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ON THE COVER: Members of Pakistan's Women Action Forum in Lahore, Pakistan rally against the presence of Taliban and militants in the northwest of Pakistan on Thursday, February 12, 2009. The banners condemn religious extremism, domestic violence, and the burning down of girls' schools in Swat. (AP Photo/K.M. Chaudary)

Turkmenistan

The Commission has recommended every year since 2000 that Turkmenistan be designated by the Secretary of State as a "country of particular concern," or CPC, under the International Religious Freedom Act of 1998 for its systematic, ongoing, and egregious violations of religious freedom. Despite the Commission's repeated recommendations, the U.S. government has never designated the country as a CPC. The Commission has noted initial steps undertaken by the government of President Berdimuhamedov to lessen certain aspects of the repression mandated by former President Niyazov, and encourages the new government to implement further specific steps to bring Turkmenistan's law, policies, and practices in line with international human rights norms, including for freedom of religion or belief. Nevertheless, in light of persistent and severe problems, until tangible and systemic reforms have been implemented, the Commission continues to recommend that the U.S. government designate Turkmenistan as a CPC.

Under the late President Saparmurat Niyazov, who died in December 2006, Turkmenistan was among the world's most repressive and isolated states. Virtually no independent public activity was allowed. In effect, the 2003 religion law banned most religious activity. Moreover, Turkmenistan's public life was dominated by Niyazov's quasi-religious personality cult, expressed in his work of "spiritual thoughts," the *Ruhnama*, which the state imposed on the country's educational and religious life.

In early 2007 Gurbanguly Berdimuhamedov succeeded Niyasov as president. He has ordered educational reforms and, while he has not made changes to the country's oppressive laws, he has made a few positive steps relevant to human rights and religious freedom. These steps include the 2007 release of 11 political prisoners, including the former chief mufti; some limits on Niyazov's personality cult; the establishment of two new official human rights commissions; an expressed willingness to reform of the country's religion law; and the registration of 13 minority religious groups. Police and street controls on travel inside Turkmenistan have been eased and the country has been made more open to the outside world. According to the State Department's 2008 religious freedom report, "There were small improvements in the status of respect for religious freedom by the Government . . . but troubling developments in the treatment of some registered and unregistered groups continued." Human Rights Watch also noted in 2008 that, "although the Turkmen government of President Berdimuhamedov has begun to reverse some of the most ruinous social policies and the cult of personality that characterized President Niyazov's rule, Turkmenistan remains one of the most repressive and authoritarian in the world."

In order to examine religious freedom and related human rights conditions under the new Turkmen government, the Commission traveled to the country in August 2007 and discussed relevant concerns with President Berdimuhamedov and other government officials, as well as with diverse religious communities and civil society members. The Commission delegation also took part in the first public meeting with the country's former chief mufti, Nasrullah ibn Ibadullah, who was released from prison on the eve of the Commission's visit. In addition, the delegation met with representatives of the Organization for Security and Cooperation in Europe (OSCE), the Papal Nuncio, and ambassadors from several Western countries.

Religious matters technically are governed by the Council on Religious Affairs (CRA), whose members are appointed by the government and report to the president. CRA membership includes government officials and Sunni Muslim and Russian Orthodox Church representatives, but does not include other minority religious groups. The CRA controls the hiring, promotion, and firing of Sunni Muslim and Russian Orthodox clergy, who are required to report regularly to the CRA. It also examines and controls all religious publications and activities.

CRA Deputy Chair Andrei Sapunov, a Russian Orthodox Church (ROC) priest, has oversight for Christian affairs, reportedly including official veto power over other Christian groups. According to Forum 18, Sapunov's permission is a precondition for the functioning of other Christian groups. Moreover, according to a 2008 Forum 18 report, some ROC members claim that Sapunov provides confidential information from the confessional to the secret police and members of religious minorities also claim that CRA officials appointed under President Berdimuhamedov tend to favor state-controlled Islam and deny permission for non-Muslim activity even more often than did their predecessors appointed under Niyazov.

The Turkmen government continues to interfere in the internal leadership and organizational arrangements of various religious communities. Former President Niyazov requested that the Russian Orthodox Church in Turkmenistan fall under Moscow Patriarchate jurisdiction and be removed from the Central Asian diocese in Tashkent. In October 2007, the ROC Holy Synod in Moscow placed Turkmenistan's 12 ROC parishes and convent in Ashgabat under the Moscow Patriarchate's jurisdiction. One year later, the ROC Holy Synod named Bishop Feofilakt (Kuryanov) as the first head of the Patriarchal Deanery. The Commission also was informed in 2007 that the Turkmen Justice Ministry reportedly has taken upon itself to advise several smaller unregistered groups to combine with other, currently registered communities, without giving any consideration to possible doctrinal differences or some groups' need for organizational autonomy.

According to the State Department, members of religious minority communities in 2008 faced less harassment and detention than in previous years, although the situation reportedly remains more difficult outside Ashgabat. Several religious communities have been registered since 2004, a requirement in order for communities to engage in "legal" religious activities in the country. Registered religious communities, however, are also subject to check-up visits by local government or by secret or regular police units, Forum 18 reported in August 2008.

In response to international pressure, President Niyazov issued a decree in March 2004 stating that religious communities may register "in the prescribed manner," and reduced the registration requirement from 500 members to five. Nine small minority religious groups were registered soon after its enactment, including the Baha'i, several Pentecostal communities, Adventists, several Evangelical churches and the Society for Krishna Consciousness. In 2004, President Niyazov issued several additional decrees decriminalizing unregistered religious activities and easing other requirements for registration. These changes afforded officials the legal right to access information about the meetings of a religious group, and unregistered religious groups that did not meet the often arbitrary registration rules still faced administrative penalties that may include imprisonment and large fines. However, the Ashgabat parish of the Russian Orthodox Church was reregistered in 2005 and the Turkmenabat ROC parish reregistered in early 2006. The Source of Life Church in Turkmenabat and a Muslim group in Akhal were registered in late 2007. Reportedly, Shi'a Muslim groups were allowed to register collectively, but it is unclear when that occurred. Minority Christian religious groups reported that the climate for religious freedom did improve somewhat after the passage of the decrees.

The benefits of such formal registration are not fully clear, since even registered groups still face bans on meeting for worship in private homes, printing and importing religious literature, and on foreign citizens leading religious communities; they are also subject to financial restrictions. The religion law remains highly problematic and some of its provisions continue to violate international standards with regard to freedom of religion or belief. These problems include: intrusive registration criteria; the requirement that the government be informed of all financial support received from abroad; a ban on worship in private homes for unregistered groups; a prohibition on the public wearing of religious garb except by religious leaders; and severe and

discriminatory restrictions on public and private religious education.

Under the official registration procedure, the CRA advises the government on registration, the Justice Ministry manages the actual registration process and all applications are reviewed by a commission which also includes representatives from the Ministries of Justice and Internal Affairs, and the Security Service. The review process should take from one to three months and groups denied registration are supposed to receive a written explanation. In practice, however, various difficulties arise. For example, the CRA may not find problems with a registration application, but the Justice Ministry may oppose it reportedly for arbitrary reasons. Officials refuse to issue written registration denials, but reportedly Justice Ministry officials have not only based refusals on spurious clerical errors but have sometimes suggested that in order to be registered, religious groups must remove points from their church charter documents. In addition, the registration status of branch religious organizations remains unclear, despite a temporary registration procedure in 2005. The head of the Justice Ministry's Registration Department told the Commission in 2007 that a branch organization automatically receives legal status after it is entered in the national register.

Reportedly, Jehovah's Witnesses applied for registration in April 2008, but are not known to have received a response up to the present. Roman Catholics have not requested registration because their senior priest is required under Turkmen law to be a Turkmen citizen, but they are permitted to hold services administered by two Polish priests in a Vatican diplomatic entity in Ashgabat. Ethnic Turkmen Protestant congregations hesitate to apply to register since they still cite likely official opposition due to the view of many Turkmen officials that ethnic Turkmen are supposed to be Muslim. The Armenian Apostolic Church is not registered and local residents told Forum 18 that Armenians constitute about 15 percent of Russian Orthodox Church attendees in Turkmenistan.

In February 2007, President Berdimuhamedov ordered the establishment of a government commission, led by the Chairman of the Supreme Court, to examine citizens' petitions on the work of law enforcement bodies, though neither its membership nor procedures were specified. This commission continued a Niyazov tradition that citizens may petition the president, but this time government agencies were designated to respond to petitions. Reportedly, this commission received thousands of petitions on police abuse, bribery, and unjust arrests and prosecutions. However, it is not known if authorities have followed up on these complaints or whether they have addressed these petitions either individually or through the adoption of new policies.

In August 2007, the new commission issued its first decision, namely to pardon and release 11 prisoners of conscience, including former Chief Mufti Nasrullah ibn Ibadullah, who had been serving a 22-year prison term imposed in a closed 2004 trial. The former chief mufti, who had opposed Niyazov's decree that the *Ruhnama* be displayed in mosques, had been charged with treason for an alleged role in a 2002 coup attempt against Niyazov. Ibadullah was allowed to resume work with the official Council of Religious Affairs, no longer as a deputy chairman but as a senior adviser. There is currently another reported case of a Sunni mullah who reportedly has been held since 2006 in a closed psychiatric hospital in the Lebap region after giving sermons critical of the Turkmen government in a village in the Kaakha district near Ashgabat, according to Forum 18. His name and current status are unknown.

Turkmen law requires all males to serve in the military, makes criminal the refusal to do so, and provides no civilian service alternative for conscientious objectors. In September 2008, the UN Special Rapporteur on the Freedom of Religion and Belief, Asma Jahangir, expressed concern over this issue, stressing that the right to perform an alternative, non-military service is part of the freedom of thought, conscience, and religion guaranteed in Article 18 of the International Covenant on Civil and Political Rights. The introduction of alternative civilian service was one

recommendation to Turkmenistan under the December 2008 Universal Periodic Review of that country by the UN Human Rights Council. In March 2009, however, a Turkmen government official rejected that recommendation. Shirin Akhmedova, director of the Presidential Institute on Democracy and Human Rights, pointed to the Turkmen Constitution, as revised by President Berdimuhamedov in September 2008, which refers to the defense of Turkmenistan as the "sacred duty of every citizen." The Commission also raised the issue of alternative service during its meeting with President Berdimuhamedov in August 2007.

Those who refuse to serve in the Turkmen military face a maximum penalty of two years' imprisonment. In 2007, six members of the Jehovah's Witnesses were sentenced to prison for their refusal of military service, though four were later pardoned and the other two received suspended sentences; those with suspended sentences also had some of their wages garnished by the state. In 2008 and 2009, three other Jehovah's Witnesses also received suspended sentences for refusal to serve in the military. Of these, one Jehovah's Witness has indicated that his local military commission intends to reinstate charges against him at the end of the suspended sentence, according to Forum 18.

During the Commission's visit to Turkmenistan, President Berdimuhamedov announced a new commission to examine how the country's laws conform to international human rights commitments. President Berdimuhamedov acknowledged in August 2007 that his country "may have some shortcomings on religion and other issues." In February 2008, Forum 18 reported that the director of the Presidential Institute on Democracy and Human Rights, Shirin Akhmedova, pledged that the process of amending the Turkmen religion law would be "transparent" and would involve "international experts" and claimed that Turkmen citizens could also suggest amendments.

The Turkmen government requested in 2008 that the U.S. Agency for International Development (USAID) provide a technical critique of Turkmen laws affecting religious freedom. USAID awarded a grant in 2008 to a U.S. non-governmental group, the International Center for Not-for-Profit Law, (ICNPL) to analyze the laws. As of this date, the ICNPL legal review is not known to have been incorporated into new legislation.

By requiring official permission for construction, the Turkmen government restricts the number of mosques and other houses of worship. Many denominations are not allowed a place of worship and it is illegal for unregistered religious groups to rent, purchase, or construct buildings. Even registered communities often cannot rent premises for worship and therefore cannot meet as communities. Some registered religious communities have had to move their meeting places more than a dozen times over the period of a year, Forum 18 reported in 2008. Meeting for worship in unapproved areas, such as private homes, can lead to police raids and court-imposed fines. For instance, in 2008, several Jehovah's Witnesses were threatened by police with rape and forced to recant their faith, according to Forum 18.

President Berdimuhamedov told the Commission in 2007 that the Turkmen government recently had granted land to build a new Russian Orthodox Church in Ashgabat. Reportedly, construction of the Russian Orthodox cathedral is proceeding, albeit slowly, allegedly due to the need to design the building to withstand earthquakes.

Five registered minority religious communities have managed to establish places of worship, three of which are rented and two are in the private homes of Baha'i and Krishna Consciousness community members. It is illegal for religious groups to rent or buy worship space. Worship in private homes is limited to members of nuclear families who belong to registered religious communities, although Turkmen officials have told the State Department that worship in private homes is allowed if neighbors do not object. Nevertheless, security police reportedly break up religious meetings in private homes and search homes without warrants. The leader of a registered Christian community told the Commission in 2007 that after his group was registered he could no longer invite friends and

family to worship, even in his own apartment. His group reportedly was told by the government that private worship must be limited to husband and wife and children and could not include adult parents and siblings.

Reportedly, the Turkmen government has pressured some groups to write letters stating that they will not gather for worship until they are officially registered and that the registration requirements promulgated in 2004 still will require religious adherents to request official permission before holding worship services. One leader of a registered Pentecostal church told the Commission in 2007 that his home in Ashgabat had been confiscated by the government in 2003 because unsanctioned worship services were held there. Despite years of effort, he has been unsuccessful in efforts to have his personal property returned to him.

Under the new government there have been no reports of the destruction of any houses of worship by the Turkmen authorities, unlike under the Niyazov government when at least a dozen houses of worship were reported to have been closed, confiscated, or destroyed. Some new construction of houses of worship is underway, although according to the State Department, the government refuses to allow the construction of three Shi'a mosques. In March 2007, the parliament voted funds to finish construction of a mosque in the city of Mary and in October, the governor of the Dashoguz region announced a tender for construction of a large new mosque. The Turkmen state announced in 2008 that it is building mosques at state expense in Koneürgench in the northern Dashoguz region, and in Mary in the east of the country. Reportedly, a mosque is under construction in 2009 and will be named in honor of President Berdimuhamedov; one million dollars for the building will be drawn from a special presidential fund. In all these cases, however, the Turkmen government has provided grossly inadequate compensation to the owners of private houses destroyed on the sites of the future state-funded mosques.

A court ruling in 2006 denied compensation to the Seventh Day Adventist community for the government's destruction of its church. Despite the country's vast financial resources from the sale of natural gas (most funds reportedly are held in personal accounts in western banks) Turkmen officials told Forum 18 in August 2008 that no compensation would be paid to any religious community for the destruction or confiscation of their houses of worship under Niyazov. Thus, Muslims in various parts of Turkmenistan will not receive any compensation for the dozen destroyed or confiscated mosques; the Armenian Apostolic Church would get neither compensation nor the return of their century-old church in Turkmenbashi, partially destroyed by the state in 2005; the Adventist and Hare Krishna communities would not be compensated for their places of worship destroyed by the state in 1999; nor would Ashgabat's Baptist and Pentecostal communities be returned their places of worship confiscated by the government in 2001.

The publication of religious literature inside Turkmenistan is banned by decree. The CRA must approve the content of all religious literature, but since Islam and Russian Orthodoxy are the only religions represented, CRA experts' knowledge on other religions is limited. The local CRA frequently confiscates literature and photocopies it. Religious communities reportedly need a government license to reproduce religious literature already in their possession. One leader of a registered Protestant community said that the Justice Ministry had threatened his church for attempting to make copies of religious material without a license.

By law, only registered religious communities are permitted to import religious literature, depending on the number of people in a given congregation. Unlike in previous years, ethnic Turkmen members of unregistered religious groups accused of disseminating religious material were not singled out for harsh treatment, the State Department reported. Members of religious minority communities report that they are usually denied official permission to import religious literature and it is often confiscated before it can be submitted for official examination. One leader of a registered religious minority community told the Commission in 2007 that one may receive some religious material

from abroad, but it cannot be shared. The head of one registered religious community told the Commission in 2007 that no pastor in his church had received official permission to import the legal allotment of any religious text, even though his church had translated some religious literature into Turkmen for government officials. The leader of one minority religious community told the Commission in 2007 that he had been detained for receiving Christian materials in the mail and was instructed to ask the sender not to send any more religious material.

The Russian Orthodox Church can receive and distribute Bibles easily, but reportedly it does not share them with Protestants because they are viewed as competitors. Moreover, the Russian Orthodox community was itself affected by past official policies, which banned Turkmen residents from receiving Russian publications by mail, including the *Journal of the Moscow Patriarchate*. As of this writing, that ban remains in effect.

Most international religious websites are not accessible by Internet users in Turkmenistan, especially since Internet access is provided only via state providers. Moreover, a special computer program reportedly searches emails for coded words that could be used to send "unreliable information", and "a suspicious message" will not reach the intended addressee, Forum 18 reported in 2008. Religious literature, CDs, and DVDs found during police raids on private religious meetings are routinely confiscated and rarely returned unless owners persist in their efforts at risk to themselves. Bibles and other literature were confiscated from Jehovah's Witnesses in Ashgabat in March 2008.

Customs officers restrict returning travelers, regardless of citizenship, to only a small amount of religious literature for personal use. One Orthodox believer told Forum 18 in 2008 that on at least five occasions religious material had been confiscated from Orthodox priests at the Turkmen border. Some Russian Orthodox churches have small bookstalls, but supplies of books, baptismal crosses, and icons are limited and often too expensive for local people. Protestants have expressed regret to Forum 18 that neither a Bible Society nor Christian bookshops are allowed to exist. When the Commission delegation raised the issue of religious literature with the CRA, ROC representative Father Sapunov stated that in his church's view, Turkmenistan had enough religious literature. Deputy Chairman Nurmukhamet Gurbanov said that there is no evidence that Turkmen citizens did not have the right to import religious literature.

Turkmenistan's religion law bans the private teaching of religion and those who engage in such instruction are legally liable. Only those who have graduated from institutions of higher religious education (domestic or foreign is not specified) and approved by the CRA may offer religious instruction. Citizens have the right to receive religious education alone or with others from these official institutions; some independent religious education takes place unofficially.

Under the religion law, mosques are allowed to provide religious education to children after school for four hours per week, as long as parents have given their approval. Some Sunni mosques have regularly scheduled Koran instruction. The 2003 religion law prohibits the Russian Orthodox Church from conducting religious education programs without CRA and presidential approval and there were, according to the State Department, no reports that such programs had been approved.

Until its 2005 dissolution under the Niyazov government, Turkmen State University maintained a Muslim theology faculty. The State Department reported that the CRA planned to reestablish the theology faculty, but no action has yet been taken. Devout Muslims have also expressed concern that the government had replaced imams with Islamic theological education by those without such training, Forum 18 reported in 2008. Muslims have stated that they view the authorities' removal from office of ethnic Uzbek minority imams and their replacement with ethnic Turkmen imams, as constituting ethnic discrimination, Forum 18 reported in August 2008.

The country's largest religious minority, the Russian Orthodox, has no institution for religious

education in Turkmenistan, although under Niyazov, men were allowed to leave the country to train for the clergy. The Shi'a, mainly found among Iranian and Azeri ethnic minorities, also have no religious training institutions in Turkmenistan. Religious minorities, even those with registration status, are also in a difficult situation. One religious minority leader has said that most religious training is conducted informally, in private homes.

Under Niyazov, there was deliberate official interference in the ability of Turkmen religious adherents to travel outside the country. Many of these policies have continued under the new government. Entry visas are refused to religious workers who are, in many cases, critical to the functions of a particular religious community, and other individuals known to participate in religious activities have been prevented from leaving the country. In 2008, Turkmen authorities continued to limit the number of Muslims permitted to perform the *hajj* to only 188 of the country's official quota of 4,600. President Berdimuhamedov has claimed that while the government will pay for only one planeload (188 people) of Muslim *hajj* pilgrims, there is no legal limit on those who make the *hajj* at their own expense. The State Department reported that apparently "significantly" more self-financed pilgrims were permitted in 2008 to undertake the *hajj* than in previous years.

Although the Turkmen government has opened the country to numerous representatives of international organizations and has somewhat eased foreign travel, nevertheless, in March 2009 it rejected a Russian proposal for visa-free travel between their countries. Moreover, despite official denials, the Turkmen government reportedly maintains a secret "black list" of individuals who are denied permission to enter or leave the country. A Baha'i activist told the Commission in 2007 that there is a secret ban on invitations for relatives to visit Turkmenistan, although Baha'i adherents can leave the country on visits. Artygul Atakova, wife of former Baptist prisoner Shageldy Atakov, was not allowed to leave Turkmenistan in June 2008. The last known visit to Turkmenistan by a clergyman of the Armenian Apostolic Church was in 1999, although the country has a long-standing ethnic Armenian minority. The State Department reported that in April 2008, a Turkmen Evangelical pastor was prevented from travelling to Ukraine to attend a wedding.

Nevertheless, the new Turkmen government has also allowed international travel for the representatives of certain religious communities. In 2007, the government granted visas to four priests who are Russian citizens invited by the church to serve in Turkmenistan. ROC Metropolitan Kyril visited Turkmenistan in May 2008, the first visit by a ROC leader since 2003. Though Muslims are not allowed to travel abroad for religious education, ROC men are allowed to study for the priesthood at ROC seminaries outside Turkmenistan. For the first time in many years, a Hare Krishna devotee was allowed to travel to India in early 2008 to take part in a religious festival. In March 2008, regional Catholic leaders visited the country for a religious retreat. A few foreign visitors invited by local religious communities have also been able to visit Turkmenistan. For example, the head of the Seventh Day Adventist's Euro-Asia Division visited in September 2008, the first time in eight years that a member of that denomination was permitted to visit the country on an official work visa.

There is evidence that the new Turkmen government is moving away from Niyazov's personality cult and the forceful official promotion of a book containing the late president's "spiritual thoughts," known as *Ruhnama*. Under Niyazov, imams were also reportedly instructed to repeat a loyalty oath to the "fatherland" and to Niyazov after each daily prayer. The oath of loyalty to Niyazov has been curtailed and limited only to certain occasions. Students were also required to study the *Ruhnama* at public schools and institutes and study of that text replaced many academic subjects. The Turkmen Academy of Sciences, closed at Niyazov's order, has been re-opened. Articles by Turkmen historians and the works of four classical Turkmen authors have been published. In August 2008, the country hosted an international conference on the archeology of Turkmenistan, in a shift from Niyazov's insistence that such topics be viewed through the distorted prism of the *Ruhnama*.

Nevertheless, the future of the presidential personality cult in Turkmenistan remains unclear. A Turkmen official told Radio Free Europe/Radio Liberty in February 2008 that Berdimuhamedov had ordered the removal of all Niyazov portraits and of *Ruhnama* citations from the outside of buildings throughout the country. Although Niyazov's portraits are being removed, many large portraits and posters of the new president are now visible, marking the possible start of a new presidential personality cult, but without religious overtones. Indeed, according to the March 2009 Silk Road publication, "Dismantling Totalitarianism? Turkmenistan under Berdimuhamedow," the new presidential concept of the "Great Renaissance" has supplanted Niyazov's "Golden Age of the Turkmens" and is linked to the new president's grandiose project of economic, social, as well as spiritual advance; by 2008 all references to the *Ruhnama* and Niyazov had disappeared. In this regard, according to the Silk Road publication, President Berdimuhamedow is "pragmatic and cautious" as he "gradually dismantles old ideological concepts without causing major disruptions." The new president preserves "selected elements and institutions of the old regime, which can lend support" to his ideology, but at least for now, Berdimuhamedov seems less interested than [Niyazov] "in calling upon the divine nature of the presidency or other extreme manifestations of the personality cult."

The State Department reported that the *Ruhnama* has been removed from many mosques, including the large mosque in Niyazov's native village of Gipchak, although the *Ruhnama* inscriptions continue to dominate the exterior and interior walls. The Commission delegation visited the Gipchak mosque, and inside, above the *mikhrab*, or the special bay in the main mosque wall directed toward Mecca, was inscribed the word "Turkmenbashi," Niyazov's self-designated title, in a display that most Muslims would consider deeply offensive. Turkmenistan's chief mufti stated that "the *Ruhnama* citations do not violate Islamic law because there is no requirement that there be writings inside a mosque." An Interior Ministry official claimed that the mosque inscriptions had been discussed with Arab representatives prior to the mosque construction and that no one had expressed concern "because all of the verses from the *Ruhnama* that appear within the mosque relate to Turkmenistan's relationship with God." Nevertheless, a new mosque has reportedly been dedicated to the new president and its one million-dollar construction cost comes from a special presidential fund.

Official and unofficial sources report a decreased role for the *Ruhnama* in the Turkmen educational system, although it is difficult to assess as press freedom and internal travel by foreigners are severely curtailed. Under Niyazov, one hour per day in institutions of higher learning was devoted to study of the text; currently, reportedly study of the *Ruhnama* has been reduced to one hour per week, although students apparently must still pass exams on it. The State Department reported that President Berdimuhamedov continued with plans first developed in 2006 to open a *Ruhnama* university in 2009, though the projected university's focus reportedly includes a more international outlook. In fact, all of Niyazov's texts remain in the curriculum but teachers are now advised not to mention the chapters about Niyazov and his family, the Turkmen Initiative for Human Rights (TIHR) reported in March 2009. Copies of the *Ruhnama* are being removed by officials from the Presidential Administration from government agencies and organizations in various regions of the country. The *Ruhnama* corners in every public institution are also reportedly being closed. New textbooks hurriedly produced and printed in the past year, reportedly are a mix of new and Soviet-era educational materials, embellished with photographs of the new president in place of those of Niyazov. In addition, reportedly Presidential Administration representatives now sell public institutions, including schools, books on medicine, on the history of his family and on Akhal-Tekke horses written by President Berdimukhamedov.

In 2008, Turkmenistan has hosted representatives of various international organizations, such as the United Nations and OSCE. In September

2008, after five years of requests, Asma Jahangir, the UN Special Rapporteur on Freedom of Religion or Belief, visited Turkmenistan. In her report, she noted that religious freedom has improved since 2007. Nevertheless, she raised concerns about: vague or excessive legislation on religion and its arbitrary implementation; prohibition of the activities of unregistered religious communities, and continued restrictions on places of worship and on the import of religious material. As the Special Rapporteur stated in a press release, however, these concerns were ignored in the official Turkmen media, which reported only her remarks that praised the reforms initiated by the new Turkmen president. The OSCE's Ashgabat Center held a May 2008 workshop to provide Turkmen lawmakers with the tools for an effective legal reform process.

During the initial universal periodic review of Turkmenistan in December 2008 by the UN Human Rights Council, the country rejected calls for various human rights reforms, such as the release of political prisoners. The Turkmen government representative, however, said that the inter-agency Commission established in August 2007 had sent a proposal to parliament to amend the religion law and address registration issues, citing the USAID-funded study as the basis for that proposal. To date, no known proposal has been sent to the parliament.

Recommendations for U.S. Policy

I. Expanding U.S.-Turkmen Bilateral Relations

The Commission recommends that the U.S. government should:

- appoint an ambassador to Turkmenistan as soon as possible, as the United States has not been represented by a fully accredited ambassador for three years; previous U.S. ambassadors have played an important role in highlighting the importance of respect for human rights in Turkmenistan; and
- establish a program of bilateral meetings with the government of Turkmenistan on human rights and on freedom of religion or belief, to discuss ways Turkmenistan can implement laws and practices to comply with international human rights standards, as well as establish a regular reporting mechanism on these issues.

II. Promoting Freedom of Religion or Belief and Other Human Rights

The Commission recommends that the U.S. government should encourage the government of Turkmenistan to:

- repeal all laws, decrees or regulations, including through amendments to those articles of the religion law, that are found to be in violation of international norms on freedom of religion or belief, for example, by implementation of the recommendations of the recent USAID-funded analysis of that law;
- eliminate intrusive and onerous registration procedures and abolish criminal or other penalties for engaging in religious or other peaceful activity solely because it has not been approved by the state;
- halt unlawful arrest, detention, harassment, deportation, fines, as well as residential and workplace intimidation of members of religious communities due to their peaceful practice of religious or other beliefs;
- end fully the harassment and unlawfully deportation of religious leaders and the imposition of fines on members of peaceful unregistered religious communities whose activities officially are deemed "illegal;"
- end the imposition of the *Ruhnama* or other state-sponsored texts or ideology in public institutions and religious organizations;
- promulgate new regulations and adopt new policies to ease the importation of religious and other material and permit the domestic printing

and dissemination of such material in accordance with international standards;

- reestablish the Muslim theology faculty at Turkmen State University;

- restore genuine legal alternatives to military service on grounds of religious or conscientious objection based on international precedents, including those of the OSCE, and cease the criminal prosecution of, and fully restore the civil and political rights of, Jehovah's Witnesses and others who refuse to serve in the army on the grounds of conscience;

- expand and regularize the work of the government's Commission to Examine Turkmenistan's Legal Obligations under International Human Rights Law, established in August 2007, including by the systematic and effective involvement of international legal experts, such as those of the OSCE Panel of Experts on Religion or Belief and the OSCE Panel on Freedom of Association, and relevant UN experts;

- reform the government's other policies toward religious practice, including the end of state interference in the management of religious communities and the selection and training of religious leaders, including from Sunni and Shi'a Muslim and the Russian Orthodox communities, as well as from Protestant and other minority communities; and

- permit a Commission delegation to return to Turkmenistan to assess progress on implementation on freedom of religion or belief, including Constitutional amendments and legislative reforms, to speak with current or former prisoners of conscience in places of detention and to speak unimpeded with religious and other organizations and their members.

III. Expanding U.S. Programs and Other Activities to Promote Reform

The Commission also recommends that, in the longer term, the U.S. government make the following efforts to expand activities in Turkmenistan that would protect and promote human rights:

- increase and improve radio, Internet, and other broadcasts of objective news and information, including on topics such as freedom of religion or belief and on other human rights and religious tolerance, by:

  --expanding and improving broadcasts to Turkmenistan by the Turkmen Service of Radio Free Europe/Radio Liberty (RFE/RL), including by increasing coverage of issues relating to freedom of religion or belief and by adding Russian-language broadcasts and providing additional programming for the estimated 12 million Turkmen in the diaspora, particularly in Iran, Iraq, and Afghanistan; and

  --restoring Voice of America's Russian-language television and radio broadcasts to Central Asia, particularly relating to human rights, including freedom of religion or belief.

- assist in improving Turkmenistan's educational system, particularly with regard to curricula on religious freedom and other human rights, by:

  --expanding "American corner" reading rooms and Internet access in various regions;

  --reprinting Russian and Turkmen-language materials on human rights, particularly on international norms on freedom of religion or belief including civic education materials, such as "The Law that Unifies Us," first published and distributed by the OSCE Center in Ashgabat; and

  --providing funds for libraries in Ashgabat and other cities, including materials on human rights, as well as on freedom of religion or belief,

tolerance, civic education, and international legal standards;

- develop assistance programs to encourage civil society groups that protect human rights and promote freedom of religion or belief, including by expanding legal assistance programs for representatives of religious communities through grants that address freedom of religion or belief via the USAID Democracy and Conflict Mitigation or the Democracy Commission Small Grants program administered by the U.S. Embassy;

- expand international contacts and increase U.S. involvement in communities in Turkmenistan by increasing the budgets of Peace Corps and USAID programs, include religious leaders in community projects in efforts to address social problems and to increase religious and ethnic tolerance, and expand exchange programs, including with civil society leaders, students, and others concerned with human rights; and

- cooperating with the OSCE Center in Ashgabat, including by resuming joint activities with human rights activists from Turkmenistan to encourage civic education, including on international norms on freedom of religion or belief as well as other human rights, and also by encouraging the OSCE officially to respond to the Turkmen government's offer in May 2007 to host an OSCE experts' level meeting.

III. Strengthening Efforts in the International Arena

With regard to international fora, the Commission recommends that the U.S. government urge the government of Turkmenistan to:

- implement the recommendations of the October 2006 Report of the UN Secretary General on the Situation of Human Rights in Turkmenistan and the 2008 recommendations of the UN Human Rights Council during the Universal Periodic Review of Turkmenistan;

- agree to the numerous requests for visits by the UN Special Rapporteurs, as well as representatives of the OSCE, including its Panel of Experts on Freedom of Religion or Belief, and provide the full and necessary conditions for such visits; and

- participate fully in the OSCE, including in the annual Human Dimension meeting in Warsaw and expanding the activities of the OSCE Center in Ashgabat, particularly on human rights, including programs with local schools, universities, and institutes on human rights standards, including on freedom of religion or belief.