



# CLOSED CIVIC SPACE IN TURKMENISTAN

## WIDENING CRACKDOWN ON DISSENT

June 2021



Photo: Screenshot from video of protest held in Washington DC, posted by the Free Turkmenistan YouTube channel on 30 June 2020: <https://www.youtube.com/watch?v=w1Zms2XLfNc>

This paper examines civic space issues in Turkmenistan, with a focus on current key concerns regarding the protection of the freedoms of peaceful assembly, association and expression, and the challenges facing those who stand up for justice, human rights and rule-of-law based governance in the country. It highlights both broader developments and individual cases of concern and provides recommendations to the authorities of Turkmenistan. The paper has been prepared by International Partnership for Human Rights (IPHR) and Turkmen Initiative for Human Rights (TIHR) based on monitoring, documentation and reporting carried out as part of their cooperation with the [CIVICUS Monitor](#) on tracking civic space developments in Turkmenistan. It draws on information obtained by TIHR with the help of its in-country network of contributors in Turkmenistan, as well as information reported by other independent groups and outlets who cover Turkmenistan.

The state of civic space in Turkmenistan is [rated as "closed"](#) on the CIVICUS Monitor.

**Turkmen Initiative for Human Rights (TIHR)** is the successor organisation of the Helsinki Group of Turkmenistan and was registered as an independent association in Vienna in November 2004. Through a network of local experts and activists inside Turkmenistan, TIHR monitors and reports on the human rights situation in this country. It also disseminates independent news, comments and analysis from and about Turkmenistan.

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**International Partnership for Human Rights (IPHR)** is an independent, non-governmental organization founded in 2008. Based in Brussels, IPHR works closely together with civil society groups from different countries to raise human rights concerns at the international level and promote respect for the rights of vulnerable communities in repressive environments.

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# CONTENTS

- SUMMARY..... 1**
- CIVIC SPACE: BACKGROUND AND RELEVANT INTERNATIONAL STANDARDS ..... 3**
- PEACEFUL ASSEMBLY..... 5**
  - Repressive environment and occasional spontaneous protests ..... 5
  - Attempts to put down anti-government protests abroad ..... 6
  - Forcible mobilisation for state-organised mass events ..... 8
- ASSOCIATION ..... 9**
  - Closed space for independent NGOs ..... 9
  - Pressure against exile-based groups ..... 9
- EXPRESSION..... 10**
  - Intimidation of activists based abroad..... 10
  - Targeting critical voices inside Turkmenistan ..... 14
  - Covering up crises and pursuing those who challenge these efforts ..... 16
  - Attempts to prevent access to information from independent Turkmenistan-covering sources ..... 17
- RECOMMENDATIONS ..... 18**

## SUMMARY

Turkmenistan is one of the world's most closed and authoritarian countries, which features at the bottom of global freedom rankings. President Gurbanguly Berdymukhamedov possesses virtually unlimited powers and is surrounded by a personality cult, which has recently been extended to his son, Serdar Berdymukhamedov, a likely successor to his father.

The Turkmenistani authorities tightly control the flow of information in the country and obstruct access to alternative, independent information from foreign sources. They tolerate no dissent and anyone who criticises and challenges government policies are at the risk of persecution.

The past year has seen a surge in criticism of the Turkmenistani government on social media platforms and the emergence of an anti-government protest movement among Turkmenistani communities abroad. This development has come in a context in which the government has persistently denied the national COVID-19 outbreak, ignored the hardships caused by the protracted economic crisis in the country and failed to deliver on its duty to meet the basic needs of citizens. The government has responded to the increase in civic activity by widening its crackdown on dissent.

Most people who have dared to speak up against the repressive policies of the Turkmenistani government are Turkmenistani students, migrants or refugees who live abroad. Turkmenistani security services keep close track of social media activists, protest participants and others who openly criticise the government and have increasingly targeted "inconvenient" individuals based abroad through their relatives in Turkmenistan. One example is that of Turkey-based activist and journalist Rozybai Jumamuradov, whose relatives in Turkmenistan were recently subjected to a series of acts of intimidation aimed at coercing him stop criticising the government. In a particularly shocking incident, security services summoned the activist's 14-year-old nephew, and questioned and threatened the boy because of his uncle's activities.

The Turkmenistani authorities have also enlisted the help of local authorities in friendly states, above all Turkey and Russia, in their attempts to silence dissent. In several cases, activists living in these countries have been detained and intimidated by local law enforcement officials and pressured by university staff, following apparent interventions by Turkmenistani authorities. For example, dozens of people who gathered for a peaceful rally against the government's policies in Istanbul in July 2020 were detained, and one of them, Dursoltan Taganova was ordered to be deported. The official grounds for the deportation order were a visa violation but the circumstances of the case indicate that it was in retaliation for her involvement in the anti-government protest movement. After an international outcry, Taganova's deportation was halted and she was released from detention after three months but she nevertheless remains at risk and has been subjected to renewed intimidation. Others such as social media activists Rozgeldy Choliev and Malik Allamyradov have faced informal threats of deportation from Russia to Turkmenistan as part of intimidation campaigns targeting them.

Any government critic returned to Turkmenistan would be at serious risk of politically motivated imprisonment, torture, and disappearance – tactics long used by the Turkmenistani authorities in their campaign against dissent.

In recent months, the Turkmenistani authorities have also tracked down and intimidated individuals based inside Turkmenistan, who have expressed views critical of the government on social media or engaged with activists and groups based abroad. Journalist Nurgeldy Khalykov and lawyer Pygambergeldy Allaberdyev were both imprisoned last year on spurious charges believed to be retaliation for such actions: Khalykov has cooperated clandestinely with the Netherlands-based Turkmen News for several years, while Allaberdyev was targeted because of his alleged links to the anti-government protest movement abroad.

In addition to going after participants and potential participants in anti-government rallies abroad, the Turkmenistani authorities have sought to curb rare spontaneous protests inside the country. The authorities have used both intimidation and persuasion to make people shut up when expressing their frustration at issues related to the ongoing economic crisis, such as the lack of basic food staples sold at affordable prices.

While denying the scope and impact of the economic crisis, the authorities have continued to use state-controlled media to promote the official narrative of Turkmenistan living in an era of prosperity, and to forcibly mobilise citizens for new mass events aimed at demonstrating the purported wellbeing of the nation. At the same time, the authorities have pressured medical workers to participate in covering up the national COVID-19 outbreak and intimidated medical workers voicing concerns about the lack of adequate resources for the diagnosis and treatment of people with COVID-19 like symptoms. As part of their efforts to cover up crises affecting the country, the authorities also detained and intimidated more than 60 people who documented the havoc caused by a devastating hurricane that hit the country last year.

There is currently no space for genuinely independent media or civil society groups to operate inside Turkmenistan, and exile-based organisations and their contributors have been subjected to pressure. The websites of independent exiled-based organisations, social networks and communication platforms have been arbitrarily blocked inside the country, and the authorities have recently stepped up their campaign against internet circumvention tools used to access otherwise unavailable sites by systematically blocking such tools and intimidating individuals using them to access online content critical of the government. Exile-based groups who report critically about the situation in Turkmenistan have also been targeted by cyberattacks and content takedowns based on copyright complaints believed to have been initiated by Turkmenistani authorities as part of their efforts to suppress dissent.

# CIVIC SPACE: BACKGROUND AND RELEVANT INTERNATIONAL STANDARDS

Civic space is a term used to describe the [environment](#) in which civil society exists. It concerns the [ability](#) of civil society groups and individuals to organise, communicate and participate in their societies, as well as to influence and shape public decision-making on issues that affect them.

The nature of civic space in any country depends on the extent to which the fundamental freedoms of peaceful assembly, association and expression are protected there. Under international human rights law, states [are obliged](#) to respect and promote these three closely related key rights and to protect them from infringement by both state and non-state actors.

## Freedom of peaceful assembly

The right to freedom of peaceful assembly is guaranteed by article 21 of the International Covenant for Civil and Political Rights (ICCPR), article 20 of the Universal Declaration of Human Rights (UDHR), paragraph 9 of the OSCE Document of the 1990 Copenhagen Meeting and other international human rights treaties and agreements.

Freedom of peaceful assembly is the right of individuals and groups to come together to [collectively](#) express, promote and defend common interests. It protects [peaceful gatherings](#) held for specific purposes in public and private spaces, in- and outdoors, and off- and online. Assemblies may take many forms, including demonstrations, protests, meetings, rallies, pickets, marches, and flash mobs.

The right to freedom of peaceful assembly may [only be restricted in exceptional cases](#) on one or several of the permissible grounds set out by international human rights law: the protection of national security, public safety, public order, public health or morals, or the rights and freedoms of others. Any restrictions on this right [must be](#) prescribed by law, strictly necessary, proportionate and non-discriminatory, and they must not impair the essence of the right.

States are [obliged to allow](#) peaceful assemblies to take place without unwarranted interference, including by refraining from prohibiting, dispersing or disrupting peaceful assemblies without compelling justification, and from sanctioning participants or organisers without legitimate cause. No one should face reprisals as a result of their presence at or affiliation with a peaceful assembly. States also have a [duty to facilitate and protect](#) assemblies, including by enabling assemblies to take place within the “sight and sound” of target audiences.

Law enforcement officials involved in policing assemblies should comply with international standards on the use of force at all times, including by [refraining from](#) using force unless strictly unavoidable, and by applying force to the minimum extent necessary.

## Freedom of association

The right to freedom of association is protected by article 22 of the ICCPR, article 20 of the UDHR, paragraph 9 of the 1990 OSCE Copenhagen Document and other international human rights treaties and agreements. It may only be restricted in strictly limited circumstances when necessary to protect national security or public safety, public order, public health or morals, or the rights and freedoms of others. Any restrictions **must be** prescribed by law and proportionate to their aims.

Freedom of association **safeguards** the right of individuals to establish, join and participate in the activities of civil society groups, including non-governmental organisations, social initiatives, political movements, trade unions, and other formal and informal associations. Associations do not need to be registered with the authorities for this right to apply, and it **can be enjoyed** both by individuals involved in associations and associations themselves, also **online**.

States are obliged to promote an enabling environment for associations. In particular, they should ensure that national legislation **facilitates** the operation of associations, that registration procedures required to obtain legal personality are **simple, non-onerous and expeditious**, that regulatory requirements are not unduly burdensome, and that associations are able to **access funding** from both domestic and foreign sources. Associations have the right to **carry out** their activities without fear of intimidation and harassment, and without unwarranted state interference into their internal affairs.

## Freedom of expression

The right to freedom of expression and opinion is protected by article 19 of the ICCPR, article 19 of the UDHR, paragraphs 9-10 of the OSCE Copenhagen Document and other international human rights treaties and agreements. It includes both the right to impart information and ideas and the right to seek and receive information from others. It applies off-and online, regardless of the media used, and regardless of frontiers.

Under international human rights law, the right to freedom of opinion is absolute, while freedom of expression can only be restricted under very limited circumstances: to ensure respect of the rights or reputations of others, or to protect national security or public order, or public health or morals. Any restrictions must meet strict tests of necessity and proportionality, and they must not put in jeopardy the right to freedom of expression itself.

Freedom of expression is **crucial** for the operation of civil society as it protects the rights of individuals and groups to access information, critically assess and speak out against the policies and actions of state and on-state actors, and publicly draw attention to concerns and findings without fear of retribution. It **facilitates** free debate on issues of public concern, as well as scrutiny and accountability of those in power.

States **are obliged** to refrain from interfering with freedom of expression and to create an environment that supports the free flow of information and ideas. They **may not penalise** journalists or others for reporting or disseminating critical views and dissenting opinions, and they may not restrict freedom of

expression to muzzle advocacy of multi-party democracy, democratic tenets and human rights. States should, in particular, safeguard freedom of expression in the context of public debate, taking into account that public figures, including the highest-level officials are [legitimately subject](#) to criticism and political opposition. States [should](#) prevent attacks against journalists, human rights defenders and others exercising their freedom of expression, condemn such attacks, investigate them promptly and effectively and duly sanction those responsible.

Any restriction on online content [should be](#) content-specific and meet the strict requirements of lawfulness, necessity and proportionality. It is not consistent with international human rights law to prohibit online material solely on the basis that it is critical of the government.

### **For more information on the applicable standards, see:**

- General comments on [the right of peaceful assembly](#) (No. 37) and on [the freedoms of opinion and expression](#) (No. No. 34), adopted by the UN Human Rights Committee
- Factsheets [on the right to freedom of peaceful assembly](#) and on [the right to freedom of association](#), compiled by the UN Special Rapporteur on these rights
- Guidelines on [freedom of peaceful assembly](#) and on [freedom of association](#), issued by the Venice Commission and the OSCE Office for Democratic Institutions and Human Rights (ODIHR)
- [Thematic joint declarations](#) issued by international freedom of expression mandate holders

## **PEACEFUL ASSEMBLY**

### **Repressive environment and occasional spontaneous protests**

Turkmenistan's Law on the Organisation and Conduct of Gatherings, Meetings, Demonstrations and Other Mass Events, which entered into force in 2015, is the country's first-ever law regulating the exercise of the right to freedom of assembly. It allows residents to organise rallies and other assemblies if they inform the authorities in advance and agree on the venue with them. At the same time, the law gives local officials wide discretion to refuse assemblies to take place on the grounds that the proposed venue is unsuitable. The law also sets out that assemblies, as a rule, should be held in venues specifically designated for this purpose and does not provide for spontaneous assemblies.

In practice, public protests are extremely rare in Turkmenistan because of the repressive climate in the country and the risk of persecution associated with any criticism of the authorities. However, in some cases, residents have staged spontaneous protests to express discontent about social and economic problems and to demand action from the authorities. The past year has seen a number of spontaneous protests of citizens venting their frustration at issues related to the protracted economic crisis in the country, such as the lack of basic food staples sold at affordable prices in state subsidised stores and the lack of cash available for withdrawal at ATMs (with cash still being the only accepted form of payment in many stores and market places). The authorities have sought to quell these protests using tactics of, on the one hand, intimidation and, on the other hand, persuasion.

These are two examples:

- ❖ As covered by Radio *Azatlyk*, the Turkmen service of Radio Free Europe/Radio Liberty (RFE/RL), on 10 November 2020, residents of the Karakum district of the Mary region [staged](#) a spontaneous protest because of the lack of flour sold at state subsidised prices. About 30 people who were standing in line at a local state store to buy the promised monthly ration of flour took off to the local government administration when learning that there was not enough flour for the several hundred people wishing to buy this staple. They demanded that the authorities solve the problem with the lack of flour at state stores and grant them the flour rations to which they are entitled. A representative of the local administration came out to talk to the protesters, but after exchanging a few words with them, he called the police, who promptly arrived and dispersed the crowd.
- ❖ Turkmen News reported about two cash-related protests in the city of Balkanabad in September 2020. On 7 September 2020, about 200 people [joined forces](#) to complain to the authorities after standing in line for hours to withdraw money at Turkmenistan Bank operated ATMs in this city without being able to do so. The protesters first went to the regional prosecutor's office, where officials said that they did not deal with these kinds of issues, and then to the Central Bank's branch office in the city, where officials promised that money would be available at the ATMs "within half an hour". However, this did not happen and the protesters had to go home without cash. On 25 September 2020, about 300 people who similarly were unable to withdraw cash after standing in line for hours [went](#) to the prosecutor's office to complain. This time, officials there intervened and contacted the director of the Turkmenistan Bank, and as a result, protesters were able to get cash.

## Attempts to put down anti-government protests abroad

In summer 2020, members of Turkmenistani communities abroad, above all in Turkey and the United States organised a series of peaceful rallies to protest against the policies of the Turkmenistani government. These protests were prompted by the government's [flawed response](#) to the devastating hurricane that hit parts of Turkmenistan in April 2020 – instead of focusing on assisting the victims of this natural disaster, the government sought to cover it up. However, rally participants also raised other issues of concern, including the government's policy of denial with respect to the COVID-19 pandemic and its failure to take adequate action to protect citizens at this time. The rallies were promoted on social media and reported on by independent exile-based outlets covering Turkmenistan.

These developments did not please the Turkmenistani government, which responded by unleashing a campaign of pressure against individuals who were involved in the protest movement abroad or who were accused of having ties to it (see more under Expression). In some cases, actions taken by local authorities supported the efforts of the Turkmenistani government to prevent further protests against its policies. In particular, in connection with a planned protest outside Turkmenistan's consulate in Istanbul on 19 July 2020, Turkish police [detained](#) some 80 people, held them for several hours and requested their contact information. It appeared that this information was handed over to the Turkmenistani

authorities as Turkmenistan-based relatives of detained protesters subsequently were subjected to intimidation: human rights groups [documented](#) several such cases (for more information on the trend of targeting relatives of activists based abroad, see Expression). While Turkish police justified the detentions with the lack of permission to hold the planned protest due to COVID-19 related restrictions on assemblies, there were also [reports](#) suggesting that Turkmenistani diplomats had requested the Turkish authorities to intervene to stop the planned protest. **Dursoltan Taganova**, one of the activists detained on this day was held for more than a month and threatened by deportation to Turkmenistan – officially for a visa violation but in reality, in retaliation for her engagement in the protest movement against the Turkmenistani government (see more on this case under Expression).

In recent months, foreign-based opposition groups have initiated new protests against the Turkmenistani government. For example, in February 2021, such groups planned on holding [a series of one-person pickets](#) in Istanbul in connection with the death of a young athlete, who was [killed](#) under unclear circumstances in Turkmenistan the same month. According to TIHR's information, ahead of the planned protests, Turkish police [called up](#) activists known to be involved in the Turkmenistani protest movement and warned them that they would be held accountable if taking part in unsanctioned events held in violation of COVID-19 restrictions. Those targeted believed that the Turkmenistani authorities had informed the Turkish police about the planned protests and provided the names and contact details of activists. People believed to be associated with Turkmenistan's diplomatic representations in Turkey also reportedly visited several companies and educational institutions where Turkmenistani migrants work and study, [threatening](#) them not to participate in opposition events if they wanted to "avoid problems" for themselves and their relatives in Turkmenistan. TIHR's sources reported that the pickets eventually [did not take place](#) as planned in Istanbul.

Another example of how the Turkmenistani authorities have sought to restrict the right to freedom of assembly of citizens abroad is the case of **Malik Allamyradov**, who studies at university in Russia and runs a [YouTube channel](#) critical of the Turkmenistani government:

- ❖ As documented by Memorial Human Rights Centre (Memorial) and the Turkmen Helsinki Foundation (THF), local police [detained](#) Allamyradov on 18 February 2021, when he held a one-person picket in the city of Elista in the Russian region of Kalmykia where he lives. He was protesting against the Turkmenistani government's restrictive policies with respect to money transfers abroad, which have created financial difficulties for him and many others from Turkmenistan who study outside the country. Police held him for several hours, questioning him and accusing him of violating the procedure for organising assemblies set out by Russian law, although it allows for holding single pickets without advance permission from authorities. They warned him that he might not only be fined but also deported. They also accused Allamyradov's friend, a student from Uzbekistan who filmed the picket, of taking part in an unsanctioned protest. Following this incident, officials at the university where Allamyradov studies held several discussions with him, during which they reportedly subjected him to pressure because of his civic activism and threatened to expel him from the university. This is not the only case where university officials have put pressure on Turkmenistani students in Russia, based on apparent interventions by Turkmenistani authorities (see also the case on Rozgeldy Choliev under Expression).

On 11 March 2021, a local court considered the case of Allamyradov and his friend and [acquitted](#) them in relation to the February picket. Allamyradov nevertheless remains at risk. Because of his social media engagement, Turkmenistani law enforcement authorities have repeatedly [intimidated](#) his parents in Turkmenistan.

## **Forcible mobilisation for state-organised mass events**

While repressing the right of citizens to discuss and freely assemble on issues of public concern, the Turkmenistani authorities mass mobilise residents for state-organised parades, celebrations and other regime-praising events, at the threat of repercussions for the refusal to participate. Public sector employees and students are the groups most frequently mobilised for such events. According to TIHR's information, when hired, employees at public institutions have even been [required](#) to sign agreements that they may be dismissed if they refuse to participate in "mass events aimed at glorifying the great achievements of the country and its leadership".

The practice of forcible mobilisation of state events is in violation of the right to freedom of assembly, a basic element of which is voluntary participation in assemblies. Among others, the United Nations Human Rights Committee has [criticised](#) Turkmenistan for this practice and called on the authorities to "ensure that participation in mass events is voluntary and refrain from any reprisals for non-participation".

During the COVID-19 pandemic, the Turkmenistani authorities have continued mobilising residents for state-organised mass events, although there have been fewer events of this kind than previously. In this way, the authorities have not only violated the right to freedom of assembly of citizens but also exposed them to a heightened risk of contracting COVID-19, in particular by failing to ensure that event participants comply with protective measures such as physical distancing and the use of masks enforced in other contexts. For example, in connection with the Novruz spring holiday in late March 2021, local authorities mobilised public sector employees and students to participate in [mass celebrations](#) in the capital Ashgabat and other parts of the country. In order to get to the venues of the celebrations, participants had to travel on overcrowded buses, and they did not use masks.

In violation of both assembly and labour rights, the authorities have also continued organising so-called *subbotniki* – days of free labour for public purposes, mobilising employees at public institutions, students and other residents in non-voluntary ways to plant trees, clean outdoor areas and carry out other tasks. In a recent example, a series of *subbotniki* were organised in Ashgabat ahead of the capital's 140-years' anniversary celebrated on 25 May 2021. According to TIHR's information, police [supervised](#) and warned participants that they might face legal consequences unless they performed their tasks as instructed.

# ASSOCIATION

## Closed space for independent NGOs

Turkmenistan's Law on Public Associations requires such organisations to obtain compulsory state registration in order to operate lawfully, provides for strict registration rules especially for nation-wide associations and grants authorities wide powers to oversee the activities and finances of associations, as well as to close them down. In practice, the Turkmenistani authorities continue to promote government-supported and controlled organisations and have failed to take steps to enable genuinely independent civil society organisations to operate in the country. Thus, as previously, no independent NGOs addressing human rights or other politically sensitive issues are registered or able to work openly in the country. Civil society activists who dare to publicly criticise the authorities and/or who have contacts with groups based abroad are highly vulnerable to persecution (see more under Expression).

## Pressure against exile-based groups

Exiled Turkmenistani NGOs have also faced pressure. The website of Austria-based TIHR, *The Chronicles of Turkmenistan* is regularly the target of cyberattacks. While TIHR has been able to successfully navigate most attacks, some particularly powerful ones have resulted in temporary disruptions to the work of the site. For example, [in September 2020](#), and [again in May 2021](#), TIHR was subjected to such attacks. TIHR believes that the cyberattacks are carried out at the orders of the Turkmenistani security services in an attempt to obstruct the organisation's independent coverage of developments in Turkmenistan. Similar to other independent Turkmenistan-covering sites, TIHR's site is blocked in the country, and only accessible with the help of internet censorship circumvention tools such as virtual private networks (VPNs), whose use the authorities have also sought to prevent (see more under Expression). Recently TIHR's YouTube channel was blocked following copyright complaints filed by a government associated account and, thus, the organisation was silenced on this social media platform where its independent reports about the situation in Turkmenistan had attracted millions of views (see more under Expression).

In addition to the attacks targeting TIHR's online resources, TIHR's director Farid Tukhbatullin and his family members have repeatedly been subjected to intimidation. Most recently, on 9-11 March 2021, Tukhbatullin's mother, brother and aunt, who live in the city of Dashoguz, all received suspicious calls/visits from local officials, leading the defender to suspect that this was another attempt at putting pressure on him through his relatives.

Most of TIHR's contributors inside Turkmenistan work clandestinely for security reasons, while activists with a public profile who cooperate with the organisation are held under surveillance and face ongoing attempts by authorities to obstruct their work. For example, journalist Soltan Achilova, who currently works with TIHR, has reported numerous incidents of intimidation and harassment in recent years because of her efforts to document and report on developments on the ground. When Achilova was selected as finalist for the prestigious Martin Ennals Award for Human Rights Defenders in January 2021, the nomination [read](#): "In retaliation for her commitment to freedom of speech in one of the most

censured and isolated countries in the world, Soltan was victim to physical attacks, subject to a travel ban and strict surveillance. Against all odds, she keeps speaking the truth and reporting on human rights abuses in her country.”

Turkmenistan-based contributors of Turkmen News, a news and human rights organisation operating from the Netherlands have also been subjected to persecution. Last year Nurgeldy Khalykov was imprisoned on charges believed to have been fabricated in retaliation for his cooperation with the organisation (see more on his case under Expression).

## EXPRESSION

Any kind of civic engagement entailing criticism of the authorities is associated with the risk of persecution in Turkmenistan. The Turkmenistani authorities have recently increased pressure on critical voices in response to growing expressions of discontent with the government, in particular through social media platforms and anti-government rallies held by Turkmenistani diaspora communities (see more under Peaceful Assembly). The authorities have targeted both outspoken activists who live abroad and individuals in the country who have dared to challenge the government or who have been in contact with groups or activists abroad.

### Intimidation of activists based abroad

Turkmenistani activists based abroad have been intimidated and harassed because of their involvement in anti-government protests, their participation in the activities of exile-based opposition groups, and their social media engagement and criticism of the government. In a growing trend, the Turkmenistani authorities have targeted activists who live abroad through their relatives inside the country. In a number of cases documented by human rights groups in the past year, Turkmenistani law enforcement authorities have visited and summoned the relatives of foreign-based activists, threatening them with repercussions unless the activists stop their civic and social media engagement and refrain from criticising the authorities. In a [joint statement](#) issued in May 2021, TIHR, IPHR, Human Rights Watch and Amnesty International expressed concern at this trend and called on the Turkmenistani authorities to immediately end their harassment of relatives of dissidents based abroad.

Below recent examples of this trend are described; additional ones can be found in other parts of this report (see Peaceful Assembly):

- ❖ In March-May 2021, authorities in Turkmenistan’s Lebap region carried out a campaign of intimidation against relatives of **Rozybai Jumamuradov**, an activist and journalist who lives in Turkey and is a vocal critic of the Turkmenistani authorities on social media.

Jumamuradov [told](#) TIHR that on 4 May, security services summoned his 14-year-old nephew and questioned the boy about his uncle’s activities, and about any communications he has had with him. The officials cursed and shouted at the teenager and threatened to imprison him and his parents because of their contacts with Jumamuradov. They also brought the boy’s mother to the

police station and interrogated and intimidated her in the presence of her son. After taking profile photos of both, treating them as if they were criminal suspects, the security service officials released them. Prior to this, on 26 April 2021, national security officials had summoned and questioned the boy's father, and on 21 March 2021, unidentified people had called the boy's family and threatened to kill them unless they stop communicating with Jumamuradov.

In a later incident that TIHR [learned about](#), the principal at the school where Jumamuradov's niece studies threatened the girl with bad grades because of her uncle's activities. The same principal had previously facilitated the questioning of Jumamuradov's nephew by arranging for a teacher to take the boy by car to the police station, in response to request from the security services.

Rozybai Jumamuradov has participated in discussions with members of Turkmenistani opposition groups on social media and was also involved in the peaceful rally initiated in Istanbul in July 2020 to protest against the policies of the Turkmenistani government (see more under Peaceful Assembly). He previously worked as a correspondent for the Prague-based Turkmen service of RFE/RL but was forced to flee the country in 2009 to escape persecution after the security services found out about his work for this service.

- ❖ **Devlet Bayhan**, an activist who is based in Germany and runs a [video blog](#) critical of the Turkmenistani authorities, [told](#) TIHR that national security officials visited and threatened his relatives in the city of Mary in Turkmenistan on several occasions since the end of March 2021. Bayhan said that two of his relatives were fired from their jobs in early April 2010, clearly in retaliation for his activism. Officials warned one of his family members, whose son is currently serving in the army, that their son might not return alive unless Bayhan quits his activism. Bayhan has spoken out on his blog about various issues concerning the situation in Turkmenistan, and recently criticised President Gurbanguly Berdymukhamedov's [election](#) as chair of the newly introduced second chamber of parliament, in violation of a constitutional provision that prohibits the president from being a member of parliament.

Previously, when living in Turkey, Bayhan worked for several years as freelance correspondent for the Turkmen service of RFE/RL. He left Turkey in 2019 after being intimidated and harassed by both Turkmenistani security services and Turkish police.

- ❖ The mother of **Sultan Ovezov**, who lives in Turkey, was subjected to intimidation after her son participated in several online conferences organised by Turkmenistani activists based abroad in early 2021 to discuss human rights issues in Turkmenistan. Unlike many other participants he did not hide his face during the conferences, as a result of which the Turkmenistani authorities were able to identify him. According to Memorial and the THF, on 23 February 2021, security service and plain clothes officers [visited](#) Ovezov's mother, who lives in the city of Turkmenabat in Turkmenistan. Without introducing themselves, they asked her about her son, his whereabouts and civic engagement and demanded that he returns to Turkmenistan. When she said that he is 24 years old and can answer for himself, they threatened her, saying: "Your son will rot in jail, you will never see him again".

Radio *Azatlyk* has also [reported](#) that local authorities in Turkmenistan have organised “prophylactic” meetings for people whose children or other close relatives live abroad to demand that they ensure that their relatives do not participate in the activities of opposition groups or make internet appearances critical of the government. For example, according to the service’s information, such meetings were held in the Lebap region in spring 2021. At these meetings, the organisers also reportedly warned the participants that Turkmenistani security services operate actively abroad.

Other Turkmenistani activists living abroad have been subjected to multiple forms of pressure, involving both direct and indirect forms of intimidation. This pattern is illustrated by the cases of Dursoltan Taganova and Rozgeldy Choliev, both of whom faced the threat of being forcibly returned to Turkmenistan, where they would be at imminent risk of arrest, torture and imprisonment in retaliation for their civic engagement and criticism of the authorities:

- ❖ **Dursoltan Taganova**, an opposition and civil society activist living in Turkey, was detained by Turkish police in connection with the planned rally against the policies of the Turkmenistani government in Istanbul on 19 July 2020 (see more on this protest under Assembly). While all others who were detained were released the same day, Taganova remained in detention. She was ordered to be deported and [transferred](#) to a deportation centre, pending possible return to Turkmenistan. The formal grounds for her detention were a visa violation – similar to many other Turkmenistani citizens living in Turkey, she had been unable to renew her Turkmenistani passport at the embassy in Turkey and thereby to renew her Turkish visa. However, Taganova’s co-activists and rights groups are convinced that she was targeted in retaliation for her engagement in the protest movement against the Turkmenistani government. Prior to the detentions outside Turkmenistan’s consulate in Istanbul on 19 July, the consulate [had filed a complaint](#) against Taganova and four other activists with Turkish police, accusing the activists of interfering in the work of its diplomats and threatening them with violence. That complaint was rejected by the Turkish authorities, but shows that the Turkmenistani authorities were actively engaged in efforts to secure Taganova’s detention.

Following campaigning in Dursoltan Taganova’s support, she was eventually [released](#) on 12 October 2020. She has applied for asylum application in Turkey, but remains at threat. According to Memorial and the THF, following Taganova’s release, authorities in Turkmenistan [warned](#) her relatives there that she had been declared wanted as a “swindler” and would be arrested if she returns to the country. Her relatives were also told that her pictures had been disseminated among police stations across the country and that she had been included in a police database of “traitors”. In addition, local authorities [reportedly](#) launched an orchestrated smear campaign against Taganova, accusing her of attempting to “destabilise” the situation in Turkmenistan. Since Taganova first started posting videos which are critical of the government on the internet – without hiding her identity – in June 2020, her relatives who live in Turkmenistan have repeatedly [been subjected](#) to intimidation and harassment, including by being summoned for questioning, detained, allegedly ill-treated and pressured to denounce the activist on camera.

In April 2021, Taganova [told](#) Memorial that she was subjected to a new intimidation attempt in Turkey. According to her, on 14 April 2021, migration authorities in Istanbul summoned her for an informal discussion, during which officials who did not properly introduce themselves questioned

her about her civic and online engagement and warned her that she might face problems with her residency in Turkey unless she stops speaking out against the Turkmenistani government.

- ❖ **Rozgeldy Choliev** has repeatedly been subjected to pressure for posting videos critical of the Turkmenistani government on the internet. As [documented](#) by Memorial and the THF, he started posting such videos in April 2020 to express his resentment about the government's refusal to allow his parents to send him USD 500 to help cover costs related to the birth of his son in Russia, where he was living and studying with his wife at the time. Turkmenistan's government strictly controls money flows out of the country and does not allow individual citizens to convert money into foreign currencies and transfer it abroad without permission. Choliev's video appeals appeared on the social media channels of Turkmenistani opposition groups based abroad. Soon after the publication of his first video an official from the administration of Karachay-Cherkess State University, where he enrolled as a student in 2018, summoned him for discussion, accused him of "dishonouring the university" and "defaming his country", and threatened to have him returned to Turkmenistan. This was reportedly done based on the initiative of Turkmenistan's consulate, who had contacted the university. Choliev's relatives residing in Turkmenistan were also subjected to intimidation.

However, in spite of the intimidation, Choliev continued posting government critical videos and in September 2020 he flew to Turkey where he was planning to connect with other activists from Turkmenistan. After an earlier failed attempt to board a plane back to Russia, he arrived at Moscow's Sheremetyevo Airport on a plane from Istanbul on 2 March 2021. Russian border officials [refused](#) him entry with reference to travel restrictions imposed in response to the COVID-19 pandemic and threatened to deport him. During questioning, the reportedly told him that Turkmenistani consulate representatives would decide "what to do" with him. The border authorities initially ignored Choliev's request to apply for asylum and he was left stranded in the international sector of the airport. In a [joint letter](#) dated 8 March 2021, Memorial Human Rights Centre, Human Rights Watch, the Turkmen Helsinki Foundation, TIHR and IPHR called on the Russian State Border Service to urgently allow Choliev access to an asylum determination procedure, in accordance with Russia's international obligations. After the attention to the case, the Russian authorities eventually accepted Choliev's asylum application. However, he was not allowed to leave Sheremetevo Airport and on 23 March 2021, he was informed that his asylum application had been rejected, forcibly placed on a plane to Turkey and [deported](#) without having had the opportunity to appeal the asylum decision.

According to information from the THF, when Choliev [arrived](#) in Istanbul, Turkish police informed him that an official from Turkmenistan's consulate in the city was waiting for him. He declined to meet the official, who then asked Turkish police to hand over copies of "all Choliev's documents" and said that the consulate "will find him". Consulate officials had also reportedly visited Choliev's acquaintances from Turkmenistan, with whom he had previously been staying in Istanbul. As a result, they told him that they could no longer accommodate him as they were fearing possible repercussions.

Following his return to Turkey, Choliev has continued posting YouTube appeals and he remains at risk.

## Targeting critical voices inside Turkmenistan

In recent months, human rights groups have [documented](#) several cases where the Turkmenistani authorities have tracked down and threatened Turkmenistan-based individuals who have used social media platforms to speak out against the government and engage with like-minded individuals based abroad. In some cases, outspoken social media activists have been detained. These are two examples:

- ❖ Security services [detained](#) **Murad Dushemov** and his mother in Ashgabat on 16 June 2020 after the activist published a YouTube appeal, in which he criticised both the government and the exile-based opposition and called on political movements to work together with people in the country. Prior to this, he had reportedly [taken active part](#) in the discussions on a chat forum of an exile-based opposition group. Dushemov's mother was released later the same day, while Dushemov was [held](#) for ten days.
- ❖ Police [detained](#) **Kurbanov Reimberdy**, an active participant in chat discussions with protest movement participants based abroad, in Turkmenabat on 8 August 2020. The same day security service officials searched Reimberdy's home and confiscated his computer, telephone and flash cards, on which they reportedly found materials related to the exile-based protest movement. Reimberdy [was released](#) after being held for 15 days.

Other Turkmenistan-based individuals have been criminally charged and imprisoned in retaliation for their contacts with activists and groups abroad:

- ❖ In December 2020, Turkmen News [reported](#) that **Nurgeldy Khalykov** had been sentenced to four years in prison on fraud charges believed to have been fabricated in retaliation for his cooperation with the outlet.

A local Ashgabat court handed down the sentence on 15 September 2020, allegedly based on a complaint that Khalykov had failed to repay a private debt of 5000 USD. Khalykov was first detained and prosecuted in mid-July 2020 after sharing a photo with Turkmen News of the WHO delegation, who [visited](#) Turkmenistan that month to look into the COVID-19 related situation in the country. The photo in question depicted mission members sitting at a table and talking outside an Ashgabat hotel and had been taken by Khalykov's former schoolmate, who was spending time at the hotel pool with her friends. She posted it on her Instagram account where Khalykov saw it. According to Turkmen News, police first detained the young woman who took the picture and carefully studied the contacts and communication on her mobile phone, which made it possible for them to identify Khalykov. While Khalykov was convicted in September 2020, his relatives only wished to make his case public when he was not released under an amnesty implemented in December 2020, contrary to what authorities reportedly had promised.

At the time of his detention, Khalykov [had cooperated](#) with Turkmen News for several years and the outlet had published dozens of stories based on his information, including most recently in relation to the COVID-19 pandemic. Khalykov's material was published without attribution to protect him, but Turkmen News [believes](#) that authorities found out about his work for the

outlet during questioning and fears that he might have been subjected to physical abuse to coerce him to confess to the fraud charges initiated against him.

International media watchdogs, including [Reporters without Borders](#), [the Committee to Protect Journalists](#) and [Justice for Journalists Foundation](#) have spoken up in support of Khalykov and called for his release. The OSCE Representative on Freedom of the Media, Teresa Ribeiro, stated that she had [requested](#) additional information on Khalykov's case during a meeting with Turkmenistan's ambassador in Vienna in February 2021.

The same month several UN special procedures [sent a letter](#) to the Turkmenistani authorities about Khalykov's case, in which they expressed concern about the reported acts of reprisals against him, including "allegedly meritless charges, judicial harassment and seemingly arbitrary detention". They expressed concern at "the chilling effect that the disproportionate and seemingly punitive charges and extended detention imposed against Khalykov may have on the exercise of the freedom of expression in Turkmenistan", concluding that the case is "reflective of a deliberate and systematic pattern of severe restrictions" on this right in the country. The UN mandates requested the Turkmenistani authorities to respond in detail to the allegations presented and provide information about the journalist's current whereabouts and status. However, [in their response](#), the Turkmenistani authorities only briefly confirmed the sentence against Khalykov and said that he was serving it in a detention facility in the Lebap region.

As highlighted in the UN letter, Khalykov's family have reportedly been denied the right to visit him in detention due to COVID-19 related restrictions.

- ❖ Lawyer **Pygambergeldy Allaberdyev** was [arrested](#) by police in the city of Balkanabad on 5 September 2020 and subsequently [handed](#) a six-year prison sentence "hooliganism" and "intentional infliction of moderate bodily harm" for allegedly getting into a fight with another man, who had attacked and tried to provoke a conflict with him.

Rights groups [believe](#) that the lawyer was targeted because of his alleged links to members of the anti-government protest movement abroad. Following his arrest, law enforcement authorities reportedly questioned him on this issue, while rejecting his request to see medical reports of the alleged injuries he was accused of inflicting on the other man. Rights groups also [pointed to](#) serious due process concerns in the case. In particular, the trial was held behind closed doors and Allaberdyev had no legal defence since several lawyers whom his family approached declined to work on the case, apparently out of fear for reprisals, and he refused the services of a government-appointed lawyer. Allaberdyev's family received no official information about the court ruling.

According to [information](#) from Memorial and THF, Allaberdyev's health has deteriorated in prison, and he has not received adequate medical assistance. Because of COVID-19 related protective measures, his relatives have not been allowed to see him since his imprisonment, nor to communicate with him in other ways or hand over medicine or other necessities to him.

While Turkmenistan's prison system is closed to independent monitors, available information indicates that the treatment of those imprisoned on politically motivated grounds is particularly harsh. The COVID-19 pandemic has reinforced concerns about the health and well-being of these prisoners, in particular given pre-existing problems of overcrowding and poor sanitation in the

country's prisons, combined with the government's official policy of COVID-19 denial. New restrictions on contacts with family members enforced at this time, as described in the case examples above, have contributed to an even more vulnerable situation of prisoners. Dozens of individuals imprisoned following politically motivated and charged trials in previous years remain disappeared, with their families having received no information about the fate and well-being of the prisoners for years. The Prove They Are Alive! NGO campaign has [documented](#) over 120 such cases.

## **Covering up crises and pursuing those who challenge these efforts**

The Turkmenistani government uses state-controlled media as platforms for the dissemination of state propaganda depicting Turkmenistan as living in an era of happiness and prosperity. President Berdymukhamedov has publicly called on national media outlets to focus on reporting about positive developments and the achievements of the government. In order to back up the narrative promoted through state-controlled media, the Turkmenistani authorities attempt to cover up crises and other developments that may reflect badly on those in power. Thus, the government has failed to acknowledge the serious economic crisis that the country is currently experiencing and has persistently claimed that the COVID-19 pandemic has not reached the country, although information from independent sources has indicated a serious, national outbreak.

As part of its policy of COVID-19 denial, the government has [pressured](#) medical workers to participate in covering up the COVID-19 outbreak and threatened them with repercussions should they leak information about COVID-19 cases. In an attempt to prevent medical workers from documenting and sharing COVID-19 related information, the authorities have reportedly banned medical workers using at facilities treating suspected COVID-19 patients from using their mobile phones at work. In a case documented by TIHR in April 2020, a doctor working in a quarantine zone, who forgot to remove his cell phone from his pocket during his shift, was [detained](#) by security services, questioned and warned that he might be criminally charged if found to have shared photo or video material with foreign media. In a more recent case [reported](#) by Radio *Azatlyk* in March 2021, police in the city of Turkmenabat carried out checks of the mobile phones of staff working at local medical institutions in an attempt to track down individuals sharing COVID-19 related information with independent outlets based abroad.

Medical professionals have also faced intimidation for raising concerns about the lack of adequate resources for the diagnosis and treatment of people with acute respiratory conditions indicative of COVID-19. For example, after more than 100 medical workers in Turkmenabat appealed to the regional authorities to provide hospitals with more means of personal protection, medicine and equipment, they were [warned](#) that the appeal was "contradictory to the president's policies" and that they might be held accountable.

Another example of how the authorities used repressive tactics to back up its attempt to cover up a crisis was seen in connection with a hurricane that [caused](#) significant destruction, the loss of lives and displacements of residents in the Lebap and Mary regions of Turkmenistan in late April 2020. Following this natural disaster, the authorities went after citizens accused of documenting the destruction inflicted by the hurricane on their phones and of sharing photos and videos with contacts abroad. TIHR learned that 66 people were [detained](#) on these grounds in the city of Turkmenabat. Most of those detained were

released without charge after being interrogated and warned. However, two women faced [criminal charges](#) of defaming law enforcement officials because they questioned the actions taken against them.

## **Attempts to prevent access to information from independent Turkmenistan-covering sources**

While national state-controlled media outlets only communicate state-endorsed messages, the authorities attempt to prevent citizens from accessing alternative, independent information from foreign sources. Thus, in addition to being [limited, expensive and slow](#) compared to global standards, internet access in Turkmenistan is heavily restricted. Many social media networks, messenger apps and Turkmenistan-covering websites have been arbitrarily blocked in the country and are only accessible with the help of internet circumvention tools such as virtual private networks (VPNs).

At the same time, the authorities have recently [stepped up](#) their campaign against VPNs. They have systematically blocked such tools, with large-scale service failures being [reported](#) in March 2021. The authorities have also summoned and intimidated individuals who have used VPNs to access foreign-based sites that are otherwise unavailable in the country. For example, in December 2020, the security services reportedly [summoned](#) at least ten people living in the Lebap region, questioning them about why they were watching online content critical of the situation in Turkmenistan and pressuring them to sign statements saying that they would stop accessing such resources. One of those targeted [told](#) Radio *Azattyk* that security service officials questioned him for about eight hours about YouTube content he had recently watched and threatened him with criminal prosecution and imprisonment unless he agreed to sign a statement saying that he would stop using VPNs to access information critical of Turkmenistan's government and president. He said that the security service officials asked him: "Are you a traitor? Against the President?".

As covered elsewhere in this report (see Association), independent Turkmenistan-covering websites have been subjected to cyberattacks believed to originate from the Turkmenistan authorities. In another recent trend, complaints about copyright violations appear to have been used as an additional tool in the government's efforts to obstruct access to independent sources that report critically about the situation in Turkmenistan. Complaints filed by government-associated accounts have resulted in takedowns and blockings of video material published on YouTube by independent groups:

- ❖ On 13 May 2021, the Netherlands-based Turkmen News and its partners published the results of an [investigation](#) into corruption relating to food imports to Turkmenistan, which implicated the president's nephew. The organisation also posted a video about the investigation on its YouTube channel. The following day, the video was [blocked](#) based on a complaint about copyright violations filed by a design firm that decorated and furnished an exclusive mansion built by the nephew in Ashgabat, allegedly using money obtained as a result of the corrupt import scheme. In its video, Turkmen News used footage from a video about the controversial mansion posted by this firm. The organisation [challenged](#) the takedown decision.
- ❖ In May 2021, TIHR's entire YouTube channel "Chronicles of Turkmenistan" was [blocked](#) based on complaints about copyright violations, which had been [filed by](#) the Watan Habarlary channel

belonging to Turkmenistan's State Committee on Television, Radio Broadcasting and Cinematography. Similar to other Turkmenistan-covering organisations, TIHR has used official footage from Turkmenistani state TV to illustrate its video reports about the situation in the country, without hiding that the footage originates from this source. At the time of its closure, TIHR's YouTube channel had around 100,000 followers and close to 50 million views and, thus, represented an influential source providing Turkmenistan coverage alternative to that of state-controlled media. TIHR is attempting to restore the channel. The Watan Habarlary account has also filed copyright complaints against other independent Turkmenistan-covering sites.

According to the [assessment](#) of Turkmen News, the recent takedown requests contradict Turkmenistan's law, which permits the use of short excerpts from lawfully published works as illustrations in sound and video recordings and other published materials of an educational nature, as long as the source is indicated. The organisation stressed the role of exile-based independent organisations in raising awareness about issues of public importance in Turkmenistan, in a context in which independent journalism is not possible inside the country and anyone who shares non-official video and photo material with organisations based abroad are at the risk of persecution (as seen, for example, in the case of Nurgeldy Khalykov).

YouTube is blocked in Turkmenistan, but residents are able to access it using VPN services.

## RECOMMENDATIONS

Based on the issues covered in this report, we would like to make the following recommendations.

### PEACEFUL ASSEMBLY

The Turkmenistani authorities should:

- Revise the Law on Organising and Conducting Assemblies, Rallies, Demonstrations and other Mass Events to ensure that it fully corresponds to international standards and safeguard the right of citizens to freely assemble on issues of concern to them, including by holding peaceful spontaneous protests without facing repercussions.
- Respect the right to freedom of assembly of citizens living abroad and refrain from any attempts to intimidate and harass the participants or potential participants in peaceful protests against the government's policies held in other countries.
- In accordance with the recommendation of the UN Human Rights Committee, end the practice of forcibly mobilising residents for state-organised mass events, and ensure that participation in such events is voluntary and that the refusal to participate does not result in reprisals.

### ASSOCIATION

The Turkmenistani authorities should:

- Bring the provisions of the Law on Public Associations into full compliance with international human rights standards, in particular by abolishing the requirement for compulsory registration of such organisations.
- Create genuine space for independent NGOs to operate by ensuring that independent groups that so wish may obtain legal status in a fair and transparent process and carry out their activities without undue interference by authorities.
- Refrain from putting pressure on independent human rights and news providing NGOs, which are based in exile for security reasons, as well as their contributors inside the country.

## **EXPRESSION**

The Turkmenistani authorities should:

- Put an end to the pattern of intimidation and harassment of citizens based in- and outside the country – directly and indirectly through their relatives -- because of their criticism of the current situation in Turkmenistan and their contacts with like-minded individuals to discuss, exchange information and engage on issues of concern to them. To this end, high-ranking government officials should publicly condemn incidents of intimidation and harassment targeting civic activists and their relatives and ensure that such incidents are promptly and effectively investigated and those responsible held to account.
- Ensure that no one is criminally charged, declared wanted, arrested or imprisoned because of their expressions of discontent, civic engagement or contacts with foreign-based opposition groups; and promptly review any convictions handed down against citizens in retaliation for their legitimate exercise of the freedoms of expression, association and assembly, and urgently release them.
- Ensure that no one is subjected to retaliatory measures for documenting and sharing information on issues related to the COVID-19 pandemic or other crises or issues of public concern in Turkmenistan.
- Stop the practice of arbitrarily blocking access to internet resources in the country and refrain from intimidating individuals who are using censorship circumvention tools to access resources that feature independent information and discussion of the situation in Turkmenistan.
- Ensure that mechanisms for reporting copyright violations on online platforms are not abused to stifle independent reporting on issues of public concern in Turkmenistan.