

UNHCR
Emergency & Security Service



WRITENET Paper No. 4 / 2002

TURKMENISTAN: AN OVERVIEW

Daphne Biliouri

Independent Researcher, UK

June 2002

**WriteNet is a Network of Researchers and Writers on
Human Rights, Forced Migration, Ethnic and Political Conflict**

**WriteNet is a Subsidiary of Practical Management (UK)
E-mail: writenet@gn.apc.org**

THIS PAPER WAS PREPARED MAINLY ON THE BASIS OF PUBLICLY AVAILABLE INFORMATION, ANALYSIS AND COMMENT. ALL SOURCES ARE CITED. THE PAPER IS NOT, AND DOES NOT PURPORT TO BE, EITHER EXHAUSTIVE WITH REGARD TO CONDITIONS IN THE COUNTRY SURVEYED, OR CONCLUSIVE AS TO THE MERITS OF ANY PARTICULAR CLAIM TO REFUGEE STATUS OR ASYLUM. THE VIEWS EXPRESSED IN THE PAPER ARE THOSE OF THE AUTHOR AND ARE NOT NECESSARILY THOSE OF WRITENET OR UNHCR.

ISSN 1020-8429

TABLE OF CONTENTS

1	Introduction	1
2	General Overview of the Political, Economic and Social Situation	1
2.1	Political Situation.....	1
2.1.1	<i>Political Regime</i>	1
2.1.2	<i>Legislative Organs</i>	2
2.1.3	<i>Corruption</i>	2
2.2	Social Situation.....	3
2.2.1	<i>Demography</i>	3
2.2.2	<i>Employment</i>	4
2.2.3	<i>Language Policy</i>	5
2.2.4	<i>Education</i>	5
2.2.5	<i>Women</i>	6
2.2.6	<i>Children</i>	6
2.3	Economic Situation.....	7
2.3.1	<i>Gas and Oil</i>	7
2.3.2	<i>Cotton</i>	8
3	Overview of the Human Rights Situation	8
3.1	Freedom of Expression and Political Opposition.....	9
3.2	Freedom of the Media.....	10
3.2.1	<i>Print Media</i>	11
3.2.2	<i>Electronic Media</i>	11
3.2.3	<i>TV and Radio</i>	12
3.3	Freedom of Religion.....	13
3.4	Ethnic Minorities.....	13
3.5	Prison Conditions.....	14
3.6	Freedom of Movement.....	15
3.7	Freedom of Peaceful Assembly.....	15
3.8	Freedom to Establish Non-governmental Organizations (NGOs).....	16
4	Groups at Risk of Serious Human Rights Violations	16
4.1	Journalists.....	16
4.2	Religious Activists.....	17
4.3	Political Islam.....	18
4.3.1	<i>The Situation Post September-11</i>	19
5	Conclusion and Future Outlook	19
6	Bibliography	22

United Nations High Commissioner for Refugees
CP 2500, CH-1211 Geneva 2, Switzerland

E-mail: HQES00@unhcr.org
Web Site: <http://www.unhcr.org>

1 Introduction

Turkmenistan is the most southern republic of the former Soviet Union. It was conquered by the Mongols in the thirteenth century and later seized by Russia in the late 1800s. Having become a Soviet republic in 1925, it achieved its independence in 1991 along with the other Central Asian states with the dissolution of the Soviet Union. Bordering the Caspian Sea in the west, it also shares its borders with Uzbekistan, Kazakhstan, Iran and Afghanistan. According to the latest census results, the current population of the country is approximately 4.8 million people, the majority of which are Turkmen.

President Saparmurad Niyazov has been the leader since independence and has absolute control of the country. Prior to becoming President of Turkmenistan, he was the first Secretary of the Communist Party, from 1985, and by 1990 he was Chairman. Following the 1999 elections, Niyazov was elected President for life - without any opposition - and is referred to as *Turkmenbashi* (father of all Turkmen), although in 2001 he announced his intention to step down from government by 2010.

2 General Overview of the Political, Economic and Social Situation

2.1 Political Situation

The political climate of Turkmenistan is characterized by the principle of authoritarianism. The main political party within the country is the Democratic Party of Turkmenistan (DPT) led by President Niyazov. It is reported that the party's political role has been reduced to represent the decisions made by the President himself, as he personally tries to manage all spheres of social and political life. Of course, all government decisions are implemented by the power structures, such as the National Security Committee, former KGB, the Interior Ministry and other similar organizations, but under the strict control of the President.¹ President Niyazov has repeatedly stated that the country is not ready for a multiparty system, therefore eliminating any attempts at a party opposition. Any form of opposition parties is outlawed, however, unofficial small opposition movements do exist underground or in other countries. Niyazov occasionally stipulates that the creation of new political parties could develop in the future. However, this would only be allowed under the presumption that all parties should be aimed exclusively at supporting the existing regime, and not at confrontation with it.

2.1.1 Political Regime

An extraordinary cult of personality surrounds President Niyazov. His image is present everywhere, and cities and towns have been renamed after him. A large part of all media broadcasts are also dedicated to praising his excellent political actions and efforts to help the Turkmen people.

President Niyazov argues that his country is not ready for Western-style democracy and as an Asian state needs to create its own form of a democratic state. He envisions that a national classless society is being created in Turkmenistan, which is not comparable with any other society in existence historically or currently in the modern world. He emphasizes in particular "a society created from a conscious striving for self-determination, in which all its citizens,

¹ Freedom House, *Freedom in the World 1999-2000: Turkmenistan*, New York, 2001, <http://www.freedomhouse.org/research/freeworld/2000/countryratings/turkmenistan.htm> [accessed June 2002]

regardless of age, social status, and confession, live with the same aspirations". He anticipates that in the future this social structure will be transformed into a "just, legal, welfare society, in which everything will be subordinated to the well-being and prosperity of mankind". It is planned that the transition period, which consists of four stages (beginning in 1991) necessary for building this kind of society, will end around 2010.²

Despite sporadic efforts to appear open and accessible, Niyazov only offers a veneer of transparency. Although he admits that his government is autocratic, Niyazov continues to assert that human rights are a priority, and as such denies any allegations that his security organs have arrested people because of their political views.

2.1.2 Legislative Organs

Niyazov also announced in 2001 that he will strengthen the power of the *Majlis* (Parliament) in an attempt to begin further democratizing Turkmenistan's political life. Following the parliamentary elections in 1999, the new *Majlis* was established and four new committees were created, replacing two previous ones, on integrated legislation and regulatory affairs. The new committees deal with legislation; science, education and cultural affairs; economic and social policy; and international relations. However, despite the continuous promises, there is no evidence that the *Majlis* has any control over the activities of local governments and representatives of executive power in rural areas as promised. According to Article 65 of the Constitution the powers of the *Majlis* were diminished while the President gained additional powers, preventing the *Majlis* from creating new laws.

More important than the parliament, however, is the *Halk Maslahaty* (People's Council), established by the 1992 constitution. It is this body that has the power to declare war and amend the constitution, among other powers. Its members are the prefects (*hakim*), appointed by the President in each local region, as well as the President, parliamentary deputies, the chairmen of the higher courts, members of the Cabinet of Ministers and deputies elected solely to this body, one for each district.³ In another attempt at political openness, President Niyazov announced plans to restructure local government by allowing the local councils of the Ashgabat region to be directly subordinate to parliament and the President, thus empowering them to introduce local regulations and laws. If this experiment is successful, it may be applied to other regions, although there are concerns that rural districts may not be able to cope due to financial constraints.

2.1.3 Corruption

Another characteristic of Turkmenistan's political structure is the continuous reshuffling of the government cabinet. Although it may appear that the President is incapable of conducting a consistent personnel policy and ensuring a stable administration, officially this policy is to ensure that no incidents of nepotism and favouritism take place. It also, however, allows President Niyazov to maintain complete control by preventing government officials from gaining too much influence.

This policy has been criticized because it allegedly leads to misappropriation of funds and corruption, as government officials use their position for personal gain because they are

² Jane's Information Group, *Turkmenistan Profile*, Jane's Sentinel Security Assessment: Russia and the CIS, London, July-December 2001

³ International Helsinki Federation on Human Rights, *Human Rights in the OSCE Region: The Balkans, the Caucasus, Europe, Central Asia and North America: Report 2001*, Vienna, 2001, p. 309

aware that their placement is temporary. Additionally, the appointment of many government officials has been repeatedly questioned, as it is often not based on merit and professionalism but on level of relationship with the President. Despite the potentially disastrous implications for the future of the state and the operation of government organs, President Niyazov remains indifferent to the level of corruption at high levels, targeting instead potential corruption at a local level. In order to deter police, military, tax and customs officials from accepting bribes and abusing their positions, the President issued a decree on mandatory media coverage of crime committed by civil servants.

Despite wide-spread criticism over the deprivation of all civil and political liberties of the population, Turkmenistan was the first Central Asian state to abolish capital punishment in December 1999.

Overall, the authoritarianism of the current regime is expressed in encouraging Turkmen nationalism and in openly propagating President Niyazov's personality cult. All the achievements that have taken place in the social, political and economic life of the country are directly attributed to the President along with the stability of the country's domestic and foreign policy. President Niyazov has pursued a foreign policy of neutrality and has remained indifferent to international public opinion. His confidence is solidly based on the West's interest in Turkmenistan's natural gas and oil resources and his awareness that no serious consequences will be inflicted upon him in respect of the human rights record. He intends to continue pursuing an authoritative policy in order to maintain Turkmenistan's stability during this transitional period that will last until 2010.⁴

2.2 Social Situation

Turkmenistan's strict political climate has allowed for adequate social benefits and provisions for the Turkmen population. All the main daily amenities, such as water, gas and electricity are free to all citizens, basic foodstuffs and transportation are very cheap and provisions exist for the distribution of flour and salt to impoverished groups. However, the social conditions are far from perfect compared with more economically developed states. In an attempt to improve the situation, President Niyazov announced in 1999 a new set of social development plans that were adopted under the aegis of a programme entitled "Strategy of Socio-economic Transformations in Turkmenistan: 2000 to 2010". The goal of Niyazov's social policy is to ensure the rise of the population's standard of living. It is planned that at the first stage (until 2005), particular attention will be given to medical and pension insurance, by developing non-governmental institutions of public health, education, housing and municipal services. In addition, there are plans to create conditions for a major reorientation in the economy toward new standards of living, under which high growth rates in terms of personal income will change the consumption patterns.⁵

2.2.1 Demography

A social issue that should be of great concern for the government is the demographic problem. According to official sources, the average annual population increase in recent years amounts to almost 4%. As of January 2002 the Turkmen population reached 5.56 million. Although President Niyazov perceives such increases as a positive improvement, assisting in

⁴ Commission on Security and Cooperation in Europe, *Human Rights and Democratization in Uzbekistan and Turkmenistan*, Washington, March 2000, p. 17

⁵ Kamenev, S., The Current Sociopolitical Situation in Turkmenistan, *Central Asia and the Caucasus*, No 2 (14), 2002, <http://www.ca-c.org/journal/eng-02-2002/05.kamprimen.shtml> [accessed June 2002]

the further expansion of the people over the desert regions of the country, in actual fact this population growth will lead to higher impoverishment and will also likely contribute to rising unemployment. Additionally, it will put a strain on the social services that are already under severe pressure, particularly for the population living in rural areas.⁶

The majority of the population is Sunni Muslim although there is a strong presence of Russian Orthodox as well. Although most citizens do not emphasize mosque attendance or observance of many Islamic customs practised in other parts of the Muslim world, they view being Muslim as an integral part of the national culture and of Turkmen identity.⁷

Another issue that requires attention is the divide that is gradually developing between ethnic groups. While the authoritarian regime has so far prevented any internal ethnic turmoil, government policy is to promote the rights of the Turkmen people and curtail the development of other ethnic groups. With approximately 77% of the population being Turkmen, the other two main ethnic groups are the Uzbeks at 9% and the Russians at 7%. There are also small numbers of Kazakhs, Armenians, Azeris, and other ethnic groups.⁸ The Constitution provides for equal rights and freedoms for all, independent of nationality, origin, language, and religion, and further specifies equal rights before the law for both men and women. However, as will be indicated below, cultural traditions and the Government's policy of promoting Turkmen nationalism limit the employment and educational opportunities of women and non-ethnic Turkmen, and has led to the violation of human rights for certain groups. The continuous restrictions of human rights are very likely to lead to social unrest and compromise the current stability.

2.2.2 Employment

Regarding employment, there is a gap between the opportunities available in urban and rural areas. Despite the continuous growth of the agricultural sector, the rural economy cannot employ the majority of the rural population, which is estimated at 56.3% of the entire Turkmen population. Currently, the majority of employment opportunities exist within industry and over the last ten years there has been a continuous shift from the state sector towards the private sector.⁹ Unemployment levels are not considered problematic and once again the most common groups that are affected are ethnic minority groups and women.

With respect to forced labour, there is no evidence of any incidents within the workplace. The only instances of forced labour occur within the prison system. In 2000 there were reports of prisoners being forced to work in a kaolin mine in Kizlkaya prison, near Dashoguz, under hazardous and unhealthy conditions.

Trade unions exist under the control of the government and although there is no law that prohibits the establishment of independent unions, there have been no attempts to register an independent trade union. The Colleagues Union is the only legal central trade union federation permitted, and it claims a membership of 1.3 million. The law neither prohibits nor permits strikes and there have been no reports of any strikes taking place in recent years.

⁶ *Ibid.*

⁷ Commission on Security and Cooperation in Europe, p. 14

⁸ United States, Central Intelligence Agency, *CIA World Factbook 2001: Turkmenistan*, Washington, 2001

⁹ Jane's Information Group

2.2.3 Language Policy

As part of its nation-building effort, the Government has pushed for a language policy that enhances Turkmen national pride. The Constitution designates Turkmen as the official language, and it is a mandatory subject in school. In the past, the President has publicly criticized some high-ranking government officials for their failure to speak Turkmen. In accordance with his directives, Russian language usage in newspapers has been cut back sharply during the past few years. There is only one official Turkmenistan newspaper published in the Russian language.¹⁰ There have been reports that some government employees, such as doctors and teachers, have been dismissed from their positions because they failed to learn the language. Only a handful of non-Turkmen occupy high-level jobs in the ministries, and there are reports that managerial positions have been closed to non-Turkmen. As a result of these restrictions, more and more ethnic Russians view their situation in the country as deteriorating and are seeking citizenship in Russia.

2.2.4 Education

Education is free and compulsory; however, the increasing number of students throughout the country has put strains on class sizes. Additionally, the lack of infrastructure has led to the deterioration of schools and other educational facilities, while the availability of funds for textbooks and supplies is decreasing.

In 2000 President Niyazov announced the reduction of teaching staff by 10,000, in order for the government to provide increased salaries to the remaining educators. However, there has been no evidence of improvement and many teachers and administrators are in salary arrears in several districts. This factor, along with the overall low teaching salaries and the government's decision to reduce the period of basic education from 10 to 9 years, is leading to a gradual deterioration of the quality of education in Turkmenistan.¹¹

The government also continues to ensure that it maintains direct control over education. The 2001 government ruling that schoolgirls should wear traditional Turkmen attire in school provides an example of this. The decision in 2000 to forbid the study of foreign languages in public schools was taken in order to minimize the potential influence from other countries on the Turkmen people.¹² Under these directives, the new textbooks written by Turkmen professors are subject to political scrutiny and thus many are unable to be published due to the controversial content of the books.¹³

However, the government's insistence that "young people should only love their homeland and know their national language" is leading to a significant lowering of the quality of the learning process. In the area of university education the education system seems to be faced with corruption over university entry procedures and exam results. Moreover, potential students and their families are screened in order for the most worthy applicants to be given the opportunity to study. According to President Niyazov "the criterion in competition for the title of a student should be such key factors as patriotism, general educational and cultural

¹⁰ Kamenev

¹¹ International Helsinki Federation on Human Rights, *Human Rights in the OSCE Region*, pp.314-15

¹² Turkmen Head Calls for Education Reform, Close Russian Language Department, *Turkmenistan Daily Digest*, 10 April 2002, <http://www.eurasianet.org> [accessed June 2002]

¹³ Goble, P., Turkmenistan: Analysis from Washington - 'Rewriting the Future', *RFE/RL Weekday Magazine*, 2 October 2000.

level and psychological compatibility with ... a chosen profession".¹⁴ However, this is resulting in a poorer quality of graduates, with most having only limited knowledge of the basic disciplines, which of course is having a direct effect on the professionalism of all employees. On the other hand, the ideology of "Turkmenbashism" is being actively introduced. Since February 2001, a new subject has been introduced into the curriculum of the country's universities - "Saparmurad Turkmenbashi's Teachings on Society".

2.2.5 Women

Despite the constitutional provisions for equal rights, anecdotal reports indicate that there are cases of different attitudes towards women particularly within the domestic environment. Domestic violence against women is common but is not regarded as a problem. The current situation regarding women is mostly shaped by national traditions and customs that continue to structure family life. An attempt to break away from such traditions causes further problems within families and often leads to divorce. Overall, women are reluctant to break away from the constraints of family life because of fear of economic insecurity, as they are economically and socially dependent on their husbands and family pressures often limit opportunities for women wanting to enter careers outside the home and advance their education.¹⁵

In the case of serious domestic violence, women that have left their homes were often forced into prostitution. Although prostitution is illegal, it is a growing problem due to the lack of educational and employment opportunities for young women.

Women are underrepresented on the upper levels of state-owned economic enterprises and most work in the health care and education professions and in service industries. Women are restricted from working in some dangerous and environmentally unsafe jobs. However, the military academy is scheduled to graduate its first class of female cadets in 2002.

There is only one officially registered women's group, *Gurbansoltan-Eje* (the Women's Union), a government-sponsored coalition of NGOs, which is headed by the Deputy Chairperson of the *Majlis* and dedicated in honour of the President's mother.¹⁶ In 2000, an NGO hosted a seminar on women's rights that focused on domestic violence. However, as there are no recognized high levels of discrimination against women, there are no specific plans for changing women's position in society.

2.2.6 Children

The Government's social policy covers the welfare of children; however, the Government has not taken effective steps to address the environmental and health problems that have led to a high rate of infant and maternal mortality due to the poor healthcare system.

The minimum age for employment of children is 16 years; in a few heavy industries it is 18 years. The law prohibits children between the ages of 16 and 18 years from working more than 6 hours per day. The Government prohibits forced and bonded labour by children and

¹⁴ Rasner, M., Learning to Love Turkmenbashi, *Transitions Online - In Focus*, 4 September 2000

¹⁵ International Helsinki Federation on Human Rights, *Women 2000: An Investigation into the Status of Women's Rights in the former Soviet Union and Central and South-eastern Europe*, Vienna, 2000, pp.464-8

¹⁶ *Ibid.* p. 469

generally enforces this prohibition effectively, with the exception of children who work in cotton harvesting in rural areas. Overall, no pattern of abuse of children appears to exist.¹⁷

2.3 Economic Situation

Turkmenistan consists largely of desert - the Kara-Kum desert covers almost 90% of the national terrain. Therefore, any form of agriculture is highly dependent on irrigation from the Amu-Darya River that flows along its eastern border with Uzbekistan.

Despite these restrictions, agriculture represents one of the country's major economic activities accounting for nearly half of total employment. The overall economic situation is also favoured by the country's wealth in gas and oil resources. Since independence Turkmenistan has been experiencing favourable economic conditions, unlike its neighbouring Central Asian states, due to the boost from higher prices for oil and gas. The authoritarian regime along with the tribal social structure has led Turkmenistan to refrain from major economic reforms and privatization and concentrate on increasing gas and oil sales to sustain its economy.

There are few reliable statistics available on standard of living and anecdotal evidence indicates the standard of living is not high. Overall, no reliable data exists for the GDP (Gross Domestic Product) and according to government figures and limited data from the World Bank, GDP growth for 2000 was estimated at 17.6 per cent reaching about US\$2 billion.¹⁸ Nevertheless, between 1998 and 2000, the country suffered from the lack of adequate export routes for natural gas and the growing short-term external debt. However, Turkmenistan's 1999 deal to export 20 billion cubic metres of natural gas through Russia's Gazprom pipeline has averted the threatened economic downfall.

Overall, the Turkmen economy is characterized by an inadequate taxation system, lack of constructive reforms and a series of weak agreements drawn with other states that have limited the immediate prosperity of Turkmenistan and have led to increasing levels of poverty and foreign debt.

2.3.1 Gas and Oil

The main source of the county's economy lies in its vast natural resources of gas and oil. It has the fifth largest gas reserves in the world and it is estimated that 80% of the total Turkmen territory has gas production potential. With gas representing one of the main elements of the country's economic welfare, in 2000 President Niyazov endorsed a Turkmen gas development project aimed at intensifying the exploitation and production of gas. The completion of the construction of a gas pipeline between Turkmenistan and Iran (Karpedzhe-Kord-Kuy) in 2000 also reduced competition and ensured the economic benefits of widening its market boundaries. Turkmenistan's agreements to provide gas to Russia, Ukraine and Iran meant that it continues to push for further increases in gas production and currently it is seeking to finalize an agreement with Turkey promising gas exports at cheaper rates than Russia, the main supplier of gas for south-east Europe. Simultaneously, it is also advocating for the construction of a gas pipeline via Afghanistan and Pakistan with the financial assistance of international consortia and banks. Finally, the government has not

¹⁷ Kemenev

¹⁸ World Bank, *Country Data Sheets – Turkmenistan at a Glance*, Washington, 2001

excluded opening the market of South-East Asia with the construction of a gas pipeline linking Turkmenistan with China and further on with Japan.¹⁹

2.3.2 Cotton

Cotton production represents the major sector of agriculture accounting for 21% of the country's GDP and making Turkmenistan the world's tenth largest producer, according to official data provided by the World Bank. Despite various attempts at industry reform, there have been few changes in the agricultural industry, and minimal efforts at privatization of the collective and state farms. State orders are still in existence with farmers forced to sell their produce at fixed rates. Since 2000 the government's priority has been to expand farming and conduct a land improvement programme aimed at boosting exports. A scheme established by the government to ensure an increase in cotton production enables tenants engaged in cotton production to receive government grants that cover up to 50 per cent of total production and maintenance costs. According to government plans, it is hoped that cotton production will reach 3 million tonnes by 2010.²⁰

3 Overview of the Human Rights Situation

Based on reports from international human rights organizations and a series of incidents that have taken place over the years, Turkmenistan's human rights record is very poor. Continuous repression of civil and political liberties continues to take place and despite the elections conducted in 1994 and 1999, there is no evidence of actual political reforms. There are several cases of political prisoners, repression of the media and religious intolerance. In addition, there are no domestic human rights non-governmental organizations (NGOs) that could report any misuse of power or argue for the improvement of the situation.

In 1999 President Niyazov established a human rights commission, which he nominally heads. The commission oversees the work of law enforcement agencies, the military, and the judiciary, but it appears to have little real authority. The commission is subordinate to the National Institute for Democracy and Human Rights under the President, which has been in operation since 1997.²¹ The Institute's mandate is to support the democratization of the government and society and to monitor the protection of human rights. In general the Institute conducts a study of complaints and returns its findings to the individual and the organizations involved; however, the Institute is not an independent body, and its ability to act objectively is limited by government interests.

Turkmenistan, as a member of the United Nations and OSCE, has ratified the principal international human rights treaties. The government is a signatory member of the Final Act of CSCE (Helsinki, 1975) that highlights the country's human rights obligations. However, the government's foreign policy as a neutral state allows for the President to indicate that any issue that may arise within Turkmenistan can be resolved within its jurisdiction. Therefore, the role of the OSCE and other international organizations is seen as obtrusive. However, in an attempt to publicize the government's activities regarding human rights in September 2001

¹⁹ Jane's Information Group, *Turkmenistan Profile*

²⁰ *Ibid.*

²¹ Commission on Security and Cooperation in Europe, *Hearing: The State of Democracy and Human Rights in Turkmenistan*, Washington, 21 March 2000, http://www.csce.gov/briefings.cfm?briefing_id=49 [accessed June 2002]

an OSCE delegation was allowed to visit a correctional facility and was also permitted to attend court trials during the year.²²

3.1 Freedom of Expression and Political Opposition

The government in Turkmenistan tolerates no form of political opposition, although along with the DPT in 1992, another party, the Peasant Justice Party, was also registered. However it was not regarded as a genuine opposition party, as it was a state-sponsored party that complemented the work of the existing government. By 1997, most political opponents had either left the country or renounced their activities in order to avoid arrest or other forms of persecution. Other political activists have either been imprisoned or are deceased.

In 1999, Pirimkuli Tangrykuliev, a prominent medical scientist was arrested on the grounds of theft of state property and was sentenced to eight years in prison. It is alleged though that he was imprisoned for criticizing Turkmenistan's medical system and expressing interest in running for a seat in Parliament. Another publicized incident was the arrest of Nurberdi Nurmamedov, the leader of the opposition Unity Party, in January 2000 on charges of possessing illegal drugs and weapons. It appears that this arrest was motivated by his direct criticism of the November 1999 elections.²³ The arrest led to New York based Human Rights Watch's Holly Cartner branding Turkmenistan as "one of the world's most repressive states".

According to Avdy Kuliev, exiled opposition leader and former Foreign Minister, there are approximately 4,000 people in prison in Turkmenistan for allegedly protesting against the regime. President Niyazov denies that there are political prisoners in Turkmenistan.²⁴ Niyazov has stated that: "we do not impose any moral view of ideology on our people by force". However, Turkmenistan continues to implement the Soviet-style practice of confining political opponents to mental institutions. In February 1996, Dyrzymurad Hojamammedov, co-chair of the banned Party of Democratic Development of Turkmenistan was detained and confined to a mental hospital for two years.²⁵

Overall, there is a pattern in the government's approach towards people that may pose potential threats to the governing regime and additionally seem to have popular support. The most common reason given for an arrest is financial mismanagement and extortion by those that hold a position within the social structure, or attempts to organize protest rallies, or attempting a coup to overthrow the existing government structure.

There are also unconfirmed reports that the authorities seize flats and houses of opposition members and their dissidents, particularly of those that were forced to leave the country. In addition, they threaten family members of political activists that continue to voice their opposition against the government. For example, in 2000 the brother of Sapar Yklymov, who has been in exile since 1995, was sentenced to 11 years for alleged tax evasion and extortion. It is reported that Turkmen officials warned other members of Yklymov's family that he should cease his political activities abroad or other members of his family will suffer.²⁶

²² Human Rights Watch, *Turkmenistan: Human Rights Developments*, New York, 2001

²³ International Helsinki Federation on Human Rights, *Human Rights in the OSCE Region*, p. 310

²⁴ Avdy Kuliev, exiled opposition leader, Interview, *Turkistan Newsletter*, 3 April 2000

²⁵ Human Rights Watch, *Turkmenistan: Human Rights Developments*

²⁶ Commission on Security and Cooperation in Europe, *Human Rights and Democratization in Uzbekistan and Turkmenistan*, p. 17

Since the country's independence in 1991 all elections have been held ostensibly in compliance with democratic requirements. During the parliamentary elections of 1999 President Niyazov invited international committees to be present and observe the election process. However, the OSCE declined to monitor the parliamentary elections of 1999 because the election framework fell "far short of what is required for democratic elections". OSCE Chairman Knut Vollebaek noted that no provisions were made for political parties not part of the government to contest the poll, the executive controlled the nomination of candidates, and the freedom essential for any level of political activity was severely restricted. In support of OSCE's criticisms, all international organizations declined to send observer missions.

Apart from OSCE's criticism of the lack of electoral freedom, the OSCE mission in Ashgabat also found itself being surrounded by restrictions. Members of the OSCE mission reported that Turkmen officials demanded that all their reports should be written with their active involvement. The Turkmen officials also insisted that all contacts with the local population should go through the Ministry of Interior. In 1999 the then Norwegian chairman of the OSCE mission ordered the staff not to confront the government officials and to rewrite the reports, out of fear that President Niyazov might close the OSCE mission.

The presence of the OSCE mission in Ashgabat from 1999 onwards was perceived as a positive step towards the safeguarding of human rights. Previously, in September 1998, Human Rights Watch wrote to President Saparmurad Niyazov expressing dismay at the beating of opposition leader Durdymurat Khojamammedov. The letter said that the Turkmen government has used violence to intimidate activists in the past and warned that such violence violates international human-rights laws, which Turkmenistan has pledged to uphold. The opposition leader was reportedly kidnapped and beaten unconscious. More recently in May 2002, the OSCE once again expressed its growing concern over "the lack of progress in Turkmenistan towards democratization and a market economy ... it is all but impossible for NGOs and religious groups to register" and urged the Turkmen government to ease the registration process and free media from government control.²⁷

3.2 Freedom of the Media

At present the government has absolute monopoly over all media outlets in Turkmenistan. All media are heavily censored and the only criticism that is permitted is President Niyazov's criticism of his own ministers and other government officials for failing to implement his policies, to meet their targets, and for abusing their position for personal gain.

In addition, President Niyazov has ensured his complete control of all media by providing state funding to all forms of media. On that basis, he has prohibited the media from providing space for advertizing and issued a directive that allows all state-supported advertisements to be published free of charge.

In 1999 President Niyazov decided to rename the Turkmen press agency the Turkmen State Information Service (Turkmen Dowlet Habarlar Gullugy - TDH) so as to indicate its role as an information provider. Along with the President's Press Office it was the only organization

²⁷ Davidson, D., *Concern about Democratization, Economy in Turkmenistan*, Vienna: OSCE, 23 May 2002

that could distribute information regarding any government act, new laws, or any official reports and correspondence.²⁸

As a result, independent journalism and the free flow of information does not exist. It is clearly stated by the government that the Turkmen media cannot be involved in political commentaries and all information concerning the political and economic situation in the country is regulated and provided directly from the government.

3.2.1 Print Media

With regard to the printed media, currently there are 13 state print media sources in Turkmenistan. All publications are written in Turkmen with the exception of the *Neutral Turkmenistan* newspaper, which is published in Russian. The majority of these publications are regional periodicals or periodicals of special interest. The common factor amongst all print media is the lack of any constructive criticism of the social, political and economic conditions of the country. They act purely as propaganda tools that praise and glorify the accomplishments of President Niyazov. Currently there is no evidence of any form of critical publications. It is made clear by President Niyazov that the creation of any form of printed media lies solely in the hands of the President. For example, the publication of the *Sedar Ely* (The Leader's Path) newspaper in April 2001 was stopped on the grounds that it was published without Niyazov's permission.²⁹

Regarding foreign print media, the only publication that exists is the Turkish *Zaman* newspaper, although according to a Presidential Act it is published in Turkmenistan and therefore is a different edition than the original publication to cater for the needs of the Turkmen people. In addition, customs officials have tight control over printed media and tend to confiscate materials that they may consider inappropriate for the Turkmen population. Despite the fact that there are a large number of ethnic minorities, such as Uzbeks, Kazakhs, and Azeris, there are no other foreign publications in their respective languages.

3.2.2 Electronic Media

The most illustrative example of the restraints set on the media was the decision of the government in May 2000 to terminate the activities of all Internet providers with the exception of the state-owned Turkmentelecom. The Ministry of Communication revoked the licenses of all independent Internet service providers on the basis of official reports that several providers had falsified information in reports to the Ministry about the technical and structural details of their services. Apparently out of the six Internet providers that existed at the time, only one private company, Sibis, was allowed to keep its license due to its close affiliation with Turkmentelecom.³⁰ As a result, government authorities can now screen Internet sites and make certain sites inaccessible to Internet users depending on their content. It also provided the government with complete control of all e-mail transmissions. But the most successful way that control has been asserted over Internet use has been the unreasonably high prices for Internet services encouraged by the state monopoly on Internet service provision. In a recent success of government control, it was reported in May 2002 that

²⁸ Duve, F., *Current Media Situation in Turkmenistan: Report of the OSCE Representative on Freedom of the Media*, Vienna, OSCE, 16 May 2002

²⁹ Radio Free Europe/Radio Liberty, Turkmen President Criticizes Domestic Media, *Turkmenistan Weekly Report*, 23 May 2001

³⁰ Hogan, B., Internet Access Issue Underscores Clash of Economic and Political Priorities in Turkmenistan, Eurasia Insights, 18 October 2000, <http://www.eurasianet.org> [accessed June 2002]

hackers destroyed the website erkin.net, belonging to former Foreign Minister Avdy Kuliev. Kuliev has attributed this act to the Turkmen authorities, who had made the site inaccessible to Turkmentelecom subscribers since February 2002.³¹

3.2.3 *TV and Radio*

There are three television stations broadcasting in Turkmenistan: TMT-1, TMT-2 and TMT-3. All the stations broadcast in the Turkmen language covering a selection of films and cartoons, musical programmes, very limited news programmes, and patriotic and ideological programmes that praise President Niyazov. The radio follows a similar structure. Currently there are no private television or radio stations. However, there are a growing number of satellite antennas, allowing the owners to receive a range of television programmes from around the world. At a relatively low price this form of broadcasting is becoming increasingly popular.³²

Aware that there is increasing criticism over the restrictive measures that have been established over all forms of media, President Niyazov created a broadcasting council in 2001 aimed at the coordination and quality improvement of television and radio programmes. The council is set up to act as a regulatory body of the media, while facilitating the creation of alternative media outlets. It is however, perceived as a purely rhetorical effort to remove any concrete criticisms that continue to be expressed by various human rights organizations.

Overall, the current situation regarding freedom of media is very different from what the Constitution states. According to the Constitution, all Turkmen citizens have a right to act freely according to their convictions and have the right to receive information, unless it contains state, official or commercial secrets. The only thing that is not stated within the Constitution is the right to collect, create and distribute information.

What the above examples clearly indicate is that total censorship and the complete control over all forms of media outlets by the President have not allowed any improvements in the concept of media freedom. Any weak attempts that took place in the mid 1990s to criticize the government have been completely suppressed over the years by government structures. However, criticism will continue to come from the outside world and in particular be expressed by human rights associations and organizations that perceive the current situation as intolerable. Therefore, a set of recommendations has been suggested to the government of Turkmenistan by the OSCE Representative on Freedom of the Media, in order to improve the current situation. These suggestions advise the government to:³³

- adhere to the legislative norms and comply with the country's international human rights obligations;
- correlate national media legislation with international standards;
- investigate the violations of journalist's rights;
- implement changes that will allow the liberalization of all media outlets and information distribution; and,
- provide access to foreign media.

³¹ Turkmen Opposition Website Destroyed, *Turkmenistan Daily Digest*, 6 May 2002, <http://www.eurasianet.org> [accessed June 2002]

³² Duve

³³ *Ibid.*

3.3 Freedom of Religion

According to government regulations only the Russian Orthodox Church and Islam are registered within Turkmenistan and have legal status. Turkmen law requires that any other religious community that wishes to establish itself in Turkmenistan must have 500 members who are 18 years or older in order to become registered.

Systematic persecution of religious parties and the deportation of religious activists not representing the two main religions of the state under the aegis of eliminating religious propaganda and activism have been evident since 1997. The security forces appear to play a leading role in this persecution and it is reported that they routinely interrogate and intimidate believers, especially the religious activists that are attempting to collect a sufficient number of signatures for registration. Most religious activists are faced with harassment, imprisonment, loss of employment and confiscation of their homes. It is common practice for the security forces to detain pastors and other individuals on false charges. In their battle against religious activism the security forces have received support from other government institutions, including the *Gengeshi* (Council of Religious Affairs), the police, the Justice Ministry, the Education Ministry and local authorities. The role of the *Gengeshi*, although it was not clearly indicated in the country's legislation on religion, does encompass the direct control over the selection, promotion and dismissal of all Sunni Muslim *mullahs* and the Russian Orthodox clergy.

Further restrictions were experienced by the introduction of a "programme of spiritual revival" and a "Code of Moral and Ethical Commandments" adopted in late 2000. Following the increasing number of incidents of harassment religious activists, President Niyazov passed a new law in 2000 banning the search of houses without the prior consent of a special commission and aimed at minimizing the growing criticism over his stance on religious matters. According to Human Rights Watch, the President claimed that during 2000, law enforcement agents had confiscated 350,000 religious books and 80,000 cassettes that were incompatible with the country's faith. In March authorities banned the sale of Bibles in Russian and Turkmen.

3.4 Ethnic Minorities

The percentage of minorities in government and politics does not correspond to their percentage of the population, although there are no legal restrictions on the participation of minorities in the political process. However, preference is given to ethnic Turkmen. The *Majlis* consists of 48 ethnic Turkmen, 1 ethnic Russian, and 1 ethnic Uzbek.

Due to a tribal-based political and social structure, there is evidence of preferential treatment of certain tribes. Currently, Teke, as the largest tribe, holds the most prominent roles in cultural and political life. Observers believe that the Government's preference for ethnic Turkmen officials reflects a desire to overcome the Soviet period when Turkmen were treated as second-class citizens. Based on this belief, President Niyazov issued new restrictions on the use of the Russian language for official business in 2000. At the same time, all Russian language schools closed down. Following the decree requiring all state officials to pass an examination on their knowledge of the Turkmen language, an increasing number of Russian speakers expressed their wish to leave Turkmenistan. However, due to the expiration of the Agreement of Temporary Migrants that allows native Russians to repatriate by selling their dwellings, it is estimated that about 200,000 Russian-speaking citizens are in Turkmenistan with no opportunity to get a good job or repatriate. Additionally, although there is a large

minority of Uzbeks in the eastern part of the country, there is no significant input of the Uzbek language in the print and broadcast media.

3.5 Prison Conditions

In June 1997, Turkmenistan adopted a new criminal code replacing the Soviet-era criminal code. In 1999 the President declared a moratorium on the death penalty and currently Turkmenistan is first Central Asian republic to abolish capital punishment. Despite the abolition of the death penalty, the conditions for all prisoners are dire and have often been the topic of criticism by international organizations and local groups.

The Turkmen government has admitted chronic overcrowding in prison cells, which has already led to prisoners being stifled to death in extreme summer heat. Other reports mention severe sanitary problems leading to outbreaks of diseases such as cholera, tuberculosis and other infectious diseases. Moreover, food remains in short supply and prisoners are not provided with medical aid.

Allegations and statements from local unregistered human rights groups also indicate that inmates are routinely beaten and tortured. From mid-1995, there have been at least two prison riots, apparently provoked by the inhumane conditions.

On the occasion of the fifth anniversary of his election as President, President Niyazov pardoned more than 2,000 prisoners.

Turkmenistan came under strong international criticism in the wake of the death in custody of a political prisoner in early September 1999. Khoshali Garaev, who was sentenced to 12 years' imprisonment in 1995 on charges of conducting anti-state activities, died in his prison cell in Turkmenbashi in unclear circumstances. The Turkmen authorities claimed the 37-year-old Garaev committed suicide, but Human Rights Watch and Amnesty International called for an investigation. Also in September 1999, Amnesty International issued an appeal on behalf of another political prisoner, Mukhametkuli Aymuradov, who was sentenced in 1995 with Garaev on charges of "anti-state crimes".³⁴

President Niyazov, in an effort to appease such criticisms, announced in 1999 that he would pardon and amnesty a further 12,000 prisoners during Ramadan before the end of 1999. Some 22,000 prisoners, or more than half the entire prison population, were freed from the country's overcrowded jails in two separate amnesties earlier in 1999 and an additional 12,000 prisoners were released during the same period in 2000.³⁵

However, these actions have been perceived more as a desperate solution rather than a genuine effort to promote political freedom. The release of thousands of prisoners was aimed to remove the pressure from the overcrowded prisons and ameliorate the conditions of prison life. Yet at the same time, it introduced another problem, an increase in crime rates as in addition to the political prisoners and prisoners of conscience there were also released criminals who resumed their criminal activities once again.

³⁴ Amnesty International, *Amnesty International Report 2000*, London, 2000, <http://www.web.amnesty.org/web/ar2000web.nsf/countries/> [accessed June 2002]

³⁵ Turkmen President Declares Amnesty, *Turkmenistan Daily Digest*, 27 December 2000, <http://www.eurasianet.org> [accessed June 2002]

3.6 Freedom of Movement

The Government has complete control of all movement within the country and travel abroad for all the citizens of Turkmenistan by issuing passports and exit visas. Any citizen who wished to visit a foreign country had to obtain an exit visa, which could take up to five weeks to process. This requirement had been abused as many exit visas were denied for political reasons.

However, in December 2001 the President announced the abolishment of exit visas and decreed that a foreign entry visa or an invitation to travel outside of the country will suffice. Most citizens are permitted to emigrate without undue restriction, although there were credible reports that authorities harassed those who intended to emigrate or who had emigrated and returned to the country for a visit, particularly in the case of political or religious activists.

Citizens still carry internal passports as a form of identification and many areas within Turkmenistan have been declared restricted zones. The travel of foreign diplomats within the country is equally restrictive.

The law provides for the granting of refugee and asylum status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol. The law establishes procedures and conditions for recognizing refugee status and sets the legal, economic, and social rights of refugees. The country provides first asylum if the person is recognized under the mandate of the UN High Commissioner for Refugees (UNHCR). The government has granted refugee or asylum status to some ethnic Turkmen from Afghanistan and has allowed some Tajik refugees and migrants to reside in the country. During 2001, between 30 and 40 persons were granted first asylum. The government cooperates with the UNHCR and other humanitarian organizations in assisting refugees.

After the start of international military operations in Afghanistan, the government agreed to increase its cooperation with UNHCR, the International Organization for Migration (IOM) and other international refugee and relief agencies to assist refugees from Afghanistan. The Government also played an important role in facilitating the flow of humanitarian assistance to refugees who remained in Afghanistan.

3.7 Freedom of Peaceful Assembly

The Constitution allows for peaceful assembly but the government has been less supportive of such activity in practice. In order for a public meeting or a demonstration to take place a permit is required by the government. However, such permits are rarely granted and each application is screened very carefully. Unregistered organizations are not allowed to hold demonstrations. For example, in September 2001 there were reports that government authorities prevented the demonstration of a group of citizens of Dashoguz who wanted to protest the forced closure of the market by city authorities. As there was no prior application for the protest, police forces were sent to disperse the demonstrators. In this case, though, the police failed to break up the demonstration and the market in Dashoguz reopened. More recently, in April 2002, 300 Turkmen citizens demonstrated outside the headquarters of the Committee for National Security (KNS) in Ashgabat against maltreatment of ordinary citizens by KNS officials, demanding the punishment of officers involved in abuse of power.

It is reported that in response to such criticisms, President Niyazov dismissed several officers and officials through all the ranks of KNB.³⁶

3.8 Freedom to Establish Non-governmental Organizations (NGOs)

Although NGOs mainly exist in order to support the rights of the people rather than promote a political agenda, they are still under scrutiny from the government. Over the ten years of independence Turkmenistan was one of the Central Asian states that continued to be reluctant to accept the establishment of social and cultural NGOs. Since 1999 there has been a slow move to allow the registration of a range of NGOs. Although currently there are over 200 NGOs in Turkmenistan, a very small minority are actually legally registered. In 2000 the government reportedly registered 10 NGOs, mostly social clubs and charitable societies. The main NGO that attracts most of the attention is a pro-government coalition of 30 NGOs concerned with women's rights, the *Gurbansoltan-Eje*.³⁷

4 Groups at Risk of Serious Human Rights Violations

4.1 Journalists

In recent years journalists have continued to be arrested and sent to prison for expressing political views in opposition to the government and its policies. There have been several cases of violations of the rights of journalists, which are not always publicized due to the tight control of the media. Many journalists have had to leave Turkmenistan, while others have abandoned their profession as journalists in order to avoid the repercussions.

In August 2000, security officials told Radio Free Europe/Radio Liberty (RFE/RL) stringer Saparmurad Ovezberdiev that he could no longer report for RFE/RL because he did not have the proper accreditation, despite the permission granted by the Ministry of Foreign Affairs for RFE/RL journalists to work in Turkmenistan. Ovezberdiev was previously detained by security officials in Ashgabat during the 1999 parliamentary elections after interviewing people who did not support the nature of the elections.³⁸

In a similar fashion, Turkmen journalist Nikolai Gherasimov was arrested in November 2000 after collecting materials at a Baku oil and gas trade fair and was sentenced to five years in prison. It is suspected that his arrest was closely connected to the fact that he has criticized the personality cult that exists in Turkmenistan.

Another example, was the arrest of RFE/RL stringer Yovshan Annakurbanov in October 2000 as he was attempting to board a flight to Prague to attend a journalists' training programme. He claimed that members of the Turkmen security service had threatened him in June that something might happen to him or his children if he continued to work for RFE/RL.

Finally, within a wider regional context, the lack of media freedom is evident in the case of the OSCE Central Asian Media conferences that have been organized annually since 1999. At every event, the government of Turkmenistan has been the only one of all the Central Asian

³⁶ Radio Free Europe/Radio Liberty, *Central Asia Report*, 14 March 2002

³⁷ International Helsinki Federation on Human Rights, *Women 2000*, pp.465

³⁸ United States, Department of State, *Country Reports on Human Rights Practices 2001: Turkmenistan*, Washington, 4 March 2002

states that refuses to cooperate and allow Turkmen journalists to participate at the conferences.

4.2 Religious Activists

As indicated above, the majority of human rights violations have been targeted at religious communities that have been active in Turkmenistan as well as in the other Central Asian states since their independence. There have been several cases of violations, with victims from the Baptist Church, Jehovah's Witnesses and the Adventist Church.

In particular, in May 1997, the government ordered the closure of two Protestant churches - the Russian Baptist Church and the Greater Grace Church - in Ashgabat. Authorities said that the closures had been carried out on the basis of the new law on religious associations reportedly passed in 1996. They threatened to seize and sell the churches' buildings, should the believers attempt to meet again. All registered Christian churches, except the Orthodox Church, had been informed in March that their previous status had been revoked under the new law requiring a minimum of 500 members.

The government conducted a clampdown on unregistered religious activity in the summer of 1999. The authorities demolished two Hare Krishna temples, one in Ashgabat and one in Mary, in August 1999, the first time any former Soviet republic had deliberately demolished places of worship in order to halt religious activity since the end of the Soviet period. KNB and police raids were conducted on Adventist, Pentecostal and Baptist churches, and some religious leaders were fined. Only the officially-recognized Sunni Muslims and the Russian Orthodox Church have been able to gain official status since re-registration was enforced in 1997, and the government regards any activities of unregistered groups as illegal.³⁹

November 1999 was witness to another government clampdown on religious activity when authorities demolished a Seventh Day Adventist church in Ashgabat. An Evangelical Baptist community was also raided, with bibles and hymn books confiscated. Clampdowns continued in December 1999 when two Baptist ministers were arrested and Baptist churches in Mary, Turkmenabad, Turkmenbashi, and Ashgabat were raided. More Baptist ministers and their families were deported forcibly in 2000. By June 2000, the last remaining Russian Baptist missionary was deported. By February 2001 the last Baptist church in the country had closed, whilst the battle of human rights organizations to free the Baptist Shageldy Atakov has finally reached a successful end in early 2002. Based on several reports, Atakov was finally released in January 2002 several months before the end of his four-year prison term.⁴⁰ It is stated that the decision was made following a statement by President Niyazov on freedom of religion in Turkmenistan and the fact that religion should not be mixed with politics.⁴¹

President Niyazov has also emphasized the need to register all mullahs and other clerics to ensure that Islam is not used for political aims. He has also closed down religious schools giving rise to concerns that they were offering subversive teaching.

³⁹ International Helsinki Federation on Human Rights, *Human Rights in the OSCE Region*, p.312

⁴⁰ Turkmenistan: Atakov Freed, *Keston News Service*, 10 January 2002, <http://www.keston.org/knsframe.htm> [accessed June 2002]

⁴¹ Niyazov Comments on Freedom of Religion, *Turkmenistan Daily Digest*, 7 January 2002, <http://www.eurasianet.org> [accessed June 2002]

Despite being home to 40,000 Armenians, the Turkmen government continues to oppose the reopening of Armenian churches in the country, a move that is supported by Russia.

The suppression of Christian churches continued throughout 2000, with police and security officers raiding at least three Protestant churches in Ashgabat between August and October. During these raids parish members had their passports temporarily confiscated, and were warned not to attend future services. The authorities also indicated that no gatherings in private houses are tolerated even though there is no such clause within the Turkmen legislation on religion. Christian populations received yet another setback in March 2001 after the government announced that bookstores could no longer sell Bibles.

Another community that seems to have been constantly persecuted in Turkmenistan are the Jehovah's Witnesses (JW). At present, six JWs remain imprisoned in Turkmenistan; three of them were arrested because of their conscientious objection to military service, and the other three were sentenced on dubious charges. Most of the JW prisoners serve their time in the Seydi Labour Colony, located close to the Uzbekistan border in northeast Turkmenistan and are not allowed to read any religious literature. Reports coming from the Seydi Colony indicate that there is evidence of regular groundless punishments, such as 5 to 15 days of isolation in a penal cell. The Colony administration openly reveal this treatment, explaining that people are being punished for "being Jehovah's Witnesses".⁴²

The only other Christian religious community that has been permitted to practice legally in Turkmenistan is the Catholic Church. According to unconfirmed reports, although the government authorities have allowed the existence of the Catholic community, it refuses to permit the opening of a Catholic church in Ashgabat.

4.3 Political Islam

Although Islam is one of the two religions that is allowed to be practised in Turkmenistan, there has been considerable effort to control the growth of Islam as a political tool. President Niyazov introduced certain restrictions on religious education in mosques and officially declared that "all *madrasah* and religious schools which were open everywhere must be closed" and only one *madrasah* was deemed sufficient. It functions under the control of the *muftiyat*.

It is reported that the clampdown on Islamic teaching began in the mid 1990s and allegedly 300 Islamic preachers of foreign citizenship were deported from Turkmenistan in 2000. In addition, the President demanded that Turkmen Muslims should renounce the use of *hadith*, which are sayings attributed to the Prophet Muhammad that do not appear in the Koran.⁴³

President Niyazov also expressed his dissatisfaction with the activities of the *muftis* and accused the chief *imam* of the Mary region of economic crimes because he criticized the government. Many *imams* were targets of government persecution for omitting to repeat the oath of loyalty to the fatherland and the President after each prayer. However, there continues to be an active resistance to government policies and several mosques that are not registered continue to function.⁴⁴

⁴² Amnesty International

⁴³ United States, Department of State

⁴⁴ Chief Mufti Refuses to Discuss Presidential Madrassah Closures, *Keston News Service*, 21 January 2002, <http://www.keston.org/knsframe.htm> [accessed June 2002]

4.3.1 The Situation Post September-11

Prior to the events of September-11 and the war on terrorism that commenced in Afghanistan, Turkmenistan had close ties with the Taliban. President Niyazov saw Afghanistan as a potential gas pipeline route that would open the export market of natural gas beyond the former Soviet republics and could contribute to the economic growth of Turkmenistan. As a result, Turkmenistan was willing to cooperate with the regime that had control of the largest area of Afghanistan; in this case, the Taliban. At the same time, President Niyazov, despite maintaining diplomatic relations with Afghanistan, was critical of the existence of religious-political movements. However, the strategy of the Turkmen government of neutrality allowed the President to maintain a relationship with all its neighbouring states.

Following the commencement of the war on terrorism, led by the US, Turkmenistan has again used its neutrality to avoid any close involvement with US military actions in the region. Its only commitment was seen in the government's willingness to participate in the operation of humanitarian assistance to the Afghan people. On this basis, it gave permission to US planes to transit through Turkmen airspace and use its air bases solely for humanitarian military operations.⁴⁵

The country's relations with the US are hampered by the absence of reciprocal actions between the two states. While the U.S. continues to criticize the Turkmen government for its repressive regime and the trespassing of human rights, it is reluctant to act upon Turkmenistan's request for the extradition of former Foreign Minister Boris Shikhmuradov, whom the Turkmen authorities have accused of the theft and sale of fighter aircraft and weapons worth over US\$25 million.⁴⁶

Based on President Niyazov's actions so far, it is evident that Turkmenistan will continue to operate an isolationist approach and attempt to keep any form of cooperation with the West to a minimum.

If the West wants to see gradual changes towards a form of democracy that falls within western standards, it needs to indicate that it is willing to provide long-term support to all Central Asian states in order to support political and economic stability. This will, however, likely involve compromising certain economic benefits to ensure that a balance is met between the interests of the Central Asian states and their strategic neighbours.

5 Conclusion and Future Outlook

As has been indicated above, there are no domestic human rights monitoring groups, and government restrictions on freedom of expression, press, and association make it extremely difficult to investigate and criticize publicly the Government's human rights policies. Government officials are not cooperative and responsive to the views of critics. Several independent journalists based in Russia report on human rights in the Russian press and have contact with international human rights organizations. On numerous occasions in the past, the government has warned its critics against speaking with visiting journalists or other foreigners wishing to discuss human rights problems. Currently there is no representation of

⁴⁵ International Crisis Group, *Central Asia Briefing: Central Asian Perspectives on 11 September and the Afghan Crisis*, Osh; Brussels, 28 September 2001

⁴⁶ Turkmenistan Criticizes U.S. Failure to Extradite Foreign Minister, *Turkmenistan Daily Digest*, 13 May 2002, <http://www.eurasianet.org> [accessed June 2002]

international human rights NGOs within Turkmenistan, while local NGOs are repeatedly harrassed by security officials and told not to comment or to discuss human rights issues with foreigners.

Turkmenistan has a small, uniform, largely rural population and is politically more stable than most other areas of the former Soviet Union. The main threat comes from the strong tribal affiliations that exist within the political and social environment of Turkmenistan.

Niyazov's personal popularity and the firm hand with which he governs have effectively prevented any expansion of political violence and terrorism, and any political extremism in Turkmenistan is driven underground. Insurgency, likewise, is not a serious problem. Depending on the scale of the retribution the US ultimately carries out in Afghanistan in response to the terrorist attacks on September 11, Turkmenistan may find itself faced with an uncontrollable flow of Afghan refugees, and Islamic militants escaping possible retaliatory strikes. In a country unable to financially deal with a refugee crisis, such events could produce the seeds of popular discontent and ultimately, instability.

However, the freeing of tens of thousands of prisoners in presidential amnesties over recent years have led to a serious rise in the crime rate. Although the crime rate officially fell by 17% during the first nine months of 2000, Niyazov's amnesty for over 50% of the prison population at the end of December 2000 has reversed this trend in 2001 and it could escalate further at present.

Despite the heavy hand of government rule and strong censorship, widespread popular discontent with the government and opposition to Niyazov might combine to form a challenge to his rule. If Russia begins to give backing to Niyazov's opponents, discontent could turn to armed opposition, drawing on the resentment at the poor living conditions of the ordinary people and the shortages of basic services and food. However, this is currently highly speculative because of Russia's interest in maintaining stability in the region and because of the close relationship between the two governments.

In view of the slowdown of economic development, the stagnation of concrete democratic reforms and the people's perception of corrupt and repressive governments that is evident within Central Asian states that were quick to push for democratic reform, Turkmenistan will remain loyal to its President's plan of gradual reform that will continue until 2010. According to official sources, this slow pace of change has allowed Turkmenistan to avoid internal clashes and conflicts and the country is the process of addressing the issues of democratization and human rights.⁴⁷ This inevitably means that human rights standards will remain the same and possibly worsen in the immediate future.

Since 1999 there has been further evidence the President Niyazov is inclined to repress even moderate and non-violent political and religious groups for fear that they may become a stronghold of opposition. It is acknowledged by government officials that the restrictions regarding religious groups are essential to keep Islamic fundamentalism at bay. However, by forcing any form of opposition and constructive criticism against the government

⁴⁷ Comments by Vladimir Kadyrov, Director of the National Institute for Democracy and Human Rights. See, Commission on Security and Cooperation in Europe, *Human Rights and Democratization in Uzbekistan and Turkmenistan*

underground, the government may be faced with exactly what it wishes to avoid: political radicalism and religious extremism.

6 Bibliography

- Amnesty International, *Amnesty International Report 2000*, London, 2000, <http://www.web.amnesty.org/web/ar2000web.nsf/countries/> [accessed June 2002]
- Avdy Kuliev, exiled opposition leader, Interview, *Turkistan Newsletter*, 3 April 2000
- Chief Mufti Refuses to Discuss Presidential Madrassah Closures, *Keston News Service*, 21 January 2002, <http://www.keston.org/knsframe.htm> [accessed June 2002]
- Commission on Security and Cooperation in Europe, *Human Rights and Democratization in Uzbekistan and Turkmenistan*, Washington, March 2000
- _____, *Hearing: The State of Democracy and Human Rights in Turkmenistan*, Washington, 21 March 2000, http://www.csce.gov/briefings.cfm?briefing_id=49 [accessed June 2002]
- Davidson, D., *Concern about Democratization, Economy in Turkmenistan*, Vienna: OSCE, 23 May 2002
- Duve, F., *Current Media Situation in Turkmenistan: Report of the OSCE Representative on Freedom of the Media*, Vienna, OSCE, 16 May 2002
- Freedom House, *Freedom in the World 1999-2000: Turkmenistan*, New York, 2001, <http://www.freedomhouse.org/research/freeworld/2000/countryratings/turkmenistan.htm> [accessed June 2002]
- Goble, P., Turkmenistan: Analysis from Washington - 'Rewriting the Future', *RFE/RL Weekday Magazine*, 2 October 2000.
- Hogan, B., Internet Access Issue Underscores Clash of Economic and Political Priorities in Turkmenistan, *Eurasia Insights*, 18 October 2000, <http://www.eurasianet.org> [accessed June 2002]
- Human Rights Watch, *Turkmenistan: Human Rights Developments*, New York, 2001
- International Crisis Group, *Central Asia Briefing: Central Asian Perspectives on 11 September and the Afghan Crisis*, Osh; Brussels, 28 September 2001
- International Helsinki Federation on Human Rights, *Human Rights in the OSCE Region: The Balkans, the Caucasus, Europe, Central Asia and North America: Report 2001*, Vienna, 2001
- _____, *Women 2000: An Investigation into the Status of Women's Rights in the former Soviet Union and Central and South-eastern Europe*, Vienna, 2000
- Jane's Information Group, *Turkmenistan Profile*, Jane's Sentinel Security Assessment: Russia and the CIS, London, July-December 2001
- Kamenev, S., The Current Sociopolitical Situation in Turkmenistan, *Central Asia and the Caucasus*, No 2 (14), 2002, <http://www.ca-c.org/journal/eng-02-2002/05.kamprimen.shtml> [accessed June 2002]
- Niyazov Comments on Freedom of Religion, *Turkmenistan Daily Digest*, 7 January 2002, <http://www.eurasianet.org> [accessed June 2002]
- Radio Free Europe/Radio Liberty, *Central Asia Report*, 14 March 2002
- _____, Turkmen President Criticizes Domestic Media, *Turkmenistan Weekly Report*, 23 May 2001
- Rasner, M., Learning to Love Turkmenbashi, *Transitions Online - In Focus*, 4 September 2000
- Turkmen Head Calls for Education Reform, Close Russian Language Department, *Turkmenistan Daily Digest*, 10 April 2002, <http://www.eurasianet.org> [accessed June 2002]
- Turkmen Opposition Website Destroyed, *Turkmenistan Daily Digest*, 6 May 2002, <http://www.eurasianet.org> [accessed June 2002]

Turkmen President Declares Amnesty, *Turkmenistan Daily Digest*, 27 December 2000, <http://www.eurasianet.org> [accessed June 2002]

Turkmenistan: Atakov Freed, *Keston News Service*, 10 January 2002, <http://www.keston.org/knsframe.htm> [accessed June 2002]

Turkmenistan Criticizes U.S. Failure to Extradite Foreign Minister, *Turkmenistan Daily Digest*, 13 May 2002, <http://www.eurasianet.org> [accessed June 2002]

United States, Central Intelligence Agency, *CIA World Factbook 2001: Turkmenistan*, Washington, 2001

World Bank, *Country Data Sheets – Turkmenistan at a Glance*, Washington, 2001

United States, Department of State, *Country Reports on Human Rights Practices 2001: Turkmenistan*, Washington, 4 March 2002