



**United States Commission on  
International Religious Freedom**

**Annual Report of May  
2011 - Turkmenistan**

## Turkmenistan

**FINDINGS:** Severe religious freedom violations and official harassment of religious adherents persist in Turkmenistan. Despite limited reforms undertaken by Turkmen President Berdimuhamedov since 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 more than four years after the death of longtime dictator Saparmurat Niyazov. 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 Jehovah's Witnesses have been imprisoned for conscientious objection.

In light of these severe practices and conditions, USCIRF continues to recommend in 2011 that the U.S. government designate Turkmenistan as a "country of particular concern," or CPC. The Commission has recommended the CPC designation for Turkmenistan since 2000, but the State Department has never followed this recommendation.

Under the late President Niyazov, who died in December 2006, Turkmenistan was among the world's most repressive and isolated states. Virtually no independent public activity was permitted and Niyazov maintained a vast cult of personality. Although the new president has taken a few positive steps such as the 2007 release from prison of the country's former chief mufti, the government has not undertaken needed legal reforms on religious freedom and other human rights. Additionally, despite decreased emphasis, the Turkmen government still promotes the former president's personality cult through the *Ruhnama* (Niyazov's book of "spiritual thoughts") as a mandatory feature of public education.

**PRIORITY RECOMMENDATIONS:** In addition to designating Turkmenistan as a CPC, the United States should continue its regular bilateral meetings with the Turkmen government on human rights and religious freedom, urge specific steps that Turkmenistan can take to implement new laws and practices in order to comply with international human rights standards, and establish a regular reporting mechanism on these issues. If the Turkmen government continues to violate its human rights obligations, including those on freedom of religion or belief, and to threaten Turkmen activists regardless of country of residence, the United States should express its concern publicly at appropriate international fora, including the United Nations and the Organization for Security and Cooperation in Europe (OSCE). The United States needs to increase exchange programs as well as broadcasts to Turkmenistan as part of a concerted effort to overcome decades of isolation which have created a threatening cultural and educational vacuum. Additional recommendations for U.S. policy toward Turkmenistan can be found at the end of this chapter.

## Religious Freedom Conditions

### *Governing and Legal Framework*

Until the 2006 death of President Saparmurat Niyazov, Turkmenistan was among 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 expressed in his book, the *Ruhnama*, which the Niyazov regime imposed on the country's religious and educational systems.

Since becoming president in early 2007, Gurbanguly Berdimuhamedov has implemented limited educational reforms and has promised, but not undertaken, reforms of the country's oppressive laws. He released 11 political prisoners, including the former chief mufti, in 2007; placed limits on Niyazov's personality cult; established two new official human rights commissions; and registered 13 minority religious groups. In addition, he eased police controls on travel inside Turkmenistan and made the country somewhat more open to the outside world.

Turkmenistan's constitution includes language guaranteeing religious freedom, the separation of religion from the state, and equality regardless of religion or belief. The 2003 Turkmen religion law, however, contradicts these provisions and violates international standards on freedom of religion or belief. The law sets intrusive registration criteria and forbids any activity by unregistered religious organizations; requires that the government be informed of all financial support received from abroad; 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.

Religious matters fall under the purview of the government-appointed Council on Religious Affairs (CRA), which reports to the president. While the CRA's membership includes government officials and Sunni Muslim and Russian Orthodox Church representatives, no other religious groups are represented. The CRA controls the hiring, promotion, and firing of Sunni Muslim and Russian Orthodox clergy (who must report regularly to the CRA), censors religious publications, and oversees the activities of all registered groups. In September 2009, Gurban Haitliev replaced Rovshen Allaberdiev as the chief mufti and CRA Deputy Chair.

CRA Deputy Chair Andrei Sapunov, a Russian Orthodox Church (ROC) priest, has official responsibility for policies relating to Christian communities and reportedly has veto power over the ability of other Christian groups to function in Turkmenistan. Some ROC members have told human rights groups that Sapunov has disclosed to the secret police confidential information from the confessional. 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 their predecessors appointed under Niyazov. Four of the officials appointed in September 2009 to head CRA regional branches were also appointed as new regional chief imams. In their dual role as CRA officials and imams, they are expected to collaborate with government agencies, including the security police.

### *Stalled Legal Reforms*

In 2007, President Berdimuhamedov set up a new government commission, headed by the Chairman of the Supreme Court, to examine citizens' petitions on the work of law enforcement bodies. However, the commission has no other members and no specified procedures to pursue this task. Reportedly, the commission has received thousands of petitions on police abuse, bribery, unjust arrests, and prosecutions. In August 2007, the commission pardoned and released 11 prisoners of conscience, including former Chief Mufti Nasrullah ibn Ibadullah, who had been sentenced to a 22-year prison term in a secret 2004 trial. The release was apparently timed to occur on the eve of a USCIRF visit to the country. Ibadullah had opposed Niyazov's decree that the *Ruhnama* be displayed in mosques, but was charged with treason for his alleged role in a 2002 coup attempt against Niyazov. After his release, Ibadullah was allowed to resume work in Ashgabat as a senior adviser to the CRA. However, the commission's more recent activities, if any, are unknown.

During USCIRF's August 2007 visit to Turkmenistan, the Turkmen President established a new commission to examine how the country's laws conform to international human rights commitments. In 2008, the Turkmen government requested that the U.S. Agency for International Development (USAID) provide a technical critique of Turkmen laws affecting religious freedom. Pursuant to a USAID grant, the International Center for Not-for-Profit Law (ICNPL) analyzed the Turkmen religion law and presented its review to the government in July 2008, but the government has taken no action to implement any of the recommendations. The government postponed, without setting a future date, a follow-up seminar on the religion law with international experts scheduled for March 2010. It also has failed to implement any of the recommendations of a largely critical legal review of the religion law published by the OSCE in late 2010. Turkmen officials, including the chair of Parliament's Committee on the Protection of Human Rights and Freedoms, have refused to discuss whether they will amend the law in line with the OSCE recommendations.

As of early 2011, the Turkmen parliament was in the early stages of drafting a new Code of Administrative Offences, but it was unclear whether the article in that code dealing with violations of the religion law would be amended.

### *Registration*

In a move hailed by the international community, President Niyazov issued several decrees in 2004 that reduced the number of members required for registration as a religious group from 500 to five and eased other registration requirements. Nevertheless, unregistered religious activity remains illegal, and subject to penalties under the administrative code that 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. They are subject to financial restrictions and must provide the government with detailed information about their meetings and activities.

The Justice Ministry manages the registration process, and the CRA plays an advisory role. A commission, which includes representatives from the Ministries of Justice and Internal Affairs and the security services, reviews registration applications. Although the review process should

not last more than three months and written denials are supposed to be issued, often these standards are not met. Reportedly, Justice Ministry officials have denied registration based on minor or spurious clerical errors or have required that religious groups amend their charters in order to register.

Following the 2004 decrees, nine small minority religious groups were registered, including the Baha'i, several Pentecostal communities, the Seventh-day Adventists, several Evangelical churches and the Society for Krishna Consciousness. The Ashgabat parish of the ROC was reregistered in 2005 and the Turkmenabat ROC parish was reregistered in early 2006. The Source of Life Church in Turkmenabat and a Muslim group in Akhal were registered in late 2007. According to the CRA, Shi'a Muslim groups were allowed to register collectively, likely in 2008.

In its January 2010 report to the UN Human Rights Committee, which monitors compliance with the International Covenant on Civil and Political Rights including Article 18 on freedom of religion or belief, the Turkmen government claimed that 123 religious communities were registered in the country, a far lower number than previously cited. Of these, 100 are Sunni and Shi'a Muslim and 13 are Russian Orthodox. The rest include Baptist, Pentecostal, Greater Grace, Seventh-day Adventist, New Apostolic, Baha'I, and Hare Krishna communities. In March 2010, after 13 years of effort, Ashgabat's Polish-led and mostly foreign Catholic community, protected by the Vatican diplomatic status of its two priests and chapel, gained local legal status. It appears that, in this case, Turkmen authorities made an exception to the legal requirement that any religious community must be headed by a Turkmen citizen. Also, according to the January 2010 report, the Turkmen Justice Ministry was considering registration applications from four religious communities, including the Path of Faith Church in Dashoguz, an independent ethnic Turkmen Baptist congregation whose registration has been "pending" for five years.

Certain Shi'a Muslim groups, the Armenian Apostolic Church, some Protestant groups, and the Jehovah's Witnesses have had numerous registration applications rejected or their registration efforts refused entirely. The Peace to the World Pentecostal Church in Mary, headed by the recently imprisoned Pastor Nurliev, has unsuccessfully applied for state registration since 2007. Reportedly, the Turkmen government has also pressured some groups to write promises that they will not gather for worship until they receive official registration.

Some communities have decided that they should not submit applications due to the onerous and opaque process. Some religious communities prefer an underground existence, due in part to the de facto criminalization of much religious activity and the limited advantages of registration.

#### *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, Gurban Haitliev was selected and appointed by the president; at the time of Haitliev's appointment, numerous regional imams also were transferred to new duties, following former President Niyazov's practice of frequent rotation of official leaders. Friday sermons by imams increasingly 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. Furthermore, observers view the recent removal from office of ethnic Uzbek minority imams in the Dashoguz region and their replacement with ethnic Turkmen imams as an example of official discrimination. Turkmen officials have stated that imams cannot be appointed if they have received theological training outside the country.

The government officially banned only extremist groups that advocate violence, but it effectively prevented all groups advocating stricter interpretations of Islamic religious doctrine, which it also labeled as extremist, from operating in the country, the State Department reported in 2010.

Former President Niyazov requested that the ROC in Turkmenistan be removed from the Central Asian diocese in Tashkent and come under Moscow Patriarchate jurisdiction. The new president continued to press for this transfer. The ROC placed Turkmenistan's 12 ROC parishes and one Ashgabat convent under the Moscow Patriarchate's jurisdiction in 2008, after a meeting between President Berdimuhamedov and ROC officials. The ROC named Bishop Feofilakt (Kuryanov) as the first head of the Patriarchal Deanery for Turkmenistan.

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

#### *Penalties for Religious and Human Rights Activities*

In recent years, members of religious communities, including Muslims, Protestants, Jehovah's Witnesses, and a Hare Krishna, have been imprisoned or sent into internal exile due to their religious convictions. Nurmuhammed Agaev, a former Muslim prayer leader, remains at the closed psychiatric hospital in the Lebap Region where he reportedly 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."

In October 2010, Pastor Ilmurad Nurliev of the unregistered Peace to the World Protestant Church in Mary, was sentenced to four years' imprisonment on charges of swindling, which his family and church members refuted in court. He has been denied the right to appeal his case and is being held at the notorious Seydi prison camp, where he reportedly has been put in a cell with an inmate with tuberculosis and denied his diabetes medication as well as a Bible. The court ordered that he be given "forcible medical treatment to wean him off his narcotic dependency," but reportedly that has not been done. His requests to be transferred to Mary to be closer to his family have been rejected, and his wife was denied her scheduled visit in February 2011.

Also in October 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

(MNB) was planning an “accidental” physical attack on him in Vienna. The Austrian government provided him some additional security, but still suggested that he should move to another country, at least for several months. Tuhbatullin continues his human rights and related religious freedom activities from an unknown location. In a March 2011 speech at a NGO session on the sidelines of a UN Human Rights Council session in Geneva, Tuhbatullin called attention to the imprisonment of Pastor Nurliev and the death in custody of Islamic cleric Shiri Geldimuradov.

In addition, unregistered religious communities face raids by secret police, anti-terrorist police units, local government, and local CRA officials. Registered religious communities, particularly outside Ashgabat, also may be subjected 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 or neighborhoods. At least six secret police agents, as well as informants, allegedly have been placed in each Muslim and Orthodox community and the secret police and ordinary police also try to recruit agents in unregistered religious groups.

In 2011, seventeen Protestants in Turkmenabad were each fined up to US \$140 (the average monthly wage in Turkmenistan is US\$100) for the administrative offense of participating in unregistered religious activity. The city judge reportedly told them that the imam had said that their faith was “against the state.” Two Protestant schoolchildren were not fined, but endured public humiliation at their school. A Christian youth summer camp, organized by two registered Pentecostal churches in a village northwest of Ashgabat, was raided by police in July 2010. Reportedly, camp participants were insulted, pressured, and threatened; some were later fired from public employment. In March 2010 in Turkmenbashi, Jehovah’s Witness Khushnud Dzhabbergenov was detained overnight by police, stripped and beaten, and forced to write a dictated statement, after which he was released. Also in March, police interrogated and detained six Jehovah’s Witnesses in Ashgabat and confiscated religious literature.

### *Conscientious Objectors*

Turkmen law has no civilian alternative to military service for conscientious objectors; individuals who refuse military service for religious reasons can only serve noncombatant roles within 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, as had been in place in the mid-1990s. It is not known if President Berdimuhamedov has signed the unpublished law.

Until 2009, the Turkmen government had given suspended sentences to Jehovah’s Witnesses who refused military service. Since then, nine Jehovah’s Witnesses have been jailed for refusing military service, while three more were given suspended sentences. Matkarin Aminov, from Dashoguz, was sentenced in December 2010 to an 18-month prison term. Sakhmetmurad and Mukhammedmurad Annamamedov were given two years each (Serdar Court, May 2009); Shadurdi Ushotov, two years (Dashoguz [Dashhowuz] Court, July 2009); Navruz Nasyrlaev, two years (Dashoguz Court, December 2009); Aziz Roziev, 18 months (Seydi Court, August 2010); Dovleyet Byashimov, 18 months (Turkmenabad [formerly Charjew] Court, August 2010); and

Ahmet Hidaybergenov, 18 months (Turkmenabad Court, September 2010). All are being held in the Seydi labor camp, where some prisoners have been subjected to psychiatric abuse. In April 2010, Denis Petrenko was given a two-year suspended sentence and in April 2009, Zafar Abdullaev and Dovran Kushmanov each received two-year suspended sentences. Akmurat Egendurdiev was freed from the Seydi labor camp at the end of January 2011 after completing of his sentence for conscientious objection.

### *Restrictions on Meeting for 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. For meeting to worship in unapproved places, such as private homes, congregations face police raids, court-imposed fines, and other forms of harassment. Officers from the Sixth Department in Ashgabat, the division charged with fighting organized crime and terrorism, monitored members of religious minorities, the State Department reported in 2010.

The Turkmen government is building monumental mosques in Koneürgench, in Mary, and in Gypchak. However, it is unclear how the construction of these mosques using public money is in line with the constitutional separation of religion and the state. In addition, the Turkmen government reportedly has not adequately compensated the owners of private houses destroyed on the sites of the future state-funded mosques. The government has allowed other mosque construction, but refuses to allow the building of three Shi'a mosques.

The ROC has been trying to build a new cathedral and educational center in Ashgabat for years. In March 2011, after a meeting between the Bishop of Smolensk and the Turkmen Foreign Minister, the government donated a site in an Ashgabat suburb for the cathedral; the ROC will pay for the construction. In the mid-1990s, President Niyazov had allocated the ROC a plot of land 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.

Five small registered minority religious communities have established places of worship, three rented and two in the private homes of Baha'is and Hare Krishnas. However, worship in private homes is limited to nuclear family members in registered religious communities. Turkmen officials have told the State Department that if neighbors do not object, worship in private homes is allowed. Nevertheless, security police reportedly continue to break up religious meetings in private homes and search homes without warrants.

There have been no recent reports of destruction of houses of worship by the Turkmen authorities. In the Niyazov era, the state reportedly closed, confiscated, or destroyed at least a dozen houses of worship. 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 the destruction or confiscation of at least 17 mosques and churches that occurred under Niyazov.

### *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 travelers and confiscate religious material. The State Department reported in 2010 that Turks who reside in Turkmenistan have had their personal Korans confiscated at the border. Religious literature also is routinely confiscated in police raids on religious individuals and groups, and is rarely returned.

The CRA must approve all imported religious literature, but since it only includes representatives of Islam and Russian Orthodoxy, the CRA's knowledge of other religions is limited. 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. Local CRA branches frequently confiscate and photocopy literature and the Dashoguz CRA required that it stamp all approved religious material. Religious communities need a license to copy religious literature already in their possession. One leader of a registered Protestant community said that the Justice Ministry had threatened his church for trying to copy religious material without a license.

According to the State Department, the Koran is "practically unavailable" at state bookstores in Ashgabat. While most homes have one Arabic copy of the Koran, 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 early 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, neither a Bible Society nor Christian bookshops is allowed to exist.

In February 2011, two students reportedly were expelled from the National Institute of Sports and Tourism in Ashgabat after Education Ministry inspectors found audio recordings of Koranic verses on their computers. Officials claimed that the two students were propagating "religious extremism." Unlike in previous years, however, ethnic Turkmen members of unregistered religious groups accused of disseminating religious material were not singled out for particularly harsh treatment.

Internet users in Turkmenistan cannot access most international religious websites. The government has a monopoly on Internet access, and uses a computer program to search emails for coded words and block "suspicious" messages. Nevertheless, some communities maintain that the Internet has improved their access to needed religious literature.

#### *Restrictions on Religious 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 instruction, and such instruction must take place in officially-approved institutions. However, 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. However, the law prohibits the ROC from conducting religious education programs without CRA and presidential approval, which to date apparently has not been granted.

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. In July 2009, the building of the Islamic Theology Department of Turkmen State University in Ashgabat was demolished. Government officials refuted these claims, but an official at the university said that students have relocated to the main building of the university. According to Forum 18, the faculty only had 60 students in its five-year course and it no longer is allowed to employ foreign staff.

The country's largest religious minority, the Russian Orthodox community, has no institution in Turkmenistan to train clergy, although Russian Orthodox men are allowed to leave the country for clerical training. Shi'a Muslims, most belonging to Iranian and Azeri ethnic minorities, also have no religious training institutions in Turkmenistan. Even registered religious minority communities have difficulty with regard to training; one leader has said that most religious training is conducted informally and in private homes.

#### *Restrictions on International Travel for Religious Reasons and on Communications*

The government continues to interfere with the ability of religious adherents to travel outside the country. In 2009, authorities did not allow any Muslims to leave the country to perform the *hajj* (pilgrimage to Mecca), allegedly due to fear of swine flu infection. Instead, the government organized "an internal *hajj*" for 188 officially-designated Muslim pilgrims to travel to 38 sites inside Turkmenistan. In 2010, the Turkmen government resumed its previous practice of permitting 188 pilgrims (out of the reported official Saudi quota of 5,000) to travel at state expense to Mecca. Pilgrims reportedly have had to pay bribes to be included on the list.

Foreign religious workers and co-religionists of certain groups continue to have difficulty obtaining entry visas to Turkmenistan. The last known visit to the country by Armenian Apostolic Church clergy was in 1999. The Baha'i report that it is impossible for their foreign relatives to receive permission to visit Turkmenistan, although Baha'is can go on foreign visits. However, ROC then-Metropolitan Kyril was permitted to visit Turkmenistan in 2008, the first visit by a ROC leader since 2003. In addition, the New Apostolic Church was allowed a visit by a European church leader for the first time in 2009.

In late 2010, the Turkmen government suddenly cut off cell phone service provided by a private Russian company, thereby depriving an estimated 80 percent of the Turkmen population of cell phone use. This cut-off, which continues as of April 2011, has provoked several public protests.

#### *Status of Presidential Personality Cult*

The current Turkmen government has moved away from Niyazov's personality cult and from the forceful official promotion of the *Ruhnama*, although President Berdimuhamedov seems to be establishing a new personality cult around himself, albeit one without specifically religious overtones. The *Ruhnama* has been removed from government buildings and from mosques, although its inscriptions remain emblazoned on the walls of the huge mosque of Gipchak, Niyazov's home town. Portraits of Niyazov were removed from building exteriors in 2008, but large posters of the new president appeared. Most textbooks were revised to remove text on Niyazov and his family, although some pictures of him still appear. The new textbooks include pictures of the new president, and the text on his "New Revival" ideology has replaced a previous text on Niyazov and his family. Reportedly, Presidential administration representatives now sell the new president's books on medicine, his family's history, and Akhal-Tekke horses to public institutions, including schools.

Imams no longer are required to repeat in their daily prayers a loyalty oath to the "fatherland," but they do include a prayer for the Turkmen president to which some Muslims reportedly object. Public school students spend less time studying the *Ruhnama*, but still must pass examinations on that work for advancement, graduation, or admission to higher educational institutions. The Turkmen Academy of Sciences has been re-opened and books by Turkmen historians and classical Turkmen authors have been published. Nevertheless, a university named for the *Ruhnama* was opened in 2010 and the Turkmen president recommended that the book still be used to educate youth. The Turkmen government also requires teachers and students to spend 70 to 80 days of the academic year in state-sponsored extracurricular events.

Moreover, the presidential personality cult is the foundation of a neo-Stalinist state ideology in Turkmenistan. The president is officially portrayed as a figure who always acts in the interest of the people, thereby justifying his decisions and those of his circle. Turkmen are not allowed to challenge this official ideology which inflates national pride and elevates the Turkmen government above all others. Criticism is officially treated as tantamount to treason and dissenters are branded "enemies from within." Instead, Turkmen citizens are expected to be grateful to, and not participate in, its governing circles. The long-term effects of the neo-Stalinist Turkmen state ideology, combined with the country's continuing isolation and post-Niyazov educational vacuum, are difficult to calculate.

## **U.S. Policy**

In March 2011, President Obama announced his intent to appoint Robert E. Patterson to the post of U.S. Ambassador to Turkmenistan. Mr. Patterson, if confirmed, would be the first fully accredited U.S. ambassador to this strategically-important country in five years. Previous ambassadors have played an important role in highlighting the importance of respect for human rights in Turkmenistan, and USCIRF has long called for this key ambassadorial post to be filled.

USCIRF also has long recommended that the United States and Turkmenistan engage in regular discussions on important bilateral issues, including human rights. Accordingly, USCIRF welcomed the convening of the first U.S.-Turkmenistan Annual Bilateral Consultations in Ashgabat in June 2010, and the U.S. government's addressing the need to improve religious freedom conditions in the wider human rights context.

Despite President Berdimuhamedov's 2007 personal invitation to USCIRF to make a return visit, the Turkmen government has refused to meet with USCIRF three times in the past two years, each time just prior to the delegation's departure for such a visit. This occurred most recently in December 2010. It should be noted, however, that in a February 2011 response to a USCIRF request for information, the Turkmen Ambassador to the United States stated that "we can guarantee that Turkmenistan is open to you or members of the Commission to visit whenever is convenient for you so we can discuss the issues of religious freedom in Turkmenistan."

The United States has several important interests in Turkmenistan, including those related to overflight rights to Afghanistan and to the country's huge natural gas supplies. The United States also has an interest in ensuring that the Turkmen government does not return to an official policy of isolationism. Since Turkmenistan shares long and porous borders with Iran and Afghanistan, the country could also become open to radical Islamist influences.

Turkmenistan is not part of the Northern Distribution Network (NDN) for the delivery of supplies to U.S. and NATO troops in Afghanistan, but the United States government has held several high-level meetings with Turkmen officials on key related issues. Turkmenistan has only allowed U.S. refueling rights at the Ashgabat International Airport for non-lethal supplies to Afghanistan. The Turkmen government has not allowed its railroads to be used for these purposes, although some observers claim the U.S. may be interested in this possibility as well as in Turkmenistan shipping fuel to NATO troops, according to the Turkmenistan News Brief.

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

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

The U.S. government has stressed the importance of freedom of information and media in its programs in Turkmenistan and has sent Turkmen professionals, government officials, and students to the United States for foreign policy and broadcast journalism programs. The U.S. government provides funding for local civil society projects, including leadership camps and seminars, and promotes greater access to information by funding a resource center to provide Turkmen with Internet access and computer training. The United States also encourages the Turkmen government to revise its laws on religion and mass media and to reform its criminal code. The U.S. government meets with representatives of Turkmen religious groups to promote religious freedom.

## **Recommendations**

While the geo-strategic importance of Turkmenistan is on the rise, the United States should continue raising concerns about human rights and religious freedom in its meetings with the Turkmen government, urge it to implement new laws and practices that comply with international human rights standards, and, if concrete improvements are not met, 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 in pursuit of this aim.

### **I. Expanding U.S.-Turkmen Bilateral Relations**

The U.S. government should:

- urge the Turkmen government to limit its operational definition of extremism to address only acts that involve violence or incitement to imminent violence;
- urge the Turkmen government to embrace fully USAID's technical critique of Turkmen laws affecting religious freedom; and
- discuss human rights and freedom of religion or belief during 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.

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

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, for example by implementing the recommendations of the 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, and residential and workplace intimidation of members of religious communities due to their peaceful practice of religious or other beliefs;
- end fully the harassment and unlawful deportation of religious leaders and the imposition of fines on members of peaceful unregistered religious communities whose activities are deemed "illegal;"

- pledge that it will fully respect the human rights, including the right to life, of Turkmen émigré human rights and other activists;
- end the imposition of the *Ruhnama* or other state-sponsored texts or ideology in public institutions and religious organizations;
- end discriminatory construction codes that restrict non-Russian-Orthodox communities from building places of worship;
- end restrictions on the study of religion in higher education, including bans on non-Islamic theology;
- allow women to study Islamic theology;
- promulgate new regulations and adopt new policies to ease the importation of religious and other material for all communities, and to permit the domestic printing and dissemination of such material in accordance with international standards;
- restore genuine legal alternatives to military service on the grounds of religious or conscientious objection based on international precedents, including those of the OSCE, 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;
- expand and regularize 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;
- end state interference in the management of religious communities and in the selection and training of religious leaders, including those from Sunni and Shi'a Muslim and the Russian Orthodox communities, as well as from Protestant and other minority communities; and
- permit a USCIRF delegation to return to Turkmenistan to assess current conditions for freedom of religion or belief, speak with current or former prisoners of conscience in places of detention, and speak unimpeded with religious and other organizations and their members.

## **II. Expanding U.S. Programs and Other Activities to Promote Human Rights and Reform Efforts**

The U.S. government should:

- 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, adding Russian-language broadcasts; and

--restoring Voice of America's Russian-language television and radio broadcasts to Central Asia, particularly those broadcasts 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:

--reprinting Russian and Turkmen language materials on human rights, particularly on international norms on freedom of religion or belief; and

--providing funds for libraries in Ashgabat and other cities, including materials on human rights, as well as 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, including through Peace Corps and 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
- cooperate 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.

### **III. Strengthening Efforts in the International Arena**

With regard to international fora, the U.S. government should 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 UPR 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 expand 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 freedom of religion or belief.