

13 September 2007

TURKMENISTAN: Fifth Jehovah's Witness sentenced in three months

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

Jehovah's Witness Begench Shakhmuradov has rejected the two year suspended sentence handed down yesterday (12 September) by an Ashgabad court for his refusal to perform compulsory military service. "I believe I have the right to freedom of thought and religion and the court should have respected this," he told Forum 18. Shakhmuradov does not yet know the conditions to be imposed on him, but he is likely to have to report regularly to the police and to need permission to leave Ashgabad. Suleiman Udaev, one of the four other Jehovah's Witnesses sentenced in the past three months, has had his 18-month prison term commuted to a two-year suspended sentence with compulsory labour and was allowed home on 12 September. Meanwhile, the wife of imprisoned Baptist pastor Vyacheslav Kalataevsky told Forum 18 she does not know if he will be included in October's mass prisoner amnesty. Nurmukhamed Gurbanov of the government's Religious Affairs Committee refused to discuss any of these cases with Forum 18.

Yesterday (12 September), Begench Shakhmuradov became the fifth Jehovah's Witness to be sentenced in Turkmenistan in the past three months for refusing to perform compulsory military service on grounds of religious faith. After several postponements of his trial, he was given a two-year suspended sentence at Azatlyk District Court in the capital Ashgabad [Ashgabat]. However, as Shakhmuradov told Forum 18 News Service in the wake of the trial, he does not yet know the conditions that will be imposed on him. "They still haven't informed me. But it's likely to include regular reporting to the police, a ban on leaving the house at night and a requirement to get permission if I want to leave the city."

Shakhmuradov said he does not agree with the verdict, though he has not yet decided whether to appeal. "I believe I have the right to freedom of thought and religion and the court should have respected this," he insisted to Forum 18. "God gave me these rights and they are also enshrined in Turkmenistan's Constitution. If the Constitution recognises these rights the law should also back them up. Before God I can't fulfil laws which go against my conscience."

Turkmenistan does not offer a civilian alternative to compulsory military service, making young men who cannot serve in the armed forces on grounds of conscience liable to punishment. All five of the Jehovah's Witness young men sentenced this year, including Shakhmuradov, were prosecuted under Article 219, Part 1 of the Criminal Code, which punishes refusal to serve in the armed forces with a maximum penalty of two years' imprisonment.

Shakhmuradov has already served one sentence on the same charges. He was given one year's imprisonment in February 2005, but was among several Jehovah's Witnesses freed early from their sentences in April 2005 in the wake of a presidential decree (see F18News 22 April 2005 http://www.forum18.org/Archive.php?article_id=548).

Shakhmuradov was called up for military service again in May 2007 despite suffering from tuberculosis contracted during his imprisonment (see F18News 31 August 2007 http://www.forum18.org/Archive.php?article_id=1013).

"I told the court I am of course prepared to do any alternative service," Shakhmuradov told Forum 18. "I told the authorities this two years ago when they first sentenced me. It would be just if a civilian alternative to military service existed." He said that without such an alternative, other Jehovah's Witness young men will "certainly" be sentenced.

Forum 18 has been unable to find out from officials why they are not prepared to consider introducing an alternative civilian service, why five Jehovah's Witnesses have been sentenced for refusing military service in the past three months and why the Baptist pastor Vyacheslav Kalataevsky has been imprisoned.

Reached on 13 September at his office at the Gengeshi (Committee) for Religious Affairs in Ashgabad, deputy chair Nurmukhamed Gurbanov refused to answer any questions. "I don't answer to you," he told Forum 18. "Your questions don't appeal to me." Asked again about the recent cases he responded: "No religion is oppressed here – everyone can practice their faith freely." He then referred Forum 18 to the Foreign Ministry, although it does not have competence in internal affairs, before putting the phone down.

Forum 18 was unable to reach Shirin Akhmedova, director of the government's National Institute for Democracy and Human Rights,

between 10 and 13 September. Her secretary told Forum 18 that she was out at meetings. The secretary said each time that no-one else at the institute was present, even though it is reputed to have about fifty staff. On other occasions the phone went unanswered

Meanwhile, fellow Jehovah's Witness Suleiman Udaev was suddenly freed from imprisonment on 12 September, family members told Forum 18 that evening. His 18-month term of imprisonment for refusing military service on grounds of religious conscience was commuted to a two-year suspended sentence with compulsory labour. They told Forum 18 he is back at his home in a village 100 km (60 miles) from the south-eastern town of Mary. However, they said Udaev must pay twenty percent of his wages to the state, he will not be able to leave his home village without permission and other restrictions will be imposed. He is likely to be assigned to work in the local collective farm.

Udaev, who was sentenced by Mary District Court on 7 August, had been held at the labour camp in the town. On 13 August his parents filed a complaint against his sentence to the Supreme Court, which was accepted only when they sent it by mail. Udaev's family was able to pass on food parcels and medicine to him only after paying the prison guards.

The three other Jehovah's Witnesses - Aleksandr Zuyev, Bayram Ashirgeldyyev and Nuryagdy Gayyrov - were given suspended sentences in July (see F18News 31 August 2007 http://www.forum18.org/Archive.php?article_id=1013).

Meanwhile, Baptist pastor Kalataevsky remains in labour camp in the eastern town of Seydi. A Baptist leader from the Caspian port city of Turkmenbashi [Türkmenbashi, formerly Krasnovodsk], he was sentenced to three years' imprisonment on 14 May for illegally crossing the border six years earlier. His family has insisted to Forum 18 that the sentence was imposed to punish him for his activity with the unregistered Baptist congregation in Turkmenbashi. A family visit to him in labour camp on 14 August was cut to just 40 minutes (see F18News 31 August 2007 http://www.forum18.org/Archive.php?article_id=1013).

Kalataevsky's wife Valentina said she intends to travel to Seydi for the next scheduled labour camp visit on 18 September. "We were so upset last time that the visit was so short," she told Forum 18 from Turkmenbashi on 12 September.

She said she does not know if her husband will be included in the prisoner amnesty due in October to mark the end of the Muslim holy month of Ramadan. The government has said that more than 9,000 prisoners are due to benefit from the amnesty this year.

Kalataevsky's family have again written appeals in September to President Gurbanguly Berdimukhammedov and other officials asking for his case to be reviewed. "So far we have had no response to these latest appeals," family members told Forum 18. (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>

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

Forum 18
Postboks 6603
Rodeløkka
N-0502 Oslo
NORWAY