**FORUM 18 NEWS SERVICE, Oslo, Norway**
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*The right to believe, to worship and witness*
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# TURKMENISTAN: Four prisoners amnestied, one to be deported?

By Felix Corley, Forum 18 (https://www.forum18.org)

*Four of the six religious prisoners of conscience in Turkmenistan have been amnestied, Forum 18 News Service has learnt. However, one of the four – Baptist pastor Vyacheslav Kalataevsky - remains in custody and may be deported. "We're worried as there is only a small hope that he will be allowed to stay here," members of Kalataevsky's family told Forum 18. "The family and the Church want him to stay – and he wants to stay." They say the Ukrainian embassy has also appealed to the Turkmen authorities for Kalataevsky – a Ukrainian citizen - to be allowed to remain with his family in Turkmenistan. The three other amnestied religious prisoners are all Jehovah's Witnesses who were serving suspended sentences for refusing compulsory military service on grounds of religious conscience. But not freed under amnesty were Jehovah's Witnesses Bayram Ashirgeldyyev and Begench Shakhmuradov. They are respectively serving 18 month and two year suspended sentences, which place limitations on their activities.*

Four of the six religious prisoners of conscience in Turkmenistan have been amnestied, but one of the four – 49-year-old Baptist pastor Vyacheslav Kalataevsky - remains in police custody as the authorities decide whether to deport him. "We're worried as there is only a small hope that he will be allowed to stay here," members of Kalataevsky's family told Forum 18 News Service from the capital Ashgabad [Ashgabat] on 9 October. "The family and the Church want him to stay – and he wants to stay." They say the Ukrainian embassy has also appealed to the Turkmen authorities for Kalataevsky – a Ukrainian citizen - to be allowed to remain with his family in Turkmenistan.

No officials were immediately available to explain to Forum 18 why two of the religious prisoners were not amnestied, why Kalataevsky cannot return to his family and why some of the amnestied prisoners had to swear an oath of loyalty on the Koran and the Ruhnama (Book of the Soul), the two-volume work attributed to the late president Saparmurat Niyazov.

Kalataevsky's family report that he was transferred on 8 October from the labour camp in Seydi to a police holding centre in Arzuv on the north-eastern edge of Ashgabad. "Thirty men are held in one cell," they told Forum 18. "Mattresses are given out only at night and in the day the prisoners have to sit or lie on the cold concrete floor. They are held in unhygienic conditions with no possibility to wash."

Kalataevsky's wife Valentina and one of their daughters was able to have a five-minute meeting with him that evening. "It was only with difficulty that they were able to pass on some bread," family members told Forum 18. "But he was healthy and strong and holds to God."

Family members report that they asked the authorities if they could bring Kalataevsky to stay with them in Ashgabad while a decision is taken on his future. "But they refused. We have been everywhere trying to find out what will happen to him. The Migration Service told us that his case is being handled by the Foreign Ministry and the Interior Ministry. But they won't give us any concrete information."

Kalataevsky leads an independent Baptist congregation in the Caspian Sea port of Turkmenbashi [Türkmenbashy, formerly Krasnovodsk], the town where he was born. He was arrested by the Ministry of State Security (MSS) secret police on 12 March. He was found guilty of "illegally crossing the border" and on 14 May was given a three-year labour camp sentence, which he was sent to serve in Seydi (see F18News 31 August 2007 http://www.forum18.org/Archive.php?article_id=1013).

The charges related to Kalataevsky's return to Turkmenistan after his summary deportation in 2001. Dumped with no paperwork or money across the border in Kazakhstan, he was obliged to return to his family a week later as he had nowhere to go.

Deported at the same time in 2001 was fellow-Baptist Yevgeny Potolov, a Russian citizen also from Turkmenbashi. He was arrested earlier this year soon after Kalataevsky, but was deported from Turkmenistan in early July. Potolov's family were subsequently threatened with deportation (see F18News 31 August 2007 http://www.forum18.org/Archive.php?article_id=1013).

Kalataevsky and three of the other religious prisoners were pardoned under the amnesty announced by President Gurbanguly Berdymukhamedov to mark the Muslim Night of Omnipotence, which this year falls on 9 October. A list of nearly 9,000 prisoners to be freed - all local citizens - was published in local newspapers. A further 158 foreign citizens whose names were not published


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were said to be due for release.

As in previous years at least some of the prisoners being freed were required to swear the oath of loyalty to the president on a copy of the Ruhnama and the Koran. "At least some of those being freed were shown on television repenting and swearing an oath on the Ruhnama and the Koran," Farid Tukhbatullin of the exiled Turkmen Initiative for Human Rights told Forum 18. Such an oath would have been unacceptable to all the religious prisoners.

In addition to Kalataevsky, the three other amnestied religious prisoners are all Jehovah's Witnesses who were serving suspended sentences for refusing compulsory military service on grounds of religious conscience. Their names appeared in the government list of amnestied prisoners. Suleiman Udaev was serving a two-year suspended sentence with compulsory labour, Aleksandr Zuyev a suspended two-year sentence and Nuryagdy Gayyrov a suspended one-year sentence.

Not freed under amnesty were Jehovah's Witnesses Bayram Ashirgeldyyev and Begench Shakhmuradov. Shakhmuradov received a two year suspended sentence in September 2007, and Ashirgeldyyev was given an 18 month suspended sentence in July 2007 (see F18News 13 September 2007 http://www.forum18.org/Archive.php?article_id=1017). Those serving suspended sentences cannot travel outside Ashgabad without special permission and must be back home each evening by 8pm. Shakhmuradov, however, told Forum 18 that in his case the authorities have not specified what restrictions have been imposed on his activities.

All five Jehovah's Witnesses were found guilty under Article 219, Part 1 of the Criminal Code, which punishes refusal to serve in the armed forces with a maximum penalty of two years' imprisonment. Jehovah's Witness young men insist they are ready to do alternative non-military service, but Turkmenistan offers no non-combat alternative to those who cannot serve in the military on grounds of conscience.

Ashirgeldyyev said he had no idea why he and Shakhmuradov were not amnestied while the three other Jehovah's Witnesses were. "We're regarded as criminals, but we're not," he insisted to Forum 18 from Ashgabad on 5 October. "It would have been right if we had been pardoned and would have represented the rule of law. We were sentenced for no valid reason." He said the "lawlessness" of repeated prosecutions of those unable to serve in the armed forces on grounds of religious conscience would continue, despite the amnesty to three of his fellow-Jehovah's Witnesses. "This illegality will carry on until an alternative service law is adopted."

Shakhmuradov too said he did not know why he had not been amnestied. "I don't agree with this, but I won't complain," he told Forum 18 on 5 October. "I have nothing against the authorities. I took my position as a believer and I continue to stick to my convictions." He insisted that it was wrong to imprison those who could not serve in the armed forces because of their religious convictions. He particularly objected that some – like himself – have been sentenced twice for the same "offence".

Ashirgeldyyev complained of continuing government moves against other Jehovah's Witnesses. He cited dismissals from work and the inability of unemployed Jehovah's Witnesses to get work.

The former Chief Mufti, Nasrullah ibn Ibadullah, who was serving a 22-year sentence on charges the authorities repeatedly refused to make public, was among a group of eleven prisoners freed under presidential amnesty in August (see F18News 13 August 2007 http://www.forum18.org/Archive.php?article_id=1006). After his release he was assigned to work as a specialist in the government's Gengeshi (Council) for Religious Affairs).

Visitors to the Gengeshi soon after his release told Forum 18 that Nasrullah looked weak and appeared to be suffering from swollen ankles. (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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