time, the absoluteness of common field of democratic values has long become the subject of principal consensus in our society.

We proceed from the notion that civilizational universe is much broader and is not a conceptual obstacle to the liberal project. Simply put, forced development of democratic processes in the majority of transit societies often meets some temporary socio-historical constraints.

In our case, one of the most important factors was the preservation of inter-ethnic tolerance. Another, structurally close, but not less important factor of sustainability of Kazakhstan's society, was its multi-confessionality.

Recent resonant incidents on the religious and inter-ethnic grounds, which shook the democratic societies in the heart of Europe, with their mature mechanisms of self-regulation of such processes, vividly demonstrated the danger of underestimation of inter-ethnic, inter-religious and multi-cultural factors.

We control tempo of social restructuring in the conditions of cohabitation of more than 130 ethnic groups representing more than 40 religions in our country, and this is precisely why we have been able to avoid serious conflicts on inter-ethnic grounds.

We firmly believe the liberalization of social systems can be realized successfully only on the strong foundation of economic development.

Establishment of sustainable market system in our starting conditions could have been realized only on the basis of economic modernization, therefore, again, in the conditions of adequate degree of power consolidation for formation of self-developing market infrastructure. And we have succeeded in that.

High speed of economic growth, reach resource base, considerable energy potential, the middle class backbone that has been formed, developed human capital and the civil society groundwork that has been laid allow us to look into the future with confidence.

Of course, due to the transit state of our society we still have some drawbacks, but who among us is that without a sin...? The main thing is – we are moving forward and firmly intend to continue to do so in the future.

I would like to mention a few other points, which can help in adequate understanding of our initiative and positive impulses which accompany it.

Active processes are unfolding on the Asian part of our organization, which assist stability and security strengthening in the region. We are talking about the activity of such institutions as the SCO and CICA which are instrumental in combating modern threats and challenges.

Regretfully, some of our European partners in the OSCE do not have detailed information about the activities of these structures, which are quite efficient in addressing the issues of cooperation and security. It would be beneficial to unite the efforts of the OSCE, SCO and CICA in solving problems of modern times in the entire Eurasia. The same can apply to the integration structures within CIS. Kazakhstan, chairing the OSCE, would be able to do everything necessary for the practical implementation of this idea into life.

Kazakhstan's bid for the OSCE chairmanship is the statement of the consensus in the society. Many participants of the political processes in the country are interested in this, including a part of Kazakhstan opposition, which has underlined the positive effect of the approval of our bid.

Kazakhstan's chairmanship will promote the principles of democratization of international relations, just world order and multi-polarity, the development of political pluralism, cultural diversity and universal panhuman values throughout the OSCE region.

We have firmly outlined our own 'road-map' following which we will consistently self-perfect and ensure the sustainable development of our society.

We are grateful to all the states that have supported Kazakhstan in our striving to improve both ourselves and our Organization. Once again I would like to ask our opponents and those 'in doubt' to listen to all the arguments, which have been presented today, and to make the right choice.

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