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## TURKMENISTAN: Religious freedom survey, April 2004

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

*In its survey analysis of the religious freedom situation in Turkmenistan, Forum 18 News Service reports on the almost complete lack of freedom to practice any faith, apart from very limited freedom for Sunni Islam and Russian Orthodox Christianity with a small number of registered places of worship and constant interference and control by the state. This is despite recent legal changes that in theory allow minority communities to register. All other communities - Baptist, Pentecostal, Adventist, Lutheran and other Protestants, as well as Shia Muslim, Armenian Apostolic, Jewish, Baha'i, Jehovah's Witness and Hare Krishna - are currently banned and their activity punishable under the administrative or criminal law. Religious meetings have been broken up, with raids in March on Jehovah's Witnesses and a Baha'i even as the government was proclaiming a new religious policy. Believers have been threatened, detained, beaten, fined and sacked from their jobs, while homes used for worship and religious literature have been confiscated. Although some minority communities have sought information on how to register under the new procedures, none has so far applied to register. It remains very doubtful that Turkmenistan will in practice allow religious faiths to be practiced freely.*

Despite legal changes in March that - at least theoretically - allow minority religious communities to register for the first time since 1997, Turkmenistan retains one of the harshest systems of state control over religious life of any of the former Soviet republics. Under the highly restrictive 1996 religion law, only two religious faiths were able to gain registration: communities of the state-backed Sunni Muslim Board and the Russian Orthodox Church. Amendments to the religion law enacted in October 2003 made all unregistered religious activity de jure illegal and a criminal offence. Unregistered religious activity was already being de facto treated as criminal activity. Baptist, Pentecostal, Adventist, Lutheran and other Protestant churches, as well as Shia Muslim, Armenian Apostolic, Jewish, Baha'i, Jehovah's Witness and Hare Krishna communities are among those whose activity is banned and punishable under the administrative or criminal law.

The surprise legal changes this year came at a time when Turkmenistan's government was under heavy international pressure over its human rights abuses. Key United Nations bodies had already condemned Turkmenistan's record and this was due to come up again at the UN Commission on Human Rights in Geneva, which opened on 15 March. The legal changes were heralded by a decree from President Saparmurat Niyazov on 11 March, the same day that the president met the visiting United States Deputy Assistant Secretary of State Lynn Pascoe, who had raised human rights concerns. A parallel decree issued at the same time eased exit requirements, a second key foreign concern.

The presidential religion decree abolished the requirement to have 500 adult citizen members before a community could apply for registration with the Adalat (Fairness or Justice) Ministry, explicitly allowing "religious groups of citizens" to register "independently of their number, faith and religion". However, Adalat Ministry officials immediately stressed to Forum 18 that unregistered activity remains a criminal offence.

The decree was followed up by amendments to the religion law, published on 24 March. The new law requires that "religious groups" must have between five and fifty adult citizen members to register, while "religious organisations" must have at least fifty. In theory at least, this removes the obstacle to registering non-Sunni Muslim and non-Orthodox communities.

Religious groups - especially those that have suffered years of persecution - were divided over the apparent liberalisation. Many were sceptical that a government that had persecuted them for so long could have had a genuine change of heart. But others were determined to at least try to register. Among groups which immediately sought information about the registration process from the Adalat Ministry or the government's Gengeshi (Council) for Religious Affairs were a number of Christian communities - including the Catholics, New Apostolic Church, Greater Grace, Church of Christ and Adventists - and the Baha'i community. The Russian Orthodox Church also signalled to Forum 18 that it might wish to register more parishes. However, many religious leaders stressed that until their communities have registered successfully they will not be convinced that anything has changed. One Jehovah's Witness representative in Russia - who maintains close contacts with fellow believers in Turkmenistan - told Forum 18 that they believe there is "no realistic chance" that their communities will get registration.

Serious questions were raised about the sincerity of the government's moves when, on 29 March, President Niyazov told officials of the Gengeshi - which runs the Muslim community for the government - that he was handing over three new mosques to it and that no further mosques would be allowed. This appears to bar both Sunni and Shia Muslim communities that have been denied

registration from taking advantage of the relaxation of the harsh registration requirements.

Even on the day the president issued his decree a Jehovah's Witness in the capital Ashgabat [Ashgabat] was summoned to the Gengeshi, where seven officials – including a mullah – pressured him to renounce his faith. He refused and was eventually allowed to leave, but he was sacked from his job, leaving his family with no breadwinner. Two days later more than twenty Jehovah's Witnesses attending a meeting in a private home in Ashgabat were taken to the police station and interrogated and threatened by police and secret police officers. In other March incidents, police confiscated a Bible and other religious literature from a Jehovah's Witness (who was also threatened with rape), and extracted money for a fine from another Witness which he claimed to have already paid last year. On 24 March secret police officers raided the home in the town of Balkanabad [Nebitdag] of a Baha'i, accusing him of "provoking schism" in society by his faith and threatening to confiscate his home. Believers are disturbed that these incidents have taken place when, officially, religious policy is claimed to be being relaxed after a long period of persecution.

In the past few years, religious meetings have been raided (with a spate of raids against Protestant and Hare Krishna communities during summer 2003 and intermittently since then), places used for worship have been confiscated or demolished and believers have been beaten, fined, detained, deported and sacked from their jobs in punishment for religious activity the government does not like. Some believers have been given long prison sentences in recent years for their religious activity (most of them Jehovah's Witnesses) or have been sent into internal exile to remote parts of the country.

Jehovah's Witness sources have told Forum 18 that at least five of their young men are serving imprisonment for refusing compulsory military service on grounds of religious conscience (Turkmenistan has no provision for alternative service). The most recent known prisoner is Jehovah's Witness Rinat Babadjanov, sentenced in February in Dashoguz to several years' imprisonment. Another Witness, Kurban Zakirov, is serving an eight-year sentence on charges the Jehovah's Witnesses say are trumped up.

Turkmenistan's restrictions on religious activity come despite constitutional guarantees of freedom of religion (repeated in the March presidential decree). The relevant article of the Constitution, article 11, reads:

"The state shall guarantee the freedom of religions and confessions and their equality before the law. Religious organisations shall be separate from the state and may not fulfill state functions. The state education system shall be separate from religious organisations and shall be a secular nature.

Everyone shall have the right independently to define his attitude toward religion, to profess any religion or not profess any either individually or jointly with others, to profess and disseminate beliefs associated with his attitude to religion, and to participate in the practice of religious cults, rituals, and rites."

Turkmenistan's restrictions on religious activity also break its obligations to maintain such freedom of religion as a member of the Organisation for Security and Cooperation in Europe (OSCE) and a signatory to international human rights conventions. The country has pointedly failed to respond to repeated requests from the UN Special Rapporteur on Freedom of Religion and Belief, Professor Abdelfattah Amor, to be allowed to visit the country or to respond to enquiries about specific incidents.

With an authoritarian ruler, President-for-life Niyazov (who likes to call himself "Turkmenbashi" or Father of the Turkmen), Turkmenistan already suffers from an absence of political and social freedom. State control was tightened even more in the wake of a failed assassination attempt on the president in November 2002, which some observers believe may have been staged to provide a pretext for repression. Niyazov's rule is characterised by a grotesque cult of personality, with ever-present statues and portraits. Works he allegedly wrote – especially the Ruhnama (Book of the Soul), which officials have likened to the Koran or the Bible – are compulsorily imposed on schools and the wider public. Russian Orthodox priests and Sunni Muslim imams are forced to quote approvingly from the Ruhnama in sermons, and to display it prominently in places of worship.

Turkmenistan's deliberate isolation from the outside world and the punitive measures taken against those engaged in unauthorised religious activity make religious freedom reporting very difficult. Believers often fear retribution for reporting their difficulties, and so Forum 18 is unable to give the names or identifying features of sources within the country.

Religious activity is overseen by the secret police's department for work with social organisations and religious groups. This department, formerly the sixth department of the National Security Committee (KNB), is one of the six or seven main departments of the State Security Ministry (MSS) and was created when the KNB was restructured in late 2002. The social and religious affairs department of the secret police is believed to have 45 officers at the headquarters in Ashgabat, with a handful of officers in each local branch.

Local MSS secret police officers regularly summon Muslim and Orthodox clerics to report on activity within their communities. Some believers have told Forum 18 that the MSS also runs "spies" in each Muslim and Orthodox community, sometimes as many as half a dozen. In addition to their spies – who attend the religious community solely at MSS behest to gain information – there might be another ten or fifteen believers who are regularly interviewed by MSS officers and forced to reveal details of the community's religious life.

The MSS secret police and the ordinary police also try to recruit spies in unregistered religious groups, such as with the attempted recruitment of a member of a Baptist church they had detained in June 2003 in Turkmenabad.

The Gengeshi for Religious Affairs – which is headed by an imam, Yagshimurat Atamuradov – has nominal responsibility for religious affairs, and has a headquarters in Ashgabad and branch offices in each of Turkmenistan's five velayats (regions). The Gengeshi's main job appears to be approving clerical appointments in the Sunni Muslim and Orthodox communities. "Imams are chosen by the Gengeshi and are then approved by the president," one source told Forum 18. Niyazov confirmed this in March 2004, when he instructed Gengeshi officials to make sure they appointed all imams, warning them not to allow local believers to do so.

The Adalat Ministry officially registers religious organisations, although until now it has had little work to do on this as so few applications have been approved anyway. Shirin Akhmedova, the official at the ministry in charge of registering religious organisations, told Forum 18 in March that 152 religious communities currently have registration, 140 of them Muslim and 12 Russian Orthodox. She admitted that far more religious communities had registration before 1997, when the harsh restrictions on registration came in (there were some 250 registered Muslim communities alone, as well as communities of many other faiths).

Unregistered religious communities face regular raids by MSS secret police officers, backed up by ordinary police officers, officials of the local administration and local religious affairs officials, who work closely together in suppressing and punishing as criminal all unregistered religious activity.

Even the two officially-recognised faiths – the Sunni Muslim Board and the Russian Orthodox Church – face government meddling and require government approval for the nomination of all officials. In January 2003 President Niyazov ousted the Chief Mufti, Nasrullah ibn Ibadullah, an ethnic Uzbek who had led Turkmenistan's Muslims for the previous ten years, and replaced him with the 35-year-old Kakageldy Vepaev, someone widely believed to be more pliant.

In the wake of his dismissal, Nasrullah ibn Ibadullah apparently lived quietly in his home town of Dashoguz until mid-January of this year, when he was arrested, apparently accused of being an accomplice in the apparent November 2002 assassination attempt. An MSS-compiled "confession" allegedly written in prison by the chief plotter, Boris Shikhmuradov, alleged that the former chief mufti had been a key associate with the code name "Rasputin". Nasrullah ibn Ibadullah was sentenced to 22 years' imprisonment at a closed trial in Ashgabad on 2 March. It remains unclear whether he was punished for his lack of enthusiasm for the president's book the Ruhnama, for taking part in the plot, or as a prominent member of the Uzbek minority.

Vepaev has taken over Nasrullah's role in enforcing the president's religious policy. His dual role – as a Muslim leader and a state official (he is also one of the deputy chairmen of the Gengeshi for Religious Affairs) – became all too apparent during the crackdown on Protestant and Hare Krishna communities in spring 2003: he personally took part in raids on Protestant churches in Ashgabad and in follow-up meetings at hyakimliks (local administrations) when church members were questioned and threatened. In a similar move, local mullahs have frequently been involved in raids on local religious minorities elsewhere in the country, threatening them and calling them to renounce their faith and, if they are ethnic Turkmens, to "return" to their ancestral faith.

Sunni Muslim mosques are reported to have seen attendance slump as, in response to government orders, imams placed copies of the Ruhnama in mosques with equal prominence as copies of the Koran. At least one mosque has been closed down after its imam refused to put the Ruhnama in a place of honour. The grand mosques constructed on the president's orders – and with state funds – are likewise reported to be largely empty, as Muslims decline to regard them as places of worship. Imams are, at least in theory, required to recite the oath of loyalty to the president and country at the end of the namaz (daily prayers). President Niyazov told Muslims in 2000 that they were to renounce the hadiths, sayings attributed to the Prophet Muhammad which do not appear in the Koran but are valued by devout Muslims.

Devout Muslims have expressed concern about the government-sponsored ousting of imams who have theological education in favour of those who have never been formally educated in Islam. In the past, imams were educated in neighbouring Uzbekistan, but that appears to have come to a halt. Even in areas dominated by Turkmenistan's ethnic Uzbek minority, such as in the Dashoguz [Dashhowuz] region of north-eastern Turkmenistan, the authorities have ousted ethnic Uzbek imams and replaced them with ethnic Turkmens.

One source told Forum 18 that the decline in the level of education among practising imams has led to a growth in respect for the artsakal, a traditional religious leader. "They have preserved their authority and people go to them for weddings and funerals," the source reported. "The authorities don't attack them."

Government tolerance of Sunni Islam has not extended to Shia Islam, which is mainly professed by the ethnic Azeri and Iranian minorities in the west of the country who are traditionally more devout than ethnic Turkmens. Shia mosques failed to gain re-registration during the compulsory round of re-registration in 1997 after the adoption of the much harsher law on religion and, judging by the president's remarks in March, appear unable to apply for registration now. An unregistered Shia mosque in the Caspian port city of Turkmenbashi [Türkmenbashy] was raided last December as local Shias commemorated the death of the former Azerbaijani president Heydar Aliyev.

The president's dislike of Shia Islam has also extended into history. Among the accusations levelled at the 78-year-old writer Rahim Esenov was that he had correctly portrayed Bayram Khan, a sixteenth-century regent of the Mughal Empire and the hero of one of his novels, as a Shia rather than a Sunni Muslim. Niyazov had warned Esenov in 1997 to amend his text, but the writer had refused to comply. Detained earlier this year, national security officers repeatedly asked him about why Bayram Khan was depicted as a Shia. Freed from prison in March under international pressure, Esenov awaits trial accused of inciting social, religious and ethnic hatred under Article 177 of the criminal code.

The Russian Orthodox Church, which is nominally under the control of the Church's Central Asian diocese led from the Uzbek capital Tashkent by Metropolitan Vladimir (Ikim), is in fact under the direct control of the Ashgabad-based priest Fr Andrei Sapunov, widely regarded with suspicion by members of the Orthodox Church and other Christian faiths who have suffered from his actions.

In an echo of the practice in Sunni Muslim mosques, Orthodox priests reportedly received instructions from the end of 2000 to quote from the Ruhnama in sermons and to "preach to us about the virtues of living in Turkmenistan and of the policies of Turkmenbashi," one parishioner complained.

Close to President Niyazov, Fr Sapunov frequently deploys the extravagant personal praise of the president required of all officials. Many Orthodox regard such statements as close to blasphemy. Some Orthodox have told Forum 18 that they have evidence he passes information received in the confessional - which the church teaches he should never reveal to anyone - to the secret police.

In addition to his duties in the Church, Fr Sapunov is also one of the deputy chairmen of the Gengeshi for Religious Affairs, with particular responsibility for Christian affairs. This gives him an official power of veto over the affairs of other Christian denominations. He is also well-known in the secret police, even to local officers outside Ashgabad. During numerous raids on Protestant churches in different regions, secret police officers have told the Protestants that they must gain permission from Fr Sapunov before they can operate.

The 1996 religion law specified that an individual religious community needed 500 signatures of adult citizen members before it could apply for registration. Officials repeatedly declared (although it was not specified in the law) that these 500 had to live in one city district or one rural district. This made it all but impossible for any new religious community to register, even if the government wished to allow it to. Most religious communities - including many mosques - lost their registration and had to close down in the wake of the new law. Most Islamic schools were also closed. It is so far unclear if the Adalat Ministry will register all those communities that now wish to register under the new religion law.

Article 205 of the Code of Administrative Offences, which dates back to the Soviet period, specifies fines for those refusing to register their religious communities of five to ten times the minimum monthly wage, with typical fines of 250,000 manats (363 Norwegian kroner, 44 Euros or 48 US dollars at the inflated official exchange rate). Fines can be doubled for repeat offenders. Many believers of a variety of faiths have been fined under this article, including a series of Baptists and Hare Krishna devotees last year after the series of raids on unregistered religious meetings.

There is a Catholic mission in Turkmenistan, based at the Vatican nunciature in Ashgabad. However, at present Catholics can only hold Masses on this Vatican diplomatic territory. The priests have diplomatic status.

One of the biggest religious communities that has been denied registration is the Armenian Apostolic Church. An estimated fifteen per cent of those who attend Russian Orthodox churches are said by local people to be Armenians, although the Armenian Church is of the Oriental family of Christian Churches, not of the Orthodox family. "Sapunov told parish priests to accept Armenian believers," one local Orthodox told Forum 18. However, the Orthodox Church would stand to lose a sizeable proportion of its flock were the government to allow the Armenian Church to revive its activity.

The one surviving pre-revolutionary Armenian church - in the Caspian port city of Turkmenbashi - is said to be in a "sorry state of repair". The Armenian ambassador to Turkmenistan has repeatedly sought permission for it to be restored and reopened as a place of worship but in vain. When the Armenian priest last visited from neighbouring Uzbekistan he had to conduct baptisms and hold services in the Armenian embassy in Ashgabad. Some Armenians expect that the new law will allow the community finally to register and regain its church.

Religious parents - Muslim, Christian and members of other faiths - face a dilemma over whether to send their children to state-run schools. With the Ruhnama playing a major role in the school curriculum from the very first year, together with recitation of the oath of loyalty to the country and president, many religious parents do not wish to subject their children to blasphemous practices. The oath of loyalty, which is printed at the top of daily newspapers, reads:

"Turkmenistan, beloved homeland, my native land, both in my thoughts and in my heart I am eternally with you. For the slightest evil caused to you, let my hand be cut off. For the slightest calumny against you, may my tongue lose its strength. In the moment of treachery to the fatherland, to the president, to your holy banner, let my breathing cease."

After the adoption in July 2002 of the law on guarantees of the rights of the child, the unregistered Baptist Church complained bitterly about Article 24 part 2 which declared: "Parents or the legal representatives of the child are obliged (...) to bring him up in a spirit of humanism and the unshakeable spiritual values embodied in the holy Ruhnama." Pointing out that officials are promoting the Ruhnama as "the last word of God to the Turkmen people", the Baptists declared: "In practice this law is a direct infringement on the freedom of conscience of citizens professing faith in Jesus Christ or another faith not recognised by the state."

Orthodox Christians echo the Baptists' concerns, telling Forum 18 that the issue has put Russian Orthodox priests in a difficult position. "Worried parents have come to their priests," one Orthodox Christian reported. "The priest can't tell his parishioners not to send their children to school. All he can do is tell them to do as their conscience dictates." Some parents have begun to teach their children privately at home.

The obstructions to travel abroad have made it difficult to take part in international gatherings. In March border guards took two female Jehovah's Witnesses off the aeroplane at Ashgabad airport while on route to a Jehovah's Witness meeting in Kiev. They were barred from leaving the country.

Believers who want to receive information from fellow-believers abroad face virtually insurmountable obstacles. Access to the Internet is possible only via state providers that exert strict control over what information can be accessed. The majority of international religious websites are simply not accessible by an Internet user in Turkmenistan. Moreover, a special computer program searches emails for coded words that could be used to send "unreliable information", while "a suspicious message" will simply not reach the addressee.

Religious literature is no longer published in Turkmenistan. Mosques and Russian Orthodox churches often have small kiosks where a limited quantity of literature is available. A typical Orthodox church bookstall might have a few prayer books, small icons and calendars, with the Bible available only erratically – and often, at about 12 US dollars, too expensive for the badly-paid local people. Supplies of religious literature and articles to Orthodox churches are equally erratic, with no official distribution of books, icons, candles and baptismal crosses.

Orthodox believers trying to receive alternative information are in a more difficult situation than Sunni Muslims. Under a September 2002 presidential decree, direct subscription to Russian newspapers and magazines, including religious publications such as the Journal of the Moscow Patriarchate, is banned in Turkmenistan. Even Orthodox priests do not receive the Journal regularly, being forced to rely on old copies they pick up when they are visiting Moscow or Tashkent.

Of the Russian television channels, only a few hours a day of the ORT channel are broadcast, and then only with a day's delay after programmes have been approved by a censor. Currently there are a number of broadcasts on Russian television covering Orthodox issues. The broadcast of Russian cable programmes is forbidden in Turkmenistan, so that unlike in other Central Asian states, local Orthodox believers cannot use this as an alternative source of religious news.

Officials have not simply restricted themselves to banning the receipt of political information from the former metropolis. Purely religious communications between local Orthodox believers and Russia have inevitably also been obstructed. As Turkmenistan has become even more isolated from Russia, individual Orthodox believers have become more isolated from the Moscow Patriarchate.

Religious literature is routinely confiscated from members of unregistered religious minorities during police raids on their homes or as they return to the country from foreign travels.

With sweeping measures against religious groups in the wake of the harsher religion law in 1996, the denial of registration to most religious communities in the 1997 re-registration drive, the expulsion of hundreds of foreigners, mainly Russians, engaged in religious activity (including Muslims, Baptists, Pentecostals, Jehovah's Witnesses and Hare Krishna devotees), the confiscation or demolition of unauthorised places of worship (including Ashgabad's Adventist church in November 1999), the sacking of believers from their work (especially Jehovah's Witnesses and Protestants) and a climate of fear only slightly tempered by the promised registration of minority faiths, the Turkmen authorities have succeeded in all but wiping out public religious activity except in a small number of registered Sunni Muslim and Russian Orthodox places of worship.

All other religious activity has of necessity to be shrouded in secrecy, with believers having to hide their faith and worship from the knowledge of intrusive state officials. In response to the pressure, all unregistered communities have seen the numbers of their active members fall. Yet despite the severe controls and the threat of punishment, the remaining believers practice their various faiths as best they can while waiting for better times.

The changes to the law this year show that concerted pressure on the Turkmenistan authorities from outside has led to a public change of the proclaimed policy. However, for religious believers to see real and not spurious change, Turkmenistan will have to:

- register all religious communities that apply for registration without discrimination;
- decriminalise unregistered religious activity (including abolishing the criminal and civil code articles which punish unregistered

religious activity);

- free believers in prison for their faith;
- stop interfering with the beliefs and internal affairs of religious communities;
- end secret police and ordinary police raids on private homes where believers are meeting for worship;
- end interrogations of and fines on believers;
- compensate people fined for practising their faith;
- reinstate believers fired from their jobs for their membership of religious communities;
- bring to legal accountability all those responsible for raiding religious meetings and beating and otherwise punishing believers for exercising their faith;
- allow believers to publish and distribute religious literature;
- and permit believers to freely give voluntary religious education.

Only if the authorities follow, and not continue to break, the international human rights obligations they have signed up to, will believers in Turkmenistan believe that the situation has changed irrevocably for the better. (END)

The current Forum 18 religious freedom survey of Turkmenistan is available at <http://www.forum18.org/Analyses.php?region=32>.

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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If you need to contact F18News, please email us at:  
f18news @ editor.forum18.org

Forum 18  
Postboks 6603  
Rodeløkka  
N-0502 Oslo  
NORWAY