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TURKMENISTAN: Conscientious objectors detained for trial

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

Two Jehovah's Witnesses - Nuryagdy Gayyrov and Bayram Ashirgeldyyev – have been arrested in Turkmenistan for refusing to perform compulsory military service on grounds of religious conscience, Forum 18 News Service has learnt. They are currently awaiting trial. Gayyrov was jailed in 1999 for one year for the same "crime." The cell where they are being held is "very crowded with 20-30 persons sharing a cell," Jehovah's Witnesses told Forum 18. "Between the overcrowding, the sweltering daytime heat, and the lack of adequate ventilation, the conditions in the detention unit are deplorable." There are three other known religious believers in jail for their religious activity, the former chief mufti Nasrullah ibn Ibadullah and two Baptists, Vyacheslav Kalataevsky and Yevgeny Potolov. No officials have been prepared to discuss with Forum 18 the growing numbers of people being detained and jailed for their religious beliefs.

Two Jehovah's Witnesses were arrested in Turkmenistan, on 14 June, for refusing to perform compulsory military service on grounds of religious conscience, Forum 18 News Service has learnt. They are currently awaiting trial, Jehovah's Witness sources told Forum 18 on 3 July. One of the two men arrested, Nuryagdy Gayyrov, was given a one year jail sentence on the same charge in 1999. Turkmenistan does not offer any alternative to military service.

Imprisonment of those refusing compulsory military service was common until two years ago. The last long-term Jehovah's Witness prisoners of conscience sentenced for this "crime" were freed in April 2005 (see F18News 22 April 2005 http://www.forum18.org/Archive.php?article_id=548). More recently, Jehovah's Witnesses have been detained for short periods in psychiatric hospitals to pressure them into doing military service. Repeated Jehovah's Witness attempts to gain legal status as a religious community have been rejected by the Adalat (Justice) Ministry, and their members face continued harassment and short-term detention for their religious faith (see F18News 21 December 2006 http://www.forum18.org/Archive.php?article_id=894).

The 26-year-old Gayyrov and fellow Jehovah's Witness Bayram Ashirgeldyyev, who is 20, are both now being held in a preliminary pre-trial detention unit in the capital Ashgabad [Ashgabat]. "Reportedly, the place is very crowded with 20-30 persons sharing a cell," Jehovah's Witnesses told Forum 18. "Between the overcrowding, the sweltering daytime heat, and the lack of adequate ventilation, the conditions in the detention unit are deplorable."

Gayyrov and Ashirgeldyyev have both been charged with evading military service in violation of Article 219 part 1 of the Criminal Code. This carries a maximum penalty of two years' imprisonment.

The two Jehovah's Witnesses join three other known religious believers in jail for their religious activity. The 59-year-old former chief mufti Nasrullah ibn Ibadullah was given a 22-year jail sentence in 2004, on charges the government has never made public. It remains unclear where he is, or indeed whether he is even still alive. His family has had no knowledge of his whereabouts or state of health since soon after his imprisonment (see F18News 16 February 2007 http://www.forum18.org/Archive.php?article_id=914).

Two Baptists – both from the Caspian port city of Turkmenbashi [Türkmenbashi] (formerly Krasnovodsk) - have also been imprisoned in 2007 on charges of illegally crossing the border. Vyacheslav Kalataevsky was transferred in late June to a labour camp with harsh conditions near Seydi to serve his three-year labour camp sentence. Yevgeny Potolov remains in pre-trial detention in Turkmenbashi (see F18News 3 July 2007 http://www.forum18.org/Archive.php?article_id=986).

No officials have been prepared to discuss with Forum 18 the growing numbers of people being held for their religious beliefs. Reached on 4 July, Murat Karriyev, the Deputy Head of the government's Gengeshi (Committee) for Religious Affairs and reputedly its most important official, refused to enter any discussion. When Forum 18 outlined the arrests of the two Jehovah's Witnesses and asked about the imprisoned former Chief Mufti and the two Baptists, Karriyev responded: "Who did you say?" He then put the phone down. When Forum 18 called back the phone went unanswered.

Forum 18 was unable on 4 July to reach Shirin Akhmedova, named in June to head the government's National Institute for Democracy and Human Rights in Ashgabad. Her secretary told Forum 18 that she was at a meeting of the Women's Union of Turkmenistan, but Forum 18 was unable to reach her there. The Institute was set up by the former President, Saparmurat Niyazov, in

1996. It supposedly has the purpose of promoting democracy and human rights. Sources within Turkmenistan have told Forum 18 that increasing crackdowns on religious minorities – even during visits by UN High Commissioner for Human Rights Louise Arbour and Ambassador Christian Strohal, Director of the OSCE Office for Democratic Institutions and Human Rights – mean that "the bad times are coming back" (see F18News 25 May 2007 http://www.forum18.org/Archive.php?article_id=963). Akhmedova used to work at the Registration Department of the Adalat Ministry with some responsibility for the registration of religious communities.

While Ashirgeldyyev is facing trial for the first time for refusing military service, for Gayyrov this is the second time he is facing these charges. "Indicting a person, in this case a conscientious objector, a second time for the same offence after he has already served a prison term for that offence violates all norms of legal standards and international human rights," the Jehovah's Witnesses complain.

Gayyrov was previously arrested in December 1999 and sentenced to one year in prison the following month. Although he was granted amnesty in April 2000, he was not released because he refused to take the oath of allegiance to the president. This is considered to be blasphemous by many religious believers and the then version read in translation: "Turkmenistan, you are always with me in my thoughts and in my heart. For the slightest evil against you let my hand be cut off. For the slightest slander about you let my tongue be cut off. At the moment of my betrayal of my motherland, of her sacred banner, of Saparmurat Turkmenbashi [Father of the Turkmen] the Great [i.e. former President Saparmurat Niyazov], let my breath stop."

"After 15 days of severe punishment in an isolation cell, where he was beaten into unconsciousness several times by guards, Gayyrov was returned to prison until his release on 11 November 2000," Jehovah's Witnesses report.

They complain that Gayyrov and Ashirgeldyyev are currently deprived of any legal support or access to the outside world. "Even their family members have not been allowed to visit them." They report that Gayyrov's older brother, who is not a Jehovah's Witness, was summoned for interrogation by the 6th Department of the police. The 6th Department is supposedly responsible for dealing with organised crime and terrorism. "The authorities appear to be using harassment of family members as another means to pressure the young men to serve in the military."

The Jehovah's Witnesses are among a number of religious communities whose applications for legal status have repeatedly failed. The registration process for religious minorities was theoretically made easier 2003, after intense international pressure. Some religious minority communities were then registered and given legal status, but the process then came to a halt. Many religious communities within Turkmenistan have been highly suspicious of the changes (see F18News 28 February 2005 http://www.forum18.org/Archive.php?article_id=521). The telephones of the officials of the Registration Department of the Adalat Ministry went unanswered when Forum 18 called on 4 July. (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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