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TURKMENISTAN: Police violence, forcible injections, fabricated charges, four years jail for prisoner of conscience

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

For the third time in three years, a Jehovah's Witness in Turkmenistan has been given a four-year jail term on fabricated criminal charges for exercising his freedom of religion or belief. The latest victim is 42-year-old prisoner of conscience Bahram Shamuradov, sentenced on 2 July in the northern city of Dashoguz. Judge Gaigysyz Orazmuradov refused to tell Forum 18 News Service why he convicted with an apparent absence of verifiable evidence, claiming "it was all done in accordance with the law". In another case, fabricated charges of hooliganism have been lodged against Jehovah's Witness husband and wife Vepa Tuvakov and Bibi Rahmanova who were beaten by police and detained along with their four-year old son. If convicted they could each be jailed for up to five years. Also beaten in police custody in early July was another local Jehovah's Witness Mansur Masharipov. He was injected against his will with an unknown substance which caused partial paralysis, vomiting, fever and headaches. An urgent appeal about all these cases has been made to the UN Working Group on Arbitrary Detention and the Special Rapporteur on Freedom of Religion or Belief.

For the third time in three years, a Jehovah's Witness in Turkmenistan has been given a four-year prison term on a criminal charge of distributing pornography. His fellow believers insist the charge was fabricated to punish him for exercising his freedom of religion or belief. The latest victim is 42-year-old Bahram Shamuradov, sentenced on 2 July in the northern city of Dashoguz, Jehovah's Witnesses told Forum 18 News Service. He is already believed to have been transferred to the Labour Camp in the desert near Seydi in eastern Turkmenistan, where other prisoners of conscience are held.

In a separate case, criminal charges of hooliganism have been lodged against Jehovah's Witness husband and wife Vepa Tuvakov and Bibi Rahmanova. They also live in Dashoguz. If convicted, they could each be imprisoned for up to five years (see below).

During their detention in police custody, all three were beaten, Jehovah's Witnesses said. Also beaten in police custody in early July was another local Jehovah's Witness Mansur Masharipov. He was forcibly transferred to a Drug Rehabilitation Centre, and injected against his will with an unknown substance which caused partial paralysis, vomiting, fever and headaches (see below).

Planted "evidence"

Prisoner of conscience Shamuradov's fellow Jehovah's Witnesses reject the accusations against him. "It is well known that Jehovah's Witnesses shun pornography," Jehovah's Witnesses insisted to Forum 18. "The material allegedly found on Bahram Shamuradov's computer was planted, as was the case with two other Jehovah's Witnesses, Aibek Salayev and Vladimir Nuryllayev," Jehovah's Witnesses added.

Current prisoner of conscience Salayev was convicted in Dashoguz in April 2012 on framed charges and sentenced to four years' imprisonment. He is being held in Seydi Labour Camp and has been repeatedly beaten since his arrest (see F18News 17 August 2012 http://www.forum18.org/archive.php?article_id=1733). Former prisoner of conscience Nuryllayev was sentenced on 18 January 2012 to four years' imprisonment on framed charges but was freed under amnesty in May 2012 (see F18News 28 May 2012 http://www.forum18.org/Archive.php?article_id=1706). His attempts to clear his name were rejected in a "damaged and opened" official letter (see F18News 31 October 2012 http://www.forum18.org/archive.php?article_id=1761).

In all three cases, the police seized their victims' computers and then privately inspected them, without any independent witnesses, Jehovah's Witnesses note. After the inspection, which Jehovah's Witnesses note allowed ample opportunity for the planting of evidence, the police claimed they had found evidence for their charges.

In all three cases, the police subsequently "found" a witness who claimed to have purchased pornography from the accused. "In all three cases the alleged witness did not testify at the trials but the judges nonetheless relied on their written statements - which was prepared by the police - as 'evidence' that the accused is 'guilty'", Jehovah's Witnesses noted.

Arrest

Two police officers – one in uniform and one in plain clothes - detained Shamuradov as he was walking in central Dashoguz on 14 May. One of the officers had been involved in beatings of Jehovah's Witnesses on 24 January 2013 (see below) and immediately recognised Shamuradov. They stopped him and demanded to know where he was going. They claimed to be investigating a rape and demanded that Shamuradov be a witness to a search of a nearby house, Jehovah's Witnesses told Forum 18. With no choice, Shamuradov agreed.

After the search, the police then took Shamuradov to the police station near the central park in Dashoguz. There they pressured him to renounce his faith. When Shamuradov refused, the police demanded to inspect the bag he was carrying, which included his laptop computer. The police seized the laptop and took it to another location to "inspect" it. The officers later returned with the laptop claiming to have "found" pornography on it and stating that he would be charged with distributing this material.

Prosecutors lodged a criminal charge against Shamuradov under Criminal Code Article 164, Part 2. This punishes repeated preparation or distribution of pornography with up to five years' imprisonment.

"There is no such case"

Shamuradov was then taken to Dashoguz City Police Station where he was kept in pre-trial detention until his trial.

The duty officer at Dashoguz City Police refused to discuss any aspect of Shamuradov's treatment. "There is no such case," the officer – who would not give his name – insisted to Forum 18 on 31 July. "Don't ring here again," he added, before putting the phone down.

Four-year prison term

Shamuradov's trial began at Dashoguz City Court at about 4 pm on 2 July and was completed the same day. Judge Gaigysyz Orazmuradov rejected a motion by Shamuradov's lawyer for an expert study of the laptop.

The prosecution presented two "witnesses", but both testified in court that they had never met Shamuradov. They explained that they had each been called to the police station on 14 May as witnesses to the presence of the police's "evidence" on Shamuradov's computer, but neither was present when police first searched the computer.

The prosecutor also cited a written statement by a person called Rejep Saparbayev, who claimed to have bought pornography from Shamuradov on two occasions. However, the prosecution did not present him in court to be subjected to cross-examination by Shamuradov's lawyer, Jehovah's Witnesses told Forum 18. They state that the police prepared Saparbayev's statement.

Despite the lack of verifiable evidence, Judge Orazmuradov found Shamuradov guilty and sentenced him to four years' imprisonment, both Jehovah's Witnesses and the Court confirmed to Forum 18.

"It was all done in accordance with the law"

Judge Orazmuradov refused absolutely to discuss why he had convicted Shamuradov when there appears to have been an absence of evidence for the charges. "It was all done in accordance with the law," the judge claimed to Forum 18 from the court on 31 July. He then put the phone down. Subsequent calls went unanswered.

No written verdict

As of late July, the Court had not yet issued the verdict in writing, so the limited period allowed for lodging an appeal has not yet begun. Any appeal would have to be submitted to Dashoguz City Court to be passed on to Dashoguz Regional Court. The Chancellery of the City Court and also the Regional Court both confirmed to Forum 18 on 31 July that they had no record of the receipt of any appeal.

Jehovah's Witnesses told Forum 18 that an appeal on Shamuradov's behalf is due to be lodged in early August, whether or not the verdict is issued in writing.

Transfer to Seydi?

At some point after his sentencing, prisoner of conscience Shamuradov is thought to have been transferred to the Seydi Labour Camp from the Detention Centre in Dashoguz where he had been held. However, Forum 18 has been unable to find if and when Shamuradov was transferred from Dashoguz. The telephone of the duty officer at the Dashoguz Detention Centre went unanswered on 31 July and 1 August.

Seydi Labour Camp also holds other prisoners of conscience. In addition to Salayev – also serving a four-year sentence on fabricated

charges – the Camp also holds at least five of the six known imprisoned Jehovah's Witness conscientious objectors to compulsory military service. Three are in the general regime section of the Camp (Amirlan Tolkachev, Suhrab Rahmanberdiyev and Pavel Paymov). The other two (Dovran Matyakubov and Matkarim Aminov, who are serving second sentences on the same charges) are in the strict regime section of the Camp (see F18News 21 March 2014 http://www.forum18.org/archive.php?article_id=1940).

Also being held in the general regime section of Seydi Labour Camp is Dashoguz Protestant prisoner of conscience Umid Gojayev. He was sentenced in 2012 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 (see F18News 21 March 2014 http://www.forum18.org/archive.php?article_id=1940).

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

Retaliation for complaining to UN Human Rights Committee

Shamuradov was among a group of Jehovah's Witnesses detained and beaten by Dashoguz City police on 24 January 2013, apparently in retaliation for 10 complaints Jehovah's Witnesses filed against Turkmenistan with the United Nations (UN) Human Rights Committee. About 30 police raided the lead complainant's family home and six people were taken to a police station. All six were beaten and tortured, one of them severely. One detainee was threatened with being raped on a table in the police station. Three were then fined. Such official violence is common in Turkmenistan (see F18News 14 February 2013 http://www.forum18.org/archive.php?article_id=1801).

Jehovah's Witnesses submitted a further complaint to the UN Human Rights Committee on 6 February 2013 about the January 2013 attack. They also complained to Turkmenistan's General Prosecutor's Office.

Jehovah's Witnesses told Forum 18 they are "particularly concerned that Bahram Shamuradov was targeted by Dashoguz Police" because of the complaints.

More police beatings

In a separate case, six Dashoguz Police officers – only two of them in uniform - raided the home of 32-year-old Masharipov on the morning of 3 July, Jehovah's Witnesses told Forum 18. At least one officer held him while other officers search his flat, seizing his religious books and laptop computer.

Once the search was complete, one of the plain-clothed police officers grabbed Masharipov from behind by the neck, "choking him so he could not breathe, and then dragged him into a waiting vehicle". Once in the vehicle, the officers "began to beat him repeatedly on his head and on his body above his kidneys".

At 12 noon the police took Masharipov to Dashoguz City Police Station, where he was again beaten. From there he was taken to a supervisor's office where the police began to openly discuss what pretext they would use to justify placing him in detention. They brought in police officer Ruslan Jumaniyazov (who had been present during the raid), who said he would claim that Masharipov had ripped off his shoulder insignia while resisting arrest.

At 1 pm Masharipov was returned to Dashoguz City Police Station, where he was again beaten. "The police threatened they would place him in a 'harem' cell with male prisoners where he would be raped," Jehovah's Witnesses told Forum 18.

The police gave Masharipov a document in Turkmen, which he does not understand, and forced him to sign it. They claimed the document contained a report that they had seized religious books during the search of his flat. The officials included three officers from the Ministry of State Security (MSS) secret police and one representative of the religious affairs department of the Regional Hyakimlik (Administration).

Police again threatened that they would charge Masharipov with ripping off the insignia of a police officer, which under Criminal

Code Article 211 is punishable by imprisonment of up to two years. If inflicted with "violence" it is punishable with imprisonment of from three to eight years. Local policeman Merdan Khanov (also present during the raid) stated that he would testify to this effect.

In the afternoon, the police took Masharipov to Dashoguz City Prosecutor's Office. The prosecutor took a statement from Masharipov and he was then returned to Dashoguz City Police Station and again beaten.

The police duty officer refused to discuss any cases with Forum 18. Forum 18 was unable to reach Dashoguz City Prosecutor's Office.

Forcible injections

At 6 pm, police took Masharipov to the Drug Rehabilitation Centre in Dashoguz. "This was done as a pretext to justify his detention," Jehovah's Witnesses told Forum 18. "The medical staff administered four injections to Mansur Masharipov, one in each buttock and two below his shoulder blades". His arms and legs became paralysed and he vomited throughout that evening and the following day. He also began to suffer a high fever and severe headaches.

Forum 18 was unable to reach the Drug Rehabilitation Centre to find out what substance Masharipov was injected with, and what the medical reason for such injections (if any) might have been.

Masharipov was detained at the Drug Rehabilitation Centre from 6 pm on 3 July until 5 July. Fearing that he would again be drugged and beaten, he fled from the hospital. "He now fears for his life if he is caught by the police," Jehovah's Witnesses warn.

Forum 18 has seen photographic evidence of scars on Masharipov's arms, legs, stomach, back and one cheek which Jehovah's Witnesses say were inflicted on him in police detention. This evidence is also included in an urgent appeal about this and other cases lodged with the UN Working Group on Arbitrary Detention and the Special Rapporteur on Freedom of Religion or Belief in Geneva (see below).

Masharipov was sentenced in 2004 for refusing to do compulsory military service. He was freed in April 2005 under amnesty (see F18News 22 April 2005 http://www.forum18.org/archive.php?article_id=548).

There is evidence of the forcible "medical" injections of people exercising their human rights in Turkmenistan in the cases of: Jehovah's Witness prisoner of conscience Kurban Zakirov, who was, like former Baptist prisoner of conscience Shagildy Atakov, injected with psychotropic (mind-altering) drugs (see F18News 25 October 2004 http://www.forum18.org/archive.php?article_id=438); and in the case of non-religious prisoner of conscience Kakabai Tejenov (see F18News 4 December 2007 http://www.forum18.org/archive.php?article_id=1057).

Yet more police beatings and detentions

Dashoguz Police also detained 28-year-old Jehovah's Witness Tuvakov, his 33-year-old wife Rahmanova, and their four-year-old son late in the evening on 5 July. The family had gone to the city's train station to collect several bags of personal possessions sent to them from the capital Ashgabad [Ashgabat].

As soon as they had collected the bags, six male police officers in plain clothes approached the Tuvakov family. The police demanded to know the contents of the bags. "When the police discovered the bags contained religious literature and a laptop computer, they screamed obscene words at Vepa Tuvakov threatening that his son would soon be an orphan," Jehovah's Witnesses complained to Forum 18.

When Rahmanova began to record the police action on her mobile phone, the officers demanded that she hand it over. She refused and put her phone under her shirt. "The male police officers grabbed Bibi Rahmanova by the hands while another officer put his hand in her shirt," Jehovah's Witnesses complained to Forum 18. "She fell to the ground and the police grabbed her by the hair and began to beat her. They then lifted her shirt and took the mobile phone from her." The police also beat Tuvakov.

In the early hours of 6 July, the police took the family to Dashoguz City Police Station. They prepared a written statement which they demanded that Tuvakov sign, but he refused. The police then repeatedly beat him. The police detained Tuvakov in an office at the police station while they held Rahmanova and the couple's four-year-old son at the entrance of the police station.

At 9.30 am on 7 July the police released the Tuvakov's four-year-old son into the custody of a relative. At 5 pm that day Rahmanova was released. The following day, 8 July, she filed a complaint with the Dashoguz Prosecutor's Office against the police.

While at the police station, Rahmanova heard the police planning that they would charge her husband with assaulting a police officer, an offence under Criminal Code Article 211 (the same accusation police planned to use against Masharipov).

Tuvakov was later freed from Dashoguz City Police Station. Both he and his wife had to sign statements not to leave Dashoguz.

The police duty officer refused to discuss any cases with Forum 18. Forum 18 was unable to reach Dashoguz City Prosecutor's Office.

Criminal charges brought against the police's victims

On 31 July, Dashoguz Prosecutor's Office lodged charges against both Tuvakov and Rahmanova under Criminal Code Article 279, Part 2. This punishes hooliganism "connected with resisting a law enforcement officer" with a prison sentence of up to five years.

"Dashoguz Prosecutor's office alleges that husband and wife both tore off the insignia of a police officer when they were detained at the train station in Dashoguz," Jehovah's Witnesses told Forum 18. "This of course did not happen."

"Repeated target"

Tuvakov has been a "repeated target of the police", Jehovah's Witnesses note. In July 2004, he was imprisoned as a conscientious objector to military service, but was – like Masharipov - released in April 2005 under a presidential amnesty (see F18News 22 April 2005 http://www.forum18.org/archive.php?article_id=548). He was detained by police in September 2010, March 2012 and October 2012.

UN appeal

Jehovah's Witnesses have lodged an urgent appeal about all these cases to the UN Working Group on Arbitrary Detention and the Special Rapporteur on Freedom of Religion or Belief in Geneva. The 11 July appeal was after Shamuradov's sentencing and the arrest and beating of Tuvakov, Rahmanova and Masharipov, but before criminal charges were lodged against Tuvakov and Rahmanova.

The appeal – seen by Forum 18 – gives details of the abuses in the three cases and includes photographs of scars on Masharipov's arms, legs, stomach, back and one cheek which Jehovah's Witnesses say were inflicted on him in police detention. (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=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.

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