

TURKMENISTAN

The constitution and other laws and policies protect religious freedom; however, in practice, the government enforced restrictions. All groups must register in order to gain legal status; unregistered religious activity is illegal and may be punished by administrative fines.

The government's level of respect for religious freedom in practice diminished slightly during the reporting period. Troubling government practices in the treatment of some registered and unregistered groups continued. During the reporting period, the government registered one Muslim religious group, but several religious groups remained unable to register, and the government restricted registered groups' ability to own property and print or import religious materials. In a trial that reportedly involved serious evidentiary and procedural deficiencies, the government convicted a Protestant pastor of extortion. There were reports of raids and arbitrary detentions involving Jehovah's Witnesses. The government continued also to arrest, charge, and imprison Jehovah's Witnesses who conscientiously objected to military service.

There were no reports of societal abuses or violence based on religious affiliation, belief, or practice. The government, through its Council on Religious Affairs (CRA), promoted interfaith dialogue between Muslims and Russian Orthodox Christians. 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 choose to convert to other religious groups, especially lesser-known Protestant groups, were viewed with suspicion and sometimes ostracized.

During the reporting period, U.S. embassy representatives and visiting U.S. Department of State officials raised religious freedom concerns in meetings with government officials and urged greater support for religious freedom.

Section I. Religious Demography

The country has an area of 188,457 square miles and a population of five million. Statistics regarding religious affiliation were not available. According to the government's most recent census (1995), ethnic Turkmen constitute 77 percent of the population. Minority ethnic populations include Uzbeks (9.2 percent), Russians (6.7 percent), and Kazakhs (2 percent). Armenians, Azeris, and other ethnic groups

constitute the remaining 5.1 percent. The majority religion is Sunni Islam, and Russian Orthodox Christians constitute the largest religious minority. The level of active religious observance is unknown.

Since independence in 1991, there has been a tightly controlled revival of Islam. During the Soviet era, there were only four mosques operating; at the end of the reporting period, there were 398 mosques, according to the CRA. Ethnic Turkmen, Uzbeks, Kazakhs, and Baloch living in Mary Province are predominantly Sunni Muslim. There are small pockets of Shia Muslims, many of whom are ethnic Iranians, Azeris, or Kurds living along the border with Iran and in Turkmenbashi.

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. Local interpretations of Islam placed a heavy premium on rituals associated with birth, marriage, and death, featuring music and dancing that was viewed by some parts of the Muslim world as unorthodox. Together with shrine pilgrimage, such rituals played a greater role in local Muslims' expression of Islam than regular prayer at mosques.

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 practicing Christians are generally members of the Russian Orthodox Church (ROC). There are 13 Russian Orthodox churches, three of which are in Ashgabat. A priest resident in Ashgabat leads the ROC within the country. As of 2008 the ROC was under the jurisdiction of the Moscow Patriarchate.

Ethnic Russians and Armenians composed a significant percentage of members of unregistered religious congregations; ethnic Turkmen were increasingly represented among these groups as well. There were small communities of the following unregistered religious groups: Jehovah's Witnesses, Shia Muslims, and several evangelical Christian groups, including Baptists and Pentecostals.

In August, the government registered the religious organization "Ibrahim Edhem," located in Dashoguz province. The Catholic Church in Ashgabat was registered in March 2010. Its members, including both citizens and foreigners, met in the chapel of the Vatican Nunciature.

An estimated 300 Jews live in the country. Most are members of families who were evacuated from Ukraine, Belarus, or Russia during World War II. There were

some Jewish families living in Turkmenabat, on the border with Uzbekistan, who were known as Bukharan Jews, referring to the city of Bukhara in Uzbekistan. Judaism is considered by local Jews to be an ethnic, rather than religious identity. There are no synagogues or rabbis, and Jews did not gather for religious observances. Many of the younger Jews have emigrated to Israel, Russia, and Germany. The majority of those remaining are elderly.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the *Country Reports on Human Rights Practices* for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and other laws and policies protect religious freedom; however, in practice, the government enforced restrictions. All groups must register to gain legal status; unregistered religious activity is illegal and may be punished by administrative fines.

The Law on Freedom of Conscience and Religious Organizations 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 numerical threshold for registration is five members, and all minority groups are eligible to register. 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 law provides that leaders of religious organizations should have higher theological training.

On December 6, the Organization for Security and Cooperation in Europe's Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR) made public its review of the Law on Freedom of Conscience and Religious Organizations. Among its recommendations, the ODIHR review called for the abolition of the "blanket prohibition" on unregistered religious activity, a more simplified registration procedure, and an end to the ban on private religious teaching.

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

The government-appointed CRA reported to the president and ostensibly acted as an intermediary between the government bureaucracy and registered religious organizations. It included 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 had no role promoting interfaith dialogue beyond that between Sunni Muslims and Russian Orthodox Christians.

Although the government does not officially favor any religion, it has funded the construction of new large mosques. The government also approved all senior Islamic cleric appointments, and required senior clerics to report regularly to the CRA. The Russian Orthodox Church and other religious groups were financed independently, and the government did not approve the appointment of their religious leadership.

Registered as well as unregistered minority religious communities had trouble obtaining facilities to use for worship. 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. Some groups reported they were able to rent space for meetings only from private landlords because government-owned buildings were not available. Registered groups also had difficulty renting special event space for holiday celebrations from private landlords due to concern about official disapproval. Registered and unregistered groups experienced difficulty in using residential property for worship or study. Although there were no laws that expressly prohibited holding religious services in residential property, the housing code states communal housing should not be used for any activities other than living, and the 2003 religion law states that religious services are supposed to happen at the religious organization's location. In practice, however, groups were permitted to hold services in private homes as long as the neighbors did not complain.

Unregistered religious groups and unregistered branches of religious groups are forbidden to conduct religious activities, including gathering, disseminating religious materials, and proselytizing. Government authorities at times disrupted meetings of unregistered religious groups. In practice if the government suspected individuals of unauthorized unregistered activity, they could be subjected to

search, detention, confiscation of religious materials, verbal abuse, pressure to confess to holding an illegal meeting, and beating.

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

By decree, publishing religious literature is prohibited, and the CRA must approve imported religious literature. Only registered religious groups can import literature. In practice these groups seldom have obtained permission to import religious publications. When the CRA approves the importation of a publication, the number of imported copies cannot exceed the number of registered group members. While the Qur'an was practically unavailable in state bookstores in Ashgabat, most homes have one copy in Arabic. Few were available in the country's language. Only religious leaders may wear religious attire publicly.

The government has incorporated 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 monumental mosques in Ashgabat, Gokdepe, Gypjak, and Mary, and planned to build another at Kone Urgench. Despite its embrace of certain aspects of Islamic culture, the government was concerned about foreign Islamic influence and the interpretation of Islam by local believers. The government promoted a moderate understanding of Islam based on local religious practices and national traditions.

According to the CRA, only large mosques were registered as religious organizations. Smaller mosques, or houses of prayer, were not considered groups or organizations and were not registered. These smaller mosques may or may not have a resident cleric, depending on the number of worshippers. Most houses of prayer were located in rural areas, staffed by elderly volunteer clerics who subsisted on their pensions and material support from their families. At larger mosques that were registered as religious organizations, respective religious organizations paid clerics and the building belonged to the organization.

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. Until 2007, conscripted members of the Jehovah's Witnesses were

returned home unharmed several days after being called up, although they were not given papers excusing them from military service, which are needed for employment. This policy changed in 2007 when three Jehovah's Witnesses were arrested and charged with avoiding military service. They were subsequently pardoned or given suspended sentences. Since May 2009, eleven Jehovah's Witnesses have been tried and imprisoned for refusing military service. The most recent trials took place in December, during which courts sentenced three Jehovah's Witnesses for refusing military service. At the end of the reporting period, nine Jehovah's Witnesses were incarcerated in a prison at Seydi and two had been sentenced and were awaiting transfer to a prison.

Although some independent religious education existed, the 2003 religion law prohibited private teaching of religion. The government did not promote religious education, and there was no official religious instruction in public schools.

The law on religion 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 prohibited providing religious education in private, and those who did so were subject to punitive legal action. Some Sunni mosques regularly scheduled classes on the Qur'an.

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

In November the government financially sponsored 188 pilgrims to travel to Mecca. This practice resumed after the government sent no pilgrims to the Hajj in 2009 due to reported concerns about the spread of H1N1 virus. 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.

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

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

Restrictions on Religious Freedom

The government's level of respect for religious freedom in practice diminished slightly during the reporting period. Troubling government practices in the treatment of some registered and unregistered groups continued. The government officially banned only extremist groups that advocated violence. It categorized Islamic groups advocating stricter interpretation of Islamic religious doctrine as "extremist." The activities of unregistered religious groups remained illegal, with violators subject to fines under the administrative code. Individuals suspected of unauthorized religious activity may be subjected to search, detention, confiscation of religious materials, verbal abuse, and pressure to confess to holding an illegal meeting.

On October 21, the Mary City Court convicted Pastor Ilmyrat Nurlyev, leader of the unregistered Light to the World Turkmen Evangelical Church, on extortion charges and sentenced him to four years in prison and payment of restitution in the amount of 1,600 manats (\$563). The charges were related to money allegedly donated to his religious group by two victims. According to Forum 18 News Service, only two of five prosecution witnesses appeared in court; officials unsuccessfully pressured other church members to testify against Nurlyev; and only three of 15 defense witnesses were allowed to testify at the trial. Nurlyev did not appeal the court's decision. On December 16, he was transferred to the prison at Seydi.

In August the government registered the religious organization "Ibrahim Edhem" in Dashoguz province. The applications of the Abadan branch of Light of Life Christian Church and the Turkmen Baptist Church in Dashoguz remained pending. The government rejected the Jehovah's Witnesses' previous application for registration on the grounds that it was incomplete; the CRA declined to inform the group which documents were lacking, and the group has yet to reapply.

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

Registered religious minority groups reported sporadic instances of harassment. Regional affiliates of registered groups experienced harassment by provincial and district law enforcement agencies. In July, according to Forum 18 News Service, authorities raided a youth summer camp, organized by two registered Pentecostal churches, in a village northwest of Ashgabat. All the participants were taken to a

police station, where they were photographed, fingerprinted and their personal Bibles confiscated. They were not released until the following morning.

As in the previous reporting period, 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, and violations constituted an administrative offense. Registered groups also experienced difficulties establishing and maintaining places of worship. Bureaucratic hurdles prevented groups from buying or building a worship facility. Ten registered minority religious groups have established public places of worship, of which five 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, and largely in private homes.

Some registered religious groups were denied permission to conduct church meetings such as study groups and seminars apart from a weekly worship service.

The government controlled access to Islamic education. The theology faculty in the history department at Turkmen State University in Ashgabat was the only academic faculty allowed to conduct Islamic education.

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

No representatives of minority religious groups were known to be working in senior- or mid-level government positions during the reporting period. Some minority religious group adherents remained members of the only political party but feared openly acknowledging their faith out of concern for political reprisal.

The government monitored minority religious groups, and the law prohibited foreign missionary activity. The law on religion stipulated that religious groups

must report any financial or material assistance received from foreign sources. The government denied visas to foreigners suspected of conducting or intending to conduct missionary activity.

By decree, publishing religious literature is prohibited, limiting the availability of Qur'ans, Bibles, and other religious literature. Sacred religious books rarely were available for purchase. In practice, the CRA must approve imported religious literature, and religious groups seldom received permission. Because all members of the CRA are government officials, Sunni Muslims, or members of the Russian Orthodox Church, minority religious groups claim that they are disadvantaged regarding importation of religious materials since they have no representation on the CRA. When the CRA approves the importation of a publication, the number of imported copies cannot exceed the number of registered group members. 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. However, in 2009 for the first time, at least one registered group reported no trouble in obtaining permission to import enough literature for its use. Some groups noted the availability of printable materials on the Internet. 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 reporting period, 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.

Some foreign members of registered and unregistered religious groups continued to be denied entry visas.

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; however, the groups continued to engage in regular activities.

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

Abuses of Religious Freedom

Mistreatment of some registered and unregistered religious minority group members remained at a lower level during the reporting period compared with past years; however, harassment of Jehovah's Witnesses increased. There were detentions and interrogations, a reported beating, imprisonment for conscientious objection, seizure of religious materials, and reports of raids.

In August a Jehovah's Witness conscientious objector in Turkmenabat was beaten while in detention awaiting trial for refusing military service. He was also reportedly threatened with rape or death if he appealed the court's decision. He is currently serving his prison sentence in Seydi.

In a previous reporting period, Turkmenbashi police detained a Jehovah's Witness member and seized his religious literature. He was detained overnight, beaten repeatedly, and forced to write a statement that was dictated to him, after which he was released.

During incidents that involved police detention and interrogations of members of unregistered minority religious groups, authorities took a range of actions, including: filming those present; recording the names, addresses, and places of work of the congregants; threatening fines and imprisonment; and confiscating religious literature. There were no reports of prolonged detention.

Authorities subjected Jehovah's Witnesses to numerous instances of short-term detention for proselytizing; raids on meetings, unauthorized searches of apartments, interrogations, and seizure of religious literature, mobile phones, and computers occurred during the reporting period.

On July 24, a Jehovah's Witness arriving on an international flight at Ashgabat was detained in Customs for inspection, during which authorities seized religious literature and two Bibles that were for the individual's personal use. Her passport was withheld and turned over to her employer, the state-run television service. Her employment was terminated on the grounds that she violated the law by importing religious literature of an unregistered religious group. The dismissed employee challenged the dismissal in court, which found that the dismissal was justified. She planned to appeal the court's decision.

In September police in Kone Urgench, Dashoguz Province detained a female Jehovah's Witness under threat of physical assault and took her to a police station. While in custody, she was interrogated and called a traitor to Islam. She was required to undress, was searched by male officials, and was fined for rudeness

shown to an official. Following the incident, the detainee filed a complaint. There was no further information at the end of the reporting period.

On September 15 in Dashoguz, police entered the apartment of a Jehovah's Witness, seizing his personal religious literature and computer. The following day he was detained on charges of corrupting young people with pornography that was allegedly found on his computer. Police threatened the detainee's wife, also a Jehovah's Witness, after she sent complaints about the case to government officials. The detainee reportedly was beaten by police in an attempt to force him to sign a confession. There was no further information at the end of the reporting period.

On November 19 in Turkmenbashi, two security officials forcibly took a Jehovah's Witness from a religious service to the city administration building. Officials confiscated the Jehovah's Witness' Bible and religious literature, and he was released after two hours.

In the previous reporting period, there were numerous incidents involving police detention of Jehovah's Witnesses following worship services and in the course of proselytizing, and seizure of Jehovah's Witnesses' electronic media with religious content and religious literature, often in the course of an unauthorized residential search.

Because the country does not offer alternative civilian service for conscientious objectors that would be acceptable to many Jehovah's Witnesses, they often refused military service. At the end of the reporting period, 11 Jehovah's Witness conscientious objectors were serving prison sentences.

On August 8, Aziz Roziyev, a resident of Seydi in Lebap Province, was sentenced to 18 months in prison for avoiding military service. He appealed the decision to the provincial court, but the outcome of the appeal is not known.

On August 30 in Turkmenabat, Dovlet Byashimov was sentenced to 18 months in prison for refusing to serve in the military. His family was forced to pay a court-appointed defense lawyer 400 manat (USD 140) under threat of a lengthier prison sentence. While in the detention facility, Byashimov was beaten and threatened with harsh treatment if he appealed the court's decision.

On September 20, a court in Turkmenabat sentenced Akhmet Khudaybergnov to 18 months in prison for refusing military service. He did not file an appeal, reportedly under pressure from local authorities.

During the week of December 19, a court in Turkmenabat Sunet sentenced Japbarov for refusing military service and sent him to the prison in Seydi.

On December 29, the Dashoguz city court sentenced Matkarim Aminov to 18 months in prison for refusing military service. Aminov immediately appealed the case to the provincial court and remained in detention in Dashoguz pending the appellate court's decision.

On December 29, a court in Boldumsaz district, Dashoguz province, sentenced Davran Matyakubov to 18 months in prison for refusing military service. At the end of the reporting period, he remained in detention in Dashoguz awaiting transfer to a prison.

Raids on residential gatherings of Jehovah's Witnesses continued, particularly in the city of Dashoguz and the surrounding area. However, homeowners reportedly refused to file complaints because they were intimidated by threats from officials to cut off utilities to their houses.

In December 2009 police and members of the local CRA escorted members of the unregistered Iman Yoly (Path of Faith) Baptist Church in Dashoguz from their place of worship to local government offices. Authorities questioned the members for several hours and held the group's pastor separately from the other church members. During the raid they also seized the group's religious materials, including Bibles, and released the church members and pastor after several hours, but without returning the materials. While the pastor was being questioned, police searched his home, also seizing his religious materials.

Improvements and Positive Developments in Respect for Religious Freedom

Registered minority religious groups generally continued to report less harassment than in previous reporting periods.

As in the previous reporting period, the government did not destroy any mosques during the reporting period. The government continued construction of large mosques in each of the provincial administrative centers, as well as smaller mosques in a number of villages and towns.

Members of some minority religious groups continued to proselytize in the form of "street evangelism" without interference from authorities.

The State Institute for Democracy and Human Rights acted positively regarding two complaints sent to it by Jehovah's Witnesses, forwarding the documents to appropriate government agencies for review and action. One complaint involved mistreatment of five Jehovah's Witness conscientious objectors held in Seydi prison. Following the complaint, conditions for the prisoners improved. The other complaint of unlawful seizure of religious literature was forwarded to appropriate law enforcement agencies for review and response to the complainant.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

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

Many Muslims did not attend mosques regularly; however, the great majority of the population identified itself as "Muslim," and national identity was linked to Islam. (Turkmen society considered an individual to be born into an ethno-religious group.) Those who departed from these traditions received little 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

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights.

U.S. embassy officers met regularly with staff from the Organization for Security and Cooperation in Europe Center in Ashgabat, UN representatives, and other

diplomatic missions to maximize cooperation in monitoring abuses of and promoting greater respect for religious freedom.

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.