

Human Rights Watch

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

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(New York) - The Turkmen government should promptly heed the calls by the UN Committee Against Torture to address the country's abysmal record on torture and other serious abuses, Human Rights Watch said today.

Turkmenistan's international partners, in particular European Union member states and the United States government, should make compliance with the committee's recommendations, made public on June 6, 2011, a priority in their dialogues with Ashgabat, Human Rights Watch said. A key decision by the European Parliament on whether to move forward with a vote approving enhanced relations with Turkmenistan - in the form of a so-called Partnership and Cooperation Agreement - is expected this week.

"The committee's findings turn a glaring spotlight on the Turkmen government's exceptionally abusive record," said Veronika Szente Goldston, Europe and Central Asia advocacy director at Human Rights Watch. "EU member states and others looking to engage with the government should make it their business to press for the reforms the committee has identified as necessary."

The European Union's ongoing consideration of upgraded relations with the Turkmen government provides a perfect opportunity to underscore the necessity of human rights reform, Human Rights Watch said.

"Endorsing enhanced relations with the Turkmen government would be plainly absurd on the heels of such a disturbing assessment by the UN," Szente Goldston said. "Instead, members of the European Parliament should seize on this opportunity to make clear that progress in relations is directly dependent on the Turkmen government's fulfillment of key human rights demands."

The Committee Against Torture - a UN monitoring body consisting of 10 independent experts - scrutinized Turkmenistan's rights record in May, as part of its periodic review of governments' compliance with the UN Convention against Torture. Turkmenistan has been a party to the Convention since 1999.

The review, in Geneva, took the form of a direct exchange over two days between the committee and a delegation of Turkmen government officials. The committee issued the assessment at the conclusion of its four-week session.

In its highly critical 13-page assessment, the committee said it was "deeply concerned over the numerous and consistent allegations about the widespread practice of torture and ill-treatment of detainees." It called on the Turkmen government, "as a matter of urgency," to take "immediate and effective measures to prevent acts of torture and ill-treatment," emphasizing the need to "produce measurable results."

The committee further emphasized the need for "vigorous steps to eliminate impunity for alleged perpetrators," "prompt, impartial and exhaustive investigations," the need to "try the perpetrators," and, in cases of convictions, "impose appropriate sentences, and properly compensate the victims."

The lack of basic safeguards afforded detainees, such as access to a lawyer, the fact that prisons remain closed to independent scrutiny, and the prevalence of enforced disappearances and incommunicado detention topped the committee's concerns. It requested the Turkmen government to report back within one year on measures taken to address them.

The committee also voiced concern about the judiciary's lack of independence, highlighting as problematic the fact that "responsibility for the appointment and promotion of judges rests with the president." The committee also cited the "lack of an independent and effective complaint mechanism for receiving and conducting impartial and full investigations into allegations of torture," making clear that "serious conflicts of interest prevent the existing complaints mechanisms from undertaking effective, impartial investigations into complaints received."

Another key area of concern was the Turkmen authorities' repression of civil society activism, including "numerous and consistent allegations of serious acts of intimidation, reprisals and threats against human rights defenders, journalists and their relatives, as well as the lack of information provided on any investigations into such allegations," and "reports that human rights defenders have faced arrest on criminal charges, apparently in retaliation for their work, and trials in which numerous due process violations have been reported."

The committee urged the Turkmen government to "ensure that human rights defenders and journalists, in Turkmenistan and abroad, are protected from intimidation or violence as a result of their activities," and to comply with the decision by another UN expert body urging the release of two key political prisoners - Annakurban Amanklychev and Sapardurdy Khajiev, who worked with human rights organizations prior to their imprisonment in 2006.

Other cases of [politically motivated imprisonment](#) the committee cited were those of a priest, Ilmurad Nurliyev, sentenced in October 2010 to four years in prison; a dissident, Gulgeldy Annaniyev, serving an 11-year sentence since 2008, and a married couple, Bazargeldy and Atdjemal Berdiyev, who for 13 years have sought justice for the alleged torture they endured at the hands of national security officers and who were detained again in April 2011 at their home by men believed to be national security officers.

The committee said it was "deeply concerned" over the lack of access for international monitoring bodies, both governmental and non-governmental, to detention facilities in Turkmenistan. It called on the Turkmen government, "as a matter of great urgency," to "grant access to independent governmental and nongovernment organisations, in particular the ICRC [International Committee of the Red Cross], to all detention facilities in the country," and to "permit visits" by UN special rapporteurs "as soon as possible."

The committee also expressed concern about the "fate and whereabouts" of a number of people "arrested and sentenced at closed trials without proper defense and imprisoned incommunicado, and the lack of information from the State party" about these cases. It urged the Turkmen government to "abolish incommunicado detention and ensure that all persons held incommunicado are released, or charged and tried under due process;" "notify the fate and whereabouts of those who have been detained incommunicado to their relatives and facilitate family visits;" "ensure prompt, impartial and thorough investigations into all outstanding cases of alleged disappearances;" provide adequate remedies; and "notify relatives of the victims of the outcomes of such investigations and prosecutions."

Deaths in custody, such as that of independent journalist [Ogulsapar Muradova](#) in 2006, and the "misuse of psychiatric detention" to hold people for their political views were also among the committee's concerns.

"The Committee Against Torture has made clear just how deeply troubling the Turkmen government's record is, and set out a road map for reforms," Szente Goldston said. "Now Turkmenistan's international partners need to see to it that Ashgabat does what it takes to remedy these abuses."

In a [12-page briefing](#) to the committee, Human Rights Watch highlighted numerous concerns about Turkmenistan's torture record and the overall abysmal state of human rights in the country, and underscored the importance of the review to bring to spotlight ongoing abuses in Turkmenistan and to formulate recommendations for specific steps to address concerns identified.

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