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TRAFFICKING IN KAZAKHSTAN

BRIAN TURNBULL



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Author Background

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Introduction by Matthew Stein, FMSO

Each of the Central Asian states have had to work through economic issues since the Soviet Union collapsed in 1991, but Kazakhstan has experienced the most growth and currently has the highest GDP among the five states. While this has resulted in a higher quality of life in some aspects for the population, it has not meant that Kazakhstan has been immune to significant levels of unemployment or other social issues, like human or narcotics trafficking. It has been well documented that large numbers of people from Tajikistan, Kyrgyzstan, and Uzbekistan have been involved as migrant workers (particularly in Russia) and that they can fall victim to human traffickers, but it is not often discussed how this issue relates to Kazakhstan. In this study CREES-FMSO research analyst Brian Turnbull examines how despite economic growth in Kazakhstan, the country has a problem with human and narcotics trafficking.



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Trafficking in Kazakhstan is a complex phenomenon. There are a variety of primary actors in the drug-trafficking and human-trafficking/smuggling organizations, who rely on a diverse array of methods to move their products. Undergirding these trafficking markets is governmental complicity and support, which is perpetuated by deep levels of corruption. Endemic corrupt behavior, in turn, has been reinforced by clan politics and an economy built on patron-client relationships. These drawbacks have hindered any real attempts by the Kazakh government to combat trafficking in the region.

It should be noted that trafficking within Kazakhstan has been fed by the steady degradation of economic conditions in Central Asia as a whole since the fall of the Soviet Union. Aside from Kazakhstan's significant growth based on fossil fuel exports, the rest of the region has lagged far behind in terms of GDP per capita, which has led to reductions in health and education, and overall quality of life, particularly in Kyrgyzstan and Tajikistan (see Table 1 below). Alongside these decreases, the population has increased significantly, outpacing agricultural production. This difficult situation has pushed large numbers to seek work in Kazakhstan or Russia and send income back home. Tajikistan, with nearly 50 percent of its GDP dependent on this income, is the most remittance-dependent country in the world (EurasiaNet.org, 2012). With labor available in such cheap abundance across Eurasia, people have become tradable commodities to be bought and sold by those looking to exploit their situation (Beshimov, Shozimov, and Bakhadyrov, 2011).

Table 1

STATE	GDP per Capita 2005	GDP per Capita 2013
Kazakhstan	\$3,771	\$13,609
Kyrgyzstan	\$476	\$1,263
Tajikistan	\$339	\$1,036
Turkmenistan	\$1,707	\$7,986
Uzbekistan	\$546	\$1,878

*GDP provided in current US\$.
 Source: <https://data.worldbank.org>



Map Source: <https://www.cia.gov/library/publications/the-world-factbook/>

Key Actors and Facilitators

The literature indicates that the profitable human trade has likely brought established drug organizations into human trafficking. These organizations already have the needed financial resources from their profits in the drug trade, and they are able to utilize existing means of transport used for running drugs. Many of their logistical resources can be put to work moving either drugs or humans, which enables them to create more profitable economies of scale. Trafficked victims also are often used as drug couriers when sent to foreign destinations, providing recipients with both the drugs and a victim to exploit. Aside from profiting on the sale, traffickers also utilize drugs throughout the entire trafficking process as a way to subdue the victim, increase endurance for longer work hours, and discourage escape through victim addiction. Drug traffickers have been encouraged to move into the human-trafficking market by the increasing level of competition and danger within the drug market and low startup costs and potential risks in human trafficking. Traffickers generally seek a diversified source of profits, and human trafficking is extremely profitable (Shelley, 2012).

Within Central Asia, criminal organizations engaged in these trades have discovered the routes of least resistance, particularly along the porous Kyrgyz-Kazakh border. This particular section is not as well monitored and provides more mountainous cover to traffickers compared to Kazakhstan's borders with China, Uzbekistan and Russia. Traffickers can both walk across and bring large vehicles through the Kyrgyz-Kazakh border within established networks of fuel smuggling from Kazakhstan. The main crossings are to the north and west of Bishkek en route to Almaty, which take advantage of both better roads and the large consumer market in Almaty Province. Opiates are stockpiled outside the city and then broken down to supply low-level dealers. Almaty also provides access to rail networks with links to Russia. Trafficking organizations are highly adaptable, as they use both established routes repeatedly and switch quickly among available options, as dictated by destination, geography, law enforcement, and the flexibility of their transport links. The geography of Kyrgyzstan requires that all traffic heading from Osh to Bishkek use the same road for much of the route, whereas traffickers crossing the more open areas of Kazakhstan

have more choices. Additionally, over the past decade the drug trade has increased in the large and growing market in Xinjiang province in western China. Heroin prices in Xinjiang can be 4-5 times higher than in Central Asia, and the markets are much closer and more accessible than those in western Russia or Europe (Townsend, 2006).

The membership of these illegitimate organizations has shifted over time. The original Russia-based criminal groups who dominated drug trafficking in Central Asia during Soviet times faded following the collapse of the Soviet Union and the subsequent decline of the “symbiotic relationship” these organizations had with the Soviet government. Soviet officials had provided tacit official acceptance and protection of the trafficking organizations in exchange for their acceptance of a degree of governmental control over the level and locations in which traffickers did business. The privatization of the Soviet economy in the 1990s also allowed serious competition to emerge. The lack of regulation and rule of law resulted in various criminal gangs across Central Asia seeking profit from trading in the black market and establishing protection rackets on legitimate businesses, and an increase in the number of government officials seeking to exploit their position for personal gain by collaborating with traffickers (Curtis, 2002).



*A psychologist, center, plays a game with trafficking victims at the International Organization for Migration office in Almaty. Photo: Alexandra Babkina
Source: http://centralasiaonline.com/en_GB/articles/caii/features/main/2012/09/25/feature-01*

There has also been significant turnover in the ethnic nature of these organizations in Central Asia. While these criminal activities had been dominated by Russian-based organizations during the Cold War, by the 1990s Chechens were reported to be the most common ethnic group involved in narcotics trafficking in the region. Russian criminal groups were pushed out as Chechen smugglers began emerging in 1993 and utilized the large Chechen diaspora in the region (a result of Stalin’s deportations in the 1940s) to provide a cover for their trade. It is reported that the

Russians moved more into the smuggling of seafood, automobiles, and timber, leaving narcotics to the Chechens. How accurate and exclusive these ethnic designations were is certainly debatable. More recently, Kazakh, Kyrgyz and Uzbek criminal groups have moved into the rapidly expanding narcotics trade, and are likely more prominent now. The drop in the price of heroin in the early 2000s boosted the number of users, and the increase in Afghan production following the ousting of the Taliban has increased both supply and demand across the region over the past decade, perhaps allowing these competing groups to coexist to some degree (Curtis, 2002).

The established criminal groups have faced additional competition across Eurasia in the drug trade from members of governmental agencies. Members of the Russian Federal Security Service, the Ministry of the Interior's security forces, and private security forces have used their authority and capabilities to establish their own protection rackets on both legitimate enterprises and on the criminal gangs themselves throughout the former Soviet Union. The continued presence of Russian security forces across the FSU has allowed them to maintain a strong presence within the drug trade by providing protection and facilitating transport in return for a share of the profits. Specific cases have been documented out of Tajikistan, with reports of small groups of Russian service members purchasing heroin from Afghan warlords with the help of the Tajik military, and then utilizing Russian military aircraft, transporting the product to Russia for sale (Curtis, 2002; Shelley 2006).¹

Corruption and Its Effects

As important as the means of transport are, equally necessary are the facilitators working in the legitimate world. In both drug and human trafficking, criminal organizations must enlist the support of collaborators in border guards, law enforcement, and immigration, as well as lawyers, accountants, bankers, and real estate agents who provide the false travel documents and safe houses, launder the profits, and turn a blind eye to enable illegal product to move. While different, human and drug trafficking both require international transport networks and official corrup-

1. Sources mention only in general terms that the Russian military is participating in the trafficking, but they do not provide specific locations, identities, or strength of the forces involved.

tion to enable access to such profitable markets (Shelley, 2012).

As of 2013 Kazakhstan was rated 140th out of 177 states (receiving a score of only 26 out of a possible 100) in Transparency International's Corruption Perceptions Index. Among former Soviet and communist states, Kazakhstan placed below Belarus, was on par with Russia and Ukraine, but was relatively higher than the rest of the Central Asian states. More troublesome is Kazakhstan's steady decline over the past decade, from 65th out of 90 countries measured in 2000, to 107th out of 158 in 2005, and 105th out of 178 in 2010.

Official corruption ranges from tacitly ignoring narcotics trafficking to direct participation in the trade, and likely complicity has been prevalent in the highest levels of the Kazakh government. Beyond moving product, many officials have also engaged in establishing protection rackets for both illegitimate traffickers and legitimate businesses. Businesses in Kazakhstan have had to pay for reliable protection in order to avoid harassment, and the best guarantor has become government officials as opposed to gangsters. In Kazakhstan these official rackets are more likely than the traditional extortion by independent criminal groups. However, this bureaucratic extortion has still been less common in Kazakhstan than in Russia (Curtis, 2002).

Source of Corruption

Official corruption has been further enabled by the prevalence of clan politics in Kazakhstan, which are rooted in the regional ethnic ties that permeate Kazakh politics and are generally classified at their broadest levels as hordes or zhuz (жүз). Despite the professed push for erasing class distinctions in the Soviet Union, individual Kazakh identification with their historical zhuz was not eliminated. Instead, these identities became crucial in an era of scarcity under the Communist system. Individuals relied on familial networks not only to secure employment, but also to obtain basic goods and services. Into modern times the near universal possession of extensive individual genealogical knowledge created easily accessible and manipulatable identifiers for members to connect with one another. The average Kazakh is expected to accurately know and be able to orally trace his genealogical lineage going back at least seven generations (Schatz, 2005).

Perestroika allowed these informal networks to become central to regional politics once again. Moreover, early elite efforts at nation-building utilized these ethnic identities to increase a societal sense of “Kazakhness” independent of their Soviet past and to build their own individual power bases for political gain. Elites used their lineage connections to establish a link with as many supporters as possible. Over time this became “a virtual bidding war” that pushed these ethnic markers to the forefront of Kazakh politics (Schatz, 2005). Despite early elite intentions to build a unique Kazakh identity by encouraging Kazakhs to embrace their zhuz, the exploitation of these associations by elites heavily politicized these identifications and polarized society along zhuz and clan lines. As political elites often maintained their positions based on patronage networks with clan supporters, these cleavages grew increasingly more salient as the spoils and rewards of office were typically limited to members of the zhuz in power (Shozimov, Beshimov, and Yunusova, 2011; Schatz, 2005).

Post-independence, zhuz and clan distinctions have become intrinsically tied to power and goods distribution. To gain lucrative posts in state bureaucracy that provide access to rents from the extractive industries, elites continue to rely on their clan connections and distribute the spoils to their key supporters in this patron-client system. Local elites push their kin-based connections to potential supporters and emphasize both the likely benefits to be received in reward for their support and the need for clan-based loyalty to protect members from the aspirations of competing clans.

President Nazarbaev and his family are a prime example. At the center of power for the entirety of Kazakhstan’s independence, he has been in a position to privilege both family members and fellow members of the Great zhuz. A pattern of political appointments and key contracts by him have tended to favor extended family and core members of his zhuz. However, his core concern of preventing any regionalist movements built on loyalties to excluded clans that might challenge national integrity and his hold on power led to a policy of clan balancing within the provinces. Given the strength of their position, provincial governors have been rotated regularly to prevent any from building a rival power base. Few have served longer than two years in office before being moved to other state posts (Schatz, 2005).

Nazarbaev has not been averse to maintaining control at the expense of close family. Son-in-law Timur Kulibayev was dismissed from his position as head of the Samruk-Kazyna fund, which oversaw all state assets, in response to his inability to manage the labor disputes that erupted into violence in western Kazakhstan in 2011 (EurasiaNet.org, 2011). Moreover, the appointment of Karim Massimov as prime minister for a second time in April of 2014, despite being an ethnic Uyghur, is largely seen as evidence of Nazarbaev’s focus on power balancing, regardless of ethnic ties. Massimov had begun to establish political clout independent of the Nazarbaev family, and the appointment was likely designed to provide Massimov with influence while keeping him within the president’s circle (Paxton and Gordeyeva, 2012; Urazova, 2014).

Official Attempts to Combat Trafficking

The prevalence of official corruption has made the effort to curb both human and drug trafficking weak and inefficient. The US State Department in the 2013 “Trafficking in Persons Report” rated Kazakhstan as a Tier 2 country, meaning Astana has made efforts to meet the minimum established standards, but current policy still does not fully comply. This is partially due to the complexity of the problem in Kazakhstan. The country not only serves as a country of origin for trafficking victims destined for Russia or Europe, but also functions as a transit country for victims en route from other Central Asian states and as a destination country for victims from the poorer states of Central Asia. However, equally important contributing factors have been the complicity of government officials in the trade and an inadequate law enforcement response to the problem.



“Beware of human trafficking!” warns a billboard in Bukhara, Uzbekistan.

Photo: Joanna Lillis

Source: <http://www.eurasianet.org/node/66247>

The Kazakh government was initially slow to address the development of human trafficking during the 1990s, but the growth of problems such as the spread of HIV/AIDS that accompanied the rise finally spurred action (2013 Trafficking in Persons Report). The government has made efforts to enact effective legislation: trafficking in persons for both sexual exploitation and labor is banned by Articles 128, 133, 125(3b), 126(3b), 270, and 132-1 of the Kazakh Penal Code. The US State Department has rated the established penalties of up to 15 years' imprisonment adequately severe. In 2012 the Kazakh Supreme Court further clarified how the judiciary should interpret human trafficking and ruled that trafficking victims could not be prosecuted for crimes committed as result of being trafficked (EurasiaNet.org, 2012). Also in 2012 the Interagency Trafficking in Persons Working Group, chaired by the minister of justice, was established to coordinate national anti-trafficking efforts (Protection Project, 2009). Moreover, the order issued by the Ministry of Education and Science, which allowed the children of migrant workers to attend school alongside regular Kazakh citizens, has likely helped these children avoid being exploited through forced labor (2013 TIP). At the international level Kazakhstan has focused on addressing the problem regionally through the Commonwealth of Independent States and as a member of the Budapest Process, a forum designed to develop comprehensive migration reform and countertrafficking policies across Eurasia (ICMPD).

Astana has also funneled funding into training courses to aid law enforcement in identifying, investigating and prosecuting human traffickers, and made efforts to improve international coordination with neighboring law enforcement agencies. The federal government officially announced that specialized trafficking units would be established within the Ministry of Internal Affairs, that money would be allocated to building rehabilitation centers, and the launch of public awareness campaigns. However, while the legislation, funding, and training illustrate intent to combat the problem, issues remain with enforcement. A decrease in the investigation and prosecution of trafficking cases is troubling: only 70 cases were prosecuted in 2012, down from 82 cases in 2011, despite assertions by nongovernmental organizations (NGO) that the number of trafficking victims has steadily increased (Babkina, 2012). However, the wave of terror attacks across Kazakhstan during 2011 and 2012 may have diverted police resources. Overall, traffick-

ing-focused NGOs in the region have continued to complain of antiquated tactics and a general lack of concern for victims by police (2013 TIP; Protection Project, 2009).

Inadequate law enforcement response has been further compounded by the role many government officials and members of law enforcement play in carrying out the trade. Officials shield traffickers from prosecution, abuse trafficking victims, and physically engage in the transport of victims. Police officers in particular are in a unique position to establish connections between traffickers and employers seeking cheap or forced labor (2013 TIP). These connections have made prosecution difficult across the region. Sana Sezim, an NGO active in assisting trafficking victims in the region, has said official protection of organized crime groups often prevents cases from going any further. These roadblocks have relegated much of the countertrafficking effort to reactive measures such as outreach and victim assistance programs ran by these NGOs (EurasiaNet.org, 2012).

Conclusion

Inadequate enforcement will continually hamper any attempt to enact effective rules and regulations. Given the levels of profit, it will be difficult to effectively address the problem because many officials involved in the investigation and prosecution of trafficking benefit handsomely from the trade. At its core, this issue stems from the high levels of corruption across the Kazakh state. While much of the corruption is centered on profit skimmed from more legitimate industries, particularly energy and construction, the lack of rule of law and a bureaucracy that does not effectively punish offenders in general will encourage officials interested in making a quick profit to engage in more illicit industries such as human and drug trafficking.

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