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CURRENT KEY HUMAN RIGHTS CONCERNS IN TURKMENISTAN

**Briefing paper for EU-Turkmenistan Human Rights
Dialogue**

MAY 2016

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This briefing paper provides an overview of the current situation in key areas of human rights protection in Turkmenistan. It has been prepared by Turkmen Initiative for Human Rights (TIHR) and International Partnership for Human Rights (IPHR) as a contribution to the EU-Turkmenistan Human Rights Dialogue, which is scheduled to take place in Brussels on 17 May 2016. The briefing paper is based on information obtained by TIHR through its monitoring of developments in Turkmenistan with the help of an in-country network of activists, as well as analyzes of national legal instruments and other relevant information.

Turkmen Initiative for Human Rights (TIHR) is the successor organisation of the Helsinki Group of Turkmenistan and was registered as an independent association in Vienna in November 2004. Through a network of local experts and activists inside Turkmenistan, TIHR monitors and reports on the human rights situation in this country. It also disseminates independent news, comments and analysis from and about Turkmenistan.

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International Partnership for Human Rights (IPHR) is an independent, non-governmental organization founded in 2008. Based in Brussels, IPHR works closely together with civil society groups from different countries to raise human rights concerns at the international level and promote respect for the rights of vulnerable communities in repressive environments.

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National reforms and mechanisms for the protection of human rights

Turkmenistan's first-ever **National Human Rights Action Plan for 2016-2020**, which was endorsed at the beginning of this year, lists a number of tasks that are to be implemented with the aim of improving human rights protection and the legal system in the country. The plan sets out what actors will be responsible for each task, including different-level authorities, public organizations and state media, as well as indicators for progress. Many of the tasks listed are quite broadly formulated and speak about analysing and improving legislation, procedures and conditions in general terms, but some points are more concretely worded. These include, among others: to provide free internet access in educational establishments; to initiate invitations for UN special representatives to visit the country; and to put in place a system of independent, effective and regular monitoring of places of detention without prior notice (although nothing is said about cooperation with the International Red Cross in this respect). (See more about the action plan in sections below).

The **new draft Constitution of Turkmenistan**, which was made public in February this year, contains provisions about safeguarding political pluralism, civil society development and the protection of human rights. It refers to the institute of a national human rights ombudsman. When addressing the members of the country's parliament in January 2016, President Berdymukhammedov called for the adoption of a law on the establishment of such an institution by the end of 2016.¹ In the last few years, the Turkmenistani authorities have also engaged in a series of efforts to revise and adopt new legislation for the stated purpose of improving human rights protection. Among others, new laws on the media and the internet, political parties, public associations and peaceful assemblies have been passed.

National-level efforts to improve legislation and strengthen mechanisms for the protection of human rights are of course welcome. However, while the efforts to date have resulted in certain improvements at the level of legislation, they have **not resulted in any significant improvements in practice**, and fundamental rights and freedoms continue to be seriously infringed in the country. In Freedom House's 2016 Freedom in the World report, **Turkmenistan again features among the "worst of the worst" countries** in the world. It is ranked sixth from the bottom among independent countries, with only Uzbekistan, North Korea, Eritrea, Somalia and Syria behind.²

There is no real division of power in Turkmenistan, with the presidential administration dominating all branches of power. The new draft constitution will **enable President Berdymukhammedov to remain in office for life** as it abolishes the previous upper age limit of 70 years for presidential candidates and retains the lack of limits on how many times the same person may be elected president. The presidential term would be extended from five to seven years. At the same time, the **personality cult surrounding the president** continues to be promoted. For example, this spring, two new books authored by the president – one about tea, and the other about the national Akhal-Teke horse breed - have been published, with each of these occasions treated as an event of state importance.³ Citizens also continue to be mass mobilized for events to praise the regime and its leader (see more below under "freedom of association and assembly").

Corruption remains widespread, as indicated by the new Corruption Perceptions Index published by Transparency International at the beginning of 2016, where Turkmenistan was ranked 154th among 168 countries and territories.⁴ President Berdymukhammedov has called for stepping up the fight against corruption and promised “strict measures” against government officials found at fault.⁵ However, although government officials regularly are dismissed or publicly chastised for “serious shortcomings” in their work, including in connection with corruption allegations, **no systematic measures to root out corruption** have been initiated.

Recommendations

The authorities of Turkmenistan should be requested to:

- Provide regular updates on measures taken to implement the tasks and activities set out in the new national human rights action plan, as well as the results of these measures.
- Seek advice from international human rights bodies with respect to the national human rights ombudsman’s office due to be established with a view to ensuring that its mandate and function correspond to international standards.
- Take effective measures to strengthen human rights protection in both law and in practice, with a view to ensuring real improvements regarding the opportunities of citizens to exercise their fundamental rights and freedoms, as well as accountability for those in power for human rights violations.
- Acknowledge the serious level of corruption in the country and take robust measures to combat such practices, including by investigating corruption allegations and bringing perpetrators to justice.

Freedom of expression and the media (article 19)

The **media environment remains highly repressive**, although the Law on Mass Media that entered into force in 2013 prohibits censorship and unlawful interference in the activities of media. In the 2016 World Press Freedom Index published by Reporters without Borders, Turkmenistan is ranked 178th, with only North Korea and Eritrea behind.⁶ The lack of independent media, censorship and the use of media for political purposes undermine the freedom to seek, receive and impart information protected by national and international law. Media is encouraged to focus on reporting “positive” news and to avoid any criticism of official policies, resulting in that **developments in the country are covered in a one-sided and distorted way**. Coverage of foreign news is also selective, while **access to foreign media resources continues to be restricted**, although the media law specifically protects the rights of citizens to enjoy unimpeded access to such resources. Independent journalists working with foreign media are subjected to persecution (see more in the section on “civil society development”).

The National Human Rights Action Plan for 2016-2020 states that an analysis will be carried out regarding the rights of journalists in the country, but does not specify how this will be done or how the results will be used.

For such an analysis to be meaningful, independent journalists, foreign media representatives with experience of working in the country, and international media rights experts would also need to be consulted with the aim of elaborating concrete recommendations for implementation.

In spite of criticism expressed by both human rights groups and other representatives of the international community, authorities have **continued to forcibly dismantle private satellite dishes**, arguing that they spoil the appearance of buildings. At the OSCE Human Dimension Implementation Meeting in Warsaw in September 2015, a representative of Turkmenistan's government claimed that information about the forcible dismantling of satellite dishes does not correspond to reality and that "no antennas are being dismantled."⁷ However, in the past year, TIHR monitors have documented **several new cases where such measures have been implemented**. For example, satellite dishes were forcibly removed in the sixth micro district of Ashgabat in December 2015, February 2016 and March 2016.⁸

Some residents whose satellite dishes have been dismantled have been offered to connect to Internet Protocol Television (IPTV) instead. However, the costs for this are not trivial (more than 50 EUR in installation costs, aside from a monthly fee) and IPTV users have complained about inferior quality of these services. In other cases, cable TV has been installed as an alternative to satellite TV. However, also this has been associated with significant costs and implications with respect to the range of channels that can be received.

The Law on the Legal Regulation of the Development of the Internet and the Provision of Internet Services, which was adopted at the end of 2014, set out that the government would take measures to promote internet access. The new National Human Rights Action Plan speaks about ensuing "free access" to the internet, in particular in educational institutions. Although internet use has been slowly increasing in recent years, available statistics indicate that less than 15 percent of the population still uses it.⁹ Foreign **websites that publish independent information about developments in Turkmenistan are blocked**. Access has also been restricted to online communications applications such as WhatsApp and Wechat, as well as social media sites such as Facebook, Twitter, YouTube, Instagram and most recently *Vkontakte*.¹⁰ Proxy sites used to circumvent censorship and access otherwise unavailable sites are regularly blocked.

The **costs for private internet access remains prohibitive** in the heavy-regulated national market. For example, according to the current rates of the state provider, costs for unlimited internet access are starting from 190 manat/month (around 45 EUR/month).¹¹ This is the price is for wireless internet at the speed of 256 Kbit/s, which is slow compared to current international standards. The maximum wireless internet speed available to individual customers is now 1 Mb/s, at the staggering price of 950 manat/month (some 240 EUR/month).

Recommendations

The authorities of Turkmenistan should be requested to:

- In accordance with the basic principles laid down in the 2013 media law, take concrete measures to put an end to media censorship, and ensure that media can operate freely and without interference.
- Stop restricting access to foreign sources of information and put an end to arbitrary campaigns to forcibly dismantle private satellite dishes of residents.

- In accordance with the new law on internet regulation, take systematic measures to promote internet access, and refrain from restricting the use of the internet in ways that are contrary to international freedom of expression standards.

Freedom of association and assembly

While the 2014 Law on Public Associations protects the right to freedom of association, it also sets out **problematic restrictions**, in particular a requirement for compulsory registration of associations, strict registration rules for national-level organizations, and wide powers of authorities to oversee the activities and funding of associations. The National Human Rights Action Plan for 2016-2020 states that action will be taken to create “favourable conditions” for the registration, operation and development of NGOs, as well as that legal and regulatory acts on NGOs will be analysed and improved. We are not aware of any concrete steps taken to this end so far. Currently, the Turkmenistani authorities continue to promote government-controlled organizations, so-called GONGOs and have **not demonstrated any political will to enable genuinely independent civil society organizations** to operate in the country. Such organizations can as previously only work underground or in exile.

The **first-ever Law on Assemblies** that entered into force in Turkmenistan in July 2015 allows for holding peaceful assemblies if authorities are informed in advance and the venue is agreed. At the same time, it grants local officials wide discretion to refuse to agree to assemblies on the grounds that the proposed venue is unsuitable. Aside from one-person pickets, the law does not foresee spontaneous assemblies. The current climate, characterized by an overhanging threat of reprisals for any criticism of official policies, **effectively discourages the holding of any organized assemblies**. The initiators and participants in spontaneous assemblies, where residents have voiced misgivings on issues affecting their everyday lives such as the dismantling of satellite dishes, have been intimidated on repeated occasions in recent years.

In a troubling practice, the Turkmenistani authorities continue to **forcibly mass mobilize residents** for participation in various festive events, such as parades held on the occasion of public holidays, visits by the president to different parts of the country, the opening of newly constructed facilities etc., as well as rehearsals for such events. Those mobilized include employees of state institutions, members of public organizations, university students, schoolchildren and other residents. This practice violates the right to freedom of assembly of those who are mobilized, results in that they **miss out on studies and work**, and **jeopardizes their health and well-being** as rehearsals and events are typically intense, lengthy and held in any weather.

In August 2015, according to TIHR’s information, three people died after being forced to wait for some 7 hours for the president to arrive to a stadium opening in Ashgabat without access to water or food in the hot weather. Many others in the crowd, which included children and elderly people, fainted and over a dozen were hospitalized.¹² Later TIHR has learned that younger children in some cases have been spared from participating in mass events organized by the authorities.¹³ However, while any such occasion is welcome, it remains of serious concern that the practice of forcibly mass mobilizing citizens for government celebrations continues unabated.

Most recently, citizens were mass mobilized for non-voluntary participation in government-initiated events held in connection with the month of health, which was observed in April 2016. Employees at state institutions and students were required to take part in mass sport events, such as running, cycling and horse racing competitions on behalf of their respective institutions or to attend these events and cheer the participants. According to TIHR's information, those selected to take part in the sports competitions were required to buy new equipment and sports clothing at their own cost at specifically indicated sales points.¹⁴

Recommendations

The authorities of Turkmenistan should be requested to:

- Request that independent, international experts review the Law on Public Associations and the Law on Assemblies in light of Turkmenistan's international human rights obligations and amend this legislation in full accordance with the ensuing recommendations.
- Abolish the prohibition on unregistered NGO activities and ensure that independent NGOs that so wish may obtain legal status in a fair and transparent process and carry out their activities without undue interference by authorities.
- Allow peaceful, spontaneous protests to take place without repercussions for the organizers and participants and welcome such protests as an opportunity to obtain information on concerns held by citizens that ought to be addressed by authorities.
- Put an end to the practice of forcibly mass mobilizing citizens for official festive events.

Civil society development

The civil society climate in Turkmenistan remains highly repressive and **journalists contributing to foreign media, civil society activists and others who dare to openly challenge official policies** continue to be subjected to intimidation and harassment. These are recent cases of concern:

- **Saparmamed Nepeskuliev**, a freelance journalist who has been working with the Radio Free Europe/Radio Liberty's Turkmenistan service and the Netherlands-based Alternative Turkmenistan News, went missing in July 2015 in a connection with a trip he undertook for his work. Only several weeks later did his family find out that he was being held incommunicado by law enforcement authorities on spurious narcotics possession charges.¹⁵ At the end of August 2015, Nepeskuliev was sentenced to three years in prison in a hearing that his family learned about only afterwards.¹⁶ When asked about the case at the OSCE HDIM in September 2015, a representative of the Turkmenistani government insisted that Nepeskuliev "is not a journalist" and declined to provide additional information about the case.¹⁷ In an opinion adopted at its November-December 2015 session, the UN Working Group on Arbitrary Detention concluded that Nepeskuliev has been arbitrarily detained in contravention of the International Covenant on Civic and Political Rights (ICCPR) and called on the

State party to release him and grant him compensation.¹⁸ Nepeskuliev has written on issues such as corruption, problems in the health care system and water shortages.

- **Geldy Kyarizov**, an internationally acclaimed horse-breeding expert who fell out of favour with the government over a decade ago, was imprisoned on charges considered to be politically motivated in 2002-2007 after being accused of having links to the exiled opposition. Following his release, his horse farm was confiscated by the authorities and he continued to be subjected to pressure, including by being prohibited from travelling abroad. In August 2015, he and his sister and daughter-in-law were prohibited from boarding a Moscow-bound plane at the Ashgabat airport, in spite of valid travel documents.¹⁹ In what appeared to be the result of the international attention that this incident attracted, Kyarizov and his relatives were finally allowed to leave the country and go to Russia in September 2015. However, Kyarizov and his family have reported being subjected to intimidation even abroad, as they have not refrained from publicly speaking out about their experience of harassment at the hands of the Turkmenistani authorities. For example, on 3 October 2015, Kyarizov reported being assaulted when leaving a Moscow metro station. An unknown man approached him on the escalator, hit him in the stomach and said in Turkmen that “you were told to be quiet,” referring in particular to Kyarizov’s wife, who the previous week had spoken at a human rights briefing in Warsaw. The perpetrator thereafter disappeared in the crowd.²⁰ More recently, Kyarizov and his family members have been subjected to renewed intimidation.²¹
- According to information from the Russian Human Rights Center “Memorial,” another dissident currently residing in Moscow -- **Akmuhammet Baihanov** -- has also recently been subjected to pressure. Baihanov has reported being subjected to surveillance by unknown men who openly follow and photograph him, as well as receiving threatening messages via Facebook. In mid-April 2016, his brother back in Ashgabat was briefly detained by officials who expressed dismay that Baihanov “is not silent” in Moscow. Akmuhammet Baihanov was imprisoned in Turkmenistan on charges of having links to the opposition in 2003-2006 and has been speaking out about the situation in the country since leaving the country in 2013, including in interviews to the RFE/RL and on the internet.²²
- In June 2015, **Osmankuly Hallyev**, a correspondent for the RFE/RL’s Turkmen service since 2006, resigned from his job, citing an unprecedented campaign of intimidation in the past month. In his letter of resignation, Hallyev said that he had been interrogated by anti-terrorism officials, pressed to disclose his sources, publicly denounced, and threatened with charges of harming the country’s reputation if he did not renounce his cooperation with the RFE/RL.²³ Hallyev and his family members had also previously been subjected to harassment by authorities on several occasions.
- **Natalia Shabunts**, a civil society activist who cooperates with TIHR, has repeatedly faced intimidation. She has, among others, spoken out against the arbitrary campaign of Turkmenistani authorities to forcibly remove private satellite dishes from apartment buildings. In early August 2015, when Shabunts was abroad to visit relatives, local officials forcibly dismantled two satellite dishes installed outside her Ashgabat apartment.²⁴ She interpreted this as an act of retaliation for her criticism of the policies of local authorities. She subsequently submitted a complaint to the General Prosecutor’s Office and received a response on 30 September 2015, in which the office stated that it is “prohibited”

to install satellite antennas “on roofs and walls,” without referring to any official legal document that would set out such a prohibition.

Austria-based **TIHR and its Chairman Farid Tuhbatullin** have also been subjected to renewed intimidation in connection with the organization’s independent and critical reporting on human rights developments in Turkmenistan.

Recommendations

The Turkmenistani authorities should be requested to:

- Put an end to the persecution of independent journalists, civil society activists and others who openly address problems in the country, including exiled activists and their family members who are still in Turkmenistan.
- Comply with the recommendations of the UN Working Group on Arbitrary Detention in the case of Saparmamed Nepeskuliev and release him and grant him compensation.

Freedom of movement

In a well-known pattern, the Turkmenistani authorities **arbitrarily restrict travel abroad of residents**. Thousands of people are believed to feature on **unofficial blacklists** of people who are not allowed to leave the country, with the police, the security services, the migration services and other authorities adding names to those lists at their own discretion. Those blacklisted include, among others, former government officials who have fallen out of favour, civil society activists, journalists and religious leaders, as well as their family members.

In a case that attracted wide attention, **Geldy Kyarizov** -- a horse-breeding expert who was previously imprisoned on charges considered to have been politically motivated -- was prohibited from boarding outbound planes on several occasions before finally being allowed to leave the country in September 2015 (see the section on “Civil society development” for more information about this case).

In other cases, individuals have been blacklisted for travel without any evident reason. This is one recent example:

- On 18 February 2016, **Yevgeniya Deyeva** was denied the right to board a Moscow-bound plane at the Ashgabat airport. Deyeva, who has a dual Turkmen-Russian citizenship and resides in the Netherlands, had been in Turkmenistan since the end of December 2015 to visit her sick mother. She was informed that her name was among those of citizens prohibited from leaving the country, but was not given any further explanation. She was told to turn to the migration services.²⁵ Finally, three weeks later, the travel ban on her was lifted following a decision by the migration services.²⁶

Young people are at particular risk of being prohibited from leaving Turkmenistan. While border officials typically do not provide any real explanations, TIHR has learned that **young people have been arbitrarily barred from boarding foreign-bound planes because of supposed concerns about their safety**: the ban is meant to protect them from being recruited by militant groups or subjected to sexual exploitation abroad. According to TIHR's information, last summer, the authorities stopped issuing passports for travel abroad to young men who have not yet served in the army.²⁷ Turkmenistan's Law on Migration (article 30) sets out a list of grounds on which residents can temporarily be banned from exiting the country, including national security concerns, concerns about human trafficking, and uncompleted compulsory military service. Restrictions imposed on these grounds cannot be appealed.

Travel to Turkmenistan is also restricted. According to TIHR's information, only around **900 regular visas were granted for travel to the country in 2015**.²⁸ This figure include visas obtained by individuals visiting relatives in the country. In addition, around 1000 visas were granted to diplomatic representatives, official delegations, businesspersons and others requesting visas on the basis of special invitations. International human rights monitors continue to be barred from the country. Currently **13 requests to visit the country by UN special rapporteurs are pending**.²⁹ Only one UN special rapporteur (the rapporteur on freedom of religion and belief) has been allowed to visit the country – in 2008. The new national action plan on human rights states that invitations to UN special procedures will be initiated and programs for their visit developed in consultation with the Office of the UN High Commissioner for Human Rights.

The 2008 Constitution bans dual citizenship. This ban has also been applied to individuals who obtained a second citizenship prior to the entry into force of the current constitution, in particular to thousands of dual Turkmen-Russian citizens. They have been **pressured by authorities to renounce their Russian citizenships in order to obtain new Turkmen biometric passports** that are compulsory for travel abroad since 2013. Given Turkmenistan's restrictive migration policies, giving up either citizenship has significant implications for the opportunities of these individuals to exercise their right to freedom of movement. Possessing a Russian citizenship makes it easier for them to travel to Russia and other countries to visit relatives, study, undergo medical treatment etc., while renouncing their Turkmen citizenship means that they will face serious difficulties to return to Turkmenistan again if they leave the country. As a result of earlier Russia-Turkmenistan negotiations, dual citizens who obtained their Russian citizenship prior to July 2003 have been able to keep both citizenships and get new Turkmen passports.

Recommendations

The Turkmenistani authorities should be requested to:

- Put an end to the practice of blacklisting citizens for travel abroad and arbitrarily restricting the right to freedom of movement of citizens with respect to exiting and entering the country.
- In accordance with the new National Human Rights Action Plan, grant invitations to all UN special rapporteurs who have requested to visit the country and facilitate their visits.
- Refrain from exercising pressure on dual Turkmen-Russian citizens and ensure that no one is denied new passports on arbitrary grounds.

Freedom of religion

Freedom of religions remains seriously curtailed in Turkmenistan. When speaking to the parliament in January 2016, President Berdymukhammedov called for amendments to national legislation on religion to counter what he described as growing threats to national security. Following a non-transparent drafting process, **a new Law on Freedom of Religion and Religious Organizations was adopted** in March 2016 and published the following month.³⁰ It entered into force immediately as of its publication. Similarly to the previous religion law, the new law **prohibits the activities of unregistered religious communities**, while tightening registration requirements. Under the previous law, religious groups with at least five members could obtain registration, but now religious communities must have at least 50 members to qualify for registration. Registration also requires passing an expert assessment of the religious beliefs of the community. The law bans religious organizations that “propagate” terrorism or other crimes or that operate “secretly” and it provides for broad grounds for suspending or liquidating organizations. The new law also **imposes serious restrictions on the establishment of places of worship, the import and distribution of religious literature and other basic religious activities** and grants the government wide powers to oversee and control the activities of religious communities.

In practice, as documented in particular by Forum 18, **religious minority communities have continued to face problems in obtaining registration**, as well as raids on their meetings, confiscation of religious literature and other **intimidation and harassment**. The case of Jehovah's Witness **Bahram Hemdemov** is of particular concern. In May 2015, he was sentenced to four years in prison on charges of “inciting religious discord,” which were brought against him after police raided a peaceful religious meeting held in his home in Turkmenabad and detained and allegedly ill-treated community members. Several other meeting participants were locked up for 15 days or fined.³¹

As reported by the Turkmen service of RFE/RL, at the beginning of April 2016, the Aksa **mosque in Ashgabat was bulldozed down**. According to local authorities, the mosque – which was built with the help of voluntary contributions by local residents - had been constructed without the required permission. It had, however, been allowed to operate for over 20 years before the demolition took place.³² This was not the first time that a mosque was torn down in the capital as part of government reconstruction programs. According to Forum 18, a total of eight mosques are known to have been demolished in recent years in and around the capital.³³

There is still **no alternative to compulsory military service** and the threat of punishment for refusal to carry out military service remains. In a number of recent views adopted on communications submitted under the first Optional Protocol to the ICCPR³⁴, **the UN Human Rights Committee** has concluded that the conviction of individuals who have refused to be drafted for compulsory military service in Turkmenistan **violates article 18 of the Covenant**. It has also found other violations of rights protected by the Covenant in these cases and has called on the State party to provide an effective remedy to the individuals affected, as well as to avoid similar violations in the future, including by adopting legislative measures guaranteeing the right to conscientious objection. We are not aware of any concrete steps taken by the Turkmenistani authorities to implement these views to date.

Recommendations

The Turkmenistani authorities should be requested to:

- Refrain from restricting the exercise of freedom of religion in law and practice, in violation of its international human rights obligations.
- Put an end to harassment and discrimination of religious minorities, and ensure that no one is arrested or imprisoned because of their peaceful exercise of freedom of religion.
- Comply with the decisions of the UN Human Rights Committee in the cases of conscientious objectors and adopt legislation providing for a civilian alternative to compulsory military service.

Rule of law, liberty and security and freedom from torture

As previously, the **justice system in Turkmenistan lacks independence and transparency** and is **open to political abuse**. Dozens of individuals imprisoned after flawed and politically motivated trials remain **disappeared**, including individuals convicted in sham trials after the alleged assassination attempt on late President Saparmurat Niyazov in 2002. The exact number of these is not known. The UN Human Rights Committee has called on the authorities of Turkmenistan to **put an end to the practice of incommunicado detention and imprisonment**, to make known the whereabouts of those convicted for allegedly attempting to assassinate the former president and to grant them access to their lawyers and family members.³⁵

In a decision adopted in October 2014, the Human Rights Committee found a series of violations of rights protected by the ICCPR in the case of former Foreign Minister **Boris Shikhmuradov**, one of the most prominent of those who has disappeared in prison after being given a life sentence in connection with the alleged assassination attempt on Niyazov. The Committee **concluded that the Turkmenistani authorities had violated his rights to life, freedom from torture, liberty and security, and a fair trial** and requested that they release him if he is still being detained or hand over his remains in the event that he has died, and that they prosecute and punish those responsible for the violations of his rights. The Turkmenistani authorities have not complied with this decision.

More recently, the UN Working Group on Arbitrary Detention declared unlawful the detention of freelance journalist **Saparmamed Nepeskuliev**, who was sentenced to three years in prison on narcotics possession charges in August 2015, and called for his release (see the section on “Civil society development” for more information on this case). The Working Group has also deemed unlawful the detention of opponent **Gulgeldy Annaniyazov**, who was imprisoned on charges of illegally crossing the border when returning to Turkmenistan from exile in 2008, and called for his release.

According to TIHR’s information, recent presidential pardons are not now known to have benefited any political prisoners, including those whose original sentences have ended.

Recommendations

The Turkmenistani authorities should be requested to:

- Provide up-to-date and accurate information about the individuals imprisoned after the alleged assassination attempt on former President Niyazov (their number and names) and their current situation (who remain in prison and where, who have been released, who have died in prison).
- Release all individuals who have been imprisoned on politically motivated grounds, including those convicted of involvement in the alleged assassination attempt in sham trials, end the practice of prolonged incommunicado detention, and disclose the faith of those who have disappeared in prison.
- Comply with the requests of the UN Human Rights Committee in its decision on the case of Boris Shikhmuradov, as well as the decisions of the UN Working Group on Arbitrary Detention in the cases of Saparmamed Nepeskuliev and Gulgeldy Annaniyazov.

Economic and social rights and respect for private and family life: Forced evictions

Evictions carried out due to government construction projects or crackdowns on construction deemed “illegal” remain of concern. As reported by TIHR, evictions are often carried out at short notice, and **many evicted families have not been granted adequate compensation or appropriate, alternative accommodation.**

TIHR has learned about an **increasing number of evictions** that appear to be **related to construction projects implemented ahead of the Asian Indoor and Martial Art Games** – a major international sports event -- scheduled to be held in Ashgabat in 2017. Starting in spring 2015, authorities carried out mass evictions and demolitions of cottages claimed to have been illegally constructed in holiday villages close to Ashgabat, in particular the Shoganly and Chor villages without due advance notice or process. These measures also affected people residing in the cottages on an ongoing basis, including those who have re-settled there after selling in-city housing, as well as families who have come to the capital in search of jobs and ended up living in the holiday villages due to the lower rental level.

House demolitions and forced evictions have likewise been carried out in residential areas in the capital Ashgabat. For example, in November 2015, the inhabitants of several apartment buildings located in the Bagtiyarlyk district were given only a few days notice to pack up their belongings and leave before these houses were demolished. One resident with whom TIHR’s monitors spoke said that some of those evicted had been told to “stay with relatives” or “rent housing” until they could be provided alternative accommodation.³⁶

According to TIHR’s information, the forced evictions carried out since spring 2015 have affected up to one hundred thousand people in total. Requests to local authorities for information about measures

taken to safeguard the rights of these people have to date went unanswered.³⁷ In some cases, evicted families have been forced to stay in makeshift facilities for extended periods of time. For example, TIHR has reported about dozens of families living in barracks in deplorable conditions at the outskirts of Ashgabat for months on end.

Recommendations

The Turkmenistani authorities should be requested to:

- Carry out any evictions in full accordance with due process requirements and grant those affected appropriate, alternative accommodation or other adequate compensation.
- Safeguard the rights of citizens in the preparations taken in the run-up to the 2017 Asian Indoor and Martial Art Games and provide detailed information about the measures taken to safeguard the rights of the thousands of people who have been affected by evictions carried out in this context.

Individual cases

We urge the EU to raise the **individual cases described above in the sections on civil society development, political prisoners and freedom of religion** with the authorities of Turkmenistan, as well as to request them to take concrete action to address and remedy the human rights violations in these cases.

¹ Speech of the president when addressing the Mejlis deputies on 12 January 2016 (in Russian), <http://turkmenportal.com/blog/7544>

² Freedom House, *Freedom in the World 2016*, https://freedomhouse.org/sites/default/files/FH_FITW_Report_2016.pdf

³ See, for example, a video showing government officials receiving the book about tea from the hands of the author, and pressing it to their forehead and lips as a token of respect, <https://www.youtube.com/watch?v=UUJp0QWEc>

⁴ Transparency International, *Corruptions Perceptions Index 2015*, <https://www.transparency.org/cpi2015>

⁵ See, for example, TIHR news update from 2 February 2016 (in Russian), at <http://www.chrono-tm.org/2016/02/berdyimuhamedov-uvolil-zamglavu-mintorga-i-potreboval-usilit-borbu-s-korrupsiey/>

⁶ Reporters without Borders, "World Press Freedom Index 2016," <https://rsf.org/ranking>

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