

## Uzbekistan and Turkmenistan: International Crimes Without Justice

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### 1. Introduction

Like other Central Asian republics, Turkmenistan and Uzbekistan inherited Soviet-era autocratic leadership styles when the Soviet Union collapsed in 1991. Throughout the 1990s, both countries established highly repressive governments. The security services infiltrated nearly every aspect of life. Democratic principles and human rights – though enshrined in the constitutions – were rendered practically meaningless. Both states built personality cults around their leaders that echoed Stalin-era propaganda. The scale and severity of political repression set the countries apart within the broader Central Asian context.

Although Uzbekistan implemented some reforms following the death of President Islam Karimov (1938–2016), its involvement with international criminal law (ICL) remains limited, a common characteristic in Central Asia. Out of the five Central Asian republics, only Tajikistan has ratified the Statute of the International Criminal Court (‘ICC’). Uzbekistan and Kyrgyzstan are signatories but have not ratified the Statute, while Turkmenistan and Kazakhstan are neither signatories nor parties to it.

Several factors likely contributed to Tajikistan’s ratification on 5 May 2000. The government may have aimed to demonstrate support for international justice, a willingness to implement legal reforms, and engagement in post-conflict resolution after the 1992–1997 civil war. During this period, Tajikistan ratified various international treaties, likely aimed at attracting foreign investments. However, in 2002, Tajikistan signed a bilateral immunity agreement with the United States (‘US’), indicating an effort to balance geopolitical pressures with the need to secure economic co-operation.<sup>1</sup> More recently, its engagement with the ICC has been turbulent. In April 2025, the human rights group Freedom for Eurasia, the Islamic Renaissance Party of Tajikistan, and others filed for ICC investigation of Tajik officials responsible for a “coordinated state policy to eradicate political opposition”, in particular members of the largest opposition and the only faith-based party in Central Asia until it was banned in 2015.<sup>2</sup> However, Tajikistan failed to arrest Russian President Vladimir Putin during his visit on 8–9 October 2022, despite an ICC arrest warrant issued on 20 March.<sup>3</sup>

The national criminal laws of all five states do otherwise criminalize atrocity crimes to varying degrees. The Criminal Code of the Kyrgyz Republic criminalizes genocide (Article 405), war crimes (Articles 410–415), crimes against humanity (Article 403), and crimes of aggression (Articles 402).<sup>4</sup> Similarly, relevant legislation in Kazakhstan,<sup>5</sup> Uzbekistan,<sup>6</sup> Ta-

jikistan<sup>7</sup> and Turkmenistan<sup>8</sup> also criminalizes genocide, war crimes, and crimes of aggression. This is in part due to the efforts of civil society organizations such as the International Committee of the Red Cross (‘ICRC’), which have, over the years, collaborated with Central Asian governments to integrate international humanitarian law (‘IHL’) into national legislation and assisted in developing the capacity of their national Red Crescent societies.<sup>9</sup>

However, the authorities in Uzbekistan and Turkmenistan have never applied ICL to situations involving potential international crimes, nor have they accepted calls for international inquiries on their territories.

### 2. Uzbekistan

From independence in 1991 until 2016, Uzbekistan was led by the infamous dictator Karimov. Under his reign, political and religious persecution was intense, with a large number of political prisoners. There were violent incidents, such as in Andijan on 13 May 2005, where security forces killed hundreds of protesters.<sup>10</sup>

During the 1990s, Karimov’s regime suppressed freedom of speech, association, and assembly, and controlled the media. It launched a broad crackdown on opposition, targeting the political parties Birlik and Erk by stripping them of their registration and imprisoning their members. The political opposition was thereby effectively eliminated.

After a series of terror bombings in Tashkent in 1999, killing over 16 people and injuring over 100, the government responded with a crackdown on independent Islām and civil society, imprisoning an estimated 7,000 peaceful believers. The crackdown included widespread and systematic torture, imprisonment, and deprivation of other rights,<sup>11</sup> and may have amounted to ‘persecution’ as a crime against humanity.

The 1999 event reinforced Karimov’s narrative of combating ‘Islāmīc extremism’, justifying additional restrictions. In 2004, another wave of bombings in Tashkent and Bukhara targeted government buildings, killing over 40 people. The government blamed Islāmīc extremists and intensified its repression. Human rights abuses, including forced confessions, torture and extrajudicial punishments, increased.

The 2005 Andijan events represented a turning point. Protests had started after the detention of 23 businessmen accused of extremism and expanded into broader demands for economic and political reforms. The

doc/5b54c4/).

<sup>1</sup> “Tajikistan: Article 98 Accord With Washington Seen As Another Setback For International Criminal Court”, *EurasiaNet*, 31 August 2002.

<sup>2</sup> “Tajikistan: Complaint filed with the International Criminal Court against Rakhmon regime”, *Freedom for Eurasia*, 11 April 2025.

<sup>3</sup> Coalition for the International Criminal Court, “Tajikistan’s failure to arrest Vladimir Putin undermines the fight against impunity”, 16 October 2025.

<sup>4</sup> The Kyrgyz Republic, Criminal Code, 28 October 2021 (<https://www.legal-tools.org/doc/0bd9a3/>).

<sup>5</sup> Kazakhstan, Penal Code, 3 July 2014, Articles 53 (genocide), 160–161 (crimes of aggression), 162–167 (war crimes) (<https://www.legal-tools.org/doc/2910bc/>).

<sup>6</sup> Uzbekistan, Criminal Code, 22 September 1994, Articles 150–151 (crimes of aggression), 152 and 154 (war crimes), 153 (genocide) (<https://www.legal-tools.org/>

<sup>7</sup> Tajikistan, Criminal Code, 21 May 1998, Articles 395–396 (crimes of aggression), 398 (genocide) and 403–405 (war crimes) (<https://www.legal-tools.org/doc/cb409f/>).

<sup>8</sup> Turkmenistan, Criminal Code, 12 June 1997, Articles 166–167 (crimes of aggression), 168–173 (war crimes) and 174 (genocide) (‘Turkmenistan, Criminal Code’) (<https://www.legal-tools.org/doc/chhny89b/>).

<sup>9</sup> ICRC, “Uzbekistan” (available on its web site). Persian Lexis, launched on the day of publication of this policy brief (and available at <https://cilrap-lexis.org/fā/>), will be a useful capacity-development platform particularly in Tajikistan (as Tajik language is a variety of Persian).

<sup>10</sup> Human Rights Watch (‘HRW’), “Bullets were falling like rain: The Andijan Massacre, May 13, 2005”, 2 June 2005 (<https://www.legal-tools.org/doc/89ftnu9n/>).

<sup>11</sup> Hugh Williamson, “Shattering Notorious Jasyk Prison”, *Human Rights Watch*, 27 August 2019.

government called the incident a terrorist uprising and rejected international calls for an independent investigation. A report by the United Nations (‘UN’) Commissioner for Human Rights concluded that:

The consistent and credible testimonies of eyewitnesses strongly suggest that grave human rights violations, mainly of the right to life as enshrined in Article 6 of the International Covenant on Civil and Political Rights and Article 24 of the Constitution of Uzbekistan, were committed by Uzbek military and security forces. Several provisions of the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials were violated. It is not excluded – judging from the accounts of the eyewitnesses interviewed – that the incidents amounted to a mass killing.<sup>12</sup>

The aftermath resulted in increased repression, with authorities shutting down media outlets and persecuting human rights defenders who presented narratives different from those of the government. By Karimov’s death on 2 September 2016, Uzbekistan’s human rights record remained poor, characterized by thousands of political prisoners.

Following Karimov’s death, current President Shavkat M. Mirziyoyev (1957–) initiated reforms and opened the country to attract international investment. Dozens of political prisoners were released. However, the situation remains troubling, with a recent backsliding on human rights. Political freedoms are restricted, and the civil space is shrinking due to ongoing government suppression of civil society and independent media. Civil society groups face bureaucratic barriers, while human rights defenders, activists and journalists experience harassment, intimidation, surveillance, attacks, imprisonment and arbitrary detention.<sup>13</sup> Torture continues as a serious issue in the criminal justice system, where executive influence undermines judicial independence. In July 2022, a new incident of mass violence occurred in Nukus, the capital of the Karakalpakstan autonomous region of Uzbekistan, resulting in 18 deaths and over 200 injuries, according to official sources.<sup>14</sup> However, addressing persecution and mass killings remains taboo, and thus, genuine accountability remains remote.

Barriers to implementing ICL in Uzbekistan revolve around a limited political will to address systemic rights violations, including crimes committed during mass events, and a lack of will to implement deeper reforms and live up to international commitments. Barriers also include a lack of awareness and training among legal professionals. Deep-rooted cultural and social attitudes hinder the application of international norms, reinforcing and enabling repressive practices and impunity for officials. The persecution of human rights defenders and other accountability advocates, along with restrictive conditions for international organizations, further obstruct the development of an independent and transparent legal system capable of enforcing ICL.

### 3. Turkmenistan

Turkmenistan is widely considered one of the world’s most repressive regimes.<sup>15</sup> The country practices double isolationism: externally through its 1995 declaration of permanent sovereignty,<sup>16</sup> and internally through strict control over citizens’ national and international interactions. Turkmen society revolves around a state-led personality cult, which traces back to its founder, Saparmurat Niyazov (1940–2006). He was styled as Turkmenbashi (‘Father of the Turkmen’) with mythical Turkmen genealogy. Turkmenistan’s second president, Gurbanguly Berdimuhamedow (1957–), was styled as Arkadag (‘Protector’) until 2022, when he stepped down and left the presidency to his son, Serdar Berdimuhamedow (1981–), who won a 2022 election widely regarded as neither free nor fair.<sup>17</sup> Gurbanguly is now styled as ‘National Leader’ and serves as the chairperson of the unelected

and *de facto* decision-making body, the People’s Council.<sup>18</sup>

During Niyazov’s term, some of the months were renamed in his honour, access to Russian-language books was restricted, and his book, the *Rukhnama*, became mandatory in educational institutions and government agencies. Its quotes were used in sermons and inscribed on mosques alongside Qur’anic verses.<sup>19</sup> After Niyazov’s death, the *Rukhnama* was shelved in favour of Berdimuhamedov’s books, which now receive the same treatment as the Qur’ān.

Contrary to what legislation says,<sup>20</sup> the media is heavily controlled. Publications criticizing the government are banned.<sup>21</sup> Mainstream media broadcast government propaganda, while the import of foreign newspapers is restricted. Independent media either operate abroad or face harassment and imprisonment. Several web sites, social media platforms and VPN connections are also blocked.<sup>22</sup>

Human rights defenders and political dissidents face arbitrary detention, excessively long sentences, torture, and other ill-treatment.<sup>23</sup> The ‘Prove They Are Alive’ campaign has documented over 160 cases of politically-motivated enforced disappearances.<sup>24</sup> Sexual freedoms are restricted.<sup>25</sup>

The UN Committee Against Torture has expressed concern over Turkmenistan’s Ombudsperson’s lack of independence and authority, as well as its failure to address serious violations.<sup>26</sup> Freedom of movement into and out of Turkmenistan is arbitrarily restricted by blocklists, decrees requiring public employees (and some university students) to surrender their passports, and the non-renewal of passports for citizens abroad.<sup>27</sup>

International and independent reporting faces heavy restrictions, fostering a climate of fear and a culture of impunity. These patterns strengthen and are most widely evidenced through the widespread and systematic repression of religious freedom and forced labour in cotton production.

Turkmenistan preserved Soviet secularism, suppressing religious identity for an ethno-nationalist one centred around the president. This affected all religions, but especially the 93 per cent Muslim population. Imāms were forced to praise the president, and followers were advised that opposing the government was equivalent to opposing Islām.<sup>28</sup>

Although freedom of religion is guaranteed,<sup>29</sup> all aspects of religious expression are subject to restrictions. The import, publication and dissemination of non-state-approved literature are prohibited, and any non-state-approved activity or private instruction is banned. Violators are subject to imprisonment and torture. Religious groups and leaders must undergo a rigorous registration process, but often face arbitrary refusals and cancellations.<sup>30</sup>

<sup>18</sup> Bertelsmann Stiftung, “Country Report: Turkmenistan”, 2024, p. 4 (<https://www.legal-tools.org/doc/qsewgq5r/>).

<sup>19</sup> Sergey Sayapin, “Human Rights in Post-Soviet Central Asia”, in Lucia Leontiev and Punsara Amarasinghe (eds.), *State-Building, Rule of Law, Good Governance and Human Rights in Post-Soviet Space*, Routledge, London, 2022, p. 140.

<sup>20</sup> Turkmenistan, Law on Mass Media, 22 December 2012, Article 4 (<https://www.legal-tools.org/doc/xy9gquae/>).

<sup>21</sup> Reporters Without Borders, “Turkmenistan”, 2025 (available on its web site) (ranking Turkmenistan 174th out of 180 countries on press freedom).

<sup>22</sup> US, Department of State, “Turkmenistan 2024 Human Rights Report”, 2024, p. 3 (<https://www.legal-tools.org/doc/6j6ieigib/>).

<sup>23</sup> Amnesty International, “The State of the World’s Human Rights”, April 2025, pp. 372–373 (<https://www.legal-tools.org/doc/qbkft6a/>).

<sup>24</sup> See the Prove They Are Alive! Campaign web site.

<sup>25</sup> Amnesty International, 2025, see *supra* note 23.

<sup>26</sup> OHCHR, “UN Committee Against Torture Publishes Findings on Armenia, France, Mauritius, Monaco, Turkmenistan and Ukraine”, 2 May 2025.

<sup>27</sup> HRW, “Turkmenistan: Events of 2024”, 16 January 2025 (<https://www.legal-tools.org/doc/i6ockvtf5/>).

<sup>28</sup> US, Commission on International Religious Freedom (‘USCIRF’), “Country Update: Turkmenistan”, August 2025, p. 2 (<https://www.legal-tools.org/doc/6jhtlenq/>).

<sup>29</sup> Turkmenistan, The Constitution of Turkmenistan, 26 September 2008, Article 12 (<https://www.legal-tools.org/doc/4f25btf/>); Turkmenistan, Law about Religious Liberty and the Religious Organizations, 26 March 2016, Articles 5 and 6.

<sup>30</sup> In 2013, Bahram Saparov was arrested with 20 others, sentenced to 15 years for organizing unregistered religious meetings, and tortured until unrecognizable in the notorious Ovadan-Depe Prison. The fate of the 20 others remains unknown. See USCIRF, “Annual Report 2025”, March 2025, pp. 40–41 (<https://www.legal-tools.org/doc/0rq06d5m/>); Crude Accountability and Prove They Are Alive!, “The Ovadan Depe Prison: Medieval Torture in Modern Turkmenistan”, September 2014 (<https://www.legal-tools.org/doc/v2789gsc/>).

Legal provisions – such as ‘extremism’, ‘psychological influence’ to expand organization membership, or ‘insult to religious feelings’ – are vaguely defined and expansively interpreted to suppress religious practice.<sup>31</sup> In 2017, for instance, five Muslims received 12-year sentences for studying theologian Said Nursi’s (1877–1960) writings.<sup>32</sup> In 2020, state employees in the Lebap region were barred from attending Friday prayers and praying at work.<sup>33</sup> In the aftermath of the Crocus terrorist attack in Russia in 2024, followers in several regions were detained, interrogated and forcibly shaved.<sup>34</sup> In 2025, state officials in Dashoguz and Ahal meted out similar treatment during Ramadan, even forcing some to drink alcohol or eat pork.<sup>35</sup>

Forced labour in the cotton industry – a state monopoly and Turkmenistan’s third largest export – is patently systematic. Each year from August to November, “tens of thousands of citizens”<sup>36</sup> are compelled to pick cotton or pay for replacements under threats of penalties, job dismissals, or pay cuts.<sup>37</sup> Farmers must meet production quotas or face fines, destruction of vegetable crops, or loss of land (which they lease). Although in 2024, ‘cotton picking’ and ‘cotton work’ were added as hazardous jobs banned for minors, child labour (outlawed since 2005) persisted due to poverty and children serving as replacement pickers.<sup>38</sup>

While the US, Canada and private enterprises, such as IKEA, prohibit the use of Turkmen cotton, European demand (from Türkiye, Italy, Belgium and Portugal) sustains the industry.<sup>39</sup> The European Union’s (‘EU’) Forced Labor Regulation is scheduled to come into effect in December 2027.<sup>40</sup>

Given the level of state oppression, it is unsurprising that Turkmenistan’s Criminal Code does not include crimes against humanity.<sup>41</sup> Constitutionally, Turkmenistan emphasizes the importance of “universally accepted norms of international law”<sup>42</sup> and recognizes individuals’ rights accordingly.<sup>43</sup> It has also ratified several human rights treaties.<sup>44</sup> However, there is almost no implementation, and access to justice is limited; “executive control over all aspects of the legal and judicial system” is well-established.<sup>45</sup> Criminalizing crimes against humanity may thus hardly yield any results.

#### 4. The Role of Islām

Soviet and post-Soviet history plays a significant role in Central Asian Islāmī identity and practices, as well as their current political treatment. Forced atheism ousted Islām from the political sphere, reducing it to a limited cultural function. But Islām’s cultural content was also eroded with the destruction of mosques, the extermination of the ‘ulama’, and the re-education of Śūfī teachings as being based on science rather than religion and spiritualism.<sup>46</sup> Islām became ‘ethnized’, while formally Hanafite, a

majority of followers came to identify as ‘Central Asian Muslims’.<sup>47</sup>

Following the mid-1980s *perestroika* and *glasnost*, religious and Islāmī activity surged. Mosques were reconstructed, Islāmī literature disseminated, and there were missionary visits from nearby Muslim-majority countries.<sup>48</sup> Political Islām nascently emerged with the establishment of the Adolat Party in Uzbekistan, which, in 1991, demanded recognition of Islām as the state religion. But Central Asian authorities perceived Islām as a political threat, and national elites re-employed Soviet-era repression by equating religiousness to extremism and radicalism.<sup>49</sup> ‘State-controllable’ forms of Islām were restricted to customs and traditions. This securitization may have contributed to a cycle of consequences: (1) the legitimization and consolidation of power through religious crackdown; in turn, fuelling (2) the growing appeal of (radical) Islām.<sup>50</sup>

Initial liberalization led to increased religious engagement, but this was quickly suppressed. State repression spilled over to routine religious observance, and the failure of the states to ensure economic prosperity further sowed frustration.<sup>51</sup> This led to the rise of other Islāmī schools, such as Salafism, which offered a more revolutionary rhetoric than the ‘de-modern’ Central Asian Islām.<sup>52</sup> The Islāmī Movement of Uzbekistan (‘IMU’) and Hizb ut-Tahrir emerged with demands for the creation of an Islāmī caliphate.<sup>53</sup> This cycle of state repression of radical and non-radical Islām alike and increasing radicalization has continued repeating.

To clarify, Islāmī terrorism is a serious national security concern. In the mid-2010s, around 5,000 Central Asians were recruited into the Islamic State, with the IMU acting as a link. Today, the Islamic State Khorasan Province prominently includes Central Asians.<sup>54</sup> However, local experts affirm that most Central Asian Muslims stay moderate. Those calling themselves Salafists mostly follow an “apolitical” and “introverted” form of Salafism.<sup>55</sup> The confluence of religiousness with extremism must be recognized as counterproductive in Central Asia. It affects non-violent religious expression and introduces a theological criterion for terrorism, distracting from root causes which, in our view, include poverty, political exclusion and frustration with violations of the right to religious belief and expression.

China may have supported stricter action on religion in Central Asia to curb perceived threats of separatism among Uyghurs in neighbouring Xinjiang Province.<sup>56</sup> Uyghurs share ethnic ties with Central Asians, and their political mobilization has been supported, *inter alia*, by the IMU and the East Turkestan Islāmī Party, which operate from Central Asia.<sup>57</sup> China holds significant financial leverage over both Uzbekistan and Turkmenistan, being their respective largest importer, debt creditor, and foreign direct investor through the Belt and Road Initiative.<sup>58</sup>

<sup>31</sup> USCIRF, 2025, see *supra* note 28. Turkmenistan, Code on Administrative Offences, 29 August 2013, Article 75 (<https://www.legal-tools.org/doc/nwi4xfqi/>); Turkmenistan, Law on Assemblies, 1 July 2015, Article 1.

<sup>32</sup> USCIRF, 2025, see *supra* note 28.

<sup>33</sup> Felix Corley, “Turkmenistan: Raids, Fines for Religious Meetings”, *Forum18*, 19 March 2020.

<sup>34</sup> “Orsýetdäki pajygaly hüjümden soň türkmen polisiýasy diňçileri gysýar”, *Radio Azatlyk*, 25 March 2024.

<sup>35</sup> USCIRF, 2025, see *supra* note 28.

<sup>36</sup> Special Rapporteur on Contemporary Forms of Slavery, Tomoya Obokata, “Communication to Turkmenistan”, 30 August 2021, p. 1.

<sup>37</sup> Cotton Campaign *et al.*, “Turkmenistan Cotton: State-Imposed Forced Labor in the 2024 Harvest and Links To Global Supply Chains”, May 2025, p. 23 (<https://www.legal-tools.org/doc/6vxfmr7a/>).

<sup>38</sup> International Labour Organization, “2024 Observance of Recruitment and Working Conditions in the Cotton Harvest in Turkmenistan”, 2025, pp. 20–21 (<https://www.legal-tools.org/doc/hvlo2x70/>).

<sup>39</sup> Cotton Campaign *et al.*, 2025, p. 23, see *supra* note 37.

<sup>40</sup> *Ibid.*, p. 24.

<sup>41</sup> Turkmenistan, Criminal Code, Chapter 21, see *supra* note 7. See Rustam Atadjanov, “Domestic Implementation of Crimes against Humanity in Central Asia”, in *Asian Journal of Comparative Law*, 2022, vol. 17, p. 281.

<sup>42</sup> *Ibid.*, Article 9.

<sup>43</sup> *Ibid.*, Article 25.

<sup>44</sup> UN Human Rights Council, “Turkmenistan: Compilation of Information”, UN Doc. A/HRC/WG.6/44/TKM/2, 23 August 2023, Annex (<https://www.legal-tools.org/doc/xj4exh2d/>).

<sup>45</sup> See International Commission of Jurists, “Independence of the Legal Profession in Central Asia”, September 2013 (<https://www.legal-tools.org/doc/gx90viv8/>).

<sup>46</sup> Aida Amanbayeva, “The Collision of Islam and Terrorism in Central Asia”, in *Asian Journal of Criminology*, 2009, vol. 4, no. 2, pp. 166–167.

<sup>47</sup> Galym Zhussipbek, Dilshod Achilov and Zhanar Nagayeva, “Some Common Patterns of Islamic Revival in Post-Soviet Central Asia and Challenges to Develop Human Rights and Inclusive Society”, in *Religions*, 2020, vol. 11, no. 11, p. 552.

<sup>48</sup> Ludmila Polonskaya and Alexei Malashenko, *Islam in Central Asia*, Ithaca Press, 1994, p. 116.

<sup>49</sup> Svetlana Peshkova, “Chaos, Violence, and Dynasty: Politics and Islam in Central Asia”, in *Central Asian Survey*, 2015, vol. 34, no. 4, pp. 564–566.

<sup>50</sup> Ali Omid, Kashif Hasan Khan and Oskar Schortz, “Explaining the Vicious Circle of Political Repression and Islamic Radicalism in Central Asia”, in *Cogent Social Sciences*, 2024, vol. 10, no. 1, p. 6.

<sup>51</sup> International Crisis Group, “Syria Calling: Radicalisation in Central Asia”, Briefing No. 72, January 2015, p. 7 (<https://www.legal-tools.org/doc/yeb7ohoz/>). See also, “Turkmenistan: Economic Hardship, Repression, and Targeting of Critics at Home and Abroad”, *Civics Monitor*, 19 November 2024.

<sup>52</sup> Zhussipbek, Achilov and Nagayeva, 2020, p. 5, see *supra* note 47.

<sup>53</sup> Frédéric Volpi, “Pathways of Islamist Mobilization Against the State in the Middle East and Central Asia”, in Sally Cummings and Raymond Hinnebusch (eds.), *Sovereignty After Empire*, Edinburgh University Press, 2011, p. 253.

<sup>54</sup> Ayjaz Wani, “ISKP’s Recruiting Strategies and Vulnerabilities in Central Asia”, in *Observer Research Foundation*, 26 March 2024.

<sup>55</sup> Zhussipbek, Achilov and Nagayeva, 2020, p. 5, see *supra* note 47.

<sup>56</sup> Sebastien Peyrouse, “China’s Impact on Democracy and Human Rights in Central Asia”, in *Security and Human Rights*, 2022, vol. 32, pp. 55–65; Luba Hauff, “A Stabilizing Neighbor? The Impact of China’s Engagement in Central Asia on Regional Security”, in *DGAPanalyse*, April 2013, p. 10.

<sup>57</sup> International Crisis Group, 2015, see *supra* note 51.

<sup>58</sup> See, for instance, Sadriddin Ashur, “Uzbek Farmers Say They’re Being Forced To Surrender Land To Chinese Firms”, *Radio Free Europe/Radio Liberty*, 23 April 2025; Mahesh Ranjan Debata, “How Uzbek Premier’s Kashgar Visit Legitimises Chinese Repression of Uyghurs in Xinjiang”, *Firstpost*, 3 March 2024; Madison Wall, “Under the Golden Arch: Permanent Neutrality and Authoritarian International Law in Turk-



No counterweight is added by influential trans-regional actors such as the Organization of Islamic Cooperation (‘OIC’), to which Central Asian states are party. OIC otherwise issues resolutions on conflicts affecting Muslim communities, but has remained silent on the plight of Central Asians.<sup>59</sup> Traditionally, Central Asian Muslims have also not looked to such organizations for support since state authorities have instrumentalized Islam to produce a “localized Islam”.<sup>60</sup> Uzbek authorities, for instance, speak of “Muslimness” to separate “Uzbek Islam” from a universal Islamic “Truth” that transcends national boundaries.<sup>61</sup>

## 5. The Role of the European Union

The EU considers the ICC a crucial element of the international justice system.<sup>62</sup> The 2011 EU Council Decision enshrined commitments to promote the ICC Statute, support the independence and effective functioning of the Court, and assist countries willing to ratify the Statute.<sup>63</sup>

In its 2007 Strategy on Central Asia, the EU explicitly emphasized the importance of the states’ accession to the ICC Statute and the EU’s readiness to support.<sup>64</sup> Questions were raised at the time whether EU efforts were serious or represented “window dressing to appease NGO criticism”.<sup>65</sup> Not a single Central Asian state has taken steps towards accession in subsequent years. More recent EU documents on Central Asia no longer mention the ICC, instead focusing on human rights violations and issues related to the economy, energy and infrastructure.<sup>66</sup>

The 2025 EU-Central Asia Summit’s final documents specifically emphasized the civil society forum as an essential platform for dialogue and co-operation.<sup>67</sup> While the EU may be trying to incorporate discussions on the rule of law and human rights into its strategic relations with Central Asian countries, the real impact on accountability remains limited. It continues to support human rights organizations, but without compensating for the loss of US support.

## 6. Prospects of Introducing International Criminal Law

ICL may offer a lens by which to address grave human rights violations and mass atrocities. However, it is perceived culturally as either irrelevant to Central Asia, ‘Western’, or an encroachment on state sovereignty.<sup>68</sup> A re-

evaluation of the Soviet past, along with new reflections on the importance of strengthening the rule of law, is necessary to instil that the current lack of involvement and scepticism of the Central Asian states towards ICL is not ‘business as usual’.

The Soviet Union contributed to the Nuremberg legacy, conducted post-war trials of Nazi war criminals, and played a significant role in norm development, such as for the definition of aggression, apartheid and racism as international crimes, the non-applicability of statutory limitations to international crimes, and the domestic codification of international crimes.<sup>69</sup>

The goal must now be to establish a strong culture of norm implementation. Central Asian states should realize that human rights contribute to “further strengthening the country’s authority in the international arena, in particular, improving the position in economic, political and legal rankings and indices”,<sup>70</sup> a stated goal.<sup>71</sup>

Other obstacles include the belief that state leaders are above the law. Behind closed doors, Central Asian diplomats often cite a lack of immunity for heads of state as a significant hindrance to ratification of the ICC Statute.

Confronting such views, ICL should be introduced as part of broader efforts to promote democracy, human rights, and the rule of law, thereby reducing the potential for intra- and inter-state conflicts and supporting economic development. Not only European states, but also Asian, African and Latin American states, should share their views on the benefits of acceding to the ICC Statute and the wider ICC justice system. This can be done bilaterally or by inviting states to relevant multilateral fora, such as the ICC’s Assembly of States Parties. Two former Soviet states, Ukraine and Armenia, which recently acceded to the ICC Statute, could also play a significant role in this respect.

Embracing international criminal law would enhance the connection between Central Asian states and their citizens, as well as with neighbouring nations. It would clearly signal that only internationally lawful methods will be used to address the many internal and inter-state conflicts in the region, thus generating much-needed procedural legitimacy.

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menistan”, in *Emory International Law Review*, 2024, vol. 34, p. 326.

<sup>59</sup> Tajwar Ali and Haseena Sultan, “Emerging Role of the Organization of Islamic Cooperation in the Global Governance Since 1969”, in *Cogent Arts & Humanities*, 2023, vol. 10, no. 1, p. 1.

<sup>60</sup> Reuel Hanks, “Islamization and Civil Society in Central Asia”, in Charles Ziegler (ed.), *Civil Society and Politics in Central Asia*, University Press of Kentucky, 2015, pp. 65–68.

<sup>61</sup> Johan Rasanayagam, *Islam in Post-Soviet Uzbekistan*, Cambridge University Press, 2011, p. 96.

<sup>62</sup> Breaking with the bloc’s official policy, Hungary notified the UN Secretary-General on 2 June 2025 of its intention to withdraw from the ICC Statute. The European Commission has responded, however, that the EU continues to support the ICC firmly, and is “analysing Hungary’s announced withdrawal from the Rome Statute of the ICC in the light of the EU’s *acquis*”, see European Parliament, “Answer given by High Representative/Vice-President Kallas on behalf of the European Commission”, 13 May 2025.

<sup>63</sup> EU Council, “Council Decision 2011/168/CFSP of 21 March 2011 on the International Criminal Court and Repealing Common Position 2003/444/CFSP”, OJL 76, 22 March 2011, pp. 56–58 (<https://www.legal-tools.org/doc/5z4w9qew/>).

<sup>64</sup> EU Council, “The EU and Central Asia: Strategy for a New Partnership”, Doc. 10113/07, 31 May 2007 (<https://www.legal-tools.org/doc/119ce0sk/>).

<sup>65</sup> Andrew Rettman, “EU Keen to Bring International Criminal Court to Central Asia”, *EUobserver*, 7 November 2025.

<sup>66</sup> EU Council, “Joint Declaration Following the First European Union–Central Asia Summit”, Doc. 7745/1/25 REV 1, 3 April 2025 (<https://www.legal-tools.org/doc/5rad819l/>).

<sup>67</sup> *Ibid.*

<sup>68</sup> Atadjanov, 2022, pp. 284–285, see *supra* note 41.

<sup>69</sup> Raluca Grosescu and Ned Richardson-Little, “Revisiting State Socialist Approaches to International Criminal and Humanitarian Law”, in *Journal of the History of International Law*, 2019, vol. 21, pp. 162 ff.

<sup>70</sup> Uzbekistan, Decree on Measures to Further Improve the Activities of Bodies and Institutions of Justice in the Implementation of State Legal Policy, 19 May 2020, quoted from Sayapin, 2022, p. 143, see *supra* note 19.

<sup>71</sup> See S. Frederick Starr, “Turkmenistan Lifts Its Head”, in *The Central Asia-Caucasus Analyst*, 2022, pp. 1–7.



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