Chapter 6

ENVIRONMENTAL NGOS IN KAZAKHSTAN: DEMOCRATIC GOALS AND NONDEMOCRATIC OUTCOMES

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International democracy-building efforts have increasingly focused on promoting local nongovernmental organizations (NGOs) in the successor states of the Soviet Union and Eastern Europe and have done so by orchestrating the active involvement of Western nongovernmental organizations. As part of the democratization process, Western liberal democracies perceive that local NGOs can serve as building blocks of a civil society. This raises two sets of questions that we seek to address in this chapter. First, what is the nature of these efforts? More specifically, what strategies do Western NGOs use to help develop local NGOs in particular and promote democratization in general? Second, and more important, what are the net results of these efforts thus far? To what extent can we say that, several years into the transition from state-sponsored socialism and Communist Party rule, local NGOs are evidence of an emerging "democratic culture"? Are they indeed contributing to the wider process of democratization in the former Soviet Union?

We shed light on these issues by examining the strategies and activities of environmental Western NGOs and local NGOs in Kazakhstan, with a specific

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focus on the energy sector. The environment is an appropriate vantage point from which to investigate the status of local NGOs since independence for two reasons. The first is its legacy as a "safe," and therefore particularly salient, issue area for political mobilization in the last few years of the Soviet Union.[1] Second, a variety of Western NGOs—including ISAR (Initiative for Social Action and Renewal in Eurasia)—have actively supported the development of local environmental NGOs in Kazakhstan since the breakup of the Soviet Union.[2]

The proven resources of the Caspian Sea may rival those of the North Sea, with additional reserves that remain unexplored offshore. The Caspian Sea holds 18 to 34 billion barrels of proven oil reserves with the potential to yield another 235 billion barrels. Significant gas reserves—243 to 248 trillion cubic feet—also exist within the Caspian basin, with the potential of 328 trillion cubic feet more, making the Central Asian states some of the largest gas producers in the world.[3] This is a situation ripe for the emergence (or reemergence) of local NGOs in support of environmental protection in Kazakhstan. The public already is widely aware of the environmental risks to the especially fragile ecosystems of the Caspian. And energy exploration elsewhere, in countries as diverse as Nigeria, Ecuador, and the United States, has been a rallying point for local environmental and political activism. Since independence in 1991, Kazakhstan has invited a large number of foreign companies to help develop new and existing oil and gas fields. A few existing projects are joint ventures, such as the TengizChevroil project. Other exploratory projects such as OKIOC (Offshore Kazakhstan International Operating Company) involve a broader consortium of foreign companies, including Agip, Total, British Petroleum/Statoil, and Mobil.[4] We therefore would expect to see the greatest development of local NGOs in relation to offshore oil and gas exploration in the Caspian basin.

However, we found that both local NGOs and Western NGOs deliberately ignored the energy sector immediately after independence and opted instead for small-scale environmental education programs on global topics such as biodiversity and desertification. While the government of Kazakhstan considers environmental regulations pertaining to offshore drilling, and its contracts with foreign firms specify liability for any losses to the "natural surroundings and habitats" in the area under exploration, it is not clear whether, to what extent, or in what form Western NGOs and local NGOs have played a role in establishing regulations and assigning liabilities in Kazakhstan. If Western NGOs and local NGOs are not pushing for environmental protection, what is the origin of such initiatives?

We also inquire into the role of local NGOs in Kazakhstan more generally. Our chief concern is whether environmental organizations are simply part of an "associational culture" that has developed in response to foreign aid or are actually an indication of democratization and the creation of a viable civil society.[5]

We found that local NGOs have played a declining role in environmental policy making since independence. We argue that this is a result of the failure of the Western NGOs to address a set of domestic and international constraints under which both Western NGOs and local NGOs must operate in post-Soviet Kazakhstan. At the domestic level local NGOs face institutional obstacles in a political system that has become more restrictive since 1994, and they lack access to organizational resources because of the continued decline in economic growth. At the international level the interests and strategies of the multiple international actors involved—including Western NGOs, international donor organizations, foreign oil companies, and foreign governments—often hinder local NGOs in promoting environmental protection in the energy sector. The strategies of Western NGOs thus far have reinforced rather than alleviated the effects of these domestic and international constraints on local NGOs, by encouraging their atomization and depoliticization. As a result, while the number of local environmental NGOs in Kazakhstan has grown because of the financial encouragement of Western NGOs, their size and political influence have declined. Western NGO strategies for developing local environmental NGOs have in fact, if inadvertently, hindered the development of a civil society in Kazakhstan.

We base our findings and conclusions upon extensive research in Central Asia. Both of us have spent a decade studying Central Asian politics, history, and languages and conducting fieldwork throughout the region. In this chapter we draw upon research that we carried out in the energy sector in Kazakhstan in March 1997 and December 1997, and it is informed by several trips to the region since that time. Erika Weinthal has examined questions of environmental security and natural resource management in the Aral Sea basin, and Pauline Jones Luong has studied ethnic relations, regionalism, and institutional design in Central Asia.

To explain the ways in which Western NGOs' efforts at strengthening local NGOs and building democracy in Kazakhstan were ineffectual immediately after independence, we proceed as follows. First, we establish that environmental NGOs in general, and the energy sector in particular, are an especially appropriate window into the role of local NGOs and their contribution to the process of democratization in Kazakhstan. Then we outline the goals and strategies of both local NGOs and Western NGOs in Kazakhstan in order to illustrate the overall shift away from pursuing overt policy advocacy and toward an emphasis on more apolitical endeavors. Next we analyze the extent to which Western NGOs have contributed to democracy-building efforts through the development of a civil society. Then we explore the causes of the declining role and effectiveness of local environmental NGOs in Kazakhstan's "post-Soviet transition." Finally, we conclude by offering several policy recommendations for Western NGOs operating within Kazakhstan.

ORIGINS AND SIGNIFICANCE OF ENVIRONMENTAL NGOS IN KAZAKHSTAN

We have focused on environmental movements in Kazakhstan because they provide a useful gauge for measuring the progress of both local NGO development and democratization in Kazakhstan since independence. Environmental movements were among the first nongovernmental or independent organizations to emerge throughout the Soviet Union as a consequence of opening up political life under Mikhail Gorbachev's liberalization policy known as glasnost.[6] In Kazakhstan environmental activism centered on protest movements against nuclear weapons testing. Since August 29, 1949, the Soviet government has conducted more than four hundred nuclear explosions at the Semipalatinsk test site (*polygon*) in Kazakhstan. Before 1963 many of these tests were conducted above ground. In response to these tests and the environmental damage that they caused, the well-known Kazakh poet Olzhas Suleimenov helped to spearhead an antinuclear movement in the 1980s similar to several other antinuclear movements in Russia, Lithuania, and Ukraine that arose during the glasnost period.[7] In Kazakhstan this movement, known as Nevada-Semipalatinsk, gathered thousands of signatures and organized demonstrations in numerous cities with the goal of halting nuclear testing. In August 1991 public pressure was strong enough to force the closure of the Semipalatinsk test site.[8]

During the glasnost period the environment offered a politically safe and effective issue through which intellectuals could criticize the Soviet regime as a whole and ambitious republican leaders could launch drives for greater sovereignty. Because Soviet policy makers viewed the environment as apolitical, elites with nationalist aspirations could use environmental issues as cover for promoting a political agenda without seeming overtly threatening to the Soviet regime.[9] Nursultan Nazarbaev, then the republican head of Kazakhstan, was able to safely lend his support to the growing numbers within his republic that were demanding compensation from Moscow for nuclear testing.[10]

Following the breakup of the Soviet Union, it seemed reasonable to expect that environmental movements with a strong grassroots base would persist and even strengthen their activities in post-Soviet Kazakhstan. The political climate relaxed considerably in the first few years of independence. Kazakhstan witnessed a proliferation of independent organizations in various issue areas, including human rights organizations such as the Kazakh-America Bureau on Human Rights, as well as the active mobilization of Soviet-era organizations, such as the revitalized trade unions led by Leonid Soloman. However, the environmental concerns that initially mobilized a large proportion of Kazakhstan's population actually became more acute after independence. The government had yet to effectively address the known environmental problems, and new threats emerged as a result of its drive to develop its vast energy reserves in the

Caspian Sea basin. By the early 1990s oil pollution—from transportation of oil and dumping by the oil-processing industry—was already a serious problem near the Ural River delta in Kazakhstan and along its coast.[11] Another indicator of environmental degradation of the Caspian is the noticeable decline in sturgeon stocks. The Caspian contains 90 percent of the world's sturgeon, and seismic exploration for offshore oil reserves in the Caspian poses a direct threat to the fish harvest.[12]

During the Soviet period scientists and policy makers alike had discovered that the northeast Caspian contained fragile ecosystems. At that time the government declared this area a protected zone in which the only economic activities allowed were fishing and shipping/boating; no offshore oil exploration was conducted in Kazakhstan before independence. Despite the public and scientific awareness of the environmental sensitivity of the Caspian, at independence Kazakhstan had no environmental legislation or regulations that would both protect the ecosystem and allow for oil exploration.[13] This, in and of itself, created a need as well as an opportunity for environmental activists to become engaged in drafting regulations for the energy sector.

The energy sector is an appropriate focus of investigation because it is the most important sector for Kazakhstan's future economic and political development. Issues of the environment, economic development, and state security are closely intertwined. According to the ISAR representative for Central Asia from 1996 to 1998, "Considering issues of development and democratization, the environment is the most significant [in Kazakhstan] because it affects everyone."[14] If the environment is misused, the health and economic viability of local populations are likely to suffer. Under such circumstances local groups may mobilize in response to state-sponsored oil and gas exploration, which has the potential to harm local communities in energy-rich regions. This has already occurred in Nigeria, where the indigenous population in Biafra has protested the Nigerian government's energy policies in its territory. Accordingly, we focus on the Caspian Sea region in order to shed light on the overall growth and form of environmental movements in Kazakhstan.

GOALS AND STRATEGIES OF ENVIRONMENTAL NGOS

When the Soviet Union broke up, Kazakhstan had a fairly well developed local environmental NGO sector with organizations such as Nevada-Semipalatinsk. This sector continued to grow in the first few years of independence. Other local NGOs prominent at that time included Green Salvation in Almaty, Green Cross and Crescent International, and the Association for Ecological Enlightenment. Following independence, Western NGOs with an interest in the environment became active in Kazakhstan.

Independence removed obstacles that had prevented Western NGOs from actively cooperating with local NGOs during the Soviet period. During glasnost some Western NGOs had made inroads into the Soviet Union, but most of their activities had involved establishing initial contacts with local NGOs and organizing conferences. After the collapse of the Soviet Union, Western NGOs—including ISAR, Counterpart Consortium, and American Legal Consortium (run by a for-profit consulting firm)—were able to assume a more direct and active role by channeling financial and informational resources to nascent local NGOs in Kazakhstan. These groups, all of which received funding through the U.S. Agency for International Development (USAID), sought to enhance the local NGO sector at large by targeting the environmental sector for NGO development.[15]

Although local NGOs and Western NGOs have embarked upon cooperative endeavors that are unprecedented in Kazakhstan, each has its own assortment of goals and strategies with respect to the environment and vis-à-vis each another. In general local NGOs want to receive short-term Western financial and technical assistance so they can implement small-scale projects without direct interference from the international community. But as part of the Western NGOs' broader efforts to develop civil society and build democracy over the long term, they seek instead to create local environmental NGOs that will ultimately be self-sufficient.

LOCAL NGOS IN KAZAKHSTAN

Two important trends have occurred in Kazakhstan's NGO sector since independence. The sheer number of local NGOs has increased, while their size has declined—although these organizations have proliferated, their base of support has contracted. Large-scale populist movements such as Nevada-Semipalatinsk have essentially disappeared. The memberships of most local NGOs are in the low double digits or smaller. Also, in devising their goals and strategies, many local NGOs have become increasingly disengaged from Kazakhstani politics, focusing on global rather than local issues. Rather than promoting certain policies, for example, the majority of local NGOs have chosen to concentrate their efforts on providing environmental information and education and promoting awareness. Local NGOs have turned their attention toward environmental issues with high visibility internationally, such as biodiversity and desertification, rather than those that are local.[16] Thus while many local environmental NGOs agree that the development of the Caspian poses a great danger to local populations and ecosystems, most are not actively involved in either opposing this development or advocating strict environmental regulations to govern it. In December 1997 several Western oil company representatives who had been working along Kazakhstan's Caspian coastline and in nearby oil fields since independence remarked that they had not yet witnessed any activism on the part of local NGOs around the Caspian. (They, as well as a number of USAID contractors and gas company representatives in Kazakhstan, agreed to speak with us only on condition of anonymity.)[17]

The majority of local NGOs in Kazakhstan see as their main objective the raising of environmental awareness among the general population in regard to local and international environmental issues. Ecocenter in Karaganda focuses on biodiversity issues; Central Asian Sustainable Development and Information Network's Center supports sustainable development; and Greenspace in Temirtau aims to increase awareness of pollution, especially industrial pollution. Their second, related goal is to prevent further environmental degradation in Kazakhstan and to clean up environmentally damaged sites. Third, a few groups, such as Green Salvation in Almaty, say that their primary goals are to place environmental issues on the policy agenda and to encourage the government to promulgate environmental protection legislation.[18] Fourth, with the loss of funding from the center in Moscow and the state of impoverishment in the country, a universal goal among local NGOs in Kazakhstan is to gain access to Western funding as a means of ensuring their survival.

Local NGOs are following certain general strategies for carrying out these goals. Since 1992 most small groups have become engaged primarily in activities that promote general awareness about the environment and provide some form of environmental education. Many local NGOs have produced children's books, pamphlets, and newsletters. The East Kazakhstan Green Party has established its own environmental information center to disseminate materials and to reprint important environmental laws and regulations.[19] At the international level some local NGOs have contributed to electronic mail publications. The Law and Environment Eurasia Partnership publishes a monthly journal, *Ecostan News,* in both Russian and English in order to reach both a local and international population.

To prevent further environmental degradation and to clean up existing problems, some groups have focused their efforts on data collection to monitor changes in the natural environment. For example, Ecocenter in Karaganda has undertaken a comprehensive assessment of environmental, social, and health effects in rural areas near the Semipalatinsk nuclear test site.[20] A few have engaged in more direct forms of environmental activism. For example, the local NGO Green Cross and Crescent International in Kazakhstan's new capital city, Astana (formerly known as Tselinograd and more recently called Akmola), has sought to improve the water quality in the River Nur in the Temirtau region.[21]

Whereas Nevada-Semipalatinsk organized mass rallies in opposition to nuclear testing, in the post-Soviet period most local NGOs have pulled back from tactics that involve popular mobilization and political confrontation. Except for Green Salvation, few politically motivated groups have attempted to influence legislation. The latter lobbied members of the Kazakhstani parliament (the Majlis) elected in March 1994 (and dissolved in March 1995) to be able to participate in the drafting and review of legislation related to the environment. And Green Salvation is really the only organization that still engages in some form of political activism that is directly aimed at government policy or practice.

In order to raise money from Western NGOs, all local NGOs undertake various activities aimed at improving their grant-writing skills and networking opportunities. Chief among these is active participation in special seminars and conferences organized by Western NGOs. These groups also expend an increasing amount of time and energy developing special relationships with particular international organizations. The Kokjiek Society for Aral Sea Problems, for example, works closely with the United Nations Development Program (UNDP) to develop grant-worthy projects and raise money from donors.[22] Another strategy aimed at attracting Western support is the adoption of Western language and buzz words such as *biodiversity* and *sustainable development*, even if they are detached from local circumstances.[23]

WESTERN NGOS IN KAZAKHSTAN

Like local NGOs, the main goal of Western NGOs with respect to Kazakhstan's environment is to promote environmental awareness among the public and government officials and in the private sector. Western NGOs such as ISAR also seek to encourage environmental protection, which they consider to be an integral part of their larger goal of "sustainable development." Western NGOs want to help local NGOs solve environmental problems in their own communities, and Western NGOs strive to foster a viable environmental movement as a way of promoting democratization in Kazakhstan. They see the creation of local NGOs in the short term as a tool for developing a viable civil society in the long term. The American Legal Consortium sought to develop a legal sector that would be conducive to the growth and expansion of local NGOs. Fostering a healthy NGO sector in Kazakhstan is part of its overarching goal "to strengthen legal knowledge, resources, and institutions in order to help the rule of law function as an effective framework and foundation for democratic, market, and social transitions."[24]

Western NGOs use several different strategies to cultivate a viable local NGO sector. They promote infrastructural development by providing local NGOs with small grants and technical support, often acting as the distributor of money that they have received from USAID or other government development agencies. For example, between 1994 and 1996, the American Legal Consortium awarded $1.1 million (from USAID) in small grants to fifty-four NGOs across Central Asia.[25] ISAR directed the Seeds of Democracy program from 1993 to 1997, which primarily entailed holding a series of competitions for grants to provide assistance to either individuals or groups working on environmental issues. ISAR's Almaty office awarded $480,000 in grants of as much as $3,000 each to more than 360 NGO projects in Central Asia.

Western NGOs also help local NGOs to collect information and disseminate it. Many grants have been used to buy computers and establish Internet access for local NGOs. Because travel costs are often prohibitive, e-mail connections have provided a useful alternative for maintaining contacts across political borders. Other Western NGOs, such as the Netherlands Organisation for International Development Cooperation, have helped organize conferences in which representatives from local NGOs throughout Central Asia can exchange ideas and information about environmental issues and discuss the political and organizational problems that they face. In practice, however, the conferences rarely foster solutions to these problems.

To empower local actors and communities to address their own environmental problems, Western NGOs also teach local NGOs decision-making techniques. This is of particular concern in Central Asia where local actors and communities have little experience in this regard; during the Soviet period they often relied upon the republican leaderships and Moscow for tentative solutions to environmental problems. Thus ISAR seeks to target small-scale projects that emphasize community participation. ISAR has attempted to achieve both goals by creating a board of directors made up of representatives of local environmental groups to help run Seeds of Democracy; the board decides which groups receive grants. ISAR has also used this method to teach local actors how to evaluate projects as they award grants. In contrast to the Soviet-era practice of relying upon personal networks, ISAR deliberately has attempted to teach local NGOs to award grants on the basis of merit. Although local NGOs have learned how to make collective decisions, the program has not been able to get rid of the old Soviet practice of relying on patronage ties.

Western NGOs also have pursued strategies to strengthen human capital. They conduct seminars and hold conferences to teach local NGOs in Central Asia grant-writing skills while developing informational networks among them. Both tasks are designed to help local NGOs continue to achieve international recognition and to acquire international support. Because most local NGOs are dependent upon international sources of funding to carry out their programs, it has become crucial for them to learn how Western foundations and grant-giving organizations work. They have also needed to learn and adopt the environmental discourse of Western NGOs. Many international actors, for example, such as the World Bank and the UNDP, target biodiversity and sustainable development for grants. As a result, Western NGOs like the American Legal Consortium eventually turned away from legal advocacy and toward organizing training seminars "to help [local] NGOs gain knowledge and skills to attract the necessary [international] attention" to allow them to survive.[26]

Most Western NGOs, then, focus on working at the grassroots level and creating links to local NGOs. By emphasizing global issues, Western NGOs are exporting new ideas and salient issues for local NGOs to work on without coming into conflict with government authorities in Kazakhstan. Topics such as biodiversity and deforestation are less politically sensitive than nuclear testing and oil exploration. Yet this strategy neglects local NGOs' need to build relationships with local and national officials as well as with their own communities. Western NGOs have also dissuaded local NGOs from choosing those domestic issues with the greatest potential environmental impact, such as the development of the energy sector in general and the Caspian Sea in particular. The Western NGOs have thus forged a strong connection between the local and global levels in Kazakhstan while engendering a sharp disconnect between grassroots organizations, the local community, and government officials at all levels. Moreover, by not encouraging local NGOs to address the energy sector, Western NGOs have discounted a key environmental issue with local, regional, national, and international ramifications.

THE EFFECTS OF ENVIRONMENTAL NGOS: NONDEMOCRATIC OUTCOMES

Although local NGOs' initial goals and strategies were generally inconsistent and potentially in conflict, this has changed as they have adapted to the Western NGOs' goals and strategies. Local NGOs have become engaged in more education and outreach to the international community and less political activism and confrontation with local authorities and the central government. They have deliberately turned their attention away from local and politically sensitive issues and their efforts away from lobbying the government. Instead, they focus on promoting issues such as biodiversity through educational projects so they can avoid confrontation with government elites and instead attract attention as well as support from international donor organizations. This is not to say that they do not criticize government policy but that they do so primarily in newsletters directed at the international community rather than through activities directed at government officials.[27]

The question, then, is to what extent these strategies are effective. In other words, are local NGOs and Western NGOs able to meet their respective goals? Are they contributing to the development of a civil society and therefore to the broader process of democratization? We contend that these strategies are not consistent with their original goals. Local NGOs and Western NGOs are not solving local environmental problems or serving domestic needs. While they provide general information about the importance of biodiversity and sustainable development, these are really long-term goals achieved through local activism and government participation. The NGOs could immediately address more direct dangers to human health that affect peoples' daily lives, such as water and soil contamination. Yet they are not mobilizing the population to demand that these local environmental issues receive greater government attention.

Most important, grants from Western NGOs do not appear to have fostered democracy or other forms of civic activism that could signal progress toward building civil society. These NGOs can be described and/or understood as a form of "associational culture." According to the ISAR representative Megan Falvey, "One of the greatest weaknesses of NGOs in Kazakhstan is that they have no direct link or contact with the local population. They do not function as [NGOs do] in the West, as a mediator between the government and the people. They function independently from both government and the people."[28]

Many local NGOs were begun by a group of close friends, colleagues, and family members and never developed a real support base in the population. Some have even fewer members now than when they started. This increases their drive for international recognition because it increases their dependence upon international sources of funding. Without expanding their membership local NGOs cannot rely on local dues to support their programs. Instead, they have turned to the foreign donor community for money. Ironically, this is mutually reinforcing, because the perception is that if the local NGOs were to grow, the money and equipment from Western NGOs would be divided among a greater number of members.

The disconnect between local NGOs and the local population has had two concrete effects: It has produced what we call "spin-off NGOs" and NGIs, or "nongovernmental individuals." Local NGOs in Kazakhstan often splinter into several smaller NGOs. This especially popular tactic has been highly successful in both implementing local NGOs' programs and procuring foreign donor assistance. By forming several spin-offs, more individuals become eligible to obtain grants. For example, the leader of Ecocenter in Karaganda encouraged and helped scientists closely affiliated with Ecocenter to form the Karaganda Eco-Museum.[29] In other cases a popular and experienced NGO leader can use his or her influence to enable friends to secure a grant for a project and thereby encourage the formation of a yet another small NGO. This has occurred, for example, among those serving on the board of directors of ISAR.

Thus many NGOs are shrinking rather than growing. In many cases they are run by a single individual. It appears that these two effects are integrally related. The spinning-off of new NGOs, combined with the general resistance to increasing membership or expanding their support base, has kept the composition of local NGOs in the hands of a few local activists who are closely connected. There is a disincentive to increase membership because it dilutes resources. Moreover, the existence of resources spurs the creation of new groups whose founders hope to get start-up money, rather than encouraging older groups to build upon and strengthen their base. For example, ISAR board members cannot participate in ISAR's grant competition or receive grants but can help to ensure that friends or relatives are eligible for the grant competition. This legacy of helping "friends of friends" impedes ISAR's objective of helping to strengthen social capital.

In some ways, then, local environmental NGOs in Kazakhstan have become the equivalent of small business enterprises or corner grocery stores. They organize for profit and are willing to supply what is in demand. In particular, they supply what the international community demands, which is in part the creation of more local NGOs. They quickly learn and adopt the issues and tactics that the foreign donor organizations favor. As in the Soviet period, the environment remains a safe issue for political mobilization. However, the environment no longer serves as a vehicle for protesting against the government or as a means for undertaking real public advocacy. Rather, it serves as a vehicle for individual profit. Perhaps, then, such local NGOs are a better source of entrepreneurism from which to breed capitalism than they are a source for greater democratization.

THE SOURCES OF NONDEMOCRATIC OUTCOMES: STRUCTURAL CONSTRAINTS AND WESTERN NGO STRATEGIES

Why have local environmental NGOs in Kazakhstan chosen strategies that seem to undermine rather than promote their own domestic strength and political importance, and why have Western NGOs chosen strategies that undermine the development of civil society and democratization? The explanation, we argue, stems from a set of structural constraints in post-Soviet Kazakhstan at both the domestic and international levels. Rather than addressing these constraints, Western NGOs' strategies have tended to exacerbate them. As a result, local environmental NGOs have developed much more slowly and in a different form than initially anticipated. In particular, these constraints and the failure of Western NGOs to overcome them illuminate why local NGOs have not focused on energy issues, even though these are crucial issues for the economic development and political stability of Kazakhstan.

DOMESTIC CONSTRAINTS

In Kazakhstan both local NGOs and Western NGOs must operate under essentially the same set of domestic legal and political constraints, which limits the range of strategies that both local NGOs and Western NGOs can pursue. The most striking example is Kazakhstan's civil code, which restricts NGOs from pursuing political goals by defining nonprofits as organizations that are engaged purely in social and philanthropic activities.[30] This stipulation also prevents Western NGOs from promoting politically active local NGOs.[31]

The political climate is also unfavorable to the development of an active NGO sector. Overall, NGOs face significant difficulties in Kazakhstan because of the limited degree of democratization that has taken place in the system as a whole since independence and the country's general retreat from democracy since the end of 1994. The resulting structural constraints for NGOs include restrictions on press freedom, political mobilization, and access to government officials, although these constraints are not as severe as under the Soviet system. A concrete example of this change in the political climate is the nature of the parliament elected in December 1995. According to Green Salvation, some deputies in the parliament elected in March 1994 (and dissolved by President Nazarbaev in March 1995) were sympathetic to environmental issues and willing to work with local organizations.[32] Several had ties with ecological groups and supported their interests in drafting and adopting legislation. Even so, the parliament has operated thus far as a rubber stamp for Nazarbaev's policies, leaving these environmental groups without any effective representation of their interests. Thus NGOs' goals and strategies are constrained by the very government that they are trying to influence.

By deliberately weakening the national legislature and delegating political and economic authority to the regional administrations, Nazarbaev inadvertently strengthened the regional *akims* (governors). Michael Boyd, an environmental consultant with the Harvard Institute for International Development in Kazakhstan, noted that "what the center decides is not clearly meaningful in the regions unless it is what the *akim* wants to support."[33] Thus it is not surprising that the former minister of ecology Nikolai Ivanovich Baev preferred to be appointed *akim* of the Mangistau oblast, an oil-rich region in western Kazakhstan, rather than retain a ministerial post.[34]

This decentralized political atmosphere has reinforced local NGOs' dependence upon the international community and their attempts to foster ties abroad rather than at home. For example, local NGOs feel a need to talk about biodiversity and other high-profile international environmental issues both because they are less politically sensitive and because the Kazakhstani government tolerates organizations such as the UNDP and the World Bank that support such programs. Local NGOs orient themselves toward projects that the international community is willing to fund. This gives them a means of participation that the government regards as legitimate. Western NGOs have encouraged this response by local NGOs because they too are reluctant to overtly challenge the Kazakhstani government. Because of their reluctance they have reduced their support for local environmental NGOs that push causes that could threaten domestic political and social stability; the Western NGOs instead have advocated causes of global concern.

Another set of domestic constraints stems directly from the Soviet legacy. Soviet-style communism precluded the development of a civil society; most local NGOs that appeared after the USSR's collapse lacked experience in forming autonomous and self-sufficient organizations. Even the local NGOs that arose under glasnost were, at least initially, unfamiliar with Western methods. For example, we found no local NGOs in Kazakhstan that follow common Western strategies for increasing membership or winning support for a particular cause, such as by canvassing door to door. This is exacerbated by a general unwillingness by post-Soviet citizens, who were compelled to join public organizations under the Soviet system, to voluntarily join social and political groups. Local NGOs lack the social capital necessary to foster cooperation among their communities.[35]

One element of social capital that is crucial for community building is a sense of trust among members of society. Part of the Soviet legacy, however, is distrust between the government and its citizenry, because the Soviet government was usually unresponsive to the needs of its populations. In Kazakhstan, for example, the Soviet government overlooked the environmental and health consequences of nuclear testing for decades. This legacy of distrust continues as more and more environmental ills are revealed to the general population and remain unresolved. Thus, not surprisingly, many Kazakhstanis are skeptical that the current leadership will address their environmental problems. Because of the history of censorship and secrecy, individuals are suspicious of most information that they receive, even if it is from the international community. Individuals do not trust their representatives in government, and the representatives do not seek to establish ties with their constituencies, even those that want to participate in formulating legislation. Interviews with members of Green Salvation confirm this observation. At the end of glasnost this organization sought to influence legislation through the Kazakhstani parliament. Although it was permitted to comment on the 1991 environmental bill, its recommendations were not included in the final draft.[36]

Another Soviet legacy is the way in which the Soviet government viewed the environment and is reflected in the legislation that regulated the use and allocation of environmental resources. Soviet planners promulgated environmental legislation not to protect the environment but to ensure its exploitation to generate income. The environment was a resource to be used for economic production, without regard for long-term effects on human health and safety or the protection of species and natural habitats. The governments of Western democracies in the 1970s responded to the demands of citizens by instituting environmental regulations that made polluting costly. In contrast, in the Soviet Union it was less expensive to pollute than to introduce more environmentally friendly technologies. Like other post-Soviet states, Kazakhstan did not inherit a strong regulatory and legal culture in regard to the environment.

Local NGOs and Western NGOs also are limited by the deteriorating economic situation. Local NGOs must rely upon international funding sources to survive. Internal sources of funding are largely nonexistent because the general population is unaccustomed to paying membership dues and lacks the money to do so. This is compounded by the local NGOs' loss of their tax-exempt status. Moreover, many local NGOs are comprised of former scientists (e.g., biologists, chemists, and zoologists) who can no longer survive on their salaries and whose survival depends on international funding of NGOs.

Local NGOs' dependence on Western NGOs and foundations for financial support has induced them to adapt their goals and strategies to these Western NGOs' goals and strategies. This is how international organizations such as the UNDP and World Bank transfer their ideas of environmentalism, which are tied directly to financial backing. The proliferation of environmental NGOs since Kazakhstan's independence is probably more the result of the availability of environmental grants than the safe haven that the environment offered for political mobilization.

Finally, the energy sector itself has a crucial role in Kazakhstan's future economic growth, and it acts as an important domestic constraint. Unlike other parts of the world, where indigenous people have mobilized to halt oil drilling for environmental and economic reasons, in Kazakhstan local populations and the local and regional *akims* generally view the exploitation of the Caspian basin favorably because they expect to benefit financially. Thus they also have a favorable view of the international oil companies that are directly contributing to this development.[37] According to Oleg Starukhin, a local safety and health expert for Kazakhstan CaspiShelf, a consortium of foreign companies that undertook seismic exploration in the northern Caspian, Nevada-Semipalatinsk was the exception among local NGOs in Kazakhstan.[38] Environmental damage in eastern Kazakhstan had a direct effect on the local population, and local residents viewed nuclear testing as a policy that promoted only outside interests (Moscow's). The issue of nuclear testing thus provoked the emergence of a powerful local NGO with strong ties to the population. This differs dramatically from the situation surrounding the Caspian Sea, where people are much less concerned with the environmental consequences of developing the oil and gas reserves than they are with the great economic potential. The Caspian, they believe, is their ticket to "health and wealth."[39] Even Western NGOs were reluctant to touch this subject after independence because so many people believed in the promise of Caspian oil.

INTERNATIONAL CONSTRAINTS

International actors bring their own sets of constraints for local NGOs and Western NGOs. One results from Western NGOs' dependence upon external funding sources that have their own particular agenda in Kazakhstan. Another concerns the direct role that international actors such as USAID are playing in Kazakhstan's energy sector. These two constraints have shaped the nature of local NGOs and hindered their development.

By providing information and promoting environmental legislation concerning the development of the Caspian Sea basin, international actors have essentially usurped the traditional function of local NGOs. Western NGOs in Kazakhstan are often compelled to conform to the goals and strategies of their funding sources. For example, USAID heavily underwrote ISAR's activities in Kazakhstan through Seeds of Democracy, a USAID program that provided start-up money to local NGOs to help create a viable civil society in the former Soviet Union. These Western NGOs are also constrained by the timeframe of USAID and other organizations, which tend to target short-term projects. For example, Seeds for Democracy funding was available to local NGOs for a maximum of two years.

In Kazakhstan USAID is one of the key international actors that provides assistance to both the NGO sector and the energy sector. One of USAID's main goals is to promote democratization by fostering the development of civil society, which was largely absent in the former Soviet Union. In this regard, the rule of law is essential to ensure that the government respects basic individual and human rights and guarantees freedom of association and of the press. Another goal of USAID is to encourage the transition to a market-based economy. This requires restructuring an economic system based upon centralized planning and creating a hospitable domestic environment open to foreign investment, especially in the energy sector. The rule of law also plays a crucial role here, serving as the foundation for contractual relations, protection of privately owned assets, and assignment of liability.

To achieve these goals USAID has pursued a multipronged strategy of funding projects at different levels. On one level it is encouraging privatization. For example, it funds organizations such as Winrock International (the Farmer to Farmer program) to teach farmers in Kazakhstan how to organize and manage a profitable private farm. On another level USAID is funding NGOs such as the U.S.-based National Democratic Institute (NDI) to assist with elections throughout the former Soviet Union. In regard to legal and regulatory reform in the energy sector, USAID has contracted with Hagler Bailly (a U.S.-based consulting firm) to help draft new environmental, safety, health, and technology laws to govern oil and gas development in the Caspian. Hagler Bailly is also helping to draft oil and gas laws to promote and sustain foreign investment in the energy sector as a whole. In addition, USAID has provided funding to the American Legal Consortium, ISAR, and Counterpart Consortium to help create a civil society by helping local NGOs.

USAID's goals and strategies hinder local NGOs and Western NGOs in related ways. First, these goals and strategies often conflict with and undermine one another, and many of their funding strategies are therefore counterproductive. While USAID is funding NGOs in the hope that they will produce a healthy civil society, the agency is usurping the role of NGOs by sending in consultants to draft legislation and advocate regulatory regimes in the energy sector without NGO involvement. Consider the Hagler Bailly project to create environmental, health, safety, and technical regulations for the Caspian Sea basin. This is a natural opportunity to include NGOs in the legislative process as representatives of local interests. Instead, USAID has emphasized the role of foreign consultants, who work only with local industry and their counterparts in government ministries and do not invite local environmental NGOs to participate in drafting laws or even consult them.[40]

Before foreign companies could start exploration studies and drilling in the northeastern part of the Caspian, an environmentally sensitive region, the government had to pass a new law to override the Soviet one that had declared it a protected zone.[41] Subsequently, foreign oil companies and the Kazakhstan state oil company formed the consortium known as OKIOC to study the environmental effects of undertaking a seismic study in this part of the Caspian and to examine the effect of oil exploration upon the sturgeon stocks, seal population, and flora.[42] Contrast this with what happens in the United States when oil companies push for the right to drill off the coast of Alaska. Fearing oil spills and contamination, local NGOs organize a campaign to lobby Congress to prevent the opening of Alaska's pristine wildlife to oil exploration. Such an action was unilaterally preempted in the case of the Caspian by the foreign oil companies and governments. Moreover, even the most active local NGOs (e.g., Green Salvation) have little influence because the political and legal climates do not tolerate litigation and political activism. Without such a climate local NGOs cannot play the role that, for example, a Natural Resources Defense Council or Environmental Defense Fund plays in the United States.

In short, because both the Kazakhstani government and Western governments view oil development in the Caspian basin as essential for economic development and to secure the international energy supply, they have essentially excluded local NGOs from the legislative and regulatory process. Rather, oil companies and ministries appear to be regulating themselves. Since 1994 the foreign oil and gas companies working in Kazakhstan have formed the Kazakhstan Petroleum Association. As of December 1997, the association had thirty-two member companies. They formed a subcommittee on the environment to negotiate directly with the Kazakhstani government on all new environmental regulations for the Caspian basin.[43]

Also, USAID has increasingly stressed economic development over democracy building. The unequal weight given to these two goals has indirectly resulted in the weakening of the nascent local NGO sector that was emerging after the breakup of the Soviet Union. During the first few years of independence, USAID concentrated on helping to establish democratic regimes in Central Asia. Elections and human rights, for example, were high-priority issues. Yet over time USAID has shifted its focus away from democracy building and toward economic issues surrounding the Caspian basin. This change seems to have coincided with Nazarbaev's own shift away from democratization in order to push through market-based reforms that were unpopular in the first elected parliament.[44] As it became clear that the Kazakhstani government was less interested in building democracy than in revitalizing its economy through foreign investment, USAID became a more overt advocate of "economics first," particularly in the energy sector. Because the Caspian basin is considered both a crucial future source of economic growth for Kazakhstan and an alternative energy supply for the West, it has become the primary focus of international attention and activity.[45]

Western NGOs reacted to these changes by slowing their efforts at so-called democracy-building programs. Following the disbanding of parliament in March 1995, for example, the American Legal Consortium pulled out and the National Democratic Institute limited the scope of its activities. ISAR continued to stress educational activities among local NGOs. In effect, Western NGOs accepted the contracted domestic political situation instead of working with international actors, the national government, and local NGOs to overcome these political obstacles.

Another significant international constraint is the other international actors that are playing a direct role in the environmental and energy sectors. The extensive role of the oil companies in the local communities with oil and gas resources has decreased the demand for and appeal of environmental activism in post-Soviet Kazakhstan. For example, early on, foreign oil companies as well as Kazakh CaspiShelf have held town meetings to promote support for the development of the Caspian. At the end of the first phase of the exploration in the Caspian in May 1995, OKIOC held a public meeting to explain and present the results of its work and to discuss prospects for the future. Both the general public and the press attended the meeting. Perhaps not unsurprisingly, the oil companies have not sought to engage local NGOs or Western NGOs in discussing oil exploration in the Caspian but to circumvent them. According to one company that belongs to the consortium, it received no negative feedback from the local communities.[46] Overall, because the oil companies have pursued a strategy of engaging the local population directly, rather than through local NGOs, they have lessened the role of local activists. The companies have instead attempted to give the local population a perceived stake in order to prevent mobilization of opposition later.

The foreign oil and gas companies are also popular among the local population because they are seen as solving acute economic and social problems; they are not seen as creating potential environmental problems. This defuses any potential support that local NGOs might have in opposing the development of the energy sector in general and the activities of the oil companies in particular. The representative of only one local NGO (Green Salvation) with whom we spoke commented that Chevron was destroying the environment through its production of the Tengiz oil fields. However, the news shots of oil spills that Green Salvation used to back up this remark were actually the result of Soviet methods of drilling. Chevron had been asked to clean these spills up as part of its deal with the Kazakhstani government but had refused.[47] Local populations view Chevron and other foreign oil companies such as Hurricane Hydrocarbons as "heroes" because these companies have been channeling substantial amounts of money directly into the regions in which they are operating—so much that the local and regional *akims* have not had to turn to the government for money. For example, in a five-year period Chevron allocated US$10 million each year to support the social sector in the Atyrau oblast—money for improving the local water system and power supply and building schools, hospitals, and housing.[48] In addition, Chevron and other oil and gas companies make direct contributions to the budget through tax payments. Both the local governments and the labor unions have insisted upon higher pay and a lifetime guarantee of employment for their workers. Because the labor unions are among the most important political interest groups in post-Soviet Kazakhstan, the oil companies have had to employ a larger labor force than necessary.[49]

The Kazakhstani government has addressed social and environmental problems in part by selling off oil and gas companies in those regions that have been hit hardest by the Soviet Union's demise. The first Soviet oil and gas company that was sold to foreign buyers, Yuzhneftegas, is located in Kazakhstan's poorest region, the Kyzl-Orda oblast. To buy Yuzhneftegas, Hurricane Hydrocarbons had to agree to pay all the social obligations and economic costs of the company and surrounding area. As a result, Hurricane Hydrocarbons spent US$4 million a month on local labor costs alone, because Yuzhneftegas twice increased the number of employees on its payroll before it was bought. The employees are also better paid than the average Kazakhstani worker, at about US$750 a month, compared to the average of US$150.

Hurricane Hydrocarbons' experience is not unique. An examination of several contracts with foreign companies active in the energy sector reveals a consistent pattern of foreign companies' adopting all the social and economic burdens in the regions, cities, towns, and villages surrounding the fields to which they have bought rights to explore and produce oil and gas. These responsibilities include maintaining full employment and paying back wages and a wide range of social services, such as contributing to pension funds, building schools and hospitals, and supporting local sports teams. In fact, the process for negotiating and winning contracts is, to a large extent, predicated upon the willingness and ability of international companies to provide such services. The oil companies are able to buy off local opposition by providing a broad base of social services to the population at large. In this way the oil companies are able to avoid interacting with local NGOs.

The oil and gas companies' goals and strategies are more compatible with USAID goals and strategies than with the NGOs' goals and strategies. For example, both USAID and the oil companies stress economic development over political development, and both want legal reform to create an appropriate or "safe" atmosphere for foreign investment. Since the dissolution of parliament USAID has pulled back from trying to impose democratic norms and institutions in Kazakhstan. Instead, it has focused on programs that will facilitate social and political stability within Kazakhstan and within Central Asia on the whole. The Kazakhstan government has also made it clear that it prefers economic development to political development in the short run and as a result has sought to curtail local NGO activity that is political.

Western NGOs have not succeeded in their overall goal of building a viable civil society in Kazakhstan because they have not tried to address the structural constraints at both the domestic and international levels by providing appropriate guidance and incentives. Instead, they have encouraged local NGOs to respond to this situation by adopting politically safe or nonthreatening goals and strategies that target international rather than domestic constituencies. As a result, Western NGOs have contributed directly to the atomization and depoliticization of local NGOs in Kazakhstan immediately after independence.

Overall, Western NGOs need to reconcile the contradiction inherent in strategies that focus at the grassroots yet are directed at the interests and concerns of the international community. This can be achieved by encouraging local NGOs to forge links with their national government and local communities as well as to interact more closely with local and regional officials in an effort to increase government responsiveness. In short, Western NGOs should do more to spur political activism among local NGOs. The environment and the energy sector provide a particularly appropriate arena for this change in strategy.

First and foremost, Western NGOs should intensify their efforts at building a civil society in Kazakhstan by promoting local NGO development. Since we did our research in 1997, ISAR has begun to focus its attention on the Caspian region; with financial support from USAID and the UNDP, ISAR initiated a three-year program in April 1999 to strengthen cooperation among NGOs in the Caspian basin countries—Azerbaijan, Georgia, Iran, Kazakhstan, Russia, and Turkmenistan. ISAR has succeeded in forcing the oil and gas companies to deal with local NGOs and not just official government representatives in making decisions. Specifically, in September 2000 ISAR organized a seminar, NGO Interaction with Transnational Corporations, that attracted participation from about forty NGOs and ten companies that operate in the Caspian region in a roundtable discussion of ways to enhance cooperation.[50] Whereas prior NGO activity focused on environmental education, many Caspian programs today are turning toward issues of monitoring. Although this initiative is top-down rather than "bottom up," ISAR has helped to strengthen local NGOs in the Caspian basin, resulting in the creation of environmental watchdogs.[51] ISAR's Caspian program has provided opportunities for local NGOs to monitor the operations of the oil and gas companies and then to publicize environmental violations.

Western NGOs also need to encourage local NGOs to look to their own government officials to respond to environmental problems, particularly at the local and regional levels, because these people have become the real sources of authority over the environment. Local NGOs and their local and regional governments need information and technical support designed to help them build links with one another. Training seminars for local NGOs, for example, could focus on negotiation skills, lobbying, and other forms of policy advocacy. At the same time local and regional officials must be persuaded that they have a stake in local NGOs' efforts to address environmental issues; they should be invited to participate in training seminars that address their concerns.

In addition, Western NGOs should encourage local NGOs to foster links with their local communities. This includes funding local NGO initiatives that focus on issues of local importance and rewarding local NGOs that seek to increase their membership and expand their support base. For example, training seminars could focus on strategies for recruiting new members and finding domestic sources of funding, rather than on how to obtain Western funding. Grants could require matching funds gathered from the local community and could provide support for organizing public hearings and other forms of outreach. Encouraging local NGOs to focus on local issues will build links to their community and eventually to their local and regional governments. Funding should also be directed at programs to build trust among local NGOs, the local community, and government officials by targeting small short-term projects that require local NGOs to orchestrate the participation of the community and local government. This is a concrete way to demonstrate to the local community that both local NGOs and the government can play a positive role in their daily lives. ISAR has established a separate program on environmental and health issues in Atyrau in western Kazakhstan, which is one of the main oil and gas regions in the country.

Finally, Western NGOs should have programs in Kazakhstan that encourage foreign companies and consultants to include local NGOs in the drafting and monitoring of environmental regulations and to use them as an intermediary in the Western NGOs' dealings with the national and regional governments. In addition, Western NGOs could provide training programs to help local NGOs develop the capacity to monitor compliance with environmental regulation, particularly concerning the gas and oil sectors. During glasnost the U.S.-based Natural Resources Defense Council provided legal training seminars in the former Soviet Union to prepare environmental lawyers. The same could be done in Central Asia. Likewise, Kazakhstan needs economists and policy advocates trained in environmental economics. Michael Boyd of the Harvard Institute has a few such programs under way to help Kazakhstan understand the economic implications of the overreliance on oil wealth.

These efforts all would help create a legal culture in which citizens have the opportunity to challenge government policies through institutional channels rather than through street protests alone. The key is to convey to local communities, domestic authorities, and international actors alike that the development of a burgeoning civil society is in their best interest in the long term. This can be conveyed most clearly in the energy sector, wherein the costs of environmental damage can certainly outweigh the expected benefits. Local communities and government officials do not yet seem to understand that a well-developed local environmental NGO sector, particularly around the Caspian Sea, can serve to limit these potential costs by monitoring the activities of foreign companies. At the same time international actors are shortsighted in their attitude toward local NGOs as inimicable to a favorable investment climate in the energy sector. This presents Western NGOs with an overwhelming burden that could be reduced by active and well-funded local NGOs. Moreover, unless local activism is fully encouraged at the earliest stages of Caspian Sea development, the local community is likely to claim at later stages that its interests were never considered or served by foreign companies.

NOTES

1. Jane I. Dawson, *Econationalism: Antinuclear Activism and National Identity in Russia, Lithuania, and Ukraine* (Durham: Duke University Press, 1996).

2. Before the collapse of the Soviet Union, ISAR was known as the Institute for Soviet-American Relations.

3. For detailed information about the proven and suspected reserves of the Caspian, see Energy Information Administration, U.S. Department of Energy, "Caspian Sea Region," July 2001, http://www.eia.doe.gov/emeu/cabs/caspian.html (November 13, 2001).

4. For detailed information about the different oil and gas projects in the Caspian, see Energy Information Administration, "Caspian Sea Region."

5. Michael Bratton, "Beyond the State: Civil Society and Associational Life in Africa," *World Politics* 41, no. 3 (April 1989): 407–30.

6. Although discussion clubs were technically the first NGOs to emerge in the Soviet Union, we are primarily concerned with the role of mass movements in the late 1980s. For an organizational history of NGOs in Kazakhstan before 1991, see Vitalii Ponomarev, *Samodeyatel'nye Obshestvennyi Organizatsii Kazakhstana i Kyrgyzstana*,

1987–1991 (The Independent Social Organizations of Kazakhstan and Krygyzstan, 1987–1991) (Moscow: Institut issledovaniyaekstreenal'nykh professov [SSSR], 1991).

7. Dawson, *Econationalism*.

8. D. J. Peterson, *Troubled Lands: The Legacy of Soviet Environmental Destruction* (Boulder, Colo.: Westview, 1993), pp. 202–6.

9. During the Gorbachev period policy makers supported the emergence of environmental movements because they sought to encourage a more rational use of natural resources as a means of revitalizing the stagnate economy.

10. Peterson, *Troubled Lands*.

11. Tatyana A. Saiko, "Environmental Problems of the Caspian Sea Region and the Conflict of National Priorities," in Michael H. Glantz and Igor S. Zonn, eds., *Scientific, Environmental, and Political Issues in the Circum-Caspian Region*, pp. 41–52 (Dordrecht, Netherlands: Kluwer Academic, 1996).

12. Ibid.

13. Yuri Eidinov, "Ecological Aspects of Offshore Operations," *Oil and Gas of Kazakhstan*, no. 6 (November 1997): 23–27, and Oleg Starukhin, a local safety and health expert for Kazakhstan CaspiShelf, interview by authors, Almaty, Kazakhstan, December 1997.

14. Megan Falvey, ISAR, interview by authors, Almaty, Kazakhstan, December 6, 1997.

15. See, for example, Anne Garbutt, "NGO Support Organizations in Central Asia," paper prepared for the International NGO Training and Research Centre, Oxford, October 1997, p. 4.

16. Falvey interview. See also various issues of *Ecostan News*, http://www.ecostan.org/Ecostan/enindex.html (November 12, 2001).

17. Oil company representatives, interviews by authors, Almaty, Kazakhstan, December 1997.

18. Sergei Kuratov, founder and chief coordinator of Green Salvation, interview by authors, Almaty, Kazakhstan, December 1997.

19. American Legal Consortium, "Innovations and Impacts: Success Stories of Central Asian NGOs," report available from Chemonics International Consulting, Washington, D.C., 1996, p. 24. Despite the name, the East Kazakhstan Green Party is not a political party.

20. Initiative for Social Action and Renewal in Eurasia, "Internal Final Report on Kazakhstan Environmental NGOs," Almaty, Kazakhstan, 1997.

21. Ibid.

22. Ibid.

23. Falvey interview; Michael Boyd, Harvard Institute for International Development in Kazakhstan, interview by authors, Almaty, December 1997.

24. American Legal Consortium, "Innovations and Impacts," p. 1.

25. American Legal Consortium grants were awarded to facilitate the establishment of rule of law in Central Asia and covered such fields as human rights, women's issues, children's rights, environment, business development, rights of the disabled, the elderly, consumer rights, culture, NGO development, legal education, conflict resolution, veterans' rights, media, and farmers' cooperatives. Grants were used to fund edu-

cation, publishing, research, equipment, legal consulting, conferences, and travel. See *Ecostan News* 4, no. 4 (April 1, 1996), http://www.ecostan.org/Ecostan/enindex.html (November 12, 2001).

26. Lowry Wyman, American Legal Consortium, interview by authors, Kazakhstan, March 1995.

27. For examples, see *Ecostan News,* http://www.ecostan.org/Ecostan/enindex.html (November 12, 2001).

28. Falvey interview.

29. ISAR, "Internal Final Report."

30. Grazhdanskii kodeks Respublika Kazakhstana (Civil Code of the Republic of Kazakhstan) (Almaty: December 27, 1994). See also Sarah Prosser, "Reform Within and Without the Law: Further Challenges for Central Asian Nongovernmental Organizations," *Harvard Asia Quarterly* 4, no. 3 (Summer 2000): 4–16, available at http://www.fas.harvard.edu/asiactr/haq/200003/0003a001.htm (November 12, 2001).

31. Falvey interview.

32. Kuratov interview.

33. Boyd interview.

34. Baev was the minister of ecology from 1995 to 1997.

35. On social capital see Michael Taylor, *The Possibility of Cooperation* (Cambridge: Cambridge University Press, 1987); and Elinor Ostrom, *Governing the Commons: The Evolution of Institutions for Collective Action* (Cambridge: Cambridge University Press, 1990).

36. Kuratov interview. Members of Green Salvation argue that the 1996 draft version of the law was substantially worse than the original 1991 legislation. The "draft legislation is aimed not at protecting nature and is not founded upon a model of sustainable development; rather, it seeks to ensure the continued utilization of natural resources." See L. N. Semyenova, S. B. Svitelman, and S. G. Kuratov, "Environmental Rule of Law," *Ecostan News* 5 (1997), http://www.ecostan.org/Ecostan/enindex.html (November 12, 2001).

37. For an article that suggests that the local population should be more skeptical, see Seymour Hersh, "The Price of Oil: What Was Mobil up to in Kazakhstan and Russia?" *New Yorker,* July 9, 2001, pp. 48–65.

38. Starukhin interview.

39. Ibid.

40. Various USAID contractors, interviews by authors, Almaty, Kazakhstan, March and December 1997.

41. Eidinov, "Ecological Aspects of Offshore Operations."

42. Ibid.

43. Representatives of oil and gas companies operating in Kazakhstan, interviews by authors, Almaty, Kazakhstan, December 1997.

44. Nazarbaev dissolved this parliament in March 1995, largely for this reason.

45. Janet Bogne, deputy chief of mission, U.S. Embassy, interview by authors, Almaty, Kazakhstan, March 1997.

46. Oil and gas representatives' interviews.

47. Ibid.

48. Ibid.

49. Representatives of oil and gas companies working in Kazakhstan, interview by authors, Almaty, Kazakhstan, March and December 1997.

50. For details see "NGOs Face Off with Corporations and Find Potential for Cooperation," *Give & Take*, Winter 2001, pp. 22–27.

51. Readers who wish to acquaint themselves with recent developments in this area should consult Erika Weinthal, "State Capacity and the Internationalization of Environmental Protection in Central Asia" (paper presented at the Olin Seminar Series on Reconceptualizing Central Asia: States and Societies in Formation, May 17, 2001), which is set to appear in the forthcoming Pauline Jones Luong and John Schoeberlein, eds., *Reconceptualizing Central Asia: States and Societies in Formation* (Boulder, Colo.: Westview).