

Turkmenistan

Political Rights:	7
Civil Liberties:	7
Status:	Not Free

Overview:

The government of President Saparmurat Niyazov continued its campaign in 2004 against real and perceived opponents of the regime, including dismissing a number of senior state officials. Despite limited gestures toward improving civil liberties, such as the formal abolition of an exit-visa system and the easing of some restrictions on nongovernmental organizations and religious groups, Turkmenistan remained one of the most repressive societies in the world. Meanwhile, the country's strained relations with Russia and Uzbekistan appeared to show small signs of improvement during the year.

The southernmost republic of the former Soviet Union, Turkmenistan was conquered by the Mongols in the thirteenth century, seized by Russia in the late 1800s, and incorporated into the U.S.S.R. in 1924. Turkmenistan gained formal independence in 1991 after the dissolution of the Soviet Union.

Niyazov, the former head of the Turkmenistan Communist Party, was the sole candidate in elections to the newly created post of president in October 1990. After the adoption of a new constitution in 1992, he ran unopposed again and was reelected for a five-year term with a reported 99.5 percent of the vote. The main opposition group, Agzybirlik, which was formed in 1989 by leading intellectuals, was banned. In a 1994 referendum, Niyazov's tenure as president was extended for an additional five years, until 2002, which exempted him from having to run again in 1997 as originally scheduled. In the December 1994 elections to the unicameral National Assembly (Mejlis), only Niyazov's Democratic Party of Turkmenistan (DPT), the former Communist Party, was permitted to field candidates.

In the December 1999 Mejlis elections, every candidate was selected by the government and virtually all were members of the DPT. The Central Election Commission (CEC) claimed that voter turnout was 98.9 percent. The Organization for Security and Cooperation in Europe (OSCE), citing the lack of provision for nongovernmental parties to participate and the executive branch's control of the nomination of candidates, refused to send even a limited assessment mission. In a further consolidation of his extensive powers, parliament unanimously voted in late December to make Niyazov president for life. With this decision, Turkmenistan became the first country in the Commonwealth of Independent States to formally abandon presidential elections.

Although Niyazov continued to exercise widespread power throughout the country in 2002, cracks in his regime became more visible during the year. Several high-level government defections, along with a purge by Niyazov of Turkmenistan's intelligence service, highlighted growing political tensions and challenges to the government. On November 25, Niyazov survived an alleged assassination attempt in Ashgabat when gunmen fired at the president's motorcade. The incident sparked a widespread crackdown against the opposition and perceived critics of the regime, drawing condemnation from foreign governments and international organizations, including the OSCE and the United Nations.

While some observers speculated that Niyazov himself had planned the shooting as an excuse to increase repression of his political enemies, others maintained that it was a failed

attempt by certain members of the opposition to oust the president from power. According to the government, former foreign minister and prominent opposition leader Boris Shikhmuradov, along with three other former high-ranking officials living in exile, had organized the attack. He was alleged to have returned to Turkmenistan from exile in Russia with the help of the Uzbek authorities, an accusation which soured already strained relations with Uzbekistan. Shikhmuradov was arrested on December 25 and made a televised confession four days later that critics maintain had been coerced. On December 30, he was sentenced to life in prison following what human rights groups condemned as a Soviet-style show trial. Two of the alleged co-conspirators received life sentences in absentia, while many other suspects were given lengthy prison sentences.

The president subsequently announced early elections for the Halk Maslahaty (People's Council) in April 2003. The decision to hold the poll two years ahead of schedule was probably intended to eliminate any remaining opposition to Niyazov's government through a redistribution of legislative posts. There was no election campaign, and the state media did not provide information about the candidates, all of whom were nominated by the presidential administration. The CEC announced voter turnout of 99.8 percent, although the real figure is believed to be much lower.

A series of high-profile government reshuffles in 2004 highlighted ongoing political tensions and concerns about potential challengers to the regime. During the year, the minister of finance, the heads of two television channels, and several bank chairmen were dismissed on charges of corruption and nepotism. Other personnel changes involved the deputy mayor of Ashgabat, the head of the state border service, the country's ambassador to Belgium, and two regional governors. In a rare example of public opposition to the president, leaflets calling for Niyazov's overthrow were distributed in Ashgabat in July. No one claimed responsibility for the leaflets, and their distributors were not caught.

In the run-up to the December 19 Mejlis polls, the list of candidates was reportedly personally approved by Niyazov. The government refused to invite any international observers to monitor the election, which most analysts described as little more than a staged vote, given that all candidates will be approved by the authorities.

Relations with Russia appeared to improve in 2004 after having been strained the previous year. In April 2003, Ashgabat had unilaterally withdrawn from a 1993 dual citizenship agreement with Moscow, a decision that it decided to apply retroactively, thereby forcing dual citizenship holders to choose a nationality. The move provoked strong opposition from members of Russia's parliament and the media, who accused Moscow of having sold out the rights of ethnic Russians in Turkmenistan in exchange for a lucrative, long-term energy deal, which the two countries concluded in the same month. In 2004, Russian-Turkmen relations seemed to have stabilized with the February signing of a cooperation agreement covering economic, scientific, and cultural matters. Meanwhile, both Moscow and Ashgabat downplayed the citizenship issue as their economic relationship dominated the bilateral agenda.

The tense relationship between Uzbekistan and Turkmenistan, particularly after Ashgabat accused Tashkent of complicity in the 2002 assassination attempt against Niyazov, showed some signs of easing in late 2004. The presidents of the two countries met for the first time in four years on November 19 in the Uzbekistan city of Bukhara, where they signed a friendship treaty and an agreement simplifying travel for residents of their border areas. Nevertheless, serious problems remained over issues including border demarcation, the joint use of water resources, and the cross-border smuggling of gasoline and weapons.

Political Rights and Civil Liberties:

Citizens of Turkmenistan cannot change their government democratically. President Saparmurat Niyazov enjoys virtually absolute power over all branches and levels of government. In recent years, the government has undergone a rapid turnover of personnel as Niyazov has dismissed many officials whom he suspects may challenge his authority.

The country has two parliamentary bodies, neither of which enjoys genuine independence from the executive branch: the unicameral Mejlis (National Assembly), composed of 50 members elected by popular vote for five-year terms, and the approximately 2,500-member Halk Maslahaty (People's Council), composed of various elected and appointed members, which was officially made the country's supreme legislative body in August 2003. The 1994, 1999, and 2003 legislative elections were neither free nor fair.

Niyazov has established an extensive cult of personality, including erecting monuments to his leadership throughout the country. In 1994, he renamed himself Turkmenbashi, or leader of the Turkmen. He has enacted bizarre decrees, including ordering the renaming of the days of the week and months of the year after himself and his mother.

Only one political party, the Niyazov-led DPT, has been officially registered. Opposition parties have been banned, and their leading members face harassment and detention or have fled abroad. In September 2003, four prominent opposition groups in exile united to form the Union of Democratic Forces, whose stated goal is the replacement of Niyazov's government with one based on democratic principles. Some analysts have cited the wave of post-assassination attempt reprisals as the impetus for the long-divided opposition groups to put aside enough of their differences to join forces. Nevertheless, the opposition remains weak and unlikely to pose a serious challenge to the Niyazov regime.

Corruption is widespread, and the authorities have used anticorruption campaigns to remove potential rivals. Turkmenistan was ranked 133 out of 146 countries surveyed in Transparency International's 2004 Corruption Perceptions Index.

Freedom of speech and the press is severely restricted by the government, which controls all radio and television broadcasts and print media. Reports of dissenting political views are banned, as are even mild forms of criticism of the president. Subscriptions to foreign newspapers and magazines are forbidden, and foreign journalists have few opportunities to visit Turkmenistan. In July, the Turkmen government shut down broadcasts of Russia's Radio Mayak, the last foreign media outlet to reach Turkmenistan, ostensibly for technical reasons regarding the station's transmission equipment. A new Turkmen satellite television channel was launched by the government in October with the official purpose of promoting the country's image abroad. The state-owned Turkmen Telekom is the only authorized Internet provider in the country.

Two freelance journalists for Radio Free Europe/Radio Liberty (RFE/RL), Rakhim Esenov and Ashyrguly Bayryev, were detained in late February and early March, respectively, by agents from the National Security Ministry. Esenov was accused of smuggling copies of his novel from Russia into Turkmenistan, where it had been banned for ten years, and charged with instigating social, ethnic, and religious hatred. His son-in-law was also arrested as part of the government's policy of collectively punishing family members of the accused. The authorities did not specify the charges against Bayryev. Although both men were released in mid-March, the charges against them were not dismissed, and they were told to stop reporting for RFE/RL.

Another RFE/RL correspondent, Mukhamed Berdiyev, was attacked by three men on April 30 and suffered serious head injuries.

The government restricts freedom of religion, and independent religious groups continue to face persecution. Members of religious groups not legally registered by the government, including Armenian Apostolic, Roman Catholic, and Pentecostal communities, have been fined, beaten, and imprisoned by security forces. The government controls access to Islamic education and restricts the number of Muslim mosques throughout the country. According to Forum 18, a religious freedom watchdog group based in Norway, the authorities demolished at least seven mosques in 2004, apparently to prevent unapproved Muslim services. The authorities have pressured houses of worship to display a copy of the *Rukhnama*, a quasi-spiritual guide allegedly authored by Niyazov.

A law on religion that came into effect in November 2003 criminalized the practice of religious groups not officially registered and prescribed up to one year of corrective labor against violators. The law effectively applied to all religions other than Sunni Islam and Russian Orthodoxy, the only two faiths that had successfully achieved registration. The registration fee was set at ten times the average monthly wage, and only clergymen with Turkmen citizenship and a university qualification in theology were authorized to lead a congregation. Under mounting international pressure, the government lifted some of its restrictions against religious organizations in 2004. The authorities eased registration requirements for religious groups in March by lowering from 500 to 5 the number of members required in each locality in which a group wished to register. In May, Niyazov decreed that practicing an unregistered religion would no longer be a criminal offense, although it remains illegal, with violators subject to fines. Although Seventh Day Adventist, Baha'i, Hare Krishna, and Baptist communities achieved formal registration shortly thereafter, other groups have experienced difficulties in attempting to register. Furthermore, members of independent religious congregations continued to face pressure from the authorities, including threats, detention, and confiscation of religious materials.

The government places significant restrictions on academic freedom, with schools increasingly being used to indoctrinate, rather than educate, students. The *Rukhnama* is required reading throughout the school system and has largely replaced many other traditional school subjects. All new textbooks must meet the government's strict ideological requirements. In February, Niyazov issued an order invalidating most higher education degrees received outside the country since 1993 and dismissing holders of such degrees from state jobs. Analysts view this decree as part of a broader effort to eliminate foreign influences from Turkmen society. Bribes are commonly required for admission to various schools and institutes.

The state security services regularly monitor the activities of citizens and foreign nationals, limiting open and free private discussion. Security officers use such surveillance techniques as wiretapping, the interception of mail, and the recruitment of informers. After the November 2002 assassination attempt, Niyazov reportedly directed law enforcement bodies to carefully monitor people's conversations in public places and called on people to assist the police by informing on their fellow citizens. In February 2004, Niyazov ordered the government to intensify video surveillance, including at all strategic economic facilities, public buildings, and government offices.

While the constitution guarantees peaceful assembly and association, these rights are severely restricted in practice. Public demonstrations against state policies are extremely rare. Nongovernmental organizations (NGOs) have faced increased harassment and threats for their activities as part of the post-November 2002 crackdown. In November 2003, a law on NGOs

entered into force that effectively criminalized the activities of unregistered organizations and imposed penalties that include heavy fines, the confiscation of property, and imprisonment. In an apparent reversal, a new law was adopted in November 2004 that abolishes criminal penalties for unregistered NGOs. However, most observers suspect that the law is designed primarily to counter international criticism of the country's poor human rights record, rather than to genuinely improve the environment for Turkmenistan's civil society sector.

The government-controlled Colleagues Union is the only central trade union permitted. There are no legal guarantees for workers to form or join unions or to strike, although the constitution does not specifically prohibit these rights. Strikes in Turkmenistan are extremely rare.

The judicial system is subservient to the president, who appoints and removes judges for five-year terms without legislative review. The authorities frequently deny rights of due process, including public trials and access to defense attorneys. Police abuse and torture of suspects and prisoners, often to obtain confessions, is reportedly widespread. Those arrested and sentenced for complicity in the assassination attempt against Niyazov suffered ill treatment or torture, had no access to legal counsel of their own choosing, and were convicted in closed trials; many of their friends and relatives were targeted for harassment and intimidation. In early 2003, the government broadened the definition of treason to cover a wide range of activities, including attempting to undermine the public's faith in the president's policies and failing to inform the authorities of a wide range of crimes. Prisons suffer from overcrowding and inadequate nutrition and medical care, and international organizations are not permitted to visit prisons.

Employment and educational opportunities for ethnic minorities are limited by the government's policy of promoting Turkmen national identity and its discrimination against those who are not ethnic Turkmen. Following the 2002 assassination attempt against Niyazov, which Turkmenistan openly accused Uzbekistan of supporting, the Turkmen authorities took a harder line against ethnic Uzbeks in Turkmenistan. The government has reportedly ordered the forced relocation of part of the Uzbek population living along the border with Uzbekistan and their replacement with ethnic Turkmen. Many ethnic Uzbek imams (Muslim religious leaders) have been dismissed and replaced by ethnic Turkmen, as have Uzbeks in other leadership positions in the country. In March 2004, the country's former chief mufti, Nasrullah ibn Ibadullah, an ethnic Uzbek, was sentenced to 22 years in prison on charges of treason; he had been removed from his post in January 2003 and was succeeded by an ethnic Turkmen. In April 2003, Ashgabat unilaterally abrogated its dual citizenship agreement with Russia. After Turkmen authorities set a deadline of June 22 of the same year for the selection of either Russian or Turkmen citizenship, many Russians holding dual citizenship reportedly frantically applied to leave Turkmenistan or risk automatically becoming Turkmen citizens. The authorities have ordered the closure of a variety of Russian-language institutions, including schools, throughout the country.

Freedom of movement and residence is severely restricted. Following the 2002 assassination attempt, travel within the country became more closely monitored, with travelers having to pass through various identity checkpoints. In March 2004, Niyazov formally abolished the country's exit-visa requirement—which had been eliminated in January 2002 but reintroduced the following year—to stave off trade restrictions by the United States. However, this decision is unlikely to ease travel abroad, which is extremely difficult for most Turkmen citizens and often requires the payment of bribes to government officials. In addition, the government is believed to maintain a lengthy blacklist of people—possibly thousands—who are not permitted to travel abroad, including those suspected of opposition to the authorities. In

2003, the State Service for the Registration of Foreign Citizens was established to monitor foreign visitors, whose activities are strictly regulated.

A continuing Soviet-style command economy and widespread corruption diminish equality of opportunity. Profits from the country's extensive energy exports rarely reach the general population, most of whom live in poverty. Police forcibly seize grain from farmers—who can only sell grain to a purchasing company that has a government monopoly—without providing compensation. In a move believed to stem from a government budget crisis, some 15,000 medical workers were dismissed in early 2004 and replaced with conscript soldiers, who essentially represent free labor. According to the Vienna-based International Helsinki Federation for Human Rights, the Turkmen government has engaged in “widespread violations of property rights” as part of a dramatic urban reconstruction project in Ashgabat that was launched in 2001. Hundreds of residents have reportedly been forced to vacate their homes on extremely short notice and have received little or no financial compensation or equivalent accommodation from the authorities.

The government restricts various personal social freedoms, including the wearing of long hair or beards by men. Traditional social and religious norms limit professional opportunities for women, and anecdotal reports suggest that domestic violence is common. A payment of \$50,000 is required of foreign citizens wishing to marry Turkmen women; the money is ostensibly designed to provide for the couple's children if the marriage ends in divorce. Children are commonly used as forced labor during the annual fall cotton harvest.