

14 May 2007

TURKMENISTAN: Baptist prisoner of conscience jailed for three years

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

Turkmenistan has today (14 May) jailed a Baptist, Vyacheslav Kalataevsky, for three years in a labour camp, Forum 18 News Service has learnt. The official reason for the jail sentence is illegally crossing the border, after being deported for "establishing a prayer house and by organising meetings of Christian Baptists". Before and during this month's trial, Turkmen authorities asked many questions about Kalataevsky's Baptist congregation, such as how many people attend, who they are and how many of them are children. While Kalataevsky's trial took place, the UN High Commissioner for Human Rights, Louise Arbour, was visiting Turkmenistan. "President Gurbanguly Berdimukhammedov told Louise Arbour that all conventions and human rights principles are respected," the family told Forum 18. "Our lawyer spoke up in court asking why, if this is so, Vyacheslav's case was now in court." Meanwhile, Merdan Shirmedov, who is also a Baptist, is still being denied permission to leave Turkmenistan to join his pregnant wife in the USA. The family's first child is due to be born on 25 May.

Vyacheslav Kalataevsky, a Baptist leader from the Caspian Sea port of Turkmenbashi [Türkmenbashi] (formerly Krasnovodsk), was today (14 May) given a three-year labour camp sentence for illegally crossing the border in 2001. His family have insisted to Forum 18 News Service that the sentence was imposed to punish him for his activity with the unregistered Baptist congregation in the city. "Vyacheslav told the court today in his closing statement that officials have a hostile attitude to him because of his faith," they reported in the wake of the final hearing. "This is backed up by the fact that as soon as he was arrested in March, the questions were all about his religious activity, not about crossing the border."

The sentence was handed down by Judge Bayram Mukhamedov at Turkmenbashi city court after a trial that began on 7 May. Kalataevsky was sentenced under Article 214 of the Criminal Code, which prescribes a punishment of up to two years' imprisonment for first time offenders acting on their own. It remains unclear how he received a three-year sentence. "The whole case has been riddled with such illegalities," Kalataevsky's family complained to Forum 18 (see eg. F18News 23 April 2007 http://www.forum18.org/Archive.php?article_id=946).

Family members – who were able to attend successive hearings – added that Kalataevsky will appeal against the sentence within the prescribed ten-day period, although the written verdict will not be handed down for another three days. They say he is still being held in prison in Turkmenbashi pending the appeal. "Both Vyacheslav's fellow prisoners and his guards treat him with respect – they know he's not guilty," family members told Forum 18.

The family insists that the whole case was brought at the instigation of the Ministry of State Security (MSS) secret police to punish him for his religious activity. "The court merely fulfilled the instructions of the State Security Ministry." The family added that Kalataevsky's lawyer had herself been summoned by the local MSS chief during the case.

Forum 18 reached the telephone of Judge Mukhamedov on 14 May. The man who answered, who did not give his name, put the phone down as soon as Forum 18 explained who was calling and asked why Kalataevsky had been imprisoned. The telephone at the reception of the Turkmenbashi city branch of the MSS secret police went unanswered on 14 May.

Kalataevsky – who celebrated his 49th birthday in prison on 14 April while awaiting trial – was born in the then Krasnovodsk but holds a Ukrainian passport, as the family was living in Ukraine when the Soviet Union broke up in 1991. A leading member of the congregation in Turkmenbashi of the Council of Churches Baptists, he was summarily deported to Kazakhstan in 2001 as the authorities completed their campaign of expelling all foreign citizens prominent in Muslim, Protestant, Jehovah's Witness and Hare Krishna communities. At that time, all non-Muslim and non-Russian Orthodox religious activity was illegal in Turkmenistan. Even today, the activities of the Council of Churches Baptists remain illegal, as all unregistered religious activity in Turkmenistan is illegal. Council of Churches Baptists refuse on principle to register their communities with state authorities.

Kalataevsky was arrested on 12 March and his case was immediately assigned to an MSS investigator, Selbi Charyeva. Reached back in March, she refused absolutely to discuss Kalataevsky's case with Forum 18 (see F18News 29 March 2007 http://www.forum18.org/Archive.php?article_id=938). Kalataevsky's family complain that it was not until his fifth day in detention

that he was told why he had been arrested, although this should be made clear within three days of arrest.

The family say that the lawyer they engaged to defend Kalataevsky presented the case well, but complain that the court did not listen to her or to Kalataevsky's own testimony. "Vyacheslav told the court that he had been taken across the border without any deportation document and was just dumped with no documents at all and no money in Kazakhstan," they told Forum 18. "He told the court that he had to live on the streets there and was then told he had to clear out of the country within 24 hours if he didn't want trouble. Where else could he go except back to his family in Turkmenistan?"

The family added that the court refused their lawyer's request for officials of the police or Migration Service to be summoned to court to explain proper deportation procedures. "The prosecution insisted this was not necessary." The family report that at the hearing on 7 May, the prosecution posed many questions about Kalataevsky's Baptist congregation, asking how many people attend, who they are and how many of them are children.

The family note that the original June 2001 hyakimlik (district administration) decision to deport Kalataevsky made it clear that he was being deported not only for alleged violations of the presidential decree on visas. The decision stated that he was being deported "for violating the law of Turkmenistan on religious organisations by establishing a prayer house and by organising meetings of Christian Baptists".

The last known deportation in punishment for religious activity was of Aleksandr Frolov, a Baptist who lived with his wife, a Turkmen citizen, and their two young children in the north-eastern town of Turkmenabad (formerly Charjew [Charjew]). A Russian citizen, he was deported - thus splitting up the family - in June 2006 (see F18News 14 June 2006 http://www.forum18.org/Archive.php?article_id=799).

Kalataevsky's family point out that, as his trial was taking place, the United Nations High Commissioner for Human Rights, Louise Arbour, was visiting Turkmenistan. "They wrote in the papers here that President Gurbanguly Berdymukhammedov told Louise Arbour that all conventions and human rights principles are respected," they told Forum 18. "Our lawyer spoke up in court asking why, if this is so, Vyacheslav's case was now in court."

Following the death of the former President, Saparmurat Niyazov, religious believers and human rights activists inside and outside the country noted that officials have a vested interest in continuing to attack religious freedom (see F18News 21 December 2006 http://www.forum18.org/Archive.php?article_id=894).

Meanwhile, Merdan Shirmedov, a Protestant from the northern town of Dashoguz [Dashhowuz] who has been denied permission to leave Turkmenistan to join his pregnant wife in the United States, is still no nearer finding out why he is on the exit ban list.

His wife, Wendy Lucas, told Forum 18 from the United States on 14 May that Shirmedov lodged a request with the court in Dashoguz to try to find out why he has been denied permission to leave his homeland. However, the court said it knew nothing. He then lodged a similar request with a court in Ashgabad, but is yet to have a response. "It would be wonderful to be back together again," Lucas told Forum 18, "especially as the due date for the birth of our first child is 25 May."

Meret Orazov, the Turkmen ambassador in Washington, has failed to respond to Forum 18's 23 April written request for information as to why Shirmedov is being denied permission to leave Turkmenistan (see F18News 23 April 2007 http://www.forum18.org/Archive.php?article_id=946).

Vyacheslav Kalataevsky is the only current Baptist prisoner of conscience in Turkmenistan. Baptists – as well as Jehovah's Witnesses and Hare Krishna devotees – imprisoned in earlier years have now been freed. The most recent religious prisoner of conscience to be freed was Hare Krishna devotee Cheper Annaniyazova, who was released in October 2006 but who remains under tight restrictions (see F18News 24 October 2006 http://www.forum18.org/Archive.php?article_id=860).

Also imprisoned is the former chief mufti Nasrullah ibn Ibadullah, who was sentenced at a closed trial in Ashgabad in March 2004 and whose family is increasingly concerned that it has had no recent news about him (see F18News 16 February 2007 http://www.forum18.org/Archive.php?article_id=914).

Kalataevsky's wife Valentina, who suffers from asthma, and the five of their seven children who still live at home are now worried that the local hyakimlik (administration) might be trying to evict them. On 7 May several local people whose homes had just been demolished in further city redevelopment plans arrived at the flat telling the family that the hyakimlik had sent them there to claim the flat. "We had to tell them it was our flat and we have every right to remain," the family told Forum 18. "Our earlier home had itself been demolished in city reconstruction and we were then assigned the flat."

Meanwhile, on 7 May President Berdymukhammedov awarded the Altyn Asyr (Golden Age) Award Level 1 to Murat Karriyev, the veteran deputy chair of the government's Gengeshi (Committee) for Religious Affairs, to mark his 75th birthday. (He is not to be confused with the current Justice Minister, who is also called Murat Karriyev.) Both religious believers and international observers have told Forum 18 that although the nominal deputy chair, Karriyev is the most powerful official in the committee.

Over the past decade Karriyev had implemented the harsh religion policy devised by the previous president, Saparmurat Niyazov. The Muslim community is entirely controlled from within by committee officials, who name and remove all imams, while all other religious communities remain under tight control by the committee and by the police and secret police. Between 1997 and 2003, no non-Muslim or non-Orthodox religious communities were allowed to exist (see F18News 18 October 2005 http://www.forum18.org/Archive.php?article_id=672).

The government said Karriyev had been honoured for his "extraordinary services" to the country and his "conscientious and sustained work" over many years. (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 more background, see Forum 18's Turkmenistan religious freedom survey at http://www.forum18.org/Archive.php?article_id=672

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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