

TURKMENISTAN 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution establishes the republic as a secular country and 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. The constitution provides for the equality of citizens before the law, regardless of their religious preference.

In contrast to the previous year, there were no government reports of arrests of members of religious organizations for holding illegal religious gatherings or possessing prohibited religious literature. Minority religious groups also reported no such arrests. An unknown number of Muslims arrested in previous years based on religious grounds remained in prison. Jehovah’s Witnesses reported no new instances of conscientious objectors from that group being detained or imprisoned during the year. According to Jehovah’s Witnesses and government sources, no members of any religious community remained in prison for conscientious objection following the government’s amnesty and release of prisoners for Ramadan in 2021. Beginning in December, the government offered an alternative to required national service for conscientious objectors. Most minority religious leaders reported no cases of harassment by government security services during the year, which they said was a significant change from previous years. Jehovah’s Witnesses reported 25 instances of law enforcement personnel summoning members to law enforcement offices or interrogating them about their faith at their places of work. Opposition-affiliated media highlighted cases of government harassment of religious groups. Minority groups, mostly Christian, continued to face restrictions, but they said they had considerably more freedom to worship. Leaders of minority religious groups reported improvements in the religious freedom climate in the country over the last year, including better relations with government officials, fewer barriers to registration, easier access to digital religious literature, the alternative for required national service, and more assistance providing places for worship.

Minority religious groups said persons who were not Sunni Muslim or Russian Orthodox continued to report harassment, such as public shaming by family members, friends, and neighbors. Some religious leaders stated that the government's suspicion of religion continued to be mirrored by private sector employers, and that membership in a minority religious organization or even "excessive" expressions of religiosity – including by members of the dominant Sunni Muslim community – could result in the loss of employment opportunities and frequently triggered harassment. 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 some religious freedom issues, including the legal status of conscientious objectors, the registration process, and other factors that had contributed to Turkmenistan's designation as a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998. Embassy representatives advocated for an official announcement of an internationally recognized alternative service for conscientious objectors and urged the government to continue to refrain from arresting, detaining, or harassing religious practitioners. During June and September roundtables hosted by the Ambassador, leaders of 10 minority religious groups discussed religious freedom challenges in the country. 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 those 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 30, 2022, 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 (mid-year 2022). 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.

Under the criminal code, intentional actions aimed at the incitement of social, national, tribal, ethnical, racial, or religious enmity, abasement of human dignity, and propaganda of the exceptionality, superiority, or inferiority of individuals by reason of their attitude to religion, social, national, ethnic, or racial affiliation is punishable by a fine of from 2,000 to 4,000 manat (\$570-1,100) or imprisonment up to three years. If the same acts are committed with the use of mass media, the fine is from 2,500 to 5,000 manat (\$720-1,400). If the above-mentioned actions are committed with the use of violence or with the threat of its use, then they are punishable by imprisonment of up to eight years.

The law requires all religious organizations, including those that had registered previously, to reregister with the Ministry of Justice (MOJ) 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 18; a similar requirement applies to nonreligious civil associations. 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 and/or to provide religious education, that is registered in accordance with the country's legislation. According to the Ministry of Foreign Affairs, there are 134 religious organizations in the country, composed of Muslim, Christian, and other faith groups; 106 of the Muslim religious organizations are Sunni and five are Shia.

According to the law, the State Commission on Religious Organizations and Expert Evaluation of Religious Information Resources (SCROEERIR) is responsible for helping religious organizations register 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 believed to be from the Russian Orthodox Church. Except for the name of the chairman, the government does not make public the membership of SCROEERIR nor its deliberations.

To register or reregister, 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 (\$90), 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 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 (\$570), with higher fines for religious leaders and lower fines for 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 10,500 manat (\$1,400 to \$3,000) or one year of "corrective labor." If an obstruction involves a physical attack, the punishment may entail up to two years in prison.

The law allows registered religious organizations to create educational establishments to train clergy and other religious personnel after obtaining a license. The Cabinet of Ministers establishes the procedures for doing so. 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 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.” 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 literature and other 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 doing so in a private home is illegal.

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. Since December, the government has offered a civilian service alternative in the State Migration Service for conscientious objectors. Refusal to perform the compulsory two-year service 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 does not provide for an exemption to compulsory service for religious reasons. Until the age of 27, individuals may be convicted each time they refuse

compulsory military service or alternative 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

In contrast to the previous year, there were no government reports of arrests of members of religious organizations for holding illegal religious gatherings or possessing prohibited religious literature. Religious groups also reported no such arrests.

On October 12, *Turkmen.news* reported that Atajan Reyimov and Sultan Bebitov were released from prison after serving their full 10-year prison terms. The two were part of a Hanafi Sunni study group that met in a private home in Turkmenabad, according to Norway-based nongovernmental organization (NGO) Forum 18, which focuses on religious freedom. They were convicted in 2013, along with 18 others from the study group, of conspiracy, calling for violent change of the constitutional order, inciting religious hatred, and other charges. Originally sentenced to five years, the two had their sentences doubled in 2017, according to the NGO.

There were no reliable government figures on the total number of citizens convicted of crimes related to religion. Marking the Day of the Disappeared on August 30, the Prove They Are Alive! campaign, a project sponsored by an international consortium of human rights organizations, noted 162 cases of “enforced disappearance” in the country since 2002, with 97 individuals still missing; the campaign did not report how many of those had been charged with crimes related to religion. Religious minorities stated they remained divided over whether some individuals named by Prove They Are Alive! were victims of the government’s religious intolerance or were genuine radicals promoting violent extremism against the government. Sunni leaders appointed by the government reiterated the government’s position that those detained were Muslim violent extremists.

In October, press reports stated that authorities transferred four prisoners – whom opposition media assessed as imprisoned for crimes related to religion – to a lower security facility. Forum 18 stated in October, however, that the men, sentenced to 12 years in prison in 2017 for studying the works of Turkish Muslim theologian Said Nursi, were transferred from top security prison Ovadan-Depe, which the NGO alleged is known for torture, maltreatment, and neglect, to what it said was a “labor camp” called MR-E/16. Forum 18 reported that “most or all the prisoners imprisoned for religious crimes are believed to be held at Ovadan-Depe. Relatives often have no information as to whether they are still alive. At least three were known to have died in prison.”

Jehovah’s Witnesses reported no cases of their members being newly detained or imprisoned as conscientious objectors during the year. According to Jehovah’s Witnesses and government sources, no members of any religious community remained in prison for conscientious objection following the government’s amnesty and release of prisoners for Ramadan in 2021. Many religious groups pointed to what they stated was the government’s new, more relaxed approach as starting around the time of the Ramadan 2021 prisoner release, which included 16 members of Jehovah’s Witnesses.

According to the Jehovah’s Witnesses 2022 report, military conscription offices continued to summon Jehovah’s Witnesses, including in the autumn 2022 call-up. The report stated that on several occasions, law enforcement officers interviewed Witnesses of draft age. Those interviewed said government officials tried to

persuade them to not pursue conscientious objection status and made allegations against the religious organization. Government officials, however, stated that the government had begun to offer alternative civilian service in the State Migration Service to conscientious objectors in late December and guaranteed that the security service would personally intervene if any Jehovah's Witnesses were prevented from seeking that alternative by conscription officials. The government indicated that the migration service option was a reinterpretation of existing law, and therefore no new legislation was required. The government also stated that because some form of mandatory service was required from all citizens, this option was chosen after consideration of international standards and reasons previously provided by conscientious objectors.

On June 9, the UN Human Rights Committee published a decision that the government had violated the rights of conscientious objector Arslan Begenchov, who served a one-year prison sentence for refusing military service, in 2018-2019. In its decision, the committee found that "imprisoning him as punishment for refusing to perform military service amounts to arbitrary detention" in violation of the International Covenant on Civil and Political Rights. It pointed out that the "deprivation of liberty as punishment for the legitimate exercise of a right protected under the Covenant, including freedom of religion and conscience as guaranteed by article 18 of the Covenant, is ipso facto arbitrary in nature." The committee noted that states are required "to make full reparation to individuals whose Covenant rights have been violated. Accordingly, the State party [the government] is obligated, inter alia, to expunge [Begenchov's] criminal record and to provide him with adequate compensation, including by reimbursing any legal costs incurred by [Begenchov]. The State party is also under an obligation to take steps to prevent similar violations from occurring in the future." The government did not respond to the committee.

According to the Ministry of Foreign Affairs, the government allowed four religious organizations – three Muslim and one Christian – to reregister in 2021, but it did not receive any applications for registrations or reregistrations in 2022. Religious organizations noted that the registration process legally remained the same, but that officials did not seek to create bureaucratic roadblocks to registration or reregistration, as they did in the past. Such obstacles often added months to the registration or reregistration process.

Most religious leaders reported no cases of harassment by government security services during the year, which they said, was a significant change from previous years. One leader reported a follower being questioned for a few minutes by security service officials but said the tone and demeanor were much friendlier than previously, and the security service did not arrest the individual. Opposition media continued to report harassment of religious groups, including Muslims, but some minority leaders said these were isolated incidents by overzealous rural police or community members who opposed the minority groups.

In their 2022 report, Jehovah's Witnesses noted 25 instances of law enforcement conducting "preventive measure" actions against church members during the year. The report stated that Witnesses were either summoned to law enforcement offices or interrogated at their places of work, and they were asked to set out their beliefs in writing and to confirm that law enforcement officers conducted an "explanatory talk" with them. They were told not to engage in any further "illegal activities" by meeting with fellow Witnesses or sharing their beliefs. In some cases, officers seized and examined the cell phones of Jehovah's Witnesses and deleted all publications or apps attributable to Jehovah's Witnesses. Officers generally conducted such encounters respectfully, a change from previous years, according to Jehovah's Witnesses.

In July, 275 citizens sponsored and funded by the government participated in Hajj pilgrimages out of a total 2,083 who made the pilgrimage from the country. Sources stated that far more pilgrims apply each year than are selected to participate because of limits imposed by the Saudi government and the Turkmenistan government's own funding limits. The government also announced, and the Saudi embassy confirmed, plans to increase the number of pilgrims allowed in future years.

Religious organizations said they have largely avoided restrictions on importing printed religious literature by transitioning to digital literature, which the government allowed to remain unblocked. These organizations said they likely would continue to use digital literature for that reason. The government said it did not receive any requests to import printed religious literature during the year. The Ministry of Foreign Affairs permitted 240 pieces of religious literature from a variety of faith groups to be imported in 2021.

Members of various religious groups reported difficulty in purchasing or renting land and buildings for worship or meeting purposes, although they said they were unsure if this was government-driven or landlord-driven. Some 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. A few groups reported being allowed to rent space in local hotels.

On May 3, President Serdar Berdimuhamedov approved proposals from the heads of the country's five regions for the construction of new Sunni mosques in every province.

The theology faculty of Turkmen State University, located in Ashgabat, continued to be the only university-level institution allowed to provide Islamic higher education. Some religious groups said they suspected 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.

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 and the government was not involved in appointing their leadership, although the senior Russian Orthodox priest was required to be a citizen of Turkmenistan.

Leaders of minority religious groups cited a series of improvements in the religious freedom climate in the country over the last year, including better relations with government officials, fewer barriers to registration, easier access to religious literature (albeit digitally), the alternative for required national service, and more assistance providing places for worship. Religious organizations also reported that they had more freedom to operate. Some 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 most normal religious activities, including holding services.

Family members of the President and others linked to the government started sharing religious posts on social media after President Berdimuhamedov came to power in March, something uncommon in previous years.

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 family members, friends, and neighbors. The groups reported underlying suspicion and prejudices remained, especially outside the large cities.

Some religious leaders stated that fear of religiously-motivated violent extremism continued to be mirrored by government and private sector employers, and that membership in a minority religious organization or even “excessive” public expressions of religiosity – including by members of the dominant Sunni Muslim community – could result in the loss of employment opportunities and frequently triggered harassment. Christian minorities reported, however, they felt less targeted by private sector employers than their Muslim counterparts, because some employers viewed Muslims “praying too much” as negative.

Christian community leaders stated that Muslims who converted to Christianity faced pressure from families, friends, and local communities to return to their former faith. In its annual report covering 2022, the Christian NGO Open Doors stated this pressure could include being confined to home, forced marriage, and beatings. Ethnic Turkmen who converted from Islam reportedly received more societal scrutiny than non-Turkmen converts and continued to be at risk of ostracization at community events, especially in rural areas, according to representatives of religious minority groups.

Many religious groups reported an increase in what one Catholic leader said was religious curiosity – a wider interest in the country in religious issues than since the early 1990s. The groups said this change in attitude towards religion came from young people, who were less exposed to the country’s negative view of religion during the pre-1991 Soviet era and the government’s fear and crackdown

on religion from 2002 to “around 2018.” The change in attitude, one leader said, may also have been motivated by the COVID-19 pandemic, which made some people reconsider their skepticism toward religion.

Section IV. U.S. Government Policy and Engagement

In meetings and official correspondence with government officials, the Ambassador, other embassy representatives, and other U.S. government officials expressed concern about religious freedom issues, including the legal status of conscientious objectors, the registration process, the need for places of worship, and other factors that contributed to the country’s designation as a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998. Embassy representatives advocated for the official announcement of an internationally recognized alternative national service for conscientious objectors, which the government considered and refined throughout the year. Embassy representatives also explained to the government the steps necessary to ease the registration process, provide an alternative for national service, and help provide places for worship. Embassy representatives urged the government to continue to not arrest, detain, or harass religious practitioners, and requested information on those arrested and still in prison for possible religious reasons.

During Ambassador-hosted roundtables in June and September, leaders of 10 minority religious groups discussed religious freedom challenges the groups faced in the country. 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 those 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 30, 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.”