

19 March 2021

TURKMENISTAN: 8 conscientious objectors jailed in 2021, UN special procedures ignored

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

On 16 March the regime jailed another conscientious objector to military service for two years, the eighth such 2021 jailing. Like six of the other 2021 jailings, 21-year-old Jehovah's Witness Rasul Rozbayev is being punished for the second time on the same charges. The jailings ignore a December 2020 appeal by four UN special procedures. A March 2020 regime report to the UN insisted that defending the country "is the sacred duty of every citizen".

On 16 March, a court in the northern Dashoguz Region jailed 21-year-old Jehovah's Witness conscientious objector Rasul Rozbayev for two years in an ordinary regime labour camp for refusing compulsory military service. This is his second sentence on the same charges. He is the eighth conscientious objector known to have been jailed so far in 2021. All these prisoners of conscience had offered to perform an alternative civilian service, but Turkmenistan does not offer this.

The regime has rejected repeated United Nations (UN) calls to introduce a genuinely civilian alternative service (see below).

Forum 18 tried to find out why prosecutors bring cases to punish these prisoners of conscience such as Rozbayev, who cannot perform military service on grounds of conscience but are ready to perform an alternative, civilian service. An official of Dashoguz Region Military Prosecutor's Office told Forum 18 that it does not answer oral questions, only questions submitted in writing (see below).

Courts jailed six Jehovah's Witness conscientious objectors in January, five of them within the space of two days (https://www.forum18.org/archive.php?article_id=2632). As all six had already served earlier sentences on the same charges, courts handed all of them a two-year jail term, five of them in a strict-regime labour camp. A court jailed a seventh for one year in February (https://www.forum18.org/archive.php?article_id=2636) (see below).

The jailing of prisoner of conscience Rozbayev brings to 16 the number of young conscientious objectors to military service known to have been convicted and to be currently serving jail sentences (see full list below of currently jailed conscientious objectors).

This new case brings to 32 the number of known convictions and jailings of conscientious objectors since Turkmenistan resumed such jailings in January 2018 (https://www.forum18.org/archive.php?article_id=2363). All of them are Jehovah's Witnesses.

An increasing number of conscientious objectors to military service are serving second sentences for the same "crime". Ten of the current 16 known conscientious objector prisoners – including Rozbayev and six of the seven other young men jailed in 2021 (https://www.forum18.org/archive.php?article_id=2636) - are serving second sentences (see below).

Six Jehovah's Witness conscientious objectors were freed from Seydi Labour Camp in 2020 after serving their sentences in full (https://www.forum18.org/archive.php?article_id=2628).

Forum 18 was unable to reach anyone at the regime's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production (https://www.forum18.org/archive.php?article_id=2244), including its chief specialist Nasrullah ibn Ibadullah or Yusupgeldi Durdiyev, the Cabinet of Ministers official who chairs the Commission. The telephone went unanswered on 19 March (see below).

The telephones of the office of the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova; and of Yusupguly Eshshayev, the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee, went unanswered each time Forum 18 called the same day (see below).

Jehovah's Witnesses are conscientious objectors to military service and do not 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

(https://www.quno.org/sites/default/files/resources/QUNO%20Conscientious%20Objection%20-%20International%20Standards_Revised%202021_FINAL.pdf).

Turkmenistan has ignored repeated international calls, for example by the UN Human Rights Committee, to introduce a genuine civilian alternative to compulsory military service, to stop prosecuting and punishing conscientious objectors, and to compensate those it has punished (https://www.forum18.org/archive.php?article_id=2476).

The UN Human Rights Committee has published 13 Decisions in favour of 15 conscientious objectors from Turkmenistan, all of them Jehovah's Witnesses. In its most recent such Decision, published on 17 September 2019 (C/126/D/2302/2013 (<https://undocs.org/CCPR/C/126/D/2302/2013>)), it ruled that the right to freedom of religion or belief of former conscientious objectors Juma Nazarov, Yadgarbek Sharipov, and Atamurad Suvhanov had been violated by their jailing (see below).

Jehovah's Witnesses filed a complaint with the UN Working Group on Arbitrary Detention in May 2020 on behalf of 19 current or former jailed conscientious objectors (https://www.forum18.org/archive.php?article_id=2590). The 19 men include some of those currently imprisoned in Seydi Labour Camp, plus others who have been released after serving earlier sentences.

A Foreign Ministry official refused in August 2020 to explain why the regime is not willing to introduce a civilian alternative service in line with repeated UN recommendations, and why young men continue to be imprisoned. Ata of the Foreign Ministry's International Organisations Department, who refused to give his last name, claimed to Forum 18 in August 2020 that the regime "is dealing with these bodies, including the UN". He also claimed that "we are trying to do our best" (https://www.forum18.org/archive.php?article_id=2590) and said he did not agree that Turkmenistan was failing to implement UN human rights recommendations (see below).

On 10 December 2020, four UN human rights Special Procedures including the Working Group on Arbitrary Detention wrote (AL TKM 2/2020 (<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25740>)) to Turkmenistan's government expressing "serious concern" about the second sentences handed down in August 2020 to two of the conscientious objectors, Sanjarbek and Eldor Saburov. "We deeply regret the criminalization of conscientious objection," they wrote, adding that Turkmenistan "must provide meaningful alternative service" (see below).

The regime did not reply within the requested 60 days, and in its 27 March 2020 report to the Human Rights Committee did not explain why young men with conscientious objections to military service are jailed, and why they cannot perform an alternative civilian service. It merely repeated the regime's claim that defending the country "is the sacred duty of every citizen" (https://www.forum18.org/archive.php?article_id=2244) (see below).

Another Jehovah's Witness conscientious objector former prisoner, Arslan Begenchov, lodged a case to the UN Human Rights Committee in 2018 and is awaiting a decision (see below).

Other prisoners of conscience jailed for exercising the right to freedom of religion or belief – all of them Muslims – are serving far longer jail terms (see below).

The regime admitted to the UN Human Rights Committee in March 2020 that two jailed Muslims – both in their mid-thirties - had died in prison in 2016. It claimed that they had both died of a "chronic illness" (see below).

Latest jailing

Prosecutors in the northern Dashoguz Region brought a second criminal case against Jehovah's Witness conscientious objector Rasul Ruslanovich Rozbayev (born 14 August 1999) after he refused the call-up to compulsory military service. Like other Jehovah's Witnesses, he explained his conscientious reasons for refusing military service and offered to perform an alternative, civilian service.

In April 2020, after being summoned by Niyazov District Military Conscription Office, Rozbayev submitted a statement refusing military service. He was released but told to come back later. However, on 5 May 2020, the Conscription Office wrote to him stating that he is subject to conscription.

At the Conscription Office on 2 November 2020, officials told Rozbayev to return the following day to be enlisted and taken to the army. He did not report to the Conscription Office on 3 November.

The Conscription Office then summoned Rozbayev on 5 November 2020. He went with his mother. He was asked to undergo a medical examination at Dashoguz Regional Conscription Office.

After sending his written statement by post, Rozbayev and his mother went to the Regional Conscription Office on 12 November 2020. The conscription officer tried to talk him into joining the army. In the end, Rozbayev mistakenly signed a call-up summons, which the authorities view as consent to military service, Jehovah's Witnesses told Forum 18.

On 14 November 2020, Rozbayev wrote to the head of the military unit explaining that he had signed the call-up summons mistakenly, and that he would not arrive on 17 November to join the army. In this statement he once again explained why he could not perform military service on grounds of conscience.

On 26 November 2020 the Regional Conscription Office replied to his statement in writing, indicating that he is subject to conscription. On 15 January 2021, officials summoned him once again to the Conscription Office, where he explained his position and wrote an explanatory note.

On 22 January, the Prosecutor's Office summoned Rozbayev. Officials told him his case had been handed to a prosecutor. Prosecutors brought the case 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.

Forum 18 tried to find out why prosecutors bring cases to punish individuals such as Rozbayev who cannot perform military service on grounds of conscience but are ready to perform an alternative, civilian service. An official of Dashoguz Region Military Prosecutor's Office, Ayjemal Hanova, told Forum 18 on 19 March that she could not answer any questions as it does not answer oral questions, only questions submitted in writing.

Rozbayev's trial, conviction

Prosecutors issued the indictment on 28 February. The following day officials told Rozbayev that his case had been handed to Niyazov District Court and asked him to sign a pledge not to leave the town.

At his trial at Niyazov District Court on 16 March, Judge Shamurad Gumanov found Rozbayev guilty and jailed him for two years in an ordinary regime labour camp, Jehovah's Witnesses told Forum 18 on 17 March. Nobody except his immediate family was allowed to attend the hearing.

Officials arrested Rozbayev in the courtroom at the end of the trial and took him to the Temporary Detention Prison (DZ-E/7) in Dashoguz Region.

Forum 18 was unable to reach Niyazov District Court on 19 March.

Prisoner of conscience Rozbayev is intending to appeal against his conviction, Jehovah's Witnesses added.

Rozbayev's 2017 conviction

The Military Conscription Office first called up Rozbayev in 2017. After refusing military service, his case was handed to prosecutors. They brought a criminal case against him under Criminal Code Article 219, Part 1, which punishes refusal to serve in the armed forces in peacetime.

At his trial in December 2017, the same Judge Gumanov of Niyazov District Court sentenced Rozbayev to two years' corrective labour. Under these sentences, individuals live at home but 20 per cent of their salary is withheld by the state budget. He served his sentence in full, which expired in December 2019.

Between 2014 and 2017, the authorities punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. Rozbayev was among the last conscientious objectors to be given a corrective labour sentence before jailings resumed in 2018. On 17 January 2018, a court sentenced Arslan Begenchov to one year's imprisonment (https://www.forum18.org/archive.php?article_id=2363), the first of a continuous series of jailings since then.

Seven earlier 2021 trials, convictions, jailings

Courts jailed six Jehovah's Witness conscientious objectors in January 2021, five of them within the space of two days (https://www.forum18.org/archive.php?article_id=2632). As all six had already served an earlier sentence on the same charges, courts handed all of them a two-year jail term, five of them in a strict-regime labour camp.

In February, a Judge at Hojambaz District Court in Lebap Region sentenced Nazar Palvanovich Alliyev (born 12 December 2000) to the maximum term of two years (https://www.forum18.org/archive.php?article_id=2636) in a strict-regime labour camp.

All seven were jailed 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.

Second convictions increasing

A growing number of conscientious objectors are being convicted twice on the same charges when they continue to refuse renewed

call-up to compulsory military service after completing their first sentences.

Ten of the current conscientious objector prisoners (all of them Jehovah's Witnesses) have been convicted twice of the same "crime" since Turkmenistan restarted jailings of conscientious objectors in January 2018 (https://www.forum18.org/archive.php?article_id=2363).

In its December 2020 letter about the cases of two of those sentenced for a second time, four UN human rights Special Procedures pointed out to Turkmenistan's government that sentencing individuals for the second time for the same "crime" violates the International Covenant on Civil and Political Rights (see below).

No alternative to compulsory military service

Turkmenistan offers no alternative to its compulsory military service (https://www.forum18.org/archive.php?article_id=2244). Military service for men between the ages of 18 and 27 is generally two years. Article 58 of the 2016 Constitution describes defence as a "sacred duty" of everyone and states that military service is compulsory for men.

Young men who refuse military service on grounds of conscience generally 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.

Criminal Code Article 219, Part 2 punishes refusal to serve in the armed forces in peacetime "by means of inflicting injury to oneself, or by simulation of illness, by means of forgery of documents, or other fraudulent ways". Punishment is a jail term of one to four years. The first known use of Article 219, Part 2 to punish a conscientious objector was the case of Azat Ashirov, while Serdar Dovletov's case was the second (see below).

From 2014, courts punished conscientious objectors with corrective labour or suspended prison terms (https://www.forum18.org/archive.php?article_id=2244), rather than imprisonment. However, jailings resumed in January 2018.

Courts jailed 12 conscientious objectors in 2018, two of them for two years and 10 for one year. (https://www.forum18.org/archive.php?article_id=2443) Courts jailed 7 conscientious objectors in 2019, one of them for four years, one for three years, one for two years and four for one year (https://www.forum18.org/archive.php?article_id=2522). Courts jailed 5 conscientious objectors in 2020, four of them for two years and one for one year.

Calls for alternative civilian service ignored

Turkmenistan has ignored repeated international calls to introduce an alternative to compulsory military service. In March 2017, the UN Human Rights Committee adopted Concluding Observations on Turkmenistan's human rights record (https://www.forum18.org/archive.php?article_id=2320) (CCPR/C/TKM/CO/2).

The Committee stated: "The State party should revise its legislation without undue delay with a view to clearly recognizing the right to conscientious objection to military service, provide for alternative service of a civilian nature outside the military sphere and not under military command for conscientious objectors, and halt all prosecutions of individuals who refuse to perform military service on grounds of conscience and release those who are currently serving prison sentences."

The UN Human Rights Committee has repeatedly called for an alternative civilian service to be introduced. It has issued 13 Decisions in favour of 15 conscientious objectors from Turkmenistan, all of them Jehovah's Witnesses. In its most recent such Decision, published on 17 September 2019 (CCPR/C/126/D/2302/2013 (<https://undocs.org/CCPR/C/126/D/2302/2013>)), it ruled that the right to freedom of religion or belief of former conscientious objectors Juma Nazarov, Yadgarbek Sharipov, and Atamurad Suvhanov had been violated by their jailing.

Nazarov (https://www.forum18.org/archive.php?article_id=1733) and Sharipov were jailed in 2012 (https://www.forum18.org/archive.php?article_id=1802), and Suvhanov (for the second time) in 2013 (https://www.forum18.org/archive.php?article_id=1817). The men had lodged their Human Rights Committee appeals in August 2013.

All three men also complained of "inhuman and degrading treatment" after their arrests. The Human Rights Committee stressed that Turkmenistan is under an obligation to make reparation to Nazarov, Sharipov and Suvhanov for the violations of their rights under the International Covenant on Civil and Political Rights, including to "expunge their criminal records and to provide them with adequate compensation. The State party is also under an obligation to avoid similar violations of the Covenant in the future" (https://www.forum18.org/archive.php?article_id=2519).

The Committee's September 2019 Decision urged Turkmenistan to meet its obligations to avoid similar violations such as by changing the law, "for instance, by providing the possibility of exemption from service or alternative service of a civilian nature"

(https://www.forum18.org/archive.php?article_id=2519).

Another conscientious objector former prisoner, Arslan Begenchov, lodged a case to the UN Human Rights Committee on 20 June 2018 and is awaiting a decision, Jehovah's Witnesses told Forum 18. When sentenced in Charjew to one year's imprisonment in January 2018, Begenchov was the first conscientious objector to be sentenced to prison since 2014 (https://www.forum18.org/archive.php?article_id=2363).

Ignoring UN special procedures, and Human Rights Committee

On 10 December 2020, four UN human rights Special Procedures wrote to Turkmenistan's government (AL TKM 2/2020 (<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25740>)) expressing "serious concern at the conviction and detention of Messrs. Sanjarbek Saburov and Eldor Saburov for their refusal, based on their religious conscience and opinion, to perform military service".

The Saburov brothers were each jailed in August 2020 for two years (https://www.forum18.org/archive.php?article_id=2590). "We also express our serious concern at the fact that the S. A. Niyazov District Court of the Dashoguz Region has yet to share with the family of the two brothers copies of its [August] 2020 decision", the Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, the Working Group on Arbitrary Detention, the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, and the Special Rapporteur on Minority Issues wrote.

The December 2020 Communication also expressed concern that the Saburov brothers were convicted and punished a second time, "which is a violation of the rule against double jeopardy, or non bis in idem, enshrined in article 14(7) ["Right to equality before courts and tribunals and to fair trial"] of the International Covenant on Civil and Political Rights".

"We deeply regret the criminalization of conscientious objection," the UN human rights Special Procedures wrote. Turkmenistan "must provide meaningful alternative service, that is, it must be compatible with the reasons for the conscientious objection (<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25740>), of a non-combatant or civilian character, in the public interest and must not be punitive of character".

The UN Special Procedures asked the government to comment on the cases and explain why the Saburov brothers were convicted for a second time. "Please provide detailed information on the measures undertaken to ensure that persons, including those who are members of religious or belief minorities, who refuse to perform military service based on their conscience, religion or belief are not criminally prosecuted and punished, and that their right to freedom of religion or belief is respected and protected," they also asked.

The regime did not reply to the UN within the requested 60 days. However, in the regime's report to the Human Rights Committee submitted on 27 March 2020, the regime did not explain why young men with conscientious objections to military service are jailed, and why they cannot perform an alternative civilian service. It merely repeated the regime's claim that defending the country "is the sacred duty of every citizen" (https://www.forum18.org/archive.php?article_id=2244).

Jehovah's Witnesses push for alternative civilian service

Jehovah's Witnesses have urged Turkmenistan's government to introduce a civilian alternative to compulsory military service. In March 2020, local Jehovah's Witnesses visited the regime's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production (https://www.forum18.org/archive.php?article_id=2244) in the capital Ashgabat.

At the Commission, the Jehovah's Witnesses raised the issue of an alternative civilian service, as well as pushing for the government to allow their communities to gain official registration (officials have always rejected such applications) (https://www.forum18.org/archive.php?article_id=2244), to end harassment of young Jehovah's Witnesses and to allow a visit by foreign Jehovah's Witnesses.

"The meeting was cordial," Jehovah's Witnesses noted, "but the official recommended contacting the appropriate Ministries and commented specifically that he was unable personally to resolve the matter of registration."

Forum 18 was unable to reach the Commission's chief specialist Nasrullah ibn Ibadullah or Yusupgeldi Durdiyev, the Cabinet of Ministers official who chairs the Commission. The telephone went unanswered each time Forum 18 called on 19 March 2021. (Both Durdiyev and Nasrullah are former imams.)

Why no alternative civilian service?

Forum 18 was unable to find out why the authorities will not introduce an alternative civilian service and why conscientious objectors who are willing to perform such an alternative service, like the 15 Jehovah's Witness young men, continue to be jailed.

On 19 March 2021, the telephone at the office of the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova went unanswered. The telephone of Yusupguly Eshshayev, the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee, similarly went unanswered each time Forum 18 called the same day.

A Foreign Ministry official refused to explain why the regime is not willing to introduce a civilian alternative service in line with repeated UN recommendations, and why young men continue to be imprisoned. Ata (who would not give his last name) of the Foreign Ministry's International Organisations Department claimed to Forum 18 in August 2020 that Turkmenistan "is dealing with these bodies, including the UN". (https://www.forum18.org/archive.php?article_id=2590)

Ata said he did not agree that Turkmenistan is failing to implement UN human rights recommendations. "Our Department is dealing with difficult issues, including with the United Nations, the World Trade Organisation, the World Health Organisation, and the OSCE," he claimed. "We are trying to do our best."

Many prisoners of conscience

The 16 jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief. (https://www.forum18.org/archive.php?article_id=2244)

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 (https://www.forum18.org/archive.php?article_id=2399), where prisoners have suffered torture and death from abuse or neglect.

More than 60 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 at Ovadan-Depe. Relatives often have no information as to whether they are still alive. Three of the group are known to have died in prison (https://www.forum18.org/archive.php?article_id=2318) (see below).

Which labour camp?

Four of the five conscientious objectors sentenced to strict regime labour camps in January (https://www.forum18.org/archive.php?article_id=2632) – Ruslan Artykmuradov, Azamatjan Narkulyev, Maksat Jumadurdyev and Veniamin Genjiyev - have been transferred to the strict-regime Labour Camp LB-E/11 at Seydi.

The conscientious objector sentenced to ordinary regime labour camp in January – Artur Yangibayev – was transferred, as officials told him earlier (https://www.forum18.org/archive.php?article_id=2632), to the ordinary-regime Labour Camp LB-E/12 at Seydi, Jehovah's Witnesses told Forum 18. The eight other conscientious objectors jailed between 2019 and 2020 and still serving sentences are held in this camp (see below).

The fifth conscientious objector sentenced to strict regime labour camp in January – Ikhlosbek Rozmetov – remains in the Temporary Detention Prison (DZ-E/7) in Dashoguz Region. It remains unknown if officials will send him to the Labour Camp LB-E/11 at Seydi (located next to the ordinary-regime camp), or to the strict-regime Labour Camp MR-E/16 in Bayramaly in Mary Region.

While Rasul Rozbayev also remains in the Temporary Detention Prison (DZ-E/7), Nazar Alliyev – sentenced in February – remains in the Temporary Detention Prison (LB-E/9) in Lebap Region. Lebap Regional Court rejected Alliyev's appeal in a 30-minute hearing in his absence on 9 March, Jehovah's Witnesses told Forum 18. His mother and a friend were the only outsiders allowed in for the hearing. Alliyev's lawyer also did not take part, for which the Judge issued the lawyer with a reprimand.

A prisoner died of coronavirus on 14 August 2020 in the strict-regime Labour Camp LB-E/11, Turkmen.news noted on 24 August 2020. The regime claims that the country has no coronavirus infections (<https://www.hrw.org/world-report/2021/country-chapters/turkmenistan>).

Conditions in labour camps where prisoners of conscience are held are harsh (https://www.forum18.org/archive.php?article_id=2244). Relatives who want to send food or other parcels to prisoners at either of the Seydi Labour Camps must bring the parcel to the marble arch in the remote village of Uchajy in neighbouring Mary Region, 150 kms (95 miles) away. Three times a month, prison guards collect the parcels to take them to the Labour Camps, Turkmen.news noted. Prisoners complain that parcels often are not handed over, or if they are fresh food has gone off, the news service added. Money can now be sent in parcels, but often is missing when a parcel is handed over.

Camp officials are known for high levels of corruption. After prison visits from relatives were banned in March 2020 because of coronavirus, prison guards began offering prisoners to buy food from them to make up for food parcels earlier brought by prisoners' relatives, Turkmen.news noted on 19 November 2020.

In a complaint to the UN Human Rights Committee, former Jehovah's Witness prisoner of conscience Aibek Salayev stated that conditions in Seydi Labour Camp LB-E/12, where he was held, were "inhuman" (https://www.forum18.org/archive.php?article_id=2476).

Salayev noted that the Camp was "known for its overcrowdedness, harsh climatic conditions, scarce supplies of food, medication and personal hygiene products, and for tuberculosis, skin diseases, its very high mortality rate, and physical abuse" (https://www.forum18.org/archive.php?article_id=2476). Officials also threatened him with rape in the Camp.

The UN Human Rights Committee found that Turkmenistan had violated the rights of Salayev and another Jehovah's Witness former prisoner of conscience Vladimir Nuryllayev. (https://www.forum18.org/archive.php?article_id=2476) The Views of the Committee on the case (CCPR/C/125/D/2448/2014 (<https://www.undocs.org/CCPR/C/125/D/2448/2014>)) were adopted on 18 April 2019. It stated that Turkmenistan "is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future".

Prison deaths

In its 27 March 2020 report to the UN Human Rights Committee (CCPR/C/TKM/3), Turkmenistan admitted that two of the Muslims from Turkmenabat had died in prison. Lukman Yaylanov died in 2016, possibly as a result of torture, as did Narkuly Baltayev (https://www.forum18.org/archive.php?article_id=2249). Another of the Muslim prisoners, Aziz Gafurov, died in summer 2017 (https://www.forum18.org/archive.php?article_id=2318). Gafurov's thin body was covered in bruises when returned to relatives.

The regime's report to the UN mentions only the deaths of Yaylanov and Baltayev, two of the Muslims both born in 1980. It claimed that Baltayev had died in March 2016 – nine months after his conviction - "of a chronic illness, as was confirmed in the findings of a forensic examination". It insisted that he had not been subjected to torture. It similarly claimed that Yaylanov had died in October 2016 "of a chronic illness, as confirmed by the findings of a forensic examination". It made no mention of why the two young men had been jailed. It also made no mention of Gafurov's death in prison.

The regime's report also claimed that prisoners have the right to exercise freedom of religion or belief. "Persons serving sentences in open prisons may, at their request, be granted permission to visit religious institutions located within the settlement where the prison is located," it claimed. "Ministers of duly registered religious associations may be invited to visit prisoners, at the prisoners' request, in the manner established by law. In correctional facilities, prisoners may perform religious rites and have and use ceremonial objects and religious literature. The correctional facility administration is to provide an appropriate space for such purposes."

Former prisoners of conscience have stated that prison authorities severely restrict the exercise of freedom of religion and belief and other human rights in prisons (https://www.forum18.org/archive.php?article_id=2244).

Thirteen conscientious objectors currently in Seydi Labour Camps

Sixteen Jehovah's Witness conscientious objectors are known - as of 19 March - to be serving jail terms. Three are in Temporary Detention Prisons waiting to be transferred to labour camps.

Nine of the jailed conscientious objectors are currently imprisoned at the harsh ordinary-regime Seydi Labour Camp (https://www.forum18.org/archive.php?article_id=2244) in the desert in Lebap Region.

The address of the ordinary-regime Seydi Labour Camp is:

746222 Lebap velayat

Seydi

uchr. LB-E/12

Turkmenistan

Four of the jailed conscientious objectors are currently imprisoned at the strict-regime Seydi Labour Camp, which is adjacent to the ordinary-regime camp. The address of the strict-regime labour camp is:

746222 Lebap velayat

Seydi

uchr. LB-E/11

List of known jailed conscientious objectors

Sixteen conscientious objectors to compulsory military service (listed below in chronological order of sentence) – all of them Jehovah's Witnesses – are known to be jailed. Thirteen are serving prison sentences under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"), Ashirov and Dovletov under Criminal Code Article 219, Part 2, and Atahanov under Criminal Code Article 344, Part 2. Ten are serving second sentences.

- 1) Bahtiyar Amirjanovich Atahanov; born 17 June 2000; sentenced 15 July 2019 Tejen City Court under Criminal Code Article 344, Part 2; appeal rejected 20 August 2019 Ahal Regional Court; four years' ordinary regime labour camp.
- 2) Azat Gurbanmuhammedovich Ashirov, born 7 January 1999; sentenced 31 July 2019 Abadan District Court under Criminal Code Article 219, Part 2; appeal rejected 3 September 2019 Ashgabat City Court; two years' ordinary regime labour camp.
- 3) Serdar Nurmuhammedovich Dovletov, born 2 December 1993; sentenced 12 November 2019 Bayramaly City Court under Criminal Code Article 219, Part 2; appealed rejected 3 December 2019 Mary Regional Court; three years' ordinary regime labour camp.
- 4) Kamiljan Ergashovich Ergashov, born 27 June 2001; sentenced 13 January 2020 Niyazov District Court under Criminal Code Article 219, Part 1; appeal rejected 4 February 2020 Dashoguz Regional Court; two years' ordinary regime labour camp.
- 5) Vepa Bahromovich Matyakubov, born 19 August 1998; sentenced 17 February 2020 Boldumsaz District Court under Criminal Code Article 219, Part 1; appeal rejected 17 March 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).
- 6) Sanjarbek Davranbekovich Saburov, born 12 August 1994; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).
- 7) Eldor Davranbekovich Saburov, born 9 April 1999; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).
- 8) Myrat Baymukhammedovich Orazgeldiyev, born 6 May 2002; sentenced 3 September 2020 Vekilbazar District Court, under Criminal Code Article 219, Part 1; appeal rejected 29 September 2020 Mary Regional Court; one year's ordinary regime labour camp.
- 9) Ruslan Khadynyaz oglu Artykmuradov; born 24 May 2000; sentenced 11 January 2021 Sayat District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' strict regime labour camp (second sentence).
- 10) Azamatjan Narkulyevich Narkulyev, born 9 November 2000; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' strict regime labour camp (second sentence).
- 11) Maksat Jumadurdyevich Jumadurdyev, born 15 May 2000; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' strict regime labour camp (second sentence).
- 12) Artur Aydogdyevich Yangibayev, born 22 April 1997; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' ordinary regime labour camp (second sentence).
- 13) Veniamin Muslimovich Genjiyev, born 12 May 2000; sentenced 19 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; appeal lodged to Lebap Regional Court; two years' strict regime labour camp (second sentence).
- 14) Ikhlosbek Valijon oglu Rozmetov, born 26 November 1997; sentenced 19 January 2021 Gurbansoltan eje District Court, under Criminal Code Article 219, Part 1; two years' strict regime labour camp (second sentence).
- 15) Nazar Palvanovich Alliyeu, born 12 December 2000; sentenced 10 February 2021 Hojambaz District Court, under Criminal Code Article 219, Part 1; appeal rejected 9 March 2021 Lebap Regional Court; one year's ordinary regime labour camp.
- 16) Rasul Ruslanovich Rozbayev, born 14 August 1999; sentenced 16 March 2021 Niyazov District Court, under Criminal Code Article 219, Part 1; intends to appeal to Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

(END)

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

For more background, see Forum 18's Turkmenistan religious freedom survey
(https://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 (https://www.forum18.org/archive.php?article_id=1351)

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