

## The EU and Uzbekistan: Where to go from here?

Michael Hall

### Introduction

In 2005, following the suppression of the Andijon uprising, the European Union, alone among world powers, took a necessary and principled stance towards the regime of Uzbekistan's President Islam Karimov. A visa ban was imposed on officials believed to be involved in the indiscriminate killing of mostly unarmed civilians, an embargo was placed on arms shipments to Uzbekistan and high-level bilateral relations were frozen. Now, almost two years later, the strain in relations appears to be taking its toll on both sides. The Uzbek government has made tentative overtures to the EU, and there are indications that some in the EU are willing to accept such overtures at face value in the rush to normalise relations, often citing security and energy concerns, as well as 'progress' in the sphere of human rights. Unfortunately, arguments that Uzbekistan can meaningfully contribute to European security – of any kind – and that the Karimov regime is willing to reform do not stand up to closer examination. While it is to be welcomed that Germany chose to make Central Asia a foreign policy priority during its Presidency of the EU in the first half of 2007, any normalisation of relations must be contingent not on promises or cosmetic changes from Uzbekistan, but on concrete measures taken to improve the lives of its citizens. To accept anything less would be to commit a grave disservice to ordinary citizens, and would be devastating to the EU's credibility.

### Human Rights Dialogue with Uzbekistan Likely to be Dead-end

As part of its efforts to improve its image in the EU, Uzbekistan in November 2006 agreed in principle to begin a 'dialogue' with the EU on human rights, an agreement that has yet to yield any concrete results. Even as both sides talk of 'dialogue', the relentless persecution of human rights activists, independent journalists and opposition supporters – both within the country and abroad – continues. As an illustration, let us recount three recent cases.

- **Umida Niyazova.** An independent human rights activist who had previously worked for a number of international organisations, Niyazova, a 32-year-old single mother, was stopped by customs officials in December 2006 at Tashkent's airport while returning from Bishkek, Kyrgyzstan, where she was a trainee at the OSCE Academy. Customs officials confiscated her laptop computer, on which, they subsequently claimed, they had discovered "extremist materials." Niyazova left Uzbekistan for Kyrgyzstan, where she sought political asylum, but then returned to Uzbekistan in January 2007, having been told that the charges were dropped. She was immediately arrested and held incognito for several days in Andijon before being returned to Tashkent, where she was charged with the smuggling of contraband, distribution of extremist materials and illegal border crossing. After a closed two-day trial, on 1 May 2007, Niyazova was convicted on all counts and sentenced to seven years in prison. Following an international outcry, her sentence was changed to a three-year suspended sentence; the price for her freedom was Niyazova's public repentance and a denunciation of the activities of international human rights organisations such as Human Rights Watch.
- **Isroil Kholdorov.** A leader of the banned opposition movement Erk ("Will") in Andijon, Kholdorov, 57, fled to Kyrgyzstan following the 2005 uprising and sought political asylum there. He continued his public denunciations of the Karimov regime, and is believed to have been kidnapped by Uzbek security agents and forcibly returned to Uzbekistan. On 19 February 2007, he was sentenced to six years in prison for, among other things, establishing an illegal group, illegal border crossing and the distribution of extremist materials.

Michael Hall is the Central Asia Project Director at the International Crisis Group (ICG) in Kyrgyzstan.

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- **Gulbahor Turayeva.** A doctor and NGO activist from Andijon, Turayeva, 40, was an eyewitness to the slaughter in Andijon and had repeatedly challenged the Uzbek government's version of events. In January 2007, she was arrested while crossing the border from Kyrgyzstan, bringing with her materials published by the banned opposition movement Erk ("Will"). She was sentenced to six years in prison in April 2007 for slander, distributing threatening materials and infringing on the constitutional order. A further conviction for slander on 7 May resulted in a fine of roughly \$518 being added to her sentence; initial reports were that her prison sentence was also almost doubled. As was the case with Niyazova, Turayeva's sentence was commuted to a three-year suspended sentence on 12 June 2007, after she also made a humiliating public denunciation of her previous statements and of the statements of other foreign journalists regarding the Andijon events.

The release of Niyazova and Turayeva is, of course, to be welcomed. At the same time, the fact that both have been arrested and convicted means that their freedom is still at great risk. In the meantime, there are continuing concerns about the well-being of other detainees, such as human rights activist Mu'tabar Tojiboyeva, businessman and political activist Sanjar Umarov, and independent journalist (and nephew of the president) Jamshid Karimov, all of whom are believed to have been severely mistreated in detention. Tojiboyeva and Karimov have been subjected to forced psychiatric hospitalisation. And Uzbekistan's prisons remain full of thousands of other individuals unjustly arrested and imprisoned – in often extremely inhumane conditions – on a variety of politically-motivated charges.

Niyazova, Kholdorov, Tojiboyeva, Umarov, Karimov, and others like them are all victims of a regime that seems to view any independent activity – be it religious, political, economic or cultural in nature – as a potential threat. Those who dare step out of line face intimidation and harassment – including beatings by unknown assailants<sup>1</sup> – arrest on trumped-up charges, and perfunctory trials with apparently pre-determined verdicts. And persecutions are not limited to Uzbekistan itself, as Kholdorov's case indicates; since the Andijon uprising, Uzbek refugees and asylum seekers in Kazakhstan, Kyrgyzstan, Russia and Ukraine have been the victims of kidnapping and illegal deportation.<sup>2</sup>

Similarly, Tashkent has done little to address the EU's concerns about its handling of the Andijon uprising. The Uzbek government did agree to allow a group of EU experts to visit Andijon in December 2006,

<sup>1</sup> For example, human rights activists Elena Urlaeva and Vasila Inoyatova were attacked in January and February 2007, respectively.

<sup>2</sup> The Moscow-based human rights organisation 'Memorial' has been particularly diligent about tracking such cases (for more information, see their website, [www.memo.ru](http://www.memo.ru))

although the time the EU's experts were allowed to spend in Andijon and the number of people they were allowed to meet with in general were limited. There have been grudging acknowledgments from the Uzbek side that its forces may have made mistakes in their response to the uprising. And in October 2006, Andijon governor Saydullo Begaliyev was fired by Karimov himself, who stated that Begaliyev's administration, by ignoring socio-economic problems in the province, was partially to blame for the Andijon events. All encouraging signs, perhaps, but progress on this front has been stalled as well. The Uzbek government was apparently reluctant to hold any further meetings, reportedly announcing that the Andijon issue was, in their view, "closed." A second meeting was eventually held, yet also yielded no results; a planned third meeting has yet to be scheduled. In the meantime, the Karimov regime continues to insist – without offering any convincing evidence<sup>3</sup> – that the Andijon events were the work of terrorists with extensive foreign backing (including the alleged support of the US embassy in Tashkent, Western-funded NGOs and Western media outlets such as the BBC). And acknowledgments along the lines of 'mistakes were made' fall far short of allowing a full-scale, unfettered independent inquiry into the bloody events of May 2005.

It is certainly significant that Karimov pointed to socio-economic concerns in his sacking of Begaliyev. What is often overlooked, however, is that Begaliyev's style of government was the rule, not the exception. Regional administrators throughout Uzbekistan are appointed or removed at the behest of the president, and are fully aware that their political survival – and personal freedom – depend on appeasing Karimov, with little or no attention given to the needs of the local population, to whom administrators are not in any way accountable. This is particularly the case in Uzbekistan's cotton-growing regions, where local administrators are under massive pressure to see to it that government-set harvest quotas are met.

With failure to meet quotas a common reason for their dismissal, local administrators resort to whatever means they see as necessary. Large-scale forced labour with little or no compensation, physical intimidation – including beatings – of farmers who fail to deliver, seizure of land from those who try to grow other crops for subsistence or sale – all are commonplace. With more and more young men leaving impoverished rural areas to seek work in Tashkent – or leaving Uzbekistan altogether – the burden falls increasingly on the women and children left behind. As is the case with gas, the revenues from Uzbekistan's cotton fibre exports – perhaps as much as \$1 billion per year – often vanish into off-budget accounts; again, it is thought to be the

<sup>3</sup> What evidence the Uzbek government has offered has been in the form of confessions from those accused of organising or participating in the uprising. Given the widespread use of torture in Uzbekistan, evidence consisting solely of confessions must be regarded with skepticism.

Karimov regime and its security services who benefit, and not the impoverished and occasionally brutalised farmers.<sup>4</sup> While Begaliyev and others face periodic dismissal,<sup>5</sup> as long as the system itself remains fundamentally unchanged, there is little reason to expect their successors to act any differently.

In sum, the steps taken by Uzbekistan to address the concerns expressed by the international community on the Andijon events and on the human rights situation in the country have not been sufficient to justify a return to the *status quo ante*. This is not to suggest that dialogue should be abandoned, yet dialogue for its own sake will accomplish nothing. Any normalisation of relations with Uzbekistan must follow concrete steps by the government to improve the lives of its citizens and address the international community's concerns about human rights. In the past, the Uzbek government has proven willing to make the occasional token gesture in these areas when international criticism has grown inconveniently strident. Fundamental changes, however, have been utterly lacking. During the years of its close relationship with the Karimov regime, the United States constantly advocated 'dialogue' as a means to bring about such change in Uzbekistan. The Andijon events and the continuing repressions which have followed showed convincingly exactly how much the years of dialogue with Karimov had accomplished.

### Uzbekistan's Limited Potential as Energy Exporter

While the EU strategy has not yet been made public, concerns have been voiced that it may prioritise the EU's energy concerns over human security and human rights concerns in Central Asia. The EU's desire to diversify its energy suppliers is perfectly understandable. It is questionable, however, to what extent Uzbekistan can genuinely contribute to EU energy security. Uzbekistan's gas delivery network is highly inefficient, and barely able to meet the needs of its own consumers. The Russian gas giant Gazprom enjoys a virtual monopoly on the export of Uzbek gas, and given the lack of alternate routes – and

<sup>4</sup> For more information, see International Crisis Group Asia Report No. 93, *The Curse of Cotton: Central Asia's Destructive Monoculture*, 28 February 2005.

<sup>5</sup> An interesting case is that of former Jizzakh governor Ubaydullo Yomonqulov. A protégé of current Prime Minister Shavkat Mirziyoyev, Yomonqulov had a long-standing reputation for violent behaviour towards farmers who failed to meet their cotton targets. In February 2007, at a session of the local government chaired by Mirziyoyev himself, it was announced that Yomonqulov had, on his own initiative, submitted his resignation. At this point, it is impossible to say whether or not Yomonqulov's resignation was in fact voluntary – perhaps Yomonqulov's behaviour, widely reported by Uzbek human rights activists and independent journalists, had finally become an embarrassment to a regime seeking to improve its image abroad.

Uzbekistan's ever-closer relations with Moscow – this is highly unlikely to change any time soon.

What is more, the small amounts of gas that Uzbekistan exports usually come at the expense of its own citizens, who face frequent shutoffs of gas during the winter months. This has led to increasing discontent within Uzbekistan, and demonstrations provoked by interruptions in gas supply took place in many regions of the country prior to the Andijon uprising. Recently, there have been reports of renewed demonstrations, particularly in the impoverished Autonomous Republic of Qaraqalpaqistan – paradoxically, the source of much of Uzbekistan's gas.

A further question is what happens to the revenues generated by the export of Uzbek gas. As with Uzbekistan's other main export commodities, such as gold, cotton and uranium, it is believed that the lion's share of the proceeds do not in fact go into state coffers but are diverted into off-budget accounts controlled by the Karimov regime and its close allies, particularly in the repressive security services. The government has announced its intentions to improve domestic delivery and boost exports through structural reforms and new exploration, yet its own ability to implement such measures is limited, and the notoriously corrupt investment climate in Uzbekistan seems to be giving even such major players as Russia's Gazprom some pause. At any rate, whatever increased production does result will inevitably enter the Gazprom-dominated delivery system.<sup>6</sup>

In short, it does not seem likely that Uzbekistan can contribute in any meaningful way to EU energy security. What is more, the manner in which its own energy resources are exploited makes them more of a force for resentment and instability within Uzbekistan itself than a force for socioeconomic development. This may have consequences for states or companies seen as benefiting from the unfair and opaque use of energy resources. Rising public resentment against foreigners – and locals – working in the energy sector in Kazakhstan are one sign of this, and recent events in the Niger Delta show that such resentments can have very dangerous consequences over the long term.

### EU in Danger of Misreading the Situation in Uzbekistan

The idea that Uzbekistan can somehow contribute meaningfully to European energy security is one of a number of false assumptions about Uzbekistan which seem to inform much of the policy debate. One idea that simply must be abandoned is the view that Central Asian society in general – and Uzbek society in particular – is "Oriental," "traditional," and "clan-based," and therefore somehow fundamentally antagonistic to Western ideas of good governance and demo-

<sup>6</sup> For more information, see International Crisis Group Asia Report No. 133, *Central Asia's Energy Risks*, 24 May 2007.

cracy. In fact, the most stubborn resistance to the implementation of political and economic reforms comes not from the public at large but from leaders such as Karimov, who see such reforms as threatening their stranglehold on political and economic life. Stereotypes such as these serve both Karimov and those abroad who wish to maintain the status quo – or at least avoid such sensitive topics. They do a disservice to both the citizens of Uzbekistan and the credibility of the West. Even if the establishment of a fully-functioning multi-party democracy along European lines may not – at present – be a priority for the average Uzbek citizen, it is indisputable that Uzbekistan’s long-suffering population does indeed desire, at the very least, fundamental justice, fairness and accountability from those who govern them. One reason that groups such as Hizb ut-Tahrir are as widespread as they are in Central Asia is that they offer a vision of at least some kind of justice and accountability, and while the vision they offer may be at best distasteful to many in the West, to many in Central Asia – particularly in Uzbekistan – it clearly represents a preferable alternative to the status quo. When approaching Uzbekistan, the EU would do well to ask itself which version of ‘justice’ it would ultimately like to see take root in Uzbekistan – one closer to its vision, or one closer to that of Hizb ut-Tahrir. Not to stand up for the former may well lead to the strengthening of the latter.

This raises yet another false assumption about Uzbekistan’s importance to the West in general: namely, that Uzbekistan has an important role to play in the ‘global war on terror’. Although occasionally lionised by its admirers in the US as a strategic partner in the ‘war on terror’ in fact the Karimov regime, through its repressive and exploitative policies, has perhaps done more to foster the growth of radical Islamism in Uzbekistan and in the wider Central Asian region than it has to contain it. Rampant corruption, abuses of power, arbitrary arrest, the systematic use of torture, the suppression of any and all legitimate opposition movements, the evisceration of civil society, the co-opting of religious institutions and the closing down of alternative sources of information – all leave Uzbekistan’s citizens with fewer and fewer alternatives. While the current threat posed by militant Islam in Uzbekistan should not be exaggerated – as the government itself is wont to do – nonetheless there are reasons to be greatly concerned about the long-term dangers. And while none of the apparent acts of terrorism in Uzbekistan have specifically targeted European citizens or interests, terrorists around the world have demonstrated their willingness to use violence not only against their own governments, but against those states perceived as supporting them.

### The Future of the Karimov Regime

Another question the EU – and indeed, all foreign governments seeking to cultivate ties to Uzbekistan – should consider is the future of the Karimov regime. At

present, Karimov himself is in a curious legal position. According to Uzbekistan’s Constitution, Karimov’s term as president expired on 22 January 2007, seven years after his latest inauguration. Uzbekistan’s law on elections, however, states that new presidential elections can only be held in December of the year in which the president’s term expires – meaning, if the letter of the law were to be followed, that Uzbekistan would technically be without a president for eleven months. The Karimov regime, however, has proven adept at interpreting the law to suit its own ends, and, where this cannot be done, simply changing it to meet the facts. There has been some speculation that the regime will do exactly this, perhaps by holding a referendum to extend the president’s term. A second scenario posits Karimov’s stepping aside in favour of a successor, or carrying out a symbolic restructuring of government while retaining de facto power himself. At present, there is no clear sign that Karimov is planning to do either; in fact, all indications are that Karimov intends to seek re-election in December. Given the nature of the Uzbek political system, there is little doubt that, if elections are indeed held, Karimov will win easily.

Nonetheless, the issue does again raise a nagging question: who will succeed Karimov once he departs the political scene? While there has been speculation about certain individuals – including Karimov’s daughter Gulnora, National Security Service chief Rustam Inoyatov, Prime Minister Shavkat Mirziyoyev, and Moscow-based oligarch Alisher Usmonov – there is no clear ‘front-runner’ in line for succession. This is more than an academic question. The sudden death of former Turkmen President Saparmurat Niyazov is an example of how quickly and unexpectedly change can come. Despite predictions that Niyazov’s death could spark a potentially violent succession struggle, the transition in Turkmenistan has nonetheless been smooth – for the time being. It should not, however, be assumed that this would be the case in Uzbekistan as well. The people of Turkmenistan, for whatever reason, appear to have essentially made their peace with Niyazov’s style of government, and were never likely to openly challenge either his rule or that of his successor. In Uzbekistan, on the other hand, the population is many times larger than that of Turkmenistan, and anger – and even hatred – towards the Karimov regime have been steadily growing for a number of years. While Andijon sent an unambiguous message as to how serious unrest would be dealt with, the underlying tensions have not subsided. Furthermore, Uzbekistan, unlike its neighbour to the south, has an active radical Islamist underground. And Uzbekistan, unlike Turkmenistan, is home to wealthy and influential individuals outside of the regime itself, some of whom may decide to make independent bids for power once Karimov is out of the picture. In sum, there are serious reasons for concern about the prospects for profound instability, and even violence, in post-Karimov Uzbekistan. Protracted instability or violence in Uzbekistan could well have disastrous consequences for neighbouring countries.

## EU Priorities for a New Relationship with Uzbekistan

A common argument put forward by those who wish to see a rapid improvement in EU-Uzbek relations is that it is simply impossible to conceive of a Central Asian strategy that does not centre on Uzbekistan. First, there is reason to question the need for an overarching regional strategy for Central Asia, as all five countries have taken increasingly divergent paths since independence. More to the point, however, this approach may greatly exaggerate Central Asia's importance. It is true that, with over 25 million people, Uzbekistan is by far Central Asia's most populous country. On the other hand, at least as many people live in surrounding countries, countries which, to varying degrees, have generally proven more amenable to reform than Uzbekistan. Even Turkmenistan, under new President Gurbanguly Berdimuhamedov, has promised reforms which, in comparison to the increasingly repressive and megalomaniacal policies of Niyazov, far exceed anything that Uzbekistan has committed itself to – although here, too, the EU and the international community in general must be cautious not to mistake promises for action. Rather than struggling to 'engage' with a regime that for years has stubbornly resisted international appeals for reform, a more productive approach may be to increase engagement and assistance to those regimes taking genuine steps towards improving the lives of their citizens.

Also of concern is Uzbekistan's ability to make life difficult for neighbouring countries, particularly Kyrgyzstan and Tajikistan. While Uzbekistan's post-Andijon rapprochement with Russia has led to its re-entry into Kremlin-backed regional integration schemes, such as the Eurasian Economic Community (EurAsEC) and the Collective Security Treaty Organisation (CSTO), this has yet to translate into better bilateral relations with other member states. Kyrgyzstan has faced serious political pressure from Tashkent in retaliation for its granting of political asylum to Uzbek refugees in the past; consequently, Bishkek has been increasingly reluctant to do so, and those seeking refuge from persecution in Uzbekistan now face increasing difficulties finding safety. Only recently, and very reluctantly, has Tashkent agreed to allow visa-free travel for Kyrgyz citizens, a condition of EurAsEC membership. Tajikistan's relations with Uzbekistan, never particularly warm to begin with, have sunk to an all-time low, with the two countries trading accusations of espionage and harbouring insurgents. Tashkent has also apparently been seeking to draw Russian attention – and investment – away from Tajikistan. Visa requirements for Tajik citizens remain in place. The fact that both Kyrgyzstan and Tajikistan are dependent on Uzbekistan for their gas supplies gives Tashkent increased leverage over both. As long as Tashkent feels that its ability to exert pressure on its neighbours is unchecked, no amount of 'dialogue' or 'engagement' is likely to dissuade it from doing so. To

counteract this, any EU strategy for Central Asia should include plans to strengthen the infrastructural and energy independence of Kyrgyzstan and Tajikistan vis-à-vis Uzbekistan and promoting greater cooperation between these two countries and Kazakhstan, which is rapidly emerging as the region's economic locomotive.

Those who argue for such approaches have on occasion been accused of seeking to 'isolate' Uzbekistan. Nothing could be farther from the truth. The aim of such a policy would not be to isolate Uzbekistan, but rather to reward those governments that demonstrate the political will to make positive changes. It should be made very clear to the Uzbek government that improved relations with and greater assistance from the EU are available – provided the Uzbek government takes the first steps toward serious reform. Such measures should include:

- ceasing all persecution of human rights activists, independent journalists and supporters of political opposition movements;
- granting access by the International Committee of the Red Cross (ICRC) to all those in places of detention, and in particular to political detainees;
- ending the use of forced labour during the cotton harvest (a practice that even violates Uzbekistan's own laws); and
- allowing a full and unhindered independent investigation of the Andijon uprising by an independent rapporteur, including access to returned refugees and those in detention.

Measures such as these must be regarded only as starting points for a resumption of high-level bilateral dialogue between the EU and Uzbekistan. Given the nature of the Karimov regime, however, even such steps as these are highly unlikely. Still, to make even symbolic concessions to Tashkent in return for the purely cosmetic changes that have so far been proffered by the Uzbek side<sup>7</sup> would send the wrong message entirely.

In sum, it is difficult to see how the Karimov regime can in any meaningful way contribute to the EU's energy, security, or human rights objectives – however these may ultimately be defined – in Central Asia. While the normalisation of relations must remain the ultimate goal, it must also be made clear that the requirements for such a normalisation lie entirely with the Uzbek side. In the meantime, engagement with and assistance to those countries that have demonstrated at least genuine commitment to reform and to improving the lives of their citizens should be enhanced. It is to be welcomed that the EU plans to expand its on-the-ground diplomatic presence in Central Asia; to do so in

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<sup>7</sup> Among these is a much-touted law which would grant a greater role to political parties in parliament in naming the prime minister. In Uzbekistan's rubber-stamp parliament, however, where no genuine opposition parties are allowed, such a change means little.

Uzbekistan may still be premature. What engagement there is should be only part of the EU's multilateral relations with the Central Asian region as a whole, and should be kept only at the level necessary to maintain EU-sponsored projects in Uzbekistan aimed at improving the lives of ordinary Uzbek citizens.

To say that Europe's sanctions against Uzbekistan "are not working" is a gross oversimplification. True, the economic impact of such measures is negligible. But their symbolic importance simply cannot be overlooked. For one thing, the EU's firm and unyielding position vis-à-vis Uzbekistan will send a strong message to other countries in the region: namely, that massive human rights abuses such as the Andijon massacre will have consequences for those who commit them. On this front, the EU has done much to undermine its own credibility – Germany's granting of a visa to Uzbekistan's then Interior Minister Zokirjon Almatov, despite his presence on the travel ban list, was a serious blow – and to relax the sanctions regime now without signs of concrete progress from Uzbekistan would be disastrous. At a time when revelations about the abuse of detainees at Baghram, Abu Ghraib and Guantánamo have done serious harm to the credibility of the US on human rights, the importance of the EU taking a strong stance on human rights becomes paramount.

As far as Uzbekistan is concerned, there too the symbolic impact of the sanctions should not be underestimated. Put simply, Karimov does not wish to be a pariah. While major powers such as Russia and China seem willing to strengthen their ties with Uzbekistan without asking awkward questions about political and economic reform or human rights, it is questionable how comfortable Karimov truly is with the current state of Uzbekistan's international relations; his long-standing mistrust of Russia, at any rate, is well known, and suspicion towards China has deep roots in the post-Soviet states, the Shanghai Cooperation Organisation notwithstanding. The current state of (relative) isolation from the West is probably not entirely pleasing to Karimov, who is too savvy a politician not to want a greater degree of balance in his international relations. This can only enhance the effect of Europe's sanctions. It seems plausible that the fumbling, at best half-hearted attempts by the Karimov regime to improve its image in the West are an indication of how much the current freeze in relations rankles in Tashkent. Tashkent needs Brussels far more than Brussels needs Tashkent. In the current diplomatic standoff, it must be Tashkent that blinks first.

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