

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 2012 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. The government banned nearly all independent public activity, the 2003 religion law prohibited most religious activity, and the President's quasi-religious personality cult as expressed in his book, the *Ruhnama*, dominated the country's public life, including its religious and educational systems. Since becoming president in early 2007, Berdimuhamedov has moved away from Niyazov's personality cult and the official promotion of the *Ruhnama*, and initiated other limited educational reforms. There is mounting evidence, however, that President Berdimuhamedov is establishing a new personality cult. Furthermore, reform of the country's oppressive laws restricting human rights and religious freedom remain unfulfilled.

The government-appointed Council on Religious Affairs (CRA) supervises 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 critique of Turkmen laws affecting religious freedom, but the Turkmen government has ignored the report's numerous recommendations.

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 religious groups report to the government all financial support received from abroad; bans worship in private homes; prohibits the public wearing of religious garb except by religious leaders; and places severe and discriminatory restrictions on religious education.

Registration of Religious Groups: Since 2005, a number of small religious groups were registered, 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 123 registered religious communities; including 100 Sunni and Shi'a Muslim, and 13 Russian Orthodox. Some communities decided not to register due to the onerous and opaque process, while certain Shi'a Muslim groups, the Armenian Apostolic Church, some Protestant groups, and the Jehovah's Witnesses have had their registration applications rejected many times.

Government Interference in Internal Religious Affairs: The Turkmen government continues to interfere in the internal leadership and organizational arrangements of religious communities. The President selected the current Chief Mufti. Turkmen Muslims 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 foreign theological training.

Punishment for Religious and Human Rights Activities: The government imposes harsh penalties, such as imprisonment, forcible drug treatment, and fines, for religious and human rights activities. 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 checkups. Local secret police officers reportedly require Muslim and Orthodox clerics to report regularly on activities. In 2011, officials fined seventeen Protestants up to U.S. \$140 (Turkmenistan's average monthly wage is U.S. \$100) for the legal offense of participating in unregistered religious activity.

Government Control over Religious Activities: The secret police, anti-terrorist police units, local government, and local CRA officials continue to raid religious communities. 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. A government decree banned the publication of religious literature inside Turkmenistan. By law, only registered communities can import such literature and the quantities must correspond to the size of congregations. The religion law also bans private religious education. Muslims are not allowed to travel abroad for religious education and there is an extensive black list of Turkmen citizens who are banned from international travel. The country's largest religious minority, the Russian Orthodox, lacks an institution within Turkmenistan to train clergy, but 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, and an individual who refuses to serve can face up to two years of imprisonment. Until 2009, the Turkmen government had given suspended sentences to Jehovah's Witnesses who refused military service. Currently six Jehovah's Witnesses are in prison for refusing military service, while two 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 for the U.S. and Turkmenistan to 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 advocacy of religious freedom improvement in the wider human rights context. The U.S. has several important interests in Turkmenistan, including support of overflight rights to Afghanistan, access to the country's huge natural gas supplies, and opposition to any Turkmen return to isolationism. Since Turkmenistan shares porous borders with Iran and Afghanistan, the country 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 Turkmenistan to take specific steps 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, and 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 2012 Annual Report for a more extensive review and recommendations on Turkmenistan.