

Turkmenistan

The regime of president-for-life Saparmurat Niazov is one of the most repressive in the world. It crushes independent thought, controls virtually all aspects of civic life, and actively isolates the country from the outside world. The perverse cult of personality around President Niazov dominates public life and the education system. Civil society, already on the brink of extinction, this year took another blow with a new law criminalizing involvement in unregistered nongovernmental or religious groups. Although 2004 saw the abolition of exit visas and a slight mitigation of the laws on religious freedom and nongovernmental organizations (NGOS), in practice the rights to freedom of movement and conscience are severely restricted. Indeed, the human rights situation in Turkmenistan today is noticeably worse than it was a few years ago.

Freedom of Expression

Turkmen law bans criticism of any policies initiated by President Niazov and equates it with treason. Therefore, the open expression of alternative points of view is practically impossible. A dramatic example of the harsh consequences for seeking to express alternative views occurred in February, when a dissident from the city of Balkanabad, Gurbandury Durdykulyev, was forcibly taken to a psychiatric hospital after he submitted a request to the president to conduct a peaceful protest.

All national and local media outlets in Turkmenistan belong to the government, cable television and access to the Internet are tightly controlled, and foreign press in practice is forbidden. In July the authorities cut off the transmitting signal inside the country for the Russian radio station *Mayak* (Beacon) after it broadcast an interview with the leader of a foreign-based Turkmen opposition party.

The authorities persecute the few scattered individuals associated with foreign media, in particular Radio Liberty. In 2004, Rakhim Esenov and Ashirkuli Bairiyev, who worked regularly for the Turkmen service of Radio Free Europe/Radio Liberty, were detained on false charges of smuggling into Turkmenistan Esenov's novel about medieval India. Several of Esenov's and Bairiev's relatives were fired from their jobs following the detention. Former film director Khalmurad Gylychdurdyev was also detained and questioned about his work for Radio Liberty. The Ashgabat correspondent of Radio Liberty, Saparmurad Ovezberdyev, was forced into exile in July.

On April 30 a Turkmen political émigré, Mukhamedgeldy Berdiev, who was working at Radio Liberty, was brutally beaten in Moscow by unknown assailants. The attack is presumed to be linked to Berdiev's work criticizing President Niazov on an opposition website.

Civil Society

In November 2003, a new law on nongovernmental organizations (NGOs) came into force criminalizing the activities of unregistered NGOs. Shortly after its passage, activists from dozens of unregistered groups received warnings that they may be subject to criminal charges for their work. Court cases initiated on arbitrary pretexts led to the liquidation of even well-known, registered NGOs. The government relented on including the criminalization language in the criminal code, though work by unregistered NGOs remains banned. The shrinking community of independent NGOs received a fatal blow in April 2004, when the Ashgabat environmental group Catena was closed. Security agents put pressure on activists of unregistered NGOs, in some cases preventing their contact with foreigners and limiting their ability to travel outside of and within the country.

The educational system continues to deteriorate. Compulsory education is limited to nine years. Niazov's books of poetry and spiritual guidance, the *Rukhnama*, and hagiographic propaganda about the president are replacing all other curricular materials. The authorities have almost entirely expunged grade-school instruction in the languages of ethnic minorities. Most people who received higher education abroad after 1993 must have their diplomas confirmed by Turkmen authorities in order to hold jobs in certain sectors, including law, medicine, education, and many other jobs in public service. Authorities require these individuals to take exams in *Rukhnama*.

Until recently, The Russian Orthodox church and the Sunni Islam were the only permitted religious confessions in Turkmenistan. In early 2004, the draconian law on religious organizations that had been adopted several months before was softened, after which several groups of so-called "nontraditional faiths" (Baptists, Adventists, Baha'i, and Hare Krishna) were allowed to register. Seven Jehovah's Witnesses, who earlier had been sentenced to jail as conscientious objectors to military service, were released. Two other Jehovah's Witnesses, however, were sentenced to prison terms in May and June on the same charges, and in August the secret police obstructed the group meetings of Adventists and Baptists who had registered under the new law.

Freedom of Movement

Freedom of movement and choice of place of residence are strictly limited. Visiting two of the country's five *velayaty* (provinces) and the border regions requires prior police permission. In some large cities the sale of property to residents of other provinces is restricted. Despite the fact that exit visas were abolished in January, thousands of people are on "black lists" and are denied the right to leave the country. Several relatives of so-called "enemies of the people" (see below) were arrested in mid 2004 on charges of planning to "cross the border illegally."

By presidential decree, some quarters of Ashgabat and villages in other provinces were razed to the ground, and residents in many cases were subjected to forced resettlement.

The authorities continue to use internal exile as a method of punishment. A clear example of this is Sazak Begmedov, who has been in internal exile since he was forced to leave Ashgabat in September 2003.

The Battle with “Internal Enemies”

The government continues its search for numerous “internal enemies” within its ranks, which began after the November 25, 2002, attack on Niazov. In 2004 President Niazov sanctioned the arrests and secret trials of a number of former ministers, heads of provincial administrations, and other former officials suspected of disloyalty. They were formally charged with corruption, abuse of office, and similar offenses. Several secretly went abroad or were detained upon attempting to flee the country. In many cases, officials confiscated their property or harassed their relatives.

In March, the former *mufiti* (or leading Muslim cleric) of Turkmenistan, Nasrulla ibn Ibadulla, was sentenced to twenty-two years in prison on charges of anti-government activities. No official information is available about his arrest and trial, though some observers believe the authorities convicted him on charges related to the 2002 attack on President Niazov. Significantly, Ibadulla is implicated in the attack in a book ascribed to the former foreign minister, now imprisoned on charges of leading the attack. The book was published after the former minister’s incarceration, and should be considered a quasi-official source of information.

The authorities also put pressure on the relatives of well-known political émigrés. These people are denied their rights to work and to leave the country.

The fate of more than fifty prisoners, convicted for the 2002 attack on Niazov, remains unknown. It is, however, unofficially related that they are being held in strict isolation in the new secret prison Ovadan-Depe (near Ashgabat). Visits by relatives are forbidden. There are unconfirmed reports of cruel treatment and the deaths of several of the convicted.

While the government has no official policy of ethnic discrimination, some analysts believe the government is suspicious of the political reliability of the country’s ethnic Uzbek population. The Turkmen government accused the Uzbek government of involvement in the November 2002 attack on Niazov, by association casting suspicion on the country’s Uzbek minority. At the end of 2003 and beginning of 2004, dozens of ethnic Uzbeks were removed from positions of leadership in Dashoguz and Lebap provinces, which are located on Turkmenistan’s border with Uzbekistan; several of them were arrested.

Key International Actors

In the current climate of political isolationism and contempt for the international community, third party governments and international organizations have had little success in improving the human rights situation in Turkmenistan.

After the United Nations General Assembly adopted a resolution on human rights in Turkmenistan in December 2003, the Turkmen authorities began to assert their intentions of strengthening their relationship with international institutions; however, these assertions in many cases proved to be without substance.

In April 2004, at its 60th session, the U.N. Commission on Human Rights adopted a resolution on the situation of human rights in Turkmenistan acknowledging the liberalization of laws on religious freedom, but also noting the lack of progress in other key areas that had been highlighted in the General Assembly's resolution of the previous year.

The relationship between Turkmenistan and the Organization for Security and Cooperation in Europe (OSCE) remains tense. The Turkmen authorities continued to ignore the recommendations made in last year's report, which had been prepared within the framework of the OSCE's Moscow mission, and they used their veto power to block the reappointment of the head of the OSCE's Turkmenistan mission, P. Badescu. In October 2004 it was announced that Turkmenistan will not invite OSCE observers to oversee parliamentary elections at the end of the year.

The U.S. leveraged its influence by tying benefits to freedom of religion and freedom of movement, which has led to partial improvements in both areas. The United States resisted seeking other improvements, perhaps due to an unwillingness to jeopardize the corridor to Afghanistan and flyover rights granted by Turkmenistan.

In contrast, Russia, which enjoys a great deal of influence over Turkmenistan through economic leverage, softened its criticism of Niazov's regime and took a passive position even in disagreements over the status of people with dual Russian-Turkmen citizenship.