

TURKMENISTAN

The government of Turkmenistan continues to engage in systematic, ongoing, and egregious violations of religious freedom. Despite limited reforms President Gurbanguly Berdimuhamedov has undertaken since 2007, the country's laws, policies, and practices continue to violate international human rights norms, including those on freedom of religion or belief. USCIRF again recommends in 2011 that the U.S. designate Turkmenistan a "Country of Particular Concern," or CPC under the 1998 International Religious Freedom Act (IRFA). USCIRF has recommended CPC designation for Turkmenistan since 2000, but the State Department has not followed this recommendation.

BACKGROUND

During President Saparmurat Niyazov's regime, which ended with his death in 2006, Turkmenistan was among the world's most repressive and isolated states, with virtually no independent public activity allowed, the 2003 religion law banning most religious activity, and the country's public life dominated by the President's quasi-religious personality cult as expressed in his book, the *Ruhnama*. The Niyazov regime imposed the *Ruhnama* on the country's religious and educational systems. Since becoming president in early 2007, Berdimuhamedov has moved away from Niyazov's personality cult and from the forceful official promotion of the *Ruhnama*, and has implemented other limited educational reforms. However, the current President seems to be establishing a new personality cult around himself, albeit one without specifically religious undertones. Promises to reform the country's oppressive laws affecting religious freedom remain unfulfilled.

The government-appointed Council on Religious Affairs (CRA) is in charge of religious matters. The CRA controls the hiring, promoting, and firing of Sunni Muslim and Russian Orthodox clergy, censors religious publications, and oversees the activities of all registered groups. While its membership includes government officials and Sunni Muslim and Russian Orthodox Church representatives, no other religious groups are represented.

USCIRF visited Turkmenistan in August 2007, meeting with President Berdimuhamedov and other senior government officials, the leaders of several religious communities, and the former chief mufti. During the visit, the President announced the formation of a new government commission to examine how the country's laws conform to international human rights commitments, acknowledging to USCIRF that his country "may have some shortcomings on religion and other issues." In 2008, USAID funded, at the request of the Turkmen government, a technical critique of Turkmen laws affecting religious freedom. Recommendations from this critique, however, have been ignored.

RELIGIOUS FREEDOM CONDITIONS

While Turkmenistan's constitution includes language guaranteeing religious freedom, the 2003 religion law mandates intrusive registration criteria; forbids activity by unregistered religious organizations; requires that all financial support received from abroad be reported to the government; bans worship in private homes and the public wearing of religious garb except by religious leaders; and places severe and discriminatory restrictions on religious education.

Registration of Religious Groups: A number of small religious groups have been registered since 2005, including the Baha'i, several Pentecostal communities, the Seventh-day Adventists, several Evangelical churches, and the Society for Krishna Consciousness. In its January 2010 report to the UN Human Rights Committee, the government claimed that 123 religious communities were registered; including 100 that are Sunni and Shi'a Muslim, and 13 that are Russian Orthodox. Some communities have decided not to register due to the onerous and opaque process. Certain Shi'a Muslim groups, the Armenian Apostolic Church, some Protestant groups, and the Jehovah's Witnesses have had numerous religious applications rejected or their registration efforts refused entirely.

Government Interference in Internal Religious Affairs: The Turkmen government continues to interfere in the internal leadership and organizational arrangements of religious communities. The current Chief Mufti was selected by the President. Muslims in Turkmenistan have expressed concern that the state has replaced imams who have formal Islamic theological training with those who lack such education. Turkmen officials have stated that imams cannot be appointed if they have received theological training outside the country.

Punishment for Religious and Human Rights Activities: The government imposes harsh penalties for religious and human rights activities, such as imprisonment, forcible drug treatment, and fines. In recent years, members of religious communities, including Muslims, Protestants, Jehovah's Witnesses, and a Hare Krishna adherent, have been imprisoned or internally exiled due to their religious convictions. Registered religious communities are subject to police raids or check-ups. Local secret police officers reportedly require Muslim and Orthodox clerics to make regular reports on activities within their towns. In 2011, seventeen Protestants each were fined up to U.S. \$140 (Turkmenistan's average monthly wage is U.S. \$100) for the offense of participating in unregistered religious activity.

Government Control over Religious Activities: Religious communities continue to be raided by the secret police, anti-terrorist police units, local government, and local CRA officials. It is illegal for unregistered groups to rent, purchase, or construct places of worship, and even registered groups must obtain government permission, which is difficult to secure. The publication of religious literature inside Turkmenistan is banned by decree. By law, only registered communities can import such literature, and the quantities must correlate to the size of the congregations. The religion law also bans private religious education. Muslims are not allowed to travel abroad for religious education. The country's largest religious minority, the Russian Orthodox community, lacks an institution in the country to train clergy, although Russian Orthodox men are allowed to leave the country for clerical training.

Conscientious Objectors: Turkmen law has no civilian alternative to military service for conscientious objectors, with the penalty for refusing to serve up to two years imprisonment. In September 2010, the Turkmen parliament adopted a new law setting the military conscription age between 18 and 27. Until 2009, the Turkmen government had given suspended sentences to Jehovah's Witnesses who refused military service. Since that time, nine Jehovah's Witnesses have been jailed for refusing military service, while three more were given suspended sentences.

RECOMMENDATIONS FOR U.S. POLICY

Robert E. Patterson became the U.S. Ambassador to Turkmenistan in May 2011, the first fully accredited U.S. ambassador to this strategically important country in five years. USCIRF long has called for this key ambassadorial post to be filled, and that the U.S. and Turkmenistan engage in regular discussions that include human rights issues. USCIRF welcomed the first U.S.-Turkmenistan Annual Bilateral Consultations in June 2010, and the U.S. government's addressing the need to improve religious freedom conditions in the wider human rights context. The U.S. has several important interests in Turkmenistan, including those related to overflight rights to Afghanistan, the country's huge natural gas supplies, and an interest in ensuring that the Turkmen government does not return to an official policy of isolationism. Since Turkmenistan shares porous borders with Iran and Afghanistan, the country also could become open to radical Islamist influences. In addition to designating Turkmenistan as a CPC, the U.S. Government should:

- Continue its regular bilateral meetings with the Turkmen government on human rights and raise religious freedom concerns;
- Urge specific steps that Turkmenistan can take to implement new laws and practices in order to comply with international human rights standards, and develop reporting mechanisms on these issues;
- Express its public concern on human rights at appropriate international fora, including the UN and the OSCE;
- Increase exchange programs as well as broadcasts to Turkmenistan as part of a concentrated effort to overcome decades of isolation which have created a cultural and educational vacuum; and
- Urge Turkmenistan to repeal all laws, decrees or regulations, and amend those articles of the religion law, that violate international norms on freedom of religion or belief, for example by implementing the recommendations of the USAID-funded critique.

Please see USCIRF's 2011 Annual Report for a more extensive review and recommendations on Turkmenistan.