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# INTERNATIONAL HELSINKI FEDERATION FOR HUMAN RIGHTS

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Wickenburggasse 14/7, A-1080 Vienna, Austria; Tel +43-1-408 88 22; Fax 408 88 22-50  
e-mail: [office@ihf-hr.org](mailto:office@ihf-hr.org) – internet: <http://www.ihf-hr.org>  
Bank account: Bank Austria Creditanstalt 0221-00283/00, BLZ 12 000

## Extract from the IHF report

### *Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2005 (Events of 2004)*

#### Turkmenistan<sup>1</sup>

**IHF FOCUS: elections and referenda; freedom of expression, free media and information; fair trial and effective remedies; freedom of association; torture and ill-treatment; arbitrary arrest; conditions in prisons; freedom of religion and religious tolerance; freedom of movement and communication; rights of the child; right to education; property rights; national and ethnic minorities; rights of sexual minorities.**

Turkmenistan remained the most repressive state in the OSCE region. President Saparmurat Niyazov has ruled the country with an iron fist ever since the fall of the Soviet Union and has gradually built up a personality cult of grotesque proportions.

Concentration of power was further consolidated after the creation of a so-called People's Council (*Halk Maslakhaty*) in 2003, to which the country's legislative, executive and judicial branches are subordinated. President Niyazov, who was appointed "president for life" in 1999, was made the supreme leader of this body.

There were no legal opposition movements or alternative mass media in the country. The few journalists who worked for foreign media were highly vulnerable to persecution.

While those convicted for involvement in the alleged assassination attempt against the president in late 2002 were serving lengthy prison sentences, the authorities continued their struggle against "internal enemies" and imprisoned a number of former ministers and other high-ranking officials suspected of disloyalty. The use of torture and ill-treatment remained widespread and most court verdicts handed down were based on "confessions" obtained through the use of force. Exit visas were abolished, but thousands of people remained "blacklisted" for travel abroad.

Efforts to establish an ideological state continued and the spiritual code, *Rukhnama*, claimed to be written by President Niyazov, was vehemently promoted in all fields of life. This code, a second part of which was published in October 2004, formed the basis for virtually all school education and thorough knowledge of its content was a major requirement for entry into higher-level academic institutions as well as for employment and promotion. As a result of ongoing reforms aimed at ensuring effective ideological education of students, educational standards continued to deteriorate. As in previous years, children were exploited in the cotton harvest.

Although criminal liability for involvement in unregistered public associations and religious groups was lifted, security police continued to closely monitor all organized activity and harassed members of religious

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<sup>1</sup> Unless otherwise noted, this report is based on information from the Turkmen Helsinki Initiative (THI) to the IHF.

minorities and NGOs. While six Jehovah's Witnesses were released from prison, three others were imprisoned because of their refusal to serve in the army on conscientious grounds. The former chief mufti, who was forced to resign in 2003, was sentenced to a lengthy prison term on charges that appeared politically motivated.

A campaign to promote ethnic homogeneity continued and members of ethnic minorities were systematically discriminated against in employment and education, resulting in an increasing number of non-ethnic Turkmens leaving the country. Hundreds of people were evicted from their homes without due compensation to accommodate grand area reconstruction plans.

The UN Human Rights Commission and the General Assembly adopted resolutions on Turkmenistan in April and December respectively. Both resolutions expressed grave concern at the human rights situation in the country and called on the Turkmen government to implement effective reforms to ensure respect for fundamental human rights and to cooperate with international institutions to this end.<sup>2</sup>

## **Elections**

On 19 December 2004, parliamentary elections were held. Despite claims by the government to the contrary, the elections were not democratic. According to Turkmen newspapers, 135 candidates were competing for about 50 deputy mandates. However, the elections did not offer any genuine choice since all candidates represented the so-called Galkanish ("Revival") movement, which was initiated by President Niyazov.

In addition, the candidates were demographically not representative of the population as a whole. More than half were public administration officials at different levels, while the rest comprised high-ranking officials and professionals working in other state-subordinated institutions.

The OSCE Office for Democratic Institutions and Human Rights (ODIHR) had planned to send an assessment team to be present at the elections, but its monitors were denied visas.

The role of the parliament was merely symbolic. As a result of the 2003 constitutional reform, the People's Council was the major legislative, executive and judicial body in the country. The primary function of this body was again to formally approve policy initiatives by President Niyazov, who was present at all its sessions.

## **Freedom of Expression, Free Media and Information**

Turkmenistan remained one of the most oppressive countries in the world in terms of media freedom. The 2004 World Press Freedom Index published by Reporters without Borders listed Turkmenistan on place 164 out of 167 countries.<sup>3</sup>

All Turkmen media were state-owned and reported on events taking place in the country from a one-sided, government sanctioned perspective. Journalists worked under strict control by the secret service. Also, journalists often did not have adequate qualifications for their work since formal education was poor and many experienced journalists have left the country in recent years.

At the end of the year, it was announced that about 40% of all employees of state media, including journalists, would be dismissed. Media outlets were forced to cut back staff after the president ordered that salaries be increased without making available any additional funds for this purpose.

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<sup>2</sup> See Office of the Commissioner for Human Rights, "Situation of Human Rights in Turkmenistan (Resolution 2004/12)," 15 April 2004; UN General Assembly, "Situation of Human Rights in Turkmenistan (Resolution 59/206)," 20 December 2004.

<sup>3</sup> See, Reporters Without Borders, *Third Annual World Press Freedom Index*, <http://www.rsf.org>.

Access to information from abroad was seriously restricted. The only existing Internet provider, Turkmentelecom, is a state company and all Internet traffic was monitored, which enabled authorities to take sanctions against Internet users who visited foreign web sites that contained information critical of the Turkmen regime. It has been prohibited to subscribe to foreign newspapers and magazines since 2002, and while the last foreign TV station allowed to broadcast on national frequencies (Russian ORT) was taken off air in 1998, the last foreign radio station faced the same fate in 2004. Following this measure, foreign TV and radio stations were only available over satellite.

- In July, authorities halted broadcasts of the Russian radio station Mayak, which was believed to be the most popular radio station in the country. The official reason was that its broadcasting equipment was obsolete. However, the credibility of this explanation was undermined by the fact that government-controlled Turkmen stations subsequently took over Mayak's frequency. Although Mayak had not broadcast any programs expressing explicit anti-government positions, it had occasionally featured reports that criticized the economic and social situation in the country.

The few journalists who worked for foreign media were subject to constant pressure. A campaign of harassment against representatives of the Turkmen service of Radio Free Europe/Radio Liberty (RFE/RL), which was initiated in 2003, continued.

- In late February, Rakhim Esenov, a 78-year-old writer and freelancer for the Turkmen Service of RFE/RL, was arrested and charged with "instigating social, ethnic and religious hatred." After he was first interrogated, Esenov suffered a stroke and was hospitalized. However, the investigation against him continued and, while still being treated in hospital, he was moved to the investigation isolator of the Ministry of National Security (MSN) in Ashgabat. On 1 March, another freelancer for RFE/RL, Ashirguly Bairyev, was arrested after being summoned by the MSN. The head of the Turkmen service of RFE/RL said that she was convinced that the two men were targeted because of their work for the service. As a result of international pressure, Esenov and Bairyev were released on 9 and 12 March respectively. However, they were reportedly prohibited from leaving Ashgabat and from having any further contacts with RFE/RL.<sup>4</sup>
- On 30 April, Mukhamed Berdiev, Moscow correspondent of the Turkmen Service of RFE/RL, was seriously assaulted at his home in Moscow. Three unknown men beat him until he lost consciousness and destroyed his computer. Berdiev and his son, who works for the same media outlet, had also previously been subjected to attacks that were believed to be organized by the Turkmen secret service. In the summer, the two men left Russia and were granted asylum in Europe.<sup>5</sup>
- During the year, Saparmurat Ovezberdiev, correspondent of the Turkmen Service of RFE/RL, left the country for the United States, where he was granted asylum. In 2003, Ovezberdiev had been arrested, intimidated and physically abused by security agents on two occasions.<sup>6</sup>

## **Fair Trial and Effective Remedies**

Following the alleged assassination attempt against President Niyazov in late 2002, more than 50 people were convicted in trials conducted in gross violation of international due process standards.<sup>7</sup> These prisoners

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<sup>4</sup> Information from the THI to the IHF; "Correspondents Arrested, Harassed in Turkmen Crackdown against RFE/RL," *Eurasianet*, 4 March 2004, <http://www.eurasianet.org>; Reporters without Borders, "Second Radio Free Europe Journalist Freed," 19 March 2004; Amnesty International (AI), *Concerns in Europe and Central Asia January-July 2004: Turkmenistan*.

<sup>5</sup> Information from the THI to the IHF; Reporters without Borders, "Correspondent for the Turkmen Service of Radio Free Europe in Moscow Beaten up," 6 May 2004.

<sup>6</sup> See IHF, *Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2004 (Events of 2003)*, [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=3860](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=3860).

were reportedly held in a secret prison close to Ashgabat, where they were not allowed to receive visits by relatives. However, no further information about their fate was available.<sup>8</sup>

- In August 2004, the IHF sent an open letter to President Niyazov to express concern about the case of Safarov Khonsaid Sagatovich, one of those convicted for complicity in the alleged assassination attempt. Safarov, an Uzbek citizen who used to earn extra income by working as a carrier in his Uzbek home city close to the Turkmen border, was sentenced to 20 years in prison in December 2002. He was apparently charged because he had worked as a driver to Boris Shikmuradov, who was accused of orchestrating the alleged assassination attempt, a few days prior to this event. The IHF rejected the charges against Safarov, noting that they were not sustained by any evidence. The IHF pointed out that there is no direct link between the fact that Safarov drove a person who was later accused of involvement in a crime and his own participation in this crime, in particular since he functioned as a driver in another country and several days before the alleged assassination attempt took place.<sup>9</sup>

## **Freedom of Association**

A law adopted in late 2003 established serious new restrictions on freedom of association. This law outlawed the activities of unregistered public associations and granted authorities extensive powers to exercise control over associations and to close them down.<sup>10</sup>

After the new law entered into force, members of unregistered NGOs were pressured and intimidated by authorities. State employees who were involved in NGOs were threatened that they may lose their jobs unless they give up their membership in such organizations. Also, several NGOs that previously had been allowed to operate were liquidated on arbitrary grounds.

- On 13 April, the Ministry of Justice informed the environmental NGO Catena that it had been denied registration under the new law, as a result of which it had to cease its activities. Catena had been registered for almost ten years under old legislation.

Although criminal liability for membership in unregistered public associations was abolished in May, authorities continued to persecute members of such organizations.

State-initiated organizations, which were depicted as civil society organizations although they were fully subordinated to the government, remained active. Membership in these organizations was typically compulsory for certain segments of the population; for example, all students were obliged to join the state Youth Union of Turkmenistan.<sup>11</sup>

## **Torture, Ill-treatment and Arbitrary Arrest**

The use of torture and ill-treatment by law enforcement officials was widespread. Detainees were pressured and subjected to beatings, electric shocks, suffocation and other forms of torture in order to force them to confess to crimes they were alleged to have committed. Courts routinely admitted evidence obtained under duress, and an overwhelming majority of all verdicts that were handed down were based solely on

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<sup>7</sup> Ibid.

<sup>8</sup> Human Rights Watch (HRW), "Overview of Human Rights Issues in Turkmenistan," *World Report 2005*.

<sup>9</sup> IHF, "Open Letter to President Saparmurat Niyazov: Unjust Imprisonment of Khonsaid S. Safarov in Turkmenistan," 3 August 2004, [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=3948](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=3948).

<sup>10</sup> See IHF, *Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2004 (Events of 2003)*, [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=3860](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=3860).

<sup>11</sup> Newsletter published by the Turkmenistan Helsinki Initiative, 29 May 2004, available at [http://www.livejournal.com/users/turkmen\\_init/](http://www.livejournal.com/users/turkmen_init/).

“confessions.” No information regarding investigations into and prosecutions of cases of abuse were available. However, it was clear that law enforcement officials engaged in abusive practices with a high degree of impunity,

- In February, police officers in the district of Kunya-Urgench severely beat 57-year-old Aslan Rashtiev, who had been arrested for drunkenness in public. He later died in hospital due to his injuries. No investigation was reportedly undertaken into the case.

In another pattern, police patrols reportedly arrested citizens who were out in the streets of towns and larger communities late at night under the pretext that they were potential drug addicts. After arresting them, police brought them to local police stations and demanded that they pay fines of 75,000 manat (about EUR 11) before releasing them. Those who refused to pay the fine were arbitrarily detained for several days.

## **Prison Conditions**

At the beginning of the year, President Niyazov announced that he would permit representatives of the International Red Cross to visit the country’s penitentiary institutions. This was welcomed as a positive step by the international community and was commended in the resolution on Turkmenistan that the UN Commission for Human Rights adopted in April. However, President Niyazov did not fulfill his promise.

As prisons were strictly closed institutions, it was difficult to obtain information about conditions inside of them. However, based on information from former prisoners and prisoners’ relatives, conditions were generally poor and overcrowding was a serious problem. For example, more than 2,000 prisoners were reportedly detained in the women’s colony in Dashoguz (DZ-K/8) although it was designed to accommodate no more than 600 prisoners. There was also a lack of medicines and medical personnel, and medical aid was rarely provided. At the same time, sanitation was inadequate and infectious diseases were widespread.<sup>12</sup>

In November, around 9,000 prisoners were released under an annual amnesty.

## **Freedom of Religion and Religious Tolerance**

### *Restrictions on Minority Religions*

A new restrictive law on religion was adopted in late 2003. Prior to the adoption of this law, involvement in the activities of unregistered religious communities was de facto unlawful. However, the new law explicitly banned unregistered religious activity and the Criminal Code was amended to establish a penalty of up to one year of corrective labor for violations of this ban. As the previous law on religion from 1996, the new law requires that religious communities have at least 500 members in order to register with the authorities. This requirement had been very difficult to meet for minority religious communities and only communities representing the state-sanctioned Sunni Muslim Board and the Russian Orthodox Church had been able to obtain registration.<sup>13</sup>

Under international pressure, President Niyazov issued a decree in March 2004 that abolished the requirement of 500 members for registration. According to the decree, religious groups will be registered “independent of their number, faith and religion.”<sup>14</sup> Two months later, in May, President Niyazov revoked the provisions on unregistered religious activity that were introduced into the Criminal Code in 2003. However, the actual ban on unregistered religious activity that was laid down in the 2003 law was not

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<sup>12</sup> See also IHF, *Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2004 (Events of 2003)*, [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=3860](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=3860).

<sup>13</sup> Ibid.

<sup>14</sup> Forum 18, “Scepticism and Optimism Greet Surprise Presidential Decree,” 12 March 2004, <http://www.forum18.org>.

revoked, and participation in unregistered religious activity remained subject to heavy fines under the Administrative Code.<sup>15</sup>

By early 2005, four minority religions had been registered – Baptist, Seventh Day Adventist, Baha'i and Hare Krishna communities. Other minority religious communities were denied registration or declined to apply for registration because they did not believe that registration would facilitate their religious practice.<sup>16</sup> Indeed, religious communities that gained registration continued to face a number of restrictions, such as not being able to worship outside of approved places of worship, print or import religious literature, or receive financial contributions from fellow believers abroad.<sup>17</sup>

In a similar pattern as in previous years, the secret service raided the meetings of unregistered religious communities, threatened and abused their members and confiscated their literature. During the latter half of the year, it was also reported that the secret police cracked down on members of religious communities that had obtained registration.

- On 25 April, police officers and representatives of the city administration raided a meeting held by Hare Krishna members in a private home in the city of Mary. Those attending the meeting were questioned and threatened with fines, dismissal from their jobs and criminal charges should they continue to meet. After three hours, they were allowed to go. One Hare Krishna member said that the community was systematically subjected to raids, illegal confiscation of religious literature, insults, intimidation and arbitrary fines.<sup>18</sup>
- On 5 September, two female Jehovah's Witnesses, Gulkamar Dzumayeva and Gulsherin Babakuliyeva, were arrested in Turkmenabad when they were discussing religious issues in private. They were taken to a local police station, where they were threatened, verbally humiliated and shouted at until they signed written statements. Babakuliyeva was also reportedly sexually harassed and hit on the head. The two women were held over night, during which time they were not given anything to eat and were not allowed to contact their families. The next day they were released.<sup>19</sup>
- On 4 August, the secret police raided a prayer and Bible study meeting of a group of Baptists in the town of Abadan. When the pastor who was leading the meeting pointed out that the country's Baptist community had been registered in June, the officers insisted that even if religious groups are registered they need to have 500 members to meet, a requirement that is not foreseen by law. The police officers confiscated Bibles and hymnals, and threatened the participants in the meeting that they would have "problems" if they continued to meet.<sup>20</sup>

### *Imprisoned Jehovah's Witnesses<sup>21</sup>*

In June, six Jehovah Witnesses were released from prison. Five of them were conscientious objectors, while the sixth was serving a sentence on the apparently fabricated charges of attacking a prison guard. All six were reportedly beaten and pressured to renounce their faith while in detention.

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<sup>15</sup> Forum 18, "Religious Persecution's Latest Disguises," 13 May 2004; Forum 18, "Unregistered Religious Activity Still Illegal," 24 May 2004.

<sup>16</sup> Forum 18, "What's the Point of Registering?" 28 February 2005.

<sup>17</sup> Ibid.

<sup>18</sup> Newsletter published by the THI, 4 May 2004.

<sup>19</sup> Office of Public Information of Jehovah's Witnesses, "Jehovah's Witnesses in Turkmenistan January 1, 2004, to December 31, 2004," <http://www.jw-media.org>.

<sup>20</sup> Forum 18, "Why Register when Persecution Continues?" 9 August 2004.

<sup>21</sup> Unless otherwise indicated, this section is based on Office of Public Information of Jehovah's Witnesses, "Conscientious Objectors were Tortured in Turkmen Prisons; Six Finally Released but Fear Plague Family of Two Others," 26 July 2004; "Jehovah's Witnesses in Turkmenistan January 1, 2004, to December 31, 2004."



- Kurban Zakirov, who was sentenced to eight years in prison for attacking a prison guard in 2000 after he had already served a prison term for refusing to serve in the army,<sup>22</sup> was singled out for particularly cruel treatment in the maximum-security prison in Turkmenbashi. He was badly beaten, routinely deprived of food and sleep and allegedly administered mind-altering drugs, which resulted in disturbances in his behavior. In addition, he contracted tuberculosis because of notoriously poor conditions in the prison facility. After his release, he remained in serious medical condition.

Two other Jehovah's Witnesses, Mansur Masharipov and Vepa Tuvakov, were imprisoned in May-June for refusing to serve in the army on conscientious grounds and a third one, Atamurat Suvkhanov, was imprisoned for the same reason in December.<sup>23</sup> The families of these men feared that the young men would be ill-treated and tortured in detention.

### *Islam and Russian Orthodoxy*

Although Sunni Islam and Russian Orthodox communities had obtained registration under the 1996 law on religion, they were required to re-register under the new law adopted in 2003. Muslim communities were re-registered in late 2004, and it was expected that Russian Orthodox parishes would be granted re-registration in the first half of 2005.<sup>24</sup>

Sunni Islam and Russian Orthodox leaders reportedly faced increasing pressure to make use of the *Rukhnama* when leading worship. Authorities also continued to closely control the practice of Sunni Islam and during the year, seven mosques were reportedly demolished in an attempt to prevent unsanctioned Muslim worship from taking place.<sup>25</sup> The former chief mufti, who fell out of favor with President Niyazov in 2003, was imprisoned:

- On 2 March, a district court in Ashgabat sentenced the former Chief Mufti Nasrullah ibn Ibadullah to 22 years in prison, the first five years of which he will have to spend in a high security colony. The hearing was closed and it was not clear why Ibadullah was convicted. While some believed that he was accused of involvement in the alleged assassination attempt against the president in 2002, others suspected that he was punished either because of his refusal to use the *Rukhnama* along with the Quran in his sermons or because he was ethnic Uzbek. Ibadullah was dismissed from his position as chief mufti in early 2003 after leading the country's Muslims for ten years. Several imams who were relatives or friends of Ibadullah were reportedly fired from their jobs in 2004.

### **Freedom of Movement and Communication**

While it was compulsory for citizens to register their place of residence with the authorities, it was very difficult to obtain official permission to change place of residence. As a result, many people who had come to the capital Ashgabat to work were not officially registered there. In a campaign carried out in the capital in October, hundreds of employees who were not registered with the authorities were fired from their jobs at both state-owned and privately run companies.

Considerable parts of the country were declared border zones. The border zones could only be entered by people who were registered as residents of these areas or who had been granted special permission. During the year, new requirements for obtaining a permit to visit border zones were established. Firstly, applicants were required to present an invitation from relatives residing in such areas, while invitations from non-related friends were no longer accepted. Secondly, the process for considering applications was prolonged from a few days to up to three weeks.

<sup>22</sup> For more information, see IHF, *Human Rights in the OSCE Region: Europe, Central Asia and North America, Report 2003 (Events of 2002)*, [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=1322](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=1322).

<sup>23</sup> AI, *Concerns in Europe and Central Asia July-December 2004: Turkmenistan*.

<sup>24</sup> Forum 18, "What's the Point of Registering?" 28 February 2005.

<sup>25</sup> Forum 18, "2004, the Year of Demolished Mosques," 4 January 2005.

In the wake of the alleged assassination attempt on President Niyazov in late 2002, a requirement to obtain an exit visa for travel abroad was re-introduced. At the beginning of 2004, this requirement was revoked mainly under pressure from the United States, which had imposed economic sanctions on Turkmenistan because of its restrictive emigration policies. Despite this measure, it remained difficult to exit the country. Thousands of people were reportedly “blacklisted” and denied the right to leave the country. Among others, everyone who had previously been denied an exit visa, women under the age of 35, young men of call-up age, journalists, and members of NGOs were deemed “unreliable” for travel abroad. Current and former high-ranking officials needed special permission from the president to exit the country, and relatives of Turkmen ambassadors in other countries were not allowed to leave in order to prevent the risk of defection. Ten to twenty people were reportedly refused the right to enter planes to Russia every day because their names were “blacklisted.”<sup>26</sup>

## **Rights of the Child**

President Niyazov stated in the spring that children would no longer have to work in agriculture. However, as in previous years, school children were made to gather cotton during the harvest season from early September to the end of November. Students attending countryside schools typically worked in the fields from early morning to late evening, with children as young as eight years old participating in some villages. Students at city schools were allowed to have classes two hours a day before being sent to the fields.

Because of their participation in the harvest of cotton, which is one of the major sources of state income, school children miss two to three months of study every year. They are not given any or only minimal compensation for their labor, which is detrimental to their health because of its demanding nature and the risk of accidents.

In addition to working in the cotton fields, across the country, children from poor family backgrounds had to work throughout the year to contribute to their families’ sustenance. They worked inter alia as vendors in outdoor markets or as porters for minimal salaries. They often worked long days and attended school only sporadically or not at all. During one week of monitoring, 150 children aged 11-16 were identified working in the seven outdoor markets of Ashgabat.<sup>27</sup> There were also reportedly cases where girls worked as prostitutes to support their families.

## **Right to Education<sup>28</sup>**

Because of a set of reforms, the standard of education has deteriorated considerably in recent years. At the same time, education has largely been turned into an ideological tool of the government, and it appears that the overarching aim of education now is to foster loyal citizens instead of stimulating intellectual development.

A new education program, “Bilim,” was launched in 1993. Under this program, the period of compulsory education has been shortened to nine years, and education has increasingly been given an ideological content. The teaching of arts and science subjects has been significantly reduced, and some subjects such as physical education have been abolished altogether. Instead, new subjects focusing on the political achievements of President Niyazov and his literary contributions, in particular his spiritual guide *Rukhnama*, have been introduced. The Ministry of Education also encourages the incorporation of Niyazov’s works into

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<sup>26</sup> Newsletter published by the THI, 16 February 2004.

<sup>27</sup> Newsletter published by the THI, January 2005.

<sup>28</sup> This section is based on THI, *Education in Turkmenistan* (2004), available at [http://www.livejournal.com/users/turkmen\\_init/](http://www.livejournal.com/users/turkmen_init/). See also the sections on Ethnic and National Minorities and Rights of the Child.



traditional disciplines and has, for example, published math text books that feature problem solving examples related to the president.

While a transition from Cyrillic to Latin script has been initiated in instruction, this reform has not been consistently implemented. For example, in 2004, only textbooks with Cyrillic script were available at higher levels, which created problems for students who had been taught to read and write in Latin script. A lack of textbooks and other relevant educational material also remained a serious problem, and textbooks in use were often outdated.

Many secondary educational institutions have been closed down, and university education has been cut from five to two years. Knowledge of *Rukhnama* is a central admission requirement. In order to be eligible for university education, students must have two years of work experience, and, after completing their courses, they must work two years within the public sector before receiving their diplomas. The number of students enrolled at higher education institutions has decreased drastically, from some 40,000 in the mid-1990s to some 3,500.

The implementation of educational reforms has been accompanied by a mass dismissal of teachers, with an estimated 12,000 teachers fired in 2003-2004 alone. Teachers were also poorly paid, with a salary of about EUR 50 per month, and typically had to wait four to five months before they received their salaries. As a result, many teachers were forced to look for additional sources of income, such as selling goods at outdoor markets. Further compounding problems, new teachers who have been trained after the educational reforms began do not have sufficient knowledge of traditional subjects to teach students and can only be given charge of purely ideological disciplines.

## Property Rights

Widespread violations of property rights occurred in the context of large-scale reconstruction projects, in particular in the surroundings of Ashgabat. In order to make room for new buildings, streets and parks, residents were forcefully evicted and houses were demolished. Those evicted typically did not receive any compensation and were not offered alternative accommodation of equivalent standards.<sup>29</sup>

- In early 2004, more than 180 houses were demolished in the Tyaze Oba settlement in the vicinity of Ashgabat after the residents had been given 24 hours notice to leave. Those who did not leave within the time limit were forcefully evicted. The approximately 300 families affected by the measure were not given any compensation or offered alternative housing or land. As a result, most of them had to move in with relatives or friends. The authorities reportedly planned to construct a park in honor of President Niyazov's late mother in the area.<sup>30</sup>
- In the summer of 2004, nine hundred residents living in the Keshi settlement near Ashgabat received notification of their eviction. About 70 women who gathered on the main street of Keshi on 2 July to protest the measure were dispersed and threatened by police, and some were arrested for several hours. A number of women who tried to appeal to the Russian embassy in Turkmenistan were also detained and warned not to express their opinion publicly.<sup>31</sup>

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<sup>29</sup> See IHF, "Turkmenistan: Illegal Evictions a Routine Practice," 16 July 2004, [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=3942](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=3942).

<sup>30</sup> Newsletter published by the THI, 16 February 2004.

<sup>31</sup> IHF, "Turkmenistan: Illegal Evictions a Routine Practice," 16 July 2004, [http://www.ihf-hr.org/documents/doc\\_summary.php?sec\\_id=3&d\\_id=3942](http://www.ihf-hr.org/documents/doc_summary.php?sec_id=3&d_id=3942).

## **National and Ethnic Minorities**

The government continued its efforts to discourage ethnic diversity and promote a homogenous Turkmen identity in the country. Such efforts have resulted in restrictive policies toward the Uzbek, Russian and Kazakh minorities as well as smaller ethnic groups.

The few remaining Uzbek and Kazakh minority schools were closed down in 2004, and only one Russian school in Ashgabat remained open. In other schools, Russian was used as the language of instruction in one class per grade level, but the number of such classes was too small to offer instruction to all students who wanted Russian-language education. According to information that was not officially confirmed, all schools will be required to teach only in Turkmen as of the fall semester of 2005. In higher level educational institutions, such as vocational schools and universities, Turkmen was already the only language of instruction. In addition, non-ethnic Turkmen students were reportedly required to wear ethnic Turkmen clothes in school.

There was also widespread discrimination against members of ethnic minorities in employment, and many minority members who occupied higher level positions in state institutions were replaced with ethnic Turkmen. Such practices were reportedly particularly widespread in the northern region of Dashoguz, which has a compact Uzbek settlement.

Moreover, in a move particularly affecting national minorities, higher level diplomas acquired from educational institutions abroad were declared invalid as of 1 June. Because of a lack of educational opportunities in their own language in Turkmenistan, many young minority members have studied abroad in recent years.

- Azat Orynbasarov and Ruslan Bulgaraev, ethnic Kazakhs were dismissed from their jobs in the prosecutor's offices in the Dashoguz region after the new regulation entered into force. Both of them had obtained their education at the Djambul Law Institute in Kazakhstan. They subsequently moved to Kazakhstan to look for new jobs.
- Yulia Orlova, an ethnic Russian nurse in the city of Balkanabat (former Nebit-Dag) who had over ten years of work experience, was dismissed from her job. The diploma she had received at a medical institution in Russian Samara in 1994 was no longer considered to correspond to Turkmen medical educational standards.

Minority language newspapers that were published during the Soviet era have been shut down and cultural centers for minorities no longer exist. NGOs promoting minority identity and culture were obstructed. For example, a Polish cultural organization called Polonia Turkmenska has been refused registration ever since 1991.

Because of the negative climate facing ethnic minorities, an increasing number of members of such groups have left the country in recent years.

## **Rights of Sexual Minorities**

The act of sodomy remained criminalized under article 135 of the Turkmen Penal Code and was punishable with 2 to 20 years in prison, depending on the severity of the offence. There was no data available as to how many persons had been convicted under this article.