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Equal Citizenship, Language, and Ethnicity Dilemmas in the Context of the Post-socialist Legal Reforms in Central Asia

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Introduction

Citizenship is a highly controversial concept with no generally recognized definition. Yet, it is one of the most essential elements of sovereignty which defines the initial body of the state. Presently, citizenship is considered to be a key instrument for the enjoyment of rights which remain unavailable for stateless persons or non-nationals. Traditionally, international law posed no concrete limitations in respect to citizenship, considering it to be an independent matter for each state. In turn, states are very reluctant to share their sovereignty with international law in terms of citizenship. Those few existing limitations address mainly avoidance of de jure statelessness or undetermined status for spouses and children. Scholars and practitioners involved into the topic often question the effectiveness of such limitations. In fact, when one

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takes a closer look into actual situation, it is evident that existing practice provides very few cases in which citizenship-related disputes have been successfully resolved by international rules. Furthermore, it is necessary to address a variety of sources in order to find out more about those rules, namely to answer the question; what are the existing international limitations (Pilgram, 2011, p. 2).

The regulation of citizenship becomes more complicated in situations where two or more states are involved. When a federal entity is dissolved into sovereign states, apart from the unpredictable internal effect, new citizenship laws might extend beyond territorial borders and result in negative interstate relations or even in conflict (Tishkov, 2007, p. 241). Above all, they may negatively impact on individuals who suddenly find themselves in a legal limbo or face considerable difficulty in establishing a legal status. Another problem in cases of dissolution is the difficulty of determining particular rights or international obligations of old and new states in relation to citizens or those who compose groups of potential citizens.

In the post-Soviet space, the problem of Baltic non-nationals, especially in Latvia and Estonia became the first problem to draw significant international attention from various international actors. The new political elites in these two countries headed toward the restoration of preoccupied statehood and therefore, within the context of state continuity doctrine reintroduced the prewar citizenship laws which automatically excluded significant number of Russian-speaking population who came to these countries during the USSR period (Ziemele, 2005, p. 386). Subsequently, failed policies on compatriots caused citizenship-related problems in the Russian Federation—a successor of the USSR.

This paper asserts that when CA republics were catapulted into independence, their authorities have quite unpreparedly initiated citizenship reforms which, however, compared to the Baltics, contained only minor components based on nationalistic views. On the other hand, reforms generated laws on language which gave priority to titular languages. The new governments also started placing representatives of titular nations in high governmental positions. In the years following independence, together with restored culture and history, the new authorities in each CA state promoted the idea of a restored titular nation.

In such circumstances, the growing wave of nationalism questioned the place of minorities in the future nation-states.

The scope of the present paper is geographically and objectively limited to the CA states. It aims to analyze the domestic citizenship laws in texts and states' receptivity toward international human rights norms amid the collapse of the federative state. While analyzing rules and policies which govern citizenship policies in each of the states, the research also focuses on such sensitive elements as language laws and ethnicity in order to find out about existing legal and social distinctions between "insiders" and "outsiders" or in other words, examine the inclusive and exclusive components of the citizenship laws. The main question which the discussion in this research attempts to answer refers to the issues of post-socialist citizenship and language reforms. Namely, have the choices integrated in the citizenship laws of the CA states been aimed at including or excluding the nonethnic component of their populations from own citizenship, and thus reducing their rights and freedoms in these countries? Do citizenship and language solutions comply with applicable rules of international law?

Terminological Axiom

It should be noted that international citizenship law presently suffers from terminological chaos in the form of the different usages of "nationality" and "citizenship." The Western approach equally addresses nationality and citizenship. The terms are considered as synonyms, and therefore most of the laws are called—nationality acts. In the Russian context, however, such terms do not have the same meaning. In particular, the term "nationality" has an equal significance with the "ethnicity" (ethnic background) of the person. On the other hand, the term citizenship (*grazhdanstvo*) specifies legal and political bond between state and individual.

In terms of the present research, such linguistic axioms may create wrong perceptions since the CA states regard citizenship and nationality as entirely different concepts. In their passport systems, some of these states use citizenship—to show the legal and political link with a state

and, simultaneously, nationality—to show the ethnic background of the person (Smith, Law, Wilson, Allworth, & Bohr, 1998, p. 119). At present, these terms have not been carefully examined by researchers and are still differently addressed throughout the literature in the area. In order not to mislead the reader, the present research will use words citizenship and avoid using the term nationality (Some explanation is available in Brubaker, 1992).

The Regulation of Citizenship in the Central Asian States

Constitutional and Statutory Provisions

A detailed concept of implementing zero-option in all five Central Asian republics appeared between 1990–1995 in their constitutions and pioneer citizenship statutes (Ismatov, 2014, p. 197). This concept automatically recognized as citizens those people who by the critical dates had USSR citizenship and registered permanent residence in the country (Art. 4, the 1992 Citizenship law of Uzbekistan; Art. 39, the 1992 Citizenship law of Turkmenistan; Art. 3, the 1991 Citizenship law of Kazakhstan; Art. 3, the 2017 Citizenship law of the Kyrgyz Republic [and also outdated 1993 and 2007 laws]). The critical date was associated with the date of adoption of the new citizenship laws by the respective national parliaments. The former USSR passports with stamps specifying residence details of the bearer, including *propiska*, enabled the authorities to ascertain the place of habitual residence on the critical date (Ismatov, 2014, p. 131).

The law in Uzbekistan, Kazakhstan, and Kyrgyz Republic specified citizenship as a legal and political bond between the individual and the state, whereas the Tajik and Turkmen laws omit the word political. In Uzbekistan, the law separately stated that Uzbek citizenship was conferred on the residents of Kara-Kalpak Autonomy which is a part of Uzbekistan (Art. 2, the 1992 Citizenship law of Uzbekistan). This moment separately makes a notion that Uzbekistan is a state with the elements of federalism.

Hence, the constitutions and citizenship statutes in all five CA republics maintained that citizenship of their respective individuals is determined on the basis of the principle of state succession. This, indeed, puts them in a position entirely different from Baltic republics such as Latvia and Estonia, which implemented the principle of state continuity and denied zero-option in their respective citizenship laws. Based on such conditions, one may assert that CA states adopted inclusive citizenship concepts and codified them in relevant statutes which are in line with the general principles of international law regarding the dissolution of federative state and regulation of citizenship of population in the respective territory.

Language and Other Naturalization Requirements

Naturalization policy in Uzbekistan requires five years of permanent residency and renunciation of any other existing citizenship (Art. 17, the 1992 Citizenship law of Uzbekistan; Sec. II, the 1992 Regulation No. UP-500). The residency requirement is not applied in cases where the applicant can demonstrate that one of his parents or grandparents was born in the territory of Uzbekistan (Art. 17, the 1992 Citizenship law of Uzbekistan; Sec. II, the 1992 Regulation No. UP-500). There are no legal provisions for simplified naturalization for compatriots such as former USSR citizens or co-ethnics. The Uzbek law does not require language exam for naturalization. With certain amendments, the authorities have also started requiring a medical certificate which proves that the applicant is free of HIV/AIDS (Art. 4, chapter II (b)(1), the 1992 Regulation No. UP-500).

In the Kyrgyz Republic, the most recent 2017 law on citizenship offers the most detailed set of rules specifying various modes of naturalization for former USSR citizens, stateless, foreigners, and other categories including co-ethnics. For example, this law recognized as citizens the USSR passport-holders residing in the country for five years without applying for the citizenship of another state (Art. 14 (2), the 2017 Citizenship law of Kyrgyz Republic). The same residency period is applied for foreigners and stateless persons (Art. 17, 22–25; Art. 10, the

2007 Regulation No. 473). This requirement might be shortened from five to three years for certain persons who meet individual criteria outlined in law, which is usually ability to invest into various sectors (Art. 20–24, the 2007 Regulation No. 473). The Kyrgyz law also requires the knowledge of the state or official languages which are, respectively, Kyrgyz or Russian. The language requirement lies in the ability to make an individual understood him/herself and ability to interact with the society (Art. 13, I (2), the 2007 Regulation No. 473). The language sufficiency however not required from Kyrgyz co-ethnics willing to naturalize (Art. 25, the 2007 Regulation No. 473). The provision on language is very vague as law does not specify in concrete terms how to evaluate the language competence.

The naturalization procedure in Kazakhstan similarly requires the residence period of five years (Art. 16, the 1991 Citizenship law of Kazakhstan; the 1996 Regulation No. 3120). However, this might be lifted for co-ethnics, for example—*Oralman*, and persons repressed by the Soviet regime (Art. 16-1 (1, 2, 3), the 1991 Citizenship law of Kazakhstan). Usually, they are exempted from various fees and do not have to follow the five-year residency requirement (Para 15 (9), the 2002 Order No. 556). The Kazakh law also offers a simplified naturalization for former USSR citizens in case if they have at least one relative who is a citizen of Kazakhstan regardless of the residence period (Art. 16, the 1991 Citizenship law of Kazakhstan). Similarly, to Uzbekistan, the Kazakh law also does not require language exam for naturalization.

A pioneer citizenship law of Tajikistan also required five or three-year residence for naturalization. Former USSR citizens have a priority for a simplified naturalization in which the residence requirement may be lifted entirely (Art. 22–23, the 1995 Citizenship law of Tajikistan). Tajik law also poses no language exam requirement.

The Turkmen citizenship law is obviously the most restrictive among other CA states as apart from the five-year residence it also requires the knowledge of the Turkmen language (ability to communicate at a daily level) and legal sources of income (Art. 12, the 1992 Citizenship law of Turkmenistan). The residence requirement can be lifted in cases when co-ethnics, namely, Turkmen and their descendants, and former

USSR citizens who have a relative in Turkmenistan (Art. 12, the 1992 Citizenship law of Turkmenistan).

With exception of Turkmen law's provision on Turkmen language and partly, Kyrgyz Republic's requirement of Kyrgyz or Russian, other CA states pose no language requirements. Whereas laws in Turkmenistan, Kyrgyz Republic and Kazakhstan offer specific naturalization priorities for co-ethnics, Tajik and Uzbek laws do not stipulate similar clauses. Simultaneously, while four states offer preferences for the former USSR citizens, the Uzbek law contains no similar norms.

While the citizenship laws in CA republics designate specific bodies in charge of the citizenship affairs, it is only the Kazakh law which gives an explicit provision for due process guarantees and legal remedies to review the decisions of such body. The Kazakh law also guarantees that decisions regarding the loss of citizenship do not come in force until the person concerned has been informed. Relevant legislation also allows individuals to seek a reconsideration of the presidential decision on nationality (Art. 28–32, the 2000 Regulation). Procedural violations can be appealed through the court (Art. 41, the 1991 Citizenship law of Kazakhstan).

In case of other CA republics, laws do not clearly stipulate legal provisions on the rights or remedies to seek information about the status and the outcome of application. The absence of proper provisions and mechanisms to seek information and to appeal the decision on citizenship increase the risk of maladministration and poor protection of individual rights. Simultaneously, while some norms briefly mention about the right to seek reconsideration of the authorities' decision, there is no provision on review of naturalization process. Furthermore, constitutional principle of *actio popularis,* often used in European and some Asian jurisdictions, still remains widely unknown in CA region.

General Statutory Prohibition of Discrimination

The constitutions and relevant statutory regulations in all CA states provide a right to acquire citizenship irrespective of racial, ethnic, linguistic, and cultural origin. Hence, any discrimination on the basis

of ethnicity and language are de jure outlawed. There is a particular discrepancy between the constitutions, laws on citizenship, and essential statutory regulations regarding their lists on the grounds for nondiscrimination. For example, the clause on language raises well-grounded concerns regarding the requirement of the Turkmen citizenship law on Turkmen language. Simultaneously, except the Tajik law, the rest of the mentioned countries provide in their laws a separate provision of equal citizenship for all individuals regardless its acquisition (Art. 2, the 1992 Citizenship law of Uzbekistan; Art. 5, the 1991 Citizenship law of Kazakhstan; Art. 4, the 1992 Citizenship law of Turkmenistan; Art. 8 Citizenship law of Kyrgyz Republic). While the contradictions between constitutions, principal statutes, and regulations may exist, according to the principles of CA states' legal systems, the right to acquire citizenship would apply without any discrimination listed either in the constitution and relevant statutes. Hence, the basic principles for naturalization in legal texts of CA republics, with the exception of certain vague provisions on language in Turkmenistan and Kyrgyz Republic, seem to comply with the general international standards, and to some extent, even extra inclusive because some states go beyond and do not require any language proficiency exam. It is however, often the case, that regulations and orders bureaucratize heavily the procedural matters and restrict individuals to obtain information on the status of their applications. Seeking legal remedy in such cases is usually burdensome and complicated.

Ethnic Minorities and Their Rights in the Context of Citizenship

In the initial years of independence, all CA republics held a considerable minority population (S. Abashin in Bassin & Kelly, 2012, p. 150). Notably, Kazakhstan and Kyrgyz Republic hosted the largest Slavic population in comparison to their own population, whereas the minority groups in Turkmenistan, Uzbekistan, and Tajikistan composed mainly non-Russians (Fierman, 2006, p. 1088) As an example, the population of Uzbekistan by 1990 comprised more than 23

million people. "The titular majority was over 17 million people, but there were representatives of more than 100 nationalities (ethnicities) in the republic. Besides Uzbeks, there were more than million Tajiks and approximately the same number of Russians and Kazakhs, 420,000 KaraKalpaks, up to 300,000 Tatars, about 200,000 Koreans, more than 170,000 Kyrgyz, over 150,000 Ukrainians, and approximately the same number of Turkmen and Armenians" (Mesamed, 1996, pp. 20–26). Such a heterogeneous ethnic composition, not only in Uzbekistan but also in neighboring states was mainly created by the Soviet practices of human resources movement, deportations, and also evacuations during the Second World War. Some aspects of migration were also echoed in the Tsarist migration policies in Turkestan (*Pereselencheskaya politika*). As the Soviets created the present borders in CA artificially, sometimes the whole territories which once hosted different ethnic and language groups were transferred under jurisdiction of particular Soviet CA republic (Refer for details to Ubiria, 2015).

Although the CA states hosted various groups of minorities, they initially demonstrated signs of denying the pluralist concept of a multiethnic state (Schoeberline-Engel, 1996, pp. 12–20). In addition, many political parties, to gain popularity, made promising manifestoes about a future mono-ethnic vision of the state. Such developments widely resembled to the initial scenario of nationality politics in the Baltic region and raised serious concerns about the future of ethnic minorities and Russian-speaking groups in CA region. Nevertheless, these states took on itself an obligation to de jure grant equal citizenship and passports to all former USSR citizens who resided permanently in their territory by 1990, regardless ethnicity, race, religion, culture, or language. Generally speaking, citizenship laws made no direct reference to the past Soviet history, as it was done in Baltics, and reflected a liberal principle of granting equal access to citizenship to every individual. Probably, this development came in the context of foreign legal assistance and pioneer steps of building a sovereign nationhood when former CA socialist republics started making their initial steps toward recognizing international legal norms and obligations. In such context, it seemed that a multiethnic vision of nationhood prevailed in the formal political agenda as a sort of positive human rights record.

The Principle of Reduction of Statelessness

All five states apply in their citizenship policy the principle of *jus sanguinis* inherited from the old Soviet law. Recently, some provisions also demonstrate a sporadic application of *jus soli* principle, for example, in case of abandoned foundlings who are also automatically considered as citizens (For ex. Art. 14 or 16, the 1992 Citizenship law of Uzbekistan). Children born in wedlock between citizens and stateless persons are also automatically considered as citizens, irrespective of the place of birth. In the case of both parents being stateless, most states require valid residence permit for considering a child as a citizen. As existing practice shows, the absence of such a permit may lead to the high risk of statelessness because the respective authorities deny the issuing of a birth certificate to children of stateless parents without permanent residency. As yet, the data on the stateless population in CA is incomplete as the UNHCR office and mission have been restricted in some regions or do not have access to the adequate statistical data (Farquharson, 2011, p. 12).

In Uzbekistan, all applicants are required to submit a confirmation of their non-belonging to the citizenship of another state in the form of confirmation of renunciation together with an application for naturalization. No later renunciation is accepted (Art. 17, the 1992 Citizenship law of Uzbekistan). Therefore, applicants are left stateless at least during the naturalization period, while there are no legal guarantees for positive decisions on the application. Before 2007, although Kyrgyzstan implemented a zero-option principle in its state citizenship law, international human rights actors frequently reported on the problems of statelessness because the first 1993 citizenship law created a gap for certain groups of people and caused statelessness for technical reasons. With financial support from donor organizations, the state elaborated in 2007 the law on citizenship which addressed a wide range of problematic issues related to addressing statelessness. It lifted many barriers and enabled many stateless persons to legalize their stay. In particular, it enabled the naturalization of all former Soviet citizens who did not change their citizenship status on time. Thus, the country could decrease its stateless population, which by 2007 had reached almost 13,000 persons (UNHCR, 2009, p. 32).

By 2013, the UNCHR mission in Kazakhstan officially registered close to 7300 stateless people (UNHCR, 2013). There is a more complicated situation in this country with refugees and asylum seekers from neighboring, non-former USSR countries as they usually comprise a so-called gray area of people with uncertain status. Up to date, Turkmenistan is the only state in CA which is a state-party to the statelessness conventions and has been working toward creating a framework to ensure every person's right for citizenship (The 1954 and 1961 Statelessness Conventions).

Sub-conclusion

The post-1990 citizenship laws in CA countries were initially based on liberal principles of state succession and reflected fundamental human rights for citizenship. In fact, these states demonstrated an excellent example of adopting into the law a zero-option principle and thus avoided the mass statelessness problem caused by ethnicity or language concerns. In general terms, in the first years after the breakup of the USSR, the citizenship laws as such did not raise any heavy critics from the international human rights watchdogs. Simultaneously it should be mentioned here that citizenship laws of the CA republics share many similar and different points. The origin of the similarities, such as *jus sanguinis*, residency requirement, procedural matters can be traced back to the former Soviet laws on citizenship, which indeed, contributed in the socialist era to the mixed ethnic composition of CA states. On the other hand, legal evolution of the citizenship laws in CA republics demonstrates that they gradually obtain certain individual characteristics. Such tendency is especially visible in elective approaches by states to the issues of statelessness, dual citizenship, language laws for the naturalization, and the so-called ethnic factors for the simplified naturalization. Such uneven development can be characterized by a set of factors related to the political agenda, migration and out-migration statistics, and receptivity toward internationally recognized norms and practices in the field of citizenship.

The Regulation of Language in the Central Asian States

Similarities and Variations of Language Policies Across the Region

After 1989, all CA republics adopted their language laws to promote the official status of their titular languages (The 1989 State Language law of Uzbekistan; the 1989 State Language law of Kyrgyzstan, the 1989 Language law of Kazakhstan). These laws required persons employed in state organs, public administration, law enforcement agencies, and wide range of organizations and educational institutions to have a fluent command of the titular languages. Simultaneously, these laws secured for Russian the status of an interethnic communication language (*Yazik mejetnicheskogo obsheniya*). In Uzbekistan and Turkmenistan subsequent amendments, however, abolished the special status of Russian as an interethnic tool of communication and replaced the widely used Cyrillic script with Latin which was quite unknown for the local population (The 1989 State Language law of Uzbekistan with 2011 amendments). Similar intentions also existed in Kyrgyz Republic and Kazakhstan. As an example, in Kazakhstan, it was initially hard to decide whether to give the preference to Kazakh language, which was considered as the language of the titular nationality or whether to continue usage of Russian, which had the status of *lingua franca*. The complicated character of the issue is explained by the mere fact that the majority in Kazakhstan in the early years of its independence used Russian as their native language, while, simultaneously, nationalist senses demanded for the rebirth of the Kazakh language as a living symbol of the future state. Due to the fact these two states hosted the highest proportion of non-titular Russian-speaking population, Russian's role as a language of interethnic communication has been maintained in their laws (Fierman, 1998, p. 180). Similarly, if initially constitutions in Kyrgyz Republic and Kazakhstan prioritized their titular languages, later they also secured official role for Russian (The 1993 Constitution of Kyrgyzstan). Later, with the revision of existing legal framework, these

two countries also codified the status of Russian alongside with own titular languages in respective constitutional statutes (The 2004 State Language law of the Kyrgyz Republic).

In contrast to Russian which is a dominantly used language, the laws in all CA republics make somewhat symbolic provisions for other minority languages. As an example, Kazakh law states, "state takes care of the creation of conditions conductive to the learning and development of the languages of the people of Kazakhstan" (Art. 6 of the renewed 1997 Languages law of Kazakhstan). Some reports show that the state provides at least school education in places of concentrated residence of different minorities, basically for Uzbeks and Uyghurs. However, the problematic issue is that while primary education is available in their native languages, higher education is only limited to the titular language or, sporadically, Russian. It eventually makes many young people who wish to continue their education to flee the country to other states (Oka, 2007, pp. 98–99).

Current Constitutional and Statutory Provisions

A legal status of Russian language bears specific differences across CA republics. Similarly, to Baltic states, in Uzbekistan and Turkmenistan, Russian has no specially codified legal status and exceptional constitutional guarantees and, therefore, is de jure a foreign language. These countries only recognize as official their own titular languages, Uzbek and Turkmen respectively, and leave minimal legal space for using Russian, for example, provisions enabling citizens to request notarized papers in Russian or similar.

On the other hand, the three remaining Central Asian republics while formalizing in their constitutions' titular languages, simultaneously codified the status of Russian. The Tajikistan's 1994 Constitution reflected somewhat common factual approach to Russian in the post-Soviet Space and addresses it as the language of interethnic communication (*Russkiy yazyk yavlyaetsya yazykom mejnatsional'nogo obsheniya.* Art. 2, the 1994 Constitution of Tajikistan). Both the 1993 and, subsequently, the 2010 constitutions of Kyrgyz Republic kept Kyrgyz

as official and, simultaneously stated that Russian is "used as an official language" (Art. 5, the 1993 Constitution of Kyrgyz Republic, Art. 10; the 2010 Constitution of Kyrgyz Republic) The most detailed constitutional provision on Russian is codified in Kazakhstan's constitution. It states that "Russian language officially used in state organizations and organs of local self-government (*Organy mestnogo samoupravleniya*) on a par with Kazakh" (Art. 7, the 1995 Constitution of Kazakhstan) Notably, on the request of the group of the parliament members of Kazakhstan, the Constitutional Council of Kazakhstan has reviewed this provision in 1997 and in 2007. In its interpretation, the Constitutional Council has reiterated the legality of the article 7 and stated that "Russian language officially used in state organizations and organs of local self-government on a par with Kazakh without any exceptional circumstances" (*Postanovlenie Konstitutsionnogo Soveta RK, N 10/2*, 1997).

Sub-conclusion

Adoption of language laws in 1989 signaled of diminishing perspective of the Russian vis-à-vis the titular languages of the newly emerging independent states in CA region. It was thought that rise in legal status of titular languages would inevitably cause the decline of Russian and other minority languages (Fierman, 2006, p. 1092). This could have also affected the citizenship laws, as for example, it did in Baltic countries (notably, Latvia and Estonia) and thus restrict access to obtain citizenship for minorities. The issue of citizenship was not, however, the case in CA.

What could be observed from the subsequent developments in the field of language politics in the CA region—is an unbalanced and differentiated approach toward Russian in terms of social and political perspectives. The legal status of Russian as official language in Kazakhstan and Kyrgyzstan is substantially different from Turkmenistan, Uzbekistan, and Tajikistan. Russian has practically disappeared as a working language from legislative, judicial, and governmental institutions in Turkmenistan. In 1995, Uzbekistan adopted the state language law which mandated the exceptional use of Uzbek in the

top governmental level. Despite constitutional codification, Tajikistan adopted a similar law on Tajik language in 2009 and since then, has been limiting the office work in its organs to titular language. This move was viewed by many as a step to undermine the status of Russian as a tool for interethnic communication. Simultaneously, national elites considered such development as protection of own identity and paving the way for the development of titular languages.

Social Practices

Upon the collapse of the USSR, the political power concentrated mainly in the hands of titular elites who widely advocated for the creation of a new identity based on the mono-ethnic state vision. In such circumstances, many non-titular groups feared becoming second-class citizens and viewed post-Socialist reforms in CA states with a reasonable degree of anxiety and potential discrimination. On the other hand, the nationalist elites viewed it as an achievement that would lead to the creation of citizenship based on titular ethnic identity. Notably, such citizenship struggle trend was quite common in 1990 in most of the former USSR states. For example, in Baltic states which rejected zero-option, the ethnicity, and language identity played crucial factor in determining eligibility for citizenship. Even though similar appeals on ethnicity and rigorous language exams for non-titular language speaking persons existed in CA states, such nationalist agenda did not affect their citizenship laws as such.

Indeed, all CA states have de jure provided the citizenship to all residents, including all nonethnic minorities. With exception of certain provisions offering benefits to co-ethnics, the citizenship concept design in all five countries was rather inclusive. Hence, in terms of succession in relation to citizenship, CA states fulfilled their international responsibilities within the context of the state succession to provide all residents with a legal status. The phenomenon that took place in these states regardless of their inclusive citizenship laws, is however, a substantial out-migration—an entirely opposite issue compared to Baltics.

In particular, initially, a sizeable Russian-speaking population in CA were not unconditionally required to shift to titular languages in their employment and education activities. In the working environment where many skilled professionals educated and trained in Russian were unprepared to switch into titular languages, they continued using Russian as *lingua franca.* Notably, the significant part of the political elites who formed newly independent governments in the CA republics had very limited mastery of titular languages because they were trained in the realities of the Soviet education system, mainly in Russian.

However, these new language laws de facto prioritizing titular languages and gradually restricting modes of Russian questioned the mere fact of future perspectives for both titular and non-titular Russian-speaking groups in CA region. Accompanying economic disadvantages, concerns about the quality of education and employment opportunities eventually made the Russian-speaking population to consider alternative solutions in the form of out-migration. Hence, the ethnic structure has undergone changes in all five CA states particularly since 1995. The most dramatic decrease occurred in Tajikistan during the civil war, when many people fled the country. In the subsequent years, there was a horrendous exodus of people which a bit later resulted in a protracted brain drain as most of those leaving were qualified technicians, scientist, and teachers (Landau & Kellner-Heinkele, 2011; Peyrouse, 2008). The new national ideologies of independent CA states made it difficult not only for the Slavic population but also Russian educated people to see equal social opportunities, which eventually affected their perception of equal citizenship.

Conclusion

The nationalist movements which brought local elites into power in the wake of independence were not only observed in the Baltic region. In CA, citizenship laws theoretically established a liberal approach as they were based on the zero-option principle. Unlike the Baltic states, there was not even a single case in any of the CA republics where a person's citizenship was disputed by the state on the ground of ethnic or

linguistic identity. Notably, the CA states were the most ethnically heterogeneous among the other post-Soviet republics as they included not only Russians but also a large number of other ethnicities who were forcibly or voluntarily transferred there.

On the other hand, the social practices of the independence period in all five newly emerged republics demonstrated the prioritization of local ethnicities over those who were resettled in CA states during the Soviet era. Such prioritization was apparent in various sectors, including; high appointments in public administration, justice, education, and many other sectors. People who belonged to other ethnicities and did not speak a titular language were often viewed as potential emigrants and therefore, were less competitive compared to titular ethnicities.

Another issue of concern has been language legislation in individual states. Although language was never considered as a precondition for granting citizenship or naturalization, in practice, it served as a legal barrier which prevented minorities from taking high positions in state offices. It also became a prerequisite for the gradual displacement of other languages from public use or education. The last became the reason for the predominantly Russian-speaking population to flee CA states because of the unclear future perspectives. The subsequent social practices in all CA states demonstrate a politics of gradual underrepresentation of minorities in the political and other spheres and active promotion of titular majority groups. Thus, although the general citizenship concept design among CA states integrates the ideas of multiethnicity, their architects de facto have all emphasized the unity and special place of the titular ethnicity. Such approach eventually questions the de facto equal citizenship that some CA states presently claim to have.

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