

3 June 2019

TURKMENISTAN: Second 2019 conscientious objector jailing

By Felix Corley, Forum 18

The 23-year-old Jehovah's Witness Muhammetali Saparmyradov was jailed for one year in March for refusing compulsory military service on grounds of conscience. He has joined 11 other jailed conscientious objectors in the labour camp in Seydi. Labour camp officials refused to discuss their prison conditions with Forum 18.

Another conscientious objector to Turkmenistan's compulsory military service has been jailed. A court in the south-eastern town of Bayramaly sentenced 23-year-old Muhammetali Saparmyradov to one year's imprisonment in March. He has since joined 11 other jailed conscientious objectors in the labour camp in Seydi in eastern Turkmenistan. All are Jehovah's Witnesses.

Saparmyradov is the second Jehovah's Witness conscientious objector known to have been jailed so far in 2019. Twelve are known to have been jailed in 2018, 10 of whom are still serving their sentences (see below).

The 12 Jehovah's Witnesses imprisoned for their conscientious objection to military service - all aged between 18 and 25 – are serving one or two year jail terms (see full list below)

Jehovah's Witnesses are conscientious objectors to military service and their beliefs do not allow them to undertake any kind of activity supporting any country's military. But they are willing to undertake an alternative, totally civilian form of service, as is the right of all conscientious objectors to military service under international human rights law (<http://www.quno.org/sites/default/files/resources/QUNO%202015%20RB%20Conscientious%20Objection%20FINAL.pdf>).

Turkmenistan offers no alternative service for those unable to perform compulsory military service on grounds of conscience. The United Nations and the Organisation for Security and Co-operation in Europe have repeatedly called for the government to introduce such an alternative (see below).

Turkmenistan has ignored 12 United Nations Human Rights Committee Decisions – the most recent published in April - that jailing conscientious objectors violated their rights. It also ignored another Decision published in April that the rights of two Jehovah's Witnesses jailed on fabricated pornography charges were violated (see below).

None of the known prisoners of conscience jailed for exercising freedom of religion or belief (including Muslims who met with others to study their faith) was freed in the latest prisoner amnesty, signed by the President on 29 May (see below).

Many prisons (including Seydi ordinary regime labour camp) have a mosque and a small Russian Orthodox prayer room. No Russian Orthodox priests are known to visit, but state-controlled imams do. However, prisoners regard them with suspicion as they are known to report prisoners to the camp authorities (see below).

Forum 18 reached the duty officer at Seydi ordinary regime labour camp on 3 June, but no official was prepared to discuss the conditions of the Jehovah's Witness prisoners of conscience or any other prisoners.

Young men conscripted for military service have complained in the past that "no religion is allowed in the army at all" (see below).

Neither the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova, nor the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev, answered Forum 18's phone calls on 3 June.

Conscientious objector jailed in Bayramaly

Muhammetali Charygeldiyevich Saparmyradov (born 11 November 1995) is a Jehovah's Witness from Bayramaly in Mary Region, east of the capital Ashgabat. He refused his regular call-up to compulsory military service.

Prosecutors then brought a case against Saparmyradov under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"). They handed his case to Bayramaly City Court. At his trial on 19 March, the Judge sentenced him to one year's ordinary

regime labour camp, Jehovah's Witnesses told Forum 18.

As Saparmyradov had not been held in pre-trial detention, he was arrested immediately after the court hearing.

Saparmyradov and his mother decided not to appeal against his conviction, Jehovah's Witnesses added.

The authorities then transferred Saparmyradov to serve his sentence at the ordinary regime labour camp in the desert near Seydi, in Lebap Region. (The prison now seems to use the designation LB-E/12, not LB-K/12.) Many other prisoners of conscience jailed to punish them for exercising the right to freedom of religion or belief have been held in the camp, where torture is said to be routine and prisoners are denied their freedom of religion and belief and other rights.

(http://www.forum18.org/archive.php?article_id=2244)

The address of the Seydi Labour Camp is:

746222 Lebap velayat

Seydi

uchr. LB-E/12

Turkmenistan

Saparmyradov was the second conscientious objector known to have been jailed in 2019. The first, Azamatjan Narkulyev, was given a one-year jail term on 7 January. (http://www.forum18.org/archive.php?article_id=2443)

Prisons' state-controlled mosques, Orthodox prayer rooms only

Some of Turkmenistan's prisons (except Ovadan-Depe strict regime prison) have a mosque and a small Russian Orthodox prayer room, former prisoner of conscience Saparmamed Nepeskulyev told Forum 18 on 8 May. (Nepeskulyev, a former Radio Free Europe correspondent, was himself freed from Seydi labour camp in May 2018 and able to leave Turkmenistan in March 2019.)

No Russian Orthodox priests are known to visit prisons, but state-approved imams do. "But prisoners do not trust the clergy," Nepeskulyev added. "They call on prisoners to be calm and not to cause trouble, and praise the president. No prisoner would reveal anything to them, just attend prayers."

Similarly, prisoners at the strict regime labour camp at Bayramaly (MR-K/16) complain that the state-appointed imam appears to be unable to answer questions about Islam. He also reports prisoners to the camp authorities if they raise questions about their faith, Turkmen.news told Forum 18 on 3 June. Some prisoners were reportedly sent to the punishment cell after the imam reported them for questioning his knowledge of Islam.

Many prisoners of conscience

The twelve jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief.

Five Muslims who met to study the works of theologian Said Nursi failed to overturn their 12-year jail terms at Turkmenistan's Supreme Court in July 2018. Four of the five are in the top-security prison at Ovadan-Depe, where prisoners have suffered torture and death from abuse or neglect. (http://www.forum18.org/archive.php?article_id=2399)

Dozens of Muslims from in and around the eastern city of Turkmenabat were imprisoned in 2013 and after to punish them for their involvement in a Muslim study group. Most or all the prisoners are believed to be held in Ovadan-Depe. For several years relatives had no information as to whether they were still alive. Three of the group are known to have died in prison. (http://www.forum18.org/archive.php?article_id=2318)

Statistical forms prison administrations have to submit regularly to higher authorities, such as the Prosecutor's Office and the Interior Ministry, ask for numbers of various categories of prisoners, including detained "adherents of banned religious organisations". Another form asks for the number of jailed alleged "Wahhabis", "Jehovists", and "Suleimanists" (an apparent reference to followers of Turkish-influenced Islam). (http://www.forum18.org/archive.php?article_id=2476)

No prisoners of conscience freed under May amnesty

On 29 May, President Gurbanguly Berdimukhamedov signed a decree freeing 764 prisoners, the government website announced the same day. A condition of being freed was for prisoners to repent of what they had done.

None of the 12 jailed Jehovah's Witness conscientious objectors was freed under the amnesty, Jehovah's Witnesses told Forum 18. None of the Muslim prisoners of conscience jailed for meeting with others to study their faith are known to have been freed either, other sources indicated.

No Jehovah's Witness was included in the March prisoner amnesty as, when asked to say in writing if they admitted their "guilt" and repented of their "crime", they all wrote "No". (http://www.forum18.org/archive.php?article_id=2476)

In September 2018, ahead of the presidential amnesty, officials at Seydi Labour Camp told three Jehovah's Witness prisoners - Kerven Kakabayev (released in January 2019 at the end of his sentence), Mekan Annayev, and Veniamin Genjiyev - that they would be granted amnesty and released. Even though their names were on the publicly announced list of prisoners to be amnestied, the three men were not among the 1,722 prisoners released the following day. (http://www.forum18.org/archive.php?article_id=2443)

No conscientious objection, no alternative service

In defiance of repeated calls by the United Nations (UN) and the Organisation for Security and Co-operation in Europe, Turkmenistan offers no alternative to its compulsory military service. Military service for men between the ages of 18 and 27 is generally two years. Call-up is decreed each spring and autumn. (http://www.forum18.org/archive.php?article_id=2400)

Young men who refuse military service on grounds of conscience face prosecution under Criminal Code Article 219, Part 1. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment or two years' corrective labour.

From 2014, courts punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. However, jailings resumed with two prison terms in January 2018. (http://www.forum18.org/archive.php?article_id=2363)

UN decisions on prisoners of conscience ignored

The United Nations Human Rights Committee, in its Decision published on 4 April, found that the Turkmen authorities had violated the rights of Jehovah's Witness conscientious objector Arslan Dawletow (Dovletov) by jailing him for 18 months from December 2012. The Committee also complained of Turkmenistan's failure to respond to questions on the case, in defiance of its legal obligations. (http://www.forum18.org/archive.php?article_id=2476)

The Decision on Dawletow's case was the 12th Human Rights Committee Decision that Turkmenistan violated the rights of Jehovah's Witness conscientious objectors by jailing them. Complaints to the UN Committee by at least four other convicted conscientious objectors (three of whom had been jailed and one fined) are still pending.

The UN Human Rights Committee issued a separate Decision in April that Turkmenistan had also violated the human rights of two other Jehovah's Witnesses by jailing them on fabricated pornography charges to punish them for exercising their right to freedom of religion and belief. (http://www.forum18.org/archive.php?article_id=2476)

The Human Rights Committee reminded Turkmenistan that it is obliged to make reparation to all three prisoners of conscience, including by expunging their criminal records and providing adequate compensation. "The State party is also under an obligation" to prevent similar violations occurring, both Decisions stress.

Turkmenistan has ignored these latest UN Human Rights Committee Decisions, as it has ignored earlier decisions.

An official of the International Organisations Department of the Foreign Ministry in Ashgabat insisted to Forum 18 in May that the Foreign Ministry is working with the UN Human Rights Committee. However, asked what action the government would take in response to the Human Rights Committee Decisions he refused to say and put the phone down. (http://www.forum18.org/archive.php?article_id=2476)

"No religion is allowed in the army at all"

Young men conscripted into the army complained earlier of lack of freedom of religion or belief during their service.

Despite the alleged partial guarantees in the Law on the Status and Social Protection of Servicemen, "no religion is allowed in the army at all" members of different religious communities told Forum 18 in 2016. "You can't have a Koran, Bible or other religious literature and you can't conduct prayers visibly," one noted. Conscripts often have no leave during their entire two year service, which means they cannot attend meetings for worship, a member of one religious community noted to Forum 18. (http://www.forum18.org/archive.php?article_id=2244)

List of known jailed conscientious objectors

Twelve conscientious objectors to compulsory military service (listed below) – all of them Jehovah's Witnesses – are known to be serving prison sentences under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"):

- 1) Mekan Orazdurdiyevich Annayev; born 22 June 1999; sentenced 26 June 2018 Turkmenbashi City Court; no appeal to Balkan Region Court; two year ordinary regime labour camp.
- 2) Ikhlosbek Valijon oglu Rozmetov; born 26 November 1997; sentenced 11 July 2018 Gurbansoltan eje District Court; appeal rejected 23 July 2018 Dashoguz Regional Court; one year ordinary regime labour camp.
- 3) Veniamin Muslimovich Genjiyev; born 12 May 2000; sentenced 17 July 2018 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 4) Maksat Jumadurdiyevich Jumadurdiyev; born 15 May 2000; sentenced 17 July 2018 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 5) Isa Muslimovich Sayayev; born 14 May 1994; sentenced 9 August 2018 Koneurgench City Court; appeal rejected 11 September 2018 Dashoguz Regional Court; one year ordinary regime labour camp.
- 6) Ruslan Khadyynyaz oglu Artykmuradov; born 24 May 2000; sentenced 13 August 2018 Sayat District Court; appeal rejected 11 September 2018 Lebap Regional Court; one year ordinary regime labour camp.
- 7) Sokhbet Rejepmyradovich Agamyradov; born 4 January 2000; sentenced 27 August 2018 Mary City Court; appeal lodged to Mary Regional Court but city court refuses to hand it on; one year ordinary regime labour camp.
- 8) Serdar Annamyradovich Atayev; born 9 June 2000; sentenced 28 August 2018 Mary City Court; appeal lodged to Mary Regional Court but city court refuses to hand it on; one year ordinary regime labour camp.
- 9) Gurbangylych Dovletovich Muhammetgulyyev; born 15 March 2000; sentenced 28 November 2018 Mary City Court; no appeal to Mary Regional Court; one year ordinary regime labour camp.
- 10) Eziz Dovletmuradovich Atabayev; born 15 March 1998; sentenced 19 December 2018 Dashoguz City Court; appeal rejected 15 January 2019 Dashoguz Regional Court; two year ordinary regime labour camp.
- 11) Azamatjan Narkulyevich Narkulyev; born 9 November 2000; sentenced 7 January 2019 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 12) Muhammetali Charygeldiyevich Saparmyradov; born 11 November 1995; sentenced 19 March 2019 Bayramaly City Court; no appeal to Mary Regional Court; one year ordinary regime labour camp.

(END)

Full reports on freedom of thought, conscience and belief in Turkmenistan
(<http://www.forum18.org/archive.php?query=&religion=all&country=32>)

For more background, see Forum 18's Turkmenistan religious freedom survey
(http://www.forum18.org/archive.php?article_id=2244)

Forum 18's compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion and belief commitments (http://www.forum18.org/archive.php?article_id=1351)

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