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TURKMENISTAN: "Shall we trust the president?" religious groups ask

By Felix Corley, Forum 18

Doubts have been expressed about the genuineness of this month's surprise presidential lifting of harsh restrictions on registering religious communities. But five groups – the Church of Christ, the Adventists, the New Apostolic Church, the Catholic Church and the Baha'i faith - have since the decree sought information about how to apply for registration, Forum 18 News Service has learnt. Other religious communities remain wary. At present only Russian Orthodox and some Muslim communities have registration, and these communities must now reregister. Unregistered religious activity is – contrary to international law – a criminal offence. The presidential decree will not affect the unregistered Baptists, who are persecuted for refusing on principle to seek state registration. Meanwhile the former chief mufti remains on a 22 years jail sentence, apparently for opposing tight presidential control of the Muslim community, and at least six Jehovah's Witnesses are in jail for refusing military service on grounds of religious conscience.

Despite the hesitations of some religious communities about how genuine the government is about the abolition of the harsh restrictions on registering religious communities, five groups – the Church of Christ, the Adventists, the New Apostolic Church, the Catholic Church and the Baha'i faith - have already sought information from the authorities about how to apply for registration, Forum 18 News Service has learnt. Shirin Akhmedova, the head of the department that registers religious communities at the Adalat (Justice) Ministry told Forum 18 that parliament is amending the religion law to take account of President Saparmurat Niyazov's decree abolishing the requirement that religious groups need 500 adult citizen members to register (see F18News 12 March http://www.forum18.org/Archive.php?article_id=274). Many religious communities remain wary, though.

The currently registered Russian Orthodox and Muslim communities will have to apply again for registration. This is under new registration guidelines brought in following the harsh new 2003 religion law, which – contrary to international law – criminalises all unregistered religious activity (see F18News 5 February 2004 http://www.forum18.org/Archive.php?article_id=246).

Akhmedova reported that the Church of Christ, the Adventists, the Baha'is and the New Apostolic Church had come to her department since the decree was issued on 11 March for "consultations" about the registration process. "We gave them information about what documents they need to present to apply for registration," she told Forum 18 from the capital Ashgabad on 23 March. She said Ashgabad's Lutheran community had come to the ministry earlier in the year to enquire about registration, before the president's decree.

Fr Andrzej Madej, head of the Catholic mission in Turkmenistan who is based in the Vatican nunciature in Ashgabad, told Forum 18 from the city on 23 March that he had requested a meeting via the Foreign Ministry with Yagshymyrat Atamyradov, the head of the government's Gengeshi (Council) for Religious Affairs, to discuss how to register a parish in Ashgabad. At present the Catholics can only hold Masses on Vatican diplomatic territory. Their priests also enjoy diplomatic status.

Akhmedova explained to Forum 18 that the same registration system still operates as before the decree, except that the membership threshold has been lifted. "It is now much simpler," she insisted. "Registration does not depend on numbers." But she declined to speculate how many religious communities she expects to register in the wake of the change. "We have no plan on numbers. Whatever applications are lodged will be considered and registration will be given."

She declined to speculate on which of the faiths that are now illegal – including the Armenian Apostolic, Baptist, Pentecostal, Adventist, Lutheran, Hare Krishna, Jehovah's Witness, Baha'i, Jewish or Catholic faiths – would be likely to apply for and gain registration.

Akhmedova reported that 152 religious communities currently have registration, 140 of them Muslim and 12 Russian Orthodox. She claimed that "the majority" of the Muslim communities are Sunni, insisting that some are Shia although she said she had "no information" on exact numbers of registered Shia Muslim communities. Other sources claim that no Shia Muslim communities (which are generally made up of the Azeri and Iranian minorities) are registered.

The 140 registered Muslim communities are far below the estimated number of nearly 400 Muslim communities in the country. It is possible that with the lifting of the registration threshold, many more Muslim and Russian Orthodox communities will apply for registration. Forum 18 was unable immediately to reach leaders of either community to find out.

Akhmedova freely admitted that many more religious communities had registration before 1997, when under the provisions of the harsh 1996 amendments to the religion law the majority of the country's religious communities lost registration. "This was because the threshold of 500 members was brought in then."

In the late 1990s, members of a number of Christian churches tried to register a Bible Society to promote the distribution of the Christian scriptures within the country. Asked whether a Bible Society should apply for registration as a social or a religious organisation she responded: "It must apply as a religious organisation, as its activity is connected to religion."

Akhmedova said parliament is considering the amendments to the religion law to bring it into line with the presidential decree. "The changes for the better have already been sent to parliament." She said there are two changes: the requirement for 500 members is being abolished, and a new category of "religious group" – covering communities of less than 50 members – is being introduced in addition to the current category of "religious organisation", which will have a membership of over 50. "There will be no differences between the two except the name," she told Forum 18. "Religious groups will have no fewer rights than religious organisations."

She was unable to say if unregistered religious activity – criminalised when the previous amended religion law came into force last November – will remain a criminal offence. "But there won't be limits on registration, so the issue won't arise," she declared.

Asked what would happen to groups such as the Baptists of the Council of Churches – who refuse to register on principle in any of the former Soviet republics where they operate – she said she did not know. Unregistered Baptists are persecuted for their refusal to register (see F18News 26 February http://www.forum18.org/Archive.php?article_id=264), and other Adalat Ministry officials have insisted to Forum 18 that unregistered religious activity remains illegal (see F18News 12 March 2004 http://www.forum18.org/Archive.php?article_id=274).

The Baha'i community appears optimistic. "Our community could not function since 1997 as we could not gather the required number of signatures," an unnamed representative of the faith told Reuters on 12 March. "Now we are thankful to the president for guaranteeing our religious freedom."

Asked by Forum 18 if he is optimistic that the Catholics will get registration Fr Madej responded: "Yes, I am, as this comes from a decree from the president." He added that he is waiting for news on changes to the religion law. "They haven't informed the public yet."

However, other religious leaders did not share this optimism. One Protestant leader who asked that his identity and location not be published told Forum 18 that his community is waiting until the amendments to the religion law are published before deciding whether to apply for registration. "Only God knows if we would be successful," he declared, although he is inclined to be wary after years of persecution. "Everyone is waiting for the change in the law."

"I know that the Baptists of the Council of Churches in the town of Nebit-Dag have suffered fines and a ban on their meetings as they insist on always meeting in the same place," he added. He said his communities tried to avoid punishment by constantly changing the places where they meet for worship.

Another Christian leader stressed to Forum 18 that caution was required about the changes to the registration requirement, insisting that only when religious communities have already registered and can function freely will it be safe to believe that the government has changed its policy. "We should not count chickens before they are hatched."

Also sceptical of the government's goodwill is the Turkmenistan Helsinki Initiative, a human rights group now based in exile. "We do not believe in the seriousness of the intentions of the Turkmen authorities to achieve religious freedom in the country," it declared on 21 March. "Still in force is the far-from-democratic law on freedom of conscience and religious organisations, which has been criticised by many international human rights organisations." It believes that until the law is changed, no religious community will risk applying for registration.

It cited the harassment of the Hare Krishna community in the 1990s, as well as the difficulties faced this year by Jehovah's Witnesses. On 9 March, two women from Yolatan in Mary region had been leaving Ashgabad airport to fly to Kiev for a Jehovah's Witness congress when they were stopped by border guards, who told them – after consulting the list of citizens banned from leaving the country – that they could not join the flight. They were told to apply to the Border Directorate of the city of Ashgabad if they wanted further explanation.

One of the women told the Turkmenistan Helsinki Initiative that earlier when they had applied for exit visas from the foreign ministry with official Jehovah's Witness invitations, they had been refused more than once, attributing this to their faith.

The group also reported that police raided a Jehovah's Witness meeting in a private home in Ashgabad on 13 March, "literally the day after the president's decree came into force". Police accused those present of conducting an illegal meeting for which they could be punished and more than 20 were forcibly taken to the local police station. There they were interrogated by two men in civilian clothes who showed them identification as National Security Ministry officers. Ordering them to halt such "illegal meetings", the officers warned them that if they meet in future they will be charged under the criminal code for "inciting inter-religious and inter-ethnic hatred". They were then freed after their personal details were recorded. The Turkmenistan Helsinki Committee reported that most of those detained were women and children.

It remains unclear why President Niyazov – who rules Turkmenistan autocratically, allowing little scope for dissent – made the concession over registration of religious organisations. His decree came at the same time as a decree easing exit procedures and as 78-year-old writer Rahim Esenov was among a number of people released from prison, although charges remain. Niyazov has been under great pressure to improve the human rights situation, especially with the current United Nations Human Rights Commission in Geneva paying great attention to the abuses in the country.

In his most recent report (E/CN.4/2004/63), the United Nations Special Rapporteur on Freedom of Religion or Belief, Professor Abdelfattah Amor, noted that his request to visit Turkmenistan in June 2003 to assess the situation on the ground did not even bring a response from the Turkmen government. (Requests by other UN rapporteurs to visit equally evinced no response.) Amor's numerous enquiries for further information about reports of violations of the rights of religious believers likewise went unanswered.

Esenov was detained by the National Security Ministry earlier this year partly for collaborating with Radio Free Europe and partly in retaliation for publishing in Moscow his novel "The Crowned Wanderer", about the historical figure Bayram Khan. Niyazov had publicly criticised the novel in February 1997 for "historical errors" he alleged it contains. Another exiled human rights group, the Turkmenistan Helsinki Foundation, reported on 27 February that during interrogation, national security officers repeatedly asked Esenov why he had made the hero of his novel a Shia rather than a Sunni Muslim as the president had required. He still faces charges of inciting social, religious and ethnic hatred under Article 177 of the criminal code.

Forum 18 has been unable to reach Esenov by telephone since his release on 9 or 10 March. An automatic response says his number cannot be reached at the moment.

Meanwhile, the former chief mufti Nasrullah ibn Ibadullah remains in prison after being sentenced to 22 years' imprisonment on 2 March (see F18News 8 March 2004 http://www.forum18.org/Archive.php?article_id=271). This jail term is apparently for his opposition to tight presidential control over the Muslim community and reportedly obstructing the use in mosques of the president's book of his moral code, the Ruhnama (Book of the Soul). Imams are forced to display this book prominently in mosques and quote approvingly from it in sermons, as are Russian Orthodox priests in their churches.

Also, at least six young Jehovah's Witness men are serving prison sentences, mostly for refusing military service on grounds of religious conscience (see F18News 9 February 2004 http://www.forum18.org/Archive.php?article_id=247). The Turkmenistan Helsinki Initiative reported on 16 February that the city court in the northern city of Dashoguz sentenced Jehovah's Witness Rinat Babadjanov to a term of several years in prison for refusing military service. "Babadjanov's relatives were not even informed where he would be detained," the group noted.

It also reported on a court case in one major town (which it did not identify) against the local Jehovah's Witness leader brought at the instigation of the general procuracy. "Since the woman cannot be charged with serious offences, she is accused of bringing up her children in a spirit of worshipping Jehovah God," the group declared.

For more background see Forum 18's report on the new religion law at

http://www.forum18.org/Archive.php?article_id=180

and Forum 18's latest religious freedom survey at

http://www.forum18.org/Archive.php?article_id=151

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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