

## HUMAN RIGHTS WATCH

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Berlin, December 17, 2012

Dear Mr Blair,

Human Rights Watch works on several countries and issues that overlap with your work, both as an advisor and in your diplomatic role. We are writing here specifically in respect of your work with the government of Kazakhstan. We note that your office has confirmed that your work has been extended into a second year, starting approximately in October 2012.

Human Rights Watch has been working on human rights issues in Kazakhstan for over 15 years. Along with local and other international human rights organisations, we have serious concerns about the human rights situation in the country. We are also concerned about the unwillingness of the authorities in Kazakhstan to address these concerns, despite their claims to the contrary and their obligations under international human rights law to do so.

Our assessment is that the human rights situation in Kazakhstan has vastly deteriorated since December 2010, when its chairmanship of the Organization for Security and Co-operation in Europe (OSCE) came to an end. Over the last two years there has been a marked decline in respect of fundamental freedoms such as freedom of religion, freedom of association, assembly, and speech, freedom from torture, and the right to a fair trial.

We have major concerns in particular regarding the rule of law in Kazakhstan. For example, courts fail to uphold fair trial standards on a regular basis and there have been multiple, credible allegations of torture and ill-treatment in prisons and in pre-trial detention. Human Rights Watch and others documented such abuses in December 2011 and thereafter in the context of the violence in the western city of Zhanaozen.

The authorities also use vague and overly-broad charges that do not comply with human rights law to prosecute government critics and independent voices. In recent weeks, authorities have commenced a series of court cases against media outlets and opposition groups in a move to shut them down.

Human Rights Watch is also concerned about the state of religious freedom in Kazakhstan. In October 2011, the government adopted a restrictive religion law. All religious groups operating in Kazakhstan were required to undergo compulsory re-registration by October 25, 2012. However, according to human rights groups, hundreds of small religious communities have been forced to close, unable to meet the 50 person membership requirements for re-registration or because the deadline for re-registration had expired.

Your work in Kazakhstan has attracted attention within and outside the country, but there is relatively little information that is available publicly on it.

There was a public statement by your office in May 2012, referring to a speech you delivered in Astana. This states that you are “working with the (Kazakhstan) government to push through a programme of political and economic reform.” The statement also notes that your work includes “areas such as de-centralisation, public procurement, judicial and other reforms to do with the rule of law.” It further stresses that “the challenge is to actually do the reforms: to do them sensibly, preserving the core stability of the country; but to do them also in such a way that the reform programme shows a decisive direction of travel.”

We also understand from public statements issued by your office that you helped establish a ‘Policy Advisory Group’ in Kazakhstan through which your team works.

We also note your comments on your Kazakhstan work in a Financial Times interview published on June 30, 2012. You stress that “the purpose of this work is not to make money, it’s to make a difference.”

Based on the above, and given our deep concern about the human rights situation within Kazakhstan, we would welcome further information on the following points:

- The terms of reference for your work in Kazakhstan, the deliverables under that arrangement, and the nature of the contract;
- The role and composition of the Policy Advisory Group;
- Information on the results of your team’s first year of work in Kazakhstan, ending in approximately October 2012;

- The purpose of your second year of work and plans you may have to share the findings and results in a public way;
- The ways in which you or your representatives have raised human rights concerns with the authorities, given your focus on governance and the rule of law;
- Any consultation with civil society in Kazakhstan, including sharing the findings of your work, and any plans to engage them in the future.

We look forward to hearing from you. We would also welcome the opportunity to meet with you or your staff to discuss these issues. Please note that as part of our on-going work on Kazakhstan we may make public this letter and your response. If you are able to reply by January 18, 2013 we will ensure that your views are fully incorporated into our work.

Thank you, and please do not hesitate to be in contact if you have any questions about our work or about the issues raised in this letter. You can contact me by phone on +49 30 259 30 616 and by email on [williaa@hrw.org](mailto:williaa@hrw.org). I look forward to engaging with you on this important issue.

Sincerely,

Hugh Williamson  
Director, Europe & Central Asia division  
Human Rights Watch

18 January 2013

Dear Mr Williamson

Thank you for your recent correspondence.

As you know, we have had a team working with the Government of Kazakhstan since 2011. Tony Blair's staff in Kazakhstan are a specially hired group of international experts whose remit is to work on structural, social and economic reform for the Government. This work is entirely in line with that of many Western governments and organisations including the EU, OSCE and World Bank.

At present the team is working on a number of areas such as local government reform, public procurement and certain aspects of judicial reform. The work is completely in line with the direction the international community wants Kazakhstan to take. The remuneration for the team is obviously confidential, but you should know that the figures given for the work are often misreported by the media and take no account of the fact that there is a team of experts living and working in Astana.

We know there are critical issues to do with human rights in Kazakhstan. It is clear that the country still has a significant number of challenges in these areas – challenges we have set out, not least in Mr Blair's speech in Astana in May 2012. These include many of the issues you and others have raised. So of course, there is much to do and a long distance to go in democratic and human rights.

However, your negative assessment of the country in our view ignores crucial facts that balance this picture and for which you give no credit at all. We set these out here, not because it is our job to defend the Government, but because it is clear that you intend to use this letter publicly and you assert that there has been no improvement in the country. Any sensible, balanced view of Kazakhstan would take account of the following:

1. Kazakhstan has undergone a substantial programme of change in the last 20 years since emerging from the shadow of the old Soviet Union. Its economy has risen more than 15 fold. The standard of living of its people has increased dramatically, as have basic

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services. Few people gave Kazakhstan much of a chance two decades ago, but it took its chance well. The President deserves credit for that.

2. The tragedy of the 2011 events in Zhanaozen shows both how far Kazakhstan still has to go, but also that the Government is trying to respond to the underlying causes of it. Since that tragedy, major reform of the police has been initiated and there are now specific plans for changing both the system of local Government and elections for it, together with economic measures to try to ameliorate the position of the people living in these types of towns that are a hangover from the Soviet era. This week, a dedicated Minister of Regional Development has also been appointed.
3. There are real anxieties over the growth of extremism, especially religious extremism. This is not an invention of the Government – it is a genuine and well-based concern. This does not justify the suppression of legitimate dissent, but it does show that the context in which the Government is operating is far from simple.
4. There are several aspects of Kazakhstan which it is important to put on the other side of the balance sheet when considering its record on human rights. It is deeply committed to religious tolerance. It is one of the few countries of a similar nature to have had a synagogue built there in recent times. Its secular system is something of which it is proud. It is the only country to have given up nuclear weapons, something for which it has been given universal praise. It has played a constructive part both in liberating Afghanistan from the Taliban and in helping with the drawdown of international troops. Situated between China and Russia, a country the size of Western Europe but with a population of just 17.5 million of multiple ethnicity, it manages to be a solid ally of the West whilst keeping good relations with the East. Again, we are aware of the concerns around human rights, but it does show that it is a country that has demonstrated positive leadership on many issues of fundamental importance to the world and that it is doing so in a region of real complexity.

So the question is: Is Kazakhstan a country where there is the possibility of evolutionary change over time moving in a democratic direction? We believe it is – and so do the many other international and Western organisations that are advising the Government on these important reforms. It will be difficult because of Kazakhstan's geography and history, but it is worth trying to help it happen – which is why we have taken this opportunity.

Yours sincerely,

The Office of Tony Blair

[info@tonyblairoffice.org](mailto:info@tonyblairoffice.org)

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Berlin, February 26, 2013

Dear Mr Blair,

Thank you for the letter from your office dated 18 January, 2013. We appreciate your office's willingness to engage in this discussion and for addressing some of the issues I raised in my letter of December 17, 2012.

It is in the spirit of this exchange that I would like to raise concerns about two aspects of your letter. First, you argue that Human Rights Watch's "negative assessment" of Kazakhstan "ignores crucial facts that balance this (negative) picture and for which you give no credit at all". This is an inaccurate description of our perspective on Kazakhstan's human rights record. Moreover, we do not agree with your office that Kazakhstan's progress in some areas "balances" out grave human rights abuse in others.

Human Rights Watch has consistently acknowledged efforts Kazakhstan has made to improve human rights in the country. In the period ahead of Kazakhstan's 2010 chairmanship of the OSCE, for instance, HRW on several occasions noted important pledges on the media, election rules, and registration of political parties that would have marked significant human rights improvements. In a December 2008 report, we described these proposals as "unprecedented and welcome" (see <http://www.hrw.org/reports/2008/12/01/atmosphere-quiet-repression-o>). Unfortunately, the Kazakhstan government failed to implement the more meaningful reforms it had promised, and in some areas conditions have significantly worsened since 2008.

Human Rights Watch has also regularly noted Kazakhstan's strong economic development over the last 20 years and its current position as

an important geo-political actor in the region (see, for example, <http://www.hrw.org/news/2012/02/10/kazakhstan-president-nazarbayev-s-visit-berlin> or our recent report on violations of labour rights: <http://www.hrw.org/reports/2012/09/10/striking-oil-striking-workers-o>).

However, Kazakhstan has also voluntarily entered into clear obligations under international law to uphold human rights standards. Thus, while Kazakhstan has undergone significant economic development since independence, its failure to uphold basic and fundamental international standards in areas such as freedom of expression, freedom of assembly, and the rule of law is deeply worrying and deserves the serious attention of the country's international partners and those, such as yourself, working with the government on reform programmes. This is relevant in particular as Kazakhstan evidently aspires to take on an even more prominent role in global affairs. For instance in the field of human rights through its successful bid in 2012 to become a member of the UN's Human Rights Council or by hosting nuclear talks between Iran and the permanent members of the UN Security Council members plus Germany, in late February.

Second, as mentioned in my previous letter, we believe it is important, given the high-profile nature of your office and its work in Kazakhstan, that you clarify key aspects of your work there. As you have noted, it is not your office's "job to defend the Government (of Kazakhstan)". Thus, providing this information would not only foster transparency but also address concerns that your work legitimises abusive actions by the Kazakhstan government.


Your letter did not address our key questions so I have included them again here:

- The terms of reference for your work in Kazakhstan, the deliverables under that arrangement, and the nature of the contract;
- The role and composition of the Policy Advisory Group;
- Information on the results of your team's first year of work in Kazakhstan, ending in approximately October 2012;
- The purpose of your second year of work and plans you may have to share the findings and results in a public way;
- The ways in which you or your representatives have raised human rights concerns with the authorities, given your focus on governance and the rule of law;
- Any consultation with civil society in Kazakhstan, including sharing the findings of your work, and any plans to engage them in the future.

We would appreciate responses on these issues and would also welcome the opportunity to meet with you or your staff to discuss them. We would also urge you to make public your concerns about “the critical issues to do with human rights in Kazakhstan,” that you acknowledged in your letter.

As mentioned in my previous letter, please note that as part of our on-going work on Kazakhstan we may make public this letter and your response. If you are able to reply by March 15, 2013 we will ensure that your views are fully incorporated into our work. Thank you, and, again, please do not hesitate to be in contact if you have any questions. You can contact me by phone on +49 30 259 30 616 and by email on [williaa@hrw.org](mailto:williaa@hrw.org).

Sincerely

A handwritten signature in black ink that reads "Hugh Williamson". The signature is written in a cursive style with a horizontal line underlining the name.

Hugh Williamson  
Director, Europe & Central Asia division  
Human Rights Watch



27 March 2013

Dear Mr Williamson,

Thank you for your supplementary correspondence dated 26 February 2013.

However you seem to have misunderstood or misquoted our first letter.

Nothing can 'balance out' human rights abuses. Indeed we explicitly said that we know there are critical issues to do with human rights in Kazakhstan – set out, amongst other places, in a speech by Mr Blair in Astana in 2012. We have raised these matters and will continue to do so.

What we did say and would continue to argue is that any balanced assessment of Kazakhstan must take into account that there has been a substantial programme of change over the last 20 years. We have already cited its economic growth and improvements in living standards and basic services as well as the fact it has renounced nuclear weapons, is religiously tolerant and has been an ally of the West both in liberating Afghanistan and now in helping coalition forces withdraw. We also said that concerns raised by Kazakhstan's Government about extremism are valid and cannot be dismissed lightly.

To this, we would add, that more recently there have been positive moves around the enforcement of civil judgements, creating more transparency around the Parliamentary process, a specific plan to improve public procurement and allocation of funds to improve the living standards of people in remote areas.

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As an interesting anecdote - since we last wrote one of our advisors ran two sessions for senior Kazakhstani civil servants in Astana. He shared his experiences of working in the UK Government and discussed how to implement change and make reform happen. More than 250 officials from all over the country attended, asked questions and entered into a dialogue - and all of it publically reported and debated.

In addition, our staff in Kazakhstan have made regular trips into the regions in order to inform our work on decentralisation and reform and so that they better understand the position and living conditions of the Kazakhstani people. These have allowed very open and frank discussions locally about the problems the country still faces, not least in the hangover from the Soviet period.

As we have said previously, we lay all of this out not because it is our job to defend the Government but because we believe the key question regarding Kazakhstan has to be whether it is a country where there is possibility of evolutionary change moving in a democratic direction.

Our conclusion, along with many international and Western organisations that are advising the Government, is that there is such a possibility. We accept that there is a long way to go in democratic and human rights and this will be difficult because of Kazakhstan's geography and history, but it is worth trying to help make it happen – which is why we have taken this opportunity.

Yours sincerely,

The Office of Tony Blair

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