

1. Ahead of the May 2018 Universal Periodic Review of Turkmenistan by the United Nations (UN) Human Rights Council, Forum 18 has found no improvement in the country's freedom of thought, conscience and belief violations after the previous April 2013 and December 2008 UPRs. Gurbanguly Berdymukhamedov has ruled the country as President since December 2006 without the legitimacy of a free and fair election, like his similarly unelected predecessor. The regime continues widespread systemic violations of the right to freedom of thought, conscience and belief, and of interlinked freedoms such as the freedoms of expression, association, assembly, the right to a fair trial, and the right to be free from torture.

2. All exercise of freedom of religion or belief with others without state permission is illegal, with compulsory registration of all belief groups and severe activity restrictions. A new April 2016 Religion Law included: a ban on exercising freedom of religion or belief without state permission; an increase in the number of founders a belief community needs from 5 to 50; and requires all religious literature and any new places of worship to have state permission. Religious communities that want to retain legal status are in 2017 being subjected to compulsory re-registration under the new Religion Law.

3. Forum 18 has documented human rights violations including: arbitrary denials of legal status to those communities which choose to seek it; MSS secret police informer recruitment inside belief communities; "legal" and extra-legal restrictions imposed on communities with legal status; lack of fair trials and due legal process; torture of people exercising their freedom of religion and belief, including prisoners of conscience and relatives of those complaining to the UN Human Rights Committee; prisoners of conscience jailed for exercising freedom of religion and belief; denials of prisoners' freedom of religion and belief, including the torture of Muslims wishing to attend a prison mosque; punishing conscientious objectors to compulsory military service, with complete denial of this manifestation of freedom of religion and belief; denials of freedom of religion and belief to conscripts doing compulsory military service; state control of religious leaders and communities, including state appointment of all Islamic leaders; coercion by officials attempting to force non-Muslims to convert to Islam; severe restrictions on religious education, including banning women from studying academic theology in the country; severe obstacles to having a place of worship, including the arbitrary demolition of many mosques and other places of worship; severe restrictions on haj pilgrimage numbers, an exit blacklist for active religious believers; almost no contact with foreign co-believers being permitted; censorship of religious literature and other material; and dismissal of individuals from state jobs because they exercise freedom of religion.

Torture, arbitrary detentions, killings, unfair trials, mosque closures

4. Creating fear of the state is apparently an integral part of a policy of imposing state control of all of society. The regime has repeatedly failed to answer or given incomplete answers to repeated UN Committee Against Torture (CAT) questions. The CAT's January 2017 Concluding Observations (CAT/C/TKM/CO/2) state that it is "seriously concerned about consistent allegations of widespread torture and ill-treatment, including severe beatings, of persons deprived of their liberty, especially at the moment of apprehension and during pretrial detention, mainly in order to extract confessions. It is also gravely concerned about continued reports about impunity for acts of torture since no cases of torture have been recorded or examined by the State party's courts during either the previous or the current reporting periods." It added that it "is particularly concerned by reports that numerous prisoners may have died as a result of conditions at Ovadan-Depe prison" and at "continued reports that an estimated 90 persons are being held by the State party in long-term incommunicado

detention, a practice that amounts to enforced disappearance". Contrary to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment no official is known to have ever been arrested or tried for torture. This leads to a climate of impunity for officials and the absence of the rule of law, where unjust trials with flagrant breaches of due process are normal.

5. Torture used by the regime has occasionally included the forcible injection of unknown drugs. After ethnic Uzbek Jehovah's Witness Mansur Masharipov's home in Dashoguz was raided by police in July 2014 he was arrested, physically tortured, threatened with rape, and injected with unknown drugs four times. His arms and legs became paralysed and he vomited throughout that evening and the following day. He also began to suffer a high fever and severe headaches. In August 2016 he was sentenced to one year's imprisonment. In October 2016 Dashoguz Police threatened to inject a female Jehovah's Witness with drugs and send her to a psychiatric hospital.

6. Officials have also used torture to intimidate those protesting at freedom of religion and belief violations. After complaints by 10 Jehovah's Witness conscientious objectors to military service to the UN Human Rights Committee, in January 2013 about 30 police officers raided the lead complainant's family home in Dashoguz. Officers took six people to a police station. According to their statements seen by Forum 18, all six were tortured, one of them severely. One detainee was threatened with being raped on a table in the police station. Three were then fined.

7. Former prisoners have stated that officials frequently use torture against long-term prisoners. Prisoners branded as "Wahhabis" (used by officials to mean any devout Muslim they dislike) were in February 2015 subjected to brutal beatings in Seydi Labour Camp, sources who asked not to be identified told Forum 18. One man suffered a broken hand, while another suffered a broken rib and damage to his lung. Former prisoners of conscience – who all served their sentences at the Seydi Labour Camp - state that solitary confinement and violent torture by guards is routine in the Camp.

8. Muslim prisoner of conscience Bahram Saparov was last seen alive in the top-security Ovadan-Depe Prison in late 2014. He led a Hanafi Sunni Muslim community in the eastern city of Turkmenabad and with about 20 others was jailed at a mass, closed trial in May 2013 (more were sentenced in subsequent trials). "Bahram's face – and the faces of the other prisoners in the block – were unrecognisable because of the beatings," one source told Forum 18. "Officers in uniform came weekly from Ashgabad in helmets and riot gear and beat the prisoners." At least two Muslim prisoners of conscience, Lukman Yaylanov and Narkuly Baltayev jailed for discussing Islam with others, died in Ovadan-Depe Prison in the second half of 2016, Yaylanov possibly as a result of torture. The two men's bodies were handed over to their families for burial, but relatives had to sign a document banning them from revealing what they saw. The body of another, Aziz Gafurov, was handed to relatives in June 2017 "incredibly thin" and "blue from beatings".

9. The disappearance of over 100 prisoners jailed for a variety of reasons from the early 1990s onwards has been documented by Prove They Are Alive! Cases known to Forum 18 include about 100 Muslims (including Yaylanov, Baltayev and Gafurov) from Turkmenabad given long jail terms from 2013 for meeting with others to discuss their faith. In January 2017 the authorities disappeared another Muslim prisoner of conscience, Annamurad Atdaev, possibly in Ovadan-Depe, who was jailed for 15 years after he refused to become an informer for the MSS secret police.

Prisoners of conscience jailed for exercising freedom of religion or belief

10. Protestants and Jehovah's Witnesses have often been jailed as short-term prisoners of conscience for periods of up to 15 days. Prisoner of conscience Bahram Hemdemov was arrested

during a March 2015 raid on his home, after which he was tortured. He is serving a four year prison term from 19 May 2015 on charges of allegedly inciting religious hatred, but his real "crime" seems to have been hosting a meeting for worship. The Supreme Court in August 2015 denied his appeal because Hemdemov "propagates the religious beliefs of Jehovah's Witnesses".

11. As noted above, an unknown number of long-term Muslim prisoners of conscience are jailed for exercising their right to freedom of religion or belief. The nature of Turkmenistan's "justice system", in which the planting of evidence and torture by the authorities is often credibly claimed, makes it unlikely that the authorities – or anyone else - knows what exactly these prisoners did, or how many may simply be "guilty" of being devout Muslims who exercised their right to freedom of religion and belief.

12. Prisoners' freedom of religion and belief is severely restricted, in violation of the UN Standard Minimum Rules for the Treatment of Prisoners (known as the Mandela Rules). For example the general regime Seydi Labour Camp has its own prison mosque, but prisoners are afraid to attend. "The mosque is open to any prisoner, but Muslim prisoners won't go for fear of being branded a 'Wahhabi'," a former prisoner told Forum 18 in 2016. "At Friday prayers there are usually only about 4 or 5 people." The prison library has no religious literature. Non-Muslim prisoners also appear not to be able to meet for worship.

Control of the majority religious community

13. Islam, because it has the largest number of followers, is the community the regime is most interested in controlling. The Sunni Muftiate - the only form of Islam permitted - is under tight regime control. The Justice Ministry names the Chief Mufti and the Muftiate appoints imams down to the district level. But the MSS secret police has the decisive input, based on MSS information on a candidate's ancestry (they must be at least mostly ethnic Turkmen), relatives, political views and activity. Mullahs - who perform rituals related to births, circumcisions, marriages and deaths in a small district of perhaps 100 families - are appointed by district imams, after MSS checks.

14. The authorities "recommend" to imams Friday prayer sermon topics they should and should not cover. Muslim young men in some regions are barred by the state from wearing beards, and women are banned from wearing a hijab (headscarf). One Dashoguz Muslim told Forum 18 that local police summon bearded young men for "preventative talks", which include instructions to shave off their beards.

15. Although Sunni Islam is allowed to operate within tight limits, Shia Islam is obstructed. Officials refuse to allow Shia rituals among people permitted to make the haj pilgrimage.

16. Saudi Arabia grants a haj pilgrimage quota of about 5,000, but Turkmenistan only allows much lower numbers of pilgrims. In 2017 it appears that the government allowed only 160 haj pilgrims, including MSS secret police officers. This is the lowest number since 2009 when the government banned participation in the pilgrimage. The state removed one would-be pilgrim from the list in 2017 because her husband had contacts with an exiled Turkmen citizen. Muslims in one of the country's six administrative divisions have to wait up to 11 years to reach the top of the haj waiting list, a Balkan Region Religious Affairs official told Forum 18. He said that 21 pilgrims from his Region were selected to travel in 2014, the same number as in 2013. Going on the haj appears to entail obligations including supporting government policy at public meetings.

17. Freedom of movement restrictions are also applied to non-haj travellers. Many active religious believers are among those on an exit blacklist maintained by the Migration Service, on behalf of the Interior Ministry and MSS secret police.

Control of other religious communities

18. Control of followers of non-Muslim beliefs is mainly formally imposed via the Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production. Also, permission from the Justice Ministry is required to acquire a place of worship, publish or acquire religious literature, or to invite foreign guests. Such permission is rarely granted and, if it is, is frequently accompanied by unwritten demands, such as cooperation with the MSS secret police.

19. The exercise of freedom of religion of belief without state permission is banned. Whether or not a community is registered, raids on their meetings and members frequently happen. Officials continue to pressure non-Muslims to change their beliefs. In February 2015 Narmurad Mominov, a Protestant leader from Galkynysh in Lebap Region, was fined two weeks' average local wages after police raided a home. Many of those present were held until the early hours of the morning, while some were pressured to renounce or change their faith. One who did so was told to "repent" publicly in the mosque. Similarly, Jehovah's Witnesses note that in 2016-17 they "were subjected to beatings, intimidation, unwarranted searches, detention, seizure of religious publications, and fines merely for attending worship services and otherwise manifesting their religious beliefs".

20. Officials also bully non-Muslim schoolchildren and their parents and guardians, frequently at public meetings. The children of Jehovah's Witnesses and Protestants and their parents were subjected to official public bullying in schools, as well as pressure to sign statements renouncing their faith. Protestant and Jehovah's Witness teachers have been fired from their jobs. In February 2016 MSS secret police officers warned Protestants not to hold summer camps for children.

21. Ethnic Turkmen Protestants have often told Forum 18 that they are summoned before their village or settlement, accused of betraying their "ancestral faith", and pressured to renounce Christianity.

Restrictions on having a place to meet for worship

22. Even registered communities often cannot freely maintain public places of worship. As one Turkmen Protestant from a region far from the capital put it to Forum 18, "You cannot build, buy, or securely rent such property, let alone put up a notice outside saying 'This is a place of worship.'" The Protestant added that "the government likes to be able to say to outsiders 'We have registration' and show them communities in Ashgabad. But people don't look at what we experience in places away from the capital, where we have no hope of registration. Without freedom to meet for worship, it is impossible to claim that we have freedom of religion and belief."

23. Many communities cannot gather all their members together, or only meet in small groups for fear of police and MSS secret police raids. Owners of venues who agree to rent to a religious organisation soon cancel this, apparently after receiving telephone warnings from officials. Some registered communities have had to move their place of worship more than 12 times a year.

24. Meeting for worship outside state-approved venues - such as in homes - is dangerous and can lead to raids and fines, especially in locations close to Turkmenistan's borders with Uzbekistan and Iran.

25. In April 2016, the authorities in Ashgabad bulldozed the Sunni Muslim Aksa Mosque with no prior consultation and apparently without compensation. Demolition workers justified the demolition by telling local people that "this mosque has been built without any kind of permission", Radio Free Europe reported. This was the eighth of 14 mosques in the city to have been destroyed in recent years, as have mosques in other parts of the country. Christian churches and Hare Krishna temples were also earlier destroyed or confiscated in the capital and elsewhere, with no

compensation. The government has a general policy of not compensating almost all individuals and groups when it at short notice demolishes their homes and confiscates their property.

26. Building or regaining places of worship is almost impossible. Belief communities without an existing place of worship find it almost impossible to build or acquire a place of worship. This can make it impossible for meetings for worship or other purposes to be held. For example, the registered Light of the East Church in Dashoguz has not met since early 2015.

Censorship

27. The state imposes a de facto ban on most religious publications, and the authorities routinely confiscate religious literature from residents and from people entering or leaving Turkmenistan. No religious literature may be published or imported without permission from the Commission for Work with Religious Organisations. It is almost impossible to acquire copies of the Koran, Bible, or other religious works, with very few sales outlets permitted.

28. Religious literature, CDs, and DVDs is routinely confiscated by police or the MSS secret police during raids on homes. Government censorship of the internet and communications – including emails, calls and mobile phone text messages – makes users wary of being open about any exercise of freedom of religion and belief. Computers and mobile phones are often confiscated – particularly at Ashgabad Airport or in raids – and scrutinised for their content.

The future?

29. Government claims of "reform" have so far been without demonstrable concrete meaning. Without fundamental changes - especially genuine independently verifiable implementation of the state's politically and legally binding human rights commitments and obligations - Turkmenistan will remain a place where fundamental human rights are violated with impunity. (END)