



ON THE BY
CASEY
MICHEL
GROUND

HUMAN RIGHTS IN CENTRAL ASIA

A CONVERSATION WITH STEVE SWERDLOW ('03) AND NATE SCHENKKAN ('11)

Civil rights have never been a strong suit in Central Asia, but over the past few years, with new legislation further curtailing independent media, nongovernmental organizations (NGOs), and political opposition, the situation has become even worse. Kyrgyzstan, the only multiparty democracy among its neighbors, has been an exception to the rule—but that may soon change. Two potential laws, currently under debate in Bishkek, threaten to move the country toward an authoritarian model. Both pieces of

legislation are modeled on laws already enacted in Russia. The first would label NGOs that receive funding from abroad as “foreign agents,” while the second would outlaw “gay propaganda” to minors, prohibiting the promotion of “nontraditional sexual relations” with a fine, and possibly prison time (a penalty harsher than the one imposed in Russia). The backslide is concurrent with Moscow’s push to enact its concept of *Russkiy Mir* (Russian World), an attempt at gathering many of the former Soviet colonies under Russian cultural, political, and economic hegemony. Much of Moscow’s focus has

been on constructing the Eurasian Economic Union—nominally modeled on the European Union but largely seen as a neo-imperial project aimed at increasing Russia’s regional sway.

I sat down with Nate Schenkkann ('11), a program officer for Freedom House’s Eurasia Programs, and Steve Swerdlow ('03), a Central Asia researcher with Human Rights Watch, to discuss the current state of working in the field of human rights, new patterns emerging throughout Central Asia, and the potential fallout of Kyrgyzstan’s slide toward the Russian model.



Bishkek’s Osh Bazaar, one of the largest bazaars in Central Asia. Photo by Casey Michel.

Casey Michel: What’s it like working in the field of human rights in 2014?

Steve Swerdlow: Documenting human rights abuses at its core is about listening to people’s stories and honoring victims. Whether with the elders of a community or the youth, your modus operandi is the interview, and you are interacting with and seeking to understand a society. Asking what it’s like to do human rights work in 2014 is a difficult question. But, if I start to compare, when I was in Russia from 2000 to 2001, there was a dramatic rise in anti-Westernism and anti-Americanism connected to the [U.S.-led] Kosovo bombing campaign.

Back then, I was working in Krasnodar, in southern Russia, for an organization monitoring ethnic discrimination and anti-Semitism, as well as the disenfranchisement of ethnic minorities in the North and South Caucasus. It was the first time I had witnessed firsthand such deep-seated skepticism about Western motives and saw antiliberal values mobilized in such a powerful way. I also saw how much the local population was

feeding off of xenophobia and narratives of ethnic conflict. I thought then that these sentiments would be confined to Russia’s border regions with proximity to the conflicts to the south, such as the war in Abkhazia. I witnessed that xenophobia, anti-Western sentiments, and nationalism were being deployed locally in Krasnodar but hoped they wouldn’t necessarily be found in other parts of Russia and the former Soviet Union.

This has made it all the more disheartening to turn on Russian TV in Bishkek in 2014 and speak with your ordinary man on the street who, in discussing Crimea, will say in all seriousness that there were fair elections held, that there were international observers present, that what is happening there is the moral equivalent to Western humanitarian interventions and cases of self-determination in other contexts. That’s what’s been most remarkable to me: how widespread this cynicism toward the West has become and how it has taken root, and come to encompass the entire post-Soviet space, even Kyrgyzstan in recent years.

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Michel: And how about this idea of a “clash of civilizations” being pushed by Russia. Is it taking hold in Central Asia?

Nate Schenkkan: I would separate the Russkiy Mir nationalist view from the anti-human rights and anti-civil society movement. Obviously Russkiy Mir isn't going to play very far in Tajikistan or Uzbekistan. Tajiks, Kyrgyz, Uzbeks, and Kazakhs might want to be a part of something where they have closer economic relations with Russia, better visa access so they can travel freely and have educational opportunities there, but they don't really want to be a part of a Russian-dominated world, and they have very strong reactions against it—not just liberals or democrats but everyone. At the same time, there are a lot of historical memories and traditions of paranoia, a fear of outsiders, and reactions against perceived interference in internal affairs. That's a very strong Soviet sentiment that carried over. But it doesn't necessarily mean everyone embraces the idea of joining some great Russian challenge against the West. It's just that they don't want the West interfering in their internal affairs.

Swerdlow: In a way it's more about nihilism than it is about nostalgia for imperialism or for a cultural front.

Schenkkan: There is nostalgia for the Soviet Union, but it's nostalgia for the basics. It's nostalgia for having international status as a world power, for having decent universal education, for having some level of health care, infrastructure that works, universal employment literacy, some mobility for women, ease of travel,

and less uncertainty. But if you've got Kyrgyz nationalists, Kazakh nationalists, Tajik nationalists, Uzbek nationalists, all of whom are relatively strong forces in their respective countries, these forces just aren't compatible with Russian-led Eurasianism.

The level of support for these nationalist forces, however, is very difficult to gauge anywhere except in Kyrgyzstan, where you have some semblance of a political system that, to some extent, takes in social input and produces a result. Elsewhere it's very hard to tell. As in Kazakhstan, the nationalists are very visible, and they seem to have more support than some other movements. But how strong are they? We don't know because they don't have elections, and we don't have poll data ...

Michel: How is the lack of certainty in the region reflected in your work and in the human rights sphere?

Swerdlow: Operationally there is a lack of certainty for human rights activists but exponentially more so for the local movements than for international human rights groups. There is a sense that human rights groups are under attack. With the proposed Foreign Agents and LGBT laws

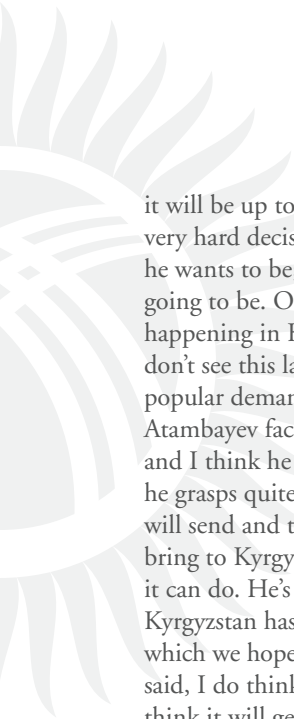
in Kyrgyzstan, the threats to civil society in Russia, and deteriorating situations in Tajikistan and Azerbaijan, there is a deep lack of certainty in the NGO community as to how you run a program without running afoul of legislation. For international groups the questions include: how you base your staff in these countries securely or even travel to places such as Uzbekistan to conduct research. For local groups, can you get the funding you need to survive? And if so, what bank is it safe to keep it in? In this environment the possibility of strategically planning ahead, which has never been easy in the human rights field, has become even more difficult in this period of seemingly perpetual emergency and crisis.

Schenkkan: What is the likelihood of passage of the foreign agents law and the LGBT propaganda law in Kyrgyzstan, and what is the potential impact?

Swerdlow: One only has to look at what happened in Russia to see what happens when these laws are passed. It's a very scary moment when the Ministry of Justice in Russia is talking about liquidating Memorial, the oldest and leading human rights organization across the former Soviet space. That is a shot across the bow. It's an extremely major threat to free expression.

Schenkkan: And to memory. A lot of Memorial's work is about the memory of past repressions and connecting them to current human rights abuses. In Kyrgyzstan, from what I can tell, the gay propaganda law is likely to pass. Then

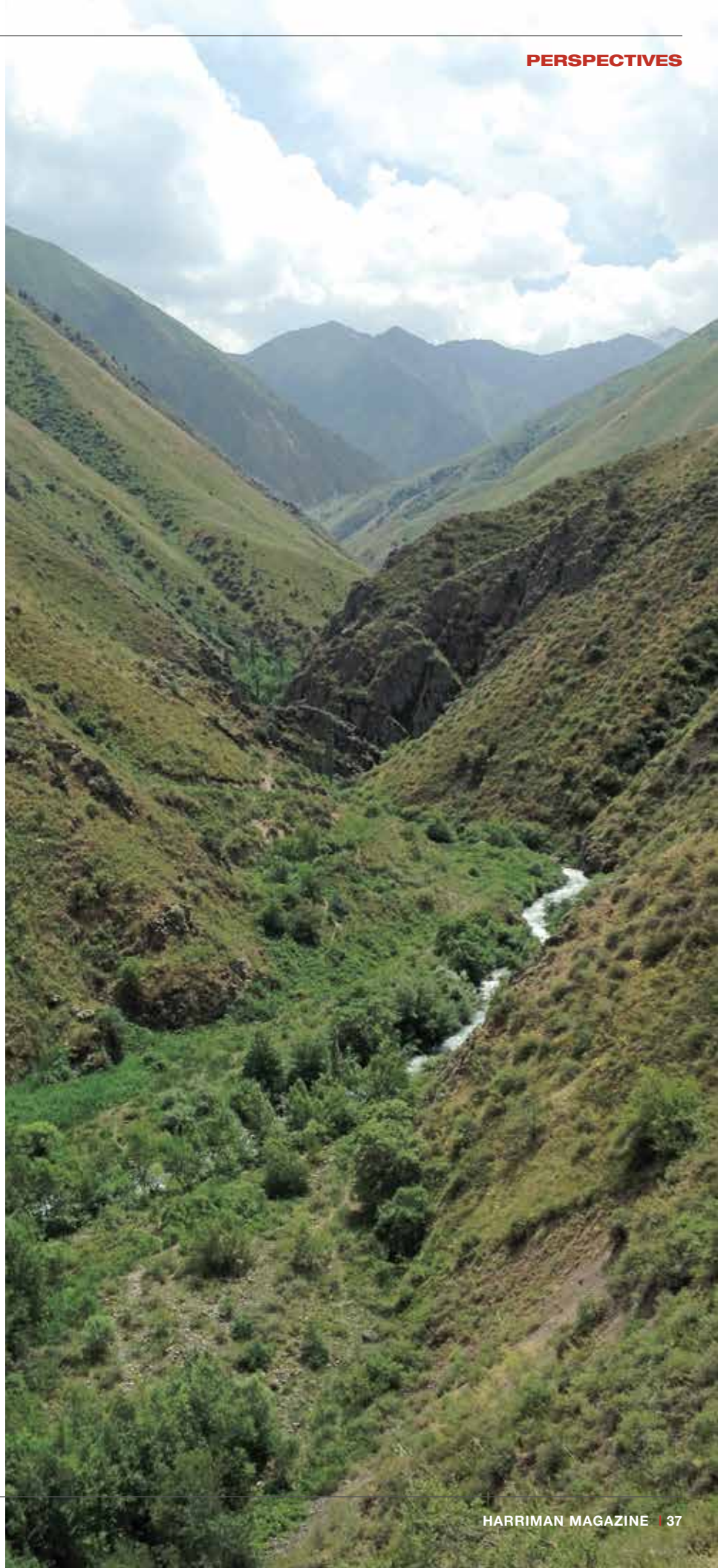
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it will be up to the president to make a very hard decision on what kind of leader he wants to be; how independent he is going to be. Of all the things that are happening in Kyrgyzstan right now, I don't see this law as emerging from some popular demand to stop gay propaganda. Atambayev faces a pretty stern choice, and I think he understands that. I suspect he grasps quite well the signal this law will send and the kind of attention it will bring to Kyrgyzstan, the kind of damage it can do. He's previously said that Kyrgyzstan has no need for the law, which we hope he will stick to. With that said, I do think it will get to him; I do think it will get through the parliament because I doubt anyone in parliament will be brave enough to stop it. Whereas with the foreign agents law, there is a chance it won't pass in parliament because the NGO community is very large in Kyrgyzstan. There are even people in parliament who have civil society backgrounds. The civil society world and the money it receives from international donors is a big economic factor there.

Swerdlow: There are so many potentially pernicious effects from the proposed LGBT law, from the increased attacks on people in the LGBT community or those perceived to be LGBT, that won't be evident immediately. Xenophobia will surge following the legal sanctioning of homophobia. Also, the vague language in the bill could result in censorship and the inability to publish or distribute any information on this topic—all this would increasingly call Kyrgyzstan's democratic credentials into question, when freedom

Right: Ala-Archa, Kyrgyzstan's premier national park. Photo by Casey Michel.





A statue of Vladimir Lenin still standing behind Kyrgyzstan's state museum in Bishkek. Photo by Casey Michel.

Take HIV/AIDS, which is a big problem in Kyrgyzstan. There is a lot of work on prevention. What do you focus on in that line of work? Intravenous drug users, sex work, and male-to-male transmission. If you're running a campaign that focuses on sex work or on male-to-male transmission, the LGBT law will cause huge problems.

of speech, expression, association, and assembly are all targeted in this way.

Schenkkan: What we have to remember with the gay propaganda and the foreign agents laws is that more than anything they are themselves acts of propaganda. It's not that someone in the Russian government or in the Russian parliament decided, "Wow there's so much gay propaganda out there we really need to get a hold of this." These are very effective tactics for stigmatizing the human rights community and the democratic community in all of these countries, and also for dividing them. Older human rights groups, what we would call mainstream human rights groups, for instance, will be afraid to take on these issues.

Michel: So even if the NGO legislation doesn't pass, the LGBT legislation will still have an impact on NGOs within the country, and not just specifically LGBT NGOs, but the wider NGO world in and of itself?

Schenkkan: Yes. Take HIV/AIDS, which is a big problem in Kyrgyzstan. There is a lot of work on prevention. What do you focus on in that line of work in order to be effective? You focus on intravenous drug users, on sex work, and on male-to-male transmission. These are some of the main vectors. If you're running a campaign that focuses on sex work or on male-to-male transmission, the LGBT law will cause huge problems.

Swerdlow: Which I think further raises the issue that it's not only the U.S. and the EU and governments that should be pressing Central Asian and other post-Soviet states on their human rights obligations but also the international financial institutions, such as the World Bank and Asian Development Bank—the donors that conduct many of these programs in areas of economic development and public health. They can send the message that their investments

will be halted if authorities are making it impossible for the project outputs to actually reach their beneficiaries. That's a lot of money and resources for these governments.

But in general, I want to stress that international pressure works. The Cotton Campaign that has had some successes in Uzbekistan is a good example of this. Even though Uzbekistan is mobilizing millions of its own citizens to pick cotton, they were pressured to reduce the numbers of the youngest kids in the field, and I think that was thanks to a strong international campaign and some very unique partnerships between the apparel industry, Uzbek civil society, and the trade groups. If we are going back to basics, we have to remember that pressure still works, and it will continue to work even as things get really gray.

But when the West conducts human rights negotiations after already telling a government that it intends to sell them military equipment, this undermines the discussion over human rights. So linkages always need to be present. Conditionality is at the very heart of making improvements.

Schenkkan: The reset with Russia was very much a de-linkage idea. The whole concept of the reset was, "Oh, yeah, we are going to talk about human rights—we already set up the U.S.-Russia civil society working group," which was a big part of the reset. And really it was just a little box that you put human rights issues into, and Russia supported it from the beginning, and they appointed Surkov to head their side.

Swerdlow: And in many ways that "reset" was not just put into effect in Russia, but it was very much operating and guiding policy on the human rights situation in Central Asia and the Caucasus.

Schenkkan: We have to get human rights dialogues into security dialogues. If you have a security dialogue and an economic dialogue and a human rights dialogue,

guess which one is the one in the crappy room with the lowest level diplomats in it?

Literally, it will be as bad as a meeting happening on the security side in a really nice room with nice chairs and good lighting, and then the human rights side of the meeting happens in a tiny little room in a back alley with not enough chairs and a poorly constructed agenda. You can tell which meetings are the important ones. And the other side too, they can see it.

Swerdlow: The fact that it's a controversial suggestion that there should be public statements that follow from a human rights dialogue between the European Union and Uzbekistan is astounding. There have to be public commitments made at the end of a negotiation; otherwise, if you don't have measurable benchmarks a government has to meet, then it all just melts into thin air.

And it's also the symbolism during visits. One of the recommendations we make to the diplomats visiting Tashkent is that before they go see Karimov, they should do what Reagan did before he saw Gorbachev, which was to go see Sakharov first. Go see a political prisoner's family. Go see a dissident's family before you visit Oksaroy [*Editor's Note: the official resi-*

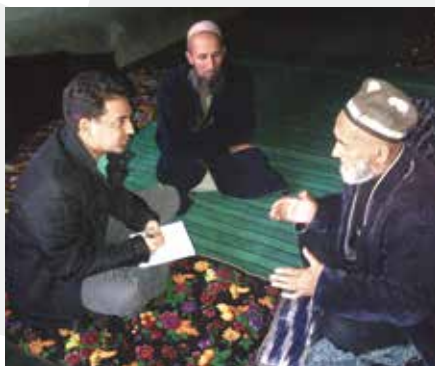
dence of Uzbek President Islam Karimov] and have your sit-down with the president. Show them through symbolic actions, real actions, who you're prioritizing, how important human rights are. And make sure that even though it's going to irritate the Uzbek government, you make a comment to a reporter, and you mention political prisoners by name.

Michel: What will happen to the human rights work in Uzbekistan and Central Asia if the Russian government succeeds in eliminating Memorial, and how will that affect your work moving forward?

Swerdlow: Memorial provides important technical support but also inspiration and expertise to many of the groups on the ground. They've been at the business longer than anyone. As Nate said, so much human rights work is about memory. Records and historical work can produce results later. For example, a public defender I know in Florida was defending an Uzbek man charged criminally with refusing to aid in his own deportation back to Uzbekistan. He had come to the United States ten years earlier and sought political asylum. He claimed he was a victim of religious persecution, and he told the story of how, like many

other thousands of young men, he was accused of being a member of Hizb ut-Tahrir, a religious organization banned by the Uzbek government, rounded up, interrogated, and tortured. The man had escaped to the United States. Like many other people in similar situations, he unfortunately found himself a bad lawyer, lost his political asylum case, appealed, the case went all the way up the court system, and he was finally issued a deportation order. When it came time to leave the country, he was so afraid to go back—he knew he would be tortured—that he physically resisted getting on the plane on four separate occasions, which constituted a criminal offense.

After the public defender told me about his case, the first place I turned was Memorial's compilation of religious and political prisoners in Uzbekistan to see if his last name was in that book as someone who had been arrested. I didn't find his name, but I found his brother on a list of arrested persons. And that was key evidence used in the court; his criminal charges were dropped. He's now back in immigration court trying to win his asylum case. This just shows you that work done ten years earlier can literally save someone from torture a decade later. That expertise, that detailed approach to cases



Left to right: A mural inside Kyrgyzstan's state museum representing Ronald Reagan riding a nuclear missile into a crowd of antinuclear protesters (2014), photo by Casey Michel; Steve Swerdlow interviewing members of an unregistered mosque in Rudaki district, outside of Dushanbe, about authorities' restrictions on religious practice (November 2013), photo by Steve Swerdlow; a yurt camp in Karakol, Kyrgyzstan (July 2002).

used by Memorial, is something on which I try to model my own work. And some of this work is not sexy or glamorous. It's collecting court judgments, photocopying, scanning documents. But without that careful accounting of individual cases we would have no idea how many people are political prisoners in Uzbekistan.

Michel: So the threat currently hanging over Memorial impacts your work significantly.

Swerdlow: Both for its symbolic effect, the strong message it sends to all NGOs, and the actual loss of knowledge.

Schenkkan: That's what we face not just with Memorial but with any other organizations under threat, the loss of knowledge, and the loss of capacity. We all build on the work of others. There's some idea of the sole researcher out there in the field magically finding all these people and collecting all these documents. It doesn't happen. There are local organizations, or even in some cases, a couple of people in a city or some town who are doing this. And the fact that they continue to do it is . . .

Swerdlow: A quiet dignity. I remember the exact moment I knew I wanted to do this kind of work. I was volunteering in Russia with this human rights group, the Union of Councils for Soviet Jews. We were monitoring, in 2000–2001, the ethnic discrimination of the Meskhetian Turks, a group that was deported en masse from Georgia to Uzbekistan, Kazakhstan, Kyrgyzstan, and later suffered in the Fergana violence of 1989, moved to Krasnodar, and were treated as second-class citizens, attacked by Cossacks, denied citizenship.

In order to interview some of them, we had to evade Cossack militia groups, who did not want foreign researchers or journalists documenting this situation. I remember traveling in several taxis and hiding in the back seat on one occasion,

and we came to meet this Meskhetian Turk leader who turned out to be a local mullah. We were talking with him about the treatment of the Meskhetian Turks, the lack of citizenship, beatings, and just the humiliation of being called *chernyi* [black] everywhere they go. And the leader pulls a copy of the Russian constitution from his back pocket, and he says, "I have these rights. I have the right to citizenship, I have the right to move freely, I have the right to choose residency, and I have the right to receive the pension that I earned all those years in the Soviet Union. My children have the right to serve in the army." It was so dignified, and he was in this little house literally hiding from Cossacks, but he was so principled and so confident that he was on the right side, and that eventually these rights were going to be afforded to him. The faith he placed in this piece of paper, in the constitution, and the idea that there was a framework for the betterment of his life, was remarkable. And I thought, *Wow, these are the kind of folks I'd like to get to know, and I'd like to help, and I'd like to learn about.* That's when I decided I wanted to do this.

Michel: Nate, did you have a comparable moment?

Schenkkan: No, I didn't. I had worked for a while as an assistant to Andrew Blane, who was the first American member of the international executive board of Amnesty International. I wouldn't say he belongs to the founding generation of Amnesty, but to the second generation, so the 1964–65 Amnesty Movement, and he was also very involved in the Soviet dissident movement because he was a professor of Russian religious history at CUNY.

My interest in human rights arose from the perspectives of the people in the States who were supporting dissidents and supporting human rights not just in the Soviet Union but all over the world. The field has changed a lot since then.

But the same kind of persistence and commitment to values and commitment to pursuing and doing the work endures.

It's like in that Albert Camus novel *The Plague*, a parable about a tiny town in French Algeria where a plague hits and the whole town starts dying. It's about what the individuals do in that situation. The heroes of the book are the people doing the work, who keep cleaning up bodies and moving bodies and just doing the things you have to do, and there is this kind of relentlessness to it; you keep doing it because this is what you have to do. You don't need something bigger than that.

Swerdlow: That's so true. There have been so many human rights activists who have inspired me, and some have been professors—for instance, my professor here at Harriman, Peter Juviler, supported human rights studies for so long and went back and forth between here and Russia looking at these issues in a creative way—and others are women like Mutabar Tadjibaeva from Margilan, a provincial Uzbek village, who now finds herself in France. I'm inspired by Emil Adelkhanov, an old Soviet dissident in Tbilisi, who lived through Georgia's civil war in the early '90s and continues to monitor the rights of ethnic and religious minorities. Like Nate says, it's always been this principled commitment to the values and doing the work, no matter what historical period you're in, no matter what the funding stream is for your NGO, no matter how unsexy your area of focus, or chosen topic, becomes. □