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TURKMENISTAN: Old "offences" still used to punish current religious activity

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

Former prisoner of conscience Shageldy Atakov, is the latest victim of Turkmenistan's use of old "offences" to punish current activity, Forum 18 News Service has learnt. Officials under orders from the central authorities are now threatening to confiscate Atakov's property, if he does not pay an enormous sum he is alleged by the authorities to have swindled an individual out of in 1995. "It is all being done because I am a Christian - I don't owe anyone anything," Atakov insisted to Forum 18. His fellow Baptists have repeatedly backed his statements that he is completely innocent of all the alleged offences. Atakov was shown documents in court showing that the latest moves were ordered from the capital Ashgabad. He pledged not to allow the authorities to seize his family's property. "They'll completely empty the house. They don't have the right to do this." Atakov, his wife Artygul Atakova and their children are also on an exit ban list, which the authorities use against people they dislike. No official has been willing to discuss the case with Forum 18.

More than seven years after he was freed in early January 2002 from a four-year prison term, prosecutors in Turkmenistan are renewing the same charges against Baptist leader and former prisoner of conscience Shageldy Atakov, Forum 18 News Service has learnt. Atakov was imprisoned in 1999, allegedly for swindling another individual out of 12,000 US Dollars (this is the exact sum quoted in official documents). The latest moves come fourteen years after the alleged offence in 1995.

"It is all being done because I am a Christian - I don't owe anyone anything," Atakov insisted to Forum 18 on 8 May from his home in the village of Kaakhka near the capital Ashgabad [Ashgabat]. "What they claimed I did back in 1995 was all fabricated later to punish me for becoming a Christian. In any case, any alleged debt would be cleared after my prison term." Atakov's fellow church members repeatedly insisted during his trial and imprisonment that he was completely innocent of all the alleged offences.

Property assessment prior to confiscation?

Atakov told Forum 18 that officials have long targeted him because of his continuing Christian activity. "They've always tried, but now it's become extreme." He said an official from the local Hyakimlik (administration) visited the family home in Kaakhka on 29 April, where he lives with his wife Artygul and their nine children. The official came to assess the value of their property, including their fridge and other household items. The official examined property ownership documents, Atakov added. The house is owned by his wife, Artygul Atakova, while the family car is in his name.

The same day, Atakov was summoned to the Kaakhka court, where he says he was shown documents it had received from Ashgabad. He said it was not clear which agency in Ashgabad had issued the order to seize property from him. However, he said officials at Kaakhka court were unenthusiastic about moving against him. "They know it's not right," he told Forum 18. "I told them all the accusations are not true and I would say this everywhere."

Atakov said he does not know what action the authorities will now take against him. He said that since Forum 18's initial contact on 1 May "there is complete silence". "Maybe things have stopped as a result of your action," he told Forum 18. "They listen in to all phone calls."

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Forum 18 has been unable to find out which prosecutor has ordered the seizure of funds or property from Atakov, why the authorities still believe he owes money and why, if so, the money was not taken in 1999. No official at the General Prosecutor's Office would talk to Forum 18 on 7 and 8 May. Reached on 8 May, the man who answered the telephone of Nurmukhamed Gurbanov, Deputy Head of the government's Gengeshi (Committee) for Religious Affairs, twice put the phone down as soon as Forum 18 tried to ask about Atakov's case. The telephone of Shirin Akhmedova, Head of the government's National Institute for Democracy and Human Rights, went unanswered each time Forum 18 called on 7 and 8 May.

Repeated punishments for the same "offences"

The Turkmen authorities have long used enforcement of older punishments for alleged "offences" as a further means to punish religious believers. In 2007, Jehovah's Witnesses complained of being summoned to police stations in connection with incidents that took place several years earlier. "Some fines were issued as long as three years ago but are only now being enforced," Jehovah's Witnesses told Forum 18 in 2007. Similarly, in 2007 the authorities used older "offences" to deport Baptist Pastor Yevgeni Potolov and imprison another, Vyacheslav Kalataevsky, for three years (see F18News 20 July 2007 http://www.forum18.org/Archive.php?article_id=997). Kalataevsky too was subsequently deported.

Former prisoner of conscience Atakov also complained to Forum 18 of recent confiscations of religious literature from individual religious believers returning to Turkmenistan from abroad, a problem that has affected many religious communities (see F18News 12 May 2009 http://www.forum18.org/Archive.php?article_id=1294). He and his family are also on the unpublished exit ban list, as are many other active religious believers of a variety of faiths (see F18News 19 November 2008 http://www.forum18.org/Archive.php?article_id=1219).

Atakov's 1999 prosecution

Atakov, a driver and car trader, became a Christian in April 1998 when he and his family were living in the Caspian port city of Turkmenbashi [Türkmenbashi, formerly Krasnovodsk]. He encountered pressure from state officials soon after joining the local congregation of the Council of Churches Baptists, who reject state registration on principle.

In November 1998 an official of the then National Security Committee secret police visited him and threatened to charge him "on an old case" if he did not cease his participation in the church. When Atakov ignored this threat, he received further warnings from officials and the local imam before being arrested in December 1998. Prosecutors claimed he swindled a man named Andrei Yusupov in a 1995 car deal.

In March 1999, Kopetdag district court in Ashgabad found him guilty of swindling and forging documents under Article 228 and Article 218 of the Turkmen Criminal Code. He was sentenced to two years in a general regime labour camp and fined the equivalent of 12,000 US Dollars (the exact sum Atakov was alleged to have gained). This is a huge sum in Turkmen terms as the average monthly wage has been estimated to be the equivalent of 30 US Dollars. However, prosecutors complained that the punishment was too lenient and at a new trial in Ashgabad in August 1999 he was given a four-year labour camp sentence.

During his time in Seydi Labour Camp, Atakov's health deteriorated rapidly, due to repeated beatings, medical neglect, poor diet and torture with psychotropic (mind altering) drugs, for refusing to abandon his faith.

While Atakov was in prison his wife Artygul Atakova and their children were internally deported – without any court order - to the village of Kaakhka, where they still live.

In May 2001, Atakov rejected a deal between the Turkmen government and the United States government for him to be freed and to emigrate. He was returned to his prison. After a worldwide campaign for his release, Atakov was freed in January 2002, despite refusing pressure from Turkmenistan's secret police chief to promise not to preach his Christian faith, but remained under close surveillance and intermittent harassment.

Travel ban a prelude to renewed punishment for alleged "offence"

That the authorities were moving to seize money or property from Atakov is clear from a 5 September 2008 letter from Turkmenistan's General Prosecutor's Office, in response to an appeal by a group of Baptists in Russia for the Turkmen authorities to end the travel exit ban on Atakov.

In May 2006, Atakov discovered he was on the secret exit ban list after Ministry of State Security (MSS) secret police officers took him off the aeroplane as it awaited takeoff from Ashgabad airport. A Migration Service officer at the airport confirmed to Forum 18 that Atakov was barred from travelling but declined absolutely to explain why (see F18News 31 May 2006 http://www.forum18.org/Archive.php?article_id=790).

In June 2008, Artygul Atakova and six of their children were barred from boarding a flight to Russia, where she was due to have medical treatment, despite having tickets. After Atakov complained officials responded: "The MSS secret police have given us an order not to allow you and your family out of the country" (see F18News 19 November 2008 http://www.forum18.org/Archive.php?article_id=1219).

In its response to the Baptists in Russia, seen by Forum 18, the General Prosecutor's Office insisted that because of the 1999 prosecution Atakov cannot travel abroad. "As has been established during the course of the investigation, up to the present time Sh. M. Atakov has not compensated the losses to A. A. Yusupov," B. Bairamov, head of the General Prosecutor's Office's International Relations Department, wrote. He therefore rejected the Russian Baptists' appeal that Atakov be freely allowed to travel.

Forum 18 has been unable to reach Bairamov at the General Prosecutor's Office.

Atakov complained to Forum 18 that the travel ban on him and his family prevents them from being able to meet their fellow believers abroad. "This is the most important reason to want to travel, though both I and my wife also want to be able to get medical treatment abroad." (Atakov's health deteriorated while under torture when he was a prisoner of conscience.) Asked whether they had received back any of the money they had spent on tickets in 2006 and 2008 on trips they were not allowed to make, he snorted in derision. "They never give anything back." (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 a personal commentary by another Turkmen Protestant, arguing that "without freedom to meet for worship it is impossible to claim that we have freedom of religion or belief," see http://www.forum18.org/Archive.php?article_id=1128.

More reports on freedom of thought, conscience and belief in Turkmenistan can be found at <http://www.forum18.org/Archive.php?query=&religion=all&country=32>.

For more background information see Forum 18's religious freedom survey of Turkmenistan at http://www.forum18.org/Archive.php?article_id=1167.

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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