

TURKMENISTAN 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for the freedom of religion and for the right of individuals to choose their religion, express and disseminate their religious beliefs, and participate in religious observances and ceremonies. The constitution maintains the separation of government and religion, stipulating religious organizations are prohibited from “interference” in state affairs. The religion law requires all religious organizations, including those previously registered under an earlier version of the law, to register with the Ministry of Justice (MOJ) to operate legally, a process also involving the concurrence of numerous government agencies. The law states the MOJ will not register a religious organization if its goals or activities contradict the country’s constitution or if it is not recognized as a religion by the relevant state body under the grand mufti’s leadership. The law also states that the government may dissolve a religious organization for activities violating the lawful interests of the country’s citizens or for harming their “health and morale.” It prohibits all activity by unregistered religious groups. According to the international religious freedom advocacy nongovernmental organization (NGO) Forum 18, 10 Jehovah’s Witnesses conscientious objectors were imprisoned for refusing military service. Authorities arrested and detained individuals, including members of religious communities, in harsh conditions. Forum 18 said there were more than 100 Muslim prisoners of conscience, most being held in the high-security Ovadan Depe Prison. According to Forum 18, in July the Supreme Court rejected the appeals of five Muslim men who were sentenced in 2017 to 12 years’ prison labor for meeting to pray and study the works of Turkish theologian Said Nursi. The government did not register any new religious groups during the year. The government does not offer civilian service alternatives for conscientious objectors, and in September rejected the UN Human Rights Council’s recommendation that it do so. Local human rights activists stated Ministry of National Security (MNB) and Ministry of Internal Affairs (MVD) officers responsible for fighting organized crime and terrorism continued to monitor members of religious minorities, including Christian groups, through telephonic and undercover surveillance. According to local religious communities and international advocacy groups, members of Jehovah’s Witnesses and Protestant groups continued to face harassment, raids, fines, seizure of literature, and house searches. The Jehovah’s Witnesses reported that authorities detained and questioned both adults and children regarding possessing religious material and participating in religious activities. The government continued to appoint all

senior Muslim clerics, to prevent the importation of religious literature, and to create difficulties for religious groups attempting to purchase or lease buildings or land for religious purposes. Ethnic Turkmen who converted from Islam continued to say the government scrutinized them more closely than ethnic non-Turkmen converts.

Individuals deviating from so-called “traditional” religious beliefs and practices continued to report societal criticism, harassment, and occasional physical violence, including denunciation by family members, friends, and neighbors for converting to a different religion. Members of registered Christian religious organizations continued to report ongoing hostility from acquaintances due to their religious affiliation. Ethnic Turkmen who had converted from Islam received more societal scrutiny than ethnic non-Turkmen converts and continued to be ostracized at community events, especially in rural areas, according to representatives of religious minorities.

In meetings and official correspondence with government officials, the U.S. Ambassador, embassy representatives, and visiting U.S. government officials continued to express concern about arrests and detention of members of religious communities, and harsh prison conditions. U.S. officials, including the Department of State Special Advisor for Religious Minorities, met with government officials and urged the government to improve its treatment of religious minorities, create civilian service alternatives to military service for conscientious objectors, clarify registration and reregistration procedures for religious organizations, and lift restrictions on the importation and distribution of religious literature. In October the embassy held a roundtable with various religious organizations to discuss the status of their reregistration, limitations to the importation of religious literature, and restrictions to their religious rights.

Since 2014, Turkmenistan has been designated as a “Country of Particular Concern” (CPC) under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. On November 28, 2018 the Secretary of State redesignated Turkmenistan as a CPC and announced a waiver of the sanctions that accompany designation as required in the “important national interest of the United States.”

Section I. Religious Demography

The U.S. government estimates the total population at 5.4 million (July 2018 estimate). According to U.S. government estimates, the country is 89 percent

Muslim (mostly Sunni), 9 percent Eastern Orthodox, and 2 percent other. There are small communities of Jehovah's Witnesses, Shia Muslims, Baha'is, Roman Catholics, the International Society for Krishna Consciousness, and evangelical Christians, including Baptists and Pentecostals.

Most ethnic Russians and Armenians are Christian and generally are members of the Russian Orthodox Church or Armenian Apostolic Church. Some ethnic Russians and Armenians are also members of smaller religious groups.

There are small pockets of Shia Muslims, made up of ethnic Iranians, Azeris, and Kurds, located along the border with Iran and in the western city of Turkmenbashi.

According to the Israeli embassy, 200-250 Jews live in the country.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of religion and worship and for the right of individuals to choose their religion, express and disseminate their religious beliefs, and participate in religious observances and ceremonies. The constitution separates the roles of government and religion, stipulating religious organizations are prohibited from "interference" in state affairs or carrying out state functions. The constitution states public education shall be secular in nature. It provides for the equality of citizens before the law regardless of their religious preference.

The 2016 Law on Religious Organizations and Religious Freedom requires all religious organizations, including those that had registered previously, to register with the MOJ to operate legally within the country. The law permits only the registration of "religious organizations," which must have at least 50 resident members above the age of 18. The law defines a religious organization as a voluntary association of citizens affiliated with a religion, organized to conduct religious services and other rites and ceremonies, as well as to provide religious education, and registered in accordance with the country's legislation.

According to the law, the State Commission on Religious Organizations and Expert Evaluation of Religious Information Resources (SCROEERIR) is responsible for helping registered religious organizations work with government agencies, explaining the law to representatives of religious organizations, monitoring the activities of religious organizations to ensure they comply with the

law, assisting with the translation and publication of religious literature, and promoting understanding and tolerance among different religious organizations. The law states SCROEERIR must approve all individuals appointed as leaders of religious organizations, although the law does not specify the procedures for obtaining the consent of SCROEERIR. SCROEERIR operates under the leadership of the grand mufti, who by law is appointed by the government, as are all other senior Muslim clerics. The deputy chairman of the Cabinet of Ministers for education, health, religion, sports, tourism, science, new technologies, and innovation oversees SCROEERIR's work.

To register, organizations must submit to SCROEERIR their contact information; proof of address; a statement requesting registration signed by the founders and board members of the organization; two copies of the organization's charter; a registration fee of 200 manat (\$57); and the names, addresses, and dates of birth of the organization's founders. Once SCROEERIR endorses an application for registration, it is submitted to the MOJ, which coordinates an interministerial approval process involving the Ministry of Foreign Affairs (MFA), MNB, MVD, and other government offices. According to government procedures, the MOJ may additionally request biographic information on all the members of an organization applying for registration. The law states that leaders of registered religious organizations must be citizens who have received an "appropriate religious education," but does not define that term. Each branch of a registered religious organization must also register, and the registration process is the same as that which applies to the parent organization.

The tax code stipulates registered religious organizations are exempt from taxes.

The law states the MOJ will not register a religious organization if its goals or activities contradict the constitution or if SCROEERIR does not endorse its application. The law does not specify the standards SCROEERIR uses to make that determination. The law assigns the Office of the Prosecutor General to monitor the compliance of a religious organization with the constitution. The law specifies a court may suspend the activities of a religious organization if it determines the organization to be in violation of the constitution. The law also states that grounds for dissolution of a religious organization include activities "that violate the rights, freedoms, and lawful interests of citizens" or "harm their health and morale."

The administrative code covering religious organizations delineates a schedule of fines for conducting activities not described in a religious organization's charter.

Unregistered religious organizations and unregistered branches of registered religious organizations may not legally conduct religious activities; establish places of worship; gather for religious services, including in private residences; produce or disseminate religious materials; or proselytize. Any such activity is punishable as an administrative offense by fines ranging from 100 to 1,000 manat (\$29 to \$290), with higher fines for religious leaders and lower fines for lay members.

The law states MOJ officials have the right to attend any religious event held by a registered religious organization and to question religious leaders about any aspect of their activities.

The administrative code stipulates penalties from 200 to 500 manat (\$57 to \$140) for officials who violate an individual's right of freedom to worship or right to abstain from worship.

The criminal and administrative codes provide punishment for the harassment of members of registered religious organizations by private individuals. According to the administrative code, obstructing the exercise of religious freedom is punishable by a fine up to 1,000 manat (\$290) or detention for 15 days. The criminal code states such an obstruction is punishable with a fine up to 6,500 manat (\$1,900) or one year of "corrective labor," which involves serving in a government-assigned position in a prison near one's home or at a location away from one's home. If an obstruction involves a physical attack, the punishment may entail up to two years in prison.

The law allows registered religious organizations to create educational establishments to train clergy and other religious personnel after obtaining a license to do so. The Cabinet of Ministers establishes the procedures for obtaining a license. The law also states individuals teaching religious disciplines at religious educational establishments should have a theological education and carry out their activities with the permission of the central governing body of the religious organization and the approval of SCROEERIR.

Local governments have the right to monitor and "analyze" the "religious situation" within their jurisdiction, send proposals to SCROEERIR to "modernize" legislation on religious freedom, and coordinate religious ceremonies conducted outside of religious buildings.

In June the government amended the family code to ban polygamy, effective September 1. Under the criminal code, polygamy carries penalties of up to two years of labor or fines of 8,800 to 13,200 manat (\$2,500 to \$3,800).

The law prohibits the publication of religious literature inciting “religious, national, ethnic, and/or racial hatred,” although it does not specify which agency makes this determination. SCROEERIR must approve imported religious literature; only registered religious organizations may import literature. Registered religious organizations may be fined for publishing or disseminating religious material without government approval. The administrative code sets out a detailed schedule of fines, ranging from 200 to 2,000 manat (\$57 to \$570), for producing, importing, and disseminating unauthorized religious literature and other religious materials.

The law on religious freedom and religious organizations states religious customs, rituals, and ceremonies may be held on residential property, but the housing code states communal housing should not be used for activities other than habitation.

The law allows local governments, with the consent of SCROEERIR, to make decisions regarding the construction of religious buildings and structures within their jurisdiction.

Religious instruction is not part of the public school curriculum. The law allows registered religious organizations to provide religious education to children for up to four hours per week with parental and SCROEERIR approval, although the law does not specify the requirements for obtaining SCROEERIR’s approval. Persons who graduate from institutions of higher religious education, and who obtain approval from SCROEERIR, may provide religious education. According to the law, citizens have a right to obtain religious education, although obtaining religious education in private settings such as residences is banned. Persons offering religious education in private settings are subject to legal action. The law prohibits unregistered religious groups or unregistered branches of registered religious organizations from providing religious education. The administrative code sets out a detailed schedule of fines, ranging from 100 to 500 manat (\$29 to \$140), for providing unauthorized religious education to children.

The constitution states two years of military service are compulsory for men over the age of 18. Per the provisions of the constitution and the law, the government does not offer civilian service alternatives for conscientious objectors. Refusal to perform the compulsory two-year service in the armed forces is punishable by a

maximum of two years in prison or two years of “corrective labor.” In addition, the state withholds part of the salaries of prisoners sentenced to corrective labor in the amount designated by the court. Salary deductions range between 5-20 percent. The law states no one has the right for religious reasons to refuse duties established by the constitution and the law.

The constitution and law prohibit the establishment of political parties on the basis of religion, and the law prohibits the involvement of religious groups in politics.

The law does not address the activities of foreign missionaries and foreign religious organizations. The administrative code, however, bans registered religious organizations from receiving assistance from foreign entities for prohibited activities, including missionary work.

The law requires religious groups to register all foreign assistance with the MOJ and provide interim and final reports on the use of funds. The administrative code provides a detailed schedule of fines – up to 10,000 manat (\$2,900) – for both unregistered and registered religious groups for accepting unapproved funds from foreign sources.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

According to Forum 18, during the year, 10 Jehovah’s Witnesses conscientious objectors aged 18 to 24 were imprisoned for refusing military service. According to Forum 18 and Jehovah’s Witnesses, the conscientious objectors were sent to the Seydi Prison in Turkmenabat Province.

According to Forum 18, on July 11, the Supreme Court rejected the appeal of five Muslim men who were sentenced in 2017 to 12 years prison labor for meeting to pray and study the works of Turkish theologian Said Nursi. Four of the five were reportedly held at the high-security Ovadan Depe Prison in the Karakum Desert, where, according to Forum 18, “prisoners have suffered torture and death from abuse or neglect.” The fifth man, reportedly a former police officer or other official, was sent to a special labor camp for former law enforcement officials at Akdash near Turkmenbashi. Forum 18 said authorities in various states in the region accused Muslims who meet to study Nursi’s works of being members of an “extremist” group named “Nurjylar” (from the Turkish word “Nurcular,” meaning

“Nursi followers”); however, Muslims who study Nursi’s work denied any such group exists.

According to the Christian rights advocacy NGO Open Doors USA, in April authorities raided a house meeting of Christian converts. They arrested everyone present, took them to the police station, and questioned them for several hours. Police released them after questioning, but group members remained under strict police surveillance.

Jehovah’s Witnesses stated that because the group was not registered, officials “mistreat the Witnesses, raid their peaceful meetings, seize their religious publications, try to restrict any religious activity, and pressure them to renounce their faith.” Jehovah’s Witnesses said authorities searched homes, seized religious literature, confiscated mobile phones they said contained religious material, and interrogated individuals at police stations. Police also interrogated children of Jehovah’s Witnesses at their schools and forced them to sign statements about participating in religious events. Courts fined individuals for possessing religious material.

According to Jehovah’s Witnesses, in one case, authorities interrogated two female Witnesses, searched their apartment, seized a Bible and other religious literature, and then took them to the police station. The officers accused one woman of being a spy, and threatened to jail her and send her child to an orphanage. In another case, a court fined two students who had the JW Library application (which contained religious publications) installed on their mobile phones for storage and distribution of materials of religious extremism.

According to reports, prison conditions for individuals, including members of religious communities, were harsh, including overcrowding, lack of heat or air conditioning, poor food, lack of bathing facilities, and poor medical care. Forum 18 reported the government continued to refuse to provide information on persons imprisoned for their religious beliefs. Severe restrictions on communication with prisoners prevented Forum 18 from establishing their status, including whether they remained alive.

According to Forum 18, more than 100 Muslims from in and around Turkmenabad remained in prison, most of them held in the high-security Ovadan Depe Prison, accused of meeting to study and pray. The Turkmen Initiative for Human Rights, an international NGO, reported in its online media outlet Chronicles of Turkmenistan that in September the country rejected the UN Human Rights

Council's recommendation, made in the Universal Periodic Review of the country in May, to end incommunicado detention of prisoners, including those held in Ovadan Depe.

On July 9, the Russia-based human rights NGO Memorial issued a statement citing "a trustworthy source" as saying that authorities allowed more than 30 relatives of inmates convicted on what Memorial said were "charges of so-called 'Islamic extremism'" to visit their loved ones in Ovadan Depe Prison on June 28. Radio Free Europe/Radio Liberty (RFE/RL) reported that Memorial said the government granted the visits after pressure from international human rights groups.

Forum 18 and the Russian online news agency Fergananeews.com reported that in September the government formally rejected the UN Human Rights Council's recommendation, made in the Universal Periodic Review of the country in May, to adopt alternatives to military service for conscientious objectors.

According to Open Doors USA, "It is very common for members of Protestant churches to be regarded as followers of an alien sect aiming to depose the government – reinforcing the government's need to control and eradicate Christians."

In April the official daily newspaper *Neytral'nyy Turkmenistan* reported the Organization for Security and Cooperation in Europe organized a two-day seminar in Ashgabat on combating the threats of extremism and radicalism. Various ministries and agencies took part in the seminar. Participants highlighted what they termed the country's unique experience with preventing youth radicalization.

RFE/RL reported that in July a deputy foreign minister met with foreign ministers from Uzbekistan, Kazakhstan, Kyrgyz Republic, and Tajikistan in Cholpon-Ata, Kyrgyz Republic. The government agreed to increase cooperation against what it termed international terrorism and religious extremism, but did not take any follow up action as of year's end.

The government did not register any new religious organizations during the year, as compared with reregistering five in 2017. Several religious groups stated they had submitted applications, which the MOJ returned citing administrative errors. By year's end, the government had not provided any new information regarding the registration process for religious organizations, and the registration process remained unclear. According to the NGO International Christian Concern, in January six evangelical Christian churches submitted a letter to the president

asking to be allowed to register as official religious communities. In the letter, the churches requested permission to open a Christian bookstore and to obtain their own building, which the six groups could collectively share for services. As of year's end the government had not acted on the request.

In October the government reported there were 131 registered religious organizations operating in the country. Of the 131, 107 were Muslim (102 Sunni and five Shia); 13 Russian Orthodox; and 11 categorized as other religious groups, including Baha'is, Protestants, Roman Catholics, and the International Society for Krishna Consciousness.

Local human rights activists stated MNB and MVD officers responsible for fighting organized crime and terrorism continued to monitor members of religious minorities, including Christian groups, through telephonic and undercover surveillance. The activists said the attitudes of senior government officials toward religion reflected Soviet-era practices, despite legal provisions protecting freedom of religion. According to the Open Doors USA's 2019 World Watch List Country Report, which covered 2018, "The police, secret services and local authorities monitor religious activities, raid nonregistered churches and infiltrate church services." Open Doors USA said Russian Orthodox and Armenian Apostolic churches "may also experience Sunday services being monitored."

Turkmen who converted from Islam continued to say the government scrutinized them more closely than ethnic non-Turkmen converts.

Unregistered groups stated their members were subject to arrest for "unlawful assembly" in addition to fines stipulated by law. Members of these groups said they continued to practice discreetly, mostly in private homes, and could do so as long as neighbors did not file complaints with local authorities. According to Open Doors USA, in areas where churches have not been registered police repeatedly raided, threatened, arrested, and fined Christians. According to International Christian Concern, some evangelical Christian church groups met secretly in cafes and restaurants.

Local religious groups continued to report that security services regularly interviewed members of religious organizations and demanded they provide information on their communities' activities.

Representatives of registered Christian groups said some government officials continued to require them to obtain approval to carry out routine religious

activities, such as weekly services, as well as social and charitable activities, including summer camps for children. Multiple groups said the government denied them permission to conduct study groups and seminars, even when it permitted them to hold weekly services.

In July the government announced it would sponsor Hajj travel for 153 pilgrims, a decrease from previous years and the lowest number since 2009. In 2017, Forum 18 reported those allowed to join the government-sponsored Hajj group needed approval from several state agencies, including police and the MNB. Joining the government-sponsored group cost approximately 7,000 manat (\$2,000), according to Forum 18. The government reported 2,100 persons were self-funded but did not report how many individuals applied for the pilgrimage. As in previous years, the government allowed self-funded pilgrims to make their own arrangements to participate in the Hajj.

Religious groups reported the government continued to prevent them from importing religious literature and from subscribing to foreign religious publications. Although by law registered religious groups were allowed to import religious literature, they said the government's complex customs procedures made it extremely difficult. The Quran remained unavailable in state bookstores in Ashgabat, although many individuals kept a Soviet-era copy in Arabic or Russian in their homes. Few translations were available in the Turkmen language. The government continued to refuse to authorize distribution of a Turkmen-language translation of the Bible printed in Russia.

Members of various religious groups reported the government and state-affiliated enterprises continued to interfere in the purchase or long-term rental of land and buildings for worship or meeting purposes. Registered religious groups reported continued difficulty in renting space for holiday celebrations from private landlords, which they attributed to landlords' concerns about potential government disapproval.

In September a new mosque opened in Ashgabat's Parahat 7/3 district. This was the first mosque built in Ashgabat in the last 14 years. Mosques were under construction in Tejen and in Turkmenabat at year's end.

Theology faculty in the Turkmen State University history department in Ashgabat continued to be the only university-level faculty members allowed to provide Islamic higher education. The MNB reportedly continued to vet student candidates for admission to this program. It was not possible to study theological subjects

other than state-approved Islamic theology. Women remained banned from the program.

According to members of the Protestant community, clergy in Protestant organizations continued to receive their religious education abroad or via distance learning.

The government continued its practice of approving the appointment of all senior Muslim clerics. The Russian Orthodox Church and other religious groups continued to be financed independently; the government was not involved in appointing their leadership, but the senior Russian Orthodox priest was required to be a Turkmen citizen.

According to Forum 18, the MVD and security services continued to place many religious believers on a “travel blacklist.” Officials subjected persons permitted to travel abroad to close scrutiny upon departure and re-entry into the country.

According to an article published by the Alternative News of Turkmenistan website habartm.org, officials at the Ashgabat airport questioned returning travelers from Turkey, particularly if they had Turkish residence permits. Authorities questioned women wearing the hijab. According to the article, in January one woman said authorities asked her why she was wearing the hijab, how often she prayed, whether she attended a mosque, and how long she had been practicing these religious activities. She said the officials also questioned her about her Turkish husband’s religious practices.

The government continued its practice of denying visas to foreigners suspected of conducting or intending to conduct missionary activity. Religious groups able to obtain religious visitor visas for foreign religious speakers said the government continued to grant such visas for very short durations and required the groups to complete burdensome paperwork. As in previous years, the government did not report the number of religious visitors it allowed to visit the country, nor did it report the number of visa applications of foreign religious visitors it had denied.

In October the government reported religious representatives from Germany, Kazakhstan, Poland, Russia, Sweden, and the United States visited the country at various times during the year and met with fellow believers.

Section III. Status of Societal Respect for Religious Freedom

Local sources said persons deviating from traditional religious beliefs and practices continued to report harassment, such as public shaming, by their family members, friends, and neighbors. Members of registered Christian groups continued to report hostility from acquaintances due to their religious affiliation.

Persons who joined so-called “nontraditional” religious groups reported continuing societal criticism. Ethnic Turkmen who converted from Islam received more societal scrutiny than ethnic non-Turkmen converts and continued to be ostracized at community events, especially in rural areas, according to representatives of religious minorities.

According to Open Doors USA, Muslims who converted to Christianity faced pressure and occasional physical violence from families, friends, and local communities to return to their former faith. Open Doors USA said some converts were locked up by their families for long periods, beaten, and sometimes expelled from their communities.

Forum 18 reported the level of societal harassment again increased for Jehovah’s Witnesses, who stated they continued to be treated with suspicion and scrutiny by fellow citizens.

Section IV. U.S. Government Policy and Engagement

In meetings and official correspondence with government officials, the Ambassador, embassy representatives, and visiting U.S. government officials continued to express concerns about the arrests and detention of individuals, including members of religious communities, in harsh conditions. In October the Special Advisor for Religious Minorities and other Department of State officials met with high-level MFA representatives to discuss abuses of religious freedom, such as the imprisonment of members of religious communities for engaging in peaceful religious practice, and to urge the government to take positive steps to improve religious freedom. The Special Advisor and other U.S. officials urged the government to create civilian service alternatives for conscientious objectors to military service, clarify registration procedures for religious organizations, streamline the process of registering new groups, and lift restrictions on the importation and distribution of religious literature.

In October the Special Advisor for Religious Minorities and other Department of State officials met with five religious organizations to discuss the registration and

reregistration process, limitations to the importation of religious literature, and restrictions to their religious rights.

Since 2014, Turkmenistan has been designated as a CPC under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. On November 28, 2018, the Secretary of State redesignated Turkmenistan as a CPC and announced a waiver of the sanctions that accompany designation as required in the “important national interest of the United States.”