
17 August 2012

TURKMENISTAN: Another conscientious objector prisoner of conscience

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

Five conscientious objectors to Turkmenistan's compulsory military service – all Jehovah's Witnesses - have been sentenced since late May. Four received suspended sentences but the fifth, Juma Nazarov, received an 18-month prison term in July, Jehovah's Witnesses told Forum 18 News Service. This makes five currently known prisoners of conscience jailed for exercising their religious freedom. One of them, Aibek Salayev, has been severely beaten up and threatened with more beatings and being raped. Also, "thousands" of people from Mary Region alone are said by an official to be waiting for a place on the haj pilgrimage to Mecca, whose numbers are severely restricted by the government to about 188 pilgrims a year – including MSS secret police. Those who may be selected from Mary Region for 2012 are among those who lodged applications in 2004 or 2005. "We check first to make sure they are still alive," the official told Forum 18.

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Pirnazar Hudainazarov, Chair of the Mejlis (Parliament) Committee on the Protection of Human Rights and Freedoms, refused absolutely to discuss the continued sentencing of conscientious objectors – or any other issue. "Why do you keep phoning me?" he asked Forum 18 from the capital Ashgabad [Ashgabat] on 16 August. Told that his position in the Mejlis – which he confirmed – gave him a share in responsibility for the government's failure to end human rights violations, Hudainazarov kept repeating "You must talk to the Foreign Ministry." He then put the phone down.

Gurbanberdy Nursakhatov, Deputy Chair of the government's Gengesh (Council) for Religious Affairs in Ashgabad, put the phone down on 17 August as soon as Forum 18 told him it had questions on the haj pilgrimage. There was no opportunity to ask about the continued sentencing of conscientious objectors.

New sentences

All five conscientious objectors were sentenced 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.

Nazarov, a 19-year-old Jehovah's Witness from Ashgabad, was tried on 23 July under Judge Ovez Byashimov at the city's Azatlyk District Court. Nazarov was found guilty of refusing to do military service because of his faith and sentenced to 18 months' imprisonment, Jehovah's Witnesses told Forum 18.

After Nazarov lodged his refusal to do military service on 25 April, and was from 10 May held in pre-trial detention at Yashlyk, 40 kms (25 miles) south-east of Ashgabad (see F18News 17 May 2012 http://www.forum18.org/Archive.php?article_id=1702). It is not known if Nazarov has now been transferred to a labour camp.

Four other conscientious objectors are known to have been sentenced since May under Article 219, Part 1 to suspended terms of imprisonment.

Merdan Tachmuradov, a 20-year-old Jehovah's Witness from Dashoguz in northern Turkmenistan, was sentenced on 23 May to a two-year suspended prison sentence, Jehovah's Witnesses told Forum 18. In addition, the judge ordered that twenty percent of his income be deducted from his wages and transferred to the state budget.

In a similar case in Dashoguz, Jamshid Kurbanov, an 18-year-old Jehovah's Witness, was sentenced by Judge Almaz Vayhamov on 10 July to a two-year suspended prison sentence. The judge also ordered that 20 per cent of his income be deducted from his wages, and transferred to the state budget.

Nazargeldy Chariyev, an 18-year-old Jehovah's Witness from Bereket (formerly Gazanjyk) in Balkan Region of western Turkmenistan, was sentenced on 23 June to a two-year suspended prison sentence.

Begench Nabatov, an 18-year-old Jehovah's Witness from Ashgabad, was sentenced at the city's Azatlyk District Court on 6 August to a two-year suspended prison sentence.

Existing prisoners of conscience

The five new sentences bring to eight the number of conscientious objectors – all Jehovah's Witnesses - known to have been sentenced so far in 2012. Akmurad Nurjanov, was given a one-year suspended sentence in Ashgabad in February.

Zafar Abdullaev was given a two year prison term in Dashoguz in March. Navruz Nasrylayev was given a two-year strict regime labour camp sentence in May, a sentence upheld by Dashoguz Regional Court on 14 June and Turkmenistan's Supreme Court on 13 July. It is thought the strict-regime sentence was imposed rather than a general-regime sentence because this is the second time Nasrylayev had been sentenced on the same charge (see F18News 17 May 2012 http://www.forum18.org/Archive.php?article_id=1702).

Two Jehovah's Witness conscientious objector prisoners sentenced in December 2010 completed their 18-month sentences in June. Dovran Matyakubov was freed on 28 June and Matkarim Aminov the following day. Both had been held at the labour camp in the desert near Seydi in Lebap Region in eastern Turkmenistan, where almost all religious prisoners of conscience are held.

The address of Seydi Labour Camp is:

Turkmenistan,

746222 Lebap vilayet,

Seydi,

uchr. LB-K/12

The four current imprisoned conscientious objectors are: Mahmud Hudaybergenov, 2 years, Dashoguz Court, August 2011; Zafar Abdullaev, 2 years, Dashoguz Court, March 2012; Navruz Nasrylayev, 2 years, Dashoguz Court, May 2012; and Juma Nazarov, 18 months, Ashgabad Court, July 2012.

Hudaybergenov and Abdullaev are being held in the general regime section of Seydi Labour Camp, while Nasrylayev is being held in the Camp's strict regime section. It is not known if Nazarov has also been transferred to the Seydi Labour Camp.

Jehovah's Witnesses lament that none of their prisoners was freed in the prisoner amnesty declared by President Gurbanguly Berdymukhamedov on 12 August. The government website put the number of freed prisoners at 1,327, of who 44 are foreign citizens. Human rights defenders told Forum 18 from Ashgabad that the list of pardoned prisoners was not published in the government media.

Turkmenistan's refusal to recognise the right to refuse military service, which is part of the right to freedom of religion or belief, breaks the country's international human rights commitments, and was criticised in March by the UN Human Rights Committee (see F18News 18 April 2012 http://www.forum18.org/Archive.php?article_id=1691).

Fifth prisoner of conscience's Supreme Court appeal fails

The fifth currently known prisoner of conscience jailed for exercising his religious freedom, 33-year-old Aibek Salayev, was convicted in Dashoguz on 12 April of "distributing pornography" and sentenced to four years' imprisonment. Jehovah's Witnesses insist this charge was fabricated. His lawyer appealed against his sentence to the Supreme Court in Ashgabad. However, it rejected his appeal on 24 May, Jehovah's Witnesses told Forum 18.

Salayev was transferred from Dashoguz to the Seydi labour camp, where he is not currently facing "special pressure". However, his fellow-believers fear for his well-being, as officials in Dashoguz's pre-trial detention centre warned that he would be raped once he arrived in Seydi Labour Camp.

Serious beatings "in the stomach, on the kidneys and on the head" were inflicted on Salayev, after his 7 March arrest, by police and

Ministry of State Security (MSS) officers (see F18News 28 May 2012 http://www.forum18.org/Archive.php?article_id=1706).

Jehovah's Witnesses added that "four or five fellow prisoners who collaborate with the prison administration" also beat Salayev severely in Dashoguz Pre-trial Detention Centre. The prisoners "were acting on the orders of an officer of the 6th Department, Serdar Saparov".

The police's 6th Department is notionally responsible for counter-terrorism and organised crime work, is often very active against people exercising their right to freedom of religion or belief (see eg. F18News 28 January 2011 http://www.forum18.org/Archive.php?article_id=1534).

The duty officer at Dashoguz Pre-trial Detention Centre on 17 August refused to give Forum 18 a contact number for officer Saparov. He refused to answer any questions about Salayev's treatment while he was held at the Detention Centre.

Eight-year wait for haj applications processing

An official of the government's Gengesh for Religious Affairs for Mary Region said that his office is now processing applications to go on the haj pilgrimage to Mecca lodged by would-be pilgrims in 2004 and 2005. "Well, there's a queue," the official - who did not give his name – told Forum 18 from Mary on 16 August. This year's haj takes place in late October. Asked how many people were in the queue in his Region, the official admitted "thousands", but said he was unable to give an exact figure.

The government normally allows only one airliner of people (normally 188 people) a year to go on the haj, out of a possible Saudi Arabian-allocated quota of 5,000. The 188 people include MSS secret police officers. In 2009, the government allowed no haj pilgrims to travel at all. The total for the November 2011 haj – just 186 – was the lowest figure (apart from 2009) since 2002 (see Forum 18's Turkmenistan religious freedom survey http://www.forum18.org/Archive.php?article_id=1676).

Government officials in recent years have claimed that some pilgrims are allowed to travel independently outside the framework of the government-sponsored aeroplane. But an Ashgabad resident familiar with the haj – who asked not to be identified - told Forum 18 in mid-August that Turkmen citizens cannot go on the haj, other than in the government-sponsored group.

"We check first to make sure they are still alive"

The Mary Region Gengesh official told Forum 18 that documents for about 100 would-be pilgrims from Mary Region, who had applied in 2004 and 2005, had recently been sent to the Muftiate (Muslim Spiritual Administration) in Ashgabad. (The Muftiate runs under government control the only form of the majority religion Islam permitted.) Asked by Forum 18 whether officials checked whether those who had lodged the applications up to eight years ago were still willing and able to afford to go, the official said those whose documents were presented to Ashgabad were checked in June 2012. "We check first to make sure they are still alive," he insisted.

Forum 18 then asked how many of these approximately 100 would-be pilgrim applicants are likely to be successful, given that the total number of pilgrims the Turkmen government will allow to travel is likely to be about 190 for the whole country, of which Mary Region is one of five regions plus the capital. The Gengesh official responded that he did not know, adding that the Muftiate in Ashgabad decides on which of the applicants is successful.

Officials in Ashgabad have not yet told regional Gengesh offices how many pilgrims will be allowed to travel on the haj. "We will be told on 1 October which pilgrims from our Region will be travelling," the Mary Region official told Forum 18.

Turkmenistan's government does not appear to have made public how many pilgrims from the country it will allow to travel on the haj. The haj is an obligation for all able-bodied Muslims who can afford it at least once in their lifetime.

Officials at the offices of the Gengesh in Dashoguz and Lebap Regions and in the city of Turkmenbashi (formerly Krasnovodsk) refused to discuss anything with Forum 18 on 16 August and put the phone down.

Forum 18 was unable to reach any Turkmen official able to say how many pilgrims it would allow to travel on this year's haj in October. Telephones at the Saudi Arabian Embassy in Ashgabad went unanswered on 16 and 17 August. The Embassy of Turkmenistan to Saudi Arabia in Riyadh was closed on 16 and 17 August as Thursdays and Fridays are non-working days in Saudi Arabia. Forum 18 asked the Haj Department of the Saudi Arabian Foreign Ministry in Riyadh in writing on 16 August what the quota it had allocated for this year's haj was. No response had been received by the middle of the day in Saudi Arabia on 17 August.

Raid – but officials return literature

Meanwhile, police in the town of Magdanly (formerly Govurdak) in Lebap Region of eastern Turkmenistan raided a meeting on 8 April of the small local Baptist congregation, Protestants told Forum 18 from Turkmenistan. All adult church members at the meeting were questioned about their faith and all their Christian literature was confiscated.

Church members chose not to publicise the raid at the time or lodge official complaints. Instead they decided to pray. They told Forum 18 that on 10 May "the authorities returned all the literature they had confiscated, without our intervention". "They found no violations in the church members' activity. It's a great bonus that they themselves came to this decision." (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 a personal commentary by another Turkmen Protestant, arguing that "without freedom to meet for worship it is impossible to claim that we have freedom of religion or belief," see http://www.forum18.org/Archive.php?article_id=1128.

More reports on freedom of thought, conscience and belief in Turkmenistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=32>.

For more background information see Forum 18's religious freedom survey of Turkmenistan at http://www.forum18.org/Archive.php?article_id=1676.

A compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

A printer-friendly map of Turkmenistan is available at <http://education.nationalgeographic.com/education/mapping/outline-map/?map=Turkmenistan>.

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