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From Interethnic Harmony to National Unity? Nationalities Policy and the Situation of National Minorities in Kazakhstan

With the collapse of the Soviet Union in 1991, five new states were created in Central Asia, all of which were highly multiethnic. None more so than the Republic of Kazakhstan, whose population of 16.5 million was made up of 130 nationalities, according to official figures. Kazakhs made up only 40 per cent of the population, 38 per cent of which were Russians, followed by Germans (six per cent), Ukrainians (five per cent), Uzbeks and Tatars (each two per cent), and Uyghurs (one per cent). The further 120 nationalities made up a total of only six per cent.[1] Kazakhstan was thus the only one of the successor states of the Soviet Union where the eponymous ethnicity did not make up an absolute majority of the population. This situation, and above all the high proportion of Russians, most of whom lived in the north near the Siberian border, appeared to ask questions of both the internal stability and the external integrity of the young state, and attracted a great deal of attention to this topic. To the extent that these fears were not realized, it fell out of the focus of both politics and the media. Nor did the situation of national minorities play a role in the debate over Kazakhstan's prospective OSCE Chairmanship, which – quite rightly – focused strongly on Kazakhstan's democratic deficits and shortfalls in the rule of law. But of course that does not mean that the situation of Kazakhstan's national minorities is seen as entirely free of conflict and not in need of improvements in a number of areas. For instance, after visiting Kazakhstan in September 2009, the OSCE High Commissioner on National Minorities (HCNM) stressed the achievements of the Kazakhstani leadership in the area of nationalities policy while calling for further efforts to encourage the participation of national minorities in public life.[2] The UN has also noted that Kazakhstan still has "room for improvement" in the area of national minorities.[3] The following account will show that this improvement needs to go hand in hand with the elimination of Kazakhstan's democratic deficits.

1 Numbers taken from the last Soviet census, 1989.

2 Cf. High Commissioner on National Minorities, Press Release, *OSCE High Commissioner discusses minority participation, education during visit in Kazakhstan*, Shymkent, Kazakhstan, 23 September 2009, at: http://www.osce.org/hcnm/51345.

3 UNHCR, Refworld, *Kazakhstan has 'room for improvement' on minority issues – UN rights expert*, 15 July 2009, at: http://www.unhcr.org/refworld/country,,,,KAZ,4562d8cf2,4a8a732c19,0.html.

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From Harmony to Unity? An Overview

In the years immediately following independence up until 1995, the policy of Kazakhstan's leadership was resolutely Kazakh-centric. In the country's first constitution, the new state was explicitly designated the state of the Kazakhs, and Kazakh culture was identified as a factor for the integration of all inhabitants of Kazakhstan. Given that most non-Kazakhs did not speak the Kazakh language, the plan to make Kazakh the only state language had the character of a threat. The intensification of interest in Kazakh history, the replacement of monuments to Soviet heroes with statues of prominent Kazakhs, and the renaming of towns and streets in Kazakh appeared to non-Kazakhs less as matters of turning away from the Soviet past than Kazakhization and the exclusion of non-Kazakhs. At the same time, huge numbers of people began emigrating. Between 1989 and 1999, around 1.5 million Russians left Kazakhstan (along with 328,000 Ukrainians, 66,000 Belarusians, and 593,000 Germans). Back then, the high rate of emigration was presented as evidence of an intolerant policy of Kazakhization. It is now assumed that the causes were rather economic, alongside a general fear of what the future might bring and a shifting of populations caused by the collapse of the Soviet Union.

From the mid-90s, there was a shift from a focus on that which is specifically Kazakh to "harmony between nationalities". Kazakhstan was portrayed as less the country of the Kazakhs and more "our common home". Consequently, the relevant provisions of the independent Kazakhstan's second constitution, which was adopted in 1995, were more moderate than those of its predecessor (see below). This constitution, however, also marked the change from a parliamentary to a presidential system of government – one that has since become in effect an authoritarian regime. And this in turn was legitimized by reference to problems in relations between nationalities, which were said to require firm leadership and the curtailment of democratic freedoms. President Nursultan Nazarbaev presented himself as the protector of the national minorities. Claims that they risked endangering the peace between nationalities were used to silence opposition politicians and restrict press freedom. Following the economic downswing of the early 1990s, Kazakhstan experienced an upturn – a boom in some regards – that lasted until 2008 and brought benefits to the population, which, though they were not shared out equally, were also not divided along national lines.

The issue of Kazakhstan's nationalities has dropped off the radar somewhat since roughly the turn of the millennium. While language programmes have been launched and legislation occasionally passed, they have never aroused the same level of interest or had the same potential for conflict that there was in the nineties. The wave of emigration came to an end; those who remained either wanted to stay or had no choice. However, in the autumn of 2009, immediately before the start of Kazakhstan's OSCE chairmanship, President Nazarbayev believed the time had come to announce a new

level of coexistence between the peoples of Kazakhstan, namely their unity as a single nation.

The concept of "national minorities" is not in official use in Kazakhstan. Instead, official sources refer to "nationalities", though this term is not applied to Kazakhs *or* Russians, who make up separate categories. Here the two terms will be used interchangeably, and the situation of the Russians will be considered alongside those of the other non-Kazakh ethnic groups. In any case, "other nationalities" is merely an artificial grouping, which does not reflect the existence of any shared consciousness. There are clearly too many differences in terms of origin, culture, and current living conditions between individuals living in Kazakhstan but belonging to peoples mostly settled in neighbouring states (Uzbeks, Kyrgyz, Turkmen, Uyghurs) and nationalities forcibly deported to Kazakhstan by Stalin (Caucasians, Germans, Crimean Tatars, and Koreans); nationalities that are primarily rural and those that live mostly in cities; groups that have maintained their cultural identity and language and those such as Koreans, who have become heavily Russified and tend to focus on education and social advancement, or the economically successful Chechens. In addition, many nationalities live in strong local or regional concentrations. The nineties emigration wave also served to strengthen these divisions. Germans, Poles, and Jews were able to leave for their historical "homelands". Not only Chechens and Uyghurs, but also Koreans appeared to have neither the desire to do this, nor were they encouraged to do so. The lack of a shared consciousness also prevented the various nationalities from making a common front; and even within each nationality, only a minority has tended to organize to act in the interest of the nationality. The latter is also true of the Russians[4] – and the Kazakhs themselves. Nor was the potential for conflict between the last two groups ever as high as had originally been assumed, and the sense of disadvantage was never strong enough to lead to mass mobilization. There are of course also social, cultural, and economic differences within each national group, and especially among the Kazakhs. These have frequently outweighed national identity and continue to do so. For these reasons, the nationalities problem has never been as explosive as the Kazakhstani leadership has claimed and Western observers have feared.

Opportunities for Representation

Already in the early nineties, representatives of many national minorities established so-called "national cultural centres" for the revival of their specific

4 On the situation of the Russians, see Sebastien Peyrouse, *The Russian Minority in Central Asia: Migration, Politics and Language*, Kennan Institute/Woodrow Wilson International Center for Scholars, Occasional Paper 297, Washington, DC, 2008, at: http://wilsoncenter.org/topics/pubs/OP297.pdf.

cultures and traditions and the preservation of their national languages. Their activities are therefore apolitical. The various cultural centres send delegates to represent their "national interests" to dedicated state institutions, known as "Assemblies of the Peoples" at the regional level, which, in turn, nominate representatives to attend the national "Assembly of the Peoples (now simply "People") of Kazakhstan". Presidential approval is necessary for admission to the Assembly. The Assembly of the People of Kazakhstan, which was founded in March 1995 and consists of several hundred delegates, has no genuine power of its own but is intended to act as a body for the discussion and co-ordination of nationalities-related questions and measures and the promotion of friendly relations among the nationalities.[5] In the 15 years of its existence, the Assembly has never acted as an advocate for the interests of Kazakhstan's nationalities but has rather played the part of a stage for the national leadership to announce nationalities policy decisions and successes.

Political parties are not in a position to fill this gap. Understandably, given the make-up of the population, the establishment of parties on racial, national, ethnic, or religious lines is banned, and parties of this kind will be refused the necessary state registration. Among currently registered parties, differences in terms of nationalities policy can naturally be observed. These range from the Communist Party, which continues to preach proletarian internationalism, to parties that call for a stronger role for either Kazakhs or Russians. No party has a truly comprehensive nationalities programme. Of greater significance, however, is the fact that parties per se effectively have no significance in political life. They have no core or popular support, and, under current political conditions, no chance of exercising political influence.

That is also true of the parliament, which has few opportunities to exercise influence under Kazakhstan's presidential system. Moreover, in the most recent elections, which were held in the summer of 2007, all the available seats in the lower house of parliament, the *Mazhilis*, were won by President Nazarbayev's Nur Otan party. The mix of nationalities in the lower house is more extensive than the political variety. One reason for this is that, in 2007, the Assembly of the Peoples received the right to nominate nine of its members to sit in parliament. The Uyghur, Ukrainian, Russian, Belarusian, Kazakh, Uzbek, German, and Balkarian nationalities are all represented at present. A number of other delegates can also be identified as non-Kazakh (Russian, Ukrainian, German, Uzbek, Caucasian, and Uyghur).[6] However, that only applies to 27 of the 107 members of the Mazhilis.[7] In the indirectly

5 Cf. Official Website of the Assembly of the People of Kazakhstan, at: http://www.assembly.kz/assambleya.html.

6 Cf. Mazhilis of the Parliament of the Republic of Kazakhstan, Sostav i struktura Mazhilisa [Composition and Structure of the Mazhilis], *Deputati Mazhilisa* [Deputies of the Mazhilis], at: http://www.parlam.kz/Deputies.aspx?proc=1&page=2&lan=ru-RU.

7 Cf. UNHCR, Refworld, *2009 Country Reports on Human Rights Practices – Kazakhstan*, 11 March 2010, at: http://www.unhcr.org/refworld/country,,,,KAZ,4562d8cf2,4b9e52e6a3,0.html.

elected 47-member Senate,[8] there are nine non-Kazakh members.[9] The appointment of delegates to the Mazhilis by the Assembly of the People without a direct democratic mandate has been criticized by many,[10] to which the Kazakhstani leadership responds that proportional representation at national level is guaranteed and the delegates are intended to represent all minorities.[11] This shows starkly the problem of balance between minority protection and undemocratic intervention. Under the given political conditions, the representation provided by non-Kazakh parliamentarians is less an opportunity for advancing the interests of the national minorities than it is for the advancement of the representatives themselves.

In sum, it is necessary to recognize that the opportunities for advocacy of the interests of the national minorities are extremely limited, but that this is less a result of deliberate hurdles put in place by nationalities policy than because current political conditions make both political activity and the representation of national interests almost impossible per se. It is telling that the fiercest critics of the President's nationalities policy so far have not been Russian nationalists but ethnic Kazakh members of the opposition, who have not called for Kazakhization, but rather for an approach to the problem based on the rule of law and democratic principles.

The Gap between Theory and Practice

Kazakhstan's 1995 constitution, which, with a number of amendments, has remained in force to the present day, includes a commitment to respect for human rights (Article 12), forbids discrimination on the basis of factors including race, nationality, language, and religion (Article 14), and explicitly proclaims the right of citizens to use their native languages, to preserve their culture, and to freely choose their language of "communication, education, instruction and creative activities" (Article 19). Nonetheless, the constitution establishes Kazakh as the official state language, and grants Russian equal status in state institutions and local government bodies (Article 7). The state commits itself to promoting the development of minority languages (Article 7). The president is understandably required to have a "perfect command" of the state language (Article 41.2). The only aspect of the constitution that may provoke criticism is the preamble, which, while it does not speak of the Kazakh people but rather the people of Kazakhstan, does refer to them as "united

8 Cf. Senate of the Parliament of the Republic of Kazakhstan, Sostav i struktura Senata [Composition and Structure of the Senate], *Deputati Senata* [Senators], at: http://www.parlam.kz/Deputies.aspx?proc=1&page=1&lan=ru-RU.

9 Cf. UNHCR, cited above (Note 7).

10 See, for example, *OSCE High Commissioner discusses minority participation, education during visit in Kazakhstan*, cited above (Note 2).

11 See, for instance, the *National Human Rights Action Plan of the Republic of Kazakhstan 2009-2012*, p. 120, at: http://www.kazakhstanlive.com/Documents/National Plan of Action_E.pdf.

by a common historic fate, creating a state on the indigenous Kazakh land", thereby elevating the Kazakhs to the role of first among equals.

There is no government committee for nationalities questions and no law designed to secure the rights of national minorities. Problems relating to national minorities are the remit of the National Human Rights Ombudsman of Kazakhstan and the Human Rights Commission.

Kazakhstan is a signatory of practically all the international treaties relevant to protecting the status of national minorities. The government also cites the low number of court cases concerning alleged discrimination on the basis of nationality as evidence of the positive situation of ethnic minorities in the country. Human rights experts, on the other hand, consider this to be evidence of legislative shortfalls and problems with the legal system. To cite the most recent UNHCR human rights report: "The government continued to discriminate in favor of ethnic Kazakhs in senior government employment. Minorities experienced ethnic prejudice and hostility; encountered incidents of insult, humiliation or other offenses; and were discriminated against in employment or job retention."[12]

There is quite clearly a gap between legal provisions and reality. Of particular relevance for those affected are the allocation of leadership positions, the question of language, and the related issue of access to education.[13]

Access to Leadership Positions

According to the constitution and the law on the civil service, all citizens of Kazakhstan have equal access to civil service positions, regardless of sex, race, property, religion, etc. Complaints about discrimination in this area are legion, but it is impossible to achieve a statistical overview.

Considering just the very highest leadership positions in the country, there is certainly cause for concern regarding compliance with the rule of equality. While the occasional non-Kazakh may be found, such as former Prime Minister Sergei Tereshchenko or Grigori Marchenko, the chairman of the National Bank, national minorities as a whole are clearly underrepresented, and the situation is only getting worse. Several surveys carried out in the late 1990s concluded that around 30 per cent of posts in the government and ministries were then still held by non-Kazakhs.[14]

Details of the ethnic make-up of the current government, as of other institutions, can only be inferred from surnames, as the nationality of office

12 UNHCR, cited above (Note 7).

13 Cf. Gul'mira T. Ileuova/Saniya Kh. Serazhieva, Analiz etnopoliticheskoi situacii v Kazakhstane (po rezul'tatam ekspertnogo oprosa) [Analysis of the Ethnopolitical Situation in Kazakhstan (according to the results of a survey of experts)], in: *Kazakhstanskaya model' etnopolitiki* [Kazakhstan's Model of Ethnopolitics], Almaty 2002, pp. 39-42.

14 Cf. Erlan Karin/Andrei Chebotarev, The Policy of Kazakhization in State and Government Institutions in Kazakhstan, in: *The Nationalities Question in Post-Soviet Kazakhstan*, Middle East Studies Series No. 51, Chiba 2002, pp. 69-108, here: pp. 81f.

holders is rarely given. A prominent example that shows that non-Kazakhs can achieve high office is the current prime minister, Karim Massimov, who is an Uyghur. Only one of his ministers, Vladimir Karpovich Bozhko, Emergency Minister, is likewise of non-Kazakh origin.[15] On the level one below, that of deputy ministers and chairs of committees, there are several Slavic, Tatar, Uzbek, Jewish, German, and other non-Kazakh names. Nonetheless, Kazakhs seem to predominate here as well (making up around 80 per cent of ca. 150 names).[16] Of the Akims (governors and mayors), two can be clearly identified as non-Kazakhs.[17] Representatives of the national minorities complain that even in the areas where they are densely settled, they still face grave difficulties in achieving leading positions.[18] This is disputed by the state authorities.

While non-Kazakhs can thus achieve high office, Kazakhs certainly predominate to an extent that goes far beyond the proportion of the population they make up. However, the problem is not so much one of nationalities: In a 2009 survey, not only did 60.3 per cent of Russian respondents and 64.4 per cent of other nationalities complain that their right to work in government bodies had been infringed, so did 43.7 per cent of Kazakhs![19] In a survey carried out in late 2009, a majority of respondents of all nationalities were of the belief that the Kazakh elite is a closed shop. Only a small minority believe that skills and knowledge are the decisive factors in filling leadership positions; even when these are verifiably present, becoming a member of the elite also requires connections and money.[20] This means that, under the current system, the vast majority of Kazakhs are also disadvantaged – and members of national minorities with access to the elite as a result of wealth and personal connections have an advantage over them. It also means, however, that competition and conflicts of interest are dealt with by a small elite, while the bulk of the population is little involved and passive.

Access to economic resources and equality in economic life are obviously also major factors in evaluating the situation of national minorities, and, in Kazakhstan, are closely linked to the question of access to leadership positions in the state. However, details are hard to come by here. The published results of surveys provide a contradictory picture of everyday economic life. According to the Forbes list of billionaires, the richest man in Kazakhstan is a Korean – Vladimir Kim, the chair of the copper giant Kaz-

15 Cf. http://en.government.kz/structure/government/page2.html.
16 Cf. http://en.government.kz/structure/org.
17 Cf. http://en.government.kz/structure/akimlist.
18 Cf. *Statement of preliminary findings by the United Nations Independent Expert on minority issues, Ms. Gay J. McDougall, on the conclusion of her official visit to Kazakhstan*, 6-15 July 2009, 15 July 2009, p. 1, at: http://www2.ohchr.org/english.
19 Cf. Timur Kozyrev, *Novye tendentsii v razvitii etnokonfessional'noi situatsii v Kazakhstane* [New Tendencies in the Development of the Ethnoconfessional Situation in Kazakhstan], 12 February 2010, at: http://www.kisi.kz/site.html?id=6876.
20 Cf. Interfax Kazakhstan, 19 February 2010, at: http://www.interfax.kz.

akhmys, who has a net worth of 3.7 billion dollars.[21] Alexander Machkevich, in third place in Kazakhstan's rich list, may be an Israeli citizen, but has his main residence in Kazakhstan, where he acquired his wealth.

Language and Education

The question of language was and is the most sensitive issue in the political discourse of multinational Kazakhstan. At independence in 1991, it was not only the country's Russian population that spoke Russian but no Kazakh, but also the members of nearly all the other national minorities. Above all, the Kazakh population of the cities, and hence the ruling elite, were highly Russified, and frequently did not even speak their native language. They considered Kazakh to be the underdeveloped language of the rural population. This state of affairs was clearly reflected in the country's language policy.

Although the 1997 law on languages reiterates the provisions of the constitution as outlined above, declaring that it is the duty of every citizen to learn the Kazakh language, which is a key factor for the consolidation of the people of Kazakhstan (Article 4) – thereby unsettling the non-Kazakh-speaking population – nonetheless, the efforts actually undertaken by the state have largely proved ineffectual.[22] This is largely a result of the fact that too little money and effort have been invested in such programmes. It is not difficult to assume that while the Russified national leadership may call for the promotion of the Kazakh language, in fact it has little interest in it.

There are no reliable figures on the current linguistic abilities of the population.[23] In daily life, far more Kazakh can now be heard in the cities than was the case 15 years ago. In areas with a large proportion of Russians, Russian remains the language of choice, including for official purposes.[24] Though civil servants are required by law to demonstrate fluency in Kazakh, there clearly exist ways and means to get round this, as there have been reports of government agencies where Russians with no knowledge of Kazakh are employed and where Russian is the language of choice for even Kazakhs.[25] In this case, the gap between legislation and reality proves beneficial for the candidate.

Today, everyone learns Kazakh at school. But whereas, until a few years ago, the majority of schoolchildren did this at institutes whose language of instruction was Russian, as these were rightly consider to be better, in

21 Cf. Forbes.com, *The World's Billionaires*, at: http://www.forbes.com/lists/2010/10/billionaires-2010_The-Worlds-Billionaires_Rank.html.

22 Above all the state programme on the functioning and development of languages for the decade 2001-2010, adopted on 7 February 2001.

23 According to figures published in 2007, between 14 and 26 per cent of the Russian population speak Kazakh. Cf. Peyrouse, cited above (Note 4), p. 16.

24 Cf. Joanna Lillis, Kazakhstan: Officials Adopt Low-Key Approach on Language Policy, in: *Eurasia Insight*, 23 July 2007, at: http://www.eurasianet.org/departments/insight/articles/ eav072407.shtml.

25 Cf. Peyrouse, cited above (Note 4), p. 17.

2009, according to official figures, 61 per cent of pupils received their entire schooling in Kazakh. At universities, 48 per cent of students attend lectures given in Kazakh.

As far as the languages of other minorities are concerned, Article 6 of the law on languages strengthens the right of citizens to use their native languages and to freely choose their language of education and instruction. Newspapers and magazines are published in 15 minority languages (not counting Russian), while there are eight minority-language radio programmes and eleven non-Kazakh television programmes. However, 50 per cent of all programmes are required to be in Kazakh. Despite this, state control of the media is tending to increase, which means that linguistic plurality is being accompanied by an increasing homogenization of content. According to official figures, there are 81 schools in which the language of instruction is Uzbek, Tajik, or Uyghur, and a total of 22 minority languages are taught as a subject at 108 schools.[26]

The National Human Rights Action Plan of the Republic of Kazakhstan, which, in line with the definition of nationality used by Kazakhstan, does not deal with the question of the Russian language, declares that the language issue has been resolved.[27] This is clearly not something with which the average non-Kazakh inhabitant of Almaty would agree. But it is possible to assume that, at least with regard to the Kazakh language, time will solve the problem. As in the case of representation in leadership positions, the lack of knowledge of the Kazakh language is, first, not a problem that only non-Kazakhs face, and, second, can clearly be bypassed by groups of individuals that possess money and the right contacts. For these individuals, therefore, the absence of the rule of law has beneficial effects.

Assessing the freedom of national minorities to practise their own religion is also generally accepted to be an aspect of evaluating their situation. Kazakhstan's religious policy is viewed far more critically than its nationalities policy by international organizations,[28] yet this applies more to the religions viewed by the government as non-traditional such as the Jehovah's Witnesses, Baptists, or Hare Krishnas, and not the "traditional" faiths of the national minorities. Thus, while current conditions are no advertisement for Kazakhstan's much publicized tolerance, there are no grounds for criticism in terms of nationalities policy.

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26 Cf. Assembly of the People of Kazakhstan, *Doktrina natsional'nogo edinstva Kazakhstana* [Doctrine of National Unity of Kazakhstan], at: http://assembly.kz/?ft=2000&type=93&java_tree=93.

27 *National Human Rights Action Plan of the Republic of Kazakhstan 2009-2012*, Astana 2007, p. 119, at: http://www.kazakhstanlive.com/Documents/National%20Plan%20of%20Action_E.pdf.

28 Cf. UNHCR, cited above (Note 7); Human Rights Watch, *Ten Questions of Kazakhstan and the OSCE Chairmanship*, 25 November 2009, at: http://www.hrw.org/en/node/86874.

The results of the 2009 census show decisive shifts in the national make up of Kazakhstan's population: Kazakhs now comprise 63.1 per cent of the population and thus an overall majority; the proportion of Russians has fallen to 23.7 per cent (in addition, 2.8 per cent are Uzbeks, 2.1 per cent are Ukrainians, 1.4 per cent are Uyghurs, 1.3 per cent Tatars, 1.1 per cent Germans, and 4.5 per cent belong to some other nationality).[29] This is a consequence of emigration and the relatively high average age of the remaining Russians, on the one hand, as well as the high birth rates of the Kazakh population and (state sponsored) immigration of Kazakhs to Kazakhstan from abroad (Mongolia, China, etc.), on the other. This tendency has led some experts to predict an effectively monoethnic state with a small group of minority nationalities representing various diasporas for the none-too-distant future.[30] For the time being, however, Kazakhstan remains very much a multiethnic state. Nonetheless, the quantitative realignment means that problems and priorities are likely to shift from the "Russian problem" to those of other minorities. But it must be borne in mind that, according to the survey by the Kazakhstan Institute of Strategic Studies (KazISS) cited above, these other minorities consider themselves to be disadvantaged compared to both Kazakhs *and* Russians. This is particularly evident in their answers to questions concerning the treatment of their affairs by state agencies and the respect shown for their rights in economic life: 49 per cent of respondents belonging to other nationalities feel discriminated against by state authorities, compared to only 34.5 per cent of Russians, and 30.8 per cent of Kazakhs. With regard to economic life, the corresponding figures are 42.3 per cent, against 28.9 per cent and 22.3 per cent.[31]

In recent years, some of the so-called other nationalities have become the focus of attention as a result of violent clashes with Kazakhs. Even if these occurrences have been local in nature, and have been brought under control – if not always rapidly enough – by security forces, they demonstrate a picture that jars somewhat with the image of Kazakhstan's peoples living in harmony.

There have been several violent incidents between Kazakhs and Chechens.[32] The latter are the descendants of Chechens forcibly deported to Central Asia from the Caucasus in 1944 who have not returned. Their numbers rose again in the course of the Chechen wars and are now estimated at be-

29 The Agency of Statistics of the Republic of Kazakhstan, *Itogi perepisi naseleniya Respubliki Kazakhstan 2009 goda* [Results of the 2009 Census of the Republic of Kazakhstan], at: http://www.stat.kz/p_perepis/Pages/n_04_02_10.aspx.

30 Cf. *Russkii jazyk budet zhit' v Kazakhstane bez russkikh* [The Russian Language Will Live in Kazakhstan without Russians], at: http://www.regnum.ru/news/1260754.html.

31 Cf. Kozyrev, cited above (Note 19).

32 On the history and current situation of the Chechens in Kazakhstan, see Birgit Brauer, Chechens and the survival of their cultural identity in exile, in: *Journal of Genocide Research* 3/2002, pp. 387-400.

tween 30 and 50 thousand. They are said to have settled relatively compactly and to have maintained their national identity. In the late 1980s and early 90s, there were several violent incidents involving Chechens and Kazakhs, which were reported to have an economic origin. Chechens have had a poor image since then, but things remained peaceful – until the spring of 2007. A punch-up between a drunken Chechen and a Kazakh in a village in Almaty Province escalated over days until several hundred people ended up marauding through the village and neighbouring settlements were already anxious. By the time the police finally restored order, five people had died, several others had been injured, and a great deal of damage had been caused. The Kazakhs in the village called for the expulsion of all Chechens. This was no isolated incident, and similar violent clashes took place in the autumn of 2007 between Kazakhs and Kurds in a village in southern Kazakhstan. The fact that the actions of a single individual led to violence against an entire ethnic group shows that the category of nationality is not entirely insignificant, at least in the case of certain nationalities. Furthermore, the fact that the Kazakh side immediately called for the most drastic solution (resettlement/expulsion of the whole national minority from the village, district, or even the state) does not support the image of tolerance so often proclaimed by the government. The background to the specific incident with the Chechens was a question of corruption and the resulting failure of the local police to deal with several minor incidents in previous years, leading to vigilante justice. And, as in the case of the clashes during the demise of the Soviet Union, social envy also played a role.[33] Unfortunately, more detailed data on the economic situation of the individual nationalities is not available, something about which Kazakhstani academics have also complained.[34]

What does stand out, in these and other cases, is that the events took place in villages, not the more densely populated towns and cities. That, too, suggests the background role of economic factors. In most villages in Kazakhstan, poverty and a lack of opportunities were the norm, even in boom times, alongside an extreme and glaring division between rich and poor. These may have been isolated cases, but they illustrate what happens when dissatisfaction is ethnically charged. This appears to be something of which the public is aware. In an April 2010 survey, 53 per cent of those asked stated that conflicts between the country's nationalities could be a "very big" or

33 Cf. Marat Yermukanov, Officials dismiss clashes between Kazakh and Chechen youth as "Hooliganism", in: *Jamestown Eurasia Daily Monitor*, No. 58, 23 March 2007, at: http://www.jamestown.org/programs/edm/single/?tx_ttnews[tt_news]=32627&tx_ttnews[backPid]=171&no_cache=1; Daur Dosybiev, *Kazakhstan: Village Brawl Reverberates in Halls of Power*, IWPR/RCA No. 487, 28 March 2007, at: http://www.iwpr.net/?p=rca&s=f&o=334358&apc_state=henirca43b621133498fc1a25634c7486c14aac.

34 Cf. e.g., Bulat K. Sultanov et al. (eds) *Faktory vneshnego vliyaniya na mezhetnicheskie otnosheniya v Respublike Kazakhstan* [External Influences on Interethnic Relations in the Republic of Kazahkstan], Almaty 2010, p. 36.

"moderately big" problem.[35] The government tends to describe all such events as the work of criminals or hooligans, and to deny all ethnic aspects by blaming the media, playing them down, or preferably ignoring them completely. That is certainly no solution.

The bitter reality also affects Kazakhs. For years, Kazakhs living abroad have been encouraged to "return home". However, what has awaited them has often been unemployment and rejection, or even attacks by Kazakhs who had never left.[36] This is further evidence both that the government is not pursuing a genuine policy of Kazakhization and that the population in general is not supportive of extreme Kazakh nationalism, (on the contrary, it suggests a very limited sense of togetherness among the Kazakhs). It rather shows that economic problems and competition have a powerful potential for conflict.

Entirely new fields of conflict have emerged as a result of the arrival of migrant workers (from Kyrgyzstan, Uzbekistan, and Tajikistan) in Kazakhstan, whose legal and actual situation has been criticized by human rights organizations on several occasions,[37] but without the same potential for violence one sees in Russia. In 2005 and 2006, there were violent clashes between Kazakhstani citizens and workers from the "far abroad", in this case skilled Turkish workers: In October 2006, according to some sources, a number of people were killed in riots in the Tengiz oil field – according to other sources, 200 were injured. The causes can be found in unequal status and payment, but also in the lack of conflict-resolution mechanisms, legal uncertainty, and corruption.[38] The issue of migrant workers from near and far is not strictly a matter of nationality, but their situation shines a telling light on the dangerous potential that the combination of nationality, economic problems, and failings in the rule of law can have.

National Unity as an Aspect of State Identity

The earliest efforts to create a common identity for the multinational state of Kazakhstan were launched in the 1990s. These included the 1996 *Order on the Conception of the Formation of State Identity*. Such plans, however,

35 Cf. International Republican Institute (IRI), Baltic Surveys Ltd./The Gallup Organization, *Kazakhstan National Opinion Poll. Conducted: 3-13 April 2010*, p. 14, at: http://www.iri.org/news-events-press-center/news/iri-releases-survey-kazakhstan-public-opinion-3.

36 Cf. UNHCR, cited above (Note 7).

37 Cf. UNHCR Refworld, *Kazakhstan/Kyrgyzstan: Exploitation of migrant workers, protection denied to asylum seekers and refugees*, 23 July 2009, at: http://www.unhcr.org/refworld/country,,,,KAZ,4562d8cf2,4a842413c,0.html.

38 Cf. Saulesh Yessenova, Worker Riot at the Tengiz Oilfield: Who Is To Blame? in: *Central Asia – Caucasus Analyst*, No. 4, 21 February, 2007, at: http://www.cacianalyst.org/files/20070221Analyst.pdf, pp. 6-8.

proved unsuccessful. Equally problematic was Nazarbayev's attempt to make the new capital Astana the symbol of a new identity for the state.[39]

The most recent, and, it appears, equally problematic attempt to establish a new identity, is the draft "Doctrine of National Unity", which Nazarbayev presented to the Assembly of the People of Kazakhstan on 26 October 2009.[40] Neither the speech with which the president announced the project nor the doctrine itself contained anything decisively new. It identifies the establishment of national unity as one of the most strategically important priorities of state policy. This unity is to be established via the reordering of Kazakhstani society with a common identity. Consequently, there is no more mention of "nationalities" but rather of Kazakhstan's "ethnic groups". Yet these live on "Kazakh land", the Kazakh language is identified as the decisive factor for the unification of all Kazakhstani citizens, and the examples given of shared values are traditions generally considered to be typically Kazakh. The doctrine is also remarkable for the number of times it mentions tolerance, dialogue, and the benefits of diversity.

Although these proposals could at best be considered evidence of a gradual and minor shift,[41] they came under criticism from representatives of the national minorities on account of the elevation of the Kazakh language and the foregrounding of the Kazakh people. Far more vehement was the doctrine's rejection by Kazakh nationalists under the leadership of the well-known writer Mukhtar Shakhanov, who consider that it fails to grant sufficient prominence to the Kazakhs and their language. They call for the foundation of the state on the basis of ethnicity rather than statehood, fearing that Kazakhstan could become a melting-pot on the American model. Their resistance went as far as announcing a hunger strike on independence day, which led to a number of brief arrests and a demonstration by 3,000 (other sources say over 1,000) "national patriots". Ordinary Kazakhs appeared equally unmoved by either the doctrine or its criticisms. The final draft of the doctrine was signed into law by the president on 29 April 2010 after it had been reviewed by a commission especially established for this purpose, which considered nearly 600 amendments.

The timing of the doctrine's announcement was clearly chosen in view of Kazakhstan's impending assumption of the OSCE Chairmanship. Whether this was the correct moment, or even the right idea for Kazakhstan, can be called into question. It is quite clear that the country's ethnic Kazakhs, in particular, require more time to find their identity. Among the demands that continue to be put forward by Kazakh nationalists is the inclusion of nationality in passports, which was abolished in spring 2009 in the name of promoting Kazakhstani identity. They consider this to place them at a "disad-

39 Cf., e.g. his speech on the occasion of the tenth anniversary of the city's foundation, on 5 July 2008.

40 Cf. Assembly of the People of Kazakhstan, cited above (Note 26).

41 Cf. Nargis Kassenova, *Launch of a national unity doctrine*, Central Asia Observatory, January 2010, at: http://www.asiacentral.es/uploads/kazakhstan_novdec09.pdf.

vantage", by which they mean equal pegging with other nationalities. The population, regardless of nationality, would find identifying with the state to be easier, even in the absence of a state doctrine, if they were to receive a sense of equal treatment and opportunities for political and economic participation.

Kazakhstan – A Model State?

In contrast to the 1990s, during which official Kazakhstani government statements often stressed the dangers of a multiethnic state, recent announcements are characterized by satisfaction and optimism at the situation of the nationalities and, consequently, the state's own policies. The longer the nationalities coexist in peace, the more self-confidently the Kazakh state presents itself on the international stage. The picture portrayed to the international community is of the exemplary peaceful coexistence of Kazakhstan's nationalities, thanks to the leadership's clever policies, diversity as a key value, and tolerance as well-nigh the defining characteristic of the Kazakhstani citizen.[42]

How one judges the situation of the national minorities depends of course on what standard one applies. Without a doubt, the fact that the coexistence of the nationalities has, on the whole, been peaceful should be evaluated positively. Also on the plus side, it should be noted that the situation of Kazakhstan's minorities is certainly better than that of their counterparts in the other Central Asian republics.[43] But questions remain as to whether this is the result of exemplary government policy and whether interethnic peace can be considered secure for the future.

Nationalities policy in Kazakhstan has so far never enforced a systematic programme of Kazakhization. Rather, it has manoeuvred between the revival and consolidation of Kazakh identity and a recognition that Kazakhstan is a multiethnic state. The national minorities, including the Russians, have created only relatively minor problems for the leadership. As outlined above, the country's many cross-cutting cleavages, which do not follow ethnic lines, made a mobilization of national minorities unlikely. For the future, the Kazakhs pose far greater challenges than the minorities. Dissatisfaction among the former is growing; many see themselves or the Kazakh nation as the loser, as victims of the Soviet period who deserve recompense. This dissatisfaction can easily take on an ethnic character, as in the Kazakh-Chechen dis-

42 For example, at the *Common World: Progress through Diversity* conference that was held in Astana in October 2008, see: http://portal.mfa.kz/portal/page/portal/mfa/en/content/truth/conf_common_world, and in practically all the speeches and declarations of intention given by Kazakhstan within the scope of its OSCE Chairmanship.

43 See, for example, Minority Rights Group International in association with UNICEF, *State of the World's Minorities and Indigenous Peoples 2009*, July 2009.

turbances in 2007. Moreover, there are considerable intra-ethnic tensions within the Kazakh elite.

The role of the Kazakhs and their language in public life is set to increase, if only as a result of demographic changes. It is the government's task to ensure that the deterioration in interethnic relations feared in some quarters[44] does not occur. The fact that President Nazarbayev presents himself as the personal protector of the nationalities and guarantor of their peaceful coexistence represents a further potential danger, and one that will increase with time.

The tactic favoured by the government so far of remaining silent on problems or downplaying them is certainly no solution. A successful outcome is likely to depend on the continuing economic development of the country and the participation of the population in Kazakhstan's economic growth, but above all on reform of the political system. The non-Kazakh population's sense of being disadvantaged in recent years and the persistence of allegations of a deliberate Kazakhization are not the result of nationalities policy, but of authoritarianism, clientelism, and corruption. These affect all Kazakhstanis who do not belong to the elite, including most ethnic Kazakhs. More democracy and rule of law would reduce these problems and, in many cases, would also alleviate feelings of exclusion and disadvantage. Opportunities for participation might also make it easier for the citizens of Kazakhstan to identify with their state – without the need for a special doctrine. However, Western observers should not forget that drawing a line between freedom of opinion and incitement to interethnic hatred, between meeting the demands of national minorities and upholding democratic principles requires the traversal of a precipitous ridge upon which even mature democracies can suffer from vertigo.

44 Not only in the Kazakh media, but also, for example, in reports to international bodies, see United Nations Office of the High Commissioner for Human Rights, *Kazakhstan NGO comments on the fourth and fifth periodic reports of the Kazakhstan government on implementation of the International Convention on the Elimination of All Forms of Racial Discrimination submitted as one document to the UN Committee on the Elimination of Racial Discrimination in accordance with the Article 9 of the Convention*, at: http:// www2.ohchr. org/english/bodies/cerd/docs/ngos/JointReport_Kazakhstan_76.pdf.