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TURKMENISTAN: Conscientious objectors jailed

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

Two brothers - Sakhetmurad and Mukhammedmurad Annamamedov – who object on grounds of conscience to Turkmenistan's compulsory military service have had two year suspended sentences changed to jail terms, Forum 18 News Service has learnt. The two Jehovah's Witness prisoners of conscience are among five known conscientious objectors. It is unknown whether the remaining three will also now be jailed. Six months into their suspended sentences the Annamamedovs were called to their local military conscription office, allegedly to be given an amnesty. Three hours after arriving at the office they were jailed for the full two years, with their terms to expire in May 2011. Their father was denied access to the court, and the brothers and family were told that they would never be given a copy of the court judgement. Forum 18 has been unable to gain any comment from the authorities on these prisoners of conscience. Meanwhile, the authorities have not yet made further moves against Baptist leader and former prisoner of conscience Shageldy Atakov.

Six months after imposing suspended sentences on two brothers who are both Jehovah's Witnesses for refusing compulsory military service, Judge Merdan Khangeldiyev has issued a new ruling sending the two to serve their full two-year sentences in prison, Jehovah's Witnesses told Forum 18 News Service on 1 June. No family members were allowed to attend the hearing on 21 May in the Town Court in Serdar (formerly Gyzylarbat) in south-western Turkmenistan, and the two brothers have been told that no written judgment will be issued. It remains unclear why the sentences – which were to run for two years - have been changed six months into their term. The two brothers - Sakhetmurad and Mukhammedmurad Annamamedov – have since been transferred to the prison in the Caspian Sea port of Turkmenbashi [Türkmenbashi, formerly Krasnovodsk].

The two prisoners of conscience - the first Jehovah's Witnesses since July 2007 to be jailed for refusing military service on grounds of religious conscience – are among five Jehovah's Witnesses known by Forum 18 to be currently serving sentences for refusing compulsory military service. Two others are serving suspended sentences, while another is serving a forced labour term. It is unknown whether the other three conscientious objectors will also now be jailed.

Jehovah's Witness young men insist they are ready to do alternative non-military service. However, Turkmenistan offers no non-combat alternative to those who cannot serve in the military on grounds of conscience.

Speaking at the United Nations Human Rights Council in Geneva on 19 March, Shirin Akhmedova, Director of the government's National Institute for Democracy and Human Rights, rejected the recommendations from numerous international organisations – including the UN Special Rapporteur on Freedom of Religion and Belief, Asma Jahangir – that Turkmenistan introduce a civilian alternative to compulsory military service. Akhmedova instead pointed to Article 41 of the Constitution, which describes defence as a "sacred duty" of everyone and then states that military service is compulsory for men (see F18News 20 April 2009 http://www.forum18.org/Archive.php?article_id=1285).

In 2008, Forum 18 had learnt that the government was then considering introducing some form of alternative service. However, nothing appears to have come of this (see F18News 31 July 2008 http://www.forum18.org/Archive.php?article_id=1166).

Forum 18 tried to find out why the authorities are continuing to sentence conscientious objectors. However, officials at the National Institute for Democracy and Human Rights in the capital Ashgabat [Ashgabat] told Forum 18 on 2 June that Akhmedova was not in her office. No one else was available to speak either. The man who answered the phone on 2 June of Nurmukhamed Gurbanov, a deputy head of the government's Gengeshi (Committee) for Religious Affairs, told Forum 18 he was away for the next two days. No one else was available to speak.

The prosecution and punishment of the two conscientious objectors

The 21-year-old Sakhetmurad Annamamedov and his 20-year-old brother Mukhammedmurad Annamamedov both told the Serdar Military Conscription Office that they were refusing military service on grounds of their faith. At the urging of Prosecutor Maral Durdieva, Judge Merdan Khangeldiyev imposed two-year suspended sentences on each of the two brothers, at a trial in Serdar Town Court on 25 November 2008. Forum 18 has been unable to gain any comment from the court on the trial.

Forum 18 understands that the two conscientious objectors were sentenced 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. However, officials have refused to release any details of the judgements to the family or Forum 18.

In mid-May 2009 they were both called to the Military Conscription Office, allegedly because of an amnesty that would be applied to them. On 21 May they were asked to come to the Office at 9.00 am. At about 11.00 am they contacted their father, Yazmammed Annamamedov, by mobile phone and said that everything had been prepared for a court hearing against them. Their father immediately came to the Serdar Town Court building, but was not allowed into the courtroom when they found out who he was. At about 12.00 noon the Court ordered that, because they would not agree to serve in the armed forces, they should now serve their two-year terms in prison, with the two-year sentences to run from then. The prison terms will therefore now expire in May 2011.

The judge, Khangeldiyev, and the prosecutor, Durdieva, were the same as at their November 2008 trial. The two brothers and their father were not given any copy of the Court decision, and the family were told that it would not ever be given to them.

The two brothers were initially held at the detention centre in Serdar. However, on 24 May they were transferred to the prison in Turkmenbashi, where it is believed they are still being held.

Forum 18 has been unable to gain any comment from the authorities on these prisoners of conscience.

The two men's father decided to write a telegram to President Gurbanguly Berdymukhamedov, to complain about what he regards as the clear procedural violations in these trials and sentences.

Yazmammed Annamamedov had himself served three years of a four-year sentence handed down in 1999 for alleged possession of explosives, Jehovah's Witnesses told Forum 18. They insist he was punished for his faith, adding that police planted ammunition during a search of his home. He was freed in 2001, but continued to suffer from tuberculosis contracted during his imprisonment.

The other sentenced Jehovah's Witnesses conscientious objectors

Many Jehovah's Witness young men have been sentenced over the past fifteen years for refusing compulsory military service on grounds of religious faith. However, in the past few years most of the sentences have been suspended or have been sentences to forced labour, where individuals live at home and have 20 per cent of their wages taken by the state. The three other Jehovah's Witnesses serving sentences are:

Begench Shakhmuradov, who is from Ashgabad, was given a two-year suspended sentence in September 2007. Sources who preferred not to be identified told Forum 18 he is living at home and is able to work in a private business. His sentence is due to expire in September 2009.

Shakhmuradov insisted to Forum 18 in the wake of his sentence that he believes it is wrong to punish those who cannot serve in the armed forces because of their religious convictions. He particularly objected that some – like himself – have been sentenced twice for the same "offence" (see F18News 9 October 2007 http://www.forum18.org/Archive.php?article_id=1031).

Vladimir Golosenko, who is from the Caspian port city of Turkmenbashi, was called up when he reached the age of 18. He too was found guilty under Article 219 Part 1 and sentenced on 12 February 2008 to two years' forced labour. He is not in prison, but 20 percent of his wages go to the state (see F18News 31 July 2008 http://www.forum18.org/Archive.php?article_id=1166).

The most recent Jehovah's Witness to be sentenced was Zafar Abdullaev, who is in his early twenties. He was given a two-year suspended sentence by a court in the northern town of Dashoguz [Dashhowuz] on 8 April 2009 for refusing compulsory military service. He is currently living at home (see F18News 20 April 2009 http://www.forum18.org/Archive.php?article_id=1285).

Forum 18 has learned that Abdullaev has to report weekly to the Police Administration in Dashoguz but has no additional problems.

Will authorities seize former prisoner of conscience's property?

Meanwhile, the authorities have not so far made any more moves against Baptist leader and former prisoner of conscience Shageldy Atakov. In April 2009, he was visited by an official of the local Hyakimlik (administration) at his family home in the village of Kaakhka near Ashgabad and was also summoned to the local court, where he was shown documents ordering the seizure of property from him to cover money the authorities claim he owes (see F18News 11 May 2009 http://www.forum18.org/Archive.php?article_id=1293).

The authorities claim that Atakov owes another individual 12,000 US Dollars over a 1995 transaction, for which he was subsequently imprisoned. He and his fellow Baptists insist he was innocent of all charges. The authorities began making the claims three years after the alleged fraud, after Atakov became a Christian in 1998.

Atakov told Forum 18 from Kaakhka on 2 June that officials from the local administration again visited the family home in mid-May. "They looked at everything I have, wrote it all down and then left," he said, adding that nothing has happened since then. "Everything is quiet – for the moment, thank God."

Atakov, his wife, and at least six of their nine children are also on Turkmenistan's secret exit ban list, meaning that they cannot leave the country to seek medical treatment or have contact with co-believers outside of the country. Atakov's health deteriorated while under torture when he was a prisoner of conscience (see F18News 11 May 2009 http://www.forum18.org/Archive.php?article_id=1293).

The Turkmen authorities have long used enforcement of older punishments for alleged "offences" as a further means to punish religious believers (see eg. F18News 20 July 2007 http://www.forum18.org/Archive.php?article_id=997). (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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