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TURKMENISTAN: Jailing for religious conscientious objection starts again

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

Turkmenistan's most recently sentenced prisoner of conscience is Jehovah's Witness Nuryagdy Gayyrov, sentenced to one and a half years in a labour camp, Forum 18 News Service has learnt. He was sentenced on 18 July for refusing, on grounds of religious conscience, to do compulsory military service. No alternative civilian service is permitted and this is the second time Gayyrov has been jailed for this "offence." The trial took place in secret and, Jehovah's Witnesses stated, "it was only when the police allowed one of us to see him in his cell to tell him his mother had died the night before the trial that anyone knew he'd already been sentenced." Two others - Bayram Ashirgeldyyev and Aleksandr Zuyev - were respectively given 18 month and two year suspended sentences. Gayyrov will serve his sentence in Seydi Labour Camp, where Baptist prisoner of conscience Vyacheslav Kalataevsky is on a three year term. Since the new President Gurbanguly Berdimukhamedov took over, violations of freedom of thought, conscience and belief have significantly increased.

In the first known trials of conscientious objectors since February 2005, three Jehovah's Witnesses have been tried and sentenced within the space of two days in the capital Ashgabad [Ashgabat]. They have been sentenced for refusing compulsory military service on grounds of religious conscience, Forum 18 News Service has learned. Nuryagdy Gayyrov received a sentence of one year and a half in labour camp at his trial on 18 July. "They tried to hide it - the trial was closed and no-one knew it had taken place," Jehovah's Witnesses told Forum 18 from Ashgabad on 20 July. "It was only when the police allowed one of us to see him in his cell to tell him his mother had died the night before the trial that anyone knew he'd already been sentenced." The two others - Bayram Ashirgeldyyev and Aleksandr Zuyev - were respectively given 18 month and two year suspended sentences.

All three were sentenced under Article 219 part 1 of the Criminal Code, which punishes evading military service with a maximum penalty of two years' imprisonment. Jehovah's Witnesses say that the two suspended sentences are the first time suspended punishments have been handed down to those who refuse military service on grounds of conscience.

Jehovah's Witnesses told Forum 18 that other young men have refused military service on religious grounds, though - so far - no action has been taken against them. "But we're afraid the authorities could move against them too." Both Jehovah's Witnesses and Baptists have noted that the authorities have in 2007 started using old "offences" to punish current religious activity with fines, imprisonment and deportation (see F18News 20 July 2007 http://www.forum18.org/Archive.php?article_id=997).

Four young conscientious objectors, the most recent Jehovah's Witness prisoners of conscience, were freed under an amnesty by then President Saparmurat Niyazov in April 2005 (see F18News 22 April 2005 http://www.forum18.org/Archive.php?article_id=548). Several more Jehovah's Witnesses were later detained in a psychiatric hospital, in a bid to pressure them to accept compulsory military service. At the time of Niyazov's death, human rights activists and religious believers within Turkmenistan told Forum 18 that they expressed repression of freedom of thought, conscience and belief to continue (see F18News 21 December 2006 http://www.forum18.org/Archive.php?article_id=894).

Forum 18 has been unable to get officials to say why Gayyrov's trial at Ashgabad's Kopetdag District Court was closed and why the family was not told it was happening. Jehovah's Witnesses state that Gayyrov has been told he will be transferred in 20 days to the ordinary regime labour camp, near the eastern town of Seydi.

The address of Seydi Labour Camp is:

Turkmenistan,

746222 Lebap vilayet,

Seydi,

uchr. LB-K/12

The same camp also holds Baptist prisoner of conscience Vyacheslav Kalataevsky. He was arrested in March 2007 and was sentenced to three years' imprisonment in May for illegally crossing the border. He was transferred to the camp in late June (see F18News 18 July 2007 http://www.forum18.org/Archive.php?article_id=996).

Gayrov, who is 26, and Ashirgeldyev, who is 20, were both arrested in Ashgabad on 14 June after refusing military service. Gayrov was jailed for one year from 1999 to 2000 for refusing an earlier call-up. In the wake of his arrest, Gayrov's older brother, who is not a Jehovah's Witness, was summoned for interrogation by the Police 6th Department, which is supposed to tackle organised crime and terrorism (see F18News 4 July 2007 http://www.forum18.org/Archive.php?article_id=987). After the arrests of Gayrov and Ashirgeldyev, both were held separately in isolation cells as they awaited trial.

Bayram Ashirgeldyev was tried on 19 July, also at Kopetdag District Court. Family members told Forum 18 that he told the court he was ready to do an alternative, non-military service. In contravention of international human rights standards, Turkmenistan does not offer this as a possibility.

The family also report that Ashirgeldyev has long been suffering from heart problems and was initially deemed by a military commission to be unfit for military service. However, this was overturned and – when threatened with conscription – he stated that, as a Jehovah's Witness, he conscientiously refuses to work on anything connected with the military.

"Bayram was freed at the court when his suspended sentence was handed down," family members told Forum 18. "However, he is very thin, pale and weak after 35 days in isolation cell. It's as though he's just emerged from a concentration camp."

The family remains highly concerned about his future. "The judge told Bayram after the trial that, in two years' time, he will again be called up. If he then refuses, he will then face three to five years in prison."

The other Jehovah's Witness given a two year suspended sentence, Zuyev, who is 26, was not arrested in the run-up to his trial. However, he had to sign an undertaking that he would not leave Ashgabad. In the wake of his trial, which was held on 18 July at the city's Azatlyk District Court, he was allowed to return home.

Zuyev has also served a previous sentence on the same charges after refusing an earlier call-up. He was arrested in May 2000 and sentenced the following month to one year and six months' imprisonment. Like Turkmenistan's latest prisoner of conscience, fellow Jehovah's Witness Gayrov, his sentence was in the Seydi Labour Camp.

There are now three current known religious prisoners of conscience. They are Jehovah's Witness Nuryagdy Gayrov, Baptist Vyacheslav Kalataevsky and the former chief mufti Nasrullah ibn Ibadullah, if he is still alive. The 59-year-old Nasrullah was given a 22-year sentence in 2004 on charges the government has never made public. No-one, including his family, has had any news of him since soon after his trial (see F18News 16 February 2007 http://www.forum18.org/Archive.php?article_id=914).

Baptist Pastor Yevgeny Potolov was expelled from Turkmenistan in early July (see F18News 18 July 2007 http://www.forum18.org/Archive.php?article_id=996).

The Jehovah's Witnesses are among the religious communities which have been prevented from gaining legal status. Since new Turkmen President Gurbanguly Berdimukhamedov took over at the beginning of 2007, raids, fines, public threats, imprisonment and other violations of freedom of thought, conscience and belief have significantly increased (see eg. F18News 20 July 2007 http://www.forum18.org/Archive.php?article_id=997). These violations have even taken place during high-level visits by United Nations (UN) and Organisation for Security and Co-operation in Europe (OSCE) human rights officials, leading Protestant sources within Turkmenistan to tell Forum 18 that "the bad times are coming back" (see F18News 25 May 2007 http://www.forum18.org/Archive.php?article_id=963).

Officials of the government's National Institute for Democracy and Human Rights in Ashgabad and of the government's Gengeshi (Committee) for Religious Affairs have repeatedly refused to discuss the rising level of persecution of religious communities with Forum 18. (END)

For a personal commentary by a Protestant within Turkmenistan, on the fiction - despite government claims - of religious freedom in the country, and how religious communities and the international community should respond to this, see http://www.forum18.org/Archive.php?article_id=728

For more background, see Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=672

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at http://www.forum18.org/Archive.php?article_id=806, and of religious intolerance in Central Asia is at http://www.forum18.org/Archive.php?article_id=815.

A printer-friendly map of Turkmenistan is available at
<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=turkme>

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