



KAZAKHSTAN AT THE CROSSROADS

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Next Sunday, 20 November 2022, the Kazakhs will go to the polls to elect their next president. In normal circumstances, this election in a remote Central Asian country would probably be of little interest to a European audience. However, the European Union - and several capitals - will have their eyes on this huge country. Indeed, the election is taking place in a dual context: that of the modernisations and democratisation sought by President Kassym-Jomart Tokayev following the serious unrest of last January, and that of the war in Ukraine and the European break with Moscow, which is forcing Brussels to seek new energy partners to replace the Russian one.

Executive Summary

On 20 November, Kazakhstan will go to the polls for a presidential election. The election is taking place against the backdrop of ambitious reforms launched by President Kassym-Jomart Tokayev, but also in the wake of the dramatic events that bloodied the country in early January 2022.

What you need to know:

- Kazakhstan, the largest and richest country in ex-Soviet Central Asia, has been independent since December 1991 after centuries of foreign occupation, first by Russia and then by the Soviet Union.
- Between 1991 and 2019, the country was ruled by an iron fist by Nursultan Nazarbayev, former Secretary General of the local Communist Party, who was 're-elected' five times with pharaonic scores.
- The Nazarbayev regime was characterised by massive and constant human rights violations, nepotism and corruption (at least tens of billions of dollars were embezzled by the former president, his family and his allies); Faced with a major social protest, Nazarbayev resigned in March 2019, after 28 years of absolute power. He was succeeded ('ad interim') by Senate President Kassym-Jomart Tokayev (KJT), who was elected in an early election in January 2020.

- After his election, KJT embarked on a policy of reforms but remained strongly 'supervised' by Nazarbayev (who had retained important functions) and his entourage, which controlled, among other things, the security services.
- In January 2022, unrest over a sharp rise in fuel prices broke out. After rioters looted arsenals, the unrest degenerated into open clashes (5-6 January) in Almaty, the country's economic capital, and in other cities. These events left 238 people dead and over 4,000 injured before order was restored.
- The conditions under which the incidents broke out and then developed give credence to the idea that they were an attempted coup d'état led by those close to Nursultan Nazarbayev and aimed at bringing the old autocrat or one of his allies back to power in order to stop reforms that threatened the owners of ill-gotten gains between 1991 and 2019. As a result, Nazarbayev and those close to him were removed from all positions while investigations were launched.
- In the months following the return to calm, the pace of reform accelerated with the aim of modernising institutions and democratising the country by limiting presidential powers but expanding those of parliament and liberalising opportunities for social expression.
- At the same time, as of the Russian aggression against Ukraine on 24 February 2022, President Tokayev distanced himself from Moscow: Astana strongly condemned the invasion, announced that it would not recognise any annexation and then welcomed the deserters fleeing the partial mobilisation. This attitude is in stark contrast to the dependence on Moscow that characterised Nazarbayev's foreign policy.
- Astana has, on the contrary, turned towards Europe with which it intends to associate itself more and more closely, which is both positive for the EU (in search of new energy partners to compensate for the effects of the break with Moscow) and for the economic and social development of Kazakhstan and the deepening of reforms.
- The election of 20 November will be a test of the goodwill of the new regime and should give new impetus to the reforms.
- Kazakhstan and its progress must be closely observed but judged against objective realities (its social situation, its past, its lack of real experience of parliamentary democracy) and not according to pipe dreams and other pious wishes which we have seen in recent years (among others during the so-called "Arab Spring") that they lead to nothing.

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To understand what will be at stake on 20 November, a historical reminder is necessary.

1- Under Russian domination

Inhabited for thousands of years, Kazakhstan is at the crossroads of Europe and Asia and was an essential stage of the "Silk Roads" in antiquity and the Middle Ages. Populated by nomadic herders with a rich civilisation, the country was integrated into the Mongolian Empire for centuries. From the 18th century onwards, but especially during the period of the "Great Game"¹ between Russia and Great Britain in the 19th century, it gradually fell into the orbit of the Russian Empire, which installed garrisons there to extend its power over the entire region.

Russian domination was not well received by the Kazakh tribes: not only was Russian introduced as a compulsory language in schools and administration, but the nomadic populations were sedentarised, leading to social disruptions and famines that gave rise to revolts, such as that of Isatay Taymanuly and his friend Makhambet Utemisuly (1836-1838)² or the war of liberation of Eset Kotibaruli (1847-1858). In 1863, the country was almost entirely colonised by Russia and integrated into one of the two governorate-generals that encompassed the regions of Central Asia, that of the "Steppes". And from 1906 onwards, the settlement of the Russian Interior Minister Pyotr Stolypin led to the installation of half a million farms run by Russian settlers, which put further pressure on the traditional Kazakh way of life by monopolising grazing land and water resources. This new aggression led to further revolts, particularly in Uzbekistan and Kazakhstan: referred to by the Russians as the Basmachi³, the rebels opposed both the confiscation of their land and the forced incorporation into the Tsarist army during the First World War.

The repression was fierce and resulted in the death of thousands of Kazakhs and the forced exile of thousands more to China or Mongolia.

The end of the Russian Empire, after the two revolutions of 1917, was followed by a very short period of independence, which is remembered as the autonomy of Alash⁴ decreed by the party of the same name formed by the local elites. After fighting the Red Army on the side of the Whites, who wanted to restore the empire, the Alash Orda⁵ (government) tried to negotiate with the Bolshevik authorities. In vain: on 17 August 1920, the communists created a regional

¹ The term 'Great Game' was first used in July 1840 by Captain Arthur Conolly, an officer in the service of the British East India Company and a spy for London. It refers to the long confrontation (1813-1907) between London (which ruled the Indian subcontinent) and St Petersburg for the domination of Central Asia, the area stretching from present-day Afghanistan to Russia's borders. In practice, it was a long series of diplomatic manoeuvres, skirmishes and local wars (but never a direct war between Russia and Great Britain, with the exception of the Crimean War which, between 1853 and 1856, saw the Russian Empire on the one hand and the coalition formed by the Ottoman Empire, France, Great Britain and the Kingdom of Sardinia on the other) in which the two powers fought. The interested reader can refer to Peter Hopkirk's book, *The Great Game*, Oxford University Press, 1991.

² Now considered national heroes, Taymanuly was killed in battle by Cossacks on 12 July 1838 and Utemisuly was assassinated on 20 October 1846.

³ Basmachi is an Uzbek word meaning 'bandits'. It was used by the Russians to discredit the rebels as common looters.

⁴ Alash is a word referring to the three traditional Kazakh regions and can be used as a synonym for Kazakhs.

⁵ It should be noted that while the Russians had tried to assimilate the Kazakhs by force, the latter, on the contrary, showed tolerance towards ethnic minorities: out of 25 government posts, 10 were reserved for them, with the Kazakhs occupying 15.

'Autonomous Soviet Republic' which, sixteen years later, was to become the Kazakh Soviet Socialist Republic.

Like imperial Russia, the USSR soon became a 'prison for the people'⁶: traditional elites were harshly repressed, thousands of opponents were deported to the Gulag and others summarily executed during the great purges of the 1930s. Forced industrialisation and collectivisation of agriculture led to a new famine, the Asharshylyk, which killed about 1.5 million people between 1930 and 1933, including 1.3 million 'ethnic Kazakhs'⁷. It is estimated that at least 38-42% of Kazakhs died, the highest percentage of any ethnic group in the USSR affected by the 1930-1933 famine. One consequence of this tragedy was that 665,000 surviving Kazakhs migrated to neighbouring Soviet republics, China, Afghanistan or Iran. A second consequence was to complete the sedentarisation of the nomadic populations. As we have seen, they lived off livestock, and 80% of their herds had disappeared⁸.

From the end of the 1940s onwards, a new misfortune was to befall the country: it was in Kazakhstan that the Soviet authorities conducted all of their nuclear weapons tests. Between 1949 and 1989, no less than 456 nuclear tests were conducted in the Semipalatinsk region (north-east). Three hundred and forty of these were underground, but 116 were conducted in the open air. It has been calculated that during the first year of the tests alone, the inhabitants of the village of Dolon (100 km north-east of Semipalatinsk) were exposed to annual radiation doses of 140 rem. By comparison, the average annual exposure in Europe or North America is around 0.5 to 0.7 rem. According to a 2006 Japanese study, 1.6 million people suffered directly from this radiation exposure and 1.2 million were still suffering the consequences in 2006: cancers, genetic diseases, infertility, birth defects and suicides. In a 60-kilometre radius around Semipalatinsk, for example, the suicide rate is four times higher than the national average⁹.

Until the last years of the Soviet Union, Moscow practised fierce repression of Kazakh opponents. In December 1986, Kazakh students protested in the streets of Almaty against the replacement of the First Secretary of the local Communist Party, Dinmukhamed Konayev, by the Russian Gennady Kolbin. Thousands of demonstrators were arrested and between 200 and 1,000 protesters were killed (100 to 200 of whom froze to death after the military stripped them naked and abandoned them in the countryside)¹⁰.

⁶ Ironically, it was Vladimir Lenin himself who first used the phrase 'Prison of the Peoples' (Тюрьма народов or 'Tûr'má naródoḃ') in 1914 to refer to the Tsarist Russia.

⁷ This tragedy is totally comparable in its causes to the Ukrainian Holodomor which killed between 3.5 and 5 million people between 1931 and 1933. But demographically, the difference is enormous. Ukraine had about 32 million inhabitants in 1930, while Kazakhstan had about 6 million. Worse still: of these 6 million, 3.6 million were Kazakh (58% of the total population), 1.2 million were Russian (20.6%) and there were 129,000 Uzbeks, 860,000 Ukrainians and 51,000 Germans (1926 census). In the 1939 census, the Kazakh population share rose to 2.3 million (37.8%) and the Russian to 2.4 million (40%). It is therefore no exaggeration to say that Asharshylyk was tantamount to genocide by hunger.

⁸ See Isabelle Ohayon, *La sédentarisation des Kazakhs dans l'URSS de Staline (1928-1945)*, Paris, 2006, Maisonneuve et Larose.

⁹ These figures are taken from Jillian Keenan, *Kazakhstan's Painful Nuclear Past Looms Large Over Its Energy Future*, 'The Atlantic', 13 May 2013; <https://www.theatlantic.com/international/archive/2013/05/kazakhstans-painful-nuclear-past-looms-large-over-its-energy-future/275795/>

¹⁰ See the article of Catherine Putz, 1986: *Kazakhstan's Other Independence Anniversary*, "The Diplomat", 16 December 2016.

If one wanted to summarise this period of Russian domination, it would not be excessive to write that Kazakhstan suffered, in addition to a deprivation of all its rights (which was the common lot of all the Soviet republics), from a policy deliberately aimed at the acculturation and forced assimilation of its people, a policy that culminated in the early thirties in a quasi-genocidal famine. If all the peoples or ethnic groups of the USSR were victims of this great famine caused by Stalin's disastrous management of agriculture, the Kazakhs were those who suffered the most, nearly half of them having been killed by hunger¹¹.

2- Independence and the Nazarbayev regime

Kazakhstan gained independence on 16 December 1991, ten days before the death of the USSR.

The first head of the new independent state was Nursultan Nazarbayev, former Prime Minister and former First Secretary of the local Communist Party during the Soviet era. He was to reign undivided for nearly three decades. And his presidency was a long, steady and deliberate drift towards an increasingly authoritarian power marked by corruption, nepotism and the systematic violation of human rights.

Twenty-eight years of absolute power

The Constitution of 28 January 1993 enshrines a strong executive power with little control. Moreover, the first legislative elections (March 1994) were judged unfair by the OSCE observers. In March 1995, the Constitutional Court ruled that the 1994 parliamentary elections had not been held legally, and President Nazarbayev began governing on the basis of presidential decrees. The legislation adopted confirmed the increasingly authoritarian nature of the regime, including severe restrictions on freedom of association and expression. In the years that followed, Nazarbayev continued to restrict the limited power of parliament and even of his prime minister. Although he pretended to modernise the country and to carry out economic reforms, which were necessary, his plan was simple: he wanted to be the only master on board. He did his best to achieve this, multiplying the constitutional reforms that would allow him to reach his goals: extension of his first mandate by four years, lengthening the duration of the mandate from five to seven years, ending the limitation on the number of mandates, abolishing the maximum age limit for candidates, etc.

In 1999, he was re-elected for a second term (with 81% of the votes) in an election whose regularity was contested by his main opponent. But in June 2000, the Constitutional Court decided, in an unprecedented ruling, that this second mandate was in fact the first one, since it came after the adoption of a new Constitution.

¹¹ Readers interested in Kazakhstan's pre-independence history, particularly during Russian rule, may wish to refer to the following books: Christoph Baumer, *The History of Central Asia* (4 volumes), Bloomsbury Publishing, London, 2016-2018; Alexander Morrison, *The Russian Conquest of Central Asia: A Study in Imperial Expansion, 1814–1914*, Cambridge University Press, Cambridge, 2021; Hélène Carrère d'Encausse, *Islam and the Russian Empire: Reform and Revolution in Central Asia*, University of California Press, Berkeley, 1988; Glenn E. Curtis, ed. *Kazakhstan: A Country Study*. Washington: GPO for the Library of Congress, 1996.

He was 're-elected' again on 4 December 2005 (91.15%). New constitutional reform, again Ubuesque, on 18 May 2007: the duration of the presidential term is reduced to 5 years but the president in office will be able to stand for re-election an unlimited number of times, while his successors will only be able to serve two five-year terms. He will be re-elected again in April 2011 (95.5% of the votes) and finally in 2015, this time with his best score: 97.7% of the votes.

Nursultan Nazarbayev has not been content over the years to juggle with the Constitution and the number of his 'voters'. He has played the same game with his prime ministers, whom he regularly changes when they concentrate too much authority in their hands or show the slightest hint of independence, and even with the parliament (which, as we have seen, plays only a minor role). In August 2007, the 'majority' party, Nur Otan (which he obviously also chairs), won all the seats in elections that can at best be described as dubious. Immediate international outcry. The regime responded by allowing the second-place party, even if it did not pass the 7% electoral threshold, to grab a few seats. With this new sleight of hand, Nazarbayev can no longer be accused of leading a single party...

Throughout Nursultan Nazarbayev's five mandates, accusations of corruption have multiplied. Taking advantage, among other things, of the economic reforms and the wave of privatisations that accompanied the end of the communist regime, the president himself and his 'family'¹² have cut the country to ribbons. Not content with collecting undue commissions on oil, gas and other contracts, those close to the president embezzled money from certain ministries and drew on those of public companies, with most of the loot then being hidden in myriad accounts abroad or used to buy real estate in France, the United Kingdom and elsewhere¹³. As an example of this looting, Nazarbayev's daughter Dinara and her husband Timur Kulibayev control the country's largest financial institution, Halyk Bank (the legal successor to the Kazakh branch of a Soviet-era state bank), while the chairman of its board of directors, Aleksandr Pavlov, is a former Nazarbayev minister. The wealth of each co-owner is estimated at \$3.1 billion. Since last spring, the justice system has been working to evaluate (and recover) the embezzled money. This is a titanic task, as the sums at stake amount to billions of dollars, if not (more likely) tens of billions or more¹⁴. With foresight, the autocrat had passed a law guaranteeing his immunity and, to top it all off, another one "legalising" money laundering¹⁵.

In terms of human rights, the record is hardly more positive. Kazakhstan did not have the cruelest regime on the planet under Nazarbayev (far from it). The specialised NGO World Justice Progress (WJP), whose mission is to measure the rule of law in the world¹⁶, places it in 65th position out of 140 countries¹⁷. But these rankings are often to be taken with caution and,

¹² The term should be taken in a broad sense, as it was when we spoke of Boris Yeltsin's "Family" in Russia in the 1990s: not only relatives but also oligarchs and senior officials very close to the first circle.

¹³ According to a Radio Free Europe article from December 2020, at least \$785 million has been invested by Nazarbayev's close relatives in six countries over a period of twenty years:

<https://www.rferl.org/a/kazakhstan-nazarbayev-family-wealth/31013097.html>

¹⁴ For example, in 2002, an opposition newspaper reported that the president had allegedly channelled a billion dollars in commissions on oil sales to Switzerland. These articles were met with death threats and a firebombing. See, among others, Peter Baker's article in the Chicago Tribune: As Kazakh scandal unfolds, Soviet-style reprisals begin: <https://www.chicagotribune.com/news/ct-xpm-2002-06-11-0206110214-story.html>

¹⁵ See Seymour Hersh's article, The Price of Oil, "The New Yorker", 1 July 2001: <https://www.newyorker.com/magazine/2001/07/09/the-price-of-oil>

¹⁶ The WJP index is based on eight criteria: checks and balances, corruption, transparency, fundamental rights, order and security, civil justice, criminal justice and law enforcement.

¹⁷ WJP Rule of Law Index | Kazakhstan Insights (worldjusticeproject.org)

without insulting anyone, it should be noted that the WJP has nationals from Tunisia (71st place in the ranking), the Philippines (97th place) and Qatar, which is not known for being the most open and transparent country in the world. If we compare Kazakhstan with other ex-Soviet republics, we can see that, despite everything, it is not doing too badly: Moldova is in 68th place, Ukraine in 76th, Uzbekistan in 78th, Belarus in 99th, Kyrgyzstan in 100th and Russia in 107th place. Finally, another element to be taken into account is that one European Union Member State, Hungary, is in 73rd place and another, Bulgaria, is in 60th place; as for India, which is often presented as "the world's largest democracy", it is in 77th place...

But it is clear that under the Nazarbayev presidency, essential rights - freedom of opinion, freedom of association, freedom of the press, trade union freedoms, freedom to practise a religion outside the structures recognised by the state, etc. - were regularly flouted. - Torture was still relatively common (e.g., in the United States). Torture was still relatively common (but not systematic) in places of detention and trials of critics of the leaders were, at best, unfair. The example came from above, and some magistrates even paid for their statements or judgements, even in criminal cases¹⁸.

Disastrous in terms of the development of a state governed by the rule of law and respect for individual freedoms, Nursultan Nazarbayev's long tenure at the head of the state has nevertheless allowed some social progress to be made, for example in the field of education. Internationally, the president has shown great skill in manoeuvring between China, Russia and the West, and has managed to attract the sympathy - or at least the neutrality - of all.

But from 2011 onwards, his power was increasingly challenged: in December, riots broke out in the south-western province of Mangystau on the Caspian Sea. In the town of Zhanaozen, sixteen people were killed and a hundred injured, while the security forces made hundreds of arrests¹⁹.

The month of June 2011 was marked by a suicide attack in Aktobe (north-west), initially attributed to organised crime before the authorities conceded that it was linked to jihadist terrorism²⁰. In November 2011, another attack killed several people (including four police officers) in Taraz (south-east)²¹. Finally, in June 2016, other attacks hit Aktobe again. The result: 7 dead and 37 wounded as well as 18 terrorists shot dead and 9 arrested²². These attacks were a reminder that the country was not immune to the jihadist threat which, coming in this case from Afghanistan, also affected other countries in the region.

More importantly, social unrest continued and even the parliament, which had for too long been reduced to a bare minimum, began to grumble. In June 2018, the president of the Senate, Kassym-Jomart Tokayev, told the BBC that he did not "think" that Nazarbayev would stand for re-election in 2020²³, a statement that was particularly badly received by the court surrounding the head of state. Finally, on 19 March 2019, the unsinkable Nursultan Nazarbayev resigned with immediate effect, handing over his seat (for the rest of his term) to Kassym-Jomart

¹⁸ For the human rights situation under Nursultan Nazarbayev's presidency, see, among others, reports by Amnesty International, Human Right Watch and the World Justice Project.

¹⁹ <https://www.bbc.com/news/world-asia-18055249>

²⁰ <https://eurasianet.org/kazakhstan-astana-confronts-extremist-threat>

²¹ <https://www.20minutes.fr/monde/822024-20111112-kazakhstan-islamiste-tue-7-personnes-fusillade>

²² <https://www.economist.com/asia/2016/06/10/islamist-violence-and-a-spate-of-protests-have-rattled-kazakhstans-ruler>

²³ <https://www.bbc.com/news/av/world-asia-44546885>

Tokayev. But Tokayev - a career diplomat who had briefly been Prime Minister and then Minister of Foreign Affairs before becoming President of the Senate, and to whom observers attributed a real desire for reform - was moving forward on a minefield.

A succession under high surveillance

Indeed, even if the decision seemed to have been taken under the influence of the demonstrations that were spreading across the country, the resignation of President Nazarbayev was anything but a spontaneous gesture. On the contrary: it had been carefully thought out and even prepared in great detail.

In the televised speech announcing his departure, Nazarbayev, with the official title of Elbasy (Father of the Nation), announced that he would keep the presidency of the Nur Otan party, but also the otherwise important presidency of the Security Council, and that he would continue to sit on the Constitutional Council. However, in July 2018, when the situation had started to become tense and the signs of rejection of the old autocrat had multiplied, a reform had modified the status of the Security Council, whose role, previously purely consultative, became constitutional: it was, among other things, responsible for monitoring the application of laws. And Nazarbayev became its president for life...²⁴

Two years earlier, on 8 September 2016, Nazarbayev had appointed one of his closest friends, his former Prime Minister Karim Massimov, to the presidency of the KNB, Kazakhstan's security services, while his own daughter, Dariga Nazarbayeva, entered the Senate on 13 September, only to be appointed three days later as head of its Committee on International Affairs, Defence and Security. On 20 March 2020, she succeeded Tokayev as President of the Senate. In short, everything seemed to be locked up to reduce Kassym-Jomart Tokayev's room for manoeuvre as much as possible. For good measure - one can never be too careful - Nazarbayev also placed one of his nephews, Samat Abish, as Massimov's first deputy at the head of the KNB...

3- The presidency of Kassym-Jomart Tokayev: the ambition to reform

When, on 20 March 2019, Kassym-Jomart Tokayev took over the presidency 'on an interim basis', it was planned that elections would be held in 2020, at the legal end of the resigning president's mandate. But Tokayev wants to move fast. His desire is to reform the country in depth and, to do this, he knows that he must get rid of the heavy supervision that his predecessor is trying to impose on him. Three weeks later, on 9 April, he announced that the presidential election would be brought forward to 9 June. In his eyes, only the election could give him full legitimacy and a clear mandate. He was elected with 71% of the votes. This is still very comfortable but it is far from the pharaonic scores of Nursultan Nazarbayev.

As soon as he was installed, he had to face a tragedy: on 24 June, the explosion of an ammunition depot in Arys (south of the country) killed two people and injured hundreds, and forced the evacuation of thousands of inhabitants. The next day, the new president was on the

²⁴ <https://www.rferl.org/a/kazakh-president-nursultan-nazarbaev-says-he-is-resigning-/29830123.html>

spot, visited the injured and announced the opening of a criminal investigation²⁵ to establish all responsibilities. A celerity and a firmness which already contrasted with the past.

But one of his first important political (and symbolic) decisions will be to remove Dariga Nazarbayeva from the presidency of the Senate, on 2 May 2020: KJT begins to get rid of the shackles that Nazarbayev thought he could put on him to try to keep him under the control of 'The Family'. But the real showdown comes 19 months later, after the events of January 2022.

Qandy qañtar 2022: an attempted coup?

Because of the nepotism and corruption we denounced above, the undeniable economic progress of Kazakhstan during the Nazarbayev era had not benefited the population. In January 2022, the leading American business daily The Wall Street Journal could write that '162 wealthy Kazakhs' held '55% of the country's wealth'. The situation could not last and the explosion was approaching²⁶.

As ten years earlier, it was in Zhanaozen, an oil town on the banks of the Caspian, that everything was going to start. Since the riots that had left 16 people dead in 2011, the city had been the site of new, less serious unrest in 2018 and 2020, among others. But on 1 January 2022, the price of liquefied gas (the main fuel used in the country) doubled from 65 to 120 120 tenge per litre (€0.24, \$1.06 per gallon). Wages remained low and the general economic situation, plagued by two years of the Covid pandemic and a decline in demand for hydrocarbons, showed little sign of improvement.

On the morning of 2 January 2022, hundreds of inhabitants of Zhanaozen blocked the roads to demand the cancellation of the increase. The next day, a thousand people demonstrated in the city centre, demanding, among other things, the direct election of regional governors (who are appointed by the President). Despite some tension, the demonstration remained generally peaceful and the police, although present, did not intervene. Kassym-Jomart Tokayev asked his government to review the situation and reminded the protesters that they could demonstrate, but in a peaceful manner. Some arrests are reported in Astana (the capital), Aktobe and Almaty (the economic capital).

The demonstrations started to spread: in Aktau, not far from Zhanaozen, around 6,000 people gathered in front of the town hall, demanding an immediate drop in fuel prices but also the resignation of the government.

But it was in Almaty that the Qandy qañtar ("Bloody January") really began. On the night of 4 January, a thousand protesters clashed with the riot police, cars belonging to the forces of order were set on fire and the latter responded by firing sound grenades and tear gas. A state of emergency was declared in Mangystau province and Almaty but KJT announced that the legitimate demands of the demonstrators had been heard and that the price of LNG had been reduced to 50 tenge (15 less than before the increase on 1 January).

But it was too late: during the night, the clashes continued and the demonstrators now numbered in the thousands. On 5 January, barricades were erected in the centre of Almaty and the town hall was stormed and burnt down while rioters looted several police and army arsenals. The

²⁵ https://central.asia-news.com/en_GB/articles/cnmi_ca/features/2019/06/25/feature-01

²⁶ <https://www.wsj.com/articles/kazakhstans-elite-got-richer-on-natural-resources-then-came-the-unrest-11641572839>

Almaty International Airport was also taken over by rioters. Shops, shopping centres, restaurants and banks are attacked and robbed. Other public buildings are attacked in Shymkent and Taraz in the south of the country and in Aktobe.

On 5 January, the government resigns and Kassim-Jomart Tokayev announces that Nursultan Nazarbayev has stepped down from the chairmanship of the Security Council and replaces him in this position.

He then extended the state of emergency with a night-time curfew (from 11pm to 7am) to the whole country. It was later learned that Karim Massimov, the very person Nazarbayev had appointed to head the KNB in September 2016, was arrested on 5 January and has been detained since²⁷.

In the late evening, it was no longer tear gas grenades that could be heard in the streets of central Almaty, but bursts of automatic weapons: security forces and rioters exchanged fire throughout the night. The same day, President Tokayev officially appealed to the member countries of the Collective Security Treaty Organisation (CSTO, which includes Armenia, Belarus, Kyrgyzstan, Russia and Tajikistan in addition to Kazakhstan). The first troops arrived on 6 January. They will take over the protection of strategic sites, airports and public buildings, allowing the Kazakh security forces to concentrate on maintaining order. No foreign troops will be engaged against the rioters.

Between 7 and 10 January, calm was gradually restored. But the toll was heavy. Officially, 238 people were killed (including 19 policemen and soldiers, at least two of whom were decapitated) and 4,353 injured (including 3,393 members of the security forces); About 8,000 rioters or suspects were arrested and about 50 police officers or similar were prosecuted for criminal acts committed during the repression (among others, 6 people arrested are said to have died as a result of acts of torture); the material damage is close to 200 million euros, more than 400 businesses, banks and shops were looted and/or partially or totally destroyed

Pending an independent enquiry, which we hope and pray for, the January tragedy calls for several reflections. Based on our experience in theatres of war and insurrection, we will isolate four of them:

- First, it is striking that the bulk of the violence, deaths and arrests were concentrated in Almaty, the country's economic capital, whereas the protest had started in the province of Mangystau (Zhanaozen and Aktau) and then affected several other cities.
- Secondly, according to several testimonies that we collected as early as 5 January and then in the following days in Almaty, criminal elements and probably extremist Islamist militants infiltrated the demonstrations before they became really violent and took precedence over those who were protesting in good faith against the increase in the price of LNG and corruption.
- Finally, while on 5 January the demonstrations were already very violent in Almaty, one can only be surprised that the arsenals were not better protected and that the rioters were able to loot them, including an arsenal at the KNB's regional headquarters, which one imagines should be subject to extreme security rules.

²⁷ He was replaced as head of the KNB by Yermek Sagimbayev, who was close to President Tokayev and headed his personal security service.

- A former adviser to Nazarbayev, Yermukhamet Yertysbayev, said on 8 January: 'The order was given to lift the security cordon around Almaty airport only forty minutes before the protesters occupied it on 5 January. This would probably not have been possible without authorisation from the highest level...'28.

These elements (and no doubt others that could be revealed by a commission of enquiry) lend credence to the thesis of Kassim-Jomart Tokayev and his entourage: the January incidents were probably the trigger for an attempted coup d'état designed to overthrow him and bring back to power former President Nazarbayev (who, at the start of the unrest, was still the chairman of the Security Council) or one of his relatives. To this end, the plotters would have allowed things to degenerate or even accelerated this rise to extremes. This would explain, for example, the disconcerting ease with which some rioters were able to seize the weapons they needed.

In any case, we were told by a highly placed and reliable source, who for obvious reasons requested anonymity, that before his arrest, Karim Massimov had advised President Tokayev to flee the country. His absence and the vacancy of power would have greatly facilitated the return of Nazarbayev (or the arrival of another) presenting himself as the 'saviour of the nation'.)

Moreover, it is indeed for 'high treason' that the head of the KNB and his deputies were arrested and are now awaiting trial. But there is more: the death of three senior security officials was announced on the same day (10 January)29:

- General Zhanat Suleimanov, former deputy interior minister, committed suicide on 10 January after a criminal investigation was opened against him.
- KNB Colonel Azamat Ibrayev (reputedly close to Massimov) was found dead at the foot of his building in the capital Astana.
- One of the heads of the Almaty police, Tanat Nazanov, died of a heart attack30.

In any case, President Tokayev did not listen to Karim Massimov's 'good advice': he stayed in his place and order was restored.

After the riot, time for reforms

In mid-January, KJT had a free hand. Having got rid of Nursultan Nazarbayev and those close to him, he can now apply the reforms he wants.

On 11 January, as CSTO troops left the country, Tokayev, in a speech to parliament, declared: 'Thanks to Nazarbayev, a set of very profitable enterprises has been created in the country, and a group of extremely rich people, even by international standards, has been formed. I think it is time that they pay their dues to the people of Kazakhstan and help them in a systemic and

²⁸ <https://eurasianet.org/kazakhstan-ex-security-services-chief-and-nazarbayev-ally-arrested>

²⁹ <https://www.themoscowtimes.com/2022/01/10/3-kazakh-security-officials-found-dead-in-wake-of-unrest-a76001>

³⁰ This last death is obviously the least suspicious of the three, given the nervous tension that must have been present among Almaty's police officers in these first days of the year.

regular way. The era of "a financial system dominated by large business groups, based on the principle of 'everything for friends, and laws for everyone else'" is over³¹.

In fact, KJT had launched some reforms even before January 2022, when he still had to reckon with the heavy presence of Nazarbayev's relatives around him. In the first months of his mandate, he raised the salaries of teachers, social workers and doctors and, a year later, proposed an increase in the minimum wage. In 2020, he enacted a law liberalising the organisation of peaceful demonstrations, and in his first "State of the Nation" speech, he insisted on the need to build a true multi-party system "to build a modern and efficient state"³². He also proposed that officials ("äkims") should be elected rather than appointed. In 2021, he lowered the electoral threshold for legislative elections from 7% to 5%, which corresponds to the average in European countries and allows for better representation by encouraging "small" parties to enter parliament, and obliged parties to include 30% women and "young people" on their electoral lists. Even more original, he decided to include the possibility of voting "against all" [parties presenting candidates] on the ballot papers, which would make it possible to better measure citizens' support for the system. On 2 January 2021, he signed the decree abolishing the death penalty³³.

But it was after January that the most significant reforms were adopted.

Initially, of course, the priority is to remove from their positions those close to Nursultan Nazarbayev who could continue to slow down the change. And to reform the security services, which seriously failed in January.

Then, on 5 June 2022, Kassym Jomart Tokayev, by referendum, had reforms adopted to democratise the country: presidential prerogatives were reduced, the number of terms of office of the head of state was limited to two, the parliament was given more power and those close to the president were forbidden to hold any official position, so as to put an end to nepotism, which had been one of the major faults of the Nazarbayev era.

The judicial treatment of the January events

But one of the barometers allowing us to measure most precisely the reality of the changes underway in Kazakhstan is certainly the judicial treatment of the events of early January. In a country that has often been accused (rightly) in the past of trampling on human rights, how are the cases of those who shook the state on 5 and 6 January handled?

On 1 September 2022, Kassym-Jomart Tokayev proposed an exceptional amnesty for the participants in the riots and, on 27 October, the Senate approved the law granting them mass amnesty.

³¹ <https://www.reuters.com/world/asia-pacific/kazakhstan-detains-almost-10000-over-deadly-unrest-2022-01-11/>

³² <https://www.helsinkitimes.fi/world-int/18013-new-reforms-are-taking-place-in-kazakhstan-under-the-leadership-of-president-kassym-jomart-Tokayev.html>

³³ There had been a moratorium on the death penalty for some 20 years, but it was still carried out by the courts in exceptional cases. If the moratorium had been lifted, death row inmates would have been executed.

But first, what has been the reality of the judicial repression of the January events so far?

- 1,112 rioters were convicted, 128 of whom were imprisoned.
- 49 members of the security forces were arrested for various acts ranging from ill-treatment to murder and torture; 29 criminal cases were opened in relation to the use of torture: 17 against the police, 12 others against KNB representatives.
- Two cases are being processed under the article on "acts of terrorism". Two cases are being processed under the article on "acts of terrorism". They concern 46 suspects, both citizens of Kazakhstan and foreigners.

Let us now turn to the amnesty law itself.

In detail (and bearing in mind that the majority of those arrested were released without prosecution):

- Those who committed minor offences will be released and all charges against them will be dropped, while those who were convicted of serious offences will have their prison sentences reduced by half or three quarters. In practice, out of 128 prisoners, 40 will be released immediately, while another 50 will be released over the next six months.
- Of 1,600 people found criminally responsible, 1,500 will fall under the amnesty.
- Those convicted of terrorism, extremism, high treason, corruption and organising mass disorder will not be covered by the amnesty.
- The law also provides for the "resocialisation" of former convicts. They will be helped to find a job, fill in administrative documents and receive medical assistance.
- Of 49 members of the security forces prosecuted, only one will benefit from the amnesty law.

Of course, controversies continue to surround the repression of the January events. One of them concerns Karim Massimov who, since his arrest, has found defenders to denounce his detention conditions as well as the injustice of his fate.

While every prisoner has the right to humane and non-degrading treatment, especially when his arrest is politically motivated, apart from the fact that the inhumanity of Mr Massimov's detention remains to be proven, he is probably not the best person to complain about the harshness of Kazakh prisons or to champion human rights. When he was Prime Minister, and then when he headed the KNB, human rights organisations published dozens of reports denouncing the situation in the country: dispersal by force of the slightest demonstration, banning of independent media, harassment of opponents and other arbitrary arrests were commonplace. He was also closely associated with the massive corruption that accompanied the Nazarbayev years and which saw tens of billions of dollars evaporate.

A strategic realignment

A final, crucial point remains to be examined in order to judge the current situation of Kazakhstan: its new positioning from the geopolitical point of view.

Since 1991, Nursultan Nazarbayev had been careful to keep his country in close dependence on neighbouring and powerful Russia: independent yes, but not too independent. This position can, moreover, be understood. Our contacts with the Kazakhs allowed us to discern the strong anguish they feel when the discussion comes to the relationship between Astana and Moscow. The memories of Russian and then Soviet colonisation are still very present and painful (we mentioned, for example, above, the still vivid consequences of the nuclear experiments carried out by the USSR between 1949 and 1989; we could also mention the effects of the great famine of the thirties which, eliminating nearly half of the Kazakhs, had an influence on the demography that is still felt today). One reality seems to be obvious as soon as the subject is broached: yes, Kazakhstan is huge (the 9th largest country in the world) but it is underpopulated, with less than twenty million inhabitants. So what resistance could it put up if the immense Russia (and its 143 million citizens), with which it shares a border of more than 7,500 kilometres, decided to attack it? So be careful....

Then came 24 February 2022 and the Russian aggression against Ukraine. Right from the start of the war, the authorities distanced themselves from Moscow: not only did they refuse to support Russia's "special military operation", but they called for an immediate cessation of hostilities and stated loudly that they would not recognise any annexation of territory. This position has been repeated several times since and Astana has even welcomed deserters fleeing the partial mobilisation. Moscow has retaliated by raising its voice and repeatedly cutting the pipelines that allow Kazakhstan to export oil to the west.

The choice of President Tokayev (who is also a perfect French speaker) is clear and strategic: his country will develop by moving closer to Europe and the liberal world.

Brussels, which has understood this very well, has already signed various trade agreements with Astana and continues to explore other promising avenues.

Kazakhstan has a lot to offer: it has oil reserves equivalent to those of Iraq, it is the world's tenth largest producer of coal, the 13th largest producer of natural gas and, with the world's second largest reserves of uranium, it is the leading producer of this fuel for nuclear power plants. Finally, its immense under-exploited territory makes it possible to turn it into a major agricultural power. However, Brussels must deal with the end of Russian oil and gas deliveries. Finally, Kazakhstan is also a platform and a formidable gateway to the other countries of Central Asia, but also to China.

4- The presidential election of 20 November

It is in this complicated context that the election of 20 November will take place. Initially, the election was scheduled for December 2024. But President Tokayev knows that after January and in the context of Astana's realignment out of Moscow's orbit and its rapprochement with Europe, he must confirm his legitimacy.

During his annual state of the nation address in September 2022, he therefore announced that the presidential election would be held in the autumn. This proposal is accompanied by a new reform that goes even further than the previous ones: the length of the presidential mandate will be changed again, from 5 to 7 years, but it will not be renewable. A single term, therefore! While he succeeds an autocrat who had voted a tailor-made law allowing him to represent himself for eternity but limiting his successors to two terms, one could hardly imagine a more symbolic change.

By way of conclusion

Some voices are already being raised, in certain NGOs and in timid political circles, to tell us that the election will not be fair and that everything has already been decided. We believe that the future is not written anywhere.

Despite the same protests from the same NGOs, the world didn't take much notice when Nursultan Nazarbayev and his clique were shamelessly plundering their country, leaking tens of billions of dollars into tax havens and repressing their people.

Since he came to power, and especially since January, Kassym-Jomart Tokayev has given real proof - and proof - of his desire for change. He has reopened the doors of dialogue, liberalised the expression of divergent opinions, simplified and democratised the functioning of the country. He has also made a 180° change of course towards Moscow, breaking with a past of compromise. He dreams of anchoring his country firmly in liberal and democratic Europe.

Are things perfect? No, of course not. But Kazakhstan is neither Switzerland nor Luxembourg: it is a country that has never known freedom and has no historical experience of democracy and the rule of law. A country that was occupied and oppressed by Russia for a long time. A country characterised by great economic and social inequalities that cannot be corrected in six months. A country that showed, in January, that tensions are high between those who want change and those who only want to see the regime of prebends, corruption and nepotism perpetuated. Tensions which, at any moment, can topple everything and call everything into question. And we would like this country to complete in a few weeks or months the long road to democracy which, in Europe (and in much more favourable conditions), has cost us centuries of effort for a result which we know is still imperfect?

To make the reforms definitive and allow them to bear full fruit, President Tokayev needs new legitimacy and he will probably obtain it.

Then he can speed up the pace, because he knows that he has not centuries but only a few years ahead of him, and that history and his people will judge him on the fulfilment of his promises. And because he certainly knows this Russian proverb: *“On thin ice, one must walk fast”*.

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