

WRITTEN STATEMENT ON TURKMENISTAN
BY THE EUROPEAN ASSOCIATION OF JEHOVAH'S CHRISTIAN WITNESSES

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Legal Status

Jehovah's Witnesses are not registered in Turkmenistan. In October 2005, Jehovah's Witnesses made three attempts to meet with the registration authorities but without success. Each time the authorities presented an excuse as to why they could not meet. The latest meeting with the Ministry of Justice in July 2007 was a positive one, and Jehovah's Witnesses were given a recommendation to apply for registration, which they intend to do.

Abuses of Religious Freedom

Religious Persecution

Prior to the sudden death of President Niyazov in December 2006, Jehovah's Witnesses enjoyed a period of relative calm when compared to the persecution they had experienced in the past. However, since the inauguration of the new president, Gurbanguly Berdymukhammedov, reports of some persecution have again emerged.

April 2007 was reported to be the most difficult period in a long time. There were arrests all over the country and a number of Jehovah's Witnesses were summoned to police stations and to appear before the local administration. Reportedly, the Ministry of National Security has Jehovah's Witnesses on its agenda because of the lack of registration. Cases of persecution are usually initiated by the local administration that is actively supported by the local police as well as by officers from the Ministry of National Security. Those Jehovah's Witnesses who still work at state agencies are being pressured to leave their jobs and many have been dismissed or have had their contracts discontinued merely because their religion is not registered by the State.

The latest tendency in Turkmenistan regarding Jehovah's Witnesses has been to enforce the sentences on old cases. A number of Witnesses have been summoned to police stations in connection with incidents that took place several years ago. The police and representatives of the Ministry of National Security turn information over to the local administrations, which then instigate cases against Jehovah's Witnesses. The average fine now being issued to Jehovah's Witnesses has doubled—from \$50 U.S. to \$100 U.S. Appeals filed by Jehovah's Witnesses to higher courts are standardly rejected. The courts are no longer satisfied with issuing fines, but bailiffs have been enlisted to follow through with collecting the payments, which the defendants usually have refused to pay because they consider the fines illegal. In a few cases personal property has been inventoried for confiscation to cover unpaid fines. Some fines were issued as long as three years ago but are only now being enforced. Similar operations are being conducted throughout the country. Detailed eyewitness accounts of incidents during 2007 follow.

- On January 29, 2007, I. Ovekov, one of Jehovah's Witnesses from Balkanabat, was summoned to the 6th Police Department (which handles organized crime and terrorism) to be interviewed by H. Ashirov, an officer from the Religious Affairs Department. In February, Ovekov and his wife were summoned again to the 6th Police Department, this time to speak with Officer Parakhat Muradov. They were threatened with dismissal from work as well as prison terms. Afterwards Ovekov was summoned to court, although for an unknown reason there was no hearing and the case was dismissed. Soon thereafter, the workers at Ovekov's workplace were assembled together and he was publicly humiliated and threatened with dismissal.

- On March 17, 2007, at 12:00 a.m. two police officers, Akmurad Nepesov and Parakhat Charyyev, visited the home of Makhrigozel Saparova and Vitaliy Khodzhayev, a married couple—both of whom are Jehovah's Witnesses—who live in Ashgabat. They handed them an investigation summons, instructing them to report to the local police station. The summons had neither signature nor stamp nor name of the investigator. The couple went to the police station immediately and learned that they would be kept there until 2.30 p.m. Afterwards they were taken by car to the Azatlyksk District Court of Ashgabat. At 4:00 p.m. they were called into the office of the judge, Dzhumamurad Charyyevich Achilov, who ruled that they had committed violations stipulated in Article 205 regarding religious organizations. A writ was therefore issued stating that Makhrigozel Saparova and Vitaliy Khodzhayev were guilty of violating Articles 214, 270, 273, 274, and 278. They were fined 1,250,000 manat each (approximately \$53 US).

Since then representatives of the Ministry of National Security have urged the management to dismiss Makhrigozel Saparova from her employment where she works as a doctor.

- At noon on March 17, 2007, two police officers, A. Nepesov and P. Charyyev, took V. Khodzhayev and his wife M. Saparova, both Jehovah's Witnesses from Ashgabat, to the local police station where they were held until 2.45 p.m. From the police station they were escorted to the Ashgabat District Court where a hearing was conducted at 4:00 p.m. The judge, D. Achilov, issued a decision to fine the Witnesses 1,250,000 manat each.
- On April 2, 2007, Jehovah's Witnesses around the world observed the Memorial of Christ's death, which is their most important annual celebration.

Ashgabat: After the conclusion of the Memorial observance in Ashgabat that had been held in an apartment, those in attendance started to leave. However, officers from law-enforcement agencies blocked the stairway exit with four vehicles. The officers were wearing civilian clothes and without producing any documents tried to force the people into the cars in order to drive them to the police station. Bags were searched and Bibles and songbooks were confiscated. Since many refused to get into the vehicles, the officers used force. The next day, one 73-year-old Witness even had bruises on her arms because of the rough treatment. Children who were with their parents were frightened and cried. Parents urged that their children be released and the officers agreed to release some of them. Three children however were forced to accompany their parents to the police station and to stay there until 11.30 p.m. Those who refused to get into the cars were escorted to the police station on foot. At the police station, written statements were required. In addition to the police officers, representatives from the local mayor's office, from the Religious Affairs Department, a local Muslim imam, as well as an officer from the Ministry of National Security were present.

Turkmenabat: On April 2, 2007, at 8.40 p.m. eight police officers and eight officers in civilian clothes burst into the apartment of Maral Dzhorayeva, one of Jehovah's Witnesses from Turkmenabat. Without producing identification, the officers carried out a search of her home. Only one of the officers was identified—Lieutenant Yusup Rakhmanov. Dzhorayeva along with her guests (fellow believers Babamurat Seidov, Bazargul Babamuradova, and Makhym Khodzhamuradova, as well as six other persons who were not Jehovah's Witnesses) had been observing the Memorial of Christ's death. Six children were also present. Their Bibles, religious literature, and notebooks were confiscated. The police also took Dzhorayeva's passport. All those in attendance were taken to the police station (Department for Organized Crime and Terrorism) in the Central microrayon, where they were interrogated, threatened, and forced to make written statements. The children were crying and were interrogated without their parents' consent. All were released at 11.15 p.m. Instead of issuing a receipt for the confiscated personal items, those present were instructed to appear at the 2nd Police Department on April 5, 2007 at 8.30 a.m.

- On April 9, 2007, Anna Karayeva, one of Jehovah's Witnesses from Ashgabat, received a phone call from the City Administration with a request to report to the Religious Affairs Department. Since no official summons was issued she refused to go. On April 11, 2007 the district police officer brought her a summons. Over a period of two hours a commission of five persons interrogated her with questions such as: "Why do you intrude on Muslim families, break them up, and exhort young men not to take up arms?" The commission wanted to issue a 1,250,000-manat fine but Karayeva stated that she would refuse to pay. She also refused to make a written statement. At the beginning of April, Karayeva was dismissed from her employment because of pressure from officers of the Ministry of National Security who forced her to sign a notice stating she had voluntarily resigned.

- On April 11, 2007, at 8:00 a.m. Lieutenant Nursakhat Omurzakov along with another police officer burst into the apartment of S. Rozyyeva, G. Azimova and G. Rozyyeva—three women who are Jehovah's Witnesses and live together in an apartment in Turkmenabat. The police officers were very rough and used obscene language. One of the Witnesses was body-searched and her private parts were touched. The women were taken to the police station and kept there until 1.30 p.m. The apartment was searched in the tenants' absence and two passports were confiscated. Currently materials against two of the Witnesses have been filed in court with charges under Article 205, on violations regarding religious organizations.

Rozyyeva filed a complaint with the prosecutor's office of the Niyazov etrap (district) of Turkmenabat regarding the police actions. The prosecutor, Y. Gylydzhev, heard her complaint and agreed that the confiscation of her passport was illegal. He was willing to help get the passport returned. However, after the prosecutor called in the district police officer and listened to him, he changed his mind, accused Rozyyeva of lying and said that he would help the police file the case in court so that she would be fined.

- On April 11, 2007, officers from the 6th Police Department came to the private home of one of Jehovah's Witnesses in Balkanabat where a religious meeting was being held. All those present—namely N. Berdyeva, K. Selifanov, G. Khalnazarova, A. Koval, L. Toydzhanova, and N. Sharipova—were taken to the police station where their personal belongings were searched. They were threatened with dismissal from work and 15 days detention. They were summoned to appear the next day and were released at 11:00 p.m.

On April 12, 2007, the interrogation continued and then the case was turned over to the Balkanabat District Court. The hearing took place on April 19, 2007, at 3:00 p.m., before Judges A. Khodzhiyeva, G. Shikhiyeva, and S. Kadyrova. The Witnesses were fined 1,250,000 manat each (approximately \$53 U.S.).

It took a long time before the Witnesses received a copy of the written court decision. The bailiffs, however, came very quickly to make an inventory of private property to be confiscated for the fines—from K. Selifanov items with a value of 2,000,000 manat, and from each of the others, items with a value of 1,250,000 manat. The fines totaled 7,000,000 manat (about \$300 U.S.), which is a very large sum of money in Balkanabat. The fines were especially harsh for Selifanov, Berdyeva, and Khalnazarova who are all members of just one family. Such fines exceed their financial possibilities.

In Balkanabat, Parakhat Muradov, an officer of the 6th Police Department has been especially active with instigating administrative cases against Jehovah's Witnesses.

- On April 13, 2007, two police officers and one officer in civilian clothes came to the home of Mukhammed Annayev, one of Jehovah's Witnesses living in Ashgabat, and required that he come to the police station. When he objected the police threatened to use force, so he agreed. He was kept

at the police station for over two hours. During all this time he was shouted at, pressured, humiliated and interrogated with questions such as: "Why are you not registered?" "Why did you abandon the Muslim faith?"

- On April 17, 2007, at 5 p.m., when Rinat Babadzhanov, one of Jehovah's Witnesses, came to his home in Dashhowuz, he found the district police officer, Senior Lieutenant Nury Adyshev, carrying out a search of his room without having any permission. Adyshev confiscated Babadzhanov's Bible and religious literature. Afterwards, Babadzhanov was summoned to the mayor's office where he was fined 1,250,000 manat (approximately \$53 US).

Conscientious Objection to Military Service

Since April 16, 2005, when the former president of Turkmenistan released the last remaining Witness prisoners by a special amnesty, no conscientious objectors who are Jehovah's Witnesses were imprisoned or sentenced until 2007. Some young Witnesses were taken by force to military units and detention centers for conscripts evading military service where they were mistreated in various ways. Some were closed into psychiatric institutions for a period of time.

Now several prison sentences have been issued although all of them have been suspended.

- On June 14, 2007, two of Jehovah's Witnesses from Ashgabat—Nuryagdy Gayyrov (born in 1980) and Bayram Ashirgeldyyev (born in 1987)—were taken into custody in connection with their conscientious objection to military service. The investigator stated that they are charged with evading military service under Article 219(1) of the Criminal Code of Turkmenistan and their cases are being prepared for court. Gayyrov already served a prison sentence for conscientious objection. He was first detained on December 16, 1999; sentenced on January 19, 2000, to one year in prison; and released after serving most of his sentence on November 11, 2000. This is the first time that Ashirgeldyyev is being charged.

Ashirgeldyyev was given a suspended two-year prison sentence and released on July 20, 2007, after spending 35 days in pretrial detention.

Gayyrov was sentenced to 18 months in prison but after the prosecutor appealed the ruling the prison term was changed into one-year suspended sentence and he was released on July 23, 2007.

Individuals given suspended sentences are required to live at their officially registered home address, report at the police station twice a week and be at home every night by 8 p.m. They are not allowed to leave the city.

- On July 18, 2007, Aleksandr Zuyev, who already served a prison term for conscientious objection to military service in 2000-2007, was given a new suspended prison sentence for two years.

- On August 7, 2007, Suleyman Adayev was sentenced to 18 months in prison for his conscientious objection and he was taken into custody immediately from the courtroom in his hometown Mary. He was suddenly released on September 12, 2007, and the prison term was commuted to a two-year suspended sentence with compulsory labour.

- On September 12, 2007, Begench Shakhmuradov from Ashgabat, was given a two-year suspended sentence for his conscientious objection to military service.