



## United States Mission to the OSCE

### **Reply to Kazakh Foreign Minister Tokayev**

As delivered by Ambassador Stephan M. Minikes  
to the Permanent Council, Vienna  
September 9, 2004

Thank you, Mr. Chairman. I would like to join others in warmly welcoming Foreign Minister Tokayev to the Permanent Council, and to thank him for taking the time to address us.

Mr. Minister, I take your presence here as a demonstration of Kazakhstan's commitment to the OSCE and to the principles upon which it is based. Kazakhstan has also signaled its attachment to the OSCE by expressing its interest in chairing the organization in 2009.

As we have noted before, the United States would be pleased to see Kazakhstan become a viable candidate to chair the OSCE. We attach great importance to the chairmanship and consider very carefully the readiness of any state wishing to assume that heavy responsibility. We consider such interest as a clear acknowledgement that one can only lead effectively by deed – words are indicative but actions are conclusive.

The chairmanship must be held by a nation that has demonstrated leadership in implementing all the commitments undertaken by participating States. We very much hope that Kazakhstan will be able to demonstrate such leadership well before December 2006, when the chairmanship decision must be taken. Leadership entails a special commitment and an even higher standard of adhesion to standards and values.

We welcome Kazakhstan's bid for the chairmanship as an opportunity for intensified cooperation, both here in Vienna and through the OSCE Center in Almaty, as well as bilaterally.

Of course, partners can assist, suggest and advise, but the real work has to be undertaken by Kazakhstan itself.

We fully understand that democratic transformation is a long and a complicated process. Still, OSCE principles constitute a solid foundation for making change, and are the goals we all aim toward. We very much welcome your reaffirmation today of Kazakhstan's irreversible path toward full democratization.

Kazakhstan has made important strides this past year towards meeting its OSCE commitments. We very much welcome the recent transfer of opposition party Democratic Choice of Kazakhstan Chairman Galymzhan Zhakiyanov, to a low-security facility, and the parole of human rights advocate and journalist Sergej Duvanov.

We are pleased to note that a restrictive law on NGOs was withdrawn by the President late last year, and that he vetoed an equally restrictive law on media this spring. The new

Minister of Information has pledged to introduce a new media law next year that is fully compliant with international standards and we look forward to that milestone, where Kazakhstan can demonstrate its leadership in the region.

On the democracy front, we were encouraged that another opposition party, Democratic Choice of Kazakhstan, was registered this spring, and that a new election code was signed into law. While not fully compliant with OSCE commitments and with international standards, we welcome the important improvements the new code represents over previous legislation.

The United States attaches great importance to free, fair, and transparent elections. We see Kazakhstan's new election law as providing an improved basis for an election process to be conducted in line with OSCE commitments. However, as ODIHR pointed out in its assessment of the amended law, the extent to which this improved law can have a positive impact on the election process will, first and foremost, be determined by the level of good faith and political will exhibited by the State and by State institutions and officials responsible for implementing the law in an effective and non-partisan manner.

We have several times spoken very clearly about our serious concerns about plans to use electronic voting, as this is not fully tested, could be subject to manipulation and would leave no paper trail, which in turn could undermine public confidence in the conduct of the voting and in the results.

The integrity of electronic voting is an issue worldwide and is very much a concern among voters in the United States. We therefore appreciate Minister Tokayev's announcement that the electronic voting might be accompanied by paper voting. We also welcome President Nazarbayev's proposal to limit the use of the electronic voting system to not more than 10 percent of the electoral administrative regions. Such steps would go far in restoring needed voter confidence which is essential for a free and fair election.

In this regard, I would underscore that, given problems with previous elections in Kazakhstan, public confidence in the electoral process will be a decisive factor determining the success of the fall parliamentary elections. In order to build this confidence, election officials at all levels must work impartially, and the use of the resources of the state in support of pro-government candidates must be avoided.

We very much welcome, therefore, Minister Tokayev's announcement that the Chairperson of the Central Election Commission will be providing detailed answers to the points raised by Ambassador Barry in his Interim Report released on August 30th, and look forward to her response. We hope that she will be able to respond favorably to Ambassador Barry's concerns about the need for a more rigorous and a more clearly defined method of handling complaints and appeals.

We also understand from the Interim Report that the CEC is compiling an electronic voter registration list and that it is to be published not later than 20 days before the day of election. We look forward to the release of that list in order for Kazakhstan's citizens to verify its accuracy.

This range of issues, including elections, democratization, human rights and firmly establishing the rule of law, will be important considerations when evaluating Kazakhstan's candidacy for chair of the OSCE for 2009.

With that in mind, Mr. Minister, we reaffirm our continuing readiness to be of assistance so that Kazakhstan can show in the next 15 months that it is on a clear path to become a viable candidate for the chairmanship.

Before closing, I would like to touch on your concerns - which have been raised by others before -- about what you perceive to be disproportionate attention to particular issues or particular regions within the OSCE. Where the OSCE concentrates its attention, and in what substantive areas, is a function of need. It is also demand driven, because states hosting OSCE field presences are involved in approving OSCE activities on their soil.

As the Minister himself acknowledged, the OSCE, through the activities of its field presences and of its bodies and institutions, has played an important role in helping his country and others make the transition from command to market economies, from dictatorship to democracy, from rigged and thus meaningless elections to democratic elections, from official press to independent press, and in transforming state institutions, such as the police and the courts, from bodies that protect the state to bodies that protect the constitution and the people.

This is a necessary undertaking if emerging democracies are going to shed the legacy of almost three quarters of a century of thwarted economic and democratic development, and to move as quickly as possible into the international community and global market, where the differences between countries that have made and are making that move and those that are not is growing at an exponential and alarming rate.

Correcting this is not an easy process, nor is it painless, but the longer it takes countries to transform themselves, the larger the gap they will have to make up. It is in our collective interest for all OSCE participating States to move as quickly as possible to consolidate democracy and build market economies, in short, to come into full compliance with basic OSCE commitments. We are here to help. If we have high expectations Mr. Minister it is because we have very high hopes.

Thank you.