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European Association of Jehovah's Witnesses

T U R K M E N I S T A N

# RELIGIOUS FREEDOM ISSUES

STATEMENT BY THE  
EUROPEAN ASSOCIATION OF  
JEHOVAH'S WITNESSES

OSCE Human  
Dimension  
Implementation  
Meeting, Warsaw

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# Turkmenistan

Jehovah's Witnesses in Turkmenistan are not able to worship freely. Since September 2018, there has been an increase in government interference with the Witnesses' religious activity.

The Witnesses experience the following violations of their basic religious freedoms:

- **Police harassment and threats**
- **Police interference with public manifestation of belief**
- **Government denial of right to possess religious material**
- **Government refusal to provide alternative civilian service**
- **Government denial of registration**

**As of September 2019, seven young Witnesses are unjustly imprisoned in Turkmenistan for their conscientious objection to military service.**

Turkmenistan has no provision for an alternative to military service and has taken a harsh stance towards conscientious objectors. During the reporting period, six young Witness men were sentenced to imprisonment. Bahtiyar Atahanov was forcibly taken to a military unit and later sentenced to four years in prison. Other cases are pending with the Prosecutor's Office.

## **Law enforcement authorities continue to mistreat Jehovah's Witnesses**

Authorities have intimidated and harassed the Witnesses by searching their homes without a warrant, seizing personal belongings, forcibly taking them from their workplace or homes for interrogation and even beating some of them—all in an effort to pressure them to abandon their faith.

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Turkmenistan has no provision for an alternative to military service and has taken a harsh stance towards conscientious objectors.

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# Abuses and Restrictions of Religious Freedom

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[1] Mekan Annayev

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[2] Gurbangylych Muhammetgulyev

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[3] Azamatyan Narkuliyev

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[4] Eziz Atabayev

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## DENIAL OF RIGHT TO CONSCIENTIOUS OBJECTION TO MILITARY SERVICE

Turkmenistan imprisons young Witnesses for their conscientious objection to military service. The government refuses to recognize the right of conscientious objection despite calls to comply with international standards. As a result, Jehovah's Witnesses who cannot in good conscience support the military are imprisoned.

In 2015 and 2016, the U.N. Human Rights Committee (CCPR) issued ten decisions against Turkmenistan in response to applications filed by individual Witnesses who had been prosecuted and imprisoned as conscientious objectors. These decisions obligated Turkmenistan to provide alternative civilian service outside the military sphere and not under military command. In these decisions, the CCPR reprimanded Turkmenistan for prosecuting and imprisoning young Witnesses for conscientious objection in violation of Article 18 of the International Covenant on Civil and Political Rights (Covenant). The CCPR also concluded that prison officials tortured some of the Witnesses, as defined by Article 7 of the Covenant.<sup>1</sup>

In April 2017 the CCPR repeated its concern about Turkmenistan's "continued failure to recognize the right to conscientious objection to compulsory military service and the repeated prosecution and imprisonment of Jehovah's Witnesses refusing to perform compulsory military service." It called on Turkmenistan to "revise its legislation without undue delay" and to "provide for alternative service of a civilian nature outside the military sphere and not under military command for conscientious objectors, and halt all prosecutions of individuals who refuse to perform military service on grounds of conscience and release those who are currently serving prison sentences."<sup>2</sup>

Presently, seven young Witness men are imprisoned as conscientious objectors in Turkmenistan. All except two are prosecuted under Article 219 (1) of the Criminal Code of Turkmenistan (CCT) for the 'absence of legal ground for exemption from military service.'

1. **Mekan Annayev**, 19 years old, was sentenced to two years' imprisonment on 26 June 2018 as a conscientious objector. He is in the Seydi Labour Camp LB-E/12.

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1 *Zafar Abdullayev v. Turkmenistan*, Communication no. 2218/2012, UN Doc. CCPR/C/113/D/2218/2012.  
*Navruz Nasrylayev v. Turkmenistan*, Communication no. 2219/2012, UN Doc. CCPR/C/117/D/2219/2012.  
*Mamatkarim Aminov v. Turkmenistan*, Communication no. 2220/2012, UN Doc. CCPR/C/117/D/2220/2012.  
*Mahmud Hudaybergenov v. Turkmenistan*, Communication no. 2221/2012, UN Doc. CCPR/C/115/D/2221/2012.  
*Ahmet Hudaybergenov v. Turkmenistan*, Communication no. 2222/2012, UN Doc. CCPR/C/115/D/2222/2012.  
*Sunnet Japparow v. Turkmenistan*, Communication no. 2223/2012, UN Doc. CCPR/C/115/D/2223/2012.  
*Dovran Matyakubov v. Turkmenistan*, Communication no. 2224/2012, UN Doc. CCPR/C/117/D/2224/2012.  
*Akmurad Nurjanov v. Turkmenistan*, Communication no. 2225/2012, UN Doc. CCPR/C/117/D/2225/2012.  
*Shandurdy Uchetov v. Turkmenistan*, Communication no. 2226/2012, UN Doc. CCPR/C/117/D/2226/2012.  
*Akmurat Yegendurdyev v. Turkmenistan*, Communication no. 2227/2012, UN Doc. CCPR/C/117/D/2227/2012.

2 Concluding observations on the second periodic report of Turkmenistan, 20 April 2017, CCPR/C/TKM/CO/2, paras. 40, 41.

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2. **Gurbangylych Muhammetgulyyev**, 19 years old, was sentenced to one year's imprisonment on **28 November 2018** as a conscientious objector. The Mary City Court denied his appeal in **December 2018**. He is in the Seydi Labour Camp LB-E/12.

3. **Azamatyan Narkuliyev**, 18 years old, was sentenced to one year's imprisonment on **7 January 2019** as a conscientious objector. He appealed to the Dänew District Court to request another medical examination because he is in poor health. The court denied his appeal, and he was severely beaten by officers of the detention centre and by prison guards when he tried to file a cassation appeal. He is in the Seydi Labour Camp LB-E/12.

4. **Eziz Atabayev**, 20 years old, was sentenced to two years' imprisonment on **19 December 2018** as a conscientious objector. On **15 January 2019**, the Dashoguz Regional Court denied his appeal and left the city court's sentence unchanged. He is in the Seydi Labour Camp LB-E/12.

5. **Saparmuradov Muhammetali**, 23 years old, was sentenced to one year's imprisonment on **19 March 2019** as a conscientious objector despite his poor health. The court did not provide a copy of the decision. He is in the Seydi Labour Camp LB-E/12.

6. **Bahtiyar Atahanov**, 19 years old, was sentenced to four years' imprisonment on **15 July 2019** as a conscientious objector. On **20 April** he was sent to the military unit of Tejen even though he provided a statement explaining his willingness to perform alternative service. He refused to wear a military uniform and was charged under Article 344 (2) of the CCT (soldier evading duty—carrying a penalty of up to seven years' imprisonment). Appeals and a formal complaint met with no success. On **20 August 2019**, the Court of Ahal denied his appeal. He will soon be transferred to Seydi Labour Camp LB-E/12.

7. **Azat Ashirov**, 20 years old, was sentenced to two years' imprisonment on **31 July 2019** as a conscientious objector even though he is in poor health and both his mother and one brother are disabled. He was charged under Article 291(2) of the CCT ('fraudulently evading military service'). His appeal is pending consideration. He is in the AG-D/1 Yashlyk Village detention facility.



[5] Saparmuradov  
Muhammetali



[6] Bahtiyar Atahanov



[7] Azat Ashirov

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## INTERNET CENSORSHIP

The official website of Jehovah's Witnesses, [www.jw.org](http://www.jw.org), is currently blocked throughout Turkmenistan.

# Interference With Manifestation of Religious Belief

## POLICE ACTION AGAINST JEHOVAH'S WITNESSES

During the reporting period, there were over 20 incidents of police brutality, intimidation and searches of homes of Jehovah's Witnesses. Law enforcement officers harass, interrogate and even threaten to 'arrange an accident' if the Witnesses will not renounce their faith.

### POLICE BRUTALITY

- 1. Dashoguz.** On **16 November 2018**, police officers arrested two Witnesses who were peacefully speaking to others about their beliefs. The officers took the Witnesses to the Novruz District Police Station and seized electronic devices. One officer beat the male Witness on his head and face several times and kicked him in the legs. Officers also hit the female Witness several times.
- 2. Ashgabat.** On **17 December 2018**, law enforcement officers visited a Witness at his workplace and forcibly escorted him to the police department. One of the officers beat him in order to ascertain his home address and seized his mobile phone. The officers prepared a document stating that he is one of Jehovah's Witnesses and will not stop preaching and attending meetings. Under threat of imprisonment, they made him sign the document, admitting that he had violated the law by practicing his faith.

### POLICE HARASSMENT

- 1. Turkmenabat, Lebap Region.** On **4 November 2018**, law enforcement officers detained four Witnesses after they had attended a peaceful religious meeting. The officers searched the Witnesses, escorted them to Police Department No. 3, seized their personal literature and photographed them with the literature. The police forced the Witnesses to sign a document admitting that they had violated the law and threatened to imprison them for 15 days and to prosecute them under Article 177 of the CCT ('incitement of religious hatred').
- 2. Dashoguz.** On **6 November 2018**, an agent of the Ministry of National Security (MNS) summoned a Witness at his workplace and questioned him about his religious beliefs. The agent photographed him and demanded his phone number. On **16 November 2018**, the agent called and

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asked the Witness to meet at the Navruz Police Station. During this meeting, the agent threatened to 'arrange an accident' if the Witness did not renounce his religious beliefs. On 18 November 2018, the agent requested another meeting. The Witness was unable to come to the meeting because his blood pressure was elevated, and the MNS agent once again threatened to 'arrange an accident'.

3. **Dashoguz.** On **8 November 2018**, a local police inspector and an agent of the MNS arrived at the home of a Witness and forcibly escorted him to the local police station. The MNS agent demanded that the Witness write a statement promising that he would no longer communicate with Jehovah's Witnesses. Following this, the officer telephoned the Witness on numerous occasions, asking to meet with him. On **18 November 2018**, the MNS agent went to the Witness' home and threatened to 'arrange an accident' if he refused to abandon his religious beliefs. The Witness filed a complaint with the General Prosecutor's Office of Turkmenistan and the Institute of State, Law and Democracy. On **28 February 2019**, he received a response from the Prosecutor's Office of Dashoguz stating that no violations had been found.
4. **Dashoguz.** On **30 November 2018**, a Witness was summoned to Dashoguz House Management No. 2 and questioned about her religious beliefs. The law enforcement officer conducting the interrogation threatened to 'arrange an accident' if she did not abandon her religious beliefs.
5. **Turkmenabat, Lebap Region.** On **20 December 2018**, an MNS officer forcibly escorted a Witness from his place of business to the police station. The officer questioned the Witness about his religious views and his alleged financial support of religious activities and threatened to confiscate his property and imprison him for 15 days. Although the Witness was not detained, the authorities closed and sealed his business for one month.
6. **Çärjew District, Lebap Region.** On **8 February 2019**, a village official alleged that a complaint had been received and escorted a male Witness to the police station, where several law enforcement officers were waiting, including a district inspector and a criminal investigation officer. The officers interrogated the Witness and then took him to his home, searched his house and seized personal belongings. They took him back to the police station and then threatened to push a pole with the national flag attached down his throat in an attempt to force him to kiss the flag. On **15 March 2019**, he was summoned to the Çärjew District Court and fined EUR 49 (USD 55) under Article 76 (1) of the Administrative Code of Turkmenistan (ACT), and his personal computer and phone were confiscated. The Witness filed a complaint against the law enforcement officers, but he has not received a response.
7. **Ashgabat.** On **15 February 2019**, police officers detained two Witnesses while they were peacefully talking to others about their beliefs and took them to the Berkaralyk District Police Department for interrogation.



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**8. Turkmenabat, Lebap Region.** On **18 February 2019**, law enforcement officers raided the home of a female Witness without a search warrant. They searched the property, seized her personal literature and passport and escorted her to the police station, where three police officers interrogated her. On **15 March 2019**, a law enforcement officer entered her home through a window and forcibly took her to the Turkmenabat Court. The court fined her EUR 49 (USD 55) under Article 76 (1) of the ACT. On **16 April 2019**, she filed a complaint with the Turkmenabat Prosecutor's Office against the actions of the law enforcement officers. The Prosecutor's Office responded and stated that the officers had not committed an offence. On **25 April 2019**, she filed a complaint with the Lebap Regional Court. She has not received a response.



Arslan Begenchov

**9. Çärjew District, Lebap Region.** On **23 February 2019**, police summoned Arslan Begenchov (a conscientious objector who finished his prison term in January 2019) to the Çärjew District Police Department and questioned him about his religious beliefs. After the interrogation, the officer took Mr Begenchov to his home, seized his electronic tablet and personal notebook and escorted him back to the police department. On **10 May 2019**, the Çärjew District Court fined Mr Begenchov EUR 50 (USD 56) under Article 76 (1) of the ACT. On **20 May 2019** he appealed the decision. On **24 May 2019**, the Çärjew District Court responded, claiming that he had missed the filing deadline.

**10. Ashgabat.** On **11 March 2019**, an employee of the Ministry of Internal Affairs and another man forcibly took a male Witness from his workplace to the Kopetdag District Police Station No. 1 and reported that he was suspected of being a thief. At the station, officers questioned the Witness about his religious beliefs and seized his electronic tablet. On **12 March**, the Kopetdag District Court sentenced the Witness to three days' imprisonment under Article 345 of the ACT (petty hooliganism). On **15 March**, the Witness was summoned to the Department of Religious Affairs for questioning. On **4 April 2019**, he was fined EUR 49 (USD 55) by the Kopetdag District Court for distributing religious material.

**11. Turkmenabat, Lebap Region.** On **19 March 2019**, police officers detained two Witnesses while they were talking to others about their beliefs. The officers took the women to the police station, interrogated them and seized their electronic devices. On **20 March 2019**, the Turkmenabat City Court fined each of them EUR 123 (USD 138) and ordered that their phones be confiscated. On **9 April 2019**, the Lebap Regional Court upheld the decision.

#### MINORS REQUIRED TO WEAR PATRIOTIC SYMBOLS

**1. Dashoguz.** On **7 November 2018**, parents of five Witness students from School Nos. 21 and 23 were summoned and interrogated regarding their children not wearing a patriotic badge. A police officer demanded that one of the students hand over her passport.

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2. **Köneürgenç, Dashoguz Region.** On **7 November 2018**, a Witness mother was summoned to School No. 1, where her children attend class. A law enforcement officer demanded that she have her children wear a patriotic badge bearing the national flag. On 9 November 2018, the mother was summoned to the school again. A group of officials questioned her about why her children were not wearing the badge. The officials told her that further action would be taken if her children did not wear it.
  3. **Ashgabat.** On **15 November 2018**, a Witness father was summoned to School No. 44, where his daughters attend class. The school principal, the Juvenile Affairs Inspector in the Berkaralyk district and a law enforcement officer informed him that they were displeased that his daughters did not wear a patriotic badge. His younger daughter was called from her lessons and interrogated regarding her religious beliefs. The father was asked to sign a document stating that he would no longer teach his children his religious views, but he refused to sign it.
  4. **Dashoguz.** On **15 November 2018**, a 10<sup>th</sup>-grade Witness student at School No. 3 was summoned to the principal's office, where an MNS officer was waiting. The officer interrogated the student about his religious beliefs and about his reason for not wearing a patriotic badge. The officer required the student to write an explanation for his stand.
  5. **Köneürgenç, Dashoguz Region.** On **29 November 2018**, a Witness father was called to the Köneürgenç City Council concerning his son who is a student at School No. 1. A group of officials interrogated the father about why his son does not wear a patriotic badge. The officials told the father that further action would be taken if his son does not wear it.

## Societal Abuses and Discrimination

### DISSEMINATION OF DEFAMATORY MATERIAL

Between **September 2018** and **May 2019**, unknown individuals distributed leaflets in Russian and Turkmen containing defamatory statements about the Witnesses. Not only did these leaflets include slanderous material designed to incite hatred but they also targeted individual Witnesses and included personal data, photographs, names, birth dates and addresses. Officials have taken no action to stop this distribution.

### PARENTS PRESSURED NOT TO TEACH THEIR RELIGIOUS BELIEFS TO THEIR CHILDREN

**Balkanabat, Balkan Region.** On **5 February 2019**, a Witness mother was called to the office of the principal of her daughter's school, School No. 12. In the office, a law enforcement officer criticised her religious beliefs and threatened to fine her EUR 728 (USD 832). The officer ordered the mother to stop teaching her child her religious beliefs and photographed the mother and daughter.

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Unknown individuals distributed leaflets containing slanderous material designed to incite hatred against Jehovah's Witnesses

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## Complaints submitted by Jehovah's Witnesses pending with the CCPR

- *Dawletow v. Turkmenistan*, No. 2316/2013, filed 1 May 2013, on issue of conscientious objection
- *Durdyyev v. Turkmenistan*, No. 2268/2013, filed 1 May 2013, on issue of conscientious objection
- *Nazarov et al v. Turkmenistan*, No. 2302/2013, filed 29 August 2013 (lead case of three), on issue of conscientious objection
- *Begenchov v. Turkmenistan*, No. 3272/2018, filed 20 June 2018, on issue of conscientious objection
- *Salayev & Nuryllayev v. Turkmenistan*, No. 2448/2014, filed 5 May 2014, arrest and detention under false charges
- *Hemdemov v. Turkmenistan*, No. 3276/2018, filed 15 August 2016, arrest and detention for “illegal” religious activities
- *Annamuradov et al v. Turkmenistan*, filed 29 November 2018, arrests and fines for “illegal” religious activities and possessing “illegal” religious literature

## Positive Developments

- On **13 February 2019**, 55-year-old Bahram Hemdemov was released from prison in Turkmenistan after serving a four-year sentence in Seydi prison (LB-E/12). He is now reunited with his wife, Gulzira, and their four children. Mr Hemdemov was arrested on 14 March 2015 simply for holding a peaceful religious meeting at his home in a suburb of Turkmenabad, and he was convicted by the Lebap Regional Court on 19 May 2015.
- The authorities have not impeded the holding of peaceful religious meetings of Jehovah's Witnesses or detained those attending.
- During the reporting period, there were only three incidents where police detained the Witnesses while they were talking to others about their beliefs.

## Meetings With Officials

From **November 2018 through March 2019**, representatives of Jehovah's Witnesses made several attempts to meet with representatives of Ministry of Foreign Affairs and the Ombudsman. All requests to meet remain unanswered.

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Representatives of Jehovah's Witnesses were able to hold one meeting, on **28 May 2019**, with an official from the religious affairs department in Ashgabat. The official declined to express an opinion and recommended approaching the Representative for Religious Issues.

Attempts by an international delegation of Jehovah's Witnesses to meet with a representative of the country's leadership were unsuccessful. All requests to meet remained unanswered.

# RELIGIOUS FREEDOM OBJECTIVES

## JEHOVAH'S WITNESSES RESPECTFULLY REQUEST THE GOVERNMENT OF TURKMENISTAN TO:

- Allow an international delegation of Jehovah's Witnesses to meet with the president or members of his cabinet;
- Release all Witness conscientious objectors who are imprisoned for their deeply held beliefs, including Bahtiyar Atahanov, who was unjustly imprisoned as a serviceman evading duty;
- Recognize the right to conscientious objection to military service and provide an alternative civilian service conforming to international standards;
- Grant full registration to Jehovah's Witnesses;
- Stop interference with their worship and public manifestation of belief;
- Cease threats, illegal searches of Witnesses' private homes and seizures of personal items; and
- Allow the Witnesses to legally import Bibles and Bible-based literature and grant access to their official website, [jw.org](http://jw.org).

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Representatives of Jehovah's Witnesses welcome the opportunity to engage in constructive dialogue with representatives of the Turkmenistan government.

**For more information:**

Please contact the Office of Public Information for Jehovah's Witnesses at [OPIGov@jw.org](mailto:OPIGov@jw.org).



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