

Kazakhstan in Europe: Why Not?

Svante E. Cornell
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Executive Summary

Is Kazakhstan a European state? The answer to this question could define the character of the country's long-term relationship with European institutions and organizations, and profoundly affect the country's social, political and economic development.

The timing of this question, however, might seem inopportune. European institutions face deep internal difficulties: the EU is reeling from Brexit and controversies with Hungary and Poland, and the Council of Europe faces serious problems with countries on Europe's eastern and southeastern flanks that, much like Kazakhstan, straddle the boundaries between Europe and Asia. That may limit the appetite for discussing Kazakhstan's relationship to Europe. Yet the question may no longer be pushed to an undetermined future.

Kazakhstan is undeniably a European state: it certainly fulfills the Council of Europe's two criteria of being "wholly or partly located in Europe" and a country "whose culture is closely linked with the European culture."¹ Indeed, much like Turkey and Russia, it is a country that straddles the geographic divide between the two continents. And since independence, Kazakhstan has defined itself as a state that combines, in a positive and reinforcing manner, a European and an Asian identity. Yet for the first 25 years of its independence, the question of the country's European identity did not take center-stage. European institutions were gradually expanding into central and Eastern Europe, somewhat reluctantly going as far as defining the South Caucasus as a part of Europe. Meanwhile, Kazakhstan's

¹ Parliamentary Assembly of the Council of Europe, "Enlargement of the Council of Europe", Recommendation 1247, (1994), <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15281&lang=en>.

centralized government structure and top-down approach to reforms limited its European ambitions.

Nevertheless, important developments underway in Central Asia raise the question anew. Already in 2008, Kazakhstan's government presented a three-year state program labeled "The Path to Europe". More significantly, from 2015 onward Kazakhstan has redoubled its reform agenda, beginning with a 100-step program focused on transparency and efficiency of government. By 2017, the country had adopted a package of fundamental constitutional reforms that, among others, devolve powers from the President's office to the parliament. And as has been the case elsewhere in the post-Communist world, it is primarily to Europe and European institutions that Kazakhstan's reformers turn for standards, guidance and assistance as they seek to design and implement steps to achieve the lofty development goals that Kazakhstan's President has set for the country.

This is happening at a time when Europe is beginning to realize Central Asia's role as a transport corridor to east and south Asian destinations, and when neighboring Uzbekistan is, too, embarking on a path of fundamental reforms. After Kazakhstan and the EU signed a groundbreaking Enhanced Partnership and Cooperation Agreement in 2016, the question is how Europe's relationship to Kazakhstan – and by extension to Central Asia as a whole – can be further developed.

It is not only geography that makes Kazakhstan a European state. Indeed, the prevailing national conception in Kazakhstan is based on an understanding of Eurasianism that differs starkly from the Russian definition of the term. Kazakhstani Eurasianism does not view itself as a geopolitical space *distinct* from both Europe and Asia, but as embodying the positive meeting space between Europe and Asia, drawing on both. And indeed, a closer look at Kazakhstan's development since independence highlights the important European aspects of its statehood. Kazakhstan is a secular state with a civic conception of the nation based on an inclusive, citizenship-based understanding of membership in the national community. That in itself makes it highly compatible with European norms and principles. In addition, Kazakhstan's leadership has embarked on significant education reforms that seek to align the country with European standards, ensuring

that the next generation of Kazakhstanis will find much in common with their European counterparts.

It is mainly Kazakhstan's political and economic model that has diverged from Europe: since independence, while performing as a leading economic liberalizer, Kazakhstan has adopted a top-down approach to state-building and an evolutionary approach that has put economic reform before political reform. This model emphasizes evolutionary progress, organic development and a political process based on national consensus, rather than an immediate transition to European-style democracy with pluralistic and ideologically competitive political processes where reforms emerge out of ideological and group competition. Yet even there, the recent reform agenda suggests Kazakhstan is gradually moving its political system in a European direction.

Kazakhstan is a European country, but European states and institutions have so far failed to treat it as such. It is only in the OSCE that Kazakhstan has operated as a full member, including holding the rotating presidency of the organization in 2010. With all other European organizations, Kazakhstan has established ties, which nevertheless often leave the fundamental nature of the relationship unclear. Kazakhstan does not have any ambitions of NATO membership, but has paid close attention to cultivating relationships with the alliance as part of its multi-vector foreign policy. It remains the only Central Asian country to have an Individual Partnership Action Plan, through which it actively cooperates with the alliance. This relationship is naturally constrained by Kazakhstan membership in the Collective Security Treaty Organization, but is a valuable one in which both parties appear aligned on fundamental goals. And while Kazakhstan is not a member of the OECD, it has long cooperated with the organization, and formally launched a bid for membership that is likely to be received on its merits, and its outcome dependent on Kazakhstan's own reform process.

By contrast, the country's relationship with Council of Europe is surprisingly underdeveloped. In fact, as a European country, Kazakhstan should normally be eligible for membership in this organization. Yet there is little indication that the CoE has treated Kazakhstan as the European country that it is. The Council of Europe – in which both Russia and Turkey are members – has remained deliberately

vague about Kazakhstan's prospects for a closer relationship with the organization, while, in sharp contrast, it has set the strategic objective of integrating Belarus as a full member. Given Kazakhstan's current reform effort and its closer relationship with the CoE's Venice Commission, with which it consulted on its constitutional reforms, this approach is no longer workable. A continued reluctance on the part of the CoE to embrace Kazakhstan's long-term integration with the organization can only be interpreted as an unstated denial of its European identity. That, clearly, would clash with the values-based nature of the Council of Europe.

Kazakhstan's relationship with the EU is a more positive story, given the signing of the Enhanced Partnership and Cooperation Agreement in 2016. Yet even here, the EU in the past decade drew an unnecessarily sharp line between the countries on the western and eastern shores of the Caspian Sea. While its Eastern Partnership, launched in 2009, was an important step in acknowledging the European aspirations of six countries in Eastern Europe, it happened as the EU developed a strategy for Central Asia which, while a good thing in principle, handled the region as something entirely foreign to Europe. But since then, this hard line has begun to erode. The one-size-fits-all approach envisaged in the Eastern Partnership has given way to individualized relationships with differing degrees of association with EU norms and regulations. As a result, Kazakhstan's agreement with the EU is different in degree rather than in nature from the agreement that Armenia has initialed, or the one Azerbaijan is currently negotiating. As such, there is no reason why Kazakhstan, going forward, should not be treated at par with members of the Eastern Partnership if it so desires and takes the necessary steps in that direction.

For Kazakhstan, the main question is to what extent its leadership is prepared to fully embrace its European identity. Doing so will require far-reaching reforms in the country's governance, and particularly in its political and judicial systems as well as in the protection of human rights. Such changes are likely required anyway, if Kazakhstan is to achieve the lofty goals set by its leadership for the coming three decades. The key point here is that such reforms may be more likely to succeed if Kazakhstan can benefit from the systematic assistance of European states and organizations. That, in turn, will be more likely to materialize if these bodies recognize Kazakhstan's European identity.

Kazakhstan has set its sights on joining the world's most developed countries, in the process holding itself to an entirely new set of benchmarks, and embarking on a program of political reforms that, if implemented, would make the country considerably more aligned with European standards of governance. This process will take years if not decades, but it nevertheless means that Europe must look at Kazakhstan with fresh eyes, and reconsider the role European organizations can and should play in assisting Kazakhstan's reform program.

Introduction

Twenty-five years ago, Europeans knowledgeable about the former Soviet space would likely have viewed Kazakhstan as a post-Soviet country comparable to many republics closer to Europe. Not only were all post-Soviet states viewed through the prism of “transition,” Kazakhstan was at the time viewed as somewhat separate from the rest of Central Asia. The republic enjoyed a much higher degree of economic development compared to its southern neighbors, and its GDP per capita figures, while lagging behind Russia and the Baltic states, were comparable to Belarus and Ukraine.

Since then, the post-Soviet states have drifted apart from each other. This natural centrifugal process has led to the re-establishment of traditional links with territories outside the former Soviet space. It also implied that in the public consciousness, new mental boundaries have formed across what used to be the Soviet space between what is considered Europe and what is considered Asia. This is no new phenomenon, and it has affected a number of countries, most famously perhaps in the debate over whether Turkey is European or Asian. In the former Soviet space, Western governments have come to differentiate increasingly between the states to the west and east of the Caspian. Thus, the U.S. State Department a decade ago moved the five Central Asian states out of its Bureau of European and Eurasian Affairs, merging them with South Asia in a new Bureau of South and Central Asian Affairs. The European Union, soon thereafter, created an Eastern Partnership that defined the South Caucasian states as European neighbors, while launching a Strategy for Central Asia that viewed the five states as more distant partners.

The result is that Europeans and Americans increasingly view Kazakhstan solely as a Central Asian, and therefore an Asian, country. Yet from the outset of independence, President Nursultan Nazarbayev has stressed Kazakhstan’s

simultaneous belonging to Asia and Europe, arguing that the country is uniquely positioned as “a bridge between Asia and Europe”.

This is not mere rhetoric. European experiences and influences feature prominently in the country’s institutions and development policies, and Kazakhstan is an avid partner in Europe-wide cooperation structures. Moreover, a significant part of Kazakhstan’s territory is geographically in Europe. Indeed, many Europeans might be surprised to learn that Kazakhstan has a higher percentage of its territory in Europe than does Turkey, if traditional definitions of continents are accepted. In this sense, Kazakhstan is no different than Russia and Turkey, countries whose territory stretches across the fluid boundary between Europe and Asia. But so far, there appears to be scant recognition of this European identity.

Kazakhstan’s dual identity is further revealed by its participation in both Asian and European associations. In sports, it is a member of the Union of European Football Associations (UEFA) while at the same time belonging to the Asian Boxing Confederation (ABC). Among international financial institutions, it has a well-established partnership with the Asian Development Bank (ADB) but also cooperates with the European Bank for Reconstruction and Development (EBRD). Kazakhstan has also invested heavily in its membership in the Organization for Security and Cooperation in Europe (OSCE), including chairing the organization in 2010. Meanwhile, it also initiated a burgeoning Asian counterpart, the Conference on Interaction and Confidence Building Measures in Asia (CICA).

In 2008, the government presented a three-year state program (2009-2011) labeled “The Path to Europe”. The program cited the need for setting the country on a European course in order to strengthen its internal development and benefit from cooperation in vital areas such as technology, energy, transport, trade and investment.² The idea was that various types of concrete exchanges, spanning from the field of economics to culture, would help Kazakhstan “move further to Europe”.³

² “O Gosudartstvennoi programme ‘Put’ v Evropu’ na 2009-2011 gody,” Presidential Decree No. 653, August 29, 2008, at <http://www.memst.kz/upload/progdoc/Putveuropu.doc>. Also R. S. Kurmanguzhin, “Mezhdunarodniye Otnosheniya: sistemy vzyaimodeystviya”, *Pravo i Politika*, no. 2 (146) (2012), 273-281, http://aurora-group.eu/library_get_pdf.php?id=17472.

³ “Shagaem v Evropu”, *Rossiyskaya Gazeta*, November 21, 2008, <https://rg.ru/2008/11/21/kazakhstan.html>

As this study's title insinuates, even a cursory examination suggests that Kazakhstan can to some degree be considered a European state – a fact that does not deny the reality that it is *also* an Asian state. This raises a number of questions regarding what more specifically constitutes the European part of Kazakhstan's European identity. How does Kazakhstan's leadership treat Europe in its official parlance, and how significant is the European part of its identity? In what ways do Kazakhstan's state and society resemble its European counterparts? In other words, what makes Kazakhstan not just Asian? And what, exactly, is Kazakhstan's relationship to Europe? And do Kazakhstan's European partners view the country as a European state?

The first section of the paper begins by discussing the nature and character of Kazakhstan's European identity. It starts with a discussion on Kazakhstan's conception of a "Eurasian" identity, with special attention devoted to distinguishing Kazakhstan's conception of Eurasianism from the one promoted by Russian ideologists. Proceeding from that, the discussion turns to the values underlying the Kazakh state: its general embrace of a civic nation-state, its secular governance, as well as the fundamentally European character of Kazakhstan's educational system. Thereafter, the study provides an analysis of Kazakhstan's political reforms, and its implications for the country's European identity. Finally, the ambition to embark upon a path of economic modernization aiming to reach European levels of socioeconomic development is examined, detailing the importance of economic exchange with Europe, in a broad sense, for this purpose.

The second section of the paper shifts attention to Kazakhstan's existing relationship with various European organizations, as well as the unfulfilled potential in these relationships. It starts out with analyzing Kazakhstan's role and record in the OSCE, including its Chairmanship. Thereafter follows a discussion on the EU with a special focus on Kazakhstan's new Enhanced Cooperation and Partnership Agreement (ECPA). The Kazakhstan-EU relationship is further scrutinized in terms the potential of the EU, in the long term, to treat Kazakhstan at parity with the countries of the Eastern Partnership – whether within that framework or not. Kazakhstan's cooperation with NATO is then reviewed focusing on work toward interoperability and its future potential. Next, we revisit Kazakhstan's relationship with the Council

of Europe, finding that the organization lacks clarity in its policy toward Kazakhstan, while noting that the CoE could play a positive role in Kazakhstan's efforts of institutional reform. Finally, we discuss the merits of Kazakhstan's ambition to obtain membership in the OECD, and the steps being taken and that should be taken toward this goal. A final section of the paper summarizes the major results of the study and provides recommendations for further enhancing Kazakhstan's role in Europe.

Kazakhstan's European Identity: How European is Kazakhstan?

What does European identity mean? After all, the answer to the question will be different depending on whether one adopts a historical, civilizational, legal, geographic or political definition of the term. For the purposes of this study, we understand European identity to build on the ideals of the enlightenment, which over time led to the building of a continent of secular nation-states based on the rule of law and democratic systems of government, with integrated market economies and at peace with each other. This European identity is in constant evolution; but it is built on certain underlying values and ideals, and actively maintained by a series of institutions and organizations that are the bearers of these ideals. While Kazakhstan's relationship with these organizations is the subject of the next chapter, this section will delve deeper into the European elements of Kazakhstan's identity – beginning with the country's leadership's own definition of the country's place in the world.

Eurasianism à la Kazakhstan: a Bridge between Asia and Europe

Since the early 1990s, Kazakhstan's leadership has developed the ideological concept of Eurasianism as foundation for state policy. Given the wealth of versions of Eurasianism, what does the official doctrine of Eurasianism concretely imply in Kazakhstan? To understand this meaning, a discussion of the very concept of Eurasianism that has become increasingly fashionable in the past decade is in order.

The concept of Eurasianism is ambiguous. Mainly associated with Russian public figures, its intellectual roots go back to the early 1920s, when circles of Russian emigrants in European cities developed a philosophical and political movement emphasizing the unique civilizational, geographical, cultural and philosophical features of the Eurasian continent, as well as Russia's predominant role on this

landmass.⁴ During the Soviet period, Eurasianism was revived by the Russian historian Lev Gumilev, who saw Russia as the central power in Eurasian geopolitics with the mission of balancing Asia and Europe.⁵ After the demise of the Soviet Union a third generation of Eurasianists came to the fore, led by the notorious geopolitical ideologue Alexander Dugin as well as the late Alexander Paganin. This variant embodies an aggressive Russian nationalist and anti-western outlook; in Dugin's version, a Russian-led Eurasian empire needs to spearhead the confrontation with the West.⁶ Somewhat separated from the ideological concept of Eurasianism is the recent advancement by Moscow of the concrete regional integration initiative called the Eurasian Economic Union, which came into existence as a customs union between Kazakhstan, Russia and Belarus in 2010, and evolved into the Eurasian Economic Union in 2015 with Armenia and Kyrgyzstan as additional members.

Existing analyzes of Kazakhstan's Eurasianism tend to focus primarily on how it takes on a concrete political meaning in terms of President Nazarbayev's long-standing support of Eurasian integration. As noted by Kazakh scholar Raikhan Sadykova, in this vein Eurasianism refers to "an idea that promotes integration, convergence of the people, states in different spheres."⁷ In his seminal talk on the matter at Moscow State University already in 1994, President Nazarbayev said:

There is a need for a transition to a qualitatively new level of relations between our countries on the basis of a new intergovernmental association, formed along the principles of voluntariness and equality. The Eurasian Union could become such an association. It should be based on principles other than the CIS, for the basis for a new association should be supranational bodies designed to solve two key tasks: the creation

⁴ Marlène Laruelle, "The two faces of contemporary Eurasianism: an imperial version of Russian nationalism," *Nationalities Papers* 32, no. 1 (2004): 115-136.

⁵ Golam Mostafa, "The concept of 'Eurasia': Kazakhstan's Eurasian policy and its implications," *Journal of Eurasian Studies* 4 (2013): 162.

⁶ A.P. Tsygankov, "Mastering Space in Eurasia: Russia's Geopolitical Thinking after the Soviet Break-up", *Communist and Post-Communist Studies* 36 (2003): 101-127.

⁷ Raikhan Sadykova, "Kazakhstan's Eurasianism as the basis of state policy," *Procedia - Social and Behavioral Sciences*, Volume 89 (2013): 377-386.

of a single economic space and the provision of a joint defense policy. At the same time, it is important to emphasize that all other issues concerning the interests of sovereignty, internal state-political structure, foreign policy activities of each participant remain inviolable and presuppose non-interference in each other's internal affairs.⁸

This vision of an economically integrated Eurasia has been consistent in Nazarbayev's mind since the break-up of the Soviet Union. In an article published on October 25, 2011, he identified four building blocks of Eurasian integration: 1) economic pragmatism; 2) voluntary integration; 3) respect for the principles of equality and non-interference in the constituent countries' internal affairs; and 4) the inviolability of sovereignty and state borders.⁹ Since then, the president has persistently reiterated his emphasis on an integration process confined to economic issues and controlled by unanimous decision-making.¹⁰ He further envisions the Eurasian Economic Union as "an open economic community, naturally integrated into the global economic system as a reliable bridge between Europe and the growing Asia."¹¹ Nazarbayev's conception of Eurasian integration may, however, not necessarily dovetail with the conception held in Moscow. Both Western and Kazakh analysts agree that the Kremlin's view of economic integration is of a protectionist nature and political integration serves to cement a Russian-led regional bloc.¹²

⁸ "Vystuplenie Prezidenta RK N.A. Nazarbaeva v Moskovskom gosudarstvennom universitete im. M.V. Lomonosova," in *Prezident N.A. Nazarbaev i sovremennyyi Kazakhstan. Sbornik dokumentov i materialov v trekh tomakh*. Tom 3 N.A. Nazarbaev i vneshnyaya politika Kazakhstana. Kazakhstanskii institut strategicheskikh issledovaniy pri Prezidente Respubliki Kazakhstan. Almaty 2010, 214-15.

⁹ Nursultan Nazarbayev, "Evraziiskii Soyuz: ot idei k istorii buduschego," *Izvestia*, October 25, 2011.

¹⁰ See for example, "Glava Kazakhstana ne isklyuchaet vozmozhnosti vykhoda iz EaEs," *Argumenty i Fakty*, August 31, 2014.

¹¹ "Obraschenie Prezidenta Respubliki Kazakhstan N.A. Nazarbaeva k glavam gosudarstv-chlenov Evraziiskogo ekonomicheskogo soyuza," Eurasian Economic Commission, February 10, 2016, <http://www.eurasiancommission.org/ru/nae/news/Pages/10-02-2016-2.aspx>.

¹² For such a view from Kazakhstan, see Dosym Satpaev, "Kazakhstan and the Eurasian Economic Union: The View from Astana," European Council on Foreign Relations, January 12, 2015. See also S. Frederick Starr and Svante E. Cornell, eds., *Putin's Grand Strategy: the Eurasian Union and Its Discontents*, Washington & Stockholm: Central Asia-Caucasus Institute & Silk Road Studies Program, 2014. (<https://www.silkroadstudies.org/resources/1409GrandStrategy.pdf>)

To grasp the essence of Kazakhstan's understanding of Eurasianism, it does not suffice to view it explicitly or implicitly through the lenses of Russian Eurasianism, i.e. as the idea of a geographical and civilizational area that is distinct from both Asia and Europe, or to understand it as synonymous with the Eurasian integration project. Indeed, such a perspective is deeply misleading. Nazarbayev's Eurasian idea is ideologically distinct from the Russian understanding of a separate geopolitical space in competition with or even in confrontation with the West. As a broader doctrine for implementing Kazakhstan's policies on the domestic, regional and international arena, it is moreover not limited to the practical implementation of the Eurasian integration project.

Kazakhstan's policy of Eurasianism accentuates the country's role as a place where east meets west, Asia meets Europe. Rather than being a distinct, clearly defined space, it is open to both Asia and Europe. This amounts to something considerably more significant than a foreign policy with Europe merely being one among several vectors. Rather, the European dimension is intrinsically linked to the ongoing domestic development process in the country. In the words of President Nazarbayev:

There are individuals who like to make a link between Kazakhstan and Europe; and there are those who also like to see Kazakhstan to be in close tie with the Asian 'Tigers:' still there are others who want to consider Russia as our strategic partner, while suggesting not to ignore the Turkish model for development. Paradoxically they are right in their own way, since they have felt the issue from different angles. In reality, Kazakhstan as a Eurasian state that has its own history and its own future, would have a completely different path to travel down the road. Our model for development will not resemble other countries; it will include in itself the achievements from different civilizations.¹³

Thus, for Nazarbayev, Eurasianism goes beyond the realms of inter-state integration, and serves as a pivotal part of Kazakhstan's national identity. In this sense, it is not only a theoretical or philosophical approach: it serves as a basis on

¹³ Quoted in Golam Mostafa, "The Concept of 'Eurasia': Kazakhstan's Eurasian Policy and its Implications," *Journal of Eurasian Studies* 4 (2013): 164.

which to pursue practical policies, on the domestic arena as well as in international politics.

So how do the European imprints on the distinct Kazakhstani path of development manifest themselves in practice? While rhetoric and policy documents is one thing, an actual assessment of the European element of Kazakhstan's identity formation and development require attention to the actual policies implemented in the country. In the following, this study will examine the European features of Kazakhstan's domestic policies in fields spanning from national identity formation via political institution-building to economic modernization.

Commitment to Secularism

Secular statehood has gradually become established as one of the most prominent facets of European political systems. Indeed, while several competing models of secularism exist in Europe and the United States, everywhere in the West political systems provide for freedom of religion, the equality of all citizens irrespective of creed, and the "respective autonomy" of the state and religion from each other.¹⁴ Indeed, attempts to insert a reference to Christianity in the EU's Lisbon Treaty a decade ago failed, and the founding documents of all European organizations refer instead to concepts such as "universal values" and "human dignity".¹⁵ As will be seen, Kazakhstan's secular statehood is very much compatible with European principles.

Kazakhstan is a predominantly Muslim country; its population is estimated to be up to 65% Muslim. This figure, on account of Kazakhstan's substantial Slavic population, is lower than the other Central Asian republics. Islam is also unevenly spread geographically, being more widespread and a pronounced cultural factor in southern and eastern Kazakhstan, while fewer people identify themselves with Islam in the north and west of the country. Due to specific historical reasons, the general level of religiosity in Kazakhstan remains relatively low. Islam historically

¹⁴ Jean-Paul Willaime, "European Integration, *Laïcité* and Religion", *Religion, State and Society* 37, no 1/2 (2009), 23-35. Vestiges of established religion exist in several countries, such as the United Kingdom, Denmark, and Malta, but these states are nevertheless for practical purposes secular.

¹⁵ Andrew Rettman, "Merkel Gives Up on God in EU Treaty", *EU Observer*, May 15, 2007, <https://euobserver.com/enlargement/24066>.

spread to the territory of Kazakhstan much later than to other parts of Central Asia. While the process of Islamization in other parts of Central Asia was completed by the late eighth century, Islam did not consolidate as the main religion in Kazakhstan's vast but thinly populated territory until the nineteenth century. While Kazakhstan's southern borderlands with Uzbekistan were key parts of Central Asia's centers of Islamic learning a millennium ago, further north the nomadic lifestyle of the Kazakhs did not prove conducive to the establishment of centralized religious institutions.¹⁶ In the late Czarist era, differences existed regarding the proper role of religion, with southern Kazakh elites advocating for a stronger role of Islam. Yet when the Kazakh nationalist Alash movement emerged in the early twentieth century, it was an advocate for a secular Kazakh state.¹⁷

The Sovietization of Kazakhstan in the 20th century saw a new phase emerge, in which state atheism was promulgated in Kazakhstan like all other former Soviet republics, leaving no public place for religion. Indeed, Soviet leaders viewed religion as an antiquated phenomenon that would eventually wither away as the socialist system became ever more firmly established. The state actively worked to curtail religion, succeeding in producing a predominantly secularized society in the process. The fact that Kazakhstan became the destination for deported and evacuated people with different religious views further reduced the dominance of Islam.¹⁸

All this again changed with independence, as Kazakhstan – much like the entire post-Communist world – saw a religious revival. The fall of the communist ideology left a void, and more people started practicing Islam. The number of mosques in the country grew from 46 in the late Soviet period to more than 1000 a decade later.¹⁹

¹⁶ Saniya Edelbay, "Traditional Kazakh Culture and Islam", *International Journal of Business and Social Science* 3, no. 11 (2012): 122.

¹⁷ Mambet Koigeldiev, "The Alash Movement and the Soviet Government: A Difference of Positions", in Tomohiko Uyama, ed., *Empire, Islam and Politics in Central Eurasia*, Sapporo: Hokkaido University, (2007): 159.

¹⁸ Roman Podoprighora, "Kazakhstan: National Report for the IAACL Congress," *Religion and the Secular State*, National Report Kazakhstan, 457-466.

¹⁹ Mariya Y. Omelicheva, "Islam in Kazakhstan: a survey of contemporary trends and sources of securitization," *Central Asian Survey* 20, no. 2 (2011): 243-256.

Data from 2008 indicated 2337 Islamic associations in Kazakhstan.²⁰ The religious revival, which also took part among the large Orthodox Christian part of the population, was part of a multifaceted discovery of identity during the uncertain times following the rapid, unexpected collapse of the old order. With many centuries of coexistence and balance between Islam and Orthodox Christianity, the new independent government set out to build on this history of religious tolerance and stability.

Since independence, the government has maintained a strict separation between state and religion in Kazakhstan. The secular nature of state institutions is enshrined in the constitution. While the constitution does not explicitly set out a concrete model for regulating relations between the state and religion, the essence of secularism in Kazakhstan dictates the prohibition of any involvement of religious organizations in state affairs, while the state tasks itself with taking an active role in the affairs of religious organizations in order to control their activities.

In stark contrast to the bulk of the Muslim world, the Kazakh state model is not only strongly embraced among the leadership, but also overwhelmingly supported by the population. According to international surveys, support for sharia law is lower in Kazakhstan than any other Muslim-majority state except Azerbaijan. No more than 10 percent of the Kazakh respondents supported Sharia law, which can be compared to above 50 percent in all the countries in the Middle East, North Africa and South and Southeast Asia.²¹ The strong and consistent pursuance of a separation of state and religion, coupled with an inclusive civic conception of nationhood, is in line with European traditions, while it contrasts with the trend toward ethno-nationalism and flirtation with established religions in neighboring powers with close connections to Kazakhstan, like Russia and Turkey.

Like its Central Asian neighbors as well as Azerbaijan, Kazakhstan's conception of secularism cut right into two rivalling western notions of secularism: the Anglo-Saxon form based on the principle of individual religious freedoms, and the French model of *laïcité*, with its focus on protecting state and society from religious

²⁰ Podoprigora, *Religion and the Secular State*, 457.

²¹ Michael Lipka, "Muslims and Islam: Key Findings in the U.S. and Around the World," Pew Research Center, July 22, 2016.

interference. In other words, the two traditions differ in their respective point of departures: where the first model is preoccupied with right to religious freedom, the second emphasizes the right *from* religious oppression. Kazakhstan's approach bears striking similarities with the French model. In present times, it is however the Anglo-Saxon model that has gained the most significant clout, including forming the basis for various European conventions and inter-state agreements in the areas of religious freedom and minority protection. From this perspective, the secular model of protecting the state from religious interests has been increasingly criticized by western governments and NGOs, pointing especially to the government's attempts to firmly control religious issues, including financing, education, practicing and pilgrimages.²²

Kazakhstan's government has defended its strict secularism on the grounds of the need to counteract the use of religion for destructive and extremist purposes that could threaten the security of the state. It remains to be seen whether the ongoing debates on handling extremism in Europe will lead to greater understanding for Kazakhstan's policies on this issue. For the future of Kazakhstan as a modern, stable and prosperous country with a part of its identity and outlook anchored in European norms and practices of governance, there is no substitute for supporting the continued strengthening and improvement of Kazakhstan's secular statehood, including secular courts, laws and educational principles. The challenge for Kazakhstan is to continue to develop the secularism of the state toward European norms. This implies gradually doing away with the vestiges of the Soviet legacy, which includes some lingering anti-religious prejudice and a reliance on restrictions and control. While some elements of regulation and supervision of religious affairs will certainly remain, the task will be to seek to reinforce the positive elements of Kazakhstan's secularism in line with European conventions and democratic norms.

²² See for example reports by the US International Commission on Religious Freedom (USCIRF). For a critique of the Commission's work, see S. Frederick Starr, Brenda Shaffer and Svante E. Cornell, "How the U.S. Promotes Extremism in the Name of Religious Freedom: Rethinking the USCIRF", *Foreign Affairs*, August 24, 2017.

Building a European Education System

The education system is a mixed area for all former Soviet states. While the Soviet education system was strong in the fields of mathematics and science, it was strictly ideologically based in the social sphere. Following independence, a crisis developed in the entire former Soviet space as funding for education plummeted, leading to decreasing achievement rates and growing corruption. Thus, restoring and reforming the system of education is a key task to achieve the Kazakh government's aims for the country's development. In so doing, Europe is not the sole benchmark for Kazakhstan: East Asian states have risen rapidly to the top of international rankings, particularly in science. Nevertheless, as will be seen, Kazakhstan has invested considerable resources to get its education system to meet international standards.

Before Kazakhstan became a part of the Soviet Union, the literacy level of the peoples living on its territories was about 2%, with only 4% of the native Kazakh population being literate while the Russian population residing in Kazakhstan recorded a literacy level of 9%. The creation and formation of the Soviet Union in the 1920s was followed by a strong development of education. Educational policy and the allocation of resources were centralized in the hands of the Communist Party in Moscow. The concerted drive to develop education recorded impressive results in Kazakhstan and the other Soviet republics: from the elimination of illiteracy to the introduction of compulsory secondary education and the creation of an extensive school infrastructure to facilitate universal schooling. Like in most other Soviet republics, Russian, as the state language of the USSR became the educational language uniting the multiethnic people of Kazakhstan. School education was connected to labor demands, contributing to the development of a modern workforce, which transformed the agrarian structure of Kazakhstan into an industrial society within half a century.²³

After the break-up of the Soviet Union, this integrated system of education disappeared with profound consequences for the quantity and quality of education and research, forcing each country to start experimenting with developing its own

²³ Aigerim Mynbayeva and Victoria Pogolian, "Kazakhstani School Education Development from the 1930s: History and Current Trends," *Italian Journal of Sociology of Education* 6, no. 2 (2014): 144-172.

systems of education. In Kazakhstan, the first half of the 1990s – a period of severe economic and social crisis – was characterized by the inertia of the Soviet education system. The law on education in 1992 was based on the idea to preserve the positive experiences of the Soviet system of education. At the same time, the first independent constitution of 1993 removed the principle of compulsory secondary education, inflicting serious damage to the younger generation, and school absenteeism remained a problem throughout the 1990s. Compulsory secondary education was reinstated with the law on education of 1999. Dire economic straits left many schools underfinanced and the status and remuneration of teachers plummeted, leaving many to take up jobs in other sectors and others to supplement their income through informal payments from parents. At the same time, considerable work was undertaken to update the standards of education, including curricula and textbooks, to fit modern demands and make education outcome-oriented and compatible with international systems of education. In 2007, a new law on education was adopted to bring the education system in line with Western and European models, including by envisioning a transition to 12 years of school education along with a tertiary level of higher education.²⁴

Kazakhstan's government sees education as an investment in the country's economic development, and an ambitious state reform program for the education system was introduced in 2011 for the period up to 2020. Notwithstanding the many lingering challenges, it is worth noting that Kazakhstan has pioneered a number of initiatives, especially in higher education, that has the potential to accelerate the development of human capital. These initiatives have been heavily influenced by efforts to adopt best practices from the West in general and Europe in particular. Already in 1993, the leadership launched the Bolashak Program – a government-sponsored international scholarship program that has enabled many thousand students from Kazakhstan to study abroad, predominantly in Western countries. To ensure the benefits for the home country, recipients are required to return to Kazakhstan and work in the field of their specialization for five years. This has

²⁴ Ibid.

helped to keep skilled members of the younger generation connected to the country.²⁵

Another flagship modernization initiative in the sphere of higher education occurred with the inauguration of the Nazarbayev University in Astana in 2010. Designed with the goal to establish a locally anchored major international research university, it has close collaborations with leading academic institutions abroad, not least in the west. The university has also attracted many high-level instructors from abroad under the explicit understanding that they are to help provide a qualitative breakthrough in their training of young Kazakhstani specialists, especially in the fields of engineering and technical sciences. In an encouraging assessment, the European Commission notes that Nazarbayev University has opened the path for young Kazakhstani people to obtain modern high-class education on the basis of meritocratic principles inside the country itself.²⁶

To bring higher education in line with European practices and improve access to EU education, Kazakhstan in 2010 joined the Bologna framework, which was developed by European countries to ensure comparability in the standards and quality of education across countries. As part of this process, Kazakhstan has adopted the three levels of academic programs found in European countries: Bachelor, Master, and Doctoral. Concomitantly, curricula, programs and teaching are being re-organized in order to make degrees in Kazakhstan comparable with European degrees. The implementation of the Bologna reforms is supervised by a National Center under the Ministry of Education and Science.²⁷

Academic exchange with the EU is further supported by Kazakhstan's participation in various EU programs. Since 1994, Kazakhstan has taken part in the Tempus Program, which first and foremost has helped modernize curriculum along EU lines. Benefits from Tempus also include the introduction of a national quality management and assessment system in higher education. In aiding Kazakhstan's adjustments to the Bologna process, Tempus has played a role in implementing the

²⁵ Aida Sagintayeva and Zakir Jumakulov, "Kazakhstan's Bolashak Scholarship Program," *International Higher Education* 79 (Winter 2015): 21-23.

²⁶ European Commission, "Higher Education in Kazakhstan," 17, http://eacea.ec.europa.eu/tempus/participating_countries/overview/Kazakhstan.pdf.

²⁷ European Commission, "Higher Education in Kazakhstan," 19-20.

European Credit Transfer and Accumulation System (ECTS), which is now being used by more than 75% of the country's institutions of higher education.²⁸

It is clear from the above that Kazakhstan's government has actively endeavored to transform its education system along modern, European lines. This suggests that rising generations of Kazakhs are shaped by an education system that makes them function in a manner thoroughly compatible with their European counterparts. At the most fundamental level, their education will prepare them to consider reason and experience as major sources of knowledge – something they share with both European, North American and East Asian students – and a far cry from the situation in much of the Muslim world, where schooling is dominated by rote learning, and where considerable emphasis is given to divine revelation rather than reason as sources of knowledge.

This is not to say that Kazakhstan has yet fully succeeded in its ambitious goals. The implementation of Kazakhstan's reform program has been hampered by a lack of necessary budget expenditures on education. Government spending on education lags behind European countries at just below 4% of GDP in 2015.²⁹ In 2009, a government think-tank argued that a tripling in funding is needed if the country is to catch up with the west.³⁰ There are also stark regional differences in funding leading to sharp discrepancies in student performance across the country, and the annual UN Human Development has documented that inequality in access to education remains a significant problem in Kazakhstan.³¹ Educational capacity will need to be significantly increased for Kazakhstan to develop the kind of human capital needed to turn the country into a highly competitive modern knowledge-based economy, as is the government's stated ambition.

The challenges ahead for developing Kazakhstan's education system to the level of European countries are also revealed by international assessments of the quality of

²⁸ Ibid, 22-24.

²⁹ OECD, *Overview of School Resources: Kazakhstan*, Paris: OECD Publishing, June 2015, p. 64. The average government expenditure on education among the 28 EU member states amount to approximately 5% of GDP.

³⁰ Gulmira Kurganbayeva, *Ekonomika Kazakhstana v XXI veke*, The Kazakhstani Institute for Strategic Studies, 2009.

³¹ UNDP, "Kazakhstan briefing note," Human Development Report 2016.

learning. A key indicator is the Program for International Student Assessment (PISA), which assesses achievement and application of key knowledge and skills of 15 year olds in mathematics, reading, science, and problem-solving.

As Figure 1 indicates, Kazakhstan's scores have improved markedly since 2009. While Kazakhstani students placed significantly behind their counterparts from Europe, they are gradually moving closer to the OECD average, in particular in math and science. In 2012, Kazakhstani students scored 432 points in math compared to the OECD average of 494 points in PISA, a difference equivalent to 1.6 years of schooling. This score went up to 460 in 2015, indicating rapid progress. It should be noted that Kazakhstan fares considerably better on the Trends in International Mathematics and Science Study (TIMSS) rankings, where, however, a number of European countries do not participate. Kazakhstan ranked among the top ten in TIMSS in both 2009 and 2015.

Figure 1: Kazakhstan's Rankings in PISA

	2009	2012	2015
Reading	390	393	427
Math	405	432	460
Science	400	425	456

The difference appears to lie in the field of reading. The PISA test, even in its math and science sections, relies much more on reading skills than TIMSS does. Indeed, in the PISA 2015 tests in reading the country's score of 427 compares to the OECD average of 493, a difference equivalent to 2.5 years of schooling.³²

Kazakhstan's overall improvement on these indices suggests that the gap is in part a legacy of the collapse of the education system in the 1990s – students that entered school in those days did not receive a proper basis for continued education, and face an uphill battle even after conditions improved. Since then, Kazakhstan has demonstrably carried out reforms to enhance the quality of education, not least by

³² See "Strengthening Kazakhstan's Education. An Analysis of PISA 2009 and 2012," Education Global Practice, Europe and Central Asia Region, World Bank Group, Washington, DC (2014); OECD, *PISA 2015 Results (Volume I): Excellence and Equity in Education*, Paris: OECD Publishing (2016),

adopting European standards and practices. Yet the actual investments are not yet aligned with its declared ambitions. Indeed, as noted in an OECD review, the country still underinvests in comparison with other countries recording similar income levels. In schooling, the dearth of necessary resources is manifested along several dimensions, including low enrollment rates in pre-primary education, poorly-paid teachers, overcrowded urban schools and under-equipped rural schools.³³ In higher education, entrenched corruption remains a major problem.³⁴ In sum, to raise a future elite that possesses the skills and knowledge necessary for a modern developed country, the government must increase spending and address the sharp inequalities in the quality of education, including access, infrastructure and staffing.

Civic Nation-Building

How does a country approach ethnic and religious diversity among its population? European states, with deep scars from the first half of the twentieth century, have gradually moved toward a model of civic nationhood where belonging to the national community is determined by citizenship, not ethnicity. Philosophically, Europe has adopted a constructivist understanding of the nation, which differs markedly from the primordial concept of ethnicity and nationhood that paradoxically dominated in the Soviet Union. Indeed, the Soviet state defined ethnicity as an unalterable category. Ethnicity was inscribed in the passports of Soviet citizens, and the very notion of moving from one ethnicity to another was absent. This posed serious challenges for the new multi-ethnic states at independence, Kazakhstan foremost among them. These states needed to build nations while balancing the demands of the titular nation for control over “their” state and a restoration of the national culture, with the concerns of ethnic minorities. At the time of independence, Kazakhstan faced a complex ethnic and demographic composition. Ethnic Kazakhs were outnumbered by the Slavic population, which

³³ Anna Pons et al., “OECD Reviews of School Resources, Kazakhstan,” June 2015 [Pre-publication copy]. For example, the amount devoted to school education at 2.1% of GDP is significantly below the OECD average of 3.6%.

³⁴ Natsuko Oka, “Informal Payments and Connections in Post-Soviet Kazakhstan,” *Central Asian Survey* 34, no. 3 (2015): 330-40;

formed 44% of the population compared to 40% for the titular nationality. As Kolstø has pointed out, the fact that the overwhelming majority of the non-Kazakh population was linguistically and culturally Russified, Kazakhstan was not so much a multi-cultural society as it was a bi-cultural society.³⁵ The divided social structure was a real concern for the government, not least given that Almaty, then the country's capital, had been the scene of a major anti-Soviet uprising during the perestroika era in December 1986. Mikhail Gorbachev's decision to remove long-time First Secretary of the Communist Party of the Kazakh Soviet Socialist Republic (KSSR) Dinmukhamed Kunayev, and replace him with Gennady Kolbin, an ethnic Russian with no previous connections to Kazakhstan, led angry crowds to gather in downtown Almaty where they eventually clashed with local security forces and the Soviet army, leading to an unknown number of lost lives. Although the violent clampdown and subsequent arrests eventually restored order, the unrest demonstrated the potential of ethnicity as a mobilizing factor in Kazakhstan.³⁶

In this context of a demographically split country sharing a 7,000-kilometer-long border with Russia to the north, Kazakhstan's post-Soviet nation-building has been a delicate matter, largely determined by the need to preserve inter-ethnic harmony and to avoid provoking tensions with Russia. At the same time, the legitimacy of the nation-building project also required satisfying the appeals of more nationalistic Kazakh groups. The two prime options available were either a civic nation based on undifferentiated national identity or an ethnic nation-state concentrated around the titular nation. Today, the United States, Canada and France are leading examples of civic nations. In the United States for example, the multicultural society is united by the ideal of political freedom and democracy. Japan, on the other hand, with its mono-ethnic composition represents an example of an ethnic nation. In practice, this distinction, however, amounts to ideal typical constructions, as most countries cannot be described as purely ethnic or civic.³⁷ In Kazakhstan, the dominant strategy

³⁵ Pål Kolstø, ed., *Nation-Building and Ethnic Integration in Post-Soviet Societies: An Investigation of Latvia and Kazakhstan*, Boulder: Westview Press, 1999.

³⁶ Doğan Başaran, "Jeltoksan Ayaklanması ve Bu Ayaklanmanın Kazakistan'ın Bağımsızlığındaki Rolü," [The Jeltoqsan Uprising and Its Role in Kazakhstan's Independence] *Ankasam Bölgesel Araştırmalar Dergisi* 1 no 1, May 2017, <http://bolgesel.ankasam.org/index.php/bolgesel>.

³⁷ Saule Tajibaeva and Timur Kozyrev, "Statehood, Language, and Alphabet: A Kazakhstan Case Study," *Central Asia and the Caucasus*, no. 4(46) (2007), 144-152.

has been to emphasize the multinational nature of the country. In this endeavor, the task of the state is to secure equal rights and opportunities for all Kazakhstani citizens irrespective of ethnic belonging. As noted by Jones: "Rather than constructing a state-sponsored national identity based exclusively on ethnic Kazakh culture to assimilate the large non-Kazakh portion of the population, the leaders of Kazakhstan have opted for a multiethnic civic nation aiming to enfranchise all of its citizens completely, regardless of their cultural identities."³⁸ As part of this discourse, president Nazarbayev has taken a firm stance on issues that could upset the multiethnic balance, including marginalizing Kazakh nationalists and restricting Islamist movements. The state has gone to great lengths to ensure that political forces do not become institutional expression of ethnic divisions.³⁹

To ensure an inclusive belonging to the independent republic of Kazakhstan and counter centrifugal forces, language and symbols became important policy tools. In the process of developing its national identity, the language issue is arguably the most contentious one. On the one hand, there was the natural need for strengthening the Kazakh language as the new official state language. On the other hand, the authorities decided to codify the Russian language's continued role as an official language, alongside Kazakh, in the constitution of 1995. Since the ethnic Russian population as a rule had no or little command of Kazakh, this meant that to a certain extent Kazakh-speakers and Russian-speakers live in parallel to one another, but not necessarily together. As argued by Tajibaeva and Kozyrev, in order to remove this barrier and unite society into a single information and communication space, the Kazakh language must be learnt by all Kazakhstanis.⁴⁰ It is in this context that the long-standing issue of changing the alphabet from the Cyrillic to the Latin script should be understood. A fundamental political issue, this idea was raised already in the early 1990s, but was perceived as too sensitive. It never disappeared though, and in April 2017 President Nazarbayev publically underlined that Kazakhstan will

³⁸ Nathan Paul Jones, "'Assembling' a Civic Nation in Kazakhstan: The Nation-Building Role of the Assembly of the Peoples of Kazakhstan," *Caucasian Review of International Affairs* 4, no. 2 (2010): 159-160.

³⁹ Valentina Kurganskaia, "The Party System in Kazakhstan and Ethnic Issues," *Central Asia and the Caucasus*, no. 2 (32), 2005, 67-74.

⁴⁰ Tajibaeva and Kozyrev, "Statehood, Language, and Alphabet."

follow Uzbekistan and Turkmenistan in changing from the Cyrillic to the Latin alphabet.⁴¹

The decision to move the capital from Almaty in the southeast to Astana in the north was perhaps the most spectacular manifestation of the strategy to unify the country – both in terms of lessening potential Russian separatism in the north and to encourage Kazakh migration northwards. There have been additional initiatives as well: In 1995, the Assembly of the Peoples of Kazakhstan (APK) was created as a consultative body tasked with representing all ethnic groups in the country, gathering more than 800 ethnic and cultural associations.⁴² The government also proposed more drastic suggestions in the field of multiethnic relations. A doctrine on National Unity initiated by President Nazarbayev in 2009 went as far as launching the notion of Kazakhstan as a U.S.-style multi-cultural melting pot tied together primarily by citizens' identification as "Kazakhstani." However, this initiative clearly did not appeal to the conceptions held by Kazakh nationalists, and was significantly modified.

In practice, the complex issue of managing the many ethnic groups in Kazakhstan and invoke them into a civic nation has been a delicate matter of appeasing the demands of various socio-political groups. This has been accompanied by a parallel process of accentuating Kazakhstan as the homeland of the Kazakh people. These challenges can hardly be grasped without taking into account the institutionalization of ethnicity in the Soviet nation-building project. In the 1920s, the Bolshevik government launched the Soviet nationalities policy known as *korenizatsiya* (nativization), which in practice meant a centrally supported consolidation of the various ethnic groups in the Soviet Union. The concept of nationality in the Soviet Union was regarded as a cultural and ethnic entity distinct from the political unit of union republics: "Every Soviet citizen had an official nationality ascribed to him and written into his passport, and the territorial units, which made up the Soviet federal state were named after particular ethnic groups,

⁴¹ Farkhod Tolipov, "Revere or Reverse? Central Asia between Cyrillic and Latin Alphabets," *Central Asia-Caucasus Analyst*, June 5, 2017, <http://www.cacianalyst.org/publications/analytical-articles/item/13447-revere-or-reverse?-central-asia-between-cyrillic-and-latin-alphabets.html>.

⁴² Jiri Melich and Aigul Adibayeva, "Nation-Building and Cultural Policy in Kazakhstan," *European Scientific Journal*, December 2013: 265-279.

the so-called 'titular nationalities'."⁴³ This policy has had a lingering impact on nationality issues long after it was first promoted. As emphasized by Suny: "The nation was real and primary in Soviet discourse, in a sense a fixed, primordially rooted, bounded group attached to a given territory. And this idea of nationality as an almost biological attribute of a person is pervasive in post-Soviet thinking."⁴⁴ To a certain extent this legacy of an ingrained notion of ethnicity has set limits on how far a truly civic statehood can be pursued in virtually all former Soviet republics.

Although the duality that characterized Kazakhstan at the time of independence led Nazarbayev to take a careful and moderate position with regards to nationality issues, Kazakhstan has over time increasingly become the national state for the Kazakhs. There are both structural and agent-driven explanations behind this evolution. First of all, in spite of appearances, the demographic structure in Kazakhstan was already before the collapse of the Soviet Union stacked in favor of the titular nation. Research from the late Soviet period shows that Slavs were leaving Central Asia at a faster rate than they were entering the republic. According to Rywkin, "during the years of the Eleventh Five-year Plan in the early 1980s, 400,000 people, overwhelmingly Europeans (Slavs), left Kazakh villages for other republics, creating a negative migration balance for the republic as a whole."⁴⁵ There was virtually no outmigration of Muslims from Central Asia to other republics, and, additionally, the birth rate of the Central Asian nationalities was much higher than that of Slavs. Twenty-five years later, continued outmigration and higher Kazakh birth rates have changed the ethnic composition considerably with Kazakhs now being a solid majority in the country representing 63% of the population, while the percentage of Russians has fallen to 23 percent.

Second, specific policy measures have also contributed to elevating the position of Kazakhs within the multiethnic state. Examples of a mild form of "nationalizing" Kazakhstan can be found in the president's Order on the Conception of the Formation of State Identity of the Republic of Kazakhstan of May 1996, which

⁴³ Pål Kolstø, "Anticipating Demographic Superiority: Kazakh Thinking on Integration and Nation-Building", *Europe-Asia Studies* 50, no. 1 (1998): 51-68.

⁴⁴ Ronald Grigor Suny, "Provisional Stabilities: The Politics of Identities in Post-Soviet Eurasia", *International Security* 24, no. 3, (1999/2000): 139-178.

⁴⁵ Michael Rywkin, *Moscow's Muslim Challenge: Soviet Central Asia*, Armonk: M.E. Sharpe, (1990): 81.

emphasized that Kazakh culture and language should have a special status due to its role as “state-forming nation”.⁴⁶ Thus, the country has developed toward a civic nation unified by ethnic Kazakhs. Official pronouncements simultaneously stress that Kazakhstan is both a multinational country and a homeland for the ethnic Kazakhs. The government has managed to walk this thin line of combining an ethnic and civic idea of the nation in a sensible manner, which brings to mind the experience of many European countries. It can credibly promote itself as a country of tolerance and successful accommodation of plural communities. In a comparative post-Soviet perspective, the ethnic aspect of the nation-building narrative in Kazakhstan is arguably less pronounced than in other states.

Against the Grain? The Logic of Kazakhstan’s Political Reforms

The greatest thorn in the relationship between Europe and Kazakhstan, and the greatest difference between Kazakhstani and European political models, has been related to the issue of governance. European governments and organizations have repeatedly pointed to Kazakhstan’s democratic deficit and electoral shortcomings, and emphasized the need for improvement of human rights and democratic development. By contrast, Kazakhstan’s leadership has persistently argued that it follows a formula of evolutionary reforms, which put economic reforms before political ones. According to this logic, each stage of political reforms is presumably linked to the country’s level of economic development. From this standpoint, the leadership has dismissed calls for the immediate establishment of European-style democratic institutions, arguing that reaching the goal of a liberal democracy is a long process. Instead, Kazakhstan’s national development approach emphasizes concepts such as evolution, organic development and a political process based on national consensus. On this basis, political reforms are born mainly out of intra-elite deliberations, and implemented top-down. This top-down perspective, in which the state is viewed as the central engine of social development, is undoubtedly colored by the Soviet experience. Yet it also bears strong resemblance to the historically successful cases of bureaucratic authoritarian socioeconomic development in Japan

⁴⁶ Juldyz Smagulova, “Language Policies of Kazakhization and Their Influence on Language Attitudes and Use”, in Aneta Pavlenko, ed., *Multilingualism in Post-Soviet Countries*, Bristol: Multilingual Matters (2008): 175.

and South Korea.⁴⁷ Kazakhstan's distinct approach to reforms can be contrasted with the type of pluralistic and ideologically-competitive political processes found in European democracies, in which reforms tend to emerge out of a more competitive and conflictual process that pits different ideologies, groups and interests against one another and leading to bargaining and compromises. In this system, rapid changes of power are facilitated through the electoral mechanism, which from Kazakhstan's horizon is perceived as a risk to the young state's national unity and stability. Indeed, as has been viewed in certain central European EU member states recently, electoral democracies are not immune from reverting to populist authoritarian tendencies through the ballot box.

Despite the government's efforts to argue the merits of its course, critics continue to be skeptical of the country's gradualist path toward political liberalization, pointing out that the impressive economic development after the turn of the millennium was not accompanied by genuine democratic reforms. Indeed, greater political pluralism was arguably present in the early 2000s compared to a decade later. OSCE observation missions have criticized every election held in Kazakhstan to date for failing to fully meet democratic standards.

A glance at the assessments of the electoral process provided by the OSCE over the past decade reveals a rather frustrating picture of progresses in certain areas coupled with regression in others. The 2004 observer mission's final report noted several improvements over previous ones. For example, both opposition and pro-government parties took part in the vote, including the oppositional Democratic Choice of Kazakhstan and the People's Union of Communists; TV debates gave the parties "an opportunity to inform the public of their views"; the OSCE found "no cases of media outlets being shut down or journalists being prosecuted"; and the authorities demonstrated an openness to international observation "beyond their OSCE commitments".⁴⁸ By contrast, the OSCE was more critical of the 2005 presidential election and 2007 parliamentary election, claiming that the 2005 election lacked "meaningful competition" and the 2007 election resulted in a one-party

⁴⁷ Georgi M. Derlugian, *Bourdieu's Secret Admirer in the Caucasus: A World-System Biography*, Chicago: Chicago University Press, 2005, 134-135.

⁴⁸ OSCE, "Final Report of the 2004 Kazakh Parliamentary Elections", <http://www.osce.org/odihr/elections/kazakhstan/38915?download=true>

parliament since no other party but the pro-presidential Nur Otan managed to pass the 7% threshold.⁴⁹ The OSCE did note some improvements in the 2012 parliamentary elections, most of which related to technical preparations, legal changes, voter education campaigns, and voter lists. But it pointed to many flaws, especially with regard to the ability of opposition parties to campaign. Thus, the OSCE concluded that the elections did not meet “fundamental principles of democratic elections.”⁵⁰

While the OSCE’s conclusions should not be treated as definitive, there appears to be a consensus among western observers that Kazakhstan around the 2012 parliamentary elections, roughly two decades after independence, had taken some steps forward but at the same time taken steps backwards, and that the country’s progress toward democratization had stagnated. Indices such as Freedom House’s *Nations in Transit* bear out this fact: Kazakhstan’s scores in most categories have remained roughly the same for a decade.⁵¹

That said, during this period of highly centralized presidential rule, Kazakhstan’s political system has been stable. This has enabled the country to follow a clear political course and plan ahead. It has also reaped the fruits in terms of being seen as a reliable international partner. At the time of the signing of the EU-Kazakhstan Enhanced Partnership and Cooperation Agreement in 2015, Traian Hristea, the EU Ambassador in Astana, acknowledged that the stability and predictability of Kazakhstan’s policy was “a key prerequisite” for the country’s success.⁵²

This is not the place to speculate on the reasons why rapid economic growth failed to lead to political reform. It should be noted, however, that the past decade coincided with a hardening security climate in Kazakhstan’s neighborhood, and a weakening of the cohesion of western states and institutions following the 2008

⁴⁹ OSCE, “Final Report of the 2005 Kazakh Presidential Election”, <http://www.osce.org/odihr/elections/kazakhstan/18153> See also OSCE, Final Report of the 2007 Kazakh Parliamentary Elections, <http://www.osce.org/odihr/elections/kazakhstan/28438>

⁵⁰ OSCE, “Final Report of the 2012 Kazakh Parliamentary Elections”, <http://www.osce.org/odihr/elections/89401?download=true>

⁵¹ Freedom House, “Nations in Transit 2017: Kazakhstan”, <https://freedomhouse.org/report/nations-transit/2017/kazakhstan>.

⁵² Vladimir Socor, “Kazakhstan: An Island of Stability in a Turbulent Region”, ISDP Policy Brief no. 191, December 22, 2015, <http://www.silkroadstudies.org/publications/joint-center-publications/item/13186>.

financial crisis. Indeed, democracy advocates have observed a global “authoritarian backlash” of late, with a flurry of works published with titles such as “Democracy in Retreat”, “Democracy in Decline”, and “Authoritarianism Staging a Comeback”.⁵³ In part, the fact that Kazakhstan’s economic boom was largely generated by oil windfall deserves mention: political scientists have long pointed out that “rentier states”, which derive much of their income from rents rather than taxation, struggle in terms of democratic development.⁵⁴

Against this background, however, something has been stirring in Kazakhstan since the economic downturn in 2014, which descended on leaders across the region like a cold shower. There have been multiple encouraging signals from Kazakhstan’s leadership regarding the need for institutional and political transformation. In 2015, President Nazarbayev announced a 100-step reform program focusing on introducing greater transparency and increase institutional effectiveness. The Program aimed at five institutional reforms: first, the creation of a modern and professional civil service. Second, ensuring the rule of law. Third, industrialization and economic growth. Fourth, a unified nation for the future. Fifth, transparency and accountability of the state. The one hundred specific steps included in the program are too numerous to list, but would fit well with the recommendations of international organizations for institutional reform. The major challenge of this initiative obviously lays in the implementation, in particular the will and ability to overcome strong vested interests with stakes in preserving the *status quo*. But if even half of these ambitious steps are implemented, they would improve the quality of public administration and bring citizens closer to their government.

Also in 2015, the government adopted new rules on the financing of local governments. In combination with the introduction several years earlier of indirect mayoral elections in small towns and villages, there is a noticeable drive to

⁵³ Joshua Kurlantzick, *Democracy in Retreat*, New Haven: Yale University Press, 2013; Larry Diamond and Marc F. Plattner, eds., *Democracy in Decline?*, Baltimore: Johns Hopkins University Press, 2016; Matthew Burrows and Maria J. Stephan, *Is Authoritarianism Staging a Comeback?*, Washington: Atlantic Council, 2015.

⁵⁴ Michael Ross, *The Oil Curse: How Petroleum Wealth Shapes the Development of Nations*, Princeton: Princeton University Press, 2012.

decentralize the political system, with the aim of increasing its responsiveness to the local population.

An initiative with a truly breakthrough potential for reviving the political life in Kazakhstan was announced by President Nazarbayev in the beginning of 2017, with the presentation of a comprehensive constitutional reform package at the central level. The constitutional amendments, which were signed into law in March 2017, delegate a number of presidential functions to the parliament and the government. The regulation of social and economic processes are to be transferred from the president to the parliament, which will also have the power to appoint cabinet ministers and control appointments to key municipal offices. Presidential decrees will no longer have the force of law, and the role of the president will be restricted to focusing on steering the political course with regards to national security, foreign policy and long-term strategic planning. Aside from that, the main responsibility of the president is to function as an intermediary between other branches of government.⁵⁵ In a review of a draft version of the constitutional amendments discussed further in the next chapter, the Venice Commission of the Council of Europe concluded that the proposed “reform goes in the right direction and constitutes a clear step forward”. That said, it emphasized the need for additional steps in certain areas in the future.⁵⁶

What is less clear is whether the amendments will extend beyond better constitutional checks and balances, and provide a playing field that encourages the development of political party pluralism with a genuine competition of different voices, different political programs and ideologies. In a formal sense, there is a multi-party system in Kazakhstan, but in reality the pro-presidential Nur Otan party dominates the political scene.⁵⁷ This big party is, however, far from a uniform

⁵⁵ Sandy Greenberg, “Steppe by Steppe: Nursultan Nazarbayev and Incremental Systems Change in Kazakhstan,” *Brown Political Review*, February 24, 2017, <http://www.brownpoliticalreview.org/2017/02/nazarbayev-systems-change-kazakhstan/>.

⁵⁶ European Commission for Democracy through Law (Venice Commission), Kazakhstan: Opinion on the amendments to the constitution. Adopted by the Venice Commission at its 110th Plenary Session, Venice March 10-11, 2017, [http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2017\)010-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2017)010-e).

⁵⁷ Rico Isaacs (ed.), *Party System Formation in Kazakhstan: between formal and informal politics*, London: Routledge, 2011.

political organization; like most strong long-time ruling parties, it harbors a wide span of political views and interests.

It is worth noting that the constitutional reform course set out in Kazakhstan goes in the opposite direction to the global trend toward greater concentration of power in the Executive and particularly in the hands of a single leader, a trend that has been particularly salient in Russia, China, and Turkey – all countries with close connections to Kazakhstan. By contrast, Kazakhstan's constitutional reform agenda, which seeks to reduce the power of the presidency in favor of the government and parliament, can be interpreted as a move closer to the European political tradition.

Kazakhstan's reforms do not occur in a vacuum: they are, at least in part, a response to increasing activism in Kazakh society. In spring 2016, the largest demonstrations in two decades were held to protest the government land reforms plans, which would have expanded the ability of foreign persons and entities to own land. In response to extended demonstrations in several cities across Kazakhstan, spurred mainly by the fear of Chinese land acquisition, President Nazarbayev imposed a moratorium on land reform. These events suggest that Kazakhstan's population is far from passive; while observers agree the population as a whole is supportive of the President's leadership, clearly many Kazakhs were perfectly willing to express discontent in a way seldom seen in Central Asia. Equally telling was the government's response: rather than ignoring these expressions of discontent and carrying through with its plans, the government (while also arresting numerous protesters) proved itself responsive to popular demands.⁵⁸ This suggests that a more participatory political framework may very well evolve in Kazakhstan in the longer term.

There is, however, more to political development than democratic reform. An important facet of life in Kazakhstan is the resilience of the Soviet institutional legacy. The Soviet Union was a vast administrative state; its myriad agencies regulated, in an authoritarian fashion, most aspects of social and economic life. At

⁵⁸ Erica Marat, "Kazakhstan had Huge Protests but No Violent Crackdown. Here's Why", Monkey Cage Blog, Washington Post, June 6, 2016, https://www.washingtonpost.com/news/monkey-cage/wp/2016/06/06/kazakhstan-had-big-protests-without-a-violent-crackdown-heres-why/?utm_term=.f51739807731.

the same time, the Soviet one-party state was not only authoritarian, it was also corrupt. Consequently, the need for institutional reform at independence was enormous. The magnitude of the task was however at best poorly understood, at worst neglected, as the bulk of western assistance in the transition from the communist dictatorship dwelled on the dual introduction of market economy and free and democratic elections. As a result, political and administrative reforms have been piecemeal and incomplete; strong vested interests continue to oppose reforms in many sectors. To an extent that cannot be ignored, a Soviet-like mindset continues to permeate state institutions. In practical terms, this “mindset” means an idea of civil service that is particularistic: state officials tend to use their positions for the benefits of themselves and their personal networks. This understanding of public office contrasts with the universalistic conception of the modern western state.

This state of affairs offers the most entrenched obstacle to Kazakhstan’s development. In order to align the country further with European models of development, greater efforts ought to be directed towards strengthening the quality of governance, something that is in turn a prerequisite for the development of functioning democratic government. Even though Kazakhstan has taken steps to modernize the system of public administration, including addressing the worst problems posed by the encompassing Soviet-type institutions, reform has been unevenly distributed. It has mostly been initiated in the major cities, while it left small towns and villages a long way from being modernized and staffed on a meritocratic basis. In its Strategy 2050, the government repeatedly refers to the need for a professional state, but is less precise when it comes to specifying the needed measures to achieve this goal. A key driver in the process of fighting corruption and improving the quality of public service delivery is the wholehearted embrace of new technologies generated by the revolution in information and communication. Specifically, the state needs to be rolled back, particularly the useless physical encounters between state officials and citizens that provide endless opportunities for abuse of power and corrupt exchanges. A concerted drive to apply current and future advances in technology to the new model of state governance would be indispensable in order to improve transparency, accountability and the general effectiveness of the state. In this endeavor, close cooperation with European governments and organizations with leading experience in the field of e-

government would be mutually beneficial for Kazakhstan and European countries interested in strengthening the country's future development.⁵⁹

Economic Modernization

Kazakhstan's combination of Asian and European features is also strikingly revealed in its economic development model. On the one hand, Kazakhstan has adopted many features of the so-called state-led capitalist economic model especially prominent in many rapidly growing Asian countries like China, Japan, Malaysia, Singapore, South Korea and India. On the other hand, it has been apt in incorporating experiences and concrete policies from European countries. A prominent example is the Sovereign Wealth Fund set up to manage its oil revenues, which was largely modeled on the Norwegian oil fund. A second is its innovation policy strategy, which drew inspiration from the Finnish model. A third is its radical pension reform from 1998, which was pursued in close collaboration with the World Bank.

Since independence, Kazakhstan has been one of the leading economic liberalizers in Eurasia. It was President Nazarbayev's strong belief that the country needed to make the transition to the market economy as quickly as possible, and to do so Western economists were brought in to advice on economic reform and privatization. The quest for quick economic reforms was, however, not as strongly endorsed by the parliament as Nazarbayev deemed necessary, contributing to his decision to dissolve the first parliament in late December 1993.⁶⁰ Overall, however, progress was rapid: the country had completed price liberalization by November 1994 and in July 1996 the national currency was made fully convertible. The government's privatization program included large enterprises in the strategic sectors of power, energy and communications, which were opened to foreign investors. This program was hailed as one of the most ambitious in the former Soviet

⁵⁹ S. Frederick Starr, Johan Engvall and Svante E. Cornell, *Kazakhstan 2041: The Next Twenty-Five Years*, Washington and Stockholm: Central Asia-Caucasus Institute & Silk Road Studies Program, Silk Road Paper, October, 2016.

⁶⁰ The same situation confronted neighboring Kyrgyzstan, where President Askar Akayev's economic reforms were thwarted by cautious interests in the parliament leading Akayev to replicate Nazarbayev's move by dissolving the parliament in 1994.

republics, and opened up the country's economy to western engagement.⁶¹ These pro-market economic policies favored private sector growth both in industry and in services and strongly contributed to the country's economic success after the 1990s. In the past decade, following the global financial crisis that erupted in 2008, the government's hand in the economy became heavier. In reference to the need to strengthen domestic capital development, the government set up state investment funds to support public-private partnership projects and enact legislation limiting foreign investments in its natural resource sectors.⁶²

In recent years, the government has become increasingly susceptible to furthering the private sector and reducing the role of the state in the economy, but so far with limited success. The EBRD estimates that state-owned and quasi-state owned enterprises account for as much as 50 percent of GDP, which is much higher than the average of 15 percent found in OECD countries.⁶³ The multiple economic modernization visions presented by President Nazarbayev in recent years acknowledge that such a big role of the state in the national economy is hardly a path to economic vigor, and set the target to reduce its share in the economy to the level of OECD countries.⁶⁴ In an assessment of the policies, the EBRD notes approvingly of the recent changes made to promote investment and growth, albeit with the caveat that the new privatization program is progressing slowly.⁶⁵ In short, Kazakhstan's economy tries to strike a delicate balance between the centripetal force of state control, planning and monopolies and the centrifugal force of market competition. Finding the right balance between them is one of the great challenges confronting the country in its development ahead.

⁶¹ Pamela Blackmon, "Back to the USSR: why the past does matter in explaining differences in the economic reform processes of Kazakhstan and Uzbekistan," *Central Asian Survey* 24, no. 4 (2005): 395.

⁶² Ariel Cohen, *Kazakhstan: The Road to Independence*, Washington and Stockholm: Central Asia-Caucasus Institute & Silk Road Studies Program, 2008, 78-79.

⁶³ EBRD, "Kazakhstan diagnostic paper: Assessing progress and challenges in developing sustainable market economy (2017)," p. 3,

⁶⁴ Embassy of the Republic of Kazakhstan to the United States "3rd Stage of Modernization," <http://www.kazakhembus.com/content/3rd-stage-modernization>.

⁶⁵ EBRD, "Country Assessments: Kazakhstan," Transition Report 2015-16, <http://2015.tr-ebrd.com/en/countries/#>

In its economic development, Kazakhstan's relations with the EU are highly significant. Nazarbayev, for example, declared in an article for the *Wall Street Journal* that "Kazakhstan borders Russia and China, but the EU is our biggest trading partner."⁶⁶ In 2013, bilateral trade amounted to about €31 billion, of which Kazakhstan's exports accounted for €24 billion, consisting primarily oil, while EU exports to Kazakhstan accounted for about €7.5 billion, dominated by manufactured goods, machinery, and equipment. The top three sources of foreign investments over the past two decades have been the Netherlands, accounting for \$49 billion, the United Kingdom with \$24.7 billion, and the United States with \$17.9 billion. These figures are somewhat misleading, since several enterprises generally not known as Dutch (e.g. Coca-Cola, Eni, and Lukoil) invest in Kazakhstan through Dutch holding companies. In total, around 15,000 companies with foreign capital are registered in Kazakhstan, including 270 Fortune 500 companies. Against this background, the economy is a major incentive for enhanced cooperation between the EU and Kazakhstan as it is intended to promote EU businesses' ability to compete on equal terms with Kazakh counterparts in Kazakhstan and vice versa. In this context, it has also been in the interest of the EU to promote Kazakhstan's membership in the WTO, which finally materialized when the country joined the organization on November 30, 2015.

In connection with the WTO membership and the enhanced trade agreement with the EU, Astana has actively courted Western governments and companies in an effort to secure foreign investments to revitalize a national economy in dire need of diversification away from an unhealthy dependence on hydrocarbons and state-controlled economic entities. The government has presented an extensive privatization plan, but ultimately the degree of interest from foreign investors is dependent on real reforms to improve the country's investment climate, most notably addressing the opaque role of the state in the country's economic life.⁶⁷ Left unaddressed, issues such as the risk of appropriations, arbitrary taxation, and

⁶⁶ Nursultan Nazarbayev, "The Next Chapter in Kazakhstan-EU Relations," *Wall Street Journal*, October 8, 2014, <http://online.wsj.com/articles/the-next-chapter-in-kazakhstan-eu-relations-1412703767>.

⁶⁷ Eimear O'Casey and Alexander Batchilo, "Kazakhstan: Privatization Versus Control," *Forbes*, July 28, 2016, <https://www.forbes.com/sites/riskmap/2016/07/28/kazakhstan-privatization-versus-control/#17aff67bede6>.

corruption will hamper the development of the economic relationship between Kazakhstan and potential Western investors.⁶⁸

Summary: Kazakhstan as a European State

The preceding pages have shown that to a considerable degree, Kazakhstan's profile is in many ways that of a European state. Its secularism, emphasis on a civic conception of the nation, and its education system are all strongly reminiscent of the European heritage. Similarly, the model of Eurasianism espoused by the Kazakh leadership is a positive one, which embraces rather than opposes a European identity, while trying to bridge this with the Asian elements of Kazakhstan's identity. In the field of economic reform, too, Kazakhstan has borrowed strongly from European experience and relied on the assistance of European partners for its modernization. While all of these factors indicate Kazakhstan's character as a fundamentally European state, its model of political reform during the first quarter century of independence has differentiated it from the patterns prevalent in Europe. Indeed, as will be seen in the next chapter, Kazakhstan's centralization and reticence to implement rapid political reforms has been a point of contention in its relationship with European organizations. The merits of this criticism could be debated; leaving that aside, however, it is important to note that important shifts have taken place in the past three years, with Kazakhstan's leadership introducing political reforms that would, over time, bring the country closer to the European political tradition, and in the opposite direction of Russia and Turkey, the other two major countries straddling the border between Europe and Asia. If the current trends continue, Kazakhstan's political system may soon, in many ways, come to appear as more European than that in either Russia or Turkey – while these countries are much more strongly attached to European organizations than Kazakhstan is. Such an anomaly would, of course, be unfortunate.

Against this background, this study now moves to the question of Kazakhstan's relationship with major European organizations, seeking answers to the question

⁶⁸ S. Frederick Starr et al., *Looking Forward: Kazakhstan and the United States*, Washington, DC: Central Asia-Caucasus Institute & Silk Road Studies Program, Silk Road Paper, September 2014.

what Kazakhstan's place in "organizational" Europe is – and what future steps would strengthen that relationship.

Kazakhstan in European Organizations

Kazakhstan's European vocation is most notable in its extensive and active relationship with European organizations. Kazakhstan is a member of the OSCE and has chaired the organization. But outside the OSCE, Kazakhstan has developed close relations with a number of organizations ranging from NATO and the Council of Europe to the OECD and European Union. The following pages will detail Kazakhstan's relationship with these institutions, and the unfulfilled potential it may hold.

The Organization for Security and Cooperation in Europe (OSCE)

The Organization for Security and Cooperation in Europe (OSCE) is the successor of the Conference on Security and Co-operation in Europe (CSCE) created in 1973. As a forum for dialogue between the US-led Western states and the Soviet-led Eastern bloc, the series of conferences resulted in the signing of the Helsinki Final Act on August 1 1975. Nearly two decades later, by the end of 1994, it was transformed into a full-fledged intergovernmental organization. The OSCE has become the primary forum for the management of security issues in Europe and Eurasia. The comprehensive security concept of the OSCE encompasses three dimensions – military and political; economy and environment; and human rights.

Along with the other former Soviet republics, Kazakhstan joined the OSCE in 1992. In 2004, Kazakhstan announced that obtaining the OSCE's rotating chairmanship was a central foreign policy goal and part of the "Path to Europe" pillar in its domestic and foreign policy. The journey to that goal was not free from controversy. Among CIS members, Astana's bid was strongly supported both at the 2005 CIS Summit in Kazan, and at the 2007 CIS Summit in Dushanbe. Russia, in particular, actively bolstered Kazakhstan's bid, arguing "that a decision against Kazakhstan would see the work of the organization grind to a halt and lead to the

marginalization of the OSCE.”⁶⁹ Even though Kazakhstan could count on the strong support from CIS countries, some Western member states were less enthusiastic in embracing Kazakhstan’s bid. For example, while Germany supported Kazakhstan’s chairmanship, France, the U.K., and the U.S. were less supportive, arguing that Kazakhstan’s human rights record and democratic deficit made it an inappropriate choice for chairing the organization.⁷⁰

Besides Western governments, Kazakhstan’s chairmanship bid immediately drew criticism from human rights and democracy advocates concerned by the gap between the principles defended by the OSCE under its human dimension and the insufficient progress in implementing democratic reforms in Kazakhstan.⁷¹ Linked to this, there were fears that Kazakhstan’s chairmanship would possibly endanger the mandate of the OSCE’s democratic body – the Office of Democratic Institutions and Human Rights (ODIHR) – since Kazakhstan and other CIS countries in the past had expressed a desire to change the status of the ODIHR. Concerns were also raised that Kazakhstan sought the OSCE chairmanship primarily for the purpose of strengthening the country’s image and standing in the international arena rather than aiding the work of the OSCE per se.

It proved a major challenge for Astana to overcome these divisions and secure consensus for its bid. Consequently, the foreign ministry outlined a strategy highlighting the potential benefits of Astana’s presidency for the region and the OSCE, and warning of the potentially adverse consequences of rejecting the bid.⁷² Overall, this strategy aimed to frame Kazakhstan as a central country for security and stability in the strategic Central Asian region, but also to position itself as a bridge between the OSCE’s western and eastern members. In regard to the OSCE’s human dimension pillar, Kazakhstan managed to present itself as a stable multiethnic country on its way to democratic reforms.⁷³

⁶⁹ Margit Hellwig-Bötte, “Kazakhstan’s OSCE Chairmanship – The Road to Europe?” IFSH, *OSCE Yearbook* 12 (2008), 179.

⁷⁰ Jos Bonstra, “OSCE Democracy Promotion: Grinding to a Halt?,” *FRIDE Working Paper* 44, October 2007.

⁷¹ For a critical report, see Human Rights Watch, “Political Freedoms in Kazakhstan,” 26, no. 3 (2004).

⁷² Cohen, *Road to Independence*, 202-203.

⁷³ Murat Laumulin, “Kazakhstan’s OSCE Chairmanship: History and Challenges,” IFSH, *OSCE Yearbook* 14 (2010), 317-326.

Ultimately, the government's efforts were successful. Although an agreement was expected in 2006, it was not until the OSCE's end of the year 2007 Ministerial Council meeting in Madrid that Kazakhstan was, as the first CIS country, awarded the chairmanship in a unanimous vote among the 56 member states. However, instead of 2009 as initially planned, Kazakhstan's chairmanship was postponed to 2010 in order to give the government an extended period for implementing reforms in the fields of media freedom and electoral law, as well as local governance. In accordance with this compromise, Kazakhstan amended and passed several laws relating to media, elections, political party registration, freedom of religion, and representation of national minorities.⁷⁴ In addition, Astana adopted a National Human Rights Action Plan, and strengthened its mission to the OSCE by increasing its professional staff and financial endowment. Experienced diplomat Kanat Saudabayev was appointed Minister of Foreign Affairs specifically to spearhead the preparation for assuming the chairmanship.⁷⁵

How, then, did the Kazakh chairmanship unfold with regards to the critical objections on human rights and democracy? Kazakhstan organized a number of meetings related to the human dimension, including the second OSCE Parallel Civil Society Conference in Astana – an event that has since been held once a year. Fear that the work of the ODIHR would be constrained turned out to be unfounded, as it was able to operate autonomously without interference of the Chairman-in-Office (CiO) or any other member state.⁷⁶ Indeed, in 2010, four election-monitoring missions were conducted in CIS countries. As for the general effectiveness of Kazakhstan's chairmanship, an evaluation conducted by the U.S.-Kazakhstan OSCE Task Force gave the following verdict:

Kazakhstan provided capable and energetic leadership for the organization at a difficult time in its evolution. A major achievement of the Kazakh chair was bringing the attention of the OSCE to Central Asia and emphasizing its Eurasian dimension –

⁷⁴ Although to the disappointment of Western observers and local human rights groups, some liberal legislation has since then been reverted.

⁷⁵ Pal Dunay, "Kazakhstan's Unique OSCE Chairmanship in 2010," IFSH, *OSCE Yearbook 14* (2010), 52.

⁷⁶ Janusz Bugasjki, Margarita Assenova, and Richard Weitz, "Kazakhstan's OSCE Chairmanship 2010. Final Report," IND/CSIS, U.S.-Kazakhstan OSCE Task Force, December 2009, 15-16.

in highlighting security problems stemming from the Afghan conflict, potential failed states, destabilizing economic and environmental problems, and vexing human rights issues.⁷⁷

Kazakhstan's year at the helm of the OSCE was rounded off with the December 2010 Astana Summit, the first OSCE Summit held in 11 years. In sum, Kazakhstan's chairmanship was characterized by professionalism and further underlined its international position as a serious and reliable international actor. It did give Astana the opportunity to demonstrate its ability to effectively organize a chairmanship of a major international organization. Meanwhile, the Chairmanship exposed Kazakhstan to increased international attention to its domestic political situation. Contrary to what human rights organizations had argued, the OSCE Chairmanship hardly led to the softening of any criticism against the government in the domestic policy sphere.

The European Union (EU)

Kazakhstan's European identity and its strong economic and political ties to the EU have made Astana the EU's most important partner in the region. EU assistance to the country has had a broad focus, ranging from regional and local government development to judicial, social and economic reforms. In particular, energy and investments have been major drivers in the cooperation between Kazakhstan and the EU. In addressing the relationship with the EU, President Nazarbayev has been consistent in his speeches, with the exact same passages cited in major speeches to European audiences a decade ago: "Kazakhstan is interested in making cooperation with the EU more meaningful in the field of regional and international security, economy, social and cultural development. We must create favorable conditions for our European partners for the implementation of the major international projects to attract advanced technology and knowledge to our country."⁷⁸

⁷⁷ Ibid, vi.

⁷⁸ Nursultan Nazarbayev, "Kazakhstan na poroge novogo ryvka vpered v svoem pazvitii," Embassy of the Republic of Kazakhstan in the Russian Federation, Kazembassy.ru, March 3, 2006; Nursultan Nazarbayev, "Vystuplenie Prezidenta RK N.A.Nazarbaeva pered predstavitelyami obschestvenno-politicheskikh I delovykh krugov FRG," Embassy of the Republic of Kazakhstan in the Russian Federation, Kazembassy.ru, January 20, 2007.

Between 1999 and 2014, bilateral relations between Kazakhstan and the EU were governed by a Partnership and Cooperation Agreement (PCA). On September 12, 2014, Kazakhstan became the first Central Asian country to successfully conclude an Enhanced Partnership and Cooperation Agreement (EPCA) with the EU; the agreement was signed on December 21, 2015 in Astana. The purpose of the agreement was to lay the foundation for stronger and more developed EU-Kazakhstan relations. In the words of the outgoing President of the European Commission, Jose Manuel Barroso, the agreement would “greatly facilitate stronger political, economic, and strategic relations as well as the flow of trade, services and investment between Kazakhstan and the European Union and contribute to Kazakhstan’s political, rule of law, and economic reform as well as modernization and prosperity.”⁷⁹

Overall, the EU-Kazakhstan EPCA has four principal targets: building a sufficient institutional framework for cooperation; supporting Kazakhstan’s democratization and market-based economic development; facilitate trade and investment; and building stable collaborations in the fields of energy and transport. The major part of the partnership agreement is devoted to trade and energy. The trade component is based on certain WTO rules and principles such as most-preferred-nation tariff and the WTO Agreement on Technical Barriers to Trade. The agreement does not imply the creation of a free-trade zone between EU countries and Kazakhstan. In its capacity as member of the Eurasian Economic Union, Kazakhstan is legally constrained from establishing a free-trade zone with a third party. As Kazakhstan does not have independent control over its customs tariffs, a free-trade agreement between the EU and Kazakhstan would not be possible, in the absence of the establishment of a free-trade area between the EU and the Eurasian Economic Union. Given that such a scenario seems highly improbable for the foreseeable future, the legal regulation of EU-Kazakhstan trade cooperation is bound to be confined to WTO principles.

The enhanced relationship between Kazakhstan and the EU raises the question of how Kazakhstan’s EPCA compares to the Association Agreements (AA) and

⁷⁹ “EU, Kazakhstan Forge Closer Ties as Nazarbaev Visits,” *RFE/RL*, October 9, 2014, <http://www.rferl.org/content/kazakhstan-eu/26628531.html>.

accompanying Deep and Comprehensive Free Trade Agreements (DCFTA) that the EU has concluded with Ukraine, Moldova, and Georgia within the framework of its Eastern Partnership. In spring 2003, the EU launched its European Neighborhood Policy (ENP) to help the countries on its eastern and southern borders build democracy, strengthen economic development, and manage cross-border links. Following the EU's enlargement in 2004 and 2007, the EU built a deeper relationship with its eastern neighbors by establishing the European Neighborhood and Partnership Instrument (ENPI) as a specific financial instrument for supporting the implementation of the neighborhood policy. Within this policy framework, the EU established the Eastern Partnership (EaP) in 2009 to focus specifically on the eastern countries of the Neighborhood Policy. The EaP covers Armenia, Azerbaijan, Belarus, Georgia, Moldova and Ukraine, and is tasked to promote and intensify political association and deepening economic integration between the EU and these countries.⁸⁰ The launching of the EaP represented a significant change in EU policy towards the eastern neighborhood. Previously, the ENP had been a rather ineffective policy with little in terms of a general strategic framework. In fact, the countries of the South Caucasus had initially not been included in the ENP; thus, as late as 2003, there was only a limited difference in how the EU treated the South Caucasus and Central Asian countries.

The Eastern Partnership changed matters in a number of important ways. First, it offered a new type of agreement for its immediate eastern neighbors that represented the most concrete framework for dealing with non-members' prospective integration since the decision in the Maastricht agreement from 1991 to pursue an enlargement of the EU to former communist countries in Central and Eastern Europe. Second, it represented a shift from soft to hard law. The bilateral relations between EU and each Eastern Partner were to be formalized through the conclusion of Association Agreements, which represent the closest agreement possible with a country not yet member of the EU. In addition, economic integration would be formalized within the AA when each partner proved ready to be granted access to a DCFTA. For that, each partner country had to adopt and fully apply a

⁸⁰ European Commission, *EU Cooperation for a Successful Eastern Partnership*, Brussels, 2012, http://ec.europa.eu/europeaid/where/neighbourhood/eastern_partnership/documents/eastern_partnership_flyer_final_en.pdf

broad range of EU standards and regulations, including in technical fields such as transport, environment and taxation. No integration *a la carte* was to be available, and the rules negotiated were to be mandatory and precise in their nature. In short, the EU's offer of closer relationships with eastern neighbors was conditional: partners needed to conform with EU norms and standards in order to be granted access to EU goods and markets. In essence, through these agreements, the partner states were to implement a considerable proportion of the EU's *acquis communautaire*, a fact that obviously would make them closer to actual membership if and when such accession would be politically feasible.

The introduction of the Eastern Partnership therefore drew a hard line in the Caspian Sea. It provided countries to its west with a pathway to integration with the EU, in every area except membership. Any prospect of EU integration was conspicuously missing from the EU's Strategy for Central Asia, launched in 2007.⁸¹ Implicitly, the EU seemed to say that the Caucasus was Europe, but Central Asia was not. In contrast to the AA and DCFTA format, Kazakhstan's EPCA does not foresee a possible expansion into a free trade agreement, and does not imply the unilateral adaptation to the *acquis communautaire*, as the DCFTA does. It is nonetheless more ambitious than any agreements between the EU and other Central Asia states, or Russia for that matter. In comparison to the PCA signed in 1999, the new deal is both broader in scope and more detailed in its focus.

Meanwhile, things have changed since the Eastern Partnership's creation. The instrument's one-size-fits-all character did not stand the test of time: only half of the six countries signed Association Agreements. At the time of writing, Armenia had signed a modified version of the political part of an Association Agreement it had negotiated in 2010-13 but subsequently jettisoned in favor of membership in the Eurasian Economic Union. Azerbaijan and the EU re-opened negotiations for an agreement that would be very different from an Association Agreement; no

⁸¹ The EU's Strategy for Central Asia adopted in 2007 essentially reorganized the EU's relations with Central Asia on a regional basis rather than on individual bilateral relations. The strategy identified the major objectives of EU policy in Central Asia as: ensuring stability and security in the region; helping to eradicate poverty and increase living standards; facilitating closer regional cooperation, particularly in energy, transport, higher education and environment. See Council of the European Union, "The EU and Central Asia: Strategy for a New Partnership," Brussels, May 31, 2007, https://eeas.europa.eu/sites/eeas/files/st_10113_2007_init_en.pdf.

negotiations were ongoing with Belarus. Faced with this reality, the EU found itself forced to embrace an *à la carte* approach if the Eastern Partnership as an instrument was to survive. This, in turn, meant that the hard line the EU had drawn between the Caucasus and Central Asia was once again, to some degree, dissolving. In fact, the cooperation agreements that Armenia and Kazakhstan have reached, and that Azerbaijan could reach in the near future, with the EU may differ more in degree than in kind. In other words, there is nothing that dictates that Kazakhstan's relationship with the EU is necessarily less developed than that of a member of the Eastern Partnership.

For the future of Kazakhstan-EU relations, the economic dimension is bound to be a key factor with Europe likely to remain a leading trade partner for Kazakhstan. However, it is hard to imagine that Europe's political aspirations will extend significantly beyond its current borders. It is probable that the EU will absorb the Western Balkans over the next decades, a process that has already begun. It is plausible but not necessarily probable that some of the Eastern Partnership countries that signed Association Agreements could become EU members in the same time frame. Yet there is no plausible scenario in which all six Eastern Partners would, let alone that this political expansion would extend east of the Caspian. What could be imagined, however, is that an arrangement in substance similar to the Eastern Partnership is extended eastward – i.e. the unilateral adaptation to EU regulations and norms without the stated prospect of membership. Because no other Central Asian state has a comparable relationship with the EU, this would likely take the shape of a bilateral arrangement with Kazakhstan.

Whether Kazakhstan pursues deeper integration with the EU or not, the EU is likely to play a role, as it does presently, in Kazakhstan's balanced foreign policy in various individually limited but collectively significant ways. Going forward, it is also likely that the EU will play an important role in supporting the domestic reform agenda in Kazakhstan.

The North Atlantic Treaty Organization (NATO)

In 1992, Kazakhstan and the four other Central Asian states joined NATO's Council of North Atlantic Cooperation (renamed the Euro-Atlantic Partnership Council in

1997). Following the creation of the Partnership for Peace (PfP) – a specific structure designed to enhance dialogue between NATO and former Soviet republics, the countries of the former republic of Yugoslavia, and several EU countries – in 1994, the country was given the opportunity to build an individual relationship with NATO. Kazakhstan grasped this opportunity in 1995, and is the only country in Central Asia to have advanced its cooperation to the level of developing an Individual Partnership Action Plan (IPAP) under the PfP.⁸² This puts Kazakhstan in the same category as Armenia, Azerbaijan, and Moldova – countries that have no stated intention to join NATO but who cooperate through IPAPs. Georgia and Ukraine, by contrast, have a stated intention to seek membership and are in “Intensified Dialogue” for that purpose.

At the time of the signing in 2006, Kazakhstan was already member of two security organizations – the CSTO and SCO. Thus, the move to sign an IPAP serves as a testimony to the country’s desire and (at least partial) ability to balance its international relations also in the military and security sphere. The deepened cooperation within the IPAP has focused on strengthening cooperation mechanisms with NATO countries and help bringing Kazakhstan’s military closer to Western standards. Kazakhstan has taken an active stance and both hosted and participated in PfP training and exercises. A PfP regional training center exists in Almaty, although its purpose is largely symbolical, with little practical impact on Kazakhstan’s military forces.⁸³ In the field of counter-terrorism, Kazakhstan participates in the Partnership Action Plan on Terrorism, including by sharing information with NATO, improving national capabilities to fight terrorism and border security.⁸⁴

In addition, Kazakhstan contributed to humanitarian activities during the U.S.-led operation in Iraq, by sending its own peacekeeping brigade, Kazbrig, under UN mandate. Kazakhstan’s participation in, and integration with, international peacekeeping operations, for example under NATO flag, is in line with its multi-vector foreign policy, and also aligned with Euro-Atlantic interests. Regarding

⁸² Roger McDermott, “Kazakhstan Hosts Steppe Eagle 2012,” *Eurasia Daily Monitor*, September 11, 2011.

⁸³ *Ibid.*

⁸⁴ “NATO’s Relations with Kazakhstan,” *European Dialogue*, November 30, 2011, <http://www.eurodialogue.eu/natos-relations-kazakhstan>.

future objectives, NATO and Kazakhstan have also sought to make Kazbrig fully consistent with NATO by reaching NATO Evaluation Level 2 as well as increasing the single-battalion Kazbrig to a three-battalion brigade. Achieving these mutual objectives would “be a step toward greater interaction between NATO and the Kazakhstani armed forces outside of Kazbrig.”⁸⁵ Overall, the major driver in Kazakhstan’s military partnership with NATO has been the ambition of developing professional and well-equipped Kazakh forces.

The partnership between Kazakhstan and the West in the field of defense and security are nonetheless restrained by Kazakhstan’s involvement as sustaining member of the CSTO and the SCO. The need to nurture the relationship with Moscow, in light of the length of their common border and the vast military imbalance between Kazakhstan and Russia, mean that Astana’s room for independent maneuverability in the security realm is limited.⁸⁶ The challenge Kazakhstan faces in this area has grown considerably in recent years, given the ever-worsening relations between Russia and Western states and organizations, including the mutual sanctions wielded between them. No institutional dialogue between Russia and NATO functions at present, further complicating Kazakhstan’s ability to thread this needle.

Kazakhstan’s security relationship with NATO and the West is, however, of a long-term nature. While the reality of world politics may impede the further development of cooperation in the short term, Kazakhstan has shown no intention to alter the fundamental basis of its relationship with NATO. Indeed, as recently as August 2017, Kazakhstan hosted Exercise Steppe Eagle 17 in Almaty – at which NATO officials declared that the first level of interoperability had been fully achieved.⁸⁷

Kazakhstan’s relationship with NATO may be a factor in helping Astana deflect entanglements in the CSTO that Kazakh leaders do not feel correspond to the

⁸⁵ Starr et al, “Looking Forward,” 20.

⁸⁶ Johan Engvall and Svante E. Cornell, *Asserting Statehood: Kazakhstan’s Role in International Organizations*, Washinton and Stockholm: Central Asia-Caucasus Institute & Silk Road Studies Program, Silk Road Paper, December 2015.

⁸⁷ Capt. Desiree Dillehay, “Multinational Exercise Reaffirms Peacekeeping Partnerships”, U.S. Army, August 16, 2017, <https://www.army.mil/article/192460>.

country's national interests. For example, while Kazakhstan took on a prominent role by hosting Syria peace talks in Astana, six rounds of which had been held by September 2017, Moscow increasingly pressured Kazakhstan and Kyrgyzstan to supply peacekeeping forces to a CSTO Mission to Syria. Kazakhstan's Foreign Minister Kairat Abdrakhmanov was compelled in June 2017 to deny statements by Russian officials that negotiations were under way for a Kazakh CSTO deployment.⁸⁸ Indeed, given Russia's very direct role in the Syrian war in support of the Assad government and the pro-Iranian axis in the Middle East, a Kazakhstani deployment there could create significant problems for a largely Sunni Muslim society. And while Kazakhstan has been an avid contributor to peacekeeping missions, it has always been very careful to emphasize the importance of UN Security Council resolutions as the basis for peacekeeping missions. Thus, Moscow and Astana have diverging opinions on the purposes of the CSTO. As such, all other security relationships are important in Kazakhstan's effort to maintain its ability to maneuver, its membership in the SCO and its relationship with NATO foremost among them.

The Council of Europe (CoE)

The Council of Europe (CoE) is the continent's foremost organization tasked with upholding human rights, democracy and rule of law. Founded by the Treaty of London in 1949, the organization initially had ten West European member states, though membership expanded gradually to most non-communist states during the Cold War. After the collapse of communism, its membership expanded greatly to the current number of 47, leaving only three countries with part of their territory in Europe outside of the organization: Belarus, the Vatican, and Kazakhstan. The expansion of the CoE has been a contested topic given the ambiguities associated with determining Europe's geographical borders. In 1994, the Parliamentary Assembly of the Council of Europe (PACE) adopted Recommendation 1247 on

⁸⁸ Adam Taylor, "Kazakhstan and Kyrgyzstan Deny Reports They Are in Talks with Russia to Send Troops to Syria", *Washington Post*, June 23, 2017.

enlargement, proposing that membership be open to countries wholly or partly located in Europe and “whose culture is closely linked with the European culture.”⁸⁹

Given that this definition has applied to both Russia and Turkey, it should apply similarly to Kazakhstan. In practice, however, this does not appear to have been the case. In 1997 Kazakhstan applied to become a Special Guest, a status only available for a European country, followed by an application to observer status in 1999. In 2001, the PACE Chairman, Lord David Russell-Johnston, stated in Astana that it was “too early” for Kazakhstan to be granted such status due to its centralized government and the continued existence of the death penalty.⁹⁰ However, by 2006, a Rapporteur for the Political Affairs Committee concluded that because of Kazakhstan’s nature as a European country, the country should be considered “eligible to apply for a special guest status.”⁹¹ The Standing Committee skirted over this issue, and simply declared its determination “to develop co-operation” and to “contribute to political reform” in Kazakhstan, “possibly on the basis of observer status.”⁹² This vague formulation raised more questions than it answered, because observer status is primarily reserved for non-European partner countries, such as the U.S., Canada, Japan and Mexico.⁹³ Implicitly, the Standing Committee therefore appears to treat Kazakhstan differently from Belarus, another European former Soviet state that the organization considers to possess deficiencies in the area of democracy and human rights. The CoE Committee of Ministers declared in 2012 that the full integration of Belarus remains the organization’s “Strategic Objective.”⁹⁴

⁸⁹ Parliamentary Assembly of the Council of Europe, “Enlargement of the Council of Europe”, Recommendation 1247, (1994), <http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=15281&lang=en>.

⁹⁰ “Kazakhstan not in Line for Membership of Council of Europe”, RFE/RL, October 8, 2001. (<https://www.rferl.org/a/1142498.html>)

⁹¹ Tadeusz Iwiński,, “Situation in Kazakhstan and its Relations with the Council of Europe,” Report to Political Affairs Committee, July 7, 2006. (<http://www.iwinski.pl/publikacja/situation-in-kazakhstan-and-its-relations-with-the-council-of-europe>)

⁹² Parliamentary Assembly of the Council of Europe, Resolution 1526, 2006. (<http://assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=17490&lang=en>)

⁹³ The exception is the Vatican City, a theocratic state that was admitted to Observer Status in 1970 through a terse two-paragraph statement that mentioned the “unique character of the Holy See”, and that in view of this specific nature, the decision “could not be invoked as precedent”. “Relations between the Council of Europe and the Holy See.” (<https://rm.coe.int/16804b89e3>)

⁹⁴ Council of Europe Office of Directorate General of Programmes, “Report on Council of Europe Activities in Belarus in 2012-2013”, January 7, 2014, p. 3. (<https://rm.coe.int/16802ed0b3>)

It has made no similar declaration with respect to Kazakhstan, and sent mixed signals on whether it considers Kazakhstan as a country that is eligible for membership. Importantly, however, nowhere has the Council of Europe explicitly excluded Kazakhstan's membership in the organization on geographic grounds. Subsequently, PACE officials clarified that although they found it desirable to integrate Kazakhstan into the European institutional framework, this would only be an option if certain conditions were fulfilled, such as a moratorium on the death penalty, the ratification of all European human rights conventions and a significant improvement in the protection of human rights in the country.⁹⁵

An agreement on cooperation between PACE and the Parliament of Kazakhstan was signed in 2004. This allowed members of Kazakhstan's legislature to attend the Assembly's sessions and also included the appointment of a special representative of Kazakhstan at the Secretariat of the Council of Europe in Strasbourg. An additional part of the agreement included an extension of the CoE's election monitoring during parliamentary and presidential elections from 2004 onward. On November 17, 2006, the CoE's parliamentary assembly released a resolution endorsing Kazakhstan's progressive steps in the field of building democratic institutions and strengthening human rights, while at the same time criticizing the country for lingering violations of civil rights and suppression of opposition groups in the country. The resolution also provided specific suggestions and offered assistance in helping the country address the deficiencies.

In 2009, the CoE launched a new initiative called "partner for democracy", which extended and deepened the cooperation between PACE and the parliaments in Central Asian and Maghreb countries. More consequentially, Kazakhstan in 2011 became a full member of the European Commission for Democracy through Law (in common parlance known as the Venice Commission), which it had been associated with since receiving observer status in 1998. In recent years, the most intensive area of Kazakhstan-CoE relations has been a step-by-step Action Plan on Kazakhstan's accession to the Council of Europe's target conventions in criminal justice. Reform of the criminal justice system was originally one of the priority areas suggested by

⁹⁵ Vitaly Volkov, "Kazakhstanu rano v Sovet Evropy," *Deutsche Welle*, April 26, 2002. (<http://www.dw.com/ru/казахстану-рано-в-совет-европы/a-507132>)

the CoE for cooperation with Kazakhstan from 2014 to 2015. The offer also included strengthened cooperation in other areas, such as education, human rights and democratic citizenship, but the Kazakh authorities decided to focus only on the criminal justice priority area. Within this Action Plan, support for improving the quality and efficiency of the justice system followed on for the period 2015-2017.⁹⁶

In 2017, Kazakh officials also requested an opinion from the Venice Commission on the Constitutional Amendments proposed early in the year. In response, the Venice Commission issued a report in March that, with some reservations of a largely technical nature, praised the proposed amendments. As the Opinion noted, the amendments “represent a step forward in the process of democratisation of the state,” welcoming in particular the enhancement of the powers of parliament and the strengthening of the division of powers, including the barring of presidential decrees having the force of law.⁹⁷

Kazakhstan’s relationship with the Council of Europe has thus developed considerably since the country’s independence. However, among countries with territory in Europe, Kazakhstan stands out as the only country for which the CoE has not established some form of clarity regarding its intentions. The states of the South Caucasus acceded to the CoE from 1999 to 2001, while Turkey has been a member since 1949, and Russia joined in 1996. Belarus held “Special Guest” status with the Parliamentary Assembly of the Council of Europe until this status was suspended in 1997 on account of its non-compliance with CoE standards.

From the perspective of the Council of Europe, there are reasons for this reticence. The organization’s experience in granting membership to former Soviet countries is not entirely positive. Russia gained membership early, but this membership did not prevent Russia from backtracking considerably from CoE standards in ensuing years. In fact, Russia has twice seen its voting rights in PACE suspended – first in 2000 over the war in Chechnya, and subsequently in 2014 following the annexation of Crimea. Similarly, there appears to be a general sense that Armenia and

⁹⁶ Council of Europe, “Kazakhstan country profile,” May 18, 2017, <http://www.coe.int>.

⁹⁷ “Kazakhstan: Opinion on the Amendments to the Constitution, Adopted by the Venice Commission at Its 110th Plenary Session, Venice, 10-11 March, 2017” Opinion 882/2017, March 14, 2017. ([http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2017\)010-e](http://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2017)010-e))

Azerbaijan were granted membership too early and have backtracked in democratic development since gaining membership. Even Turkey, a member since 1949, was put back on a “watch list” in 2017 over PACE’s “serious concerns” about democracy and human rights. These experiences, though no fault of Kazakhstan’s, are likely to hamper its evolving relationship with the CoE. Yet there should be clarity on the fundamental premises of the relationship: Kazakhstan, just like Russia and Turkey, has part of its territory in Europe, and if these countries have been admitted to membership, Kazakhstan should enjoy the same rights whenever it meets the relevant criteria.

While full membership in the CoE is unlikely to be a short-term prospect, the Council of Europe is underrated as an agent of political reform. Indeed, the CoE has successfully assisted in institutional reform and political transformation across eastern Europe, seconding experts and bureaucrats for this purpose that carry out important work without making headlines. More than ever, the presence in CoE institutions of east European nationals with experience of their own transitions and reforms constitute an unparalleled reserve of expertise that Kazakhstan could benefit from as it seeks to implement the goals for institutional reform set by President Nazarbayev. In this context, it would seem that the relationship between Kazakhstan and the Council of Europe has a lot of under-utilized potential. On the Strasbourg side of the equation, the CoE needs to develop much stronger clarity on the prospect for Kazakhstan’s eventual membership in the organization, and in enhancing the steps the CoE is willing to make in the context of the existing modes of cooperation. But steps are needed on Astana’s side as well. For the CoE, the death penalty issue is a red line, as evidenced by the organization’s relationship with Belarus and the CoE’s clear message to Turkey that the re-introduction of the death penalty would be incompatible with membership.⁹⁸ In Central Asia, only Kazakhstan and Tajikistan continue to have the death penalty on the books. On the positive side, President Nazarbayev declared a Moratorium on the use of the death penalty in 2004. However, Kazakhstan retains the death penalty in wartime as well

⁹⁸ Parliamentary Assembly of the Council of Europe, “Turkey: reintroducing the death penalty ‘incompatible’ with Council of Europe Membership”, April 19, 2017. (<http://www.assembly.coe.int/nw/xml/News/News-View-EN.asp?newsid=6597&lang=2&cat=5>)

as for terrorist crimes; a death sentence was handed down as recently as 2016.⁹⁹ Yet as the examples of Russia and Armenia have shown, the CoE appears content with accepting countries that have a credible moratorium. Of course, many issues beyond the death penalty would arise should Kazakhstan seek membership in the CoE, including in the areas of governance, elections and human rights. Kazakhstan would also need to adopt the various CoE conventions that undergird the organization's work. The point is that if Kazakhstan continues on a path of political reform that would put it on a path to a more European form of government, not only can the CoE be an important partner in this endeavor; but full membership in the CoE could become a political objective during the course of such a journey.

The Organization of Economic Cooperation and Development (OECD)

Although Kazakhstan has been involved in OECD projects since 1993, its membership aspirations were first made public in June 2011 during a meeting between then Prime Minister Karim Massimov and the OECD's Secretary-General, José Angel Gurría.¹⁰⁰ The ambition to join the organization has since consolidated following the unveiling of the "Kazakhstan 2050" strategy in December 2012. The new strategy, which comes upon the earlier "Kazakhstan 2030" strategy adopted in 1997, sets out an ambitious plan for turning the country into one of the world's top 30 developed nations by 2050. Seen in this context, joining the OECD – the club of developed countries – would be a logical part of facilitating the reforms needed for implementing the long-term development strategy. The OECD's function as a benchmark for Kazakhstan was spelled out in Strategy-2050:

Today the member states of the Organization for Economic Cooperation and Development (OECD) represent basic indicators of developed countries. This organization brings together 34 countries that produce more than 60 percent of global GDP. The OECD member countries have undergone the path of deep modernization. They now demonstrate high rates of investment,

⁹⁹ "Kazakh Court Sentences Almaty Gunman to Death", RFE/RL, November 2, 2016. (<https://www.rferl.org/a/kazakhstan-almaty-death-sentence-gunman-kulekbaev/28090318.html>)

¹⁰⁰ "Kazakhstan wants to be part of OECD," *Tengrinews.kz*, June 28, 2011, http://en.tengrinews.kz/kazakhstan_news/Kazakhstan-wants-to-be-part-of-OECD-2815/.

scientific research, productivity, a large share of small and medium-sized businesses, and high standards of living. These indicators of OECD countries provide a natural benchmark for Kazakhstan on our way to joining the top 30 developed nations of the world.¹⁰¹

In other words, the motivation behind Kazakhstan's endeavors to join the OECD is linked both to benefits to be had from cooperation and information from developed industrial countries for its own modernization strategy, but also due to the relative exclusiveness surrounding the OECD with its "club-like" characteristics. Being a part of this club would serve as a confirmation of how far Kazakhstan has progressed since independence.

Kazakhstan's increasing cooperation with the OECD is part of a process of organizational restructuring ongoing since the end of the Cold War. From having been an organization mainly reserved for wealthy European countries, the OECD has evolved into a more open organization aspiring for global influence. In practice, this has meant a more open membership policy, engagement with new global actors, and outreach to developing countries.¹⁰² The accession pattern to membership is rather flexible and follows not only technical criteria, but aspires to strike a balance between European and non-European members. Political and geopolitical circumstances also influence the accession policy, most recently manifested in the case of Russia's accession process, which was put on hold following the

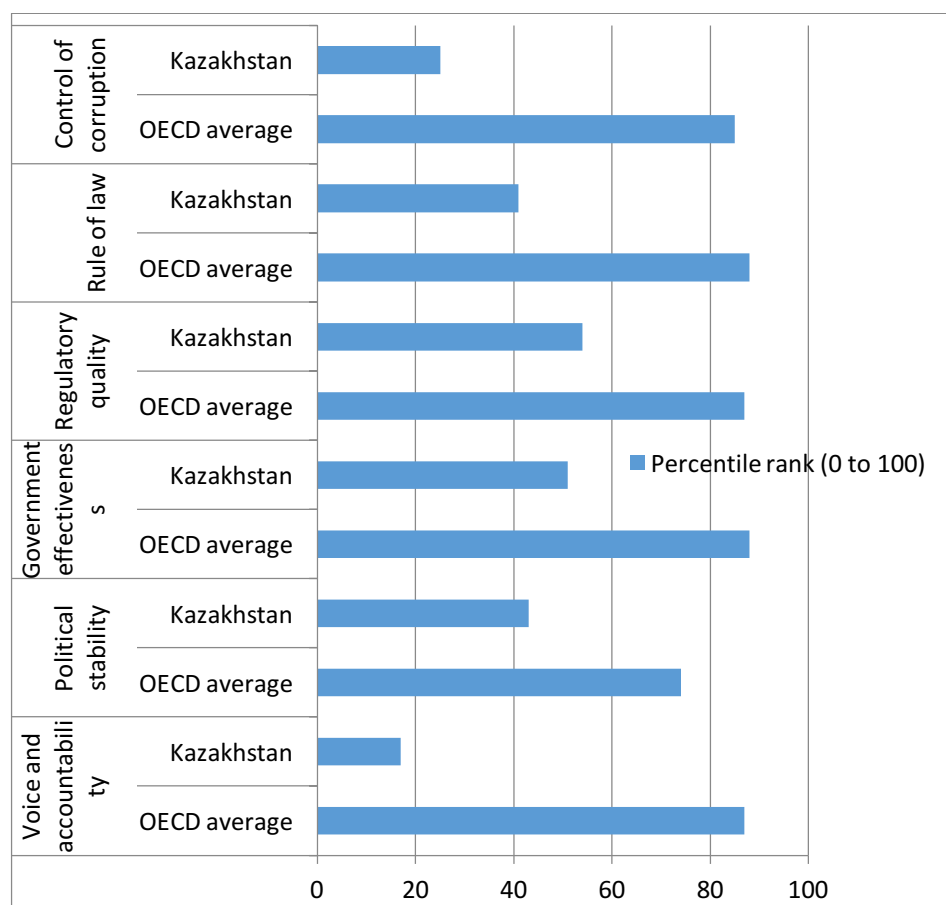
¹⁰¹ "Kazakhstan's way – 2050: Common Aim, Common Interests, Common Future. Address of the President of the Republic of Kazakhstan Nursultan A. Nazarbayev to the Nation, January 2014," The Embassy of the Republic of Kazakhstan to the Kingdom of Sweden, January 29, 2014, <http://kzembassy.se/index.php/en/about-kazakhstan/annual-state-of-the-nation-address/kazakhstan-s-way-2050-common-aim-common-interests-common-future-address-of-the-president-of-the-republic-of-kazakhstan-nursultan-a-nazarbayev-to-the-nation-january-2014>.

¹⁰² Judith Clifton and Daniel Diaz-Fuentes, "From 'club of the Rich' to 'Globalisation à la carte?' evaluating Reform at the OECD," *Global Policy* 2, no. 3, October 2011: 300-311. To become a member, a potential candidate state needs to first of all declare its intention to join the organization. It is then up to the OECD Council, as the governing body comprising all its member states, to decide whether an accession discussion should be opened, and sets out the terms and conditions of the possible accession. For this purpose, the Council prepares a concrete "Accession Roadmap" specifying reviews that need to be implemented in different policy areas in order to assess how the country measures up to OECD's policies and standards in these fields. For each country, the process is individually specified and independently assessed.

internationally condemned annexation of Crimea. While the OECD is dominated by traditional developed states from Western Europe, North America and Japan, it also includes among its 35 member states Chile, Israel, the Republic of Korea, and Mexico. Many but not all Eastern European members of the EU are members; no former Soviet republic outside the Baltic States has yet been admitted.

A closer relationship between Kazakhstan and OECD has evolved on several fronts. In 2013, Kazakhstan (jointly with the EU) was assigned chairmanship of the Central Asia Competitiveness Program as part of the OECD's Eurasia Competitiveness Program. Kazakhstan was also given participatory status in the OECD Committee on Industry, Innovation, and Entrepreneurship, became an observer of seven other committees, and joined the OECD's Global Forum on Transparency and Exchange of Information for Tax Purposes. In December 2013, Kazakhstan signed the multilateral Convention on Mutual Administrative Assistance Matters, an instrument designed to fight international tax avoidance and evasion. A few months later, the two parties signed a Letter of Intent on Statistics, which should promote closer cooperation in accounting and statistics practices. Finally, and most significantly, a Memorandum of Understanding on a two-year bilateral country program was signed in the beginning of 2015 focusing on support for institutional reforms in Kazakhstan. Concretely, the country program enables Kazakhstan to take advantage of OECD expertise to strengthen political reform capacity in areas such as governance, environment, health, taxation, and the business climate. Kazakhstan is one of only four countries (the others being Morocco, Peru, and Thailand) benefiting from this agreement. This cooperation program is intended to improve Kazakhstan's integration with the world economy.¹⁰³

¹⁰³ "Kazakhstan and OECD Sign Cooperation Agreement for 2015-2016," *KZ Newslines*, January 26, 2015, <http://kznewsline.com/kazakhstan-and-oecd-sign-cooperation-agreement-for-2015-2016/>; "OECD Bolsters Relationship with Kazakhstan – Signs Kazakhstan Country Programme Agreement," *OECD News*, January 22, 2015, <http://www.oecd.org/newsroom/oecd-bolsters-relationship-with-kazakhstan-signs-kazakhstan-country-programme-agreement.htm>.

Figure 2: Worldwide Governance Indicators (WGI) 2015¹⁰⁴

Increasing cooperation between Kazakhstan and the OECD over the past few years mean that Kazakhstan has been subject to various surveys and assessments on specific aspects of the country's development. These assessments indicate the kind of reforms and progress necessary for Kazakhstan to obtain full membership. For example, a recent review on the country's central administration argued that political power is excessively concentrated and that a de-centralization of the policy-making process is needed. Another review of anti-corruption work noted insufficient implementation of reforms related to criminalization and prevention of corruption.¹⁰⁵ That Kazakhstan still lingers behind the political, economic and social

¹⁰⁴ Source: Worldwide Governance Indicators, <http://info.worldbank.org/governance/wgi/#reports>

¹⁰⁵ OECD, "Kazakhstan – Review of the Central Administration," *Public Governance Review 2014*, <http://www.oecd.org/corruption/anti-bribery/Kazakhstan-Round-3-Monitoring-Report-ENG.pdf>; OECD, "Anti-Corruption Reforms in Kazakhstan," *Anti-Corruption Network for Eastern Europe and*

developments in the OECD countries becomes clear from comparisons across a number of indexes. Politically, further reform is needed regarding the quality of governance as indicated by Figure 2 above from the authoritative Worldwide Governance Indicators (WGI).

The UNDP's Human Development Index goes beyond the economic dimension by composing a summary measure of countries average achievements regarding their abilities to provide for long and healthy lives, educating people and allow a decent standard of living. In Figure 3, Kazakhstan's performance along the key dimensions of human development is compared with the current Median OECD country, Belgium.

Figure 3: Human Development Index Comparison

	Kazakhstan	Belgium
Overall Rank	56	22
Life Expectancy	69,6	81
Education (Years of Schooling)	15	16.6
GNI Per Capita	22,093	41,243
Inequality-adjusted HDI	0.714	0.821
Gender Development Index	1.006	0.978
Multidimensional Poverty Index	0.004	n.a.
Employment to Population Ratio	67.2	48.9
Homicide Rate	7.4	1.8
Exports & Imports as % of GDP	53.3	167.1
Internet Users as % of Population	72.9	85.1
Co2 Emissions Per Capita	15.4	8.4

To conclude, in aspiring to join the OECD, Kazakhstan's leadership has set very high ambitions for its country. The ability to succeed, however, will require extensive reforms in the country's political, economic, legal and social institutions.

Summary: Kazakhstan and European Organizations

As the preceding pages have shown, Kazakhstan has invested considerable energies in its relationship with European organizations. It has also set very high standards

for its future development, and if these are to be fulfilled over the coming decades, Kazakhstan would be increasingly similar to European states in its legal, political, economic and social systems. Since the fall of the oil price in 2014, Kazakhstan has re-launched a process of political reforms that were, to some extent, moribund during the days of sky-high oil prices. This has, both in symbolic and substantial terms, meant that the country has embarked on a European journey. Yet the two European organizations most relevant to Kazakhstan's reforms, the EU and CoE, are still to fully grasp the challenge that Kazakhstan's path to Europe may imply. This may be understandable, given the amount of recent turbulence in Europe and in the world at large. But over the next several years, both the EU and CoE will likely have to determine how they will respond to Kazakhstani efforts to enlist European partners in its reform agenda – and consider the strategic importance to Europe of these efforts.

Conclusions

To some Europeans, the premise of this study may appear outlandish: that a huge majority-Muslim country five times the size of France, nestled between the Caspian Sea and China, could be considered a European state. Yet as this paper has shown, there is considerable merit to this argument. This concluding section will summarize the elements of Kazakhstan's European identity, and list several implications for both European states and organizations and for Kazakhstan.

Kazakhstan's European Identity

A European state, as the Council of Europe has determined, is defined by two factors: its territory being wholly or partly located in Europe, and its culture being closely linked with the European culture.¹⁰⁶ Kazakhstan fulfills both of these criteria: as much as ten percent of its territory – an area nearly the size of Italy – is in Europe, and its culture has been deeply linked to European culture for centuries. Indeed, Kazakhstan's history resembles that of Turkey: both are Turkic nations whose intense interactions with Europe over half a millennium led them to internalize significant elements of the European cultural heritage.

The modern state of Kazakhstan, drawing on this heritage, embraced a national conception based on what could be termed positive Eurasianism: an embrace of *both* the European and Asian parts of its identity and heritage, which it views not only as compatible but as mutually enriching. Furthermore, the Kazakh state and nation are modeled on fundamentally European values: a secular state and a civic nation, and over twenty-five years, Kazakhstan in its foreign relations has shown itself to

¹⁰⁶ Similarly, the European Commission in 1989 determined that Morocco was ineligible for membership, because it was not a European state. The same year, it determined that Turkey was ineligible because it did not *yet* meet the criteria for membership. As a result, Turkey's candidate status was recognized.

be deeply committed to the norms and principles of international law, and to the role of international organizations in advancing development and peace.

The most obvious objections to defining Kazakhstan as a European state, aside from geography, lie in its civilizational identity, as well as in its centralized and top-heavy political system, in which European organizations identify considerable democratic deficits. Yet neither point is valid in determining European identity. European organizations have repeatedly rejected defining European identity on the basis of civilizational – that is Christian – identity. Instead, they have emphasized the universally applicable values that have emerged out of Europe's predominantly Christian tradition, and its unique experience of the Renaissance, Reformation and Enlightenment. In any case, Albania, Bosnia-Herzegovina and Turkey are examples of majority-Muslim European states. Certainly, Turkey's civilizational identity has led to a double standard in the way Europeans have treated its European ambitions. Yet the current difficulties between Turkey and Europe, much like the tensions between Europe and Russia, are caused not by civilizational identity but by these countries' departure from commonly held European values and international norms.

As for Kazakhstan's governance model, no one disputes that considerable reform will be needed for the country to achieve the democratic norms that would lead it to be ready for accession to the Council of Europe, let alone the European Union. But this also misses the point: no one questioned the European identity of Spain and Portugal before their democratization in the 1970s; yet indeed, they were not admitted to the Council of Europe until they met the relevant criteria for membership. What this study argues is that as a European state, Kazakhstan should be considered eligible to *apply* for membership, and be admitted when deemed to meet the criteria.

Implications for Kazakhstan

For Kazakhstan, the main question is to what extent its leadership is prepared to fully embrace its European identity. Doing so will require fundamental changes in the country's governance, and particularly in its political and judicial systems. Such changes are likely required anyway for Kazakhstan to achieve the lofty goals set by

its leadership over the coming three decades. The key point here is that such reforms may be more likely to succeed if Kazakhstan can benefit from the systematic assistance of European states and organizations. That, in turn, will be more likely to materialize if these bodies recognize Kazakhstan's European identity.

In the first place, Kazakhstani authorities should place their focus on the implementation of the reform agenda outlined by President Nazarbayev. This is already a daunting task, affecting nearly every sector of state and society. In parallel, as they begin to achieve results, Kazakhstani leaders should approach the Council of Europe and emphasize the seriousness of their commitment to political reform. They should also bluntly communicate their expectation that Kazakhstan be recognized as a European state, and announce their long-term goal of membership in the Council of Europe. In this context, it would be an important symbolic move for Kazakhstan to completely abolish the death penalty.

Further, it would be beneficial for a senior Kazakhstani statesman, ideally the country's President, to make a major address – whether in Astana or in a European capital – announcing Kazakhstan's European identity to the world, and explaining all the elements that make Kazakhstan a European state. Such a statement would be difficult for European leaders to ignore, and may contribute significantly to hastening the realization among Europeans that they must rethink Europe's relationship to Kazakhstan.

Finally, Kazakhstani leaders should launch an intra-governmental process to examine the possible benefits of the Eastern Partnership. If they find that this initiative could indeed provide important benefits for Kazakhstan, they should communicate to the EU their ambition to join this initiative.

Implications for European States and Organizations

To date, European states and organizations have largely failed to recognize Kazakhstan's European identity. The exception is the OSCE, which, of course, embraces the broadest definition of Europe from "Vancouver to Vladivostok", and encompasses all of Central Asia as well as Mongolia. But the European Union has treated Kazakhstan solely as a Central Asian state, even though it has recognized Kazakhstan's more advanced relationship with the EU compared to the rest of the

region. Most egregiously, as we have seen, the Council of Europe has sought to avoid recognizing Kazakhstan as a European state eligible to apply for membership. The question may have been peripheral during the first 25 years of Kazakhstan's independence, a time when the country focused on establishing and consolidating its independence, and overtly embraced a model of development that would delay political reform until economic development had taken root. Yet in the past several years, Kazakhstan's leadership has announced a number of initiatives, ranging from the "Path to Europe" and "Kazakhstan 2050" to the 100 step reform program and the constitutional amendments of 2017. These amount to a distinct shifting of gears: Kazakhstan has set its sights on joining the world's most developed countries, in the process holding itself to an entirely new set of benchmarks, and embarking on a program of political reforms that, if implemented, would make the country considerably more aligned with European standards of governance. This process will take years if not decades, but it nevertheless means that Europe must look at Kazakhstan with fresh eyes, and reconsider the role European organizations can and should play in assisting Kazakhstan's reform program. Indeed, the extent to which Europe does so will also affect the propensity to reform in other Central Asian states, not least Uzbekistan, where the new leadership in place since 2016 is similarly seeking to embrace far-reaching reforms.

Kazakhstan's willingness to embrace on far-reaching political reform will depend on the regional context, and particular on the external and transnational threats to the stability of the country and the region. While the EU is already contributing to the security of Central Asian states through its Rule of Law programs and its border assistance missions, going forward the EU can enhance its contributions to the region's security sector, not least by assisting in the development of competent and accountable security sector institutions.

NATO faces a more delicate situation, as a greater NATO involvement in Central Asia is likely to deepen tensions with Russia. Nevertheless, NATO can continue to work closely with the authorities in Kazakhstan to develop the professional development of the country's security sector, which can go a long way toward ensuring these institutions respond in an adequate way to security threats that may

arise. (There is NATO partnership with Kazakhstan's military but not with police forces).

Thus, it is time for the Council of Europe to unequivocally state that Kazakhstan is a European state, and that similar to Belarus, the country's integration into the CoE is a strategic objective. Such a statement would carry significant symbolic value and strengthen the pro-reform constituencies in Kazakhstan; but it would also facilitate a greater involvement of the CoE in Kazakhstan's reform process, which could make a considerable difference in guiding many difficult reforms toward a successful conclusion. The process should begin with Kazakhstan being approved to special guest status at the PACE, and from there, the CoE could gradually assist Kazakhstani authorities in the process of adhering to the various CoE conventions that would be prerequisites for eventual membership.

The EU should be lauded for successfully negotiating an Enhanced Partnership and Cooperation Agreement with Kazakhstan. In the short to medium term, the task for both Brussels and Astana should be the implementation of this agreement. But the EU should be prepared in the longer term to look beyond this agreement, especially in light of the changes taking place in the Eastern Partnership. Now that the Eastern Partnership is no longer synonymous with Association Agreements and DCFTAs, the EU should consider the merits of Kazakhstan at a future date joining the Eastern Partnership. Indeed, such a move could have beneficial implications for the initiative itself and more broadly for EU interests in the broader region. By extending the Eastern Partnership across the Caspian Sea, the EU would be in a much enhanced position to support the development of energy infrastructure across the Caspian Sea, providing it with access to Central Asian oil and gas reserves. Equally important, it would put the EU in a better position to support the development of continental land trade routes along the New Silk Roads, which are currently being constructed to link Europe with China as well as the Indian subcontinent.¹⁰⁷

¹⁰⁷ S. Frederick Starr, Svante E. Cornell and Nicklas Norling, *The EU, Central Asia, and the Development of Continental Transport and Trade*, Washington and Stockholm: Central Asia-Caucasus Institute & Silk Road Studies Program, Silk Road Paper, December 2015, <http://www.silkroadstudies.org/publications/silkroad-papers-and-monographs/item/13177>.

In the bilateral context, the conclusion of the EU's upcoming agreement with Azerbaijan (as well as with Belarus if and when that proves feasible) will enable Brussels to compare the content of its agreements with Eastern Partnership countries that have not signed Association Agreements with its EPCA with Kazakhstan. Going forward, it should make it possible for Kazakhstan, as it continues down the road of political reform, to move toward a relationship with the EU in which it can, if it so chooses, incorporate relevant sections of the *acquis communautaire* into its domestic legislation.

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