



## TURKMENISTAN



Commissioners Argue and Eid meet with Foreign Minister Rashit Meredov.

### INTRODUCTION

Since 2000, the U.S. Commission on International Religious Freedom has raised serious concerns about conditions for freedom of religion or belief in Turkmenistan and has recommended that the country be designated by the Secretary of State as a “country of particular concern,” or CPC, for engaging in systematic, ongoing, and egregious violations of religious freedom and related human rights. Despite the Commission’s repeated recommendation, throughout some of the darkest years of repression in Turkmenistan, the U.S. government has never designated it as a CPC under the International Religious Freedom Act of 1998.

Under the late President Saparmurat Niyazov, who died in December 2006, Turkmenistan

was among the most repressive and isolated states in the world. Virtually no independent public activity was allowed and severe government restrictions meant that most religious activity was under strict and often arbitrary state control. The 2003 law on religion further codified the country’s highly repressive policies, in effect banning most religious activity, despite legal changes to relax registration requirements. Registration for many religious groups remained difficult, and any activities by unregistered groups were deemed “illegal.” Moreover, the law set severe penalties for those found guilty of participating in so-called “illegal” religious activity.

WINTER 2007

THE U.S. COMMISSION  
ON INTERNATIONAL  
RELIGIOUS FREEDOM

was created by the International Religious Freedom

Act of 1998 to monitor

the status of freedom

of thought, conscience,

and religion or belief

abroad, as defined in the

Universal Declaration of

Human Rights and related

international instruments,

and to give independent

policy recommendations to

the President, Secretary of

State, and Congress.

TURKMENISTAN

visit our web site at  
[www.uscirf.gov](http://www.uscirf.gov)

In addition, Turkmenistan's public life was dominated by President Niyazov's quasi-religious personality cult, including most notoriously the president's two-volume work of "spiritual thoughts" known as the *Ruhnama*. The *Ruhnama* was employed by the government to play a pre-eminent role at various levels of the country's educational system, displacing some—and in some areas, most—academic subjects. What is more, the government under President Niyazov required that the *Ruhnama* be given equal prominence to the Koran and the Bible in mosques and churches.

President Niyazov was succeeded by Gurbanguly Berdimuhamedov, who moved to implement educational reforms and also promised reforms in a variety of other sectors. Despite the flaws accompanying his orchestrated presidential election, and while no changes have been made to the country's oppressive laws, he nonetheless has initiated some limited positive steps relevant to religious freedom and other human rights. These include the release in August 2007 of 11 political prisoners,

some decline in President Niyazov's oppressive personality cult, the formation of two new official commissions relevant to human rights concerns, and an expressed willingness to consider reform of the country's religion law. Unfortunately, the system of oppressive laws and practices that have led to severe violations of human rights, including freedom of religion or belief, remain in place. In addition, the overall repressive atmosphere that characterized public life in Turkmenistan under President Niyazov remains largely unchanged.

In order to examine religious freedom and related human rights concerns in Turkmenistan and in light of the new government's statements and actions, the Commission traveled to Turkmenistan in August 2007. The Commission delegation visited Turkmenistan in part to ascertain the measures taken to address religious freedom problems, including whether the new Turkmen government will in fact adopt reforms leading to major improvements in protections for human rights, includ-

ing freedom of religion or belief, and whether further democratizing reforms will be undertaken in the near future. The late President Niyazov had severely isolated Turkmenistan, limiting both foreign visitors to the country and the number of Turkmen citizens allowed to travel abroad. The new government, in contrast, has re-opened the country to many official visitors from other countries, including high-ranking representatives from the UN and the Organization for Security and Cooperation in Europe (OSCE) responsible for human rights.

The Commission delegation met with President Berdimuhamedov and the Ministers of Foreign Affairs, Justice, Education, Culture, and Internal Affairs, as well as representatives of the Council on Religious Affairs (CRA), the Institute on Democracy and Human Rights, and the head of the parliamentary human rights committee. The delegation also held meetings with the representatives of a variety of religious communities and civil society organizations, and took part in a public meeting with the country's former chief mufti, Nasrullah ibn

## COMMISSIONERS

**MICHAEL CROMARTIE**  
**Chair**  
Vice President, Ethics and  
Public Policy Center

**PREETA D. BANSAL**  
**Vice Chair**  
Partner, Skadden, Arps,  
Slate, Meagher & Flom

**RICHARD D. LAND**  
**Vice Chair**  
President, Ethics and

Religious Liberty  
Commission of the Southern  
Baptist Convention

**DONALD H. ARGUE**  
**Commissioner**  
Chancellor, Northwest  
University

**IMAM TALAL Y. EID**  
**Commissioner**  
Director of Religious Affairs,  
Islamic Institute of Boston

**FELICE D. GAER**  
**Commissioner**  
Director, Jacob Blaustein  
Institute for the  
Advancement of Human  
Rights, The American Jewish  
Committee

**LEONARD A. LEO**  
**Commissioner**  
Executive Vice President,  
The Federalist Society for  
Law & Public Policy Studies

**ELIZABETH H. PRODRMOU**  
**Commissioner**  
Associate Director, Institute  
on Culture, Religion &  
World Affairs and Assistant  
Professor, Department of  
International Relations,  
Boston University

**NINA SHEA**  
**Commissioner**  
Director, Center for Religious  
Freedom, The Hudson  
Institute

**JOHN V. HANFORD III**  
**Ex-Officio**  
Non-voting Commissioner  
Ambassador-at-Large for  
International Religious  
Freedom, U.S. Department  
of State

Ibadullah, who had been released from prison in August, shortly before the Commission visit. In addition, the delegation met with OSCE representatives, the Papal Nuncio, and ambassadors from several western countries.

The Commission raised a number of key concerns with Turkmen government officials. Among these issues were the 2003 law on religion, particularly those articles that violate international norms pertaining to freedom of religion or belief; the state-imposed ideology, particularly that of the personality cult,

that infringes upon or severely diminishes the practice of freedom of religion or belief and related freedoms of association, movement, expression, and the press; intrusive and onerous registration procedures that hinder the registration of peaceful religious communities; administrative fines on and imprisonment of leaders or members of peaceful unregistered religious communities whose activities are deemed “illegal”; obstacles to the purchase or rental of land or buildings to be used as houses of worship or for meeting purposes; the great difficulty

in using private homes and public halls in residential areas for worship services; and a legal ban on the importation and printing of religious and other material. The Commission wishes to thank the U.S. Embassy in Turkmenistan, as well as the Department of State, for facilitating the Commission’s visit.



## FINDINGS

### General Conditions for Freedom of Religion or Belief

- Most Turkmen government officials, including President Berdimuhamedov, were willing to discuss the various issues raised by the Commission, including the possibility of amending laws relevant to freedom of religion or belief. In addition, President Berdimuhamedov has taken some steps to diminish the oppressive personality cult of the former president, and has formed two new official commissions relevant to human rights concerns (discussed below).
- The 11 political prisoners released by President Berdimuhamedov following the recommendation of a new official commission to examine citizens’ petitions on the work of law enforcement

bodies included the country’s former chief mufti, Nasrullah ibn Ibadullah, who had been sentenced in a secret trial on unsubstantiated charges of involvement in an alleged coup attempt. The Commission delegation took part in a meeting with Ibadullah, whose imprisonment the Commission had long protested. Other than Ibadullah, however, it is unclear whether those released have had their full civil and political rights restored.

- President Berdimuhamedov and other officials also told the Commission that the Turkmen government is considering the adoption of certain legal reforms relevant to human rights, including religious freedom. In August 2007, during the Commission’s visit to Turkmenistan,

President Berdimuhamedov announced the formation of a new commission to examine how Turkmenistan’s legislation conforms to international human rights commitments.

- Significant religious freedom problems and official harassment continue and, at least in some regions, certain religious freedom conditions may be deteriorating.
- Religious practice continues to be fully controlled by the state, including severe limitations on religious instruction even for the two largest religious communities, Sunni Muslims and Orthodox Christians.

- The repressive 2003 religion law remains in force, giving rise to, among other problems, serious difficulties for the legal functioning of religious minority groups.
- Despite an apparent decreased emphasis on the forcible state promotion of former President Niyazov's spiritual writings, or *Ruhnama*, the book continues to be present in mosques, all of which are tightly controlled by the state.
- Police raids and other forms of harassment of registered and unregistered religious groups have increased somewhat, particularly on the local level, at least during the first six months of 2007.
- The absence of a law providing genuine alternatives to military service has resulted in prison sentences for the members of certain minority religious communities.
- The government prevents unregistered churches from buying or renting property, and there is official pressure on homeowners to prevent unsanctioned meetings for worship.

It is still too early to determine whether any of the government's statements or actions will have a substantial impact on the legal structure or actual enjoyment of freedom of religion or belief in Turkmenistan.

- In light of the persistent, serious problems, the Commission concludes that its recommendation that Turkmenistan be designated a CPC should not be rescinded at this time. The Commission acknowledges the positive steps undertaken by the government of President Berdimuhamedov, and encourages the new government to implement reforms to bring Turkmenistan's laws, policies, and practices into accordance with

international human rights norms. At the very least, these steps should include reform of the religion law and the removal of any state-imposed ideology from the religious practice of Turkmenistan's citizens.

#### Legal Reforms and Registration

- During the Commission's visit, Turkmen government officials referred to a 2004 presidential decree lowering the requirement for the number of persons belonging to a religious community to qualify for its legal registration from 500 persons to five. The government told the Commission that there are only two religious communities with pending registration requests; since the Commission visit to Turkmenistan, two religious groups have been registered. With regard to other ongoing problems for members of registered religious minority communities, Turkmen officials told the Commission delegation that they are prepared to hold a second conference with members of registered religious communities to discuss outstanding issues.
- Nevertheless, the 2003 religion law remains highly problematic and some of its provisions continue to violate international standards with regard to freedom of religion or belief, including the requirement that the religious groups must be registered in order for their activities to be legal; the strict government control of, and limitations on, people's ability to gather for worship; the ban on the public wearing of religious garb except by religious



Commissioner Argue with Russian Orthodox Father Andrei Sapunov and interpreter Ajjemal Kulhanova



leaders; and the severe restrictions on religious education.

- There continue to be significant problems in gaining legal registration in Turkmenistan. Local and regional governments sometimes do not recognize a religious group or organization even if the group is registered at the national level. Because of the intrusive requirements and the ongoing harassment of registered communities, several religious groups are not currently seeking registration, thereby increasing the likelihood of official interference in the ability of those groups to function.
- Obtaining worship space is difficult for most if not all communities. For unregistered groups, it is virtually impossible, as it is illegal for them to rent or buy worship space. Worship in private homes, even for members of registered groups, is strictly limited to nuclear families; security officials routinely break up religious meetings in private homes and search homes without warrants.

#### Other Religious Freedom Concerns

- Various minority religious communities, both registered and unregistered, continue to face official harassment, particularly outside the capital city of Ashgabat. These problems include

police raids, detentions, and threats by police and other security services, as well as demands for payment of onerous fines, some of which were levied by courts years ago. Religious literature is also routinely confiscated.

- The printing and import of religious literature continues to be rigorously controlled and limited by the government and customs agents still confiscate religious materials. Even the import of literature that is technically legal is reportedly extremely difficult in practice. Representatives of almost all registered religious minority communities reported a severe shortage of religious literature.
- Turkmenistan's legal code lacks a genuine civilian alternative to compulsory military service. Article 219, Part 1 of the Criminal Code punishes refusal to serve in the armed forces with a maximum penalty of two years' imprisonment. In recent months, five members of the Jehovah's Witnesses have been sentenced to jail under this article, though all ultimately were given suspended sentences.
- There continue to be restrictions on freedom of movement on account of religion. For example, the Turkmen authorities continue to place severe

---

*President Niyazov's personality cult, bolstered by the forceful official promotion of the Ruhnama, was comparable to a state-imposed religion.*

---

limits on the number of Muslims permitted to perform the *haji*. Moreover, despite official protestations to the contrary, the Turkmen government still appears to have a secret "black list" of individuals who are denied permission to leave the country, although one such case, involving family reunification of an unregistered Baptist from the city of Dashoguz (often spelled Tashauz) and a U.S. citizen, was resolved in July. Representatives of various religious minority communities told the Commission delegation that they are not allowed to travel overseas, including for religious education not permitted inside the country, and their co-religionists are also often denied permission to enter Turkmenistan.

### Current Status of the Personality Cult and the *Ruhnama*

- There are some, though contradictory, indications that the new government has decreased official emphasis on President Niyazov's all-pervasive personality cult and the *Ruhnama*. For example, President Berdimuhamedov has made some initial attempts to curtail the imposition of the sworn oath of loyalty to President Niyazov. Although the *Ruhnama* continues to be part of the school curriculum, government officials told the Commission that they have significantly decreased the time devoted to its study. Reportedly, new textbooks were printed with greater focus on

conventional subjects, although other reports indicate that not enough time has passed to implement significant changes to the actual texts and that in fact, only the presidential photographs have been updated.

- Nevertheless, the Turkmen government is still promoting the *Ruhnama* in religious affairs and as a mandatory aspect of public education. The *Ruhnama* remains a required aspect of school exams, and in September 2007, the government sponsored an international conference devoted to the text. Moreover, also in September, President Berdimuhamedov told a U.S. audience

at Columbia University that “I want to emphasize this—the book [*Ruhnama*] will be mandatory teaching in all educational institutions, from kindergarten through college. Why? Because it contains a lot of wisdom related to our heritage.”

- The *Ruhnama* is still widely found in mosques; indeed, in the Niyazov Memorial Mosque, the country's largest mosque located in the village of Gipchak just outside Ashgabat, virtually all of the inscriptions carved on the walls were from the *Ruhnama*.

## I. GENERAL CONDITIONS FOR FREEDOM OF RELIGION OR BELIEF

### Turkmenistan Under President Niyazov

Under President Niyazov, Turkmenistan was among the most repressive states in the world and engaged in systematic and egregious violations of freedom of religion or belief. President Niyazov's pervasive authoritarian rule and escalating personality cult effectively prevented any opposition or independent religious activity within the country. While President Niyazov's government had made small adjustments to the laws that closely regulate religious practice, these changes over the years had done little to alter in practice the country's generally

repressive policies.

A 2003 law on religion further codified the Turkmen government's highly repressive policies, effectively banning most religious activity and setting criminal penalties for those found guilty of participating in “illegal” religious activity. The law also required religious groups to coordinate with the Turkmen government any contacts with co-religionists abroad. In response to international pressure, President Niyazov issued a decree in March 2004 stating that religious communities may register “in the prescribed manner,” and reduced the registration

requirement from 500 members to five.

In May 2004, President Niyazov issued several decrees decriminalizing unregistered religious activities and easing other requirements for registration, resulting in the registration of nine small groups, in addition to the majority Sunni Muslims and the Russian Orthodox Church. These amendments, however, did not substantially change the overall highly repressive environment in Turkmenistan; in fact, some reports indicate that the new, ostensibly eased registration requirements were used as a method of more effective state control over religious com-

munities, not least because they afforded officials the legal right to know what occurs at every meeting of a religious group. In any case, religious groups that did not meet the often arbitrary registration rules still faced administrative penalties that even included imprisonment and large fines due to their unregistered status.

President Niyazov's personality cult, bolstered by the forceful official promotion of the *Ruhnama*, was comparable to a state-imposed religion. Students were required to study the *Ruhnama* extensively at all public schools and institutes of higher learning, and Niyazov insisted that the *Ruhnama* supersede other religious and historical texts. Reports indicate that mullahs in Turkmenistan were told to stop reading the Koran in mosques and restrict themselves to the *Ruhnama*, which also was required in mosques and churches alongside the Koran and the Bible.

### Changes with the New President

After his highly orchestrated presidential win in February 2007, President Berdimuhamedov moved to implement educational reforms and also promised reforms in the agricultural, health, and other social sectors. He has also expanded Internet access and promised to allow more international contacts; indeed, his first official action was to order the opening of 15 Internet cafes in various cities, although access fees are high, politically sensitive sites are blocked, and copies of the *Ruhnama* reportedly are displayed. In the president's first decree, aimed at the educational system that President Niyazov had done much to destroy, secondary schooling

was increased from nine to 10 years and higher education from two to five years; the new president also promised to facilitate access for Turkmen citizens to universities and institutes in other countries. In March 2007, the Turkmen president signed an educational reform decree that recognized foreign diplomas and initiated reform of the high school curriculum. Reportedly, 23,000 teachers have returned to work, and the Commission delegation was informed that the country's new leader has told U.S. diplomats that he wants more international exchange programs. Police and street controls on travel inside Turkmenistan also have been eased.

The new leadership also has begun to distance itself from President Niyazov's personality cult. For example, President Berdimuhamedov has made some initial attempts to alter the imposition of the sworn oath of loyalty to President Niyazov, calling for assigning a specific time and place when the oath should be made and suggesting that it should be restricted to special occasions. In March 2007, Berdimuhamedov proposed a new law on loyalty oath procedures and regulations, enabling people to swear an oath on a book other than the *Ruhnama*, and signed a decree ordering that President Niyazov's name be replaced by the words "Turkmen president" on the presidential banner. While new primary, secondary, and university textbooks were printed, there are reports that their publication was rushed. As a result, there was not enough time for increased focus on genuine academic subjects. The only change is in the pictures: the new president's photographs replaced those of President Niyazov.



A poster of the late President Niyazov prominently placed in a government building.

President Berdimuhamedov acknowledged to the Commission that his country "may have some shortcomings on religion and other issues" but that he hoped that the Commission delegation would discuss specific issues of concern with the relevant officials. According to Shirin Akhmedova, director of the Presidential Institute on Democracy and Human Rights, "the government of Turkmenistan is looking forward to working more closely with the international community."

In August 2007, on the last day of the Commission's visit to Turkmenistan, President Berdimuhamedov announced the formation of a new commission to examine how Turkmenistan's laws conform to its international human rights commitments, thus indicating a possible willingness to consider reform of the country's repressive laws on human rights, including freedom of religion or belief. The commission held

---

*In a significant move, in August 2007, the president acted on the new commission's first decision, which was to pardon and release from prison 11 prisoners of conscience, including the country's former chief mufti, Nasrullah ibn Ibadullah, who had been serving a 22-year prison term handed down during a closed trial in 2004.*

---

its inaugural session in September, when it formally adopted a new draft national program on human rights and approved a human rights project in conjunction with the European Union and with UN refugee and development agencies. The commission also reportedly reviewed existing Turkmen human rights-related laws in an effort to ensure greater conformity with international human-rights standards and norms.

#### **The Release of the Former Chief Mufti**

In February 2007, President Berdimuhamedov ordered the establishment of a government commission to examine citizens' petitions on the work of law enforcement bodies, though neither its membership nor procedures were specified. By establishing this commission, the new president continued a previous tradition of allowing citizens to petition the president, however theoretically. With the new commission, however, the president indicated that government agencies, rather than the office of the president, should address the petitions. Reportedly, this governmental commission has received thousands of petitions

from Turkmen citizens. Some observers have suggested, however, particularly given the obscurity of the process, that by setting up this commission, the new president may have been testing the political loyalties of various government agencies to which the petitions were sent.

In a significant move, in August 2007, the president acted on the new commission's first decision, which was to pardon and release from prison 11 prisoners of conscience, including the country's former chief mufti, Nasrullah ibn Ibadullah, who had been serving a 22-year prison term handed down during a closed trial in 2004. Ibadullah, who opposed President Niyazov's decree that the *Ruhnama* be displayed next to the Koran in the country's mosques, was officially charged with treason for an alleged role in a 2002 coup attempt against President Niyazov. However, the presidential pardon ordering the release of the 11 prisoners stated that the convicts had expressed "sincere repentance...for the acts committed by them," implying that the 11 former prisoners had committed actual crimes,

although neither their supposed crimes nor the nature of their trials had been specified.

Ibadullah was allowed to resume work with the official Council of Religious Affairs, no longer as a deputy chairman but as a senior adviser. Other former political prisoners, however, including those imprisoned for alleged religious offenses, as well as three Jehovah's Witnesses who were given suspended sentences in July 2007 for their refusal to serve in the military, are not eligible for employment. Under Turkmenistan's laws, such cases require the restoration of a former prisoner's civil and political rights, or "rehabilitation," and not just pardon by the government.



## II. LEGAL STRUCTURES, REGISTRATION, AND THE FUNDAMENTALS OF RELIGIOUS PRACTICE

Religious affairs are technically governed by the Council on Religious Affairs (CRA), whose members are appointed by the government and report to the president. Membership includes representatives of the Sunni Muslim community and the Russian Orthodox Church (ROC), as well as government officials, but includes no representatives of other minority religious groups. Although the CRA is supposed to act as an intermediary between the government bureaucracy and registered religious organizations, it acts essentially as an arm of the state. The CRA controls the hiring, promotion, and firing of Sunni Muslim and Russian Orthodox clergy, who are required to report regularly to the CRA. It also examines and controls all religious publications and activities.

Since Turkmenistan gained independence in 1991, religious groups have been required to register with the government in order to engage in religious activities. The 1997 version of the country's religion law effectively banned all religious groups except the state-controlled Sunni Muslim Board and the Russian Orthodox Church, though religious instruction even for these two communities remained severely limited. Despite decrees issued in 2004 easing registration requirements, obtaining registration continued—and continues—to be a serious problem for many religious groups, a problem compounded by the penalties leveled on unregistered groups that are accused of engaging in “illegal” religious activities. In May 2004, President Niyazov issued several decrees decriminalizing unregistered religious activities. However, representatives of various minority religious communi-

ties told the Commission that they face continuing official harassment, particularly outside the capital city of Ashgabat, regardless of whether they are registered or unregistered. These problems include police raids and threats by police and other security services, as well as demands for payment of onerous fines, some of which were levied by courts years ago (see below).

Moreover, the new version of the religion law, promulgated in 2003, remains highly problematic and some of its provisions continue to violate international standards with regard to freedom of religion or belief. These problems include intrusive registration criteria; a ban on worship in private homes for unregistered groups and the public wearing of religious garb except by religious leaders, and severe and discriminatory restrictions on religious education. The Turkmen government has also interfered in the internal affairs of religious and other communities.

President Berdimuhamedov's establishment of a new commission to examine how Turkmenistan's legislation conforms to international human rights commitments may be a sign that legal changes to improve religious freedom and other human rights protections are being considered. Clearly, however, it is too early to determine whether this commission will result in any substantive changes in Turkmenistan. During the Commission meeting with Turkmen Foreign Minister Rashit Meredov, he indicated his hope that “cooperation could emerge from collaboration in other areas...to work together to improve existing legislation” in connection with U.S. assistance on exchange and training programs.

### Registration

For many years, as a result of the 1997 law on religion, only two religious communities were legally registered in Turkmenistan: the Sunni Muslim community and the Russian Orthodox Church. That



Chief Mufti Rowshen Allaberdiyev meets with Commissioners at Niyazov Mosque in Gipchak

---

*Participants in religious meetings who refuse to provide details about their gatherings risk having their communities charged with violating registration requirements. Moreover, religious groups that do not meet the often arbitrary registration rules still face administrative penalties that may include imprisonment and/or large fines due to their unregistered status.*

---

law made it all but impossible for other religious groups to register and thus function legally. In March 2004, in response to international pressure, President Niyazov issued a decree stating that religious communities may register “in the prescribed manner,” reduced the registration requirement from 500 members to five, and eased other requirements for registration. The result was the registration of nine small groups, in addition to the Sunni Muslims and the Russian Orthodox Church. Since the 2004 decree, however, registration has been used as a method of more effective state control over religious communities, as it affords officials the legal right to know what occurs at every meeting of a religious group. Participants in religious meetings who refuse to provide details about their gatherings

risk having their communities charged with violating registration requirements. Moreover, religious groups that do not meet the often arbitrary registration rules still face administrative penalties that may include imprisonment and/or large fines due to their unregistered status.

In spite of the difficulties, other religious groups, including various religious minority communities since the 2004 decree, have gained registration, including groups of Adventists, Baptists, Baha’is, and Hare Krishnas. Since the Commission visit, two small minority Protestant communities outside Ashgabat have been registered, one in the city of Turkmenabat and another in the city of Turkmenbashi. Turkmenistan’s small community of Shi’a Muslims, most of whom belong to Iranian or Azeri minorities, remains unregistered. The country’s small Roman Catholic community remains unregistered, due to the legal requirement that a religious community be headed by a citizen of Turkmenistan. The Catholics in Ashgabat, however, are permitted to meet for worship services in the chapel of the Vatican Nunciature. Turkmenistan’s Jewish community, estimated by the State Department to number 1,000, are mostly ethnic Russians who came to Turkmenistan after World War II. Although the Jewish community meets for religious observances, it has decided not to seek registration, but is allowed by the government to meet.

Shirin Akhmedova, director of the Presidential Institute of Democracy and Human Rights, told the Commission that there are 120 religious organizations currently registered in Turkmenistan. Other government officials claimed that many steps had been taken to ease registration,

referring to the 2004 presidential decree that lowered the numerical threshold to qualify for registration as a religious group. Foreign Minister Meredov said that some of these steps were in response to concerns raised by the U.S. government. Meredov also claimed that at present, all organizations wanting to register have done so. He denied that there were obstacles to gaining registration and claimed that those who wish to register need only apply. Turkmenistan’s Ministry of Justice is currently reviewing four such applications, he continued, though some have been returned to applicants to “improve compliance with Turkmen law.” As for other ongoing problems for members of registered religious minority communities, Turkmen government officials also told the Commission that they were willing to hold a follow-up to the October 2005 roundtable discussion between the government and members of various religious communities to discuss outstanding issues.

Akhmedova explained to the delegation how the registration process should work. The CRA advises the government on registration, while the Justice Ministry manages the actual registration process. All applications are reviewed by an inter-governmental commission that includes representatives from the Ministries of Justice and Internal Affairs, as well as the Security Service. The review process typically takes one month, but can take up to three months. Groups denied registration will, Akhmedova claimed, receive a written notice and explanation for the decision. If the flaws in the application are corrected, the applicants may re-apply.



### Continuing Registration Problems

According to the representatives of a number of minority religious groups, there continue to be significant problems in obtaining registration in Turkmenistan. The Commission was told that despite a surge in the registration of religious groups in 2004, that process has slowed. In addition, local and regional governments sometimes do not recognize a religious group or organization even if it is registered at the national level. Turkmen officials did not respond to the Commission delegation's requests for information about these reports.

In some instances, these groups said, the CRA may not find problems with a registration application, but the Justice Ministry may oppose that application on what were reported as questionable grounds. It was also reported that the Justice Ministry has taken upon itself to advise several smaller unregistered groups to combine with other, currently registered communities, without giving any consideration to possible doctrinal differences or some groups' need for organizational autonomy.

One group was told by the CRA that all of the prior decisions denying their registration applications "were correct," without any further information. One church leader said that his group has been trying to register for two years, but that the government would not acknowledge the group's efforts.

The leader of another registered Protestant church described the difficult branch registration procedure his group experienced. The church was required to meet seven registration criteria, and despite providing that information and being assured that nothing further was needed, the government still had not given registration approval. In many cases, he noted, the government will not even acknowledge that religious communities have branches in other cities. The Hare Krishna Society recently was informed by the government that it is authorized to open a branch; however, the government had told members of that community previously that it would begin to register other branches, and so far there has been no progress in that regard. The Baha'is also submitted the necessary documents, but have been told by the government that there is "no legislation on branch registration."

Yet when the Commission raised the issue of registration, particularly that of local branches, during a meeting at the Justice Ministry, Serdar Valiyev, Director of the Registration Department, said that a registered organization automatically receives its legal status when it is entered in the main national register. Branch organizations are not subject to these requirements, as they are regulated by the main organization. To register a branch, he claimed, the main organization need only present information regarding the branch to the Ministry of Justice. However, this

was clearly not the experience of numerous religious groups in Turkmenistan.

People from historically Muslim ethnic groups who want to register Christian churches are viewed as a problem by the Turkmen authorities. The Commission was informed that in some cases, local and national government officials have told such church members that they "cannot be Christians because they are ethnic Turkmen." Because officials refuse to issue registration denials in writing, the groups in question have not been able to identify the official or officials responsible for these refusals. In one case, the members of a church were told repeatedly that their church would never be registered because they are Turkmen and "Turkmen are supposed to be Muslim." Justice Ministry officials also suggested that they remove certain articles from the church charter documents in order to gain registration. In this case, in addition to trying to change the substance of the church's charter, officials also used spurious clerical errors as the basis for denying the registration application.

Finally, the Commission was told that the Turkmen government may try to convince prospective congregants that they should not join minority religious communities. Often officials claim that religious minority groups are "cults." The Turkmen government has also told several churches that it is not their role to assist the poor, drug addicts, and others.

### Practical Effects of Registration

The Turkmen government reportedly actively solicited groups to register in the period 2004 – 2005, and several groups were easily and rapidly registered at that time. Once those religious communities were registered, however, state officials began seriously to review the groups' charters. Thus, some representatives of Turkmenistan's religious minority community believe that the Turkmen government undertook registration mainly due to pressure from the United States and OSCE and that the Turkmen government still does not truly recognize them. Indeed, despite their registered status, a member of a religious minority group told the Commission that in many instances, the group still needs permission from the city of Ashgabat's CRA in order to undertake routine activities, such as increasing its membership.

The situation for religious minorities is particularly difficult outside the capital, where some groups continue to face onerous administrative documentation burdens. According to the leader of a registered religious minority community, "the fact that we are registered did not help in any way...there is no freedom, just pressure from the government. And there is certainly no freedom outside Ashgabat." Some registered groups told the Commission delegation that they believe that registration has become a method to expose their members to possible official discrimination or harassment and actually worsens the situation. On the other hand, several leaders of registered religious minority communities told the delegation that in Ashgabat, they are free to meet for worship.

Members of various registered religious minority communities told the Commission what Turkmen officials had claimed would be the benefits of registration. For example, the Adventist Church was informed that the government would not demolish its churches (one had been demolished by the authorities in 1999—see below) and the community would have access to worship space. The government kept its promise to the Hare Krishnas that once they were registered there would be no further arrests of their members. On the other hand, the CRA also promised that members of registered communities could meet for worship in private homes, but this is forbidden under Turkmenistan's religion law except for members of nuclear families.

Despite their illegal status under Turkmen law, several religious minority communities have decided that registration in principle either violates their freedom of conscience or does not entail enough benefits to justify the intrusive government requirements and procedures. One leader of an unregistered community told the Commission delegation that Turkmenistan's religion law is "only paper and has no operative meaning" and that "even registered churches enjoy only limited religious freedom." Another unregistered religious leader said that he had asked state officials about the practical benefits of registration and they had refused to answer him. Faced with this lack of information, he had decided against applying for registration.

There are, however, some negative consequences for those groups that decide to forego registration. For example, the leader of one unregistered group told

the Commission that his group's illegal status "keeps potential congregants away." He also observed that lack of registration limits his group's ability to practice its religion fully, as well as to organize charitable assistance programs.

### Worship Space

In Turkmenistan, obtaining worship space is difficult for most if not all communities. For unregistered groups, it is virtually impossible, as it is illegal for them to rent or buy worship space. Worship in private homes is limited to those nuclear families who belong to registered religious communities; security police strictly enforce this law by routinely breaking up religious meetings in private homes and searching homes without warrants. The government has forced some groups to write letters stating that they will not gather for worship until they are registered.

Indeed, Turkmen officials have stated outright that the eased registration requirements promulgated in 2004 do not mean that religious communities may gather in private homes or that religious adherents will no longer be required to request official permission before holding worship services. Even the majority Sunni Muslim community has been affected, as in March 2004, President Niyazov proclaimed that no new mosques should be built anywhere in the country; seven mosques are reported to have been destroyed in that year. In addition, according to the State Department, the government refuses to allow the construction of three Shi'a mosques, two near Ashgabat and one in Turkmenbashi, to be completed.

There continue to be very limited opportunities for many religious groups, particularly those from among the minority communities, to meet for worship. The government prevents unregistered churches from renting property, and there is official pressure on homeowners to prevent unsanctioned meetings for worship. One leader of a registered Pentecostal church told the delegation that his home in Ashgabat had been confiscated by the government several years ago because he had allowed unsanctioned worship services to be held there. He has been unsuccessful in efforts to have the building—his personal property—returned to him.

The leader of one registered religious community told the Commission that since his group was registered, he no longer can invite friends and family to worship, even in his own apartment. His group was told by the government that it could worship privately, but such worship would be limited to husband and wife and children and could not include adult parents and siblings. Nevertheless, five registered minority religious groups have managed to establish public places of worship, three of which were rented and two of which were in the private homes of community members.

President Niyazov refused to allow the Russian Orthodox community to build a new cathedral in the capital of Ashgabat, though he had allocated land for that purpose 10 years ago. Final construction work on the community-funded convent next to St. Nicholas' Church in Ashgabat was halted in late 2005, after President Niyazov allegedly warned Orthodox clergy privately that if

---

*There continue to be very limited opportunities for many religious groups, particularly those from among the minority communities, to meet for worship. The government prevents unregistered churches from renting property, and there is official pressure on homeowners to prevent unsanctioned meetings for worship.*

---

construction went ahead he would order demolition of all the country's Orthodox churches. The Commission was told that construction of the Russian Orthodox cathedral was now proceeding, albeit slowly, due to the need to design the building to withstand earthquakes. President Berdimuhamedov told the Commission that the Turkmen government recently had granted land to build a new church in Ashgabat.

Under President Niyazov, the Turkmen government had a history of closing, confiscating, or destroying houses of worship. Appropriate compensation has never been made to the various religious communities affected by this practice, nor is there any complaint process or new law providing compensation or other measures. For example, in 2000, two unregistered mosques were bulldozed by the authorities. In 2003, the Abu Bekir mosque in Ashgabat was closed and in 2004, seven mosques reportedly were destroyed by the government, as mentioned above. In July 2005, a Sunni "family" mosque in Turkmenbashi was demolished, and in 2006, two Shi'a mosques were razed.

In 1999, two Hare Krishna shrines near the city of Mary were knocked down

by Turkmen authorities; the Seventh Day Adventist Church in Ashgabat was bulldozed that same year. Baptist and Pentecostal churches were confiscated in 2001. In 2005, the historic Armenian Apostolic Church in the city of Turkmenbashi was partially demolished by local officials and sealed off. A court ruling in 2006 denied compensation to the Seventh Day Adventist community for the government's destruction of their church.

There have been no reports of the destruction of any houses of worship by the new authorities, but no measures have been taken to redress the claims of those whose property was destroyed under Niyazov. Some new construction is underway: parliament has voted funds to finish building a mosque in the city of Mary and the Dashoguz governor announced a tender for construction of a new mosque. The president told the Commission that three mosques are being built in Ashgabat.

### III. OTHER RELIGIOUS FREEDOM CONCERNS

#### Continuing Official Harassment of Religious Minorities

Under the late President Niyazov, police routinely interfered in the activities of both registered and unregistered religious communities. Security police frequently broke up religious meetings in private homes, searched homes without warrants, confiscated religious literature, and detained and threatened congregants with criminal prosecution and deportation. Family members of detained religious leaders were subjected to harassment, discrimination and internal exile. In addition, members of some religious minority groups, particularly Protestants, Hare Krishnas, and Jehovah's Witnesses, faced official pressure to renounce their religion publicly, and were sometimes forced to swear an oath on the *Ruhnama*. Though such raids and other forms of harassment were fewer last year than in previous years, they have continued following President Niyazov's death.

Despite official pledges to improve the situation, religious groups, registered and unregistered, continue to experience serious discrimination and maltreatment from government officials. Indeed, in some areas, there are disturbing trends in the official treatment of religious minorities in Turkmenistan, particularly on the local and regional level. One leader of a registered religious minority community told the Commission that some actions against his community are carried out by the local city governments, while other operations involve the Ministry of Internal Affairs' Sixth Department, which deals with organized crime and terrorism. For example, in March 2007, authorities



Deputy Chairman of the Council of Religious Affairs Nurmukhammet Gurbanov with Commissioners Eid and Argue.

raided a meeting of an unregistered religious group in a private house in Abadan and the home owners were fined. In June 2007, police raided a meeting of the registered Light of the East Pentecostal community in the city of Dashoguz. In August 2007, a branch community of a nationally registered Protestant church in western Turkmenistan was raided by police; literature was confiscated and a member was arrested. There was a similar incident at another branch church. The leader of

another registered Protestant church told the Commission that in one incident, local and regional officials brought a bus to detain and remove the church members who had assembled without government authorization. There were no arrests, but the religious gathering was broken up and the literature confiscated.

Members of several unregistered religious groups, including some Baptists and Jehovah's Witnesses, said that the Turkmen government sometimes deploys

anti-terrorist and secret police raids against their groups, which are frequently followed by arrests. In some instances, unregistered church leaders have been threatened with the loss of their retirement savings.

Several religious minority groups noted that the Turkmen authorities appear to be using charges leveled against them in the past as a means to make current religious activity extremely difficult. Since early 2007, there has been increased pressure on the Jehovah's Witnesses: meetings have been raided, literature confiscated, and fines imposed. Jehovah's Witnesses employed in state agencies are being subject to harassment and public ridicule and are pressured to leave their jobs, while many have already been dismissed or had their contracts discontinued. Several Jehovah's Witnesses were summoned to police stations in connection with incidents that allegedly had taken place several years ago, and fines, issued as long as three years ago, are only now being enforced.

Members of the Jehovah's Witnesses have experienced other serious problems in 2007, particularly in April. For example, police confiscated internal passports during a raid in the city of Turkmenabad; three Jehovah's Witnesses were detained and a woman reportedly was sexually molested by police. Although a prosecutor first ruled the passport seizure to be illegal, after he talked to police he threatened to fine the Jehovah's Witnesses. In two other incidents, as a result of police actions in Ashgabat, two Jehovah's Witnesses lost their jobs after police interrogated them about their beliefs.

Three days later, in the city of Dashoguz, police confiscated some literature from a Jehovah's Witness who was later fined at a police station.

#### Absence of Alternatives to Military Service

Another unresolved issue affecting Turkmenistan's religious freedom record is the country's lack of a genuine civilian alternative to compulsory military service. In the past year, five members of the Jehovah's Witnesses were sentenced to prison—although in the end, all of those sentences were suspended. They were prosecuted under Article 219, Part 1 of the Criminal Code, which punishes refusal to serve in the armed forces with a maximum penalty of two years' imprisonment. The five are still denied their full civil and political rights, including the free choice of employment. For example, Jehovah's Witness member Suleiman Udaev, who was sentenced in August 2007 but freed from prison in September, must still pay 20 percent of his wages to the state. In addition, he will not be able to leave his home village without permission, and will be officially assigned to work in the local collective farm.

#### Freedom of Movement Issues

Under President Niyazov, there was deliberate official interference in the freedom of movement of religious adherents in Turkmenistan, both into and out of the country. Many of these policies have continued under the new government. Entry visas are refused to religious workers who are, in many cases, critical to the workings of a particular religious community, and other individuals known to partici-

---

*Despite official protestations to the contrary, the Turkmen government also still appears to have a secret "black list" of selected individuals who are denied permission to leave the country.*

---

pate in religious activities have pointedly been prevented from leaving the country.

The Turkmen authorities continue to limit the number of Muslims permitted to perform the *hajj*. In November 2006, the government announced that only 188 of the country's official quota of 4,500 would be allowed to go to Mecca. Yet even the country's official newspaper acknowledged in April 2007 that it was the duty of every Muslim to undertake the *hajj*. The Commission delegation repeatedly raised the severe limitations on the number of Muslims allowed to perform the *hajj*. In response, President Berdimuhamedov claimed that while the government will pay for only one plane load (188 people) of Muslim *hajj* pilgrims, there is no legal limit on those who can afford to undertake the *hajj* at their own expense. This was not, in fact, the situation under President Niyazov and reportedly this policy remained in place in 2007.

In the past, the Turkmen government has refused entry visas to several priests who are Russian citizens and were invited by the Russian Orthodox community to Turkmenistan. According to Forum 18, in

2007 the ROC has not encountered similar problems. Under President Niyazov, the Turkmen government had pressured the local Church to take Turkmenistan's parishes outside of the jurisdiction of the Central Asian diocese in Uzbekistan and put them under the Patriarch of Moscow, who in July 2005 rejected this proposal, although the proposal was accepted two years later. President Berdimuhamedov told the Commission that he believes that the ROC in Turkmenistan should be under the jurisdiction of the Moscow Patriarchate. In October 2007, the ROC Holy Synod in Moscow placed Turkmenistan's ROC parishes under the Moscow Patriarchate jurisdiction, removing it from the Central Asian diocese in Tashkent. According to Forum 18, this decision was made "to ease pastoral oversight" over the 12 isolated parishes and the ROC convent in Ashgabat.

Baptist Vyacheslav Kalataevsky, who was born in Turkmenistan but holds Ukrainian citizenship, was deported from Turkmenistan to Kazakhstan in 2001,

allegedly due to his membership in an unregistered Baptist congregation in the city of Turkmenbashi. In March 2007, as he attempted to regularize his residential status there, he was arrested by the security police. Kalataevsky's trial took place in May 2007, at the same time, as it happens, that the UN High Commissioner for Human Rights, Louise Arbour, was visiting Turkmenistan. Kalataevsky was sentenced to three years' imprisonment for "illegally crossing the border" in 2001. One month later, in June 2007, he was transferred to a labor camp to serve his sentence. As part of the traditional Ramadan prisoner release in 2007, which involved 9,000 prisoners, Kalataevsky was released from camp. One month later, despite fears he would be deported from the country, he was released and allowed to rejoin his family in Turkmenbashi. In November 2007, a few days after his return to Turkmenbashi, Kalataevsky reportedly received an official warning not to meet for worship with his fellow Baptists.

In another case, Baptist pastor

Yevgeny Potolov, head of an unregistered congregation belonging to the Baptist Council of Churches, was deported in July 2007, seven weeks after his arrest for religious activity. After Baptist leader Aleksandr Frolov was deported in June 2006, his family moved to Russia following a year of unsuccessful appeals that he be allowed to return to Turkmenistan.

Despite official protestations to the contrary, the Turkmen government also still appears to have a secret "black list" of selected individuals who are denied permission to leave the country. Former Baptist prisoner of conscience Shageldy Atakov reportedly is banned from leaving Turkmenistan because of his religious activity. He was most recently denied exit permission in June 2007. In 2006, when he was also denied exit permission, a Migration Service official referred to an exit blacklist on which his name appeared, most likely because he had not had his full political and civil rights restored after serving a prison term. In August 2007, a court granted exit permission to Merdan Shirmedov, an ethnic Turkmen leader of an unregistered Baptist community in the city of Dashoguz, to travel to Turkey to rejoin his family in the West. Nevertheless, the court gave no explanation as to why Shirmedov had been denied permission to leave the country since January 2007.

The leader of one minority community told the Commission that some religious leaders and their families are still prohibited from leaving the country and their mail is searched and read by the security service. Two years ago, two men from this church tried to travel to Azerbaijan to attend a Bible school. A Baha'i activist said that there is a secret ban on



Interior Minister Hojamyrat Annagurbanov and Interior Ministry officials



invitations for relatives to come to Turkmenistan, although members of the Baha'i community can travel out of the country.

When the Commission delegation raised the issue of Turkmen citizens being denied exit permission due to their religious affiliation, the country's officials denied that this had ever occurred. For example, Shirin Akhmedova, Director of the Presidential Institute on Democracy and Human Rights claimed that Turkmenistan did have an "exit visa regime" left over from Soviet days, but those barriers had since been removed. The new Deputy Chairman of the CRA, Nurmukhammet Gurbanov, told the delegation, "I have never met a person who was not allowed to enter or leave Turkmenistan because of his religion."

### Religious Literature

The publication of religious literature inside Turkmenistan is banned by decree, resulting in a severe shortage of such literature, which also is rarely available for purchase. An additional difficulty is the government's legal requirement that the CRA must approve the content of all religious literature and the fact that there are no representatives of religious minorities on the CRA

By law, only registered religious communities are permitted to import religious literature, on a limited basis, depending on the number of people in a given house of worship. The local Council of Religious Affairs routinely confiscates literature and in some cases, allegedly requires that adherents apologize to the authorities in writing for the possession or import of such material. Even photocopies of religious literature are appropriated.

Members of all religious minority communities with whom the delegation met said that, despite limited legal provisions to the contrary, they are denied official permission to import religious literature. In any case, they said, the experts at the CRA who are required by law to examine such literature are, at best, knowledgeable only about Islam and Russian Orthodoxy. Moreover, religious literature is often confiscated before it can be submitted for official examination. On a positive note, however, one leader of a registered religious community told the Commission that there have been some improvements with regard to religious literature under President Berdimuhamedov; for example, one may now receive some religious material, though it cannot be shared with others.

The head of one registered religious community told the Commission delegation that up to now, no pastor in his church had received official permission to bring the legal allotment of any religious text into the country. Even though his church had translated some of its religious literature into Turkmen so that government officials could read it, the government still would not permit the church to print copies. The Russian Orthodox Church can receive and distribute Bibles easily, but according to the leaders of a number of other Christian communities, the Orthodox Church does not share the literature with Protestant churches because those churches allegedly are viewed as competitors. Nevertheless, the Russian Orthodox community was also affected by the government's past policies, which banned Turkmen residents



*Ruhnama* in Ashgabat mosque bookshelf

from receiving Russian publications by mail, including the *Journal of the Moscow Patriarchate*. As far as is known, that ban remains in effect.

In one instance, a leader of a minority religious community was detained for receiving Christian materials in the mail. The authorities instructed him to write to the sender and ask him not to send any more religious material. Even registered churches need to consult with the CRA before they import religious literature. In another instance, the Ministries of National Security and Internal Affairs detained a pastor for questioning at the post office after receiving religious materials in the mail, with the justification that the material could promote extremism and violence. Religious communities reportedly need a government license in order to reproduce religious literature already in their possession. One leader of a registered Protestant community told the Commission delegation that the Justice Ministry had called and threatened his church for attempting to make copies of religious literature without a license.

When the Commission delegation raised the issue of religious literature with the CRA, Russian Orthodox representative Father Andrei Sapunov first stated that Turkmenistan has enough Korans and other books and perhaps it is better to ask whether there is truly a need for such material. According to Sapunov, the Russian Orthodox Church does not see the need for more religious literature. As for the import of other religious literature, Sapunov claimed that the law simply states what kind of materials one may import and in what quantity. The Council, he maintained, has always tried to help as much as possible, but the Turkmen authorities have the right to inquire why people need so many Bibles. Sapunov claimed that he himself saw no problem with the import of religious materials, but the Council must follow the law. Deputy Chairman Nurmukhammet Gurbanov maintained that there is no evidence that the rights of Turkmen citizens have been violated with regard to the import of religious literature.

### Religious Education

Turkmenistan's religion law bans the private teaching of religion and those who engage in such instruction are liable for legal penalties. Only those who have graduated from institutions of higher religious education (domestic or foreign is not specified) and approved by the CRA may offer religious instruction. Citizens have the right to receive religious education alone or with others from these official institutions; some independent religious education takes place unofficially. Usually, home schooling is allowed only in cases of severe illness or disability and not for religious reasons.



Commissioners Argue and Cromartie with the Papal Nuncio Cultural Affairs Attaché, Father Andrzej Madej

Under Article 6 of the November 2004 amendments to the religion law, mosques are allowed to provide religious education to children after school for four hours a week, as long as parents have given their approval. Some Sunni mosques have regularly scheduled Koran instruction. The 2003 religion law prohibits the Russian Orthodox Church from conducting religious education programs without CRA and presidential approval and there were, according to the State Department, no reports that such programs have been approved.

In June 2001, President Niyazov's government closed the *madrassa* in the town of Dashoguz, leaving only the theological faculty at the Turkmen State University in Ashgabat to conduct Islamic education. That faculty was later dissolved and absorbed into another department, with the result that only one institution of Islamic education is currently open. It was

set up after 2001 and has a curriculum controlled by the government. The country's largest religious minority, the Russian Orthodox, has no institution for religious education in Turkmenistan, although even under President Niyazov, men were allowed to leave the country to train for the clergy. The Shi'a, who are mainly among the country's ethnic minorities, also have no religious training institutions in Turkmenistan.

Religious minorities, even those that have gained registration, are in a particularly difficult situation. One religious minority leader told the Commission delegation that most religious training is conducted informally, in private homes. Some churches are able to train clergy based on formal programs, but others are not. Some clergy members are able to receive their religious education and ordination overseas.

#### IV. CURRENT STATUS OF THE PERSONALITY CULT AND THE *RUHNAMA*

President Niyazov's extensive personality cult had become comparable to a state-imposed religion. The personality cult was bolstered by the forceful official promotion of a book containing the late president's own "spiritual thoughts," known as *Ruhnama*. Imams were also reportedly instructed by the government to repeat an oath of loyalty to the "fatherland" and to President Niyazov after each daily prayer.

According to the State Department, under President Niyazov students were required to study the *Ruhnama* at all public schools and institutes of higher learning. Moreover, President Niyazov used his teachings "in part to supersede other established religious codes, as well as historical and cultural texts, and thereby influence citizens' religious and cultural behavior." A law promulgated in 2002 enjoined parents and guardians "to bring [children] up in the spirit of ...the unshakeable spiritual values embodied in the holy *Ruhnama*." The study of the *Ruhnama* also replaced many subjects in the school curricula and was a required subject at institutes of higher learning.

Turkmenistan's chief mufti, ibn Ibadullah, lost his position in 2003 for opposing the elevation of the *Ruhnama* and was later sentenced for alleged involvement in the purported coup attempt against Niyazov. In 2004, three ethnic Uzbek imams lost their positions for opposing the elevation of the *Ruhnama* as a sacred text. Indeed, the head of a mosque in Ashgabat, Imam Hoja Ahmed Orazgylyjov, died in internal exile in the remote town of Tejen, where he was sent for alleged "criminal activity." Some believe that Orazgylyjov was sent into internal

exile due to his refusal to support the Niyazov regime based on his religious beliefs. Furthermore, credible reports indicate that mullahs in Turkmenistan were told in 2005 to stop reading the Koran in mosques and restrict themselves to the *Ruhnama*.

The religion-like quality of the personality cult became even more apparent in March 2006, when President Niyazov announced on Turkmen state television that anyone reading *Ruhnama* three times "would be assured a place in heaven." The president's books were required to be displayed in mosques and churches alongside the Koran and the Bible. In at least one instance, a mosque was closed by the National Security Ministry after mosque leaders refused to place the *Ruhnama* on a par with the Koran. *Ruhnama* quotations also were carved alongside Koran citations in the country's largest mosque. As noted above, Turkmenistan's former chief mufti, ibn Ibadullah, who opposed this requirement, was sen-

*The president's books were required to be displayed in mosques and churches alongside the Koran and the Bible.*

tenced to 22 years in prison; he remained in prison until August 2007, when he was one of 11 political prisoners released by President Berdimuhamedov.

As during the Soviet period, the government under President Niyazov retained tight control over Islamic practice and observance and remunerated and monitored all members of the Muslim clergy. Although Islam was always allowed as one of the country's tolerated religions, only those Muslim religious teachers and believers who accepted and



Commissioners at a celebratory ("sadaka") lunch to mark the release of former Chief Mufti Nasrullah ibn Ibadullah from prison

fully cooperated with state authority were tolerated. As his personality cult intensified, President Niyazov attempted to gain even tighter control over Islamic practice by ordering the publication of a list of religious rituals purportedly common to all Turkmen to which all Muslims in Turkmenistan were expected to adhere. Secret police were reportedly sent to attend mosques to identify Muslims who performed religious rites in a way that differed from the officially-prescribed Turkmen practice.

According to some reports, the new leadership intends to decrease emphasis on the *Ruhnama* and has already taken some steps to distance itself from President Niyazov's personality cult. The imposition of the sworn oath of loyalty to President Niyazov has been curtailed and limited only to certain occasions. In March 2007, Berdimuhamedov proposed a new loyalty oath procedure enabling people to swear an oath on a book other than the *Ruhnama*. According to Forum 18, however, the 9,000 prisoners released

in 2007 were required to swear a loyalty oath on the Koran and the *Ruhnama*. New primary, secondary, and university textbooks were printed. Reportedly, however, there was not enough time to change actual texts and only presidential photographs were updated. In addition, the Turkmen Academy of Sciences, closed by President Niyazov, has been re-opened. A series of articles by Turkmen scholars exploring the country's history, including through the excavation of Islamic and archeological sites, have recently been published on official Web sites and in November 2007, the works of four classical Turkmen authors were published in small editions. President Niyazov had insisted that these topics be influenced primarily by his views of Turkmen history published in the *Ruhnama*.

Nevertheless, the future of the formal personality cult in Turkmenistan remains unclear. During its visit to Turkmenistan, the Commission noticed that several of the golden statues of President Niyazov that Niyazov himself had had

built are still found throughout Ashgabat. At the same time, many large portraits of the country's new president are also apparent in the capital. At this point, it is too early to determine whether such photo displays are an aspect of President Berdimuhamedov's consolidation of power or mark the beginnings of new authoritarian presidential rule, accompanied by a new personality cult. Although on his fiftieth birthday, Berdimuhamedov ordered commemorative coins with his image, when Turkmenistan marked its independence day in October the commemorative coins did not bear any presidential image.

#### Ruhnama Still Given Prominence in Religious Life

The Commission visited the large mosque in President Niyazov's native village of Gipchak, which was built on President Niyazov's orders. It was readily apparent that *Ruhnama* inscriptions continue to dominate its exterior and interior walls. Inside the mosque, above the *mikhrab*, or the special bay in the main wall that is directed toward Mecca, the word "Turkmenbashi," President Niyazov's self-designated title, was inscribed, something that for many, if not all, Muslims would consider deeply offensive.

The Commission repeatedly raised this matter with various Turkmen government officials, suggesting that among other problems, this kind of affront to their religion could give rise to a backlash in the form of religious extremism. Turkmenistan's chief mufti responded that "the *Ruhnama* citations do not violate Islamic law because there is no requirement that there be writings inside



Commissioner Eid meets with former Chief Mufti Nasrullah ibn Ibadullah, released from prison on August 9, 2007

a mosque.” At the Ministry of Culture, it was claimed that “the way Islam is practiced in Turkmenistan is different than in other places. Our mode of belief is different from Arabs’. Our poetry is adapted from the Koran, and the *Ruhnama* is very similar.” The Interior Ministry official also claimed that the matter was discussed with representatives from Arab countries prior to building the mosque and that no one had expressed a concern about the design “because all of the verses from the *Ruhnama* that appear within the mosque relate to Turkmenistan’s relationship with God.”

Clearly, the *Ruhnama* continues to be an imposing state presence in the religious life of the people of Turkmenistan. Copies of the text were on clear display at several of the mosques visited by the Commission. In addition, one interlocutor said that it is still the case that Muslim clerics can lose their jobs for refusing to teach the *Ruhnama* in the mosques. The *Ruhnama* apparently also continues to impinge on members of the minority communities. A member of a religious minority group told the Commission that “refusing to acknowledge the *Ruhnama* as a sacred text can have serious effects on a person’s educational and professional opportunities.” In the past, he had also been punished for refusing to write about the *Ruhnama* at school.

### The Role of the *Ruhnama* in Education

Official and unofficial sources report a decreased role for the *Ruhnama* in Turkmenistan’s educational system. Turkmenistan’s Minister of Education, Mukhammetgeldi Annaamanov, told the Commission that “the sacred *Ruhnama*

was written by our former leader for the education and upbringing of Turkmen youth. It was used and will continue to be used, but there will now be only one hour of instruction each week.” This is in contrast to what was the case under President Niyazov, when one hour per day in institutions of higher learning was devoted to study of the text. Annaamanov also specified that the government currently mandates “only 362 hours of instruction in the *Ruhnama* over 10 years of formal education,” and that Muslim and Russian Orthodox religious leaders, presumably those who are CRA representatives, assist in curriculum development. While at the Ministry of Education, the Commission delegation was shown the official decree eliminating the teaching of the *Ruhnama* in primary schools and curtailing the teaching of the text in high schools from one hour per day to one hour per week, except for the final year in which it will be taught two hours per week. On another occasion, the Commission was told that “recently the new president cut *Ruhnama* classes in high schools and totally removed the book from elementary schools. They also did away with the *Ruhnama* oath in schools.”

Another Education Ministry official, however, stated that the *Ruhnama* “tells the history of Turkmenistan” and that the text is part of the curriculum for students from the ages 7 to 17; indeed, he claimed, “many students read it of their own free will.” He also stated that the *Ruhnama* is a spiritual book and that reading it leads to “purity”; it is not a religious text, he contended, but provides a moral and philosophical background.



Minarets of the Niyazov Memorial Mosque inscribed with *Ruhnama* citations

During a visit to one of several Ashgabat Turkmen-Turkish public high schools, the delegation was shown a special room at the school that was still known as the *Ruhnama* room. In addition, since the visit to Turkmenistan, it has been learned that the government reportedly intends to maintain the teaching of the *Ruhnama* in elementary schools. In addition, in contrast to what the Commission was told by the Minister of Education, reports indicate that the Niyazov curriculum is still in use with the *Ruhnama* continuing to be one of the main textbooks for all university students.

## RECOMMENDATIONS

Below are Commission recommendations regarding U.S. policy toward Turkmenistan.

### 1 The CPC Designation

The Commission acknowledges the initial steps undertaken by the government of President Berdimuhamedov to lessen some aspects of the repression mandated by President Niyazov, and encourages the new government to implement further specific steps to bring Turkmenistan's law, policies, and practices in line with international human rights norms, including for freedom of religion or belief. Nevertheless, until tangible reforms have been implemented, and in light of the persistent, severe problems, the Commission continues to recommend that the U.S. government should designate Turkmenistan as a "country of particular concern," or CPC.

The Commission recommends that the U.S. government encourage continued reforms, indicating to the government of Turkmenistan the specific measures that should be undertaken to end particularly severe violations of freedom of religion or belief and other human rights abuses. The U.S. government should therefore urge the government of Turkmenistan to take the following actions:

- 1) repeal immediately all laws, decrees or regulations, including major changes in the 2003 religion law, that violate international norms pertaining to freedom of religion or belief;
- 2) repeal the state ideology, imposed through the *Ruhnama*, that infringes upon or severely diminishes the practice of freedom of religion or belief and related freedoms of association, movement, expression, and the media.
- 3) eliminate intrusive and onerous registration procedures and abolish criminal or other penalties for engaging in religious or other peaceful activity solely because it is not approved by the state;
- 4) halt unjust arrest, detention, harassment, deportation, fines, and residential and workplace intimidation of religious leaders and their adherents on account of their religious or other beliefs;
- 5) end fully the past practice of harassing and deporting religious leaders and imposing unjust fines on leaders or members of peaceful unregistered religious communities whose activities are deemed "illegal";
- 6) promulgate new regulations and adopt new policies to ease the importation of religious and other material and permit the domestic printing and dissemination of such material in accordance with international standards; and
- 7) implement genuine legal alternatives to military service on grounds of religious or conscientious objection, possibly modeled on Organization on Security and Cooperation in Europe (OSCE) and other international precedents.

### 2 Promoting Freedom of Religion or Belief and other Human Rights

The Commission recommends that the U.S. government urge the government of Turkmenistan to:

- end the personality cult of the late President Niyazov, particularly in the country's religious life and educational system, including by removing the *Ruhnama*—a book containing President Niyazov's "spiritual thoughts"—from mosques and other houses of worship and by further decreasing reliance on the *Ruhnama* in educational curricula;
- release and fully restore the civil and political rights of all former political prisoners, including those in internal exile;
- permit the inspection of places of imprisonment, including labor camps, prisons, and temporary places of detention, by the International Red Cross and/or Red Crescent;
- promote and extend the work of the government's Commission to Examine Turkmenistan's Legal Obligations under International Human Rights Law, established in August 2007, including by cooperating with international legal

experts, such as the OSCE Panel of Experts on Religion or Belief and Panel on Freedom of Association, and relevant UN agencies;

- reform laws, decrees, and regulations to bring them into conformity with international legal obligations, such as dropping penalties on individuals under the administrative code for engaging in unregistered religious activities; instructing local and other officials to remove obstacles to the purchase or rental of land or buildings to be used as houses of worship or for meeting purposes; permit the use of private homes and public halls in residential areas for worship services; permitting the use of private homes and public halls in residential areas for worship services; allowing children to receive private religious education; allowing the publication and distribution of religious literature inside Turkmenistan; and permitting freedom of movement for members of all religious and other communities as well as increasing the numbers of Muslims allowed to undertake the *hajj*;
- reform the government's other policies toward religious practice, including ending state interference in the management of religious communities and the selection and training of religious leaders, including from Sunni and Shi'a Muslim and the Russian Orthodox communities, as well as from Protestant and other minority communities, reopening the country's Sunni theological faculty, and permitting the

Shi'a Muslim community to practice its religion freely;

- promote inter-religious tolerance, with one suggested step of publishing the heretofore banned historical novel of the PEN award-winning writer Rakhim Esenov, *The Crowned Wanderer*, whose hero is an ethnic Turkmen Shi'a.

### 3 Expanding U.S. Programs and Other Activities to Promote Reform

The Commission also recommends that, in the longer term, the U.S. government make the following efforts to expand activities in Turkmenistan that would protect and promote human rights:

- increase and improve radio, Internet, and other broadcasts of objective news and information, including topics such as religious freedom and other human rights and religious tolerance, by:
  - 1) expanding and improving broadcasts to Turkmenistan by Radio Free Europe/Radio Liberty (RFE/RL), including by increasing coverage of issues relating to freedom of religion or belief and by providing broadcasts in the Russian language and additional programming for the estimated 12 million Turkmen in the diaspora, particularly in Iran, Iraq, and Afghanistan; and
  - 2) restoring Voice of America's Russian-language television and radio broadcasts to Central Asia, particularly relating to human rights, including freedom of religion or belief;
- use appropriate avenues of public diplomacy to explain why freedom of religion

or belief is an important element of U.S. foreign policy, as well as specific concerns about violations of freedom of religion or belief in Turkmenistan;

- assist in improving Turkmenistan's educational system, particularly with regard to curricula on religious freedom and other human rights, by:

- 1) expanding "American corner" reading rooms and Internet access in various regions;
  - 2) reprinting Russian and Turkmen-language materials on human rights, particularly on international norms on freedom of religion or belief, including civic education materials such as "The Law that Unifies Us," a text on the importance of respect for the law that was first published and distributed through the OSCE Center in Ashgabat; and
  - 3) providing funds for libraries in Ashgabat and other cities, including materials on human rights, as well as information on freedom of religion or belief, tolerance, civic education, and international legal standards;
- develop assistance programs to encourage civil society groups that protect human rights and promote religious freedom, including by:
    - 1) expanding "train-the-trainer" legal assistance programs for representatives of religious communities to act as legal advisers in the registration process; and
    - 2) specifying freedom of religion as a grants category and area of activity in the Democracy and Conflict Mitiga-

tion program of the U.S. Agency for International Development (USAID) and the Democracy Commission Small Grants program administered by the U.S. Embassy; and

- expand international contacts and increase U.S. involvement in various communities in Turkmenistan by:
  - 1) increasing the current Peace Corps budget of \$70 million and the current budget of USAID programs, projected to reach \$12 million in FY 2008, including by involving religious leaders on community projects in efforts to address social problems and to increase religious and ethnic tolerance;
  - 2) expanding exchange programs, including with civil society leaders, students, and others concerned with human rights;
  - 3) increasing funding for programs, which help citizens understand and claim their legal rights, particularly young women, and also works with madrassas, ensuring that these programs involve relevant civic activists from Turkmenistan;

- 4) cooperating with the OSCE Center in Ashgabat, in part by resuming joint activities with civic education activists from Turkmenistan to encourage civic education, including on international norms on freedom of religion or belief as well as other human rights, and also by encouraging the OSCE officially to respond to the Turkmen government's offer in May 2007 to host an OSCE experts' level meeting; and
- 5) organizing a travel grant category for non-governmental organizations and members of diverse religious communities to enable them to take part in various international conferences, including those of the OSCE.

#### 4 Strengthening Efforts in the International Arena

With regard to international fora, the Commission recommends that the U.S. government urge the government of Turkmenistan to:

- abide by the recommendations of the October 2006 Report of the UN Secretary General on the Situation of Human Rights in Turkmenistan;
- agree to the numerous requests for visits by the UN Special Rapporteurs on Torture, the Right to Education, Extra-Judicial, Summary or Arbitrary Executions, Freedom of Opinion and Expression, and the Independence of the Judiciary; and from the Representative of the UN Secretary General on the Human Rights of Displaced Persons; the Special Representative of the Secretary-General on the Situation of

Human Rights Defenders; the Working Group on Arbitrary Detention, as well as representatives of the OSCE, including the Panel of Experts on Freedom of Religion or Belief, and provide the full and necessary conditions for such visits (the Commission welcomes reports that the UN Special Rapporteur on Freedom of Religion or Belief has been given permission to visit Turkmenistan and that her visit is slated for 2008); and

- participate fully in the OSCE, by
  - 1) participating in the annual Human Dimension meeting in Warsaw; and
  - 2) allowing the expansion of the activities of the OSCE Center in Ashgabat, particularly on freedom of religion and other human rights and tolerance, including programs with local schools, universities, and institutes.

### DELEGATION TO TURKMENISTAN

- Michael Cromartie, Commission Chair
- Donald Argue
- Imam Talal Y. Eid

#### For Additional Information on this Issue Contact:

Catherine Cosman  
Senior Policy Analyst  
202-523-3240, Ext. 122  
ccosman@uscirf.gov

U.S. Commission on  
International Religious Freedom  
800 North Capitol Street, N.W.  
Suite 790 • Washington, D.C. 20002  
202/523-3240 • 202/523-5020 (fax)  
www.uscirf.gov

