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TURKMENISTAN: Raids, deportation, visa denial, Government denies UPR complaints

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

Turkmenistan continues to try to isolate religious communities from their fellow-believers elsewhere, Forum 18 News Service notes. In early 2013, after a police raid on a meeting of a religious community, a Central Asian foreigner present was deported. Their holy book was also confiscated. Also, after a local religious community had gained the required permission of the state Gengesh for Religious Affairs, the Foreign Ministry refused to grant a visa to the foreign national the local community wanted to invite. The religious communities concerned wish to remain unnamed, for fear of state reprisals. Government officials have rejected all criticism of the country's violations of freedom of religion or belief during the United Nations (UN) Universal Periodic Review (UPR) of Turkmenistan. Officials would not explain to Forum 18 why the government is still only "currently analysing" September 2008 recommendations by Asma Jahangir, the then UN Special Rapporteur on Freedom of Religion or Belief.

Turkmenistan's government continues to keep the country's religious communities isolated from their fellow-believers around the world, Forum 18 News Service notes. In early 2013, after meeting local members of a religious community a foreign national was deported. The deportation followed a raid on a religious meeting in a private home at which the foreign national was present. Also in early 2013, after a local religious community had secured the required permission of the state Gengesh (Council) for Religious Affairs, the Foreign Ministry refused to grant a visa to the foreign national the local community wanted to invite. The religious communities concerned wish to remain unnamed, for fear of state reprisals.

Pressure – for example raids - on religious communities of all faiths meeting without state approval is frequent, as are raids on the private homes of their known members. For example, two members of a Protestant community in the eastern Lebap Region were fined in March, with other Protestants across the Region being threatened and publicly vilified (see F18News 17 May 2013 http://www.forum18.org/archive.php?article_id=1836).

In April, Turkmen officials rejected all complaints over violations of freedom of religion or belief to the Universal Periodic Review of the country's human rights record at the United Nations in Geneva (see below).

Forum 18 reached the phone of Gurbanberdy Nursakhatov, Deputy Chair of the central Gengesh in the capital Ashgabad, several times on 16 May. As soon as Forum 18 introduced itself, the man who answered it immediately hung up.

Deportation

In early 2013, "many" police officers raided a religious meeting in a private flat where a visitor from elsewhere in Central Asia was present, the visitor told Forum 18. They took the names and passport details of all those present. "Perhaps someone informed the authorities, or they were following me."

Officers confiscated the visitor's mobile telephone and money, as well as confiscating the visitor's holy book of their faith. "I asked for it back, insisting it was not banned in Turkmenistan", the visitor told Forum 18. "It had been a personal gift to me." However, police officers would not return the book. They advised the visitor to appeal "for help to your God". They behaved "very crudely" and at one point the visitor feared possible arrest.

After holding the visitor overnight, police deported them. The visitor was banned from re-entering Turkmenistan for five years. Border guards cancelled the individual's visa, and stamped the passport "deported".

Visa rejected

Inviting foreign citizens to visit Turkmenistan remains very difficult, members of a variety of religious communities of different faiths have told Forum 18. A registered religious community needs the approval not only of the Gengesh, but the Foreign Ministry also, which must approve a visa.

In early 2013, a registered religious community gained the required approval from the Gengesh to invite a foreigner to visit the community. However, despite this approval the Foreign Ministry refused to grant the individual a visa, community members told Forum 18. No explanation was given.

Two visits

It is known that two registered religious communities have been able to obtain visas for senior leaders to visit them: the Russian Orthodox Church and the Catholic Church.

Russian Orthodox Metropolitan Vikenty (Morar) of Tashkent, the head of the Metropolitan Region of Central Asia, and Bishop Feofilakt (Kuryanov) of Pyatigorsk, administrator of Turkmenistan's Orthodox parishes on behalf of the Patriarch, were able to visit the country in mid-April. They held worship services in seven cities.

At a 9 April meeting of Turkmenistan's Orthodox clergy at Aleksandr Nevsky Church in Ashgabad attended by the two visiting bishops, one theme under discussion was adapting the Church's Sunday school standard "to the realities of Turkmenistan", the Pyatigorsk diocesan website noted the following day. It did not explain in what way the standard needed adapting or why.

Similarly, a Vatican delegation headed by the retired Archbishop of Washington DC, Cardinal Theodore McCarrick, was able to visit Turkmenistan in mid-May. He held talks with Foreign Minister Rashid Meredov on 16 May, the Foreign Ministry website noted the same day. It said talks focused on "the development of culture and spiritual values".

The Catholic Church gained state registration in Turkmenistan in March 2010 after 13 years of negotiation. Beforehand, its clergy had diplomatic status as representatives of the Holy See and the parish in Ashgabad was able to meet on diplomatic premises (see Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1512).

When will Armenian bishop visit?

Bishop Yezras Nersisyan, head of the Armenian Apostolic Church's Moscow-based Diocese, which has jurisdiction over its small number of parishes in Central Asia, is planning to visit Turkmenistan "in the near future", Deacon Daniel of the Diocese told Forum 18 from Moscow on 5 March. The Bishop aims to travel to Turkmenistan to discuss the revival of the Church in the country.

Various moves were made in the 1990s to revive the Armenian Church in Turkmenistan – destroyed during the Soviet period. However, registration applications were rejected and the authorities refused to return the surviving Armenian church in the Caspian port city of Turkmenbashi (formerly Krasnovodsk). Indeed, it was partially destroyed in 2005.

However, during a November 2012 official visit to Armenia, Turkmen President Gurbanguly Berdimukhamedov visited the Church's headquarters at Echmiadzin, near Armenia's capital Yerevan. "Answering the appeal of His Holiness [Catholicos Karekin II], President Berdimukhamedov directed his representatives of the Turkmenistan Government, who were among his delegation, to discuss this issue and provide a positive resolution to the issue of the Armenian Church," the Armenian Church noted at the end of the visit (see F18News 25 February 2013 http://www.forum18.org/Archive.php?article_id=1805).

Where can communities meet?

Even religious communities which have the compulsory state registration often struggle to find places they are able to use for worship (see Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/archive.php?article_id=1676).

Two state-registered Protestant churches in Ashgabad, which rented premises from private landlords, lost their premises in late April when ownership changed, Forum 18 has learned. The shortage of non state-owned premises available to rent to religious communities makes finding an alternative venue difficult.

(A personal commentary, by a local Protestant, on the difficulties communities of all faiths face in finding places to meet is at http://www.forum18.org/Archive.php?article_id=1128.)

Similarly, the destruction by fire of the Baptist Church in the Caspian Sea port of Turkmenbashi [Turkmenbasy, formerly Krasnovodsk] on the night of 10-11 November 2012 has left the small community there without a place of worship, Protestants told Forum 18. It remains unclear whether the fire was arson or an accident. But the fact that separate fires appear to have started in two separate sides of the building points towards arson.

The Church – which first gained state registration in 1985 during Soviet rule over Turkmenistan - is a branch of the registered Baptist church in Ashgabad.

Officials defend religious freedom violations

Meanwhile, Turkmen officials have rejected all criticism of the country's violations of freedom of religion or belief during the Universal Periodic Review (UPR) of Turkmenistan at the United Nations (UN) Human Rights Council. "Basic human rights are stipulated in the Constitution of Turkmenistan, including the right for freedom to practise religion," delegation member Deputy Justice Minister Begmurat Mukhamedov told the UN Human Rights Council in Geneva on 22 April.

"Turkmenistan is a secular state, respects other cultures and considers that it's important to achieve mutual understanding, tolerance and respect in questions of freedom of practising religion," he claimed in his English-language remarks. (See also Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1676.)

The Deputy Minister did not explain why this allegedly "secular state" routinely breaks its own Constitution's separation of religious organisations from the state by state regularly changing the officially permitted Muslim leadership (see F18News 25 February 2013 http://www.forum18.org/archive.php?article_id=1805).

Deputy Justice Minister Mukhamedov rejected calls for laws to be changed to ensure freedom of religion or belief. "Religion represents a complex issue, and law-making activities in this area need to be carried out very carefully," he declared. He also claimed that laws are based on Turkmenistan's international commitments, but did not explain why this "complex issue" prevents laws and state actions being brought into line with international human rights standards.

Deputy Minister Mukhamedov also claimed that "relevant national agencies are currently analysing" recommendations by Asma Jahangir, the then UN Special Rapporteur on Freedom of Religion or Belief, "in cooperation with United Nations agencies with the aim for further improving the legislation".

The Deputy Minister did not mention that the Special Rapporteur made initial recommendations in Ashgabad in September 2008, at the conclusion of her visit to Turkmenistan. Her report, with extensive recommendations, was issued on 12 January 2009 (A/HRC/10/8/Add.4 <http://daccess-ods.un.org/access.nsf/Get?Open&DS=A/HRC/10/8/Add.4&Lang=E>). Mukhamedov also did not explain why no implementation of her recommendations has taken place in over four years.

No registration refusals?

Deputy Minister Mukhamedov told the UN Human Rights Council that 128 religious organisations have been able to gain state registration. He said 104 are Islamic organisations, one Catholic, 13 Russian Orthodox and 10 of other communities. These are the same figures the government told the UN Committee for the Elimination of Racial Discrimination in February 2012 (see Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1676).

Deputy Minister Mukhamedov claimed – wrongly – that since the last Universal Periodic Review of Turkmenistan in December 2008, "there have been no refusals in registration of any public or religious association in Turkmenistan".

Two religious communities which have been seeking state registration in vain are Path of Faith Baptist Church from the northern town of Dashoguz [Dashhowuz], and Light to the World Pentecostal church in the south-eastern town of Mary.

Path of Faith Church first lodged its registration application in 2005, with a further application in 2008. However, the application has not been answered. Light to the World Church had a meeting with Justice Ministry officials in January 2007, hoping to overcome officials' complaints about its application. But officials have repeatedly refused to process the application. Instead, both churches – along with many other communities – have been raided (see F18News 5 September 2011 http://www.forum18.org/archive.php?article_id=1609).

Raids, fines, imprisonment, exit ban list

Path of Faith Church was raided by police and local officials in September 2012. Subsequently eleven church members were fined, fines which they were told they could not challenge (see F18News 14 February 2013 http://www.forum18.org/archive.php?article_id=1801).

Eight months after the raid, religious literature confiscated from Path of Faith Church members has still not been returned, one church member told Forum 18 in late May. They are believed still to be held by the Gengesh in Dashoguz. Church members several times travelled to Ashgabad to try to meet Gengesh officials, both about the continuing denial of state registration and the confiscation of their books. However, they failed to gain a meeting with any Gengesh official.

Light to the World Church in Mary also faces intense state pressure. Its Pastor, Ilmurad Nurliev, was imprisoned on charges which his congregation members insisted were fabricated to punish him for his religious activity. He was released in February 2012 (see F18News 25 March 2013 http://www.forum18.org/archive.php?article_id=1817).

Pastor Nurliev was also among a number of known active religious believers placed on Turkmenistan's exit ban list. He first learned he was banned from leaving the country in 2007, when he was taken off an aeroplane at Ashgabad Airport (see F18News 18 April

2012 http://www.forum18.org/Archive.php?article_id=1691).

However, Pastor Nurliev was finally able to leave the country for a short visit to family members in Belarus in October 2012, Protestants told Forum 18.

The exit ban list is run by the Migration Service, at least sometimes in conjunction with the Ministry of State Security (MSS) secret police who can also impose exit bans (see F18News 31 May 2006 http://www.forum18.org/Archive.php?article_id=790).

Unregistered religious activity not to be legalised

At the end of the Universal Periodic Review the Turkmen delegation rejected several recommendations from individual governments calling for an end to specific violations in the area of freedom of religion or belief, according to the draft Working Group report of 24 April (A/HRC/WG.6/16/L.1 http://www.upr-info.org/IMG/pdf/a_hrc_wg.6_16_l.1_turkmenistan.pdf).

Among the Universal Periodic Review recommendations the Turkmen delegation rejected were: "Revise the law on religious organizations so that clauses prohibiting unregistered religious activities and unjustified restrictions are repealed"; and "Remove from its Religious Organizations Law prohibition on unregistered religious activities, and undue restrictions on religious material, education and attire".

Against its international human rights obligations, Turkmenistan bans the exercise of freedom of religion or belief by people in association with others without state permission (see Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=1676).

Will rights of conscientious objectors be protected?

The Turkmen delegation promised to respond to the UN Human Rights Council by September 2013 on many Universal Periodic Review recommendations submitted by other governments, including one to "protect the rights of conscientious objectors".

Nine conscientious objectors – all of them Jehovah's Witnesses – are known to be serving prison sentences for refusing compulsory military service on grounds of conscience. The most recent known to have been sentenced was Atamurat Suvkhanov, given a one-year prison term (his second) by a Dashoguz court in March. A further four conscientious objectors are serving suspended sentences. Another was convicted on the same charges in January, but was instead given a heavy fine (see F18News 25 March 2013 http://www.forum18.org/Archive.php?article_id=1817).

No official has been willing to explain why the government is still only "currently analysing" September 2008 recommendations by the UN Special Rapporteur on Freedom of Religion or Belief. Forum 18 was unable to reach Deputy Foreign Minister Vepa Hajiyev – who led the Turkmen delegation to the Universal Periodic Review at the UN - on 22 May. His assistant told Forum 18 each time that he was in a meeting. An assistant to another delegation member, Yazdursun Gurbannazarova, Director of the government's National Institute for Democracy and Human Rights in Ashgabad, told Forum 18 the same day that she was in a meeting but would be free an hour later. Each time Forum 18 called back the telephone went unanswered.

No-one at the Justice Ministry was answering their telephones either on 22 or 23 May.

Controls on foreign support

A presidential Decree of 18 January, and a Procedure to implement it, imposed much tighter state controls over foreign grants. The measures – which came into force on 28 January – covered all "foreign projects and programmes of charitable technical, financial and humanitarian assistance and grants". These included assistance from foreign religious organisations, and included assistance received by non-governmental organisations (NGOs) and religious communities in Turkmenistan.

Foreign would-be donors must apply to the Foreign Ministry outlining the proposed grant. A newly formed State Commission – with members from a wide range of state agencies, including the Justice Ministry, the Ministry of State Security (MSS) secret police and the General Prosecutor's Office – then decides if the proposed grant is appropriate and necessary.

If approved, grants to religious organisations and NGOs are registered by the Justice Ministry. While underway, such projects are subject to close state scrutiny. "During the period of the carrying out of all forms of foreign assistance," the Procedure notes, "control over their proper use is carried out by the state registering organs in accordance with the laws of Turkmenistan, with the participation of the appropriate government agencies." These agencies are not identified.

The Procedure stresses that foreign grants cannot be used for "political and mass propaganda activities". (END)

For a personal commentary by a Protestant within Turkmenistan, on the fiction - despite government claims - of religious freedom in the country, and how religious communities and the international community should respond to this, see

http://www.forum18.org/Archive.php?article_id=728.

For a personal commentary by another Turkmen Protestant, arguing that "without freedom to meet for worship it is impossible to claim that we have freedom of religion or belief," see http://www.forum18.org/Archive.php?article_id=1128.

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

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

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

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