



January 2008

country summary

## Turkmenistan

Turkmenistan remains one of the most repressive countries in the world, despite a change in leadership brought about by the death of president-for-life Saparmurat Niazov in December 2006. The new president, Gurbanguly Berdymukhamedov, has taken steps to reverse some of the most ruinous social policies of Niazov's rule and to end the country's international isolation. But the human rights situation in Turkmenistan remains disastrous, and the government has yet to commit to a reform agenda that guarantees fundamental rights.

### New President

Berdymukhamedov, formerly a deputy prime minister and health minister, was named acting president upon Niazov's death, and on February 11, 2007, he was elected president. The election was neither free nor fair: five low-ranking "alternative" candidates ran against Berdymukhamedov, but no opposition leaders were able to return from exile abroad to stand as candidates, and all candidates represented the country's sole political party.

To his credit, after his election Berdymukhamedov announced a number of reforms, including reinstating pensions and social allowances and restoring the tenth year of secondary education and the five-year course of university-level education.

### Persecution of Civil Society Activists

On December 17, 2006, environmental activist Andrei Zatoka was arrested in Dashaguz. He was charged with possession of firearms and poison, but the arrest appears to have been motivated by his contacts with environmental groups abroad. As a result of intense international pressure, Zatoka was ultimately given a three-year suspended sentence in January 2007.

The new government has continued to harass and persecute civil society actors and independent media. The unofficial ban on registering independent nongovernmental organizations remains in effect, and these groups face ongoing harassment.

During the year, government agents prevented activists from meeting with visiting international delegations. In February six persons were warned not to leave their homes during a visit to Turkmenistan by a delegation of the Organization for Security and Co-operation in Europe's (OSCE) Parliamentary Assembly. Three activists reported that their telephone lines did not work and that Ministry of National Security agents waited in cars parked close to the activists' homes the day of the visit. This intimidation was repeated several days later, during a visit by EU Special Representative for Central Asia Pierre Morel. Similarly, one activist was held at the Ministry of National Security (MNB) for an entire day during the visit of the United Nations high commissioner for human rights in May.

### **Freedom of Expression and Access to Information**

The new government continues to severely limit free expression and to harass those who express their peaceful opinions or seek independent sources of information, as well as to use a variety of means to intimidate and impede the work of independent journalists. The government continues to restrict much foreign media access to the country.

Radio Free Europe/Radio Liberty (RFE/RL) reported the ongoing harassment and surveillance of its correspondents by security officials. At least seven RFE/RL correspondents had their land-line and mobile telephones blocked during the spring. On April 26 the son of an RFE/RL correspondent and his girlfriend were detained and questioned for eight hours in Ashgabat; the woman was threatened with unspecified consequences should she marry the correspondent.

In April an independent journalist, Sona Chuli-Kuli, was barred from leaving Turkmenistan to attend the Eurasian Media Forum in Almaty, Kazakhstan. She was taken to the MNB, where she was held for three days and questioned about the contents of her computer's hard drive. The hard drive was confiscated for examination and returned to her only after she signed a statement promising not to

cooperate with international media. Human Rights Watch is aware of two other cases in which journalists were subjected to similar intimidation.

Despite Berdymukhamedov's pledge early in his presidency to increase access to the internet, the state does not permit independent service providers. Most websites that contain information perceived to be critical of the government are blocked. Security services reportedly visit internet cafes and intimidate customers.

## **Freedom of Religion**

Forum 18, an independent, international religious freedom group, has reported a rise in arrests, deportations, raids, and threats against religious minorities since Niazov's death.

Some individuals have been arrested and harassed simply for their peaceful religious expression, according to Forum 18. On May 14, 2007, Vyacheslav Kalataevsky, a Turkmenistan-born Baptist with Ukrainian citizenship, was sentenced to three years in a labor camp. Although charged with illegal border crossing, his family reports that most of the questions asked of him during pretrial interrogations related to his religious activities. Russian citizen Yevgeny Potolov, a Baptist pastor arrested with Kalataevsky, was expelled from Turkmenistan in early July after having been detained for seven weeks. Although the grounds for his deportation remain unclear, Potolov reported that while he was detained, officials of the MNB reported to the Migration Service that he was a "dangerous person," an accusation he rejects. On August 12 local officials in the city of Turkmenbashi also threatened to deport Potolov's wife and children.

Members of a Protestant church near the northeastern town of Turkmenabat reportedly had their houses raided by local officials and secret police on May 20. On the following two days, public meetings were held at which church members were humiliated and warned to stop attending Protestant services. Local government representatives accused the believers of "conducting criminal activity and political action against the government."

## Freedom of Movement

The government under President Berdymukhamedov has softened some restrictions on freedom of movement. In July 2007 it formally abolished the requirement that residents wishing to travel to closed areas along the border obtain prior government permission. At least seven individuals are known to have been removed from the list of people forbidden from travel abroad. Nonetheless, numerous people, including journalists, religious minorities, and perceived dissidents and their relatives, remain on a blacklist banning them from leaving the country. While it is difficult to estimate the exact number of people forbidden from foreign travel, knowledgeable sources believe the number to be in the thousands.

## Political Prisoners

Large numbers of prisoners who were convicted in closed, unfair trials during the Niazov era are still believed to be imprisoned. During 2007 Berdymukhamedov granted two presidential pardons that affected approximately 9,000 prisoners. Among those released were 15 persons believed to have been sentenced on politically motivated charges, as well as more than 10 relatives of dissidents and former high-ranking officials. They included Nasrullah Ibn Ibadullah, the former chief mufti of Turkmenistan, who had been serving a 22-year sentence on politically motivated charges of involvement in a 2002 plot to assassinate Niazov. However, well-known Niazov-era political prisoners including Mukhametkuli Aymuradov, Annakurban Amanklychev, and Sapardurdy Khajiev, remain deprived of their liberty. Dozens of prisoners are held incommunicado. The fate of imprisoned former foreign minister Boris Shikhmuradov and former ambassador to the OSCE Batyr Berdiev remains unknown, although Berdymukhamedov told an audience at New York's Colombia University in September he was "positive that they are alive."

Politically motivated arrests continue to be a concern under Berdymukhamedov. Ovezgeldy Ataev, the constitutionally designated successor to Niazov as interim president, was removed from succession in December 2006 and imprisoned on charges of driving a relative to attempt suicide.

The government has taken no steps to investigate credible allegations of torture or to outline a process for reviewing the convictions that are the basis for ongoing

imprisonment for thousands. No independent investigation has been conducted into the 2006 death in custody of human rights defender Olgusapar Muradova.

## **Key International Actors**

In contrast to previous years of self-imposed isolation, the new president demonstrated a willingness to engage with the international community. This greater openness presented a significant opportunity to press specific reform, such as the release of all political prisoners—an opportunity the many foreign diplomatic visitors to Turkmenistan during 2007 have largely squandered.

The government continues to refuse access to places of detention for any independent national or international observers, including the International Committee of the Red Cross. With the exception of the special rapporteur for religious freedom, it has failed to extend invitations to the special procedures of the United Nations Human Rights Council that have requested to visit Turkmenistan, including those on torture, education, health, human rights defenders, independence of judges and lawyers, the right to freedom of opinion and expression, and on arbitrary detention.

The European Union held a first round of its newly established human rights dialogue with Turkmenistan in September, in the framework of the EU's new Central Asia strategy, but it failed publicly to articulate any specific human rights reforms it intended to advance through this dialogue. Rights issues were raised during Berdymukhamedov's November visit to Brussels, though no benchmarks for progress were set.

The United States government increased its engagement with the government of Turkmenistan after the death of Niazov, including on issues of human rights concern. The US Department of State's Country Reports on Human Rights Practices continued to cite serious human rights violations in Turkmenistan. In August the Turkmen government received a delegation from the US Commission for International Religious Freedom, which considers Turkmenistan a "country of particular concern" and which sought to assess the government's commitments to improve human rights, in particular the right to freedom of religion. At this writing the report of the visit has not been made public.