

Human Rights Watch

Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/world-report/2015/country-chapters/turkmenistan>

Annual reports

Events of 2014

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Why Rights Arent Wrong in Tough Times

How Government Surveillance Threatens How We Communicate

Explosive Weapons in Populated Areas

Mega-Sporting Events and Human Rights

Events of 2014

The Turkmen governments abysmal human rights record saw no real improvements in 2014. The president, his relatives, and their associates maintain unlimited control over all aspects of public life. The government thoroughly denies freedoms of association, expression, and religion, and the country is closed to independent scrutiny. Relatives of dozens of people imprisoned during the massive waves of arrests in the late 1990s and early 2000s have had no official information about their fate. Proposed reform of the constitution promises no actual expansion of fundamental rights and freedoms.

According to the Turkmen Initiative for Human Rights (TIHR), a Vienna-based group, several books written by and about President Gurbanguly Berdimukhamedov, who uses the title Arkadag (Protector), were added to the secondary school curriculum in January, replacing the study of writings by former President Saparmurat Niyazov.

TIHR also reported that in May, parents of schoolchildren in Ashgabat were obliged to sign a pledge to raise their children in accordance with Turkmen traditions. In one school, the pledge obliged students to become faithful sons and daughters of the president.

In August, a commission led by Berdimukhamedov convened to discuss constitutional reform and the creation of a human rights ombudsman to bring legislation in line with international standards. It was unclear at time of writing which articles and laws would be considered for amendment.

Repressive government policies make it extremely difficult for independent nongovernmental organizations (NGOs) to operate. Civil society activists and journalists, including those living in exile and their families in Turkmenistan, face constant threat of government reprisal.

In May, Berdimukhamedov signed a new Law on Public Associations. The law states that only a court, not the Ministry of Justice, can cancel registration or suspend the activities of an NGO. However, the Ministry of Justice reserves a long list of reasons to deny registration to new NGOs, and unregistered NGOs are deemed unlawful. Non-state funding is subjected to extensive government controls.

In January 2014, a new housing law entered into force allowing citizens who have resided in public housing under rental agreements for more than 10 years to privatize their rented properties. It was unclear at time of writing whether the new law will be fully implemented.

In June, during peak high temperatures of over 100 degrees Fahrenheit (around 40 degrees Celsius), some residents in Ashgabat clashed with authorities after local officials prohibited air conditioning units in multi-story apartment buildings because of their alleged unsightly appearance. Following the protests, officials relented.

Arbitrary evictions continue in Ashgabat, where house demolitions make way for monuments, hotels, and office buildings. Residents, many of whom own their properties, are often not given adequate notice of imminent demolitions and must accept compensation from authorities of government-subsidized apartments of lesser value on the outskirts of the city. In April, the minister of construction and architecture was dismissed, though this has not resulted in any evident improvements.

The total absence of media freedom in Turkmenistan remains unchanged. The state controls virtually all print and electronic media; Internet access remains limited and heavily state-controlled; and social media and many websites are blocked, including those of foreign news organizations. The government is known to monitor electronic and telephone communications.

According to TIHR, in June, secret service officials mobilized efforts to cover up news of a Turkmen air force plane that crashed in a residential area near Mary, killing the pilot and a trainee. Residents of neighboring houses were reportedly obliged to sign statements acknowledging their liability for disclosure of state secrets.

The Russian mobile operator MTS, the only competitor to the state-run Altyn Asyr operator, has faced licensing problems launching a 3GB network that would offer better Internet access to users. In October, MTS was able to launch the network, but at time of writing it was unclear how reliable the network would be due to limited channel capacity.

Turkmenistan's government continues to restrict the right of its citizens to travel freely outside the country by means of an informal and arbitrary system of travel bans commonly imposed on civil society activists and relatives of exiled dissidents.

For example, in April, Turkmen authorities barred Ruslan Tukhbatullin from flying to Istanbul to visit his brother, Farid, the head of TIHR. Border police informed him that he is on a list of people banned from foreign travel. In November, Tukhbatullin received official notification from the Federal Migration Service that he was no longer on the list.

Geldy Kyarizov, former director of the state-run organization Turkmen Atlary (Turkmen Horses) who was imprisoned in 2002 for alleged abuse of office and later granted a presidential pardon in 2007, is subject to constant surveillance by authorities. He has been denied permission to travel abroad for medical treatment.

A new law granting citizenship to stateless persons, many of whom hold expired USSR passports from former republics, entered into force in June. Since October 2013, stateless persons had faced problems leaving the country after the authorities stopped issuing them passports.

In June 2013, the migration service announced it would issue new biometric passports to all Turkmen citizens, including those who also have had Russian passports since June 2003. However, according to TIHR, in April 2014 the Turkmen State Migration office suspended issuing biometric passports to dual citizens, though some were reportedly able to get new passports by paying bribes. Since July 2013, travel outside of the country is prohibited without a biometric passport.

According to Radio Azatlyk, in recent years Turkmen authorities have restricted travel to Turkey, Iran, and Russia for medical treatment by requiring complicated paperwork to obtain exit visas.

Amendments to the Law on Guarantees of the Rights of the Child introduced in May 2014 prohibit child labor in the agricultural and other sectors in cases where children have to be taken out of school. However, an in situ RFE/RL report found that the past year saw record numbers of children, some under the legal working age of 16, supervised by teachers and local officials being taken into the fields to harvest cotton, and a report by Alternative News of Turkmenistan, a Netherlands-based group, also found forced labor in the cotton and other sectors.

Unregistered religious groups or communities are forbidden to operate by law, and several religious communities have been unable to

register for years. In 2014, a new administrative offenses code entered into force, which establishes harsher fines for involvement in unregistered religious activity.

According to Forum 18, an independent international religious freedom group, in August, Jehovahs Witness Bibi Rahmanova was sentenced to four years imprisonment for allegedly resisting police. Police had detained her a month earlier when she was picking up religious literature from Ashgabat that had been sent to her. In September, her sentence was suspended on appeal, and she was serving her conditional four-year sentence under house arrest at time of writing. According to Forum 18, she allegedly suffered severe physical abuse while in detention.

In January, Murat Sapargeldyyev, a conscientious objector to Turkmenistans compulsory military service, was charged with refusal to serve in the armed forces during peacetime and given a suspended sentence of two years corrective labor. In February, another conscientious objector and Jehovahs Witness, Pavel Paymov, was sentenced to one year in prison. In October, Paymov, along with five other conscientious objectors and two other Jehovahs Witnesses, all imprisoned in the Seydi Labor Colony, were released under presidential amnesty.

Ruslan Narkuliev, sentenced to two years imprisonment in September, also for refusal to serve in the armed forces during peacetime, remained imprisoned at the Seydi Labor Colony.

Muslims who want to take the haj pilgrimage to Mecca must do so through a state-organized trip. In one region, Muslims have to wait up to 11 years to make the annual pilgrimage.

More than a decade after their arrest and show trials during several waves of repression under former President Niyazov, several dozen people remain victims of enforced disappearances. They include former Foreign Minister Boris Shikhmuradov, his brother Konstantin, and Turkmenistans former ambassador to the Organization for Security and Co-operation in Europe (OSCE), Batyr Berdiev. In 2014, Human Rights Watch received unverified information that several of the disappeared had died in custody.

The government continues to use imprisonment as a tool for political retaliation. It is impossible to determine the actual number of those jailed on political grounds because the justice system lacks transparency and there is no independent monitoring of these cases. Dissident Gulgeldy Annaniyazov and former troop commander Turkish Tyrmyev both remained in prison on politically motivated charges.

In May, Mansur Mingelov, who is serving a 22-year sentence on several bogus charges, began a three-week hunger strike to demand a retrial. Mingelov had been arrested in 2012 after sending video evidence of police torture against Turkmenistans Baloch ethnic community to diplomats and the Prosecutors Office.

Torture remains a grave problem. A 2014 report by a coalition of independent human rights groups, Prove They Are Alive!, described the torture of inmates in the Ovadan Tepe prison, a facility shrouded in secrecy that houses many people believed to have been sentenced on politically motivated charges. The government has persistently denied access to independent human rights monitors, including the Red Cross and 10 United Nations special procedures.

Consensual sex between men is criminalized with a maximum prison sentence of two years. Turkmenistan rejected recommendations made during the April 2013 UN Universal Periodic **Review** to decriminalize consensual sex between adults of the same sex.

At time of writing, the World Bank Group was in the process of developing a new short-term strategy with the government of Turkmenistan, building on its 2013 re-engagement with the government.

In May, the European Bank for Reconstruction and Development (EBRD) adopted a new country strategy for Turkmenistan, reaffirming its prior stance of linking its level of investment to the governments progress in meeting benchmarks on pluralism and accountability, media freedoms, and improving the countrys overall human rights record. Because of the governments lack of progress in these areas, the EBRDs engagement in Turkmenistan remains limited.

In July, the United States State Department designated Turkmenistan as a country of particular concern for religious freedom following the US Commission for International Religious Freedoms recommendation.

Also in July, the OSCEs Parliamentary Assembly adopted a declaration expressing concern about the disappeared and their families in Turkmenistan and asking the government to provide information about them, including Boris Shikhmuradov and Batyr Berdiev. US Ambassador to the OSCE Daniel Baer raised specific cases of the forcibly disappeared in his February 2014 meeting with Turkmen Foreign Minister Rashid Meredov.

In September, the European Union held its annual human rights dialogue with Turkmenistan, raising concerns about torture and ill-treatment, enforced disappearances, and restrictions on the rights of expression, association, and religion. The outcomes of the dialogue, if any, were not publicly disclosed.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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