

21 March 2014

## TURKMENISTAN: One-year prison term for latest conscientious objector

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

*A 23-year-old Jehovah's Witness Pavel Paymov became the seventh current known imprisoned conscientious objector when he was given a one-year prison term in Turkmenistan's capital Ashgabad on 26 February. He is believed still to be held at the pre-trial detention prison at Yashlyk, Jehovah's Witnesses told Forum 18 News Service. He is likely to be transferred to the labour camp at Seydi where imprisoned conscientious objectors generally are held. Five more conscientious objectors are serving suspended sentences. Fifteen current and former conscientious objector prisoners have lodged complaints to the United Nations Human Rights Committee over their imprisonment and maltreatment, including brutal beatings.*

A 23-year-old from the capital Ashgabad [Ashgabat] is the latest conscientious objector to Turkmenistan's compulsory military service to be imprisoned. Jehovah's Witness Pavel Paymov was sentenced to one year's imprisonment in February, Forum 18 News Service has learned. His imprisonment brings to seven the number of known jailed conscientious objectors. He is the second young man known to have been sentenced so far in 2014 to punish him for rejecting military service on grounds of conscience.

The man who on 20 March answered the telephone of Gurbanberdy Nursakhatov, Deputy Chair of the government's Gengesh (Council) for Religious Affairs in Ashgabad, repeatedly put the phone down as soon as Forum 18 introduced itself.

No alternative service

Turkmenistan offers no alternative to military service. Article 41 of the Constitution describes defence as a "sacred duty" of everyone and states that military service is compulsory for men. Military service for men between the ages of 18 and 27 is generally two years.

Forum 18 was unable to find out whether the Mejlis (Parliament) has any plans to change the law to introduce an alternative service for those unable to serve in the armed forces on grounds of conscience. On 20 March Forum 18 was unable to reach Pirnazar Hudainazarov, Chair of the Mejlis Legislative Committee, or Atamurad Tayliev, Chair of the Mejlis Committee on the Protection of Human Rights and Freedoms. The Novruz spring holiday began on 21 March.

Turkmenistan's refusal to recognise the right to refuse military service, which is part of the right to freedom of religion or belief, breaks the country's international human rights commitments, and was criticised in March 2012 by the United Nations Human Rights Committee (see F18News 18 April 2012 [http://www.forum18.org/Archive.php?article\\_id=1691](http://www.forum18.org/Archive.php?article_id=1691)).

At the end of the review of Turkmenistan's human rights record during the Universal Periodic Review (UPR) at the UN Human Rights Council in Geneva in April 2013, the Turkmen delegation promised to respond to the Human Rights Council by September 2013 on many UPR recommendations submitted by other governments, including one to "protect the rights of conscientious objectors" (see F18News 29 August 2013 [http://www.forum18.org/archive.php?article\\_id=1869](http://www.forum18.org/archive.php?article_id=1869)).

In its 4 September 2013 response to the UN (A/HRC/24/3/Add.1), the Turkmen government claimed to accept the recommendation which included a commitment to "protect the rights of conscientious objectors". It added that "the matters raised therein are currently being examined".

Jehovah's Witness representatives have repeatedly sought dialogue with the Turkmen government to try to end the imprisonment of young men who cannot serve in the military on grounds of religious conscience.

Imminent transfer to labour camp?

Paymov was sentenced on 26 February to one year's imprisonment at Ashgabad's Rukhabad District Court, Jehovah's Witnesses told Forum 18.

Like the other six other imprisoned conscientious objectors, he was convicted under Criminal Code Article 219, Part 1. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment (see Forum 18's Turkmenistan religious freedom survey [http://www.forum18.org/archive.php?article\\_id=1676](http://www.forum18.org/archive.php?article_id=1676)).

The chancellery of Ashgabad City Court told Forum 18 on 20 March that no appeal has been lodged in Paymov's case. Jehovah's Witnesses told Forum 18 that Paymov was waiting for the written verdict.

Paymov is believed still to be held at the pre-trial detention prison at Yashlyk in Akbugday District, 40 kms (25 miles) south-east of Ashgabad. He is likely to be transferred to serve his sentence in the labour camp in the desert near Seydi in the eastern Lebap Region, where imprisoned conscientious objectors have generally served their sentences.

Forum 18 was unable to find out when Paymov is to be transferred to labour camp. The duty officer at Akbugday District Police in Annau refused to give Forum 18 the number of the Yashlyk pre-trial detention prison.

#### Suspended sentence

Paymov is the second conscientious objector known to have been sentenced since the beginning of 2014.

On 6 January, 18-year-old fellow Ashgabad-based Jehovah's Witness Murat Sapargeldyyev was also brought to trial under Article 219, Part 1, Jehovah's Witnesses told Forum 18. Judge Shemshat Gurbanova found him guilty at the city's Bakhtiyarlyk District Court. However, she gave him a two-year suspended corrective labour sentence where one fifth of his income is to be handed to the state. Sapargeldyyev did not appeal against the sentence.

#### Seven known imprisoned conscientious objectors

Following Paymov's imprisonment, the seven current known imprisoned conscientious objectors (all Jehovah's Witnesses) are:

- 1) Navruz Nasyrlyev, aged 23, 2 years, Dashoguz Court, May 2012;
- 2) Dovran Matyakubov, aged 21, 2 years, Dashoguz Court, December 2012;
- 3) Matkarim Aminov, aged 22, 2 years, Dashoguz Court, January 2013;
- 4) Arslan Dovletov, aged 21, 18 months, Dashoguz Court, January 2013;
- 5) Amirlan Tolkachev, aged 21, 18 months, Turkmenabad Court, July 2013;
- 6) Suhrab Rahmanberdiyev, aged 18, 18 months, November 2013;
- 7) Pavel Paymov, aged 23, 1 year, Ashgabad Court, February 2014.

Dovletov and Tolkachev are in the general regime section of the Seydi labour camp. Nasyrlyev, Matyakubov and Aminov (who are all serving second sentences on the same charges) are in the strict regime section of the same camp. The address of the general regime Seydi Labour Camp is:

Turkmenistan

746222 Lebap vilayet

Seydi

uchr. LB-K/12

The strict regime camp has the same address, but with the code:

uchr. LB-K/11

#### UN appeals

Fifteen current and former conscientious objector prisoners lodged applications to the UN Human Rights Committee between September 2012 and August 2013 protesting against their imprisonment and maltreatment. The complaints note that especially in the Seydi Labour Camp, where most of the conscientious objector prisoners are held, they were regularly subjected to spells in the punishment cell and some were brutally beaten.

Jehovah's Witnesses regard a subsequent raid on the family home of one of the applicants and a second prison sentence on another as state reprisals for lodging the application (see F18News 29 August 2013 [http://www.forum18.org/archive.php?article\\_id=1869](http://www.forum18.org/archive.php?article_id=1869)).

"The Turkmen government has given brief responses to some of the applications," Jehovah's Witnesses told Forum 18 on 21 March. "We are waiting for the government response to a few additional cases." After these responses have been received or the deadline the government was given passes, the cases will go to the UN Human Rights Committee for decision.

Prison sentences end

Since December 2013, three conscientious objectors have been released from labour camp at the end of their sentences.

Yadgarbek Sharipov was freed on 25 December 2013 after completing a one-year sentence. Zafar Abdullaev was freed on 6 March after completing a two-year sentence, while Atamurat Suvkhanov was released on 13 March after completing a one-year sentence. All three are from Dashoguz Region of northern Turkmenistan. For Abdullaev and Suvkhanov, these were their second prison sentences for refusing compulsory military service.

Five suspended sentences

Following the suspended sentence handed down to Sapargeldyev, the five current known conscientious objectors serving suspended sentences (all Jehovah's Witnesses) are:

- 1) Merdan Tachmuradov, Dashoguz Court, 2 years, May 2012;
- 2) Nazargeldy Chariyev, Bereket (formerly Gazanjyk), 2 years, June 2012;
- 3) Jamshid Kurbanov, Dashoguz Court, 2 years, July 2012;
- 4) Begench Nabatov, Ashgabad Court, 2 years, August 2012;
- 5) Murat Sapargeldyev, Ashgabad Court, 2 years, January 2014.

During their suspended sentences, the young men are under tight restrictions. They must be home each night, cannot travel outside their home city without special permission, and one fifth of their income is handed to the state (see F18News 18 February 2013 [http://www.forum18.org/archive.php?article\\_id=1802](http://www.forum18.org/archive.php?article_id=1802)).

Other religious prisoners

Two other religious believers are known to be serving prison terms on criminal charges which their communities insist were imposed to punish them for their religious activity.

Jehovah's Witness Aibek Salayev was convicted in Dashoguz in April 2012 on apparently framed charges of "distributing pornography" and sentenced to four years' imprisonment. He is also being held in Seydi Labour Camp (see F18News 17 August 2012 [http://www.forum18.org/archive.php?article\\_id=1733](http://www.forum18.org/archive.php?article_id=1733)).

Protestant Umid Gojayevev was arrested in Dashoguz in April 2012 and sentenced the following month to four years' imprisonment on charges of hooliganism. His arrest followed an argument with neighbours, and local Protestants insist the criminal charges were brought disproportionately because of his religious beliefs. He too is being held in Seydi Labour Camp (see F18News 25 March 2013 [http://www.forum18.org/archive.php?article\\_id=1817](http://www.forum18.org/archive.php?article_id=1817)).

Fellow Protestants had been able to visit Gojayevev in labour camp until late 2013. At that time they were also not allowed to hand in a parcel for him, Protestants told Forum 18. They complain that, like most other religious prisoners, Gojayevev has been "deliberately" excluded from the regular prisoner amnesties.

There are also an unknown number of Muslim prisoners of conscience also jailed for exercising their freedom of religion or belief. Musa (last name unknown), a Muslim from Ashgabad who seems to have been imprisoned for teaching the Koran to children, was being held in Seydi Labour Camp at the beginning of 2012 (see F18News 20 February 2012 [http://www.forum18.org/Archive.php?article\\_id=1669](http://www.forum18.org/Archive.php?article_id=1669)). (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](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](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=1676](http://www.forum18.org/Archive.php?article_id=1676).

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](http://www.forum18.org/Archive.php?article_id=1351).

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