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Maximum sentence for latest conscientious objector

By Felix Corley

Forum 18 News (22.09.2011) / HRWF (26.09.2011) - <http://www.hrwf.net> - As President Gurbanguly Berdymukhamedov signed the decree ordering the next call-up to compulsory military service, Forum 18 News Service has learnt that two further Jehovah's Witnesses have been sentenced this summer for refusing compulsory military service on grounds of conscience, the first known sentences for conscientious objection in 2011. Ashirgeldy Taganov – who is from Turkmenistan's capital Ashgabat [Ashgabat] – was sentenced to one year in a labour camp in July, Jehovah's Witnesses told Forum 18. He was then freed under amnesty in late August. However, a further Jehovah's Witness, Mahmud Hudaybergenov, was given the maximum two-year labour camp sentence in the north-eastern city of Dashoguz [Dashhowuz] in August. Although he is still in Dashoguz, it seems likely he will be transferred to the labour camp in Seydi, where the eight other known religious prisoners of conscience (seven Jehovah's Witness conscientious objectors and one Protestant pastor) are being held.

Meanwhile, no government officials or the Saudi Arabian Embassy in Turkmenistan's capital Ashgabat will reveal how many pilgrims will be allowed to travel on this year's haj pilgrimage to Mecca, which takes place in early November. One Ashgabat-based observer put the number likely to travel this year at "about 180", out of a quota believed to be 5,000.

Forum 18 was unable to ask officials of the government's Gengesh (Council) for Religious Affairs in Ashgabat why further conscientious objectors are being imprisoned or whether and, if so, why Muslims wishing to travel freely on the haj pilgrimage are denied this right. A service announcement for all the Gengesh's telephones said that access was temporarily unavailable each time Forum 18 called between 19 and 22 September.

No alternative service

President Berdymukhamedov signed the decree ordering the autumn call-up on 18 September, the government website noted the same day. The Decree specified that all male Turkmen citizens who have reached the age of 18 and are not subject to deferment will be called up between October and December. (Turkmenistan organises the call-up twice a year.)

Turkmenistan currently has no alternative service, and those who cannot perform military service on grounds of conscience are prosecuted under Article 219, Part 1 of the Criminal Code. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment. Turkmenistan has ignored international calls for conscientious objector prisoners to be freed and a civilian alternative service to be introduced.

Murad Atabaev, Deputy Chair of the Mejlis (Parliament) Committee on the Protection of Human Rights and Freedoms, told Forum 18 in early September that work on drafting an Alternative Service Law has not begun, though he claimed that such a Law would be considered in 2012.

Jehovah's Witness young men have repeatedly expressed a readiness to perform an alternative, civilian service not under military control.

One year sentence, then amnesty

The 22-year-old Taganov, who is from Ashgabad, was found guilty on 7 July after a two-day trial by a court in the capital, Jehovah's Witnesses told Forum 18. He was sentenced under Criminal Code Article 219, Part 1 to one year's imprisonment in labour camp. He had not been in detention in the run-up to the trial and was arrested in the court room when the verdict was announced.

After the trial, Taganov was taken to the detention centre at Yashlyk, 40 kms (25 miles) south-east of Ashgabad. However, he was then included in the late August prisoner amnesty decreed by the president to mark the Muslim Night of Omnipotence, which this year fell on 26-27 August. Taganov was freed on 25 August after seven weeks' detention, Jehovah's Witnesses told Forum 18.

Taganov was first called up in 2007 when he reached 18. In October 2007 he told the conscription board that he was could not do military service on grounds of conscience. In December 2007 an Ashgabad court gave him an 18-month suspended sentence under Criminal Code Article 219, Part 1 after what Jehovah's Witnesses complained was a "hasty" trial with "careless" procedure.

However, Taganov was included in the February 2008 prisoner amnesty and released from his sentence.

Six months after his release though, in August 2008, Taganov was summoned again to be told he must serve in the army. He was then left alone until spring 2010, when he was again summoned. However, it was not until July 2011 that officials once again insisted that he serve and, when he refused once more, brought him to criminal trial.

Imprisoned and not amnestied

Mahmud Hudaybergenov, the second Jehovah's Witness conscientious objector known to have been sentenced in 2011, was tried in Dashoguz under Article 219, Part 1. He was sentenced to two years' imprisonment on 9 August, Jehovah's Witnesses told Forum 18. They say the 21-year-old was prevented by the authorities from lodging an appeal, while his relatives chose not to.

Mahmud Hudaybergenov's fellow Jehovah's Witnesses believe he will be sent to the labour camp in the desert near Seydi in Lebap Region of eastern Turkmenistan, where all the eight other known religious prisoners are being held.

Jehovah's Witness conscientious objectors make up eight of Turkmenistan's nine current known religious prisoners of conscience. As well as Mahmud Hudaybergenov, there are:

Navruz Nasyrlaev, two years, Dashoguz Court, December 2009; Aziz Roziyev, 18 months, Seydi Court, August 2010; Dovleyet Byashimov 18 months, Turkmenabad (formerly Charjew) Court, August 2010; Ahmet Hudaýbergenov, 18 months, Turkmenabad Court, September 2010; Sunet Japbarov, 18 months, Turkmenabad Court, December 2010; Matkarim Aminov, 18 months, Dashoguz Court, December 2010; and Dovran Matyakubov, 18 months, Dashoguz Court, December 2010.

The ninth known religious prisoner of conscience is Pastor Ilmurad Nurliev, who leads Light to the World Protestant Church in the town of Mary east of Ashgabad. Arrested in August 2010, he was given a four-year labour camp term in October 2010 with "forcible medical treatment" on charges of swindling. His community insist the charges were fabricated to punish him for his religious activity. He had tried in vain to register his church. In December 2010 he was transferred to the Seydi Labour Camp.

Another Jehovah's Witness is still believed to be serving a suspended sentence under Article 219, Part 1: Denis Petrenko, given a two year suspended sentence in Ashgabad in April 2010. This required him to live under some restrictions at home and report regularly to the authorities.

Amnesties rarely free religious prisoners of conscience

Prisoners of conscience are rarely included in the regular presidentially-decreed prisoner amnesties. Apart from Taganov, who has now been amnestied twice, no-one else is known to have been included since 2007.

No imprisoned Jehovah's Witness conscientious objectors nor Protestant pastor Nurliev were freed in the February 2011 prisoner amnesties. Only Taganov was included in the August 2011 amnesty. In the wake of the August amnesty, one of Pastor Nurliev's friends told Forum 18: "Ilmurad's wife Maya is so disappointed – he has now been imprisoned for a year. She again sits at home and cries".

One of the Jehovah's Witness then prisoners, Mukhammedmurad Annamamedov, was on the list of those to be amnestied in May 2010. He had signed a document regarding his release and was waiting for his discharge. However, the prison administration later informed him that they received an order from "above" not to release him. He was freed from Seydi along with his brother Sakhmetmurad only in May 2011 after serving his full sentence.

Limited haj pilgrimage again this year?

Although the Muslim haj pilgrimage to Mecca takes place this year in early November and officials have told Forum 18 that pilgrims' documents are already being processed, Forum 18 has been unable to find any public announcement of how many pilgrims the government intends to allow to travel this year.

The haj pilgrimage is an obligation for all able-bodied Muslims who can afford it at least once in their lifetime. The quota allocated by the Saudi Arabian authorities to Turkmenistan is believed to be about 5,000.

Since the 1990s, the Turkmen government has tightly controlled its citizens' participation in the haj, allowing no more than one state-sponsored aeroplane of pilgrims each year and banning pilgrims from travelling independently. Between 2005 and 2008, and again in 2010, only 188 people – including pilgrims and their government minders – were allowed to travel each time. In November 2009, the government abruptly cancelled the group's departure, allegedly to prevent infection with the H1N1 virus.

Lack of telephone access meant that Forum 18 was unable to ask Gengesh officials in Ashgabad about the November haj pilgrims. Gengesh officials in several regions – including Mary, Dashoguz, Lebap and Balkan Regions - declined to tell Forum 18 on 19 and 20 September how many pilgrims would be travelling from their regions or how would-be pilgrims were selected.

An official of Mary Region Gengesh – who did not give his name – told Forum 18 on 19 September that would-be pilgrims "have to apply and join a queue". He declined to give any indication of the numbers on the waiting list, even whether it is in the tens, hundreds or thousands. The official said the documentation for pilgrims from the region due to travel this November has already been sent on to the Gengesh in Ashgabad, but refused to say who needed to approve the successful applications before they were sent to the capital.

An aide to the hyakim (administration head) in the city of Turkmenbashi told Forum 18 on 19 September that decisions over who goes on the haj are taken at the regional level, so for the city such decisions are taken in Balkanabad, the capital of Balkan Region.

Officials of the Consular Department of the Saudi Arabian Embassy in Ashgabad refused to say how many haj visas are being issued this year. "This is secret information," one official told Forum 18 on 20 September. Forum 18 received no response by the end of the working day in Ashgabad on 22 September to its written request for this information.

However, one Ashgabad-based observer – who asked not to be identified – told Forum 18 on 21 September that "about 180" pilgrims will be sent again this year. The expert said that candidates are chosen by the state, which also pays their costs. "I don't believe it is for financial reasons that only about 180 pilgrims are sent each year." The observer declined to speculate on why the government imposes such a low limit.

An Ashgabad-based source told Forum 18 in November 2008 that the Cabinet of Ministers approves the list of those authorised to travel on the haj. The source said would-be pilgrims have their documents processed through the local religious affairs official in the hyakimlik (administration) where they live, though all the decisions on who may or may not travel are taken in Ashgabad. The Ministry of State Security secret police is also involved.

Despite government claims since 2007 that pilgrims were able to travel independently outside the framework of the state-sponsored group, all the evidence Forum 18 found was that this was not allowed, either by the Turkmen or the Saudi authorities. One would-be independent pilgrim who sought a haj visa from the Saudi Arabian Embassy for the November 2010 pilgrimage was told "gently" that they should gain a place on the official list approved by the Turkmen government and handed to the Embassy.

You're not going on a summer holiday

By Felix Corley,

Forum 18 News (05.09.2011) / HRWF (14.09.2011) - <http://www.hrwf.net> - About forty members of a religious community from northern Turkmenistan who travelled to the resort of Avaza on the Caspian Sea for an August holiday were detained, questioned and insulted by the police and the local imam because of their faith, Forum 18 News Service has learned. Members of the Path of Faith Baptist Church from Dashoguz [Dashhowuz] were forced to abandon their summer break. The Church has been seeking legal status in vain for six years. Meanwhile, it appears none of the known religious prisoners of conscience – Protestant pastor Ilmurad Nurliiev and seven Jehovah's Witness

conscientious objectors - were freed in the late August prisoner amnesty. "Ilmurad's wife Maya is so disappointed – he has now been imprisoned for a year," one of their friends told Forum 18. "She again sits at home and cries."

Reached at his office in the capital Ashgabat [Ashgabat] on 5 September, Pirnazar Hudainazarov, Chair of the Mejlis (Parliament) Committee on the Protection of Human Rights and Freedoms, once again refused to discuss anything with Forum 18.

Asked the same day about the raid and threats in Avaza, the continuing denial of registration to a number of religious communities and the continued imprisonment of religious prisoners of conscience, the Deputy Chair of the same Committee, Murad Atabaev, told Forum 18 that none of these were "in the competence of" parliamentary deputies. "On the question of registration, that is an issue for the Gengesh [Committee] for Religious Affairs and the Justice Ministry. As for the amnesty, that is an issue for the special state commission under the President."

The man who answered the telephone of Gurbanberdy Nursakhatov, Deputy Chair of the government's Gengesh for Religious Affairs in Ashgabat, hung up on 5 September as soon as Forum 18 introduced itself. Subsequent calls went unanswered.

Atabaev confirmed to Forum 18 that no progress has been made on drafting either a revised Religion Law or a Law on Alternative Service. He claimed that both of them would be considered in 2012, but admitted that no text of either yet exists.

Atabaev also admitted that he had not been given the highly-critical legal review of the current Religion Law by the Organisation for Security and Co-operation in Europe (OSCE), completed in June 2010 but not made public until the following December.

Told that the legal review is freely available in Russian and English on the OSCE's Legislationline website, Atabaev said he does not have access to the internet. "I'm sure it will be given to me when it is necessary," he told Forum 18.

Imam and police issue religious insults

Members of the Path of Faith Church had arranged for a shared summer holiday in Avaza near Turkmenbashi [Türkmenbashi, formerly Krasnovodsk]. Soon after they arrived at their accommodation there on the evening of 31 July, the district police officer and eight officials in civilian clothes burst in, Protestants told Forum 18. Accompanying them was the imam of Turkmenbashi, Chary-hajy Mommalyev, who – like all Turkmenistan's imams - is also the city representative of the government's Gengesh for Religious Affairs.

"Church members had just arrived, settled the children and had the hot food ready on the table when the officials burst in," Protestants complained to Forum 18. The officials collected the identity documents of the 16 adults and took the church members to police station No. 2. "Under the guise of registering them, the officers began to question them one by one," Protestants told Forum 18. "They put psychological pressure on them, humiliated them morally and insulted them because of their faith, especially Imam Chary-hajy." They told Forum 18 that the imam accused one female church member of having sexual relations with a man not her husband in what they interpreted as a means to offend and humiliate her.

When church members insisted that the local registration requirement for short visits within Turkmenistan had been abolished and that local registration was therefore not necessary, one official insisted to them that "for security reasons" officials needed to know who was staying in the area.

Although the church members were not arrested, they were held until well after midnight. They were then forced to return to the police station each day for the next three days for questioning. Only then were their identity documents returned. The church members decided it would be safer to abandon the holiday and return home.

The church members did not know how the local officials knew that they had arrived. However, one official told church members that at least one official from Dashoguz travelled to Turkmenbashi to follow them, Protestants told Forum 18.

Forum 18 was unable to find the telephone number of police station No. 2 to find out why members of a religious community cannot take a summer holiday together in Avaza without being threatened and insulted.

Forum 18 was unable to reach Imam Mommalyev to find out why he participated in the raid and reportedly insulted members of a different religious community. His office telephone at the city hyakimlik (administration) and his mobile went unanswered each time Forum 18 called on 5 September.

Turkmenbashi's imam took part in a police raid on a Jehovah's Witness meeting in the city in June 2008, during which the home owner was threatened and mocked for her faith.

Some Muslims as well as members of non-Muslim communities have criticised the dual role officially-appointed imams have as state-backed religious leaders and as state officials of the Gengesh, both at local and national level. Local imams have often taken part in raids on non-Muslim communities.

Registration applications in vain?

Path of Faith Church in Dashoguz first lodged its registration application in 2005, but officials repeatedly questioned the content and grammar of the application. At the same time, police and other officials have often raided church services.

Most recently the Church lodged its application to the Justice Ministry again in 2008, but two years later the Ministry returned the application, saying it must be submitted first to the Gengesh for its approval. "The Gengesh had already given its approval before the application went to the Ministry," one Protestant familiar with the application told Forum 18.

Similarly, Light to the World Protestant Church in the town of Mary east of Ashgabad – led by the imprisoned Pastor Nurliev – also sought registration in vain. Church members met Justice Ministry officials in January 2007 in what they hoped would be a meeting to remove any outstanding problems. However, officials have repeatedly refused to process the application.

The two Protestant churches are among a number of religious communities which have been trying to register in vain for many years. The Religion Law specifies a requirement for a minimum of five adult citizen founders for a religious community to seek registration, though in practice applications by communities the state does not like will not be given registration regardless of the number of founders.

The telephones at the department of the Justice Ministry which is supposed to register religious communities went unanswered each time Forum 18 called on 5 September.

Amnesty, but not for religious prisoners of conscience?

As has become customary, President Gurbanguly Berdymukhamedov signed an amnesty decree to free prisoners to mark the Muslim Night of Omnipotence, which this year fell on 26-27 August. The government website claimed on 23 August that in signing the decree the President was "governed by the principles of mercy, love for humanity, justice and humanism".

The government website quoted President Berdymukhamedov on 26 August as telling his Cabinet of Ministers that more than 3,730 prisoners were being freed under the amnesty. However, the lists of freed prisoners were not published in newspapers, so this claim is impossible to verify.

None of the then nine known religious prisoners of conscience or the additional three serving suspended sentences was freed in the February amnesty for Flag Day.

Pastor remains imprisoned

Friends of Pastor Nurliev had again hoped that he might have been included in the August amnesty, but they were again disappointed. However, they told Forum 18 that he has now been treated for his diabetes for the first time since his arrest in August 2010. "He has been treated to reduce the levels of sugar in the blood," one friend told Forum 18. "His wife Maya is of course pleased about this." The friend noted that Maya has been able to visit her husband on the approved visiting days. However, they underlined her continued distress that her husband remains imprisoned on what they insist were trumped-up charges to punish him for his religious activity.

After his arrest in August 2010, Pastor Nurliev was given a four-year labour camp term in October 2010 with "forcible medical treatment" on charges of swindling. In December 2010 he was transferred to the Seydi Labour Camp in the desert in the eastern Lebap Region. The Jehovah's Witness prisoners are also being held in the same camp and the number of known religious prisoners imprisoned there reached eleven in spring 2011.

The address of Seydi Labour Camp is:

Turkmenistan,

746222 Lebap vilayet,

Seydi,

uchr. LB-K/12

No amnesty for seven Jehovah's Witness prisoners?

It is believed that the August amnesty was not applied either to the Jehovah's Witness prisoners. All of them are conscientious objectors punished 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 (see F18News 29 April 2011 http://www.forum18.org/Archive.php?article_id=1566).

Seven Jehovah's Witnesses are believed to be still serving labour camp sentences handed down under Article 219, Part 1. They are: Navruz Nasyrlaev, two years, Dashoguz Court, December 2009; Aziz Roziyev, 18 months, Seydi Court, August 2010; Dovleyet Byashimov, 18 months, Turkmenabad Court, August 2010; Ahmet Hudaybergenov, 18 months, Turkmenabad Court, September 2010; Sunet Japbarov, 18 months, Turkmenabad Court, December 2010; Matkarim Aminov, 18 months, Dashoguz Court, December 2010; and Dovran Matyakubov, 18 months, Dashoguz Court, January 2011.

The labour camp sentences of four other Jehovah's Witnesses sentenced under Article 219, Part 1 expired this year. Akmurat Egendurdiev was freed from the Seydi labour camp on 28 January on completion of his 18-month sentence. Sakhetmurad and Mukhammedmurad Annamamedov, who are brothers, were freed from Seydi on 21 May on completion of their two-year sentences, Jehovah's Witnesses confirmed to Forum 18. The two year sentence handed down to Shadurdi Ushotov by Dashoguz Court expired in July and he is believed to have been freed.

One suspended sentence

One other Jehovah's Witness is still believed to be serving a suspended sentence under Article 219 Part 1: Denis Petrenko, given a two year suspended sentence in Ashgabad in April 2010. This required him to live under some restrictions at home and report regularly to the authorities.

The two-year suspended sentences of two other Jehovah's Witness conscientious objectors from Dashoguz, Zafar Abdullaev and Dovran Kushmanov, expired in April.

Will school insults resume?

With schools having started the new academic year on 1 September, parents belonging to religious minorities are hoping incidents of harassment of their children will not resume. Forum 18 has learned that although isolated, such incidents have occurred in recent years in a number of regions, mainly in rural areas, and seem to be initiated by school heads.

In one rural school in Lebap Region earlier in 2011, Protestant parents were disturbed that the school authorities put up the pictures of several of their children on what the parents describe as a "wall of shame". "Teachers mocked the children because of their faith and encouraged other children to harass them," one Protestant familiar with the incident told Forum 18. "They also would not give them A [excellent] grades. While the children's parents were angry at the teachers and the schools, the children seemed to shrug it off."

Ten religious prisoners of conscience in one camp

By Felix Corley

Forum 18 (29.04.2011) / HRWF (02.05.2011) - <http://www.hrwf.net> - The arrival at the Seydi Labour Camp in eastern Turkmenistan of Dovran Matyakubov, a Jehovah's Witness conscientious objector, brought to ten the number of religious prisoners of conscience held in this camp, Forum 18 News Service notes. Nine are conscientious objectors. Matyakubov received an 18-month prison term in January for refusing compulsory military service. Concern is mounting among his friends for another of the religious prisoners in the Seydi Camp, Protestant Pastor Ilmurad Nurliiev. The Labour Camp administration has refused to allow him medical treatment for his diabetes, for which he regularly visited a hospital before his August 2010 arrest. "*Our first aim is restoring his health,*" his friends told Forum 18. Police who summoned members of his unregistered congregation warned: "*if we find out the church has been meeting, we'll do the same to you as we did to Ilmurad*".

A young Jehovah's Witness, Dovran Matyakubov, has been transferred to the prison camp at Seydi in eastern Turkmenistan after being sentenced in January for refusing compulsory military service on grounds of religious conscience, Jehovah's Witnesses have told Forum 18 News Service. He joined nine other religious prisoners of conscience

already in the same Seydi Labour Camp: eight Jehovah's Witness conscientious objectors; and one Protestant pastor, Ilmurad Nurliev. However, another Jehovah's Witness facing criminal trial for refusing military service had the case dropped on health grounds.

Jehovah's Witness young men have repeatedly expressed a readiness to perform an alternative, civilian service not under military control.

Conscientious objection to military service a crime Turkmenistan currently has no alternative service, and those who cannot perform military service on grounds of conscience are prosecuted under Article 219 Part 1 of the Criminal Code. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment.

International bodies have repeatedly called on the Turkmen government to introduce an alternative civilian service for conscientious objectors. Most recently, such a call was included in a highly-critical legal review of the current Religion Law by the Organisation for Security and Co-operation in Europe (OSCE), completed in June 2010 but not made public until the following December.

Turkmenistan's government has failed to respond to a February 2010 "urgent appeal" from the United Nations on the continued imprisonment of conscientious objectors.

Reached on 29 April, Pirnazar Hudainazarov, Chair of the Mejlis (Parliament) Committee on the Protection of Human Rights and Freedoms, once again refused to discuss whether Turkmenistan will introduce such an alternative service. "You must address your questions to the Mejlis via our Foreign Ministry," he repeatedly told Forum 18, without explaining why. He then put the phone down.

The telephone of Gurbanberdy Nursakhatov, Deputy Chair of the government's Gengesh (Committee) for Religious Affairs, went unanswered on 29 April, as did telephones at the government's National Institute for Democracy and Human Rights in Ashgabad.

One conscientious objector sentenced Matyakubov, an 18-year-old Jehovah's Witness from the north-eastern city of Dashoguz [Dashhowuz], refused his call-up to compulsory military service on grounds of conscience. Prosecutors brought a criminal case against him under Article 219 Part 1. In January he was sentenced by a Dashoguz Court to 18 months' imprisonment, fellow Jehovah's Witnesses told Forum 18.

After his sentencing he was transferred to the Labour Camp near Seydi in Lebap Region of eastern Turkmenistan where all the other religious prisoners of conscience have been held. The address of Seydi Labour Camp is:

Turkmenistan, 746222

Lebap vilayet,

Seydi,

uchr. LB-K/12

and one exempted on health grounds.

A criminal case was also launched under Article 219 Part 1 against fellow Dashoguz Jehovah's Witness Yadgyar Sharipov, also 18 years old, after he too refused military

service on grounds of conscience. However, the military enlistment office later exempted him from military service on health grounds, and the prosecution dropped the case without bringing it to court.

The exemption from military service was temporary, and it remains unknown whether the authorities will seek to call Sharipov up again.

Ten current religious prisoners of conscience

The nine known imprisoned Jehovah's Witness conscientious objectors were all sentenced under Article 219 Part 1. They are: Sakhetmurad and Mukhammedmurad Annamamedov, two years each, Serdar Court, May 2009; Shadurdi Ushotov, two years, Dashoguz Court, July 2009; Navruz Nasyrlaev, two years, Dashoguz Court, December 2009; Aziz Roziev, 18 months, Seydi Court, August 2010; Dovleyet Byashimov 18 months, Turkmenabad (formerly Charjew) Court, August 2010; Ahmet Hodaybergenov, 18 months, Turkmenabad Court, September 2010; Matkarim Aminov, 18 months, Dashoguz Court, December 2010; and Dovran Matyakubov, 18 months, Dashoguz Court, January 2011. Numbers of prisoners of conscience have been increasing since President Gurbanguly Berdymukhamedov came to power.

Sakhetmurad and Mukhammedmurad Annamamedov, who are brothers, are due for release in May at the end of their sentences.

The tenth known religious prisoner of conscience is Pastor Nurliev, who leads Light to the World Protestant Church in the town of Mary east of Ashgabad. Arrested in August 2010, he was given a four-year labour camp term in October 2010 with "forcible medical treatment" on charges of swindling. His community insist the charges were fabricated to punish him for his religious activity. He had tried in vain to register his church. In December 2010 he was transferred to the Seydi Labour Camp.

Neither Pastor Nurliev nor the Jehovah's Witnesses were freed under prisoner amnesties, including the most recent declared in February.

In addition, three Jehovah's Witnesses have been serving suspended sentences under Article 219 Part 1: Zafar Abdullaev and Dovran Kushmanov, two years each, Dashoguz, April 2009; Denis Petrenko, two years, Ashgabad, April 2010. This required them to live under some restrictions at home and report regularly to the authorities.

Abdullaev was released from his sentence on its completion on 8 April, Jehovah's Witnesses confirmed to Forum 18. Kushmanov's sentence also expired in April.

Health concern for imprisoned pastor

Friends of Pastor Nurliev are increasingly concerned about his health in the Seydi Camp, they told Forum 18. "Our first aim is restoring his health."

Nurliev, a 46-year-old grandfather of two, suffers from diabetes and had regular treatment at the hospital in Mary before his imprisonment. The labour camp administration will only allow treatment for him if he has a certificate from the hospital, but the hospital will only give such a certificate if he comes in person. The camp administration has refused to put Nurliev in the Camp's medical unit.

Meanwhile, adding to the family's difficulties, Nurliev's wife Maya was sacked from her job at a local firm in March, after she took unpaid leave to travel. Heavy pressure, including threats to of dismissal from employment, has been applied by the authorities

against Nurlieva and other church members. Also, Nurlieva had been denied any opportunity to ensure Nurliev himself received the diabetic medicines he needed since his August 2010 arrest.

"We'll do the same to you as we did to Ilmurad"

Police have again been pressuring members of Nurliev's church, asking them if his wife Maya is gathering them for worship services or meetings. "Church members have been summoned," Protestants who asked not to be identified for fear of state reprisals told Forum 18. "Police warned them: if we find out the church has been meeting, we'll do the same to you as we did to Ilmurad".

Police have also been trying to use church members against Nurliev and his wife as "provocateurs and spies", Protestants complained. They have also asked about other Protestant leaders.

The Ministry of State Security (MSS) secret police is known to actively seek to recruit informers within all religious communities, as well as interrogating leaders.

Under Turkmenistan's harsh Religion Law, all unregistered religious activity is illegal. Communities which function without registration face the constant threat of police raids, threats and punishments.

Increased information-gathering on students?

There is heightened government scrutiny of students within Turkmenistan and students from Turkmenistan studying abroad, following the Arab Spring or Arab Awakening uprisings for freedom and democracy. The authorities appear to be increasing their information-gathering on such students, including on their religious affiliation and practice, a blogger who uses the name Annasoltan noted on the Neweurasia.net website on 18 March and 1 April.

Through the use of tactics such as exit blacklists, harsh censorship, expulsions, and denials of entry visas the authorities have long sought to isolate active religious believers of all faiths from fellow-believers in other countries.

One parent of a student studying abroad was asked only basic questions about his son's "relation to Islam", Annasoltan recounted, while another was subjected to much closer questioning on whether he attended mosque. While some questioning was done by phone, others were summoned to the MSS secret police "during which they had to hand write and sign guarantees that they will not go to certain places where Islam is being talked about, meet 'Muslims' (most likely a euphemism for Islamist) or read books about Islam".

Some students have been asked if they visit Muslim places of pilgrimage within Turkmenistan (such as the shrines of saints), what view they have of commemorating an individual three and seven days after their death, and their view of amulets to ward off the evil eye.

After extensive searches of student residences in Ashgabad in February, two students were reportedly expelled from their institute after recordings of verses of the Koran were discovered on their computers.

Religious censorship continues – except for Russian Orthodox?

The one religious community which has publicly claimed to have seen its situation improve is the Russian Orthodox Church, which has 12 parishes in Turkmenistan, particularly over religious literature. "For a long time, parishioners of Orthodox churches suffered from a visible information hunger because of the clear lack of church literature, as Turkmenistan had limitations on the import into the country of foreign printed materials," the head of the Patriarchal Deanery, Bishop Feofilakt (Kuryanov), declared in an interview to the pro-government journal Turkmenistan published on 15 April. "Now this problem has found its positive resolution." He said the Church has been given official permission to import religious literature and religious objects.

It is unclear whether this claim of a government promise will result in independently verifiable improvements, given the harsh censorship regime imposed on all publications and religious objects.

The statement of Bishop Feofilakt, who presides over the Deanery as Bishop of the Russian Diocese of Pyatigorsk and Cherkessk, was supporting earlier claims of improvement made by Russian Patriarch Kirill in February.

Forum 18 notes that the Orthodox Church comments make no claims about the censorship regime imposed on followers of all other faiths and other Christian churches.

Turkmen amnesty excludes Protestant and Jehovah's Witnesses

AsiaNews/Forum 18 (19.03.2011) / HRWF (22.03.2011) - <http://www.hrwf.net> - The amnesty decreed by Turkmenistan on February 18 last continues to be applied to 9 prisoners of conscience in Turkmenistan known, 8 Jehovah's Witnesses and a Protestant minister. Jehovah's Witnesses are detained for refusing military service.

Forum 18 news agency says that in December 2010 another Jehovah's Witness, 19 year old Matkarim Aminov, was sentenced to 18 months in jail on charges of absence without leave for military service. The other seven are being held for the same reason, with sentences from 18 months to two years, some are in prison since May 2009. Other believers have had convictions with suspended sentences and Akmural Egendurdiev was released in January 2011 after serving a sentence of 18 months. No prisoner of conscience has been released under the amnesty decreed by President Kurbanguly Berdymukhammedov on February 18, a National holiday, "based on the principles of mercy, justice and humanity."

Two years of military service is compulsory in Turkmenistan and there are no alternative services. Conscientious objection is punishable by art. 219 of the Criminal Code with up to 2 years in prison. The maximum penalty is often applied to the Jehovah's Witnesses, conscientious objectors for religious reasons. They are often subjected to forced labour in camps. This offense is considered very serious, as had already been excluded in the amnesty of May 2010 (see the AsiaNews 05/28/2010, Ashgabat: no amnesty for Jehovah's Witnesses).

On February 12 Asma Jahangir, Special Rapporteur on Freedom of Religion and Belief for the United Nations, and El Hadj Malick Sow, president of the UN Working Group on Arbitrary Detention, sent an "urgent appeal" to the Turkmen government on the systematic detention of Jehovah's Witness conscientious objectors. Article 18 of International Covenant on Civil and Political Rights recognizes the right of everyone to be

conscientious objectors and charges the States to establish a civilian alternative to mandatory military service. After one year, the UN confirmed to F18 that they have not received a reply from Ashgabat.

Pastor Ilmurad Nurliev (pictured), leader of the Church Light of the World, who was arrested in August 2010 in the city of Mary, east of Ashgabat is also still in prison. He was sentenced to four years in prison for fraud, but the faithful say the accusation is false and the witnesses are not credible. Nurliev has been prevented from appealing (see the AsiaNews 16.11.2010, Appeal denied for Ilmurad Nurliev, Pentecostal pastor convicted by false evidence). F18 suggests that the arrest aimed to distract attention from the almost simultaneous arrest of the Chief Mufti of the region of Mary, Nurmukhamed Gurbanov, on unclear charges of sexual abuse of boys in the local madrassa. The scandal has engulfed several senior officials of the Ministry of Justice and Religious Affairs office.

According to F18 sources, Nurliev will be pardoned if he pleads guilty. He is subjected to abuse in prison: he is not allowed to have a bible and his wife was only able to see him once in January, with a subsequent refusal of permission to see him or send him food or other items.

Literature import controls lifted for Orthodox - but not for others

By Felix Corley

Forum 18 (11.03.2011) / HRWF (15.03.2011) - <http://www.hrwf.net> - The head of the Russian Orthodox Church, Patriarch Kirill, has noted that Turkmen government controls on importing religious material for use in the dozen Russian Orthodox parishes in Turkmenistan have been lifted. "Until recently, a major problem was the import into the country of church articles and religious literature," he told the Archbishops' Council in Moscow on 2 February in a speech published in full on the Patriarchate website. "However, with the help of the Lord, this problem has at present been resolved positively." Members of many other religious communities have complained to Forum 18 News Service of continuing confiscations of religious literature both inside the country and from travellers entering or leaving Turkmenistan.

Religious literature is still routinely confiscated at the border. Tight control of the country's borders includes frequent, often thorough searches for religious literature.

Any traveller with more than a handful of books is almost certain to have them confiscated, religious believers from Turkmenistan of a variety of faiths have told Forum 18 in early 2011. No more than one copy of any one title is likely to be allowed through, as officials believe any extra copies are for distribution, which is illegal.

Nearly a dozen people Forum 18 has spoken to between November 2010 and the end of February 2011 who passed through Ashgabat [Ashgabat] airport – both Turkmen residents and foreign visitors, even those invited by the Turkmen government – have said that almost the first question customs officers ask is whether they have religious literature with them.

Searches and confiscations are conducted by border guards, customs officers and officers of the Ministry of State Security (MSS) secret police. "It's difficult to say which officer is

from which agency," one individual who has had religious literature confiscated told Forum 18.

Confiscations on exit too

In what some local religious believers say is a new development, border guards and MSS secret police officers at Ashgabad airport searched the luggage of known religious believers leaving the country in early 2011. A number had religious literature confiscated from them, sources who asked not to be identified told Forum 18. "This is a definite turn for the worse, if we cannot even take religious materials out of the country now," one complained.

Only occasionally in the past have religious believers complained to Forum 18 of confiscation of religious literature on departure from Turkmenistan.

The duty officer at the Border Service headquarters in Ashgabad referred all enquiries on the confiscation of religious literature to the duty officer at the airport. However, each time Forum 18 called on 11 March the telephones were engaged or went unanswered. Telephones at the State Customs Service went unanswered the same day, while the MSS secret police refused to answer any questions.

Also unwilling to answer questions was the government's Gengesh (Committee) for Religious Affairs in Ashgabad. The man who on 9 March answered the telephone of Gurbanberdy Nursakhatov, the Deputy Chair, put the phone down as soon as Forum 18 began asking questions.

Religious publishing barely exists within Turkmenistan, and the little religious literature that is occasionally published requires prior approval from the government's Gengesh for Religious Affairs. Religious literature, audio recordings and DVDs are often confiscated during raids, and possession of such materials can lead to further harassment, as reportedly happened to two Muslim students in Ashgabad in February.

Confiscation of Orthodox books, baptismal crosses and incense at an end?

In his Moscow speech, Patriarch Kirill did not specify what difficulties there had been for the Church to import literature and church objects. However, Russian Orthodox clergy have complained for some years to Forum 18 that importing religious literature, copies of the Church's official Journal of the Moscow Patriarchate, baptismal crosses and incense has been restricted or impossible. Russian Orthodox books have been confiscated at customs, along with other Christian, as well as Muslim literature and publications of other faiths.

However, if Russian Orthodox priests can now import religious literature and church objects, it remains unclear if Russian Orthodox laypeople have the same possibility.

Asked whether the Turkmen government's apparent lifting of some controls on Russian Orthodox literature imports would also allow the Church to print literature within Turkmenistan, an official of the Moscow Patriarchate's Department for External Church Relations insisted that it does not need to. "There's a large enough number of Orthodox publishers in Russia which produce the quantities of Orthodox literature needed," the official told Forum 18 from Moscow on 9 March. "This can then be shipped to Russian Orthodox parishes around the world."

The small Seventh-day Adventist Church in Turkmenistan have long asked their fellow Adventists around the world to pray for the opening up of the country for religious materials. They noted in February that not only is the import of any literature "including

of the Bible" banned, but "this ban also extends to programmes and films of a religious nature".

Among other Adventist prayer requests was for the possibility for fellow Adventists to be able to visit communities in Turkmenistan. They noted in February that this has not been possible for the past two years. The government allowed a handful of such Adventist visits from September 2008, but they stopped soon after.

Expelled from Institute for Koran recordings?

Two students were reportedly expelled from the National Institute of Sports and Tourism in Ashgabad after Education Ministry inspectors discovered audio recordings of suras (verses) of the Koran on their computers, a blogger who goes by the name voxclamantis_tm declared on the livejournal website on 17 February. Officials justified the expulsions by claiming that the two students were propagating "religious extremism".

The blogger said the two were identified after Education Ministry inspectors made "unexpected inspections" at night in early to mid-February in student accommodation at "several universities" in Ashgabad and "thoroughly inspected personal belongings". "Students say that their mobile phones, personal laptops were examined by specialists who had software to restore deleted content." The blogger notes that "in Turkmenistan there is no such thing as privacy, and these violations are usual things for Turkmen people."

The blogger – who posts anonymously - appears to be based in Ashgabad. Forum 18 has been unable to confirm the expulsions. However, Ashgabad residents and other sources – such as the Turkmen Initiative for Human Rights – have reported extensive state searches of student accommodation in February in the wake of a murder of a student, allegedly by other students.

Aver Handurdiev, Deputy Rector of the National Institute of Sports and Tourism, appeared aware of recent check-ups in student accommodation in Ashgabad. However, he denied absolutely that anyone had searched the property of students of his Institute or that any students had been expelled for having audio recordings of the Koran in their computers. "No such things happened," he told Forum 18 from Ashgabad on 23 February. "No one was excluded for that reason. I guarantee it 100 percent before God."

Will Russian Orthodox be allowed to build cathedral?

Patriarch Kirill also told the Archbishops' Council that the head of the Church's Turkmen deanery, Bishop Feofilakt of Smolensk, has been able to discuss with Foreign Minister Rashid Meredov the possibility of building a new cathedral and educational centre in Ashgabad. "At present this is being discussed at a governmental level," Patriarch Kirill said, apparently referring to the Turkmen government.

The authorities have up till now refused to allow the Church to build the new Resurrection Cathedral in Ashgabad, planned in the mid-1990s. The then President Saparmurat Niyazov allocated the Church a five hectare plot of land in the centre of the city, later described by Bishop Vladimir of Tashkent (who had care of the Church in Turkmenistan until 2007) as "one of the most beautiful sites in Ashgabad". The Russian Orthodox Church held a high-profile design competition which was won in September 1996 by the Moscow architect Igor Voskresensky and the cathedral was to be completed by 2000. The cathedral was never built and the allocated plot in central Ashgabad remained vacant for many years. However, the state later built the Ruhnama University on the site.

Bayram Samuradov, chief architect of Ashgabad, told Forum 18 that a provisional site in the Parahat suburb in the south of the city has been earmarked as the new location for the cathedral. "It is more beautiful and appropriate than the old site, and is located in an area with a large European population," he told Forum 18 from Ashgabad on 11 March. He said the Cabinet of Ministers has given provisional approval for the General Plan, which is due to run until 2050, on which the cathedral site is marked.

Samuradov said the land has been allocated by the state, but the Russian Orthodox will pay for construction. He said Voskresensky's plan is still the current plan, but added that he could not say when construction will start.

Ata, an aide to Foreign Minister Rashid Meredov who would not give his surname, insisted that the Foreign Ministry is not involved in the issue of allocating a new site or building the new cathedral. "The Patriarch gets in touch with relevant officials, for example at the Gengesh for Religious Affairs," he told Forum 18 from Ashgabad on 9 March. Asked what progress Meredov and Bishop Feofilakt had achieved in their discussions, Ata admitted that they had held discussions, but responded to Forum 18: "You're not competent to interfere in these issues." He declined to discuss the new cathedral further.

Orthodox priests in Ashgabad referred Forum 18 to Fr Andrei Sapunov, a priest who is also a veteran Deputy Chair of the Gengesh. "He is responsible for the issue of building the new cathedral, as he handles relations between the Orthodox Church and the state," one priest told Forum 18 on 11 March. However, the man who answered Fr Sapunov's phone at the Gengesh the same day told Forum 18 he was not in the office, and declined to answer any other questions.

"Discussions are now underway on [the government] providing a new site for the construction of the cathedral," the official of the Moscow Patriarchate's Department for External Church Relations told Forum 18. "We have every reason to believe that by the end of this year, with God's help, this issue will be resolved."

Although the Russian Orthodox Church was one of only two faiths officially allowed to function in Turkmenistan between 1997 and 2003, its life has not been easy. Its parishes applied for the compulsory re-registration in the wake of the 2003 revisions to the Religion Law, but officials deliberately dragged their feet. They gained re-registration only in November 2005. The second parish in the eastern town of Turkmenabad (formerly Charjew) had to wait until January 2006 for registration.

Building new places of worship is almost impossible for other faiths, members of other religious communities have complained to Forum 18. Using other properties for worship is also difficult.

Chief architect Samuradov refused to discuss why other faiths cannot build places of worship in Ashgabad. "That's not a question for me," he told Forum 18.

Meetings against religious minorities

Members of a Protestant church away from Ashgabad have been especially closely monitored since the beginning of the year, Protestants who asked not to be identified told Forum 18. Muslim leaders met in a local mosque to discuss what action to take against the church, with some arguing that action should be taken to halt their activity and others arguing that church members were "true people of God" who should be allowed to continue their activity. No action was taken against the church, but it remains under close scrutiny.

Members of another Protestant church elsewhere in Turkmenistan have faced serious threats since the beginning of the year, including at public meetings, Protestants who likewise asked not to be identified for fear of state reprisals told Forum 18. However, such threats have died down.

"Principles of mercy, justice and humanism" fail to free religious prisoners of conscience

By Felix Corley

Forum 18 (09.03.2011) / HRWF (15.03.2011) - <http://www.hrwf.net> - At least one more young Jehovah's Witness has been imprisoned for refusing compulsory military service on grounds of religious conscience, Jehovah's Witnesses told Forum 18 News Service. The imprisonment of Matkarim Aminov in December 2010 brought to five the number of young men known to have been sentenced in 2010 for refusing military service on religious grounds. Aminov and three others were imprisoned, while the fifth was given a suspended sentence. A further seven are still serving sentences imposed in 2009. Other Jehovah's Witnesses are believed also to have been imprisoned on the same charges at about the same time as Aminov. Turkmenistan's government has failed to respond to questions from the United Nations on the continued imprisonment of conscientious objectors.

Jehovah's Witness conscientious objectors make up eight of the nine current known religious prisoners of conscience, As well as Aminov, there are: Sakhetmurad and Mukhammedmurad Annamamedov, two years each, Serdar Court, May 2009; Shadurdi Ushotov, two years, Dashoguz [Dashhowuz] Court, July 2009; Navruz Nasyrlaev, two years, Dashoguz Court, December 2009; Aziz Roziev, 18 months, Seydi Court, August 2010; Dovleyet Byashimov 18 months, Turkmenabad (formerly Charjew) Court, August 2010; Ahmet Hidaybergenov, 18 months, Turkmenabad Court, September 2010.

The ninth known religious prisoner of conscience is Ilmurad Nurliev, a Protestant Pastor from the town of Mary east of Ashgabad [Ashgabat] (see below).

Three other Jehovah's Witness conscientious objectors are serving suspended sentences: Zafar Abdullaev and Dovran Kushmanov, two years each, Dashoguz, April 2009; Denis Petrenko, two years, Ashgabad, April 2010.

Jehovah's Witnesses confirmed to Forum 18 that conscientious objector Akmurat Egendurdiev was freed from the labour camp near Seydi in Lebap Region of eastern Turkmenistan at the end of January 2011 on completion of his sentence. He had been sentenced to 18 months' imprisonment in July 2009.

However, none of the religious prisoners of conscience was freed in the prisoner amnesty decreed "on the principles of mercy, justice and humanism" by President Gurbanguly Berdymukhamedov on 18 February for Flag Day.

Turkmenistan does not offer non-combat alternatives to those who cannot serve in the military on grounds of conscience. Article 37 of the Constitution describes defence as a "sacred duty" of everyone and states that military service is compulsory for men. Military

service for men between the ages of 18 and 27 is generally two years. Conscientious objectors face trial 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. Young Jehovah's Witnesses insist they would be willing to do any form of alternative, non-military service, were it to be introduced.

Latest imprisonment

Aminov, a 19-year-old Jehovah's Witness from the north-eastern city of Dashoguz, was sentenced on 27 December 2010 to an 18-month prison term under Criminal Code Article 219, Part 1.

Since his conviction, Aminov is believed to have been transferred to the general regime labour camp in the desert near the town of Seydi, where all eight of the other known religious prisoners of conscience are being held.

The address of the camp is:

Seydi Labour Camp

Turkmenistan

746222 Lebap vilayet

Seydi

uchr. LB-K/12

UN letter ignored

On 12 February 2010, the then United Nations Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, and the Chair of the UN Working Group on Arbitrary Detention, El Hadji Malick Sow, wrote an "urgent appeal" to the Turkmen government about the imprisoned Jehovah's Witness conscientious objectors.

As of 2 February 2011, the Turkmen government had failed to respond to the UN urgent appeal, Jahangir's successor as Special Rapporteur, Heiner Bielefeldt, noted with regret in his 14 February 2011 report to the Human Rights Council (A/HRC/16/53/Add.1). He appealed to the Turkmen Government "to ensure the right to freedom of thought, conscience and religion of the above mentioned Jehovah's Witnesses in accordance with article 18 of the International Covenant on Civil and Political Rights." He pointed to declarations by the then UN Human Rights Committee and the Commission on Human Rights affirming the right on grounds of conscience to undertake a civilian alternative to any compulsory military service.

Bielefeldt also noted Opinion No. 16/2008 of the Working Group on Arbitrary Detention (A/HRC/10/21/Add.1) "in which concerns are expressed that the arrest and imprisonment of Mr. Navruz Nasyrlaev, Mr. Sakhetmurad Annamamedov, Mr. Mukhammedmurad Annamamedov, Mr. Shadurdi Ushotov, and Mr. Akmurat Egendurdiev might represent an unlawful restriction of their right to freedom of thought, conscience, and religion or belief. In its Opinion, the Working Group declared arbitrary the imprisonment – including the first term in case of repeated convictions – of a conscientious objector as being in violation of the rights guaranteed by article 18 of the International Covenant on Civil and Political Rights."

Why hasn't government responded to UN?

Forum 18 was unable to find out why the Turkmen government has failed to respond in over a year to the UN appeal over the imprisoned conscientious objectors. Officials at the Foreign Ministry in Ashgabad referred Forum 18 to Ata, an aide to Foreign Minister Rashid Meredov. They declined to give his surname, explaining "he's young".

Ata himself (who also declined to give his surname) told Forum 18 on 9 March that he is "not competent" to state why the letter was not answered. He added that the Foreign Ministry as a whole is not competent to respond either, as all correspondence with the UN human rights mechanisms in Geneva is handled by the Turkmen Embassy in Vienna. Ata refused to explain the Turkmen government's attitude more widely to the UN's human rights bodies.

An official of the Turkmen Embassy in Vienna asked Forum 18 to submit its questions to Ambassador Esen Atdogdyev in writing. Forum 18 asked on 9 March why the February 2010 UN appeal has not been answered more than a year later, what response he will be giving the UN about why Jehovah's Witness conscientious objectors are unable to perform a civilian alternative service and why they are being imprisoned. Ambassador Atdogdyev had not responded by the end of the working day on 9 March.

Also unwilling to answer questions was the government's Gengesh (Council) for Religious Affairs in Ashgabad. The man who on 9 March answered the telephone of Gurbanberdy Nursakhatov, the Deputy Chair, put the phone down as soon as Forum 18 asked about the religious prisoners of conscience. The woman who the same day answered the phone of Yazdursun Gurbannazarova, Director of the government's National Institute for Democracy and Human Rights in Ashgabad, told Forum 18 it was a wrong number.

Why was Pastor imprisoned?

In October 2010, Pastor Nurliev, who leads Light to the World Protestant Church in Mary, was given a four-year labour camp term with "forcible medical treatment" on charges his community insist have been fabricated. He had tried in vain to register his church. In December 2010 he was transferred to the labour camp at Seydi.

Several Protestants familiar with his case have told Forum 18 separately that they believe Pastor Nurliev was arrested in August 2010 and subsequently imprisoned to distract attention from the arrest at about the same time of the Chief Mufti of Mary Region or to show that the authorities were not singling out Muslims for arrest. The Chief Mufti was reportedly accused of involvement in or failing to prevent the alleged sexual abuse of boys at a local madrasa (Islamic school). He too was subsequently imprisoned, first in Mary and then in the Seydi labour camp, where he remains.

The abuse scandal is also reportedly the reason why Nurmukhamed Gurbanov was removed as Deputy Chair of the Gengesh for Religious Affairs in November 2010. Similarly removed from office in late 2010 – reportedly as a result of the scandal – were several officials in the department of the Justice Ministry which handles registration of religious organisations.

Officials in Mary have repeatedly refused to discuss the scandal with Forum 18 or to say whether Pastor Nurliev was arrested to distract attention from it.-

Denied amnesty again, imprisoned Pastor calls for transfer

Protestants close to Pastor Nurliev have lamented that he was not freed in the February 2011 prisoner amnesty, just as he had not been included in the December 2010 amnesty. "The camp chief at Seydi told him he would be freed under amnesty if he acknowledged his guilt," one Protestant told Forum 18. "But he refused." They say that

Pastor Nurliev has asked to be transferred back to Mary to be closer to his wife, daughter and two grandchildren.

Protestants told Forum 18 with relief that although the court ordered that Pastor Nurliev be subjected to "forcible medical treatment" for drug addiction (his friends insist he has not touched drugs since he became a Christian some years ago), no treatment has been forced on him. Yet his friends complain that he has not been given any treatment for his diabetes. They fear that in his weakened state he may catch tuberculosis from his brigade leader or from other prisoners.

Pastor Nurliev has also been spared the work in the labour camp's brick factory, said by former prisoners to be tough and exhausting. Instead he has been allowed to work at his trade as a barber, for both camp staff and fellow prisoners. However, they say his hairdressing tools, provided by friends since his imprisonment, have been stolen inside the camp.

Prisoners at Seydi are allocated a two-hour visiting slot for close relatives every other month, alternating with a 24-hour visit in the following month. Pastor Nurliev's wife Maya was allowed the 24-hour visit in late January. However, at the end of February she was refused permission to see him again or to pass on any food to him.

Maya Nurlieva told Forum 18 that her husband is still being denied permission to have a copy of the Bible or any other religious text. She said she treasures his personal Bible at home as something precious to him which she can hold in his absence.

"I don't know how these people are going to pay the fines"

By Felix Corley,

Forum 18 (28.01.2011) / HRWF (01.02.2011) - <http://www.hrwf.net> - After a 22 January police raid on a group of Protestants, who had gathered in a private flat in the eastern city of Turkmenabad (formerly Charjou), a city court has imposed heavy fines on about 17 of those present, Protestants who asked not to be identified for fear of state reprisals told Forum 18 News Service. One of those punished has already faced previous harassment for exercising the internationally-recognised right to freedom of religion or belief, and been threatened with imprisonment.

Some of the Protestants are known to have been fined under Article 205 Part 2 of the Code of Administrative Offences, which punishes "support for or participation in the activity of a religious group of religious organisation not officially registered in accordance with the legally established procedure". The article prescribes a fine of five to ten times the minimum monthly wage. Article 205's various parts punish "violation of the Law on Religious Organisations".

Local people told Forum 18 that the fines imposed on the Protestants represent between one and two months' average wages for those in an average state job in Turkmenabad. Most people in towns and especially villages away from the capital Ashgabat [Ashgabat] are very poor. In villages most people live in a subsistence economy with no formal wages. "I don't know how these people are going to pay the fines," one source familiar with the case told Forum 18.

Forum 18 was unable to reach the Turkmenabad police. An official (who did not give his name) at the religious affairs office of Lebap Regional Hyakimlik (administration) told Forum 18 on 28 January that the imam was not in the office and only he could speak about cases. The official said he knew nothing of any raid on Protestants in the city. The telephone of Rustam Jumaniyazov, the official of Turkmenabad Hyakimlik whose duties include overseeing religious affairs, went unanswered each time Forum 18 called the same day.

Reached on 28 January, Gurbanberdy Nursakhatov, the Deputy Chair of the government's Gengeshi (Committee) for Religious Affairs in Ashgabad, put the phone down as soon as Forum 18 had introduced itself. Subsequent calls went unanswered.

Unregistered religious activity is dangerous

The authorities routinely refuse state registration to religious communities they do not like, including independent mosques (especially Shia mosques), many Protestant churches and Jehovah's Witness communities. The Armenian Apostolic Church has been denied the possibility to resume its activity in the country.

Only 124 religious communities are known to have achieved registration, including 100 mosques, 13 Russian Orthodox churches and one each of Catholic, Hare Krishna and Baha'i communities. Ashgabad's Catholic community – the most recent to gain registration – finally gained legal status in March 2010 after 13 years of negotiation.

Unregistered religious activity is – against the country's human rights obligations – banned under the Religion Law. Such religious activity is dangerous, because it is liable to raids and threats from the Ministry of State Security (MSS) secret police and the ordinary police. The ordinary police's 6th Department, which 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. Raids such as the one on the 22 January are frequent, but victims of other raids are often afraid to have their cases publicised for fear of attracting further state harassment.

In October 2010, Pastor Ilmurad Nurliev, who leads Light to the World Protestant Church in Mary east of Ashgabad, was given a four-year labour camp term with "forcible medical treatment" on charges his community insist have been falsified. He had tried in vain to register his church. In December 2010 he was transferred to the labour camp at Seydi in Lebap Region of eastern Turkmenistan, where eight Jehovah's Witness conscientious objectors are also imprisoned, and where there is evidence suggesting the use of psychotropic [mind-altering] drugs for torture.

Police raid

At mid-morning on 22 January, two police in uniform and three in plain clothes (thought to be from the Police 6th Department or the MSS secret police) suddenly arrived at the private flat in Turkmenabad where the Protestants had gathered, Protestants told Forum 18. Refusing to give their names or explain why they had come, the police immediately began to question the 20 or so people present as to why they had gathered. They examined discs they found and began to play them on the television, finding that they contained music and Indian films. They confiscated several discs.

Police then started seizing any notes and bags they could find, insisting that those present should explain what was there and if they refused to show them they would be taken to the police station. Police confiscated the identity documents of those present, as well as books belonging to the home owner and a camera. All of them were led out of the flat in full view of people in the yard "as if they were criminals".

Police took those present to Police Station No. 3, where they started to interrogate them individually. All were fingerprinted. Protestants told Forum 18 that both as they were being detained and at the police station, police were abusive and insulting to the mainly female detainees. During the interrogations, the police station apparently received a telephone call from Ashgabad. Officials from the Hyakimlik (city administration) arrived, as well as the city imam dressed in civilian clothes, who shouted at several of the Protestants.

The Protestants were allowed to leave the police station only late that evening after being ordered to return on 24 January. Two of the Protestants, who were from outside Turkmenabad, were ordered to stay with their friends in the flat and not to leave the city.

When all the Protestants returned to the police on 24 January, they were told the imam and the Hyakimlik officials had insisted that they all be charged with illegal religious activity, "preaching the Baptist faith".

The following day, two of the Protestants – both from outside Turkmenabad – were taken to the city court. There the judge questioned each "crudely" about which God they believed in, telling them that the imam had given an assessment that their faith was "against the state" and was banned. He fined them each 400 Manats (800 Norwegian Kroner, 100 Euros, or 140 US Dollar). The two were taken directly to the bank and forced to pay the fines. Only then were their identity documents returned.

On 26 January, three more of the Protestants were fined under the same Article 205 Part 2. They were each fined 360 Manats (730 Norwegian Kroner, 90 Euros, or 125 US Dollars). They were told they would be arrested if they did not pay and that their identity documents would only be returned once they had done so. The rest of the Protestants were later fined a similar amount. Written verdicts have not been issued.

Two of those present at the meeting were schoolchildren. Protestants told Forum 18 that they were not fined, but were made to stand before their whole schools and publicly insulted.

Earlier pressure

At least one of those fined is known to have been subjected to surveillance in the month before the raid, Protestants told Forum 18. Also in summer 2010, the Protestant was summoned by village elders, Hyakimlik officials and the MSS secret police and warned that continuing to meet with fellow-believers would be punished with imprisonment. Officials told the Protestnat that this was "as President Gurbanguly Berdymukhamedov has condemned all religions other than Sunni Islam".

More recently the Protestant's personal details were copied down from identity documents and the individual was put on police records as someone to watch. The Protestant's car was photographed and the registration number recorded.

Will new Administrative Code remove human rights punishments?

Speaking to deputies of the Mejlis in Ashgabad on 20 January, President Berdymukhamedov told them to speed up work on drafting a new Code of Administrative Offences, according to the text of his speech published on the government website the same day. The current Code is based on the 1984 Soviet-era text, with many changes.

One Ashgabad-based source familiar with developments told Forum 18 that work on a new Code is still at a very early stage. Drafts of new laws in Turkmenistan are drawn up

in great secrecy with no public discussion. It remains unclear whether Article 205 ("violation of the Law on Religious Organisations") will remain unchanged or not.

Previous legislative changes have done nothing noticeable to change the way people exercising freedom of religion or belief are treated in practice, local religious believers told Forum 18. When the new Criminal Code was adopted after extensive revisions in May 2010, the entire Article 219 used to punish those who refuse to do military service on grounds of religious conscience remained untouched.

The one significant change to the Criminal Code was the removal in 2004 – under intense international pressure - of the Article punishing unregistered religious activity. However Forum 18 notes that this paper change made no practical difference to the state's continuing attacks on people exercising the right to freedom of religion or belief, and unregistered activity continues to be treated as if it were a criminal offence. And, as the imprisonment of Pastor Nurliiev demonstrated, the state continues to find other ways of punishing people for exercising this and other human rights.

Religious believers also point out to Forum 18 that there are Criminal Code Articles which notionally defend their exercise of human rights. These include Article 145, which punishes "violations of the equal rights of citizens", including religion-based violations, or Article 154, which punishes "obstructing the enjoyment of the rights to freedom of conscience and belief". But there are no known cases where these have been used to punish officials for their frequent violations of freedom of religion or belief.
