

TURKMENISTAN

Executive Summary

The constitution and some laws and policies provide for religious freedom; however, other laws and policies restrict religious freedom and the government enforced those restrictions. The government did not demonstrate a trend toward either improvement or deterioration in respect for and protection of religious freedom, but the government's respect for religious freedom remained low. Restrictive government practices in the treatment of some registered and unregistered groups continued. Several religious groups remained unable to register and the government restricted registered groups' ability to obtain permanent premises for worship and to print or import religious materials. The government continued to arrest, charge, and imprison members of Jehovah's Witnesses who were conscientious objectors to military service. However, there were fewer reports of raids and arbitrary detentions involving members of Jehovah's Witnesses. During the year, the Russian Orthodox Church received permission to register several new parishes across the country, and a new Russian Orthodox religious center opened in the city of Abadan.

There were no reports of societal abuses or violence based on religious affiliation, belief, or practice. The majority of citizens identify themselves as Sunni Muslim. Local society historically has been tolerant and inclusive of different religious beliefs, but ethnic Turkmen who chose to convert to other religions or denominations, especially lesser-known Protestant groups, were viewed with suspicion and sometimes ostracized.

During the year, U.S. embassy representatives and visiting U.S. officials discussed religious freedom concerns in meetings with government officials, urging greater support for religious freedom.

Section I. Religious Demography

Statistics regarding religious affiliation were not available; however, according to the government, there are 121 religious organizations and seven religious groups registered with the government. Of these, 104 are Islamic, including 99 Sunni and five Shiite organizations; 13 are Russian Orthodox; and 11 represent other religious groups, including Roman Catholics, Baha'is, Hare Krishnas, and Protestants (who have several small churches). There also are small communities

of the following unregistered religious groups: Jehovah's Witnesses; Jews; Shia Muslims; and evangelical Christians, including Baptists and Pentecostals.

The 1995 census indicated that ethnic Russians made up almost 7 percent of the population; however, subsequent emigration to Russia and elsewhere continued to reduce this proportion. Most ethnic Russians and Armenians are Christian. Russian and Armenian practicing Christians are generally members of the Russian Orthodox Church. Ethnic Russians and Armenians also make up a significant percentage of members of unregistered religious congregations; ethnic Turkmen are increasingly represented among these groups as well.

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.

An estimated 300 Jews live in the country. Judaism is considered by local Jews to be an ethnic rather than a religious identity. There are no synagogues or rabbis, and Jews do not gather for religious observances.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for religious freedom; however, other laws and policies restrict religious freedom.

The Law on Freedom of Conscience and Religious Organizations (the 2003 Religion Law) requires all religious organizations to register; restricts religious education, literature, and training of clergy; and monitors financial and material assistance to religious groups from foreign sources. The law provides that leaders of religious organizations should have advanced theological training.

The criminal code outlaws violations of religious freedom or persecution by private actors; in practice, it is not enforced.

The government-appointed Council on Religious Affairs (CRA) reports to the president and ostensibly acts as an intermediary between the government bureaucracy and registered religious organizations. It includes Sunni Muslim imams and the head of the Russian Orthodox Church, as well as government representatives, but no representatives of other registered religious groups. In

practice the CRA acts as an arm of the state, exercising direct control over the hiring, promotion, and removal of Sunni Muslim clergy, as well as playing a role in controlling all religious publications and activities. The CRA has no role in promoting interfaith dialogue beyond that between Sunni Muslims and Russian Orthodox Christians.

Although the government does not officially favor any religion, it funds the construction of mosques. The government also approves all senior Muslim cleric appointments, and requires senior clerics to report regularly to the CRA. The Russian Orthodox Church and other religious groups are financed independently, and the government does not approve the appointment of their religious leadership.

There are two legal categories for 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 numerical threshold for registration is five members, and all minority groups are eligible to register.

According to the CRA, only large mosques can be registered as religious organizations. The CRA does not consider smaller mosques, or houses of prayer, to be groups or organizations. These smaller mosques may or may not have a resident cleric, depending on the number of worshippers. Most houses of prayer are located in rural areas, and are staffed by elderly volunteer clerics who subsist on their pensions and material support from their families. At larger mosques that are registered as religious organizations, each organization pays clerics and owns its building.

Unregistered religious groups and unregistered branches of religious groups are forbidden to conduct religious activities, including gathering, disseminating religious materials, and proselytizing. Unregistered religious activity may be punished by administrative fines.

Although no laws expressly prohibit holding religious services in residential property, the housing code states that communal housing should not be used for any activities other than living. The 2003 Religion Law states that religious services must be held at the religious group's designated location. In practice, however, groups are permitted to hold services in private homes as long as the neighbors do not complain.

The 2003 Religion Law prohibits foreign missionary activity and foreign religious organizations. The law does not restrict the ability of foreigners to worship with local religious groups.

The publication of religious literature is prohibited by decree, and the CRA must approve imported religious literature. Only registered religious groups can import literature. In practice these groups seldom obtain permission to import religious publications. While the Qur'an is practically unavailable in state bookstores in Ashgabat, most homes have one copy in Arabic. Few copies are available in the country's language.

The 2003 Religion Law prohibits the wearing of religious attire in public places, with an exception made for clergy of religious organizations.

The government has used some aspects of Islamic tradition in its effort to redefine a national identity. For example, after independence and as recently as 2009, the government built large mosques in Ashgabat, Gokdepe, Gypjak, and Mary. Despite its embrace of certain aspects of Islamic culture, the government remains concerned about foreign Islamic influence and the interpretation of Islam by local believers. The government promotes an understanding of Islam based on local religious practices and national traditions. The government officially bans only extremist groups that advocate violence, but it categorizes Muslim groups advocating a stricter interpretation of Islamic religious doctrine as "extremist."

The government does not offer alternative civilian service for conscientious objectors. The penalty under the criminal code for refusing to perform compulsory service in the armed forces is up to two years' imprisonment. The government offers individuals who refuse military service for religious reasons noncombatant roles within the military but does not provide them with nonmilitary service alternatives.

Although some independent religious education exists, the 2003 Religion Law prohibits the private teaching of religion. The government does not promote religious education, and there is no official religious instruction in public schools.

The 2003 Religion Law allows mosques to provide religious education to children after school for four hours a week with the approval of parents. Persons who graduated from institutions of higher religious education (the law does not specify domestic or international institutions) and who obtained CRA approval may provide religious education. Citizens have the right to receive religious education

individually or with other persons; however, the law prohibits providing religious education in private, and those who do so are subject to punitive legal action. Some Sunni mosques regularly schedule classes on the Qur'an.

The government prohibits unregistered religious groups or unregistered branches of registered religious groups from providing religious education. Homeschooling usually is allowed only in cases of severe illness or disability and not for religious reasons.

The country uses internal passports that include ethnicity but not religion.

The government observes the following Sunni Muslim religious holidays as national holidays: Oraza-Bairam (Eid al-Fitr) and Gurban Bairam (Eid al-Adha).

Government Practices

There were reports of abuses of religious freedom, including reports of religious prisoners or detainees in the country. The government's level of respect for religious freedom remained low during the year. Restrictive government practices in the treatment of some registered and unregistered groups continued. Government authorities at times disrupted meetings of unregistered religious groups. In practice when the government suspected individuals of unauthorized or unregistered activity, they were subjected to search, detention, confiscation of religious materials, verbal abuse, pressure to confess to holding an illegal meeting, and beating.

Although Jehovah's Witnesses were reportedly able to proselytize somewhat more freely than in previous years, they continued to face periodic harassment and imprisonment. Authorities periodically subjected Jehovah's Witnesses to short-term detention for proselytizing. Raids on meetings, unauthorized searches of apartments, interrogations, and seizure of religious literature, mobile telephones, and computers also occurred during the year. There were reports of imprisonment for conscientious objection, degrading treatment of religious prisoners, and beatings.

Authorities in Ashgabat detained a member of Jehovah's Witnesses on November 16 on the allegedly fabricated charges of disseminating pornographic materials. Prior to his arrest, police allegedly raided the man's home, confiscated religious materials and his computer, and beat him. Jehovah's Witnesses report that the individual charged had never met the persons to whom police say he provided

pornographic materials. Authorities continued to hold the individual in pretrial detention at year's end.

A prisoner of conscience released during the year after serving two years in the Seydi labor colony reported that he was given barely enough food to survive and that he was held in solitary confinement for six consecutive days on a bare concrete floor in a cold cell.

A second prisoner of conscience released from the Seydi labor colony during the year also reported that a member of the Special Police Force (OMON) entered his cell on two occasions and beat him on the head and neck with his baton.

Because the country does not offer alternative civilian service for conscientious objectors that would be acceptable to many members of Jehovah's Witnesses, they often refused military service. Since 2009 12 members of Jehovah's Witnesses have been tried and imprisoned for refusing military service. The most recent trial took place in August, during which a court sentenced one member of Jehovah's Witnesses for refusing military service. At year's end, six members of Jehovah's Witnesses were incarcerated in a prison at Seydi for refusing military service. Also at year's end, a seventh individual, no longer affiliated with the Jehovah's Witnesses community, remained in prison for refusing military service.

The government granted amnesty to Jehovah's Witnesses member Ashirgeldy Taganov on August 25, after a court in Ashgabat sentenced him to 12 months in prison on July 7 for refusing military service.

Authorities in Turkmenbashi detained 16 members of an unregistered Protestant church vacationing at the Awaza resort in July. Security services reportedly raided the hotel rooms of the group, collected the identification of the 16 individuals, and took them to a police station for questioning. Members of the group reported that police verbally intimidated and insulted members of the church for being Christian. Police did not arrest any of the individuals detained, but forced them to return to the police station for questioning for the next three days before returning their identity documents.

Pastor Ilmyrat Nurlyev, leader of the unregistered Light to the World Turkmen Evangelical Church, remained in prison following his October 2010 conviction by the Mary City Court on extortion charges. Nurlyev received a four-year prison sentence and was ordered to pay restitution in the amount of 1,600 manats (\$563). Nurlyev did not appeal the court's decision. In December 2010, he was transferred

to the prison at Seydi. Members of Nurliyev's family reported in November that he had access to food, water, medical care, and visitors.

There were no new developments in the 2010 dismissal of a Jehovah's Witness from her job for allegedly violating the law by importing religious literature of an unregistered religious group. In July 2010, upon arrival in Ashgabat on an international flight, customs authorities detained her for inspection, during which they seized religious literature and two Bibles that allegedly were for her personal use. Authorities withheld her passport and turned it over to her employer, the state-run television service, which then terminated her employment on the grounds that she had violated the law. She challenged the dismissal in court, which found that the dismissal was justified. She planned to appeal the court's decision. There were no further developments by year's end.

Following registration with national authorities, religious groups also must obtain approval from local authorities to carry out religious activities. Some groups reported difficulties in obtaining such permission.

As in the previous year, some groups found that by routinely notifying the government of their gatherings and events and inviting government representatives to attend, they experienced decreased government harassment.

The government restricted unregistered religious groups from establishing places of worship. Violations of that restriction were treated as an administrative offense. Ten registered minority religious groups established public places of worship, five of which were rented, two were residential buildings used exclusively as church facilities, and three were private residential homes of group members. The government forbade unregistered religious groups or unregistered branches of registered religious groups from gathering publicly or privately and could punish individuals or groups who violated these prohibitions. Some unregistered congregations continued to practice quietly, largely in private homes.

Legal and governmental obstacles hindered or prevented some religious groups from purchasing or obtaining long-term leases for land or buildings for worship or meetings. Registered groups also had difficulty renting special event space for holiday celebrations from private landlords due to concern about official disapproval. Some registered religious groups were denied permission to conduct church meetings such as study groups and seminars, apart from a weekly worship service.

Members of the theology faculty in the history department at Turkmen State University in Ashgabat were the only academic faculty members allowed to conduct Islamic education.

The government did not officially restrict persons from changing their religious beliefs and affiliation, but treated ethnic Turkmen members of unregistered religious groups accused of proselytizing and disseminating religious material more harshly than non-ethnic Turkmen. While some registered groups have been able to proselytize in public without harassment, leaders of other groups have noted that proselytizing in public was not considered a culturally appropriate activity.

Officers from the Sixth Department of the Ministry of National Security, the division charged with fighting organized crime and terrorism, monitored members of religious minorities, but those groups were able to continue to engage in regular activities.

The government denied visas to foreigners suspected of conducting or intending to conduct missionary activity. However, several registered religious minority groups were able to obtain assistance from the CRA in obtaining entry visas for foreign members of their churches.

The CRA must approve imported religious literature, and religious groups seldom received its permission. Because all members of the CRA were government officials, Sunni Muslims, or members of the Russian Orthodox Church, minority religious groups claimed to be disadvantaged regarding importation of religious materials because they had no representation on the CRA. All religious groups reportedly were prohibited from subscribing to any foreign publications. The Dashoguz office of the CRA required that its officials stamp religious literature, including Bibles and Qur'ans, to authorize them. Some groups noted the availability of printable materials on the Internet, which enabled them to get around restrictions on publication and importation of religious literature. In the past, some resident Turkish citizens reported that officials seized their personal copies of the Qur'an upon arrival at the airport. 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.

There were no reports of travel restrictions for religious study abroad or to attend religious conferences.

In November the government financially sponsored 186 pilgrims to travel to Mecca. The government did not provide aircraft for charter flights for self-paying pilgrims, as it had in some past years. There were no reports that self-paying pilgrims made the trip to Mecca.

Government repression of minority religious groups did not reflect doctrinal or societal friction between the Muslim majority and minority religious groups. Rather, it reportedly reflected the government's concern that the proliferation of nontraditional religious groups could undermine state control, promote civil unrest, facilitate undue influence by foreign interests, and destabilize the government.

The government continued to discriminate against members of some religious groups with respect to employment.

Although the law prohibited the wearing of religious attire in public places, in practice, the prohibition did not extend to women's attire, as many women wore the hijab in public.

Improvements and Positive Developments in Respect for Religious Freedom

The Russian Orthodox Church received permission to register several new parishes across the country and opened a new religious center in the city of Abadan.

Registered minority religious groups generally reported less harassment than in the previous year.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice

As a result of government restrictions, 70 years of Soviet rule, and indigenous Islamic culture, traditional mosque-based Islam did not play a dominant role in society. Together with shrine pilgrimages, rituals associated with birth, marriage, and death featuring music and dancing played a greater role in local Muslims' expression of Islam than regular prayer at mosques. The great majority of the population identified itself as "Muslim," and national identity was linked to Islam. Societal attitudes generally reflected the belief that an individual is born into an

ethno-religious group. Those who departed from these traditions received little social support or were criticized.

Ethnic Turkmen who chose to convert from Islam to other religious groups were viewed with suspicion and sometimes ostracized.

There was societal distrust of foreign-based religious groups and the belief was common that Islam from outside the country was “Wahhabist” or “extremist.”

Section IV. U.S. Government Policy

U.S. embassy representatives and visiting U.S. government officials urged greater support for religious freedom in meetings with government officials and raised the possibility of an alternative service requirement for conscientious objectors.

Embassy representatives also met with government officials to ascertain how the government planned to address a recommended set of reforms to the 2003 Religion Law provided by the UN special rapporteur on freedom of religion after her visit in 2008. Among the reforms she recommended to the government were the relaxation of restrictions on worship in persons’ homes, loosening of restrictions on religious education, and simplifying the process of registration. In discussions with embassy officials, the government did not provide a specific plan for responding to the recommendations of the UN special rapporteur.

U.S. embassy officers regularly met with representatives of registered and unregistered religious groups to monitor their status, receive reports of abuse, and discuss ways to raise their cases with the government. Embassy officers also met with the families and friends of religious prisoners to remain apprised of their status.