

TURKMENISTAN 2015 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution guarantees the equality of citizens before the law regardless of religious preference. There were reports of beatings, imprisonment, arbitrary detention, searches, confiscation of religious materials, and verbal abuse against religious minorities, particularly Protestants and Jehovah's Witnesses. No new religious groups received registration during the year. The law prohibits all activity by unregistered religious groups including establishing places of worship, gathering for services, producing and disseminating religious materials, and proselytizing. Activities of unregistered groups are punishable through administrative fines. The government restricted the ability of registered groups to obtain permanent premises for worship, and to print, import, or disseminate religious literature. The government granted early release to one Jehovah's Witness imprisoned for conscientious objection to military service. One Jehovah's Witness remained in prison and another was reportedly held against his will in a military medical facility. The government stated it would not engage in a direct dialogue with minority religious groups regarding alternatives to military service for conscientious objectors or the treatment of minority religious groups by the government. Self-funded pilgrims reportedly were able to participate in the Hajj without government restriction, and government officials participated in a study tour on international religious freedom sponsored by the Organization for Security and Cooperation in Europe (OSCE). The government replaced the Council on Religious Affairs with the State Commission on Religious Organizations and Expert Evaluation of Religious Information Resources (SCROEERIR).

Societal criticism and harassment of those who deviated from traditional ethnoreligious beliefs and practices continued. Ethnic Turkmen who converted from Islam reportedly received more societal scrutiny than ethnic non-Turkmen converts and were ostracized by their communities.

In meetings and official correspondence with government officials, U.S. Embassy representatives and visiting U.S. government officials – including the Secretary of State – continued to express concerns about the arrests and imprisonment of Jehovah's Witnesses, the lack of civilian service alternatives to military service, the right of religious groups to register, the lack of readily available information about registration procedures, restrictions on the importation and distribution of religious literature, and the right to freedom of thought, conscience, and religion.

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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 February 29, 2016, 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 5.2 million (July 2015 estimate). According to U.S. government estimates, the country is 89 percent Muslim, 9 percent Orthodox, and 2 percent other. According to OSCE estimates, most Muslims are Sunni. There are small communities of Jehovah’s Witnesses, Shia Muslims, Bahais, and evangelical Christians, including Baptists and Pentecostals.

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

There are small pockets of Shia Muslims, many of whom are ethnic Iranians, Azeris, or Kurds, living along the border with Iran and in the western city of Turkmenbashi.

There are an estimated 300 Jews.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution guarantees freedom of religion and worship, including the right of individuals to choose their religion, to express and disseminate their religious beliefs, and to participate in religious observances and ceremonies. The constitution maintains separation of government and religion and guarantees government education be secular in nature. The constitution guarantees the equality of citizens before the law regardless of religious preference.

The law requires all religious organizations to register with the Ministry of Justice (MOJ) to operate legally. Regulations state that to register, organizations must

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submit their contact information, proof of address, charter, and a registration fee of approximately 400 manat (\$114).

There are two legal categories for registered religious communities: religious groups (consisting of at least five and fewer than 50 members of legal age), and religious organizations (consisting of at least 50 members).

The administrative code sets out a detailed schedule of fines for conducting any activities that are not described in a religious group's or organization's charter.

Unregistered religious groups and unregistered branches of religious groups cannot legally conduct religious activities, including establishing places of worship, gathering for services, producing or disseminating religious materials, or proselytizing. Such activity is punishable as an administrative offense, with fines ranging from 500 to 1,000 manat (\$143 to \$286), depending on whether the person involved in the activity is a religious leader or is acting on behalf of a religious group.

The religion law prohibits religious attire in public places, except for clergy.

The religion law prohibits the domestic publication of religious literature inciting "religious, national, ethnic, and/or racial hatred." The government must approve imported religious literature, and only registered religious groups can import literature. Registered religious groups may also be fined for publishing or disseminating religious material without state approval. The administrative code sets out a detailed schedule of fines for producing, importing, and disseminating unauthorized religious literature and other religious materials.

Although no laws expressly prohibit holding religious services on residential property, the housing code states that communal housing should not be used for any activities other than habitation. The religion law states that religious services must be held at the religious group's designated location.

There is no religious instruction in public schools.

The religion law allows mosques to provide religious education to children after school for four hours per week with parental approval. Those who graduate from institutions of higher religious education (the law does not specify domestic or international institutions) and who obtain approval may provide religious

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education. Citizens have the right to receive religious education individually or with other persons; however, the law prohibits providing religious education in private settings such as residences, and those who do so are subject to legal action.

The law prohibits unregistered religious groups or unregistered branches of registered religious groups from providing religious education.

The administrative code sets out a detailed schedule of fines for providing unauthorized religious education to children.

The constitution states military service is compulsory for men over the age of 18. The government does not offer civilian service alternatives for conscientious objectors; individuals who refuse military service for religious reasons are offered noncombatant military positions. Refusal to perform compulsory two-year service in the armed forces is punishable by a maximum of two years' imprisonment.

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

The criminal and administrative codes prohibit harassment by private actors towards registered religious groups.

The administrative code stipulates penalties of 200-500 manat (\$57-\$143) for officials who violate an individual's right of freedom to worship or abstain from worship.

On May 23, the government amended the religion law to abolish the Council of Religious Affairs and replace it with the SCROEERIR. The law states the commission assumed the duties and the responsibilities of the previous council and should help registered religious groups to work with government agencies, explain the law to religious representatives, monitor the activities of religious groups to ensure they are in compliance with the law, assist with translating and publishing religious literature, and promote understanding and tolerance among different religious groups. The grand mufti heads the new commission, reporting to the deputy chairman of the cabinet of ministers responsible for religious affairs.

The religion law prohibits foreign missionary activity and foreign religious organizations.

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The tax code stipulates that religious groups are tax-exempt.

The law on religion requires religious groups to register all foreign assistance with the MOJ and provide interim and final reports on the use of the funds. The administrative code sets out a detailed schedule of fines for accepting funds from foreign sources by unregistered religious groups; the code stipulates fines of up to 10,000 manat (\$2,864) for religious groups receiving unapproved donations from outside the country.

Government Practices

The government continued to enforce military service requirements on conscientious objectors and the UN Human Rights Commission found the country had subjected a conscientious objector to inhuman and degrading treatment in prison. The government continued its monitoring of Islamic groups it considered either “Wahhabist” or “extremist.” Government authorities at times broke up meetings of registered and unregistered religious groups.

According to the nongovernmental organization Forum 18, authorities detained and beat four Jehovah’s Witnesses in February. One prisoner reportedly lost consciousness three times during the beatings. According to Forum 18, the Turkmenabad City Court convicted them all for minor hooliganism and sentenced three to 15 days detention. The fourth received a fine on account of his advanced age.

Also in February prison officials reportedly severely beat Muslim prisoners convicted of “Wahhabism.” In March Jehovah’s Witness Serdar Hemdemov was arrested for disorderly conduct and beaten during a 15-day administrative detention, according to religious groups and human rights organizations. In May the Lebap regional court sentenced Jehovah’s Witness Bahram Hemdemov (Serdar’s father) to four years’ imprisonment for inciting religious hatred after police raided his home in March, where 38 fellow Jehovah’s Witnesses had gathered for worship. Police subjected the elder Hemdemov to multiple beatings and confiscated all religious literature and his personal vehicle. According to Forum 18, in March Jehovah’s Witness Dovlet Kandymov was detained and was repeatedly beaten to force him to testify against Bahram Hemdemov. Also in March Jehovah’s Witness Emirjan Jumanazarov was reportedly beaten and kicked after his arrest.

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Forum 18 reported that in May police arrested Jehovah's Witness Konstantin Vlaskin and confiscated his religious literature and computer.

Jehovah's Witnesses continued frequently to refuse compulsory military service. President Gurbanguly Berdimuhamedow pardoned one 21-year-old imprisoned Jehovah's Witness in February. One Jehovah's Witness remained in prison at year's end, and one remained indefinitely detained without trial, presumably in a military hospital according to Forum 18.

In March the UN Human Rights Committee ruled Turkmenistan violated its obligations under the International Covenant on Civil and Political Rights with regard to inhuman and degrading treatment and imprisonment of a conscientious objector to compulsory military service. Zafar Abdullayev first refused military service in 2005 and courts twice convicted him for that refusal.

Authorities fined individuals and religious groups for unauthorized religious practices. For instance, Forum 18 reported that on March 14, police in Turkmenabad raided the Hemdemov family home, where 38 Jehovah's Witnesses had gathered for worship. The police confiscated all religious literature they could find and detained the entire group. Eight received 15-day sentences, and 30 were fined an undisclosed amount.

Forum 18 reported that the government categorized some Muslim groups advocating theologically different but nonviolent interpretations of Islamic religious doctrine as "extremist" and continued to arrest members of such groups.

Although the government did not officially restrict persons from changing their religious beliefs and affiliations, representatives of religious minorities stated that ethnic Turkmen converts from Islam or members of unregistered religious groups were subjected to more scrutiny and questioning in interactions with representatives of the government than were ethnic non-Turkmen.

The government registered no new religious groups during the year. Information on the number of groups that applied for registration was unavailable. The Ministry of Justice reported it only denied registration in the event of an incomplete application or if the group constituted a threat to the security of the country, but did not report how it made that determination. Several religious members, however, reported the registration process was unclear and they were

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unable to obtain assistance from the SCROEERIR, which they said is supposed to assist in the process. According to government figures, there were 121 registered religious organizations and seven registered religious groups operating in the country. Of these, 104 were Muslim, of which 99 were Sunni and five Shia; 13 were Russian Orthodox; and 11 represented other religious groups, including Roman Catholics, Bahais, the International Society of Krishna Consciousness (Hare Krishnas), and Protestants.

Reportedly government officials unevenly enforced the prohibition of harassment of organized religious groups by private citizens, allowing private citizens to interfere, for instance, with small-scale religious meetings held in public places. Observers reported no protection from harassment extended to unregistered religious groups. Registered religious groups said they frequently did not report harassment for fear such reporting would prompt authorities to increase harassment or monitoring of their activities.

There were no reports of officials being fined for abusing religious freedom.

Authorities reportedly required some registered Christian religious groups to obtain approval to carry out religious activities, such as weekly services, and otherwise reportedly made it difficult for registered groups to find appropriate facilities for meeting.

Some registered Christian religious groups reported they were denied permission to conduct church meetings such as study groups and seminars, although they were able to hold weekly services.

The government continued to forbid unregistered religious groups or unregistered branches of registered religious groups gatherings in public or private and sometimes broke up such gatherings, including those of the Jehovah's Witnesses. Some unregistered congregations reportedly continued to practice quietly, mostly in private homes, and were able to continue as long as the neighbors did not file complaints with local authorities.

Although it remained illegal to proselytize, some registered groups such as the Bahai community reported freedom to share their faith in public without harassment.

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Religious groups rarely if ever received permission to import religious literature. The government reportedly continued to prohibit all religious groups from subscribing to any foreign religious publications. The Quran was practically unavailable in state bookstores in Ashgabat but most homes retained one copy in Arabic or in Russian translation from the Soviet era. Few translations were available in the Turkmen language. During the year, some citizens reported the seizure of personal Bibles at the airport upon arrival from foreign travel, even though the Bibles had been in their possession when they departed the country.

In February, according to Forum 18, Turkmenabad police conducted a search without a warrant of Jehovah's Witness Zeynep Husaynova's home and confiscated religious literature.

Religious groups continued to report government and state-affiliated enterprise interference in purchasing or obtaining long-term leases for land or buildings for worship or meetings. Registered religious groups also continued to report difficulty in renting special event space for holiday celebrations from private landlords, possibly due to concern about government disapproval.

Authorities enforced the ban on unregistered groups providing religious education.

Officers in the Ministry of National Security and Ministry of Internal Affairs in divisions charged with fighting organized crime and terrorism monitored members of religious minorities, including Christian groups, reportedly through telephone and undercover surveillance.

The government approved the appointment of all senior Muslim clerics. Some Muslims expressed concern about the quality of training and changes of appointed Muslim leaders. The Russian Orthodox Church and other religious groups were financed independently, and the government was not involved with the appointment of their leadership.

The government stated it would not engage in a direct dialogue with minority religious groups regarding alternatives to military service for conscientious objectors or other objections to treatment of minority religious groups by the government, despite a 2014 statement that it was willing to discuss civilian service alternatives to military service with a legal expert, to meet with representatives of registered religious groups, to publish information on registration procedures, and to participate in training on international religious freedom.

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The government denied visas to foreigners suspected of conducting or intending to conduct missionary activity. Some religious groups seeking religious visitor visas for foreign religious speakers reported that when granted, such visas were often for very short durations and required burdensome paperwork. Others were unable to obtain visas for foreign religious representatives. In November the government reported it had approved four visits by foreign members of religious congregations, including Protestants, Seventh-day Adventists, Hare Krishnas, and members of the Russian Orthodox Church. The government did not report the number of visa applications of foreign religious visitors denied.

In October the government sponsored Hajj travel for 188 pilgrims. As was the case in previous years, self-funded pilgrims were reportedly allowed to make their own arrangements to participate in the Hajj. In October the government reported that there were no restrictions concerning who could participate in the Hajj.

Members of the theology faculty in the history department at Turkmen State University in Ashgabat were the only university-level faculty members allowed to provide Islamic higher education. Reports indicated the Ministry of National Security vetted potential student candidates for admission to this program. There was no possibility of studying theology subjects other than the state-approved Islamic theology. Women remained banned from the program.

The government established a website with information on registration procedures, and government officials participated in religious freedom training conducted by the Organization for Security and Cooperation in Europe (OSCE).

In August government officials participated in a religious freedom study tour in the United States conducted by the OSCE.

Section III. Status of Societal Respect for Religious Freedom

There was some societal criticism and harassment of those who deviated from traditional ethnoreligious beliefs and practices. Members of registered Christian groups reported they encountered hostility from acquaintances due to their religious affiliation.

Citizens who departed from so-called “traditional” religious norms or joined “non-traditional” religious groups reportedly received little social support or were often

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criticized. Representatives of religious minorities stated that ethnic Turkmen who converted from Islam continued to receive more societal scrutiny than ethnic non-Turkmen converts and were ostracized at community events, especially in rural areas.

Members of foreign-based religious groups such as Jehovah's Witnesses said they were often treated with suspicion and scrutiny by fellow citizens.

Section IV. U.S. Government Policy

In meetings and official correspondence with government officials, U.S. embassy representatives and visiting U.S. government officials, including the Secretary of State, Assistant Secretary of State for South and Central Asian Affairs, and U.S. Ambassador urged greater efforts in support of religious freedom. They continued to raise concerns about the arrests and imprisonment of religious minority community members, including Jehovah's Witnesses, the lack of civilian service alternatives for conscientious objectors to military service, the confusion of religious groups about the registration procedures, and restrictions on the importation and distribution of religious literature. They continued to advocate for a civilian service option for conscientious objectors that does not fall under the auspices of the Ministry of Defense and for the government to establish regular dialogue with religious representatives to discuss ongoing issues and concerns.

In July the embassy requested permission to host a joint workshop with the government and religious groups on international standards of freedom of religion and belief and the promotion of religious tolerance but as of year's end the government had not given approval.

The Ambassador convened roundtable discussions with representatives of registered and unregistered religious groups throughout the year to monitor their status.

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