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**Contribution to the report of the U.N. High
Commissioner for Human Rights on the
implementation of the new review mechanism of the
Human Rights Council, established by GA Resolution
60/251 and by the Human Rights Council in Resolution
5/1 of 18 June 2007 for the 3rd session of the UPR
(dates of the WG:1-12 December 2008).**

Marcel Gillet

Chairman of the Religious Freedom Subcommittee

TURKMENISTAN

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JEHOVAH'S WITNESSES – TURKMENISTAN

June 1, 2007, to May 31, 2008

Legal Status

Jehovah's Witnesses are not registered in Turkmenistan although they have shown their willingness to cooperate with the authorities. On November 12, 2007, a representative of Jehovah's Witnesses had a short meeting with the Deputy Chairman of the *Gengeshi* (Council) of Religious Affairs, Nurmammed Kurbanov, and a dialogue aiming for registration was opened. Despite that, in various places Jehovah's Witnesses have been arrested, beaten, imprisoned and abused verbally.

Abuses of Religious Freedom

Religious Persecution

Although the law-enforcement agencies have been less aggressive and offensive when dealing with Jehovah's Witnesses in the recent months, the persecution continues. During the reporting period, there have been arrests throughout the country, and a number of Jehovah's Witnesses have been summoned to police stations and required to appear before the local administrations. Reportedly, the Ministry of National Security has Jehovah's Witnesses on its agenda because of the lack of registration. Cases of persecution are usually initiated by the local administration that is actively supported by the local police as well as by officers from the Ministry of National Security. Those Jehovah's Witnesses who still work at state agencies are being pressured to leave their jobs, and many have been dismissed or have had their contracts discontinued merely because their religion is not registered by the State.

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

- On July 19, 2007, at 6:00 p.m., Ruslan Orazgeldyyev and Khemrakuly Bekdurdyev, both male Jehovah's Witnesses from Turkmenabat, were arrested in the street and taken by force to the police station of the Gurbansoltan Edzhe District of Turkmenabat. During their arrest, Orazgeldyyev and Bekdurdyev were treated very rudely, and several times they were beaten on the back with batons. Twenty-year-old Orazgeldyyev had just recently gone through a spinal operation as a result of a fracture, but this did not deter the officers. Orazgeldyyev and Bekdurdyev were released on July 30, 2007.
- On September 23, 2007, Ruslan Orazgeldyyev from Turkmenabat was arrested again, this time with a 60-year-old female Jehovah's Witness, Muyasar Dzhumakulova. The noontime arrest was carried out by Senior Police Lieutenant Batyr Ishankuliyev and Police Captain Bakhtiyar Dzhumabayev. The Witnesses were taken to the local police station where they were interrogated in a rude manner by a duty officer from the Criminal Investigation Department, Umid Khodzhaberdyyev. Orazgeldyyev and Dzhumakulova were kept in the corridor of the police station overnight. The next day, the interrogation continued in the presence of district police officers and one officer from the police department. First, the Witnesses were abused verbally, and then a protocol was written under Article

205 (deliberate participation in unregistered religious activity). After this, Police Captain Bakhtiyar Dzhumabayev began beating Orazgeldyyev in the presence of all the others. He punched Orazgeldyyev on the bridge of his nose, his thorax, the right side of his thorax, his chest, his abdomen, and his kidneys. Orazgeldyyev and Dzhumakulova also spent the following evening at the police station.

The following day, Orazgeldyyev and Dzhumakulova were taken to the mayor's office in the city of Turkmenabat, and there a commission issued maximum fines. Orazgeldyyev was fined 5,000,000 manat (approximately US\$212) and Dzhumakulova was fined 2,500,000 manat (approximately US\$106). Police Captain Bakhtiyar Dzhumabayev kept threatening them that if they did not pay the fines, the property of their relatives would be confiscated. The threats had an effect on Dzhumakulova, and after paying the fine she was released.

Orazgeldyyev, however, was thrown into a cell with a bare concrete floor. Police Captain Dzhumabayev ordered all Orazgeldyyev's warm clothes to be taken away, and he was left only with a shirt and trousers. He was freezing, since the temperature during the nights drops to 5 degrees Celsius. He was kept in detention for five days, and during all this time he was not given anything to eat or drink. He was regularly visited in his cell by Senior Police Lieutenant Batyr Ishankuliyev and Police Captain Bakhtiyar Dzhumabayev, who threatened him and demanded that he pay the fine. During one of these visits, on September 30, 2007, at 10:00 a.m., they were accompanied by another police lieutenant, who advised them to beat Orazgeldyyev with a baton. Captain Dzhumabayev agreed, after which Orazgeldyyev was taken out to the staircase, and the police officers started beating him with their batons. At 8:00 p.m. that evening, Orazgeldyyev was released, but prior to this, Captain Dzhumabayev threatened Orazgeldyyev that the next time he would be put in jail.

Following his ordeal in the hands of police, Orazgeldyyev is suffering from pain in his back and kidneys. Currently in hiding because of the continuous persecution, he is collecting the necessary documents in order to file a complaint with the commission of the President's Administration created for such cases.

From June through September 2007, the police regularly harassed many of the Jehovah's Witnesses in Turkmenabat. They telephoned and visited homes of those they know to be Witnesses and demanded two photographs of each. Apparently, the Turkmenabat police are preparing some sort of database or case file of Jehovah's Witnesses in their city. Similar campaigns have been reported in other cities of Turkmenistan in the past.

- On December 1, 2007, Inna Berkeliyeva, one of Jehovah's Witnesses in Mary, was summoned to the City Administration, where she was interviewed by an officer, Nuryagdy Babadzhanov. For four hours, Mr. Babadzhanov abused her verbally, pressured her, and demanded that she make a written renouncement of her religious beliefs. On January 29, 2008, she was escorted by four police officers to the City Administration. There she was verbally abused and humiliated by an administrative commission. She was also threatened with a prison sentence should she not renounce her religious beliefs.
- On December 9, 2007, Gurbangeldy Charyyev, one of Jehovah's Witnesses in Bereket (formerly Kazandzhik, about 300 km north-west of the capital Ashgabat), was arrested by a deputy police chief and taken to the City Administration. After a two-hour detention, he was taken to the police station where he was kept for five more hours. His Bible was confiscated. On January 17, 2008, a meeting was held in the school of Charyyev's children. In the presence of police officers, the director of the school, and the pupil's parents, the chief of the district accused Jehovah's Witnesses of sexual dissolution. He also verbally assaulted Charyyev. On the next day, January 8, 2008, Charyyev's children were kept in the school after hours, and the teachers pressurized them to utter the oath of allegiance to the motherland.

- On March 20, 2008, seven Jehovah's Witnesses in Ashgabat were arrested and taken to the police station No. 1 of the Chandybil District (*etrap*) and kept there for four hours, from 7:30 p.m. till 11:30 p.m. Ilyas Charyyev, Dzhomart Meredov, Dzhamshit Baratov, Suleyman Odayev, and Babamurat Annayev were arrested on the street and Muratgeldy Karimov and Chary Tagnov were taken from their homes. They were all verbally abused and humiliated. They were beaten and threatened with eviction from their apartments and dismissal from work places. Then, religious literature was put into their hands, and they were videotaped. In their presence, indictments on Article 206 were written but no copies were given. All their religious literature was confiscated, including Bibles. As a result, Annayev has been dismissed from his work since his employer was threatened, and Karimov was forced to leave his apartment and live elsewhere for a few days.

Efforts to Meet With Officials in Turkmenistan

- At the end of July 2007, local representatives of Jehovah's Witnesses visited the Ministry of Justice in Ashgabat. Although they could not make an appointment to meet the Justice Minister, they were treated courteously, and it was recommended that they file an application for state registration.
- In addition to their meeting on November 12, 2007, with the Deputy Chairman of the *Gengeshi* (Council) of Religious Affairs, Nurmuhammed Kurbanov, local representatives of Jehovah's Witnesses from Ashgabat had another short meeting with him on November 19, 2007, and provided him with informative materials about Jehovah's Witnesses. Since it was not possible to discuss any questions at that time, they agreed to schedule a new meeting shortly.
- On January 16, 2008, Jehovah's Witnesses met again with Mr. Kurbanov and had a constructive discussion.

On March 31, 2008, Jehovah's Witnesses submitted for Mr. Kurbanov's initial review a proposed charter for religious organization.

Conclusion

The religious community of Jehovah's Witnesses in Turkmenistan reiterates their appeal to the authorities to speed up the process of registration and in the meantime to put an end to the religious persecution launched locally against its members.