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TURKMENISTAN: Secrecy surrounds content of new religion decree

By Igor Rotar, Forum 18

Not even the government's Council for Religious Affairs knows how religious organisations gain state registration under new regulations, Forum 18 News Service has found. Only Sunni Muslim and Russian Orthodox communities have so far gained registration; all other religious communities are de facto barred from registering and so are illegal, thus breaching international human rights agreements. However, Forum 18 has been able to establish that, in the unlikely event of other religious communities being registered, they will have to pay a fee of about 10 times the basic monthly wage unlike the previous fee of 1-3 times the basic wage. Forum 18 knows of believers having been very harshly punished for unregistered religious activity. Despite this, a government official insisted to Forum 18 that "Believers have complete freedom of conscience in Turkmenistan. You can pray at home, whether to God or the devil. But if you meet for services, then you must register as a religious organisation."

A week after Turkmenistan's president Saparmurat Niyazov issued a decree approving the new regulations governing how religious organisations gain registration, the text of neither the decree nor the regulations has been published. Officials of the Fairness (Justice) Ministry have refused to supply the texts to Forum 18 News Service and even a senior official of the government's Gengeshi (Council) for Religious Affairs admitted he had not seen either. Forum 18 has been able to establish only that the new registration fee is 5,000,000 manats. (6,920 Norwegian Kroner, 800 Euros or 1,010 US Dollars at the official exchange rate, or 230 US Dollars [1,580 Norwegian Kroner or 180 Euros] at the street exchange rate). However, the new regulations will in practice apply only to Sunni Muslim and Russian Orthodox religious communities as all other faiths are de facto banned from registering and therefore remain illegal.

"We ourselves still do not know the details of the decree, or even how much registration will cost," the deputy chairman of the Gengeshi, Murad Karriyev, told Forum 18 from the capital Ashgabad on 19 January. "The fact is, this decree was formulated by the justice ministry and the documents from there have not yet reached us. The only thing I can say is that the decree follows on logically from the recently-passed law on religion."

The new decree, entitled "On the registration of religious organisations", was issued to amplify the new religion law, adopted last October, the Turkmen media reported on 14 January. Media reports said the decree confirmed the rules on the registration of religious organisations and established new registration fees. "The registration fees will be allocated to the income section of the state budget in the prescribed manner," the media reported.

Forum 18's attempts to find out any information from the Fairness Ministry – where religious groups have to register - were rebuffed. "We refuse to give out any information," the head of the department for international legal relations and registration of public organisations, Shiriya Tuichiyeva, told Forum 18 from Ashgabad on 19 January. "Submit an official enquiry to our foreign affairs ministry. They will consider it and then if they judge it necessary, they will hand it on to us."

Only a Fairness Ministry official, Bibi Tagieva, told Forum 18 that the fee for registration was equivalent to ten times the basic monthly wage. She declined to give any other information. Under the 1996 registration decree, religious organisations had to pay between one and three times the basic monthly wage.

In Turkmenistan there is no set minimum wage, only a basic monthly wage which workers must be paid by presidential decree. This is currently 500,000 manats (692 Norwegian Kroner, 80 Euros or 101 US Dollars at the official exchange rate, or 23 US Dollars [158 Norwegian Kroner or 18 Euros] at the street exchange rate). A company may pay staff more than the basic wage, but only from their own funds.

Turkmenistan's harsh new religion law, which was signed by President Niyazov on 21 October 2003, came into force at the time of its publication in the official press on 10 November. It specifically declared illegal all unregistered religious activity, breaching international human rights agreements Turkmenistan has signed, while a new amendment to the criminal code prescribed penalties for breaking the law of up to one year of "corrective labour". The new crackdown on religion went hand-in-hand with a new legal crackdown on non-governmental organisations. (see F18News, 11 November 2003)

http://www.forum18.org/Archive.php?article_id=180)

Although the authorities have in recent years treated unregistered religious activity as illegal, the new religion law formally incorporated this provision into law for the first time. With only Sunni Muslim and Russian Orthodox communities de facto able to achieve registration, the move marked a considerable further move to repress minority faiths. Forum 18 knows of religious believers having been fined, detained, beaten, threatened, sacked from their jobs, had their homes confiscated, banished to remote part of the country or being deported for unregistered religious activity.

Despite this, Karriyev of the Gengeshi insisted to Forum 18 that "Believers have complete freedom of conscience in Turkmenistan. You can pray at home, whether to God or the devil. But if you meet for services, then you must register as a religious organisation."

For more background see Forum 18's latest religious freedom survey at

http://www.forum18.org/Archive.php?article_id=151).

A printer-friendly map of Turkmenistan is available at

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=turkme>

If you need to contact F18News, please email us at:
f18news @ editor.forum18.org

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY