

TURKMENISTAN



USCIRF STATUS:

Tier 1 Country of Particular Concern

BOTTOM LINE:

The religious freedom environment remains extremely poor, as the Turkmen religion law makes it difficult for religious groups to function. Police raids and other harassment of registered and unregistered religious groups continue, and Jehovah's Witnesses are imprisoned for conscientious objection.

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EXECUTIVE SUMMARY

FINDINGS: Severe religious freedom violations persist in Turkmenistan. Despite a few limited reforms undertaken by President Berdimuhamedov after he took office in 2007, the country's laws, policies, and practices continue to violate international human rights norms, including those on freedom of religion or belief. Police raids and other harassment of registered and unregistered religious groups continue. The repressive 2003 religion law remains in force, causing major difficulties for religious groups to function legally. Turkmen law does not allow a civilian alternative to military service and eight Jehovah's Witnesses are imprisoned for conscientious objection.

In light of these severe violations, USCIRF continues to recommend in 2013 that the U.S. government designate Turkmenistan as a "country of particular concern," or CPC. The Commission has recommended CPC designation for Turkmenistan since 2000, but the State Department has never followed this recommendation.

Under the late President Niyazov, whose personality cult dominated public life, Turkmenistan was among the world's most repressive and isolated states. President Berdimuhamedov is building a cult to justify his own dominance, but without religious overtones. The Turkmen government has reinstated restrictions on education, foreign travel, and telecommunications that have again led to the country's extreme isolation. While President Berdimuhamedov ordered a few limited reforms and released the former chief mufti from prison in 2007, his government has not adopted systemic legal reforms on freedom of religion or belief and other human rights.

PRIORITY RECOMMENDATIONS: In addition to designating Turkmenistan as a CPC, the United States should raise human rights and religious freedom in all bilateral meetings with the Turkmen government, urge it to adopt new laws and practices that comply with international human rights standards, and establish a regular reporting mechanism on these issues. If the Turkmen government continues to violate human rights obligations, including on freedom of religion or belief, and to threaten Turkmen human rights defenders both inside and outside of the country, the United States should express its concern publicly at international fora, including the United Nations and the Organization for Security and Cooperation in Europe (OSCE). The United States also should increase educational and exchange programs and broadcasts to Turkmenistan to help overcome decades of isolation that created a dangerous cultural and educational vacuum. Additional recommendations for U.S. policy toward Turkmenistan can be found at the end of this chapter.

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RELIGIOUS FREEDOM CONDITIONS

LEGAL FRAMEWORK

Turkmenistan is the most closed country in the former Soviet Union. Since 2007, it has been led by President Gurbanguly Berdimuhamedov. The country's first president, Saparmurat Niyazov, who died in late 2006, oversaw one of the world's most repressive and isolated states. Virtually no independent public activity was allowed, and the 2003 religion law banned most religious activity. Moreover, Turkmenistan's public life was dominated by Niyazov's quasi-religious personality cult set out in his book, the *Ruhnama*, which the government imposed on the country's religious and educational systems.

Upon assuming the presidency in early 2007, Berdimuhamedov implemented limited educational reforms and took some steps to address the country's international image. He ordered the release of 11 political prisoners, including the former chief mufti, in 2007; placed certain limits on Niyazov's personality cult; set up two new official human rights commissions; and registered 13 minority religious groups. He eased police controls on internal travel and allowed Turkmenistan to become slightly more open to the outside world. However, Berdimuhamedov has not delivered on promises to reform the country's oppressive laws, thereby maintaining a state structure of control and repression that violates human rights including freedom of religion or belief. For instance, a system of categorical denials of international travel for many citizens remains in place, and as of 2013, the Turkmen government will no longer recognize dual citizenship.

TURKMENISTAN IS THE MOST CLOSED
COUNTRY IN THE FORMER SOVIET UNION.

Turkmenistan's constitution purports to guarantee religious freedom, the separation of religion from the state, and equality regardless of religion or belief. The 2003 religion law, however, contradicts these provisions and violates international standards on freedom of religion or belief. This law sets intrusive registration criteria and bans any activity by unregistered religious organizations; requires that the government be informed of all foreign financial support; forbids worship in private homes; only allows clerics to wear religious garb in public; and places severe and discriminatory restrictions on religious education.

Religious issues are under the purview of the government-appointed Council on Religious Affairs (CRA), which reports to the president and includes only Sunni Muslim and Russian Orthodox Church representatives and government officials. The CRA controls the hiring, promotion, and firing of Sunni Muslim imams (who must report regularly to the CRA), censors religious publications of all denominations, and oversees the activities of all registered groups. There are continued reports that CRA officials outside Ashgabat have ordered Muslim men to shave their beards and Muslim women not to wear headscarves.

CRA Deputy Chair Andrei Sapunov, a Russian Orthodox Church (ROC) priest, has official responsibility for policies on Christian communities, reportedly including veto power over rights of other Christian groups to function in Turkmenistan. Some ROC members claim that Sapunov has disclosed to the secret police confidential information from religious confessionals. Moreover, members of religious minorities view recently-named CRA officials as favoring state-controlled Islam and denying permission for non-Muslim activity more often than under the Niyazov regime.

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STALLED LEGAL REFORMS

During USCIRF's August 2007 visit to Turkmenistan, the president established a new commission to examine how the country's laws conform to international human rights commitments. In February 2013, this commission met to review its activities and stressed the need for improved contacts with the United Nations and more seminars in which international human rights experts take part. Yet the Turkmen government still has not implemented the recommendations for religion law reform in a 2008 study by the International Center on Not-for-Profit Law (ICNL), which it requested, or a 2010 OSCE review. It also has not implemented similar relevant recommendations from the UN Committee on Economic, Social and Cultural Rights in 2011 and the UN Human Rights Committee in 2012. In addition, the government has indefinitely postponed a seminar on the religion law with international experts scheduled for March 2010.

REGISTRATION

In response to international pressure, President Niyazov issued several decrees in 2004 that reduced the number of members needed for a religious group's registration from 500 to five. As a result of this change, nine small minority religious groups were registered. Nevertheless, unregistered religious activity remains illegal and subject to administrative penalties that still may include imprisonment and large fines. Even registered groups are forbidden to meet for private worship, to print and import religious literature, or to be led by foreign citizens. Registered communities must allow state officials to attend any meeting, read any document, and check their accounts and donations every week, and some have reported being ordered to collaborate with the secret police. If a community receives two official warnings about "violations" of the law or various regulations, its registration can be stripped.

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The Justice Ministry manages the registration process, with the CRA playing an advisory role. In addition, there is a large commission of government and security service officials that reviews applications. The review process should take three months and denials are supposed to be in writing, but often these standards are not met. Reportedly, officials sometimes impose extra-legal requirements, deny registration due to minor or spurious clerical errors, or require religious groups to amend their charters in order to register. Some communities have not applied for registration due to the onerous and opaque process and the limited advantages of registration.

In February 2012, the Turkmen government informed the UN Committee on the Elimination of Racial Discrimination that 128 religious communities were registered: 99 Sunni Muslim, five Shi'i Muslim, 13 Russian Orthodox, and 11 of other faiths (including one Catholic, one Hare Krishna, one Baha'i, one Baptist, one Pentecostal, one Greater Grace church, one Seventh-day Adventist and one New Apostolic community). Registration applications of Ashgabat's Pentecostal Church and the Turkmen Baptist Church in Dashoguz remained pending. Certain Shi'i Muslim groups, the Armenian Apostolic Church, and some Protestant groups have faced numerous registration rejections or refusals. The government rejected as "incomplete" the Jehovah's Witnesses' previous registration application, but the CRA would not tell the community which documents were missing. The Peace to the World Pentecostal Church in Mary, headed by former prisoner Pastor Nurliev, has unsuccessfully applied for registration since 2007.

Unregistered religious activity remains an administrative offense, but, at least until mid-2012, fewer administrative penalties were issued than in previous years. The administrative code sets fines that are between five and 10 times the minimum monthly wage for such violations and repeat violators face doubled fines.

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STATUS OF PRESIDENTIAL PERSONALITY CULT

Turkmen citizens, regardless of their religious views or personal beliefs, are taught to view the president as the living embodiment of the state. While there is movement away from Niyazov's personality cult, the Berdimuhamedov government still promotes it. In addition, President Berdimuhamedov has instituted his own cult, with fewer religious overtones, including a new requirement that a poster of him be part of all wedding photos.

Most textbooks had references to Niyazov removed, but new textbooks highlight President Berdimuhamedov's family and his "New Revival" ideology which supposedly has brought the "era of supreme happiness in a stable state." The new president was granted the official title of *Arkadag* (Protector) and reportedly will soon issue a new Turkmen "spiritual guide" to be called the *Turkmennama* (Book for Turkmen) or *Adamnana* (Book for Humanity). State employees have been ordered to buy the president's previous five books, on topics including the Akhal-Tekke horse and folk medicine. Teachers and students must spend 70 to 80 days of the school year in elaborate state-sponsored presidential parades.

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While imams no longer are required to include a loyalty oath in their daily prayers, they must pray for the president. The *Ruhnama* was removed from state buildings and mosques, but its citations remain inscribed on the huge mosque in Gipchak, Niyazov's home town. Public school students spend much less time studying the *Ruhnama*, but still must pass exams on that book for graduation. Berdimuhamedov's government opened a new university named for the *Ruhnama* in 2010. The long-term effects of this still-pervasive presidential personality cult—combined with Turkmenistan's continuing isolation and severe educational deficiencies—are difficult to calculate.

PENALTIES FOR RELIGIOUS AND HUMAN RIGHTS ACTIVITIES

According to the International Crisis Group, Turkmenistan has one of the world's highest prisoner-to-population ratios, and a 2011 report by the UN Committee Against Torture (CAT) on Turkmenistan concluded that torture is widespread and occurs with impunity. Three conscientious objectors in the Seydi prison camp, where most such prisoners are held, reported in 2011 that solitary confinement and severe beatings by guards were "routine."

Nevertheless, Turkmen officials deny that there are any political prisoners in their country. During a November 2011 UN Committee on Economic, Social and Cultural Rights session, Turkmen First Deputy Justice Minister said that "there were no political prisoners or politically motivated prosecutions in Turkmenistan."

To mark Turkmen Independence Day on October 23, 2012 President Berdimuhamedov amnestied more than 2,000 prisoners, but reportedly did not release prisoners of conscience and conscientious objectors, according to Forum 18. Although under Turkmen law, all prisoners can invite registered clergy, conduct religious rites, and own religious literature, these rights are routinely ignored. Muslims in the general regime section of Seydi Labor Camp have a prison mosque, but prisoners of other religions do not have access to worship facilities.

In recent years, members of religious communities, including Muslims, Protestants, and Jehovah's Witnesses, as well as a Hare Krishna adherent, have been imprisoned or sent into internal exile due to their religious convictions. Nurmuhammed Agaev, a former Muslim prayer leader, remains at the closed

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psychiatric hospital in the Lebap Region, where reportedly he is subject to forcible drug treatment. Islamic cleric Shiri Geldimuradov died in prison under unexplained circumstances in July 2010. Geldimuradov, 73, was arrested in April 2010 along with his three sons Muhammed, Abdullah, and Abdulhay. A fourth son, Abdulmejid, was sentenced to three years in prison in February 2010 for “misusing urban water resources.” An anonymous January 2012 message to Radio Liberty’s Turkmen Service claimed that an unnamed Muslim man was imprisoned the previous year for distributing religious audio and video discs; the government reportedly charged him with distributing pornography.

In January 2012, Jehovah’s Witness Vladimir Nuryllayev was sentenced to four years’ imprisonment at a secret trial in Ashgabat on criminal charges of spreading pornography, which his community vehemently denies. He was released in May under an amnesty, but must report to police three times a week. In April 2012, another Jehovah’s Witness, Aibek Salayev, was sentenced to four years in a labor camp on allegedly fabricated charges of distributing pornography. After being brutally beaten in detention, he was sent to the Seydi labor camp. Officials in the Dashoguz pre-trial detention center had warned Salayev that he would be raped once he arrived at that notorious camp.

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In February 2012, Pastor Ilmurad Nurliev of the unregistered Peace to the World Protestant Church in Mary was released after 19 months in the Seydi prison camp, but he still must report regularly to police. He was sentenced to four years’ imprisonment in 2010 on charges of swindling, which he denies. He was not allowed the right to appeal his case and, while imprisoned, he reportedly was placed in a cell with an inmate with tuberculosis and denied his diabetes medication and a Bible.

Reportedly, Pastor Nurliev expressed concern over several Muslim prisoners in Seydi who may have been imprisoned for peaceful religious activity, including Musa (last name unknown), a young Muslim from Ashgabat who reportedly received a four-year sentence for teaching the Qur’an to children. Nurliev also said the former chief imam of Mary Region, Muhammed-Rahim Muhammedov, remains in the Seydi camp for allegedly resisting the authorities.

Unregistered religious communities continue to face raids by secret police, anti-terrorist police units, local government, and local CRA officials. Registered religious communities, particularly outside Ashgabat, are also raided at times. After the summer of 2012, there were more frequent reports of police raids of religious communities, particularly Protestants, in various parts of the country. In one particularly egregious case, police raided the home of a Baptist family in Dashoguz in September 2012, dragging the 75-year-old father from the house and beating his 68-year-old wife. In another September 2012 incident, police raided another Protestant meeting in Dashoguz and three participants were fined, including a visiting dual Russian-Turkmen citizen, who was then banned from leaving Turkmenistan at Ashgabat airport. More than 20 Protestants reportedly have been fined for unregistered religious activity in 2012, some of whom were fined the equivalent of about two months’ average local wage.

The Turkmen government has threatened Turkmen human rights activists both inside and outside the country for their advocacy. In January 2012, Turkmen civil society activist Natalya Shabunts, a longtime critic of her government’s human rights and religious freedom record whom USCIRF met during its 2007 visit, found a bloody sheep’s head outside her door after she gave an interview to RFE/RL. In 2010, Farid Tuhbatullin, exiled head of the Turkmen Initiative for Human Rights, said that two reliable sources had informed him that the Turkmen Ministry of Security planned an “accidental” physical attack on him in Vienna. Despite Austrian police protection, Tuhbatullin continues to maintain security measures for self-protection and his relatives in Turkmenistan continue to be subjected to official pressure. The Turkmen Initiative for Human Rights continues to report on these incidents and other human rights concerns; its Web site was hacked in 2012, shutting down the site for weeks.

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CONSCIENTIOUS OBJECTORS

Current Turkmen law has no civilian alternative to military service for conscientious objectors, as it did until 1995. Individuals who refuse military service for religious reasons can only serve noncombatant roles in the military. The penalty under the criminal code for refusing to serve in the armed forces is up to two years' imprisonment. In September 2010, the Turkmen parliament adopted a new law setting the military conscription age for men at between 18 and 27, but it did not provide an alternative service regime. It is not known if President Berdimuhamedov has signed the unpublished law.

At the start of Berdimuhamedov's presidency, conscientious objectors were not imprisoned, but that policy ended in 2009. Currently, eight Jehovah's Witnesses are in prison in Turkmenistan for conscientious objection: Mahmud Hudaybergenov, sentenced to 2 years, Dashoguz Court, August 2011; Zafar Abdullaev, 2 years, Dashoguz Court, March 2012; Navruz Nasyrlayev, 2 years, Dashoguz Court, May 2012; Juma Nazarov, 18 months, Ashgabad Court, July 2012; Dovran Matyakubov, 2 years,

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Dashoguz Court, December 2012; Yadgarbek Sharipov, 1 year, Dashoguz Court, December 2012; Matkarim Aminov, 2 years, Dashoguz Court, January 2013; and Arslan Dovletov, 18 months, Dashoguz Court, January 2013, Forum 18 reported.

Hudaybergenov, Abdullaev and Nazarov are in the general regime section of the labor camp in the desert near Seydi in Lebap Region. Nasyrlayev is in the strict regime section of the same camp. Some of these prisoners reportedly have been subjected to brutal treatment in prison.

Since May 2012, four other Jehovah's Witness conscientious objectors are known to have been sentenced to two-year suspended terms, plus up to 20 percent of income deductions: Merdan Tachmuradov in May; Jamshid Kurbanov in July; Nazargeldy Chariyev in June; and Begench Nabatov in August.

On January 24, 2013, seven weeks after the UN Human Rights Committee requested an official response from the Turkmen government to a case brought by 10 Jehovah's Witness conscientious objectors, about 30 police officers raided the lead complainant's home in Dashoguz. Two family members and four guests were taken to a police station where reportedly they were beaten and one was threatened with rape. Three were fined and religious literature was confiscated, Forum 18 reported.

GOVERNMENT INTERFERENCE IN INTERNAL RELIGIOUS AFFAIRS

The Turkmen government continues to interfere in the internal leadership and organizational arrangements of religious communities. The president selects and appoints the chief mufti, who also is deputy CRA chair. The CRA, with input from state security, selects regional imams, who are often transferred in line with former President Niyazov's practice of frequent rotation of officials. Friday sermons by imams are used to convey state messages, with the CRA "recommending" suitable topics.

Muslims in Turkmenistan have expressed concern that the state has replaced imams who have formal Islamic theological training with those who lack such education. Indeed, many Turkmen view the former Chief Mufti, Nasrullah ibn Ibadullah, an ethnic Uzbek who was imprisoned from 2004-2007, as the country's last Muslim leader with a thorough knowledge of theology. Turkmen officials have also stated that imams cannot be appointed if they have received theological training outside the country. The government also has removed from office ethnic Uzbek imams in the country's northern regions and replaced them with ethnic Turkmen imams. Reportedly, non-ethnic Turkmen can only serve as district imams.

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Both former President Niyazov and President Berdimuhamedov requested that the ROC in Turkmenistan be removed from the Central Asian diocese in Tashkent and come under Moscow Patriarchate jurisdiction. The ROC placed Turkmenistan's 12 ROC parishes and one Ashgabat convent under the Moscow Patriarchate's jurisdiction in 2008, after President Berdimuhamedov met with ROC officials. The ROC named Bishop Feofilakt (Kuryanov) as the first head of the Patriarchal Deanery for Turkmenistan and he often visits the country. Since early 2011, he has negotiated with the Turkmen government for a construction permit so that the ROC can build a new cathedral in an Ashgabat suburb.

The Turkmen Justice Ministry reportedly also has "advised" several smaller unregistered groups to combine with other currently-registered communities, regardless of possible doctrinal differences.

RESTRICTIONS ON RELIGIOUS MEETINGS AND HOUSES OF WORSHIP

It is illegal for unregistered religious groups to rent, purchase, or construct places of worship, and even registered groups must obtain government permission, which is often difficult to secure, to build or rent worship places. Reportedly, some registered groups have had to move locations as often as 12 times in the same year. Nevertheless, ten small registered minority religious communities have established places of worship in recent years (five in rented facilities, two in residential buildings used exclusively as church facilities, and three in private homes). For meeting to worship in unapproved places, such as private homes, congregations face police raids, court-imposed fines, and other forms of harassment. Even for registered religious communities, worship in private homes is limited to nuclear family members.

While the government has allowed some mosque construction and is funding the construction of large Sunni mosques in Turkmenabad and Koneürgench, it refuses to permit the building of three Shi'i mosques. The government also reportedly has not adequately compensated the owners of private houses destroyed on the sites of the future Turkmenabad and Koneürgench mosques.

The ROC has been trying to build a new cathedral and educational center in Ashgabat for years. In the mid-1990s, President Niyazov had allocated the ROC a plot in Ashgabat, but Turkmen authorities refused to allow the cathedral to be built. The site remained vacant until the government built the Ruhnama University there in 2010. In March 2011, after a meeting between the ROC Bishop of Smolensk and the Turkmen Foreign Minister, the government donated a site for the future cathedral in an Ashgabat suburb; the ROC will pay for the construction. Most ROC churches in Turkmenistan were built before 1917 and are in urgent need of repair.

There have been no recent reports of government destruction of houses of worship, unlike in the Niyazov era, when the Turkmen state closed, confiscated, or destroyed at least 17 mosques and churches. Despite the country's vast financial resources from the sale of natural gas (most funds reportedly are held in personal accounts in western banks), the government has paid no compensation to any religious community for these destructions or confiscations.

RESTRICTIONS ON RELIGIOUS LITERATURE

The publication of religious literature inside Turkmenistan is banned by decree. By law, only registered religious communities can import such literature, and the quantities must correlate to the number of members in their congregations. Customs officers restrict returning travelers, regardless of citizenship, to only one copy of a religious text for personal use. Border guards and police also search departing and arriving travelers and confiscate religious material. According to the State Department, Turkish citizens who reside in Turkmenistan have had their personal Qur'ans confiscated at the border. Religious literature also is routinely confiscated in police raids on religious individuals and groups, and is rarely returned.

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The CRA must approve all imported religious literature, but since the CRA only includes representatives of Islam and Russian Orthodoxy, its knowledge of other religions is limited. Members of religious minority communities report that they are often denied official permission to import religious literature which is often confiscated before it can be submitted for official examination. Local CRA branches frequently confiscate and photocopy literature. Religious communities need a license to copy religious literature already in their possession.

In February 2012, Begjan Shirmedov, the leader of a registered Protestant community in Dashoguz, was questioned by police for six hours and banned from travel outside his home area for trying to copy religious material (a small book of his own religious poetry) without a license. His case reportedly remains under investigation by the local police unit in charge of counter-terrorism and organized crime. Also in February 2012, after a raid on a private home, four Protestants in Ashgabat were briefly detained, had Bibles confiscated, and were threatened by a CRA official that he would have drugs planted on them; they later were fined US \$125 for possessing “illegal” religious literature.

According to the State Department, the Qur’an is “practically unavailable” at state bookstores in Ashgabat. While most homes have one Arabic copy of the Qur’an, few are available in Turkmen. The ROC can receive and distribute Bibles easily, but reportedly it does not share them with Protestants because it views them as competitors. In 2011, the Turkmen government lifted the ban on the Russian Orthodox community receiving certain Russian publications by mail, including the *Journal of the Moscow Patriarchate*. According to Protestant groups, a Bible society and Christian bookshops are not permitted in the country.

Internet users in Turkmenistan cannot access most international religious Web sites. The Turkmen government adopted a new media law in January 2013. Despite its liberal-sounding reforms, the law subjects local internet to the same censorship as other media. The government maintains a monopoly on internet access, doubled access costs in 2013 and uses a computer program to search emails for coded words and block “suspicious” messages. Further, the Turkmen government has shut down the cell phone service that provided telecommunication for most of the Turkmen population. Nevertheless, some communities maintain that the internet has improved their access to religious literature and the Russian Orthodox Church in Turkmenistan recently opened a Web site.

RESTRICTIONS ON EDUCATION AND THE TRAINING OF CLERGY

Turkmenistan’s religion law bans the private teaching of religion. Only graduates of institutions of higher religious education (domestic or foreign is not specified) who are CRA-approved may offer religious education which must take place in officially-approved institutions.

TURKMENISTAN’S RELIGION LAW
BANS THE PRIVATE TEACHING OF
RELIGION.

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 Qur’an instruction. However, the law prohibits the ROC from conducting religious education programs without CRA and presidential approval, which to date apparently has not been granted.

In 2011, the government began to restrict registered schools supported by the movement of Turkish theologian Said Nursi, which had existed in Turkmenistan for more than a decade. In April of that year, the schools were required to stop taking new students, and in August, Nursi schools were closed in Turkmenbashi, Nebitdag, Turkmenabad, and other cities. The only place a Nursi-funded school remains open is in Ashgabat, according to the Chronicles of Turkmenistan. Unlike in Russia or Uzbekistan,

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however, there are no known cases of Nursi readers imprisoned for their participation in alleged Nursi groups.

Muslims are not allowed to travel abroad for religious education, and women are barred from studying Islamic theology at Turkmen State University, the only place where it is permitted to be taught. According to Forum 18, students must be certified by the secret police before they can enroll in its five-year theology program. This is the only Turkmen institution authorized to train imams, the number of students is limited to 50, and foreign staff can no longer be employed.

The country's largest religious minority, the Russian Orthodox community, has 15 priests for 12 parishes, but no institution in Turkmenistan to train clergy. Russian Orthodox men are allowed to leave the country for clerical training and reportedly nine are studying in Belarus. Shi'i Muslims, most belonging to Iranian and Azeri ethnic minorities, also lack religious training institutions in Turkmenistan. Even registered religious minorities face difficulties in this regard; one leader has said that most religious training is conducted informally and in private homes.

RESTRICTIONS ON INTERNATIONAL TRAVEL FOR RELIGIOUS REASONS

The government continues to restrict the right of religious adherents to travel outside the country, including the reported reinstatement of travel blacklists for hundreds of Turkmen citizens. The government allows only 188 pilgrims per year (out of the reported official Saudi quota of 5,000) to travel at state expense to Mecca for the *haji* pilgrimage. Those who want to pay their own way are ineligible. The selection of pilgrims is tightly controlled, involving review by the secret police, the CRA, the state-run Sunni Muslim Spiritual Administration, regional and central government administrations. Pilgrims reportedly have had to pay bribes to be included on the list and must be recommended by religious leaders in their place of residence. A Muslim from the city of Turkmenbashi said there were about 1,000 would-be pilgrims on that city's waiting list.

Active religious believers who have been allowed to leave the country are subject to close scrutiny on departure or re-entry. Reportedly, several known religious believers who are allowed to travel abroad have their religious activity noted in a computerized database at borders, including the Ashgabat airport.

The government also tightly controls visits from foreign religious workers and co-religionists, particularly of disfavored groups, further isolating local religious communities. In order to invite foreigners, local communities must be registered and still must have CRA permission, which is very difficult to obtain. The last known visit to the country by Armenian Apostolic Church clergy was in 1999. The Baha'i community reports that it is impossible for their foreign relatives to receive permission to visit Turkmenistan, but Baha'is in the country are allowed to go on foreign visits. Foreign Adventists have not been permitted to visit the country since 2008.

U.S. POLICY

The United States has important security and economic interests in Turkmenistan due to its proximity to Afghanistan and Iran, including those related to over-flight rights, railroad links to Afghanistan, and the country's huge natural gas supplies. Due to its official policy of neutrality, however, Turkmenistan is not part of the Northern Distribution Network (NDN) for the delivery of supplies to U.S. troops and International Security Assistance Forces (ISAF) in Afghanistan. Nevertheless, Turkmenistan has allowed U.S. refueling rights at the Ashgabat International Airport for non-lethal supplies to Afghanistan and there is construction on a railroad linking Afghanistan and Turkmenistan. Some observers claim the United States may be interested in using this rail link to ship fuel to ISAF troops. According to

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Eurasianet, in 2012 Washington spent US \$820 million on military resupply routes through Turkmenistan, far more than in all the other Central States combined.

Despite its official neutral status, Turkmenistan is trying to improve its naval and military capacity. The United States is training Turkmenistan's burgeoning navy as well as organizing exchange programs on English language and basic naval administration. During counterterrorism operations in 2011, U.S. Special Operations Forces reportedly were allowed to enter Turkmenistan, as well as Kyrgyzstan, Tajikistan, and Uzbekistan, on a "case-by-case" basis, with permission from the host nation.

In 2010, Turkmenistan entered into agreements with Afghanistan, Pakistan, and India to begin construction on a major gas pipeline, known as "TAPI," due to be completed in 2014. This project, encouraged by the United States, could help stabilize the Turkmen gas export market as well as create economic and political bonds with energy-poor South Asian markets.

As part of the Annual Bilateral Consultation (ABC) process, which began in 2010, Assistant Secretary of State for South and Central Asian Affairs Robert O. Blake visited Turkmenistan in January 2013. During that visit, Blake had a "civil society" meeting, at which, according to a reliable source, he met with only two representatives of that sector. Most of his public comments were devoted to expressions of appreciation for Turkmenistan's support to Afghanistan and for TAPI. He also said that he urged "progress on all fundamental freedoms," although he made no specific mention of religious freedom. In the first U.S.-Turkmenistan ABC, in Ashgabat in June 2010, the U.S. government did address the need to improve religious freedom conditions in the wider human rights context.

The State Department has requested a total of \$6,725,000 for FY 2013 for Turkmenistan, including \$1,850,000 for democratic governance and civil society, including to support civil society organizations, training on legal assistance, internet access and computer training, capacity building for civil servants, as well as exchange programs. In recent years, however, the Turkmen government has barred many students from participating in U.S.-funded exchange programs and ordered the Peace Corps to stop its operations in 2013 after almost 20 years of operation in that country.

Despite President Berdimuhamedov's personal invitation to USCIRF in 2007 to make a return visit, his government has refused to meet with USCIRF three times since then, most recently in December 2010, each time just prior to the USCIRF delegation's departure. Despite promises from the Turkmen Ambassador to the United States in February 2011 that his country would host a USCIRF visit, no concrete dates have been proposed. In April 2012 Ambassador-at-Large for International Religious Freedom Suzan Johnson Cook and Deputy Assistant Secretary of State for Democracy, Human Rights, and Labor Thomas Melia visited Turkmenistan. It was not until the delegation already was in Uzbekistan, however, that the Turkmen government informed them it was willing to receive their visit.

RECOMMENDATIONS

Considering Turkmenistan's rising geo-strategic importance, the United States should raise concerns about human rights and religious freedom in all meetings with the Turkmen government, urge it to reform its laws and practices to comply with international human rights standards, and, if concrete improvements are not made, designate Turkmenistan as a CPC. To this end, USCIRF recommends that the U.S. government take a number of specific steps to expand its bilateral relations with Turkmenistan, promote religious freedom and related human rights, and expand U.S. programs and other activities, particularly including educational programs.

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I. PROMOTING FREEDOM OF RELIGION OR BELIEF AND OTHER HUMAN RIGHTS

The U.S. government should:

- raise human rights and freedom of religion or belief during all bilateral meetings with the government of Turkmenistan, explore ways in which Turkmenistan can implement laws and practices to comply with international human rights standards, and establish a regular reporting mechanism on these issues; and
- designate Turkmenistan as a CPC, if specific improvements are not made in line with the recommendations immediately below.

The U.S. government should urge the government of 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, including by implementing the recommendations of the ICNL analysis of the religion law;
- restore genuine legal alternatives to military service on the grounds of religious or conscientious objection based on international commitments, and cease the criminal prosecution 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;
- end state interference in the management of religious communities and in the selection and training of religious leaders, including those from Sunni and Shi'i Muslim and the Russian Orthodox communities, as well as from Protestant and other minority communities;
- honor its commitment to allow a USCIRF delegation to return to Turkmenistan to assess current conditions for freedom of religion or belief, providing USCIRF access to Turkmen government officials, current or former prisoners of conscience in places of detention, and unimpeded contact with religious and other organizations and their members; and
- fulfill its previous human rights promises, including those regarding freedom of religion or belief made to the USCIRF delegation during its August 2007 visit.

II. EXPANDING U.S. PROGRAMS AND ACTIVITIES TO PROMOTE HUMAN RIGHTS AND REFORM EFFORTS

The U.S. government should:

- increase and improve publicly-funded radio, Internet, and other broadcasts of objective news and information, including on freedom of religion or belief and religious tolerance, by expanding the Turkmen Service of Radio Free Europe/Radio Liberty (RFE/RL), adding RFE/RL Russian-language broadcasts, and restoring Voice of America's Russian-language television and radio broadcasts;
- support projects to translate educational materials on human rights, freedom of religion or belief, tolerance, civic education, and international legal standards into the Turkmen and Russian languages and make them available to schools and libraries;

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- develop programs, including by the publicly-funded National Endowment for Democracy, to encourage civil society groups to promote freedom of religion or belief, including by expanding legal assistance programs to include representatives of religious communities as well as through grants that address freedom of religion or belief; and
- expand international contacts and increase U.S. involvement in communities in Turkmenistan, including through USAID programs, include religious leaders in community projects in order to address social problems and increase tolerance, and expand exchange programs, including with civil society leaders, students, and others concerned with human rights and religious freedom.

III. STRENGTHENING EFFORTS IN THE INTERNATIONAL ARENA

In various international fora, the U.S. government should urge the Turkmenistan government to:

- implement past recommendations of UN human rights bodies to improve religious freedom conditions in Turkmenistan, including from the UN Human Rights Council's Universal Periodic Review, the UN Human Rights Committee, and the UN Special Rapporteur on Freedom of Religion or Belief;
- allow UN Special Rapporteurs, including the Special Rapporteur on Freedom of Religion or Belief, and OSCE representatives, including its Panel of Experts on Freedom of Religion or Belief, to visit the country, 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 expand the activities of the OSCE Center in Ashgabat, particularly on civic education, human rights, including programs with local schools, universities, and institutes on human rights standards, including freedom of religion or belief.