

The State Department's *Country Reports on Human Rights Practices for 2001* surveyed continuing abuses, including restrictions on speech, the press, and the wearing of the headscarf; "disappearances"; and extrajudicial killings. The report stated that torture remained widespread, attributing slight declines to the decreased use of incommunicado detention and the reduction in the number of detentions. Human Rights Watch's inquiries and those of the CPT cited above suggested that detention without access to counsel remained the general rule.

Turkish Justice Minister Hikmet Sami Turk responded to the State Department report saying that it contained "extremely unfair allegations" and said that the Foreign Ministry would take initiatives to correct suggestions that some minorities were exposed to discrimination.

The State Department's annual trafficking in persons report gave Turkey its lowest ranking, concluding that Turkey made almost no efforts to combat trafficking. In August, however, the U.S. ambassador to the Organization for Security and Cooperation in Europe (OSCE) described the new anti-trafficking law, which contained no measures to protect adult or child victims of trafficking, as "a major step forward in the Turkish government's anti-trafficking policy and enforcement."

RELEVANT HUMAN RIGHTS WATCH REPORTS:

Turkey: Close Scrutiny of Elections Warranted (Briefing Paper), 10/02

Displaced and Disregarded: Turkey's Failing Village Return Program, 10/02

Hits and Misses on Turkey's E.U. Accession Targets: Backgrounder on the European Union Regular Report on Turkey, 10/02

Questions and Answers: Freedom of Expression and Language Rights in Turkey, 4/02

Human Rights Watch Analysis of the 2001 Regular Report on Turkey, 12/01

TURKMENISTAN

HUMAN RIGHTS DEVELOPMENTS

Turkmen authorities continued to violate basic rights, crush all dissent, and further isolate the country from the rest of the world.

President-for-life Saparmurat Niazov did not relent in his total control over politics and society. A significant development in this regard was the government's unprecedented campaign promoting the *Rukhnama* (Book of the Soul), authored by Niazov. Study of the *Rukhnama* became compulsory in all state institutions and schools, and knowledge of it became an entry requirement for university students and a certification requirement for teachers, doctors, and other professionals.

In a new manifestation of Niazov's personality cult, the names of months were

changed to, among others, *Rukhnama*, Gurbansoltan-eje (after Niazov's mother), and other names honoring Niazov.

In late 2001 and early 2002, a number of high-level officials went into exile and declared their opposition to Niazov. In response, in January Niazov launched a campaign against corruption among the elite, a thinly-veiled attempt to root out real and imagined opposition to him. Members of the newly exiled opposition were charged in absentia, including former Foreign Minister Boris Shikhmuradov. Inside the country about two hundred people, most of whom had worked in management or accounting in the civil service or state enterprises, were arrested, some on fabricated charges.

In February, Niazov signed a decree excluding state officials convicted after 1999 from pardon or amnesty for five years after their conviction. As a result, dozens of civil servants who had been amnestied in the past two years were returned to prison.

On March 4, Niazov announced the creation of a commission to investigate crimes and human rights violations committed by agents of the Committee for State Security (KNB, or secret police). By May, the commission had uncovered five murders, sixty-nine cases of arbitrary detention and searches, twenty-two cases of torture, and many instances of crimes such as extortion, embezzlement, and drug trafficking. According to government sources, more than sixty KNB officials—including most of the central leadership and heads of regional departments—were forced to resign, and twenty-two were prosecuted. Among them were former KNB Chair Mukhamet Nazarov and two of his deputies, who received prison sentences of eighteen to twenty years.

On September 27, Russian police arrested Murat Garabaev, a former Central Bank of Turkmenistan official accused of embezzling U.S.\$41 million, in response to an extradition request from Turkmenistan. In the following weeks, police in the capital, Ashgabad, arrested Garabaev's mother, sister, and uncle, and confiscated his mother's house; as of this writing they remained in custody. Russian authorities extradited Garabaev, who holds Russian citizenship, on October 24. Authorities also arrested family members of two other suspects in the case, Arslan Kakaev and Annadurdy Khojiev.

On April 12, Niazov signed a decree amending the criminal procedure code to transfer to the Cabinet of Ministers sole authority to issue arrest warrants. The government explained this extraordinary perversion of due process as necessary to combat abuse by law enforcement agencies.

The campaign against the KNB had no impact on the human rights situation, as the government continued to suppress all other civic freedoms. Mukhammetkuli Aimuradov, sentenced in 1994 to eighteen years of imprisonment on groundless charges of attempting to overthrow the government, remained in prison in a high-security facility in Turkmenbashi.

On November 15, 2001, the authorities introduced limits on local access to certain Russian-language web sites, and from December 2001 through February 2002 the government further tightened control over Internet use as the opposition-in-exile posted several new websites. According to local activists, in September 2002 the KNB began to check computers at all governmental and some nongovernmental institutions to ferret out opposition material. They arrested Batyr Kurbanov, the

owner of a computer store in Ashgabad who had distributed among friends materials about Turkmenistan downloaded from foreign web sites; as of this writing he remained in custody.

In March, customs officers at Ashgabad airport confiscated part of a delivery of the Russian newspaper *Komsomolskaia Pravda*, which contained a travel story about Turkmenistan, and KNB agents also allegedly attempted to confiscate the issue in question from subscribers who had already received it; failing that, the agents attempted to compel subscribers to sign statements promising not to reveal the article's contents. In May, subscription to *Komsomolskaia Pravda* was prohibited. According to Russian media, in mid-July Turkmen authorities stopped deliveries of all Russian periodicals, claiming they were too costly.

On July 6 and 7, the Russian television company Ren-TV aired a show critical of Turkmenistan that was carried by local cable television providers. In response, Niazov ordered a shake-up at Turkmen cable providers, especially with regard to program content. For a period from July 15, cable television was almost entirely shut off, and when later restored it carried no further Ren-TV programs.

In May, the daily newspaper *Neitralnyi Turkmenistan* (Neutral Turkmenistan) canceled its employment contract with its Dashauz correspondent, Elena Mitiaev, after learning that she had intended to attend a seminar in Sweden on democracy and journalism.

As in previous years, the Russian Orthodox Church and Sunni Islam were the only religions permitted in Turkmenistan. Responding to international pressure, on January 8 authorities released Shageldy Atakov, a Baptist minister sentenced in 1999 to four years of imprisonment on trumped-up criminal charges. Secret police subsequently banned him from meeting with other Baptists and from leaving the Kaakhka city limits.

Atakov's release did not signal a letting up of government persecution of unregistered religious organizations. On November 15, 2001, police detained forty-one people gathered for a Word of Life church service. Nearly all the worshippers were fined, two were given brief prison terms, and three—including Word of Life Pastor Vladimir Shamrai—were deported to Russia.

From November 2001 through February 2002, police dispersed Adventist, Baptist, and Jehovah's Witness prayer gatherings in Ashgabad, Nebitdag, Khazar, and Turkmenabad. Dozens of worshippers were interrogated and faced verbal abuse and threats by police while in custody; several were beaten.

Authorities threatened to confiscate the homes of worshippers who made them available for prayer gatherings by unregistered religious groups. In at least one case they carried out the threat, evicting Marina Izmakeva, an Adventist, from her apartment; she subsequently left for Russia.

In May, after a protestant group in Denau received a delivery of religious materials, the KNB called group members for questioning. They were compelled to renounce their faith and swear on the *Rukhnama* their loyalty to President Niazov. After at least three refused, gas and electricity to their homes was cut off, and authorities threatened to cancel their residence permits. In July, the KNB attempted to compel two Baptist families in Turkmenbashi to leave the country, claiming their residence permits had expired in 2001.

On July 2, a court again sentenced Nikolai Shelekhov, a Jehovah's Witness, to an

eighteen-month prison term for conscientious objection to military service. Sheleknov had been convicted under the same charge but released under an amnesty in 2001.

At least four Jehovah's Witnesses continued to serve prison sentences handed down between 1999 and 2001 on trumped-up charges. Two of them—Kurban Zakirov and Iazmumed Annamamedov—were transferred to a prison with harsher regime. According to Jehovah's Witness sources, in August Annamamedov was hospitalized for injuries he sustained from constant beatings.

Prison conditions in general remained harsh, and the government used amnesties to relieve overcrowding. About nine thousand of Turkmenistan's estimated 18,500 prisoners were released under a December 2001 amnesty. By summer 2002, though, the prison population again reached seventeen thousand. Niazov announced his intention to release the majority under a prison amnesty to be issued in December.

Ethnic minorities faced worsening discrimination, particularly in education. Russian- and Uzbek-language school instruction was drastically reduced. The government continued to forbid ethnic minorities from forming cultural or other public organizations.

Travel to and from Turkmenistan remained strictly limited, as did freedom of movement within the country. Beginning January 1, citizens no longer required exit visas for foreign travel, but some individuals were arbitrarily banned from travelling abroad. Border officials repeatedly told these individuals that authorities had compiled a list of 2,500 people forbidden from foreign travel.

The government introduced a number of measures aimed at limiting cross-border travel, including the levy of a U.S.\$6 fee for Turkmen citizens wishing to cross the borders to Uzbekistan and Iran. In January, protesters in Dashauz district demanded an end to the new restrictions, and on February 22 hundreds of Uzbek citizens blocked railroads to protest the new visa fee, which was prohibitively high by local standards. Turkmen authorities also began using live ammunition on those illegally seeking to cross the border. In December 2001, border guards in northern Turkmenistan threatened to use firearms to disperse some two hundred people attempting to cross the border to visit a cemetery.

To carry out Niazov's reconstruction plan for Ashgabad, authorities continued to bulldoze residents' homes arbitrarily and without adequate compensation. On January 10, police threatened to arrest about a hundred women to stop them from holding a protest against continuing demolitions. In one Ashgabad neighborhood, the homes of six relatives of exiled opposition leader Avdy Kuliev were destroyed; no other homes in the neighborhood were affected.

DEFENDING HUMAN RIGHTS

The repressive environment in Turkmenistan continued to prevent nongovernmental human rights organizations from forming.

THE ROLE OF THE INTERNATIONAL COMMUNITY

United Nations

Turkmenistan has failed to file a single report to U.N. treaty bodies. In March, the U.N. Committee on the Elimination of Racial Discrimination reviewed Turkmenistan's implementation of the convention relying exclusively on information from various intergovernmental and nongovernmental sources. The committee acknowledged Turkmenistan's grave violations of civil and political rights, as well as social, economic, and cultural rights. It expressed concern that the state's policy of promoting Turkmen identity leads to discrimination against ethnic minorities, while religious minorities face discrimination because of the state's refusal to register religions other than Russian Orthodox Christianity and Sunni Islam. The committee called on the government of Turkmenistan to cooperate with the U.N. by providing the long overdue reports.

As of October, the Office of the U.N. High Commissioner for Human Rights was still awaiting a response from Turkmen authorities to its March 2002 proposal for an assessment mission to the country.

Turkmenistan made available to the U.N. its air space and land corridors for the delivery of humanitarian aid to Afghanistan. Subsequently, President Niazov called on the U.N. to support his proposal for a gas pipeline through Afghanistan.

U.N. Secretary-General Kofi Annan's visit to Turkmenistan in October 2002 yielded no public comment on the state of human rights in the country.

Organization for Security and Cooperation in Europe

For the fifth year in a row, the Turkmen government failed to sign a substantive Memorandum of Understanding with the Organization for Security and Cooperation in Europe (OSCE) Office for Democratic Institutions and Human Rights, on the conditions under which the OSCE had agreed in 1998 to establish a center in Ashgabad.

The OSCE welcomed the January 2002 abolition of Turkmenistan's exit visa regime, a step that then-OSCE Chairman-in-Office Mircea Geoana had pressed for during his meetings with President Niazov in June 2001. In April, the OSCE severely criticized Turkmen authorities for harassment of the media. In a letter to Foreign Minister Ravshid Meredov, the OSCE representative on freedom of the media denounced the "absolute lack of any freedom of expression in your country, a situation unseen in the OSCE region since the establishment of this Organization."

The OSCE continued its series of informational seminars, held in Ashgabad and other cities, aimed at making the people of Turkmenistan better acquainted with the OSCE's activities and projects in the country.

European Bank for Reconstruction and Development

In July, the European Bank for Reconstruction and Development (EBRD)

adopted a minimal country strategy for Turkmenistan, citing the authorities' failure to make any perceptible progress toward political pluralism, civil and human rights, and market reforms. The bank resolved to limit its engagement in the country to the promotion of private sector activities, and to support these only where it could be shown that the proposed investments were not effectively controlled by the state.

United States

Turkmenistan's cooperation in providing humanitarian aid to Afghanistan during the 2001-02 U.S.-led military operation against the Taliban raised slightly Turkmenistan's profile vis-a-vis the U.S. government. In addition to praising Turkmen cooperation, the U.S. supported President Niazov's May proposal to revive plans to construct a trans-Afghanistan pipeline to bring Turkmen gas to Pakistan and other South Asian countries.

At the same time, U.S. government agencies voiced criticism of Turkmenistan's human rights record. The State Department's annual report on human rights practices, released in March, accused the government of committing serious human rights abuses and severely restricting political and civil rights, including freedom of speech and religion. Recognizing Turkmenistan's particularly harsh restrictions on freedom of conscience and belief, the United States Commission on International Religious Freedom (USCIRF) reported in March that the conditions of religious freedom in Turkmenistan were "extremely poor" and plagued by "ongoing, egregious and systematic violations." The report called Turkmenistan "one of the most totalitarian states in the world today." In an unusually strong recommendation, the USCIRF called on the U.S. government to halt non-humanitarian aid, with the exception of anti-terrorism assistance, to Turkmenistan until conditions improved. In October, the USCIRF recommended that the Bush administration designate Turkmenistan a "country of particular concern for religious freedom" pursuant to the International Religious Freedom Act (IRFA). As of this writing, no decision had been made on "country of particular concern" designations.

UKRAINE

HUMAN RIGHTS DEVELOPMENTS

Despite progress in recent years, the human rights situation in Ukraine in 2002 remained uneven. Numerous irregularities were reported during the March parliamentary elections. Virtually all major media owners depended on state ties for survival and were thus subject to censorship. Opposition media and activists continued to face harassment. Prison conditions and torture in detention received attention from the national ombudsperson, but remained serious problems.