

TURKMENISTAN 2021 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for the freedom of religion and for the right of individuals to choose their religion, express and disseminate their religious beliefs, and participate in religious observances and ceremonies. The constitution separates the roles of government and religion and stipulates that religious organizations are prohibited from “interference” in state affairs. Once registered with the Ministry of Justice (MOJ), a religious organization must reregister in the event of a change in legal address or a change in its charter. The government allowed four religious organizations to reregister during the year, including three Muslim and one Christian, but religious organizations said that reregistration remained a challenge due to excessive bureaucratic requirements. Buying or renting a place to conduct worship services remained a common problem for several religious organizations. In May, as part of a larger prisoner release for Ramadan, the President pardoned and released all 16 Jehovah’s Witnesses who had been imprisoned as conscientious objectors since at least 2019. According to the government, there were no religious conscientious objectors in prison following the release. According to local religious communities and international advocacy groups, members of some registered and unregistered Christian organizations continued to face official and unofficial harassment, raids, and house searches, usually as a result of attempting to gather for purposes of communal worship. In one case, the government raided a house where 10 Muslim men were praying and said the men had violated COVID-19 safety restrictions. According to an international advocacy group, Muslims and non-Muslims questioned why mosques and other places of worship remained closed due to COVID-19 restrictions when the government permitted large events such as the commemoration of the President’s father’s death in April to occur without precautionary measures being taken. According to religious organizations, government security forces continued to restrict the importation of religious literature. The government stated that as of November 11, it permitted 240 pieces of religious literature to be imported during the year. The government continued to appoint all senior Muslim clerics and, according to religious groups, to scrutinize or obstruct groups attempting to purchase or lease buildings or land for religious purposes.

Religious leaders as well as private citizens stated they were reluctant to speak out publicly about religious freedom issues due to fear of harassment, ostracism, or public shaming by their family members, friends, and neighbors. Numerous

citizens stated that the government's suspicion of religion continued to be mirrored in the private sector, and that membership in a minority religious organization or even "excessive" expressions of religiosity could result in the loss of employment opportunities and frequently triggered harassment. Members of minority religious groups reported societal prejudices against religious groups that were not Sunni Muslim or Russian Orthodox. According to Christian community leaders, Muslims who converted to Christianity faced pressure from families, friends, and local communities to return to their former faith.

In meetings and official correspondence with government officials, the Ambassador, other U.S. embassy representatives, and other U.S. government officials expressed concern about religious freedom issues, including the legal status of conscientious objectors, the ability of religious groups to register or reregister, restrictions on the import of religious literature, and other factors that contributed to Turkmenistan's designation as a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998. During an April religious freedom roundtable hosted by the Ambassador, eight minority religious groups discussed religious freedom challenges with embassy staff and high-ranking members of the diplomatic corps. Throughout the year, the Ambassador and other embassy officials visited places of worship of minority religious groups, including a Christian Orthodox church, a Baha'i worship center, and a Sunni mosque, to show support for these communities and provide a forum to discuss their concerns.

Since 2014, Turkmenistan has been designated as a CPC for having engaged in or tolerated particularly severe violations of religious freedom. On November 15, 2021, the Secretary of State again designated Turkmenistan as a CPC and announced a waiver of the sanctions that accompany designation as required in the "important national interest of the United States."

Section I. Religious Demography

The U.S. government estimates the total population at 5.6 million (midyear 2021). According to U.S. government estimates, the country is 89 percent Muslim (mostly Sunni), 9 percent Eastern Orthodox, and 2 percent other. There are small communities of Jehovah's Witnesses, Shia Muslims, Baha'is, Roman Catholics, members of the International Society for Krishna Consciousness, and evangelical Christians, including Baptists and Pentecostals.

Most ethnic Russians and Armenians identify as Orthodox Christian and generally are members of the Russian Orthodox Church or Armenian Apostolic Church. Some ethnic Russians and Armenians are also members of smaller Protestant groups.

There are small pockets of Shia Muslims, consisting largely of ethnic Iranians, Azeris, and Kurds, some located in Ashgabat, with others along the border with Iran and in the western city of Turkmenbashi.

According to the Israeli embassy, approximately 200 Jews live in the country.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution provides for freedom of religion and worship and for the right of individuals to choose their religion, express and disseminate their religious beliefs, and participate in religious observances and ceremonies. The constitution separates the roles of government and religion, stipulating religious organizations are prohibited from “interference” in state affairs or carrying out state functions. The constitution states public education shall be secular in nature. It provides for the equality of citizens before the law regardless of their religious preference.

The law requires all religious organizations, including those that had registered previously, to reregister with the MOJ in order to operate legally in the country whenever the organization changes its address or amends its legal charter. The law permits the registration only of those religious organizations that have at least 50 resident members older than the age of 18. The law defines a religious organization as a voluntary association of citizens affiliated with a religion, organized to conduct religious services and other rites and ceremonies as well as to provide religious education, that is registered in accordance with the country’s legislation. According to the Ministry of Foreign Affairs, there are 133 religious organizations in the country, drawn from Muslim, Christian, and other faith groups; most (104) are Sunni Muslim, but five are Shia Muslim.

According to the law, the State Commission on Religious Organizations and Expert Evaluation of Religious Information Resources (SCROEERIR) is responsible for helping registered religious organizations work with government agencies, explaining the law to representatives of religious organizations, monitoring the activities of religious organizations to ensure they comply with the

law, assisting with the translation and publication of religious literature, and promoting understanding and tolerance among different religious organizations.

The law states SCROEERIR must approve all individuals appointed as leaders of religious organizations, although the law does not specify the procedures for obtaining the required approval. SCROEERIR operates under the leadership of the Grand Mufti, who is appointed by the government, as are all other senior Muslim clerics, Sunni or Shia. The Deputy Chairman of the Cabinet of Ministers for Education, Health, Religion, Sports, Tourism, Science, New Technologies, and Innovation oversees SCROEERIR's work. The chair of SCROEERIR is also the chair of the Department for Work with Religious Organizations in the Cabinet of Ministers. One member of SCROEERIR is from the Russian Orthodox Church.

To register, organizations must submit to SCROEERIR their contact information; proof of address, a statement requesting registration signed by the founders and board members of the organization, two copies of the organization's charter, and the names, addresses, and dates of birth of the organization's founders. They must pay a registration fee starting at 300 manat (\$86), based on size of the organization and where it is registered. Once SCROEERIR endorses an application for registration, it is submitted to the MOJ, which coordinates an interministerial approval process involving the Ministry of Foreign Affairs, Ministry of National Security, Ministry of Internal Affairs, and other government offices. According to government procedures, the MOJ may additionally request the biographic information of all members of an organization applying for registration. The law states leaders of registered religious organizations must be citizens who have received an "appropriate religious education," but it does not define that term. Each subsidiary congregation of a registered religious organization must also register, and the registration process is the same as that which applies to the parent organization.

The tax code stipulates registered religious organizations are exempt from taxes.

The law states the MOJ will not register a religious organization if its goals or activities contradict the constitution or if SCROEERIR does not endorse its application. The law does not specify the standards SCROEERIR uses to make that determination. The law assigns the Office of the Prosecutor General to monitor the compliance of a religious organization with the constitution. A court may suspend the activities of a religious organization if it determines the organization to be in violation of the constitution; such a suspension may only be overcome if the organization submits documentation satisfying the court that the

activities that led to suspension have been stopped. The law also states that grounds for dissolution of a religious organization include activities “that violate the rights, freedoms, and lawful interests of citizens” or “harm their health and morale.”

The administrative code covering religious organizations delineates a schedule of fines for conducting activities not described in a religious organization’s charter.

Unregistered religious organizations and unregistered subsidiary congregations of registered religious organizations may not legally conduct religious activities; establish places of worship; gather for religious services, including in private residences; produce or disseminate religious materials; or proselytize. Any such activity is punishable as an administrative offense by fines ranging from 100 to 2,000 manat (\$29-\$570), with higher fines for religious leaders and lower fines for lay members.

The law states MOJ officials have the right to attend any religious event held by a registered religious organization and to question religious leaders about any aspect of their activities.

The administrative code stipulates penalties of from 200 to 500 manat (\$57-\$140) for those who violate an individual’s right of freedom to worship or right to abstain from worship.

The criminal and administrative codes dictate punishment for private individuals who harass members of registered religious organizations. According to the administrative code, obstructing the exercise of religious freedom is punishable by a fine of from 500 to 1,000 manat (\$140-\$290) or detention of from 15 days to one year of “corrective labor,” which involves serving in a government-assigned position in a prison. According to the criminal code, obstructing the legal activities of religious organizations or the performance of religious rites that do not violate public order and are not associated with infringement of the rights, freedoms, and or lawful interests of citizens is punishable by a fine of from 4,785 to 9,570 manat (\$1,400-\$2,700) or one year of “corrective labor.” If an obstruction involves a physical attack, the punishment may entail up to two years in prison and a larger fine.

The law allows registered religious organizations to create educational establishments to train clergy and other religious personnel after obtaining a license to do so. The Cabinet of Ministers establishes the procedures for obtaining

the license. The law also states individuals teaching religious disciplines at religious educational establishments must have a theological education and must carry out their activities with the permission of the central governing body of the religious organization and the approval of SCROEERIR.

Local government offices have the right to monitor and “analyze” the “religious situation” within their jurisdictions, send proposals to SCROEERIR to change or update legislation on religious freedom, and coordinate religious ceremonies conducted outside of religious buildings.

The law allows local governments, with the approval of SCROEERIR, to make decisions regarding the construction of religious buildings and structures within their jurisdictions.

Under the criminal code, polygamy carries penalties of up to two years of labor or fines of 19,140 to 28,710 manat (\$5,500-\$8,200).

The law prohibits the publication of religious literature inciting “religious, national, ethnic, and/or racial hatred,” although it does not specify which agency makes this determination. SCROEERIR must approve imported religious literature, and only registered religious organizations may import literature. Registered religious organizations may be fined for publishing or disseminating religious material without government approval. The administrative code sets out a detailed schedule of fines, ranging from 200 to 2,000 manat (\$57-\$570), for producing, importing, and disseminating unauthorized religious literature and other religious materials.

Religious instruction is not part of the public school curriculum. The law allows registered religious organizations to provide religious education after school to children for up to four hours per week with parental and SCROEERIR approval, although the law does not specify the requirements for obtaining SCROEERIR’s approval. Persons who graduate from institutions of higher religious education and obtain approval from SCROEERIR may provide religious education. According to the law, citizens have a right to obtain religious education, although obtaining religious education in private settings such as residences is prohibited and those offering religious education in private settings are subject to legal action.

The law prohibits unregistered religious groups or unregistered subsidiary congregations of registered religious organizations from providing religious education. The administrative code sets out a detailed schedule of fines, ranging

from 100 to 500 manat (\$29-\$140), for providing unauthorized religious education to children.

The constitution states two years of military service are compulsory for men older than 18. Although service in noncombat roles is allowed, the government does not offer civilian service alternatives for conscientious objectors. Refusal to perform the compulsory two-year service in the armed forces is punishable by a maximum of two years in prison or two years of “corrective labor.” In addition, the state deducts part of the salaries of prisoners sentenced to corrective labor in an amount designated by the court. Salary deductions range between 5 to 20 percent. The law states no one has the right for religious reasons to refuse duties established by the constitution and the law. Until the age of 27, individuals may be convicted each time they refuse compulsory military service, potentially resulting in multiple convictions in their lifetimes.

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

The law does not address the activities of foreign missionaries and foreign religious organizations. The administrative code, however, bans registered religious organizations from receiving assistance from foreign entities for prohibited activities.

The law requires religious groups to register all foreign assistance with the MOJ and to provide interim and final reports on the use of funds. The administrative code provides a detailed schedule of fines of up to 10,000 manat (\$2,900) on both unregistered and registered religious groups for accepting unauthorized funds from foreign sources.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Military-age Jehovah’s Witnesses continued to be arrested and imprisoned for refusing military service during the year. On January 11, a court in the eastern Lebap Region sentenced Jehovah’s Witness conscientious objector Ruslan Artykmuradov to two years in a labor camp, the second time he had been arrested and sentenced for the same offense. He served a one-year sentence from 2018-2019 for the first offense. According to the international NGO Human Rights without Frontiers, Artykmuradov offered to perform alternative civilian service,

but was charged, since such an alternative was not available under the law. According to international religious freedom NGO Forum 18, the judge assessed a harsher penalty against him in this instance because it was his second offense.

Forum 18 stated that on January 18-19, Jehovah's Witnesses Azamatjan Narkulyev, Maksat Jumadurdyev, Artur Yangibayev, Veniamin Genjiyev, and Ikhlosbek Rozmetov were sentenced to two-year prison terms as second-time conscientious objectors by the Danev and Gurbansoltan eje District courts. All five had served earlier sentences on the same charges.

According to Forum 18, on March 16, a court in the northern Dashoguz Region sentenced Jehovah's Witness Rasul Rozbayev to two years in prison for refusing compulsory military service. This was his second sentence on the same charge.

On May 8, according to Radio Free Europe/Radio Liberty (RFE/RL), President Gurbanguly Berdymukhammedov pardoned and released 1,035 prisoners to mark the Muslim Night of Power during Ramadan, including 16 Jehovah's Witnesses in prison at the time as conscientious objectors. Those 16 had been in prison since at least 2019. A spokesman for the Jehovah's Witnesses confirmed their release to RFE/RL. According to the government, there were no religious conscientious objectors in prison after that release. Forum 18 noted that the President did not release any Muslims imprisoned for religion-related crimes.

According to the Ministry of Foreign Affairs, the government allowed four religious organizations to reregister during the year, including three Muslim and one Orthodox, but religious organizations said that reregistration remained a challenge because of excessive bureaucratic requirements. For example, local authorities required personal information for every member, such as date of birth, place of residence, and place of work. The ministry sometimes returned applications for reasons as petty as "bad grammar." They said a larger problem was that some religious organizations did not have places of worship, and therefore did not have legal addresses, which provided another reason for the government to deny or delay registration.

Forum 18 reported that on the evening of March 9, police turned away Muslims who came to pray at the main mosque in Mary to mark Miraj, which commemorates the night-time journey of the Prophet Muhammad to Jerusalem.

Forum 18 also said Muslims who came to pray at the mosque in Mary on May 13 to mark Eid al-Fitr found the mosque closed without explanation. Later that day,

the Muftiate announced that prayers could take place in mosques without worshippers being present. According to Forum 18, Muslims and non-Muslims questioned why mosques and other places of worship remained closed due to COVID-19 restrictions when commemorations of President Berdymukhamedov's father's death in April took place with thousands of people present and when other official events took place throughout the year without such COVID-19 precautions as masks and social distancing. COVID-19 precautions affecting places of worship remained in effect through the end of the year.

In March, *Turkmen.news* and Forum 18 reported that Ministry of Interior officials distributed leaflets to residents of Dashoguz Province that described household and community safety rules. In addition to warnings about fire and pedestrian safety and proper internet usage, the pamphlets urged citizens not to join unregistered religious organizations.

Religious groups stated that because there were fewer gatherings for worship under COVID-19 pandemic restrictions during the year, there were fewer reported government raids on persons meeting for worship. In January, Forum 18 reported that police raided a home in Lebap Province and arrested 10 Muslim men holding Friday prayers there. The police said the men violated pandemic lockdown regulations.

Forum 18 reported that on July 21, during Eid al-Adha, Ministry of State Security officials raided homes of Muslims in at least four districts in Lebap Province, seizing religious literature that they stated individuals should not have at home and questioning those who owned the literature. One witness told Forum 18 that police forced some individuals to drink vodka to prove they were not “Islamic radicals.” Media also reported security forces seized religious literature other than Qurans from Muslims attending mosques.

According to local religious community members and international advocacy groups, members of some Christian organizations continued to face harassment, raids, and house searches, usually as a result of attempting to gather together for purposes of communal worship. They reported security services interrogated members of religious organizations and demanded they provide information on their communities' activities. Some members also reported security officials interrogated their friends and family members, asking about members' religious activities. Christian groups reported that Turkmen who converted from Islam experienced government scrutiny and were subject to discrimination. For example,

the groups' reported converts were denied government jobs or fired from jobs based on their religion.

Representatives of registered Christian groups said some government officials continued to require them to obtain approval to carry out routine religious activities, such as weekly services, as well as social and charitable activities. Some groups sought official approval of such activities, even if they did not believe that approval was required, in order to ensure the events would not be disrupted.

Religious groups continued to report the government limited the importation of, and access to, religious literature; even the few groups who were successful in importing literature complained about restrictive procedures. Although by law registered religious groups were allowed to import religious literature, they said the government's opaque procedures made it extremely difficult. The Quran remained unavailable in state bookstores in Ashgabat, although many individuals kept a Soviet-era copy in Arabic or Russian in their homes. Few translations were available in the Turkmen language. The Ministry of Foreign Affairs stated that as of November 11, it had permitted 240 pieces of religious literature from a variety of faith groups to be imported during the year.

Members of various religious groups reported that the government and state-affiliated enterprises continued to interfere in the purchase or long-term rental of land and buildings for worship or meeting purposes, although religious organizations sought out few properties during the year because of COVID-19 restrictions. Some groups reported that landlords feared government reprisal if they leased properties to be used as places of worship. Some groups reported that they had secured properties, only to have landlords renege on the contracts after being instructed to do so by the government. Other groups stated attempts to purchase land or property to use as places of worship were stymied by intentional government obfuscation or flat-out denial. Registered and unregistered religious groups reported continued difficulty in renting space for holiday celebrations from private landlords, which they attributed to landlords' concerns about potential government disapproval.

The theology faculty of Turkmen State University, located in Ashgabat, continued to be the only university-level institution allowed to provide Islamic higher education. According to some religious groups, the Ministry of National Security continued to vet student candidates for admission to this program, although the ministry officially denied the practice. Women remained banned from participating in the program.

According to members of the Protestant community, clergy in Protestant organizations continued to receive their religious education abroad or via distance learning. During the year, those already studying abroad stayed abroad because of COVID-19 restrictions.

The government continued its practice of approving the appointment of all senior Muslim clerics, Sunni or Shia. The Russian Orthodox Church and other religious groups continued to be financed independently; the government was not involved in appointing their leadership, but the senior Russian Orthodox priest was required to be a citizen of Turkmenistan.

The government continued its practice of denying visas to foreigners suspected of conducting or intending to conduct missionary activity. Religious groups able to obtain religious visitor visas for foreign religious speakers said the government continued to grant such visas for very short durations and required the groups to complete burdensome paperwork. Due to COVID-19 pandemic-related border closures in place since 2020, only one known foreign religious visitor, a Russian Orthodox archbishop, was permitted to enter the country.

Most religious leaders noted that, in general, relations with the government remained unchanged in the past year. More than one said that if the groups were registered and provided all information requested by government officials, as well as invited them to services, they were able to perform normal religious activities, including holding services and importing small amounts of religious material.

Section III. Status of Societal Respect for Religious Freedom

Minority religious groups said persons who were not Sunni Muslim or Russian Orthodox continued to report harassment, such as public shaming, by their family members, friends, and neighbors. Leaders and others stated they continued to be reluctant to speak out publicly about religious freedom issues due to fear of harassment, ostracism, or public shaming by their family members, friends, and neighbors. Numerous citizens continued to state the government's suspicion of religion was often mirrored in the private sector, and that membership in a minority religious organization or even "excessive" outward expressions of religiosity, such as wearing a headscarf or religious symbol, could result in the loss of employment or employment opportunities. Some members of minority religious groups reported continued societal prejudices against religious groups that were not part of the Sunni Muslim majority. COVID-19 restrictions limited the

interaction of various religious groups with society at large during the year, but minority religious groups reported underlying suspicion and prejudices remained.

Ethnic Turkmen who converted from Islam received more societal scrutiny than non-Turkmen converts and continued to be ostracized at community events, especially in rural areas, according to representatives of religious minority groups.

According to Christian community leaders, Muslims who converted to Christianity faced pressure from families, friends, and local communities to return to their former faith. The Christian NGO Open Doors said church leaders were especially targeted for persecution by Muslims who held them responsible for leading people away from Islam. The NGO also said Christians who converted from Islam faced significant pressure, even violence, from family and their communities to deny their faith.

Section IV. U.S. Government Policy and Engagement

In meetings and official correspondence with government officials, the Ambassador, U.S. embassy representatives and other U.S. government officials continued to express concerns about issues of religious freedom in the country. These included the legal status of conscientious objectors, the ability of religious groups to register or reregister, and easing restrictions on the importation of religious literature. The Ambassador and embassy officials also raised the country's designation as a CPC.

In April, the Ambassador and other embassy officials met with representatives of eight minority religious groups. At the invitation of the embassy, several other ambassadors and senior embassy officials from like-minded nations also took part in the roundtable event. Throughout the year, the Ambassador and other embassy officials visited the places of worship of minority religious groups, including a Christian Orthodox church, a Baha'i worship center, and a Sunni mosque to show support for these communities and provide a forum to discuss their concerns.

Since 2014, Turkmenistan has been designated as a CPC under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. On November 15, 2021, the Secretary of State again designated Turkmenistan as a CPC and announced a waiver of the sanctions that accompany designation as required in the "important national interest of the United States."