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TURKMENISTAN: Further sentences for religious conscientious objection feared

By Felix Corley, Forum 18

On 3 August Jehovah's Witness Suleiman Udaev is due to go on criminal trial in the eastern town of Mary for refusing compulsory military service on grounds of religious conscience, Forum 18 News Service has learned. His trial will come two weeks after three young Jehovah's Witnesses were sentenced on the same charges in the capital Ashgabad. Two received suspended two year sentences. The third - Nuryagdy Gayyrov – had his eighteen-month prison sentence transferred to a one-year suspended sentence on 23 July after the prosecutor appealed against what he regarded as a harsh sentence. The three face tight restrictions. They cannot leave Ashgabad and must be back home each evening by 8 pm. One of those sentenced told Forum 18 he was beaten during pre-trial interrogation "for no reason". The Jehovah's Witnesses fear more trials will follow.

On 23 July, less than a week after being handed a labour camp sentence of one year and a half in punishment for refusing compulsory military service on grounds of religious conscience, Jehovah's Witness Nuryagdy Gayyrov had his punishment reduced to one year's suspended sentence. "Suspended sentences are now the general rule for those refusing military service on grounds of religious conscience," Bayram Ashirgeldyyev told Forum 18 from the capital Ashgabad [Ashgabat] on 26 July.

Ashirgeldyyev and fellow Ashgabad Jehovah's Witness Aleksandr Zuyev were respectively given 18 month and two year suspended sentences in separate trials in the city in mid-July (see F18News 20 July 2007 http://www.forum18.org/Archive.php?article_id=998). Jehovah's Witness young men insist they are ready to do an alternative non-military service, but none is offered in Turkmenistan.

Ashirgeldyyev warned that other Jehovah's Witness young men are facing trial for refusing military service. He said Suleiman Udaev is facing trial in the town of Mary east of Ashgabad on 3 August. Like the others, he is accused of violating Article 219 part 1 of the Criminal Code, which punishes evading military service with a maximum penalty of two years' imprisonment.

Also expecting to be charged are up to another ten young Jehovah's Witness men. Two of them have already served sentences on the same charges, Ilya Osipov from Ashgabad, who was sentenced in 2001, and Mansur Masharipov from the northern town of Dashoguz [Dashhowuz], who was sentenced in 2004. "Both have been summoned by the military commission and both have refused the call-up," Ashirgeldyyev told Forum 18. "Although they've not heard yet that they'll be tried, all the indications are that they will."

The Jehovah's Witnesses insist that Masharipov is not eligible for military service due to his physical disabilities and the after-effects of tuberculosis.

Masharipov was among four imprisoned young conscientious objectors, the most recent Jehovah's Witness prisoners of conscience until the sentences this year, freed under an amnesty by then President Saparmurat Niyazov in April 2005 (see F18News 22 April 2005 http://www.forum18.org/Archive.php?article_id=548). The following month, in the wake of their release from labour camp, Jehovah's Witnesses wrote to President Niyazov expressing concern that those who had been freed were already being called again to the military commission despite the amnesty.

The three Jehovah's Witnesses now serving suspended sentences – Ashirgeldyyev, Gayyrov and Zuyev - face tight restrictions. They cannot leave Ashgabad and must be back home each evening by 8 pm, Ashirgeldyyev told Forum 18. They must also find work. "This is very difficult as there is no work available," he added.

Nuryagdy Gayyrov – who was given the one and a half year sentence at a closed trial at Ashgabad's Kopetdag District Court on 18 July – was not even told about the appeal hearing at Ashgabad City Court. "The prosecutor appealed against the sentence, saying it was too harsh," Jehovah's Witnesses told Forum 18 from Ashgabad on 26 July. "Nuryagdy wasn't taken to the appeal hearing and didn't know anything about it until his friends arrived to collect him late that evening."

Jehovah's Witnesses say he was being held at the detention centre at Yashlyk, 40 kms (25 miles) south-east of Ashgabad. "The guards told him he would be leaving, but Nuryagdy thought this meant he would be sent on to labour camp as he was expecting," they told Forum 18. "It was a surprise when he was handed over to our people that evening and they told him all about the appeal

decision."

Also held in Yashlyk detention centre until his trial was Ashirgeldyyev. "We were held separately in what was called 'quarantine' – twelve men in a room 9 by 5 metres [30 by 16 feet]," he told Forum 18. "You can't see anything. They gave us food and water, but both were of such low quality. There was an open toilet and we had to sleep on the concrete floor." He added that unlike in police detention - where they were beaten "for no reason" during interrogation – guards at the camp did not assault them.

Forum 18 has again been unable to reach any officials who could explain why those unable to do military service on grounds of religious conscience cannot be offered non-combat alternative service and why those already sentenced once for refusing military service are being punished again on the same charges.

The receptionist at the government's National Institute for Democracy and Human Rights told Forum 18 on 26 July that its director, Shirin Akhmedova, and fellow employee Shemshat Atajanova were both out at a meeting. The telephone of Aygozel Hezretova, head of the Legal Information Centre at the Adalat (Justice) Ministry went unanswered on 26 July.

Gayrov's transfer to a suspended sentence leaves two current known religious prisoners of conscience. They are Baptist pastor Vyacheslav Kalataevsky and the former chief mufti Nasrullah ibn Ibadullah, if he is still alive. The 59-year-old Nasrullah was given a 22-year sentence in 2004 on charges the government has never made public. No-one, including his family, has had any news of him since soon after his trial (see F18News 16 February 2007 http://www.forum18.org/Archive.php?article_id=914).

Kalataevsky, who is 49, is in labour camp in Seydi after being found guilty in May of violating Article 214 part 2 of the Criminal Code, which punishes illegal border crossing "committed with preliminary planning and in a group, or using violence or threats" with a maximum sentence of five years' imprisonment. He received a three year sentence (see F18News 18 July 2007 http://www.forum18.org/Archive.php?article_id=996).

Baptist Pastor Yevgeny Potolov – arrested in March 2007 - was expelled from Turkmenistan in early July (see F18News 18 July 2007 http://www.forum18.org/Archive.php?article_id=996).

The Jehovah's Witnesses are among the religious communities which have been prevented from gaining legal status. Since new Turkmen President Gurbanguly Berdymukhamedov took over at the beginning of 2007, raids, fines, public threats, imprisonment and other violations of freedom of thought, conscience and belief have significantly increased (see eg. F18News 20 July 2007 http://www.forum18.org/Archive.php?article_id=997). (END)

For a personal commentary by a Protestant within Turkmenistan, on the fiction - despite government claims - of religious freedom in the country, and how religious communities and the international community should respond to this, see http://www.forum18.org/Archive.php?article_id=728

For more background, see Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=672

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Turkmenistan is available at <http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=turkme>

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