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TURKMENISTAN: Jailed conscientious objectors punished again

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

Four of Turkmenistan's five imprisoned Jehovah's Witness conscientious objectors were twice selected for more punishment in late 2009, Forum 18 News Service has learnt. The four prisoners of conscience were first confined in their labour camp's punishment cells for three days, and later each given one month in the camp's isolation punishment cells. It is suspected that these punishments were imposed to exclude them from a prisoner amnesty this month (May), declared by President Gurbanguly Berdymukhamedov. None of the five prisoners of conscience – the only known people currently jailed for exercising their freedom of religion or belief – was included in the amnesty, and nor were the three other Jehovah's Witness conscientious objectors serving suspended sentences. Also, changes to Turkmenistan's Criminal Code approved this month retained the country's criminalisation of conscientious objection to compulsory military service. Officials of the state's National Institute for Democracy and Human Rights and Gengeshi (Committee) for Religious Affairs have refused to discuss this with Forum 18.

Four of the five imprisoned Jehovah's Witness conscientious objectors were twice selected for more punishment in late 2009, Forum 18 News Service has learnt. The punishments included one month in a labour camp's isolation punishment cells. Jehovah's Witnesses suspect this might have been imposed in order to exclude them from the prisoner amnesty declared by President Gurbanguly Berdymukhamedov for the 9 May holiday marking the end of the Second World War. None of the five prisoners of conscience – the only known people currently jailed for exercising their freedom of religion or belief – was included in the amnesty, and nor were the three other Jehovah's Witness conscientious objectors serving suspended sentences.

Forum 18 notes that the changes to Turkmenistan's Criminal Code approved in May left untouched the criminal penalties for refusing compulsory military service. The most recently sentenced of the five currently known religious prisoners of conscience was jailed for two years in December 2009 (see F18News 3 February 2010 http://www.forum18.org/Archive.php?article_id=1404).

The latest Jehovah's Witness conscientious objector to be given a suspended sentence was Denis Petrenko. A criminal case was launched against him on 21 January after he refused military service, Jehovah's Witnesses told Forum 18. The case was handed to an Ashgabad [Ashgabat] court on 26 February and his trial began on 5 April. The following day the judge handed down a two-year sentence, suspended for two years, though without specifying any conditions or restrictions during this period.

Forum 18 was unable on 24 May to reach Yazdursun Gurbannazarova, Director of the government's National Institute for Democracy and Human Rights in the capital Ashgabad. The woman who answered her phone told Forum 18 that she was expected later in the day. However, subsequent calls went unanswered.

The man who answered the phone on 24 May of Nurmukhamed Gurbanov, Deputy Head of the government's Gengeshi (Committee) for Religious Affairs, denied that he was Gurbanov, refused to answer any questions and put the phone down.

Conscientious objection kept as criminal offence

Article 219 Part 1 of the current Criminal Code punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment. Higher penalties are imposed in both Article 219 Part 2 for those who deliberately injure themselves, or use deception, to evade military service, as well as in Article 219 Part 3 for those who evade such service during a war.

A bill enacting many changes to the Criminal Code, and approving the revised text of the Code was approved by the Mejlis (Parliament) on 10 May, the government website reported. The revised text of the Criminal Code was published in full on the same website a week or so later after being approved by President Berdymukhamedov. The entire Article 219 remains unchanged.

Turkmen government officials have repeatedly rejected calls to introduce a civilian alternative to military service (see F18News 3 February 2010 http://www.forum18.org/Archive.php?article_id=1404). Officials have sometimes indicated that the country's harsh Religion Law might be changed, but Turkmen citizens have told Forum 18 that they remain sceptical that any legal changes will end the government's continuing violations of religious freedom (see F18News 12 February 2010 http://www.forum18.org/Archive.php?article_id=1408).

Prison punishments

Forum 18 understands that all five Jehovah's Witness prisoners of conscience are being held in harsh conditions, in a general regime labour camp near the eastern town of Seydi (see F18News 3 February 2010 http://www.forum18.org/Archive.php?article_id=1404).

All four of the then conscientious objector prisoners - Shadurdi Uchetov, Akmurat Egendurdiev, and the brothers Sakhetmurad and Mukhammedmurad Annamamedov – were visited by officials in their labour camp in November or December 2009, Jehovah's Witnesses told Forum 18. Officials who did not identify themselves or say which government agency they represented questioned the prisoners. Immediately afterwards, however, the four prisoners of conscience were sent to punishment cells for three days, on what Jehovah's Witnesses insist were fabricated accusations.

Parents of the four prisoners then lodged complaints to local Prosecutor's Offices and the General Prosecutor's Office in Ashgabad, and sent telegrams to the President. Replies to their complaints insisted that the treatment of the prisoners in labour camp was fair and in accordance with the law. However, soon afterwards an official commission visited the labour camp and the accusations against the four were reportedly withdrawn.

The number of known imprisoned conscientious objector prisoners rose to five, when Jehovah's Witness Navruz Nasyrlyayev was sentenced in the northern town of Dashoguz [Dashhowuz] on 7 December 2009 (see F18News 3 February 2010 http://www.forum18.org/Archive.php?article_id=1404).

However, after the commission left the labour camp, the four longest-serving Jehovah's Witness prisoners – Uchetov, Egendurdiev, Nasyrlyayev and Sakhetmurad Annamamedov – were each punished again, by being sentenced to one month's detention in the camp isolation punishment cells.

Literature confiscated

Parents of at least some of the Jehovah's Witness prisoners were able to visit them in labour camp in March. However, the parents were thoroughly searched before the meetings could take place and guards confiscated Bibles and other personal items from them, Jehovah's Witnesses complained to Forum 18.

Three conscientious objectors with non-custodial sentences

In addition to Petrenko, still serving non-custodial sentences are two other Jehovah's Witness conscientious objectors. Zafar Abdullaev and Dovran Kushmanov were given two-year suspended sentences by Dashoguz City Court in separate trials in April 2009. Both are living with restrictions on their movement and activity (see F18News 3 February 2010 http://www.forum18.org/Archive.php?article_id=1404).

No amnesty for conscientious objectors

The latest prisoner amnesty – for Victory Day – was signed by President Berdymukhamedov on 6 May, the government website reported. Unlike under previous amnesties, the list of those freed was not published in the state media.

However, the punishments meant that none of the five was eligible for the May prisoner amnesty, just as none of the then four prisoners had been included in the December 2009 amnesty (see F18News 3 February 2010 http://www.forum18.org/Archive.php?article_id=1404). Also not included were the three serving non-custodial sentences.

Some of Turkmenistan's religious prisoners of conscience were in the past eventually freed under amnesty. Five of the then seven religious believers with long sentences – one Muslim, one Baptist and three Jehovah's Witnesses – were amnestied in 2007. The Baptist, Vyacheslav Kalataevsky, was deported soon afterwards (see F18News 8 November 2007 http://www.forum18.org/Archive.php?article_id=1044).

The only person sentenced for exercising freedom of religion or belief who has since 2007 been amnestied was Jehovah's Witness conscientious objector Ashirgeldy Taganov. He was released from a suspended sentence in February 2008 (see F18News 14 February 2008 http://www.forum18.org/Archive.php?article_id=1088), after having been given an 18-month sentence in December 2007 (see F18News 10 January 2008 http://www.forum18.org/Archive.php?article_id=1069). (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 compilation of Organisation for Security and Co-operation in Europe (OSCE) freedom of religion or belief commitments can be found at http://www.forum18.org/Archive.php?article_id=1351.

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