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Open letter to EU and OSCE

Dear Ladies and Gentlemen,

Some facts on freedom of movement

It should be highlighted that Turkmenistan has recently undergone positive changes associated with freedom of movement, and in particular the right to leave the state. There is data available that many of those who were deprived of freedom of movement in Niyazov's time, can now freely exercise this right. At least, many have received back their passports which had previously been confiscated. To illustrate this: an independent journalist Nina Startseva, who had previously been deprived of the right to leave Turkmenistan, was able to leave the country for Russia nearly a month ago. These facts cannot but inspire optimism and hope for further improvement in the human rights situation in Turkmenistan. Nevertheless, much more remains to be done by the Turkmenistan authorities.

However paradoxical it may seem, currently many European countries are creating considerable obstacles to the freedom of movement for Turkmenistani citizens. In particular, the Consul of Germany in Ashgabat, has virtually taken over the functions of the former Niyazov's special services and has been preventing in every manner possible certain categories of citizens from leaving for countries of the European Union.

According to the agreement between the countries of the European Union, it is the German consulate which is responsible for issuing European visas for Turkmenistani citizens. The German consul – without explaining the reasons – refused to issue visas to NGO representatives who were invited to participate in various conferences held in the countries of the European Union. For obvious reasons I cannot disclose the names of these community leaders.

Yet, I can disclose the names of other people who were denied visas. One of them is Tatyana Tsaryunova, who was trying to obtain a visa at the end of September last year. Another is Khalida Izbastinova, who was denied a visa in May this year. These women are not NGO representatives – they are relatives of refugees from Turkmenistan. Tsaryunova is a close relative of my colleague Vyacheslav Mamedov, who was persecuted in Turkmenistan and was forced to leave the country and currently has refugee status in one of the European countries. Khalida Izbastinova is my mother whom I have not seen for almost 4 years, and I wanted to invite her to visit me. I was also forced to leave my country.

In the meantime, the German consul is issuing visas to those citizens, whose names have been approved by the country's authorities. For instance, those approved by the OSCE.

To deny visas to «uncomfortable» people, i.e. to relatives of refugees or NGO representatives is the position of the Consul himself or the position of Germany? Probably this is the position of the whole of the European Union which until recently has been chaired by Germany?

Another issue hindering freedom of movement is the following. On the 6<sup>th</sup> and 7<sup>th</sup> of July 2007 international consultations on preparations for the international forum the Global Democratic Movement were held in Kiev. I was invited to participate in this event but the Ukrainian Embassy in Vienna denied me a visa to enter Ukraine. I was told that the Consul is not in a position to deal with this case and it would be handed over to Kiev to be resolved.

My colleagues in Kiev contacted the head of the Visa Department of the Ukrainian Foreign Minister V.V.Vasilen and he gave them the following response, «Additional time is required to consider this case and obtain approval from the Turkmen authorities». Following the logic of Mr. Vasilen, a person holding the status of refugee in any case should be dependant on the will of the authorities of the country which he had to leave involuntary. Is this incompetence of the official or mere indecency?

I have a clear understanding, what is the reason behind such behaviour. I am aware of a story that two Turkmen refugees with the same documents I have, obtained visas in the Ukrainian Embassy within half an hour on Sunday.

Dear ladies and gentlemen,

I myself as well as my colleagues putting many things at risk preached the principles of democracy and human rights as well as other Europeans values in Turkmenistan. As a result, we had to go to jail and camps and our families suffered a lot because of our activity. We have already been punished by Niyazov's regime for our beliefs. Please do not punish us once again.

Farid Tuhbatullin  
Turkmen Initiative for Human Rights

A handwritten signature in black ink, appearing to be 'F. Tuhbatullin', written in a cursive style.

11.07.2007