



This article was published by F18News on: 29 March 2007

TURKMENISTAN: Deportee faces criminal trial for "illegal" return

By Felix Corley, Forum 18 News Service <<http://www.forum18.org>>

Summarily deported in 2001 in punishment for his religious activities with his local Baptist congregation, Vyacheslav Kalataevsky was forced to return to Turkmenistan "illegally" after being dumped with no money or food across the border in Kazakhstan. On 12 March, while he and his wife were trying to regularise his status in his native town of Turkmenbashi (formerly Krasnovodsk), he was arrested by the Ministry of State Security (MSS) secret police. His wife told Forum 18 News Service she has been denied access to him since his arrest. Kalataevsky faces criminal trial on charges of illegally crossing the border. MSS investigator Selbi Charyeva refused absolutely to discuss his case with Forum 18, declaring only: "He's guilty!" Another Protestant, Merdan Shirmedov, has been denied an exit visa to join Wendy Lucas, the American he married last August who is now expecting their first child. She told Forum 18 she believes the refusal to allow her husband to leave his homeland is retaliation for the prominent role his family has in a Protestant fellowship in their home town of Dashoguz, pointing to other official harassment of the family.

Two local Protestants are simultaneously facing official pressure - one for returning to his family and the land of his birth after being summarily deported in 2001 and the other for wanting to leave his homeland to join his American wife. The families of both men have separately insisted to Forum 18 News Service that the difficulties are being put in their way to punish them for their prominent religious activity. Vyacheslav Kalataevsky, a Baptist leader from the Caspian Sea port of Turkmenbashi [Turkmenbashi, formerly Krasnovodsk], was arrested by the Ministry of State Security (MSS) secret police on 12 March and faces criminal trial on charges of illegally crossing the border, while Merdan Shirmedov of an ethnic Turkmen fellowship in the northern town of Dashoguz [Dashhowuz] has been refused permission to leave the country to join his pregnant wife, who is now in the United States.

Kalataevsky has been held since 17 March in the temporary isolation cells in the town of Balkanabad [formerly Nebit-Dag] near Turkmenbashi while the Balkan regional MSS secret police continue their investigation. Forum 18 has learnt that the first MSS investigator, Selbi Charyeva, completed her investigation on 28 March, but that a second investigator - Forum 18 has not yet been able to find out the name - is now being appointed.

Charyeva refused absolutely to tell Forum 18 why Kalataevsky has been arrested, whether he will face criminal charges and, if so, what those charges are. "I won't discuss this case by telephone," she responded to every one of Forum 18's questions on 28 March. All she eventually would say was: "He's guilty!" before putting down the phone.

Kalataevsky's wife Valentina told Forum 18 the same day that Charyeva had earlier told her that a criminal case had been opened against her husband on charges of illegally crossing the border. "They refuse to take into account the reasons why he had to do it," she complained. "They won't tell me what the result of the first investigation was, what's going on now and why a second investigator has been named."

Valentina also complained that she has been denied access to her husband since his arrest - she last saw him on 12 March as he was being bundled into a car by secret police officers at a Turkmenbashi police station - and that requests to be allowed to send a letter to him have been turned down.

Kalataevsky - who was born in the then Krasnovodsk but holds a Ukrainian passport - was summarily deported from Turkmenistan in 2001 as the authorities completed their campaign of expelling all foreign citizens prominent in Muslim, Protestant, Jehovah's Witness and Hare Krishna communities. He was a leading member of the local congregation of the Council of Churches Baptists. At that time, all non-Muslim and non-Russian Orthodox religious activity was illegal in Turkmenistan. Even today, the activities of the Council of Churches Baptists remain illegal as they refuse on principle to accept state registration in the post-Soviet countries where they operate.

Kalataevsky's wife Valentina told Forum 18 that in June 2001 his local registration document was cancelled without warning or explanation and that he and three of their children were detained by secret police officers. The children were soon freed but the secret police then took Kalataevsky "illegally" across the border into Kazakhstan, where he was dumped with no money or foreign travel documents. He was given no deportation certificate and his identity document was not marked to say he had been deported. After sleeping rough for a week and with nowhere to go, Kalataevsky was forced to cross back into Turkmenistan, where his wife and seven children remained.

Since 2001 he has lived low within the country, but the problems began when they sought to regularise his position earlier this year. "During all these years I tried to find out in vain from the MSS secret police, the Prosecutor's Office, the police and the local administration what legal reason there had been to annul his local registration and expel him from his homeland, but got no response," Valentina told Forum 18. "The Prosecutor's Office was the only institution which would confirm in writing that my husband had been deported, but they refused to give us the deportation certificate. Only verbally did they say his local registration had been annulled for religious reasons, which itself violates Article 11 of the Constitution."

Eventually, she said, Cherkez Ataev, an aide to the local administration chief in Turkmenbashi, told her verbally in early March there was no resolution annulling her husband's local registration and that therefore the law banning the breaking up families had been broken. On 12 March the Kalataevsky couple went together to the local administration in Turkmenbashi where they lodged their documents for consideration by the local registration commission. Valentina re-entered the administration building to find out when the commission would meet, only to find that her husband - who was waiting outside - had disappeared. "It was hours later before I learnt that he had been snatched by the secret police." He was held for six days in Turkmenbashi before being sent to Balkanabad.

Valentina appealed to President Gurbanguly Berdimukhammedov on 13 March and again on 23 March, but has received no response. Forum 18 tried to reach the Presidential Council in the capital Ashgabat [Ashgabat], where such appeals are received, but the telephone went unanswered on 28 and 29 March.

Meanwhile, Merdan Shirmedov was denied permission to leave Turkmenistan on 6 January. He and his wife Wendy Lucas had already checked in at Ashgabat airport for their flight to Istanbul, when border guards told Shirmedov he was not allowed to leave. "The borderguards - and officials subsequently - have refused to say why he can't leave," Lucas told Forum 18 from Washington on 28 March. She herself had hoped to remain in Turkmenistan, where the couple had arrived in late December of last year, but she was then told her visa was not valid and she would have to leave.

Lucas recounted that - ahead of their August 2006 wedding in Turkey - both the Turkmen Consulate in Istanbul and the Civil Registration Office in Ashgabat had refused to issue Shirmedov with the document proving he was not married, meaning that their wedding is not recognised either by the Turkmen or the US authorities.

She says she believes the refusal to allow her husband to leave his homeland is retaliation for the prominent role his family has in a Protestant fellowship in their home town of Dashoguz. She pointed out that other family members have also been denied permission to travel abroad recently and that they need secret police permission to leave the town, even to travel to a nearby village. She said even personal Bibles were confiscated earlier in March from family members.

"Merdan and I were ready to raise our child in Turkmenistan," Lucas told Forum 18. "Now we're not so sure that would be a good idea."

The extensive and untrammelled powers the authorities have over all aspects of individuals' lives - including over where they are authorised to live, work, travel or be educated - mean that those out of favour with the government - especially among religious minorities - can face problems which at first appear to be unrelated to their religious practice.

Hare Krishna devotee Cheper Annaniyazova was imprisoned in 2005 for illegally crossing the border, after she went to live in the Hare Krishna commune in Kazakhstan despite being refused an exit visa. She was freed in October 2006 as part of the annual prisoner amnesty, though she has since been barred from leaving the country (see F18News 24 October 2006 <http://www.forum18.org/Archive.php?article_id=860>).

Even since the death last December of the autocratic former president Saparmurat Niyazov and the appointment of his successor, President Gurbanguly Berdimukhammedov, the government has continued to deny exit permission to a number of local people it suspects of being active in religious communities (see F18News 16 February 2007 <http://www.forum18.org/Archive.php?article_id=914>).

The last known deportation of a local resident in punishment for religious activity was of Aleksandr Frolov, a Baptist who lived with his wife, a Turkmen citizen, and their two young children in the eastern town of Turkmenabad (formerly Charjew). A Russian citizen, he was deported in June 2006 (see F18News 14 June 2006 <http://www.forum18.org/Archive.php?article_id=799>).

Following Niyazov's death, human rights activists and religious believers commented to Forum 18 that, although it was the late president who personally instituted the country's hostility to religious freedom, this has wide support among the country's leaders. They feared that this hostility would continue (see F18News 21 December 2006 <http://www.forum18.org/Archive.php?article_id=894>).(END)

For a personal commentary by a Protestant within Turkmenistan, on the fiction - despite government claims - of religious freedom in the country, and how religious communities and the international community should respond to this, see

<http://www.forum18.org/Archive.php?article_id=728>

For more background, see Forum 18's Turkmenistan religious freedom survey at
<http://www.forum18.org/Archive.php?article_id=672>

A survey of the religious freedom decline in the eastern part of the Organisation for Security and Co-operation in Europe (OSCE) area is at <http://www.forum18.org/Archive.php?article_id=806>, and of religious intolerance in Central Asia is at <http://www.forum18.org/Archive.php?article_id=815>.

A printer-friendly map of Turkmenistan is available at
<<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=turkme>>

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