



# **PROFILE OF INTERNAL DISPLACEMENT : TURKMENISTAN**

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Norwegian Refugee Council/Global IDP Project  
Chemin de Balexert, 7-9  
1219 Geneva - Switzerland  
Tel: + 41 22 799 07 00  
Fax: + 41 22 799 07 01  
E-mail : [idpproject@nrc.ch](mailto:idpproject@nrc.ch)

## **CONTENTS**

|   |                 |
|---|-----------------|
| <b><u>CONTENTS</u></b>  | <b><u>1</u></b> |
| <b><u>COUNTRY PROFILE</u></b>   | <b><u>2</u></b> |
| TURKMENISTAN: GOVERNMENT USES FORCED DISPLACEMENT AS TOOL OF REPRESSION | 2               |
| <b>ABBREVIATIONS AND ACRONYMS</b>                                       | <b>8</b>        |
| <b><u>LIST OF SOURCES USED</u></b>                                      | <b><u>9</u></b> |

## COUNTRY PROFILE

### **Turkmenistan: government uses forced displacement as tool of repression**

*Forced displacement is one of the many ways in which President-for-life Saparmurat Niyazov exercises authoritarian rule and control in Turkmenistan. Turkmen law contains a number of provisions which explicitly allow forced relocation to be used as punishment for certain crimes committed by civilians, however, in practice these laws are used as legal justification for the displacement of political opponents and ethnic minorities. After a failed assassination attempt on President Niyazov in November 2002, the government intensified its search for “internal enemies”, aggravating the risk of forced relocation for political opponents and their relatives. Ethnic minorities are also at a heightened risk of forced displacement due to a government initiated discrimination campaign intended to forcibly assimilate ethnic minorities within Turkmenistan. There are numerous unconfirmed reports of forced relocation of ethnic minorities in the country’s border regions. In and around the country’s capital, Ashgabat, a city-wide beautification project resulted in the demolition of numerous private residences. Often residents, who in some instances held valid legal titles to their property, were provided little warning to vacate their homes and in some cases were not provided with any form of compensation. In one case evicted residents were even forced to pay for the removal of rubble from their destroyed homes.*

*Due to state control over the media and internet access, as well as the virtual absence of civil society in the country, information on the extent of internal displacement in Turkmenistan remains extremely scarce. While reports often note that hundreds of people have been displaced as a result of specific government-initiated incidents, national estimates of those forcibly removed or displaced do not exist. Both the UN Commission on Human Rights and the UN Committee on the Elimination of Racial Discrimination have called upon the Turkmen government to put an end to forcibly displacing segments of its population. As the humanitarian conditions of displaced persons are currently unknown, there is a need for an assessment. Due to government travel restrictions within Turkmenistan, however, international observers have been unable to independently confirm reports of forced internal migration. The situation requires increased monitoring and advocacy by diplomatic missions and international agencies operating within Turkmenistan on the situation of internally displaced persons in the country.*

### **Background and causes of displacement**

As of 2001, forced resettlement became part of the Criminal Code of Turkmenistan and is used as punishment for certain crimes, including abuse of power and misuse of government funds (OSI, August 2005, p.14; OSCE, 12 March 2003, p.37). In addition, in 2002 President Niyazov issued a decree titled “On Measures to Resettle and Rationally Allocate Manpower and Make Effective Use of Land in Dasoguz, Lebap, and Ahal Regions”. The decree states that “young people” should move from densely-populated districts to newly cultivated land in the hopes of improving socio-economic conditions (Government of Turkmenistan, 19 November 2002). The President’s decree further states that those who disturb tranquillity by expressing immoral behaviour or do not carry out civic duties are subject to resettlement, without any privileges being granted. Dasoguz, Lebap, and Ahal provinces are noted as areas of resettlement. Further, the decree instructs the Ministry of Economy and Finance to budget for the costs of building water facilities, land management projects, and the construction of social and cultural facilities in newly formed settlements (Government of Turkmenistan, 19 November 2002).

Investigating the extent to which the Presidential Decree or the Criminal Code are used to forcibly displace segments of the population is extremely difficult as the state controls “all domestic media, bans foreign media, jams extraterritorial radio stations, monopolises Internet service provision, and uses remaining media to extol the successes of the government” (OSI, August 2005, p.4). As numerous types of forced

relocation and displacement currently exist, often the relationship between the actual displacement and the relevant Turkmen legal provisions noted above are unclear. Reports indicate, however, that after a failed assassination attempt on President Niyazov in November 2002, the government intensified the search for “internal enemies” (HRW, January 2005, p.3), resulting in the forced relocation and displacement of political opponents and ethnic minorities.

### **Internal exile: displacement of political opponents**

In 2004, numerous former ministers and government officials were dismissed from their positions and sent into internal exile where they remained under house arrest (US DOS, 2005, p.10). Some officials were accompanied by their families and the President proposed that they could work off their sentences while in exile (US DOS, 2005, p.10). Saparmurad Ovezberdiyev, the Ashgabat correspondent of Radio Liberty, was forced into internal exile in July 2004 (HRW, January 2005, p.1). In 2003 Sazak Begmedov, father of Turkmenistan Helsinki Foundation (THF) director Tadzhiagul Begmedova, was forcibly resettled to Dasoguz province where he still remains. Before Mr. Begmedov was forcibly resettled, his daughter had announced the founding of THF and alleged that the two men imprisoned in connection with the assassination attempt on President Niyazov had died in prison as a result of torture (AI, 31 August 2005). Ms. Begmedova and the director of the Turkmen Initiative for Human Rights, both of whom reside outside Turkmenistan, maintain that the Turkmen government continues to harass and intimidate their relatives within the country due to their own efforts in calling attention to the government’s continued violations of human rights (IRIN, 1 September 2005, “Ashgabat intimidating”).

Compared to previous years, there have been fewer reports of dissidents enduring internal exile recently, perhaps due to the small number of political opponents remaining within the country (ICG, November 2004, p.4).

### **Forced relocation of ethnic minorities**

The ethnic Uzbek population in Turkmenistan remains under increased scrutiny after the 2002 failed coup attempt as the government of Uzbekistan was alleged to be involved in the attack (OSI, August 2005, p.14; Freedom House, 2005, p.653; OSCE, 12 March 2003, p.21). President Niyazov pointed to the “bad spirit” of people in the Lebap region bordering Uzbekistan, an area where the majority of people are ethnically Uzbek (OSCE, 12 March 2003, p.37). The region is noted in the 2002 decree on forced relocation, along with the Dasoguz and Ahal provinces, which also have large ethnic Uzbek populations. While it is known that the decree has been implemented with a specific focus on resettling ethnic Uzbeks and Uzbek nationals living in Turkmenistan, the precise conditions surrounding the resettlements remain unknown (OSI, August 2005, p.14; US DOS, 2005, p.14; International Crisis Group, November 2004, p.7). In 2004 the government reportedly ordered the forced relocation of part of the ethnic Uzbek population living along the Turkmen-Uzbek border and their replacement with ethnic Turkmen (Freedom House, 2005, p.656). In 2003 twenty-five families were forcibly resettled from the Dasoguz province, an area where ethnic Uzbeks comprise 80-90 percent of the population (OSI, August 2005, p.15).

The forced relocation of ethnic Uzbeks living along the border with Uzbekistan may also be an attempt to curb smuggling of fuel and other commodities from Turkmenistan to Uzbekistan (OSI, August 2005, p.15; TIHR, 2 June 2005, “Internal Deportation”). Due to the situation of mass unemployment on both sides of the border, many residents are involved in cross-border smuggling. In April 2005 forty people and their families from Dasoguz province, mostly ethnic Uzbeks, were subject to “internal deportation” as a result of government allegations that they were involved in smuggling food commodities to Uzbekistan. While local authorities brought criminal charges against the accused, following an order from President Niyazov, the suspects were not imprisoned but deported to a desert area near Gazandzhik (TIHR, 2 June 2005, “Internal Deportation”). For many residents who live along the border in adjacent Uzbekistan, fuel smuggling specifically is the only source of income (IRIN, 8 August 2005, “Cross Border Movement”). There are also

reports suggesting that deportations within Uzbekistan may be linked to protecting Uzbekistan's national petrol output which is said to be controlled by the family of the Uzbek president (OSI, August 2005, p.15). While the relationship between Uzbekistan and Turkmenistan soured after the 2002 coup attempt against President Niyazov, the relationship between the two countries may be improving as presidents of both countries recently met and discussed plans regarding the establishment of joint markets in frontier areas (IRIN, 8 August 2005, "Cross Border Movement").

Ethnic Uzbeks may not be the only minority group targeted for resettlement by the Turkmen government. In July 2005 it was reported that residents of the village of Sed'moi Aul, populated "overwhelmingly" by ethnic Kazakhs and located seven kilometres from Turkmenbashi, were forced to resettle to an unknown location. Approximately 3,000 inhabitants lost their homes, and reportedly did not receive any form of compensation (OSI, August 2005, p.15).

As much of Turkmenistan's interior is uninhabited desert, the need to cultivate and produce commodities is possibly linked to forced resettlement. The 2002 forced resettlement decree does suggest that human capital be transferred from densely populated areas to regions requiring cultivation (Government of Turkmenistan, 19 November 2002). The decree notes Dasoguz province as one such location, an area where numerous incidents of forced resettlement have been reported. Dasoguz is also an area populated mainly by ethnic Uzbeks, thus ethnicity and the need for cultivation may overlap.

It appears that not all relocations have necessarily been involuntary in nature. There are reports suggesting that the certain populations agreed to move away from overcrowded areas along the Uzbek border and that they have been provided with partial support in re-establishing their lives once they were resettled (IOM, May 2005, p.60-61). Further, some villages resettled in accords with the 2002 decree have been provided with building material to build houses, but remain without required infrastructure (such as water, gas and electricity). One area of proposed resettlement is the "Golden Century Lake", a proposed development project in the middle of the country (International League for Human Rights, August 2005, p.24); however, recent visits by international observers did not note any signs of recently established settlements (IOM, May 2005, p.61).

Forced displacement is only one of the many ways in which the Turkmen government discriminates against ethnic minorities. As part of a state policy of forced assimilation or "Turkmenification" of non-ethnic Turkmen, President Niyazov has publicly called for the pro-motion of efforts to enhance the "purity" of the Turkmen people in conjunction with efforts to remove those who "dilute" Turkmenistan's "blood" (International League for Human Rights, August 2005, p.3, 8). Ethnic minorities are denied access to a number of fundamental socio-economic rights that could potentially enhance their livelihoods, such as access to education, labour, and the right to own property (International League for Human Rights, August 2005, p.3; OSI, August 2005, p.15).

### **Forced removals in urban environments**

The government has continued its beautification campaign in the country's capital, Ashgabat, resulting in the demolition of numerous private homes in an effort to provide space for new construction (US DOS, 2005, p.5; IOM, May 2005, p.59). Certain areas of the city have been completely re-constructed with government buildings, monuments and parks; plans exist for the entire old city to be destroyed and rebuilt (IOM, May 2005, p.59). The government has defended these actions by stating that previous authorities gave land away illegally, thus such plots had to be returned to the state, yet even those who held legal title to their land were evicted (US DOS, 2005, p.5). The government also used "eminent domain" as legal explanation for acquiring and then demolishing residences (IOM, May 2005, p.59). Legally, eminent domain refers to the power of governments to acquire private property for public use. Turkmen law indicates that when eminent domain is implemented, those affected must be provided with just compensation (IOM, May 2005, p.59). The UN Guiding Principles on Internal Displacement also set out a number of criteria that states should meet if authorities undertake a displacement operation, including that proper accommodation be provided to those who are displaced. The Guiding Principles further establish a

number of safeguards to guide authorities when displacing populations, for example that the free and informed consent of those being displaced should be sought, and that displaced persons should be involved in the planning and management of their relocation (Principle 7, UN Guiding Principles on Internal Displacement).

In some cases, the government did not provide any compensation to residents whose homes were demolished (US DOS, 2005, p.5; IHF, 16 July 2004); – in one case the government required evicted families to pay for the removal of the rubble of their destroyed homes (US DOS, 2005, p.5). The government also gave little if any warning in regard to its plans to demolish homes; some residents were provided with 12-hour warnings whereas others were given two weeks to vacate premises (US DOS, 2005, p.5). If plots of land were offered as compensation, often these plots were undeveloped or non-irrigated, resulting in the loss of livelihood (US DOS, 2005, p.5). In some cases, receiving compensation was linked to residency permits (IOM, May 2005, p.60). Home owners with residency permits were provided with compensation in relation to the size of their individual families – i.e. families receive enough space to suit their needs (IOM, May 2005, p.60). However, those without residency permits were not provided with any compensation. As residency permits do not extend to family members, if the family member listed on the permit was arrested or has passed away, families are left with little recourse and must seek accommodation with relatives or in other areas of Turkmenistan (IOM, May 2005, p.61). As a result of the ad-hoc nature of the beautification campaign, a number of Ashgabat residents reported purchasing two to three apartments within the city to ensure that they had housing (IOM, May 2005, p.59).

Villages outside of Ashgabat also experience demolitions (US DOS, 2005, p.5; IOM, May 2005, p.59). In May 2004, it was reported that three villages had been destroyed along the road to the Kopet Dag Mountains; observations in other areas outside the capital revealed entire stretches of villages destroyed (IOM, May 2005, p.59). In July 2004, demolitions in Ashgabat suburbs resulted in displaced persons taking shelter in abandoned schools and prisons (US DOS, 2005, p.5). At the same time it was also reported that in Keshi, a settlement near Ashgabat, 900 residents received notification of impending eviction, and that the demolishment of 400 houses was being planned (IHF, 16 July 2004). Some families from Keshi were offered plots of land in Choganly, a deserted area north of Ashgabat, however, this offer was only extended to “native” residents of Keshi (IHF, 16 July 2004). Non-natives, faced with no other options, were forced to re-turn to previous residences in other areas of the country (IHF, 16 July 2004).

In September 2004, the Russian human rights group Memorial reported that the village of Darvaza, located outside of Dasoguz province, was demolished by bulldozers. Allegedly, President Niyazov ordered the village to be destroyed because of its unattractive appearance. The demolishment of the village involved approximately 200 soldiers and policemen. While the villagers were not provided any alternative housing, the villages of Bokurdak and Erbent were offered as villages of resettlement. When the incident was reported, a number of villagers still lived in “nomad tents” (Memorial, 24 September 2004).

There have been a number of public pro-tests against urban evictions, which often led to the detention of demonstrators. Residents from Keshi who protested against their eviction in front of the Russian Embassy were detained and cautioned not to express their opinion publicly (IHF, 16 July 2004). In another incident, 70 women gathered on the main street of Keshi only to be surrounded by police who issued threats; some women were also detained for a number of hours (IHF, 16 July 2004). In June 2004, approximately 50 women gathered outside the UN headquarters in Ashgabat to ask for UN support against planned housing demolitions. The women were detained at the local mayor’s (hakim) office. With the acting head of the UN Mission pre-sent, the women were permitted to pre-sent their complaints to the hakim and were later released (US DOS, 2005, p.7).

### **International response**

Representatives of the international community in Turkmenistan share “anecdotal evidence” regarding the forced removals of small villages and communities throughout the country (IOM, May 2005, p.60). Yet the

international community has done little to address the situation endured by displaced persons, largely due to severe government restrictions which hinder the ability of international organisations to assess the displacement situation and advocate for reforms.

The United States used its influence as one of the key actors in the region by linking assistance to greater commitments by the government to freedom of movement and religion, but has not advocated for other reforms, possibly due to a danger of risking over-flight rights to Afghanistan granted to the US Air Force by the Turkmen government (HRW, January 2005, p.3; ICG, November 2004, p.25). The US may also be impeded in its ability to advocate for democratic reforms in Turkmenistan due to the need to realign its military operations in the region following a demand by the Uzbek government that the US withdraw from a military base on its territory. Reports emerged that as an alternative the US, in conjunction with Turkmen authorities, were considering Mary Airfield in Turkmenistan as a substitute (OSI, 26 August-1 September 2005, "News Digest"). Both the Turkmen authorities and the US government, however, later refuted these reports (OSI, 2-8 September 2005, "News Digest").

Two UN human rights bodies called on the Turkmen government to stop forced resettlement. In August 2005, the UN Committee on the Elimination of Racial Discrimination (CERD) requested that Turkmenistan discontinue its policy on forced displacement, and asked that the government provide information about the number of people resettled as a result of the 2002 forced relocation decree. The CERD noted "with deep concern" that forced relocation has particularly targeted ethnic Uzbeks and displaced them to "in-hospitable parts of Turkmenistan" (UN CERD, August 2005). The UN Commission on Human Rights adopted an EU-sponsored resolution in 2004, urging Turkmenistan to put an end to forced displacement (UN CHR, 15 April 2004; RFE/RL, 16 April 2004). In its 2003 resolution on Turkmenistan, the Commission called on the Turkmen government to officially invite the Representative of the UN Secretary-General on Internally Displaced Persons to visit the country (UN CHR, 16 April 2003, p.3). In 2005, the Commission failed to adopt a resolution on Turkmenistan, possibly due to Turkmenistan's growing role in regional oil and gas trade (Global IDP Project, Confidential interview with NGO representative, 5 October 2005).

The UN General Assembly called on the government of Turkmenistan in December 2004 to fully implement the measures set out in the 2003 Commission on Human Rights resolution (UN GA, 22 December 2003).

Pursuant to the request of the Commission on Human Rights, the UN Representative on IDPs wrote to the government of Turkmenistan twice in 2003 requesting an official invitation and in both instances the government failed to respond to the requests (UN CHR, 4 March 2004, p.16). At the time of writing, there have been no additional requests from the Representative to visit Turkmenistan (Email correspondence, OHCHR official, 8 August 2005).

The Organisation for Security and Cooperation in Europe (OSCE) maintains a minimal advocacy role in Turkmenistan in relationship to reports of forced internal displacement. Since 2003 when ten member states of the OSCE invoked the rarely used Moscow Mechanism, resulting in a report by rapporteur Professor Emmanuel Decaux which recommended Turkmenistan put an end to forced displacement (OSCE, 12 March 2003, p.5), the OSCE has not publicly commented on internal resettlement or forcible removal in the country. However, the OSCE High Commissioner on National Minorities is aware of the existence of a national resettlement programme and has initiated a dialogue with the relevant Turkmen authorities on the subject (Interview with OSCE official, 16 August 2005). While the OSCE mission in Ashgabat is aware of cases of forced resettlement, due to limited human resources and government travel restrictions, the mission has limited opportunities to assess situations of internal displacement (Email correspondence, OSCE official, 12 September 2005).

While the above activities indicate that the international community has acknowledged the situation of internally displaced persons in Turkmenistan, this acknowledgement has been followed by little, if any, tangible action on the ground. This is partly due to travel restrictions imposed by the government, which make it difficult for international staff to visit the regions where forced re-settlements are alleged to have

occurred. At the same time, efforts to address the situation of the displaced are limited by international agencies' fears that raising sensitive political and human rights related issues with the government could endanger their programmes or even presence in the country (Global IDP Project, Confidential interview with international observer, 20 September 2005).

There is an urgent need for a comprehensive assessment of the situation of the displaced as a basis for possible further humanitarian interventions. However, without the political backing of key actors in the region, including the US, the European Union and the Russian Federation, the government is unlikely to allow international agencies to visit the affected areas.



## ABBREVIATIONS AND ACRONYMS

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|      |   |
|------|---|
| EU   | European Union                                      |
| IDP  | Internally Displaced Person                         |
| OSCE | Organization for Security and Cooperation in Europe |
| UN   | United Nations                                      |

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