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Briefing paper for EU-Turkmenistan Human Rights Dialogue: Key human rights concerns in Turkmenistan

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TIHR - Turkmen Initiative for Human Rights is the successor organisation of the Helsinki Group of Turkmenistan and was registered as an independent association in Vienna (Austria) 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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IPHR - International Partnership for Human Rights 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

- INTRODUCTION: CONTINUED REPRESSION UNDER NEW PRESIDENT 1
- 1. OBSTRUCTING ACCESS TO INDEPENDENT INFORMATION, INTERNET CENSORSHIP 1
- 2. NO ROOM FOR SPONTANEOUS PROTESTS, CONTINUED MASS MOBILISATION.....3
- 3. PERSECUTION OF DISSENT, INDIVIDUAL CASES OF CONCERN5
- 4. TWENTY YEARS SINCE REPORTED ASSASSINATION ATTEMPT, ONGOING PRACTICE OF ENFORCED DISAPPEARANCES..... 13
- 5. VIOLATIONS OF WOMEN’S RIGHTS..... 14

INTRODUCTION: CONTINUED REPRESSION UNDER NEW PRESIDENT

In March 2022, Turkmenistan saw an orchestrated transfer of power from father to son, with Serdar Berdymukhamedov assuming the presidency after his father Gurbanguly Berdymukhamedov, who had held this office since 2006. Serdar Berdymukhamedov took office on 19 March 2022 following a presidential election, which was not free or fair and did not offer voters any real choice. Even after leaving the presidency, Gurbanguly Berdymukhamedov remains an influential figure and retains the position as chair of the upper chamber of parliament. The personality cult that evolved around Gurbanguly Berdymukhamedov during his presidency now extends to both him and his son.

In his inauguration address, Serdar Berdymukhamedov stated that his “main duty” will be “to protect the rights of citizens as guaranteed by the constitution” and pledged to ensure “a humane state policy”.¹ However, seven months into his presidency, he has failed to take any meaningful steps to improve the human rights situation in the country, and repressive practices from his father’s reign continue, as detailed below in the different sections of this briefing paper. Moreover, since the new president took office, human rights protection appears to have deteriorated further in some areas, in particular with respect to internet censorship and violations of the rights of women.

1. OBSTRUCTING ACCESS TO INDEPENDENT INFORMATION, INTERNET CENSORSHIP

As previously, the Turkmenistani government tightly controls the flow of information in the country, uses state media outlets as propaganda tools and restricts access to alternative sources of information. To promote its own narratives of the situation in the country, the government denies and covers up developments that may reflect badly on the authorities. For example, it has failed to acknowledge the scope and extent of the protracted economic crisis, which the country has been experiencing for the last few years, and has sought to conceal manifestations of this crisis (such as long lines outside stores selling rationed food products at state subsidised prices).² It has also persistently claimed that the Covid-19 pandemic has not reached the country, although independent sources have reported about a serious national outbreak.³

Internet access in Turkmenistan remains slow, expensive and limited compared to global standards, as confirmed by international surveys. For example, in the 2022 Internet Accessibility Index⁴, published by the UK-based broadbandchoices site, Turkmenistan was ranked 156 out of 164 countries across the world in terms of the quality, availability, and cost of internet access. Turkmenistan fared particularly

¹ See his inauguration speech at: <https://turkmenportal.com/blog/45392/rech-prezidenta-turkmenistana-serdara-berdymuhamedova-na-torzhestvennoi-ceremonii-inauguracii>

² See more in TIHR report from 3 May 2021: <https://www.hronikatm.com/2021/05/treating-symptoms/>

³ The government’s response to the Covid-19 pandemic was examined in detail in a report published by IPHR and TIHR in July 2020: <https://www.iphronline.org/it-came-with-the-wind-turkmenistan-s-covid-19-response.html>

⁴ Available at: https://www.broadbandchoices.co.uk/features/internet-accessibility-index#_internet_accessibility_index_

poorly regarding the cost of mobile internet⁵, with only three countries/territories (Equatorial Guinea, Sao Tome and Principe, and Bermuda) found to have higher costs. The cost of 1 GB of mobile data amounted to 17 USD in Turkmenistan. In comparison, this cost was much lower in all other Central Asian countries, ranging from 0,8 USD in Kazakhstan to 3,5 USD in Tajikistan. Turkmenistan also had one of the world's slowest average internet download speeds⁶, amounting to 0.37Mbps, with only four countries experiencing even slower connections (Afghanistan, Timor-Leste, Equatorial Guinea and Ethiopia). In comparison, the download speed in the other Central Asian countries ranged from 2.5 Mbps in Kyrgyzstan to 0.5Mbps in Tajikistan.

Turkmenistan has also been ranked at the bottom in other international assessments of internet speed. The Speedtest Global Index ranked Turkmenistan third last on its list of the average speed of fixed broadband connections for September 2022,⁷ with only Cuba and Afghanistan faring worse. In its 2022 global assessment of broadband speed, Cable.co.uk ranked Turkmenistan even worse – the country ended up last among 220 countries and territories across the world, similarly to in the previous year.⁸

Although *Turkmentelekom*, the country's state monopoly provider of fixed broadband connections, decreased its rates in 2021, its services nevertheless remain expensive in relation to the level of income in the country.⁹

The internet penetration rate in the country also remains comparatively low, although it has increased in recent years. There are no reliable official statistics, but according to the Digital report, internet penetration in Turkmenistan was 38 percent at the start of 2022.¹⁰

Interruptions in internet access are also regularly reported.

Moreover, internet access is heavily censored. Many social media networks, messenger apps, independent Turkmenistan-covering websites and other web resources have been arbitrarily blocked in the country. According to available information, the situation with respect to internet censorship has further deteriorated in the recent period. With reference to its sources in the country, the Netherlands-based Turkmen News reported in early October 2022 that some 1,2 million IP-addresses, or one third of all existing IP-addresses had been blocked in Turkmenistan.¹¹ Later the same month the organisation reported that the number of blocked IP-addresses had further increased.¹²

Blocked online resources are only accessible in the country with the help of internet circumvention tools such as virtual private networks (VPNs). At the same time, the authorities have stepped up their

⁵ https://www.broadbandchoices.co.uk/features/internet-accessibility-index#_the_most_and_least_expensive_countries_for_1gb_of_mobile_data_

⁶ https://www.broadbandchoices.co.uk/features/internet-accessibility-index#_the_most_and_least_expensive_countries_for_1gb_of_mobile_data_

⁷ <https://www.speedtest.net/global-index>

⁸ <https://www.cable.co.uk/broadband/speed/worldwide-speed-league/#speed>

⁹ The current rates are quoted at: <https://telecom.tm/ru/internet>

¹⁰ See <https://datareportal.com/reports/digital-2022-turkmenistan?rq=Turkmenistan>

¹¹ <https://turkmen.news/v-turkmenistane-zablokirovali-tret-suschestvuyuschih-ip-adresov/>

¹² <https://turkmen.news/25-milliarda-zablokirovannyh-ip-turkmenistan-ostaetsya-na-poslednem-meste-v-mire-po-skorosti-interneta/>

campaign against VPNs, including by systematically blocking such tools and intimidating both those who provide services on VPN installation and those who use these tools to access sites featuring alternative information about the situation in the country. As part of these efforts, law enforcement authorities have carried out arbitrary checks of the mobile phones of residents. Recently, there were even reports from several regions of police confiscating and searching the mobile phones of school children for the purpose of checking whether they had installed VPN applications and used these to access independent news and other blocked sites. Parents were summoned by police for questioning and, if VPN installations were found on their children's phones, they were reportedly scolded for displaying an "irresponsible attitude" to the upbringing of their children.¹³

There are fears that internet censorship will further increase. At a government meeting held in mid-September 2022, Turkmenistan's foreign minister proposed the creation of "an autonomous national digital network", which gave rise to concerns that the authorities might seek to introduce a national state-controlled internet disconnected from the global internet, although it remains unclear what exactly the government is planning in this respect.¹⁴

Recommendations

The Turkmenistani authorities should:

- Take effective measures to promote internet access, speed and affordability in the country, and safeguard residents' freedom to seek, receive and impart information through the global internet.
- Stop the practice of arbitrarily restricting access to internet resources in the country and ensure that any measure taken to block access to internet resources meets the strict requirements of necessity, proportionality and legality set out by international human rights law¹⁵.
- Refrain from intimidating and harassing those who install and use censorship circumvention tools to access internet resources that have been arbitrarily blocked. In particular, refrain from intimidating school children and their parents in this respect.

2. NO ROOM FOR SPONTANEOUS PROTESTS, CONTINUED MASS MOBILISATION

Public protests remain rare in Turkmenistan because of the repressive climate, although spontaneous protests occasionally take place when residents vent their frustration at hardships they are experiencing, such as the shortage of food items sold at affordable prices in state-run stores. The authorities typically seek to quickly quell such expressions of discontent.

Following the January 2022 events in Kazakhstan, which apparently increased fears of anti-government protests on the part of the authorities, police patrolling in the street reportedly increased, with police randomly stopping people to check their mobile phones and requesting even small groups of people

¹³ <https://www.hronikatm.com/2022/09/students-phone-checks/>

¹⁴ <https://www.hronikatm.com/2022/09/2022-09-17-kabmin/>

¹⁵ As summarised by the Office of the UN High Commissioner for Human Rights in the following factsheet: <https://www.ohchr.org/sites/default/files/Documents/Press/Internet-shutdowns-and-human-rights.pdf>

standing and chatting to disperse.¹⁶ At this time, the following harsh response to a spontaneous protest was also reported:

- On 10 January 2022, around 200 people gathered outside the local government office in the Farap district to express their discontent with a drastic price increase on basic food staples in stores selling food at state subsidised prices in the region. The protesters called for measures to address this situation. However, local officials refused to talk to them. In addition, soon after the protesters had gathered, more than a dozen armed men reportedly arrived and cordoned off the government building. They were followed by local police officials who accused the protesters of attempting to carry out a “riot” and warned them that they would “shoot” them, telling them to “sit at home peacefully even if they were hungry”.¹⁷ The protesters got scared and quickly dispersed.

In a related development, RFE/RL reported about a police crackdown on Ashgabat residents (mostly pensioners) who had signed a petition concerning the shortage of food sold at subsidised prices in state stores in the capital. According to the service’s sources, in January 2022, police officers visited the homes of signatories to this petition, took some of them to local police stations for interrogation, and threatened them with criminal charges.¹⁸

While repressing spontaneous expressions of discontent, the authorities have continued to forcibly mass mobilise residents for state-organised events, thereby violating their right to voluntary participation in assemblies and endangering their health and well-being, as illustrated by the following case:

- On 29 June 2022, musical-cultural events were organised to mark the 65-year anniversary of former President Gurbanguli Berdimukhamedov. The celebrations went ahead as planned, although the weather was exceptionally hot, with temperatures over 45 degrees Celsius. State employees, people working for public organisations and students were required to attend the celebrations, which were primarily held outdoors in public parks, at the threat of repercussions.¹⁹ According to TIHR’s information, in the capital Ashgabat – where the main celebrations were held, hundreds of people who attended or performed at the events organised in the ex-president’s honour required medical assistance, with some of them being hospitalised in serious condition.²⁰

Recommendations

The Turkmenistani authorities should:

- Safeguard the right of residents to freely assemble on issues of concern to them, including by holding peaceful spontaneous protests without facing repercussions.
- End the practice of forcibly mobilising residents for state-organised mass events, and ensure that participation in such events is voluntary. As long as the practice continues, take adequate measures to protect the health and well-being of participants, such as by providing them with water and food and opportunities to rest and visit the bathroom.

¹⁶ <https://www.rferl.org/a/turkmenistan-increases-controls-kazakhstan-unrest/31651382.html>

¹⁷ <https://rus.azathabar.com/a/31652255.html>

¹⁸ <https://www.rferl.org/a/turkmenistan-increases-controls-kazakhstan-unrest/31651382.html>

¹⁹ <https://rus.azathabar.com/a/31922705.html>

²⁰ <https://www.hronikatm.com/2022/07/show-must-go-on-3/>

3. PERSECUTION OF DISSENT, INDIVIDUAL CASES OF CONCERN

The Turkmenistani authorities continue to persecute people who publicly express discontent about the situation in the country, stand up for their rights, and engage with like-minded people. In their crackdown on dissent, the authorities have targeted both individuals inside the country and outspoken activists who live outside Turkmenistan, using different tactics. Below we highlight issues and cases of particular concern relating to this crackdown.

Cases of politically motivated imprisonment

The authorities continue to use politically motivated imprisonment as a tool of retaliation against critical voices. Trials in politically motivated cases are typically held behind closed doors, without access to a lawyer of their own choice for the defendants and in violation of other basic fair trial guarantees. Given the closed nature of the country's justice and prison systems, the full scale of this practice is not known. However, the following individuals are all currently serving prison sentences after being convicted on spurious charges, which human rights groups believe to have been initiated in retaliation for their peaceful and legitimate civic and journalistic engagement:

- On 16 July 2021, Turkmenistani law enforcement authorities arbitrarily detained **Khursanai Ismatullaeva**, an Ashgabat-based doctor who has been struggling for justice for several years after being unfairly dismissed from a perinatal clinic.²¹ As her complaints to different state bodies did not lead anywhere, she turned to exile-based human rights groups for help. Her detention came the day after her case was raised at an online event organized by Members of the European Parliament to discuss the human rights situation in Central Asia. For almost two weeks, there was no information about Ismatullaeva's whereabouts or the grounds for her detention; after this, it turned out that she was being held in pre-trial detention on criminal charges brought against her.²²

On 7 September 2021, Ismatullaeva was sentenced to nine years in prison on charges of fraud, forgery of documents and taking advantage of a dependent person – all offenses allegedly committed in relation to an elderly, disabled man, whom she had previously cared for. At the trial, she was not assisted by any lawyer of her own choice as all lawyers her family approached refused to take up the case given its politically sensitive nature. Human rights defenders are convinced that the criminal case against Ismatullaeva was initiated to penalize her for speaking out about her struggle for justice and seeking support from exiled-based human rights groups to this end.²³

On the first anniversary of Ismatullaeva's arrest in July 2022, several Members of the European Parliament joined the representatives of four human rights NGOs in issuing a joint statement

²¹ See more about her case in joint letter by six human rights groups issued in November 2021: <https://www.iphronline.org/wp-content/uploads/2021/11/ENG-open-letter-Hursanai-Ismatullaeva-23-Nov-2021.pdf>; and the following Turkmen News reports from 17 July 2021 and 16 November 2020: <https://turkmen.news/ismatullaeva-urgent/>, <https://turkmen.news/turkmen-doctor-seeks-justice/>

²² Turkmen News release from 28 July 2021: <https://turkmen.news/human-rights/ismatullaeva-faces-fraud-charge/>

²³ See more in joint letter by six human rights groups issued in November 2021: <https://www.iphronline.org/wp-content/uploads/2021/11/ENG-open-letter-Hursanai-Ismatullaeva-23-Nov-2021.pdf>

calling on the Turkmenistani authorities to ensure a review of the criminal case against the doctor, to release her from detention and to hold accountable those responsible for her prosecution.²⁴

- **Nurgeldy Khalykov** is currently serving a four-year prison sentence on fraud charges believed to be retaliation for his contacts and cooperation with the Netherlands-based Turkmen News.²⁵ 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.

Khalykov was first detained in July 2020 after sharing with Turkmen News an innocuous photo of WHO representatives who visited Turkmenistan that month to investigate the Covid-19 situation in the country. The photo had been taken by Khalykov's former schoolmate who posted it on Instagram. At the time of his detention, Khalykov had cooperated clandestinely with Turkmen News for several years and contributed information on different topics, including the Covid-19 pandemic.²⁶ Turkmen News believes that the authorities found out about his work for the organisation during questioning and fears that he might have been subjected to ill-treatment in detention.²⁷

Among others, UN special procedures have raised concerns about Khalykov's case, including the "allegedly meritless charges, judicial harassment and seemingly arbitrary detention" facing him.²⁸ On the second anniversary of Khalykov's conviction, in September 2022, nine human rights NGOs issued a joint statement, calling on the Turkmenistani authorities to ensure that he is released without delay and his unjust conviction is vacated.²⁹

- On 16 August 2021, a court in Dashoguz reportedly sentenced **Murat Dushemov** to four years in prison on charges believed to be retaliation for his civic engagement, including his online criticism of the government and his attempts to question Covid-19 preventive measures imposed by the government, despite its denial of the national outbreak.³⁰

In an incident in June 2021, of which Dushemov posted a video on YouTube, he requested a doctor at an Ashgabat medical clinic to show the government order based on which compulsory vaccinations against Covid-19 were carried out.³¹ The doctor subsequently accused Dushemov of

²⁴ <https://www.iphronline.org/turkmen-doctor-anniversary-statement.html>

²⁵ For more information about his case, see IPHR-TIHR report issued in June 2021: <https://www.iphronline.org/wp-content/uploads/2021/06/CLOSED-CIVIC-SPACE-IN-TURKMENISTAN-JUNE-2021-1.pdf>

²⁶ See Turkmen News release from 13 February 2021: <https://turkmen.news/human-rights/predstavitel-obse-po-svobode-smi-navstreche-s-poslom-turkmenistana-zaprosila-informatsiyu-o-dele-nurgeldy-halykova/>

²⁷ Committee to Protect Journalists (CPJ), "Journalist Nurgeldi Halykov jailed in Turkmenistan since September 2020 on fraud charges", 21 May 2021, at <https://cpj.org/2021/05/journalist-nurgeldi-halykov-jailed-in-turkmenistan-since-september-2020-on-fraud-charges/>

²⁸ See communication from UN special mandates to Turkmenistan's government dated 17 February 2021: <https://turkmen.news/wp-content/uploads/2021/05/Communication-to-Turkmenistan.pdf>

²⁹ <https://www.iphronline.org/turkmen-authorities-should-immediately-release-unjustly-imprisoned-reporter-joint-statement-on-nurgeldi-halykov.html>

³⁰ For a more detailed description of this case, see IPHR-TIHR update from October 2021: <https://www.iphronline.org/turkmenistan-s-government-targets-critics-at-home-and-abroad-in-its-relentless-crackdown-on-dissent.html>

³¹ Radio *Azattyk* article published on 26 June 2021: <https://rus.azathabar.com/a/31327487.html>

extorting money in exchange for leaving the video unpublished.³² In another incident, Dushemov, his friend and his friend's wife were stopped by police and asked to present negative Coronavirus tests as they were travelling by car from Ashgabat to Dashoguz in July 2021. They challenged this request, demanded to see the official document based on which it was made and protested by parking their car across the road after being made to wait for hours for the document. They were then detained, with Dushemov and his friend being handed 15 days' arrest, and his friend's wife a fine. When serving this sentence, Dushemov allegedly injured two co-detainees in what is believed to have been a staged act.³³ Based on this, he was charged with deliberately harming the health of others. At the August 2021 trial, he was convicted on both this charge and the separate charge of extortion initiated against him.³⁴

- Lawyer **Pygambergeldy Allaberdyev** was arrested by police in the city of Balkanabad on 5 September 2020 and subsequently handed a six-year prison sentence for hooliganism and intentionally inflicting moderate bodily harm for allegedly getting into a fight with another man, who had attacked and tried to provoke a conflict with him.³⁵

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. His 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, while he refused the services of a government-appointed lawyer. Allaberdyev's family received no official information about the court ruling.³⁶ Allaberdyev's health has reportedly deteriorated in prison, and he has not received adequate medical assistance.³⁷

In a decision published in May 2022³⁸, the UN Working Group on Arbitrary Detention found Allaberdyev's detention to be in violation of international human rights law. After assessing the case, the Working Group concluded that it was "convinced that the true reason for Mr. Allaberdyev's arrest and detention was his peaceful exercise of the freedom of expression and freedom of association". It called on the Turkmenistani authorities to immediately release him, accord him an enforceable right to compensation and other reparations, and to ensure a full and independent investigation of the circumstances surrounding his arbitrary deprivation of liberty and to take appropriate measures against those responsible for the violation of his rights.

³² TIHR news release from 18 August 2021: <https://www.hronikatm.com/2021/08/four-years-in-prison/>

³³ Turkmen News report from 22 July 2021: <https://turkmen.news/human-rights/dushemov-facing-jail/>

³⁴ For more information, see IPHR-TIHR update from October 2021: <https://www.iphronline.org/turkmenistan-s-government-targets-critics-at-home-and-abroad-in-its-relentless-crackdown-on-dissent.html>

³⁵ See TIHR reports from 7 September 2020 and 30 September 2020 based on information from Memorial and the Turkmen Helsinki Foundation (THF): <https://www.hronikatm.com/2020/09/another-arrest/> and <https://www.hronikatm.com/2020/09/6-year-sentence/>

³⁶ Joint statement issued by 10 human rights NGOs on 22 October 2020: <https://www.hrw.org/news/2020/10/22/turkmenistan-drop-charges-free-wrongfully-imprisoned-lawyer>

³⁷ Memorial and THF report from 15 February 2021:

https://memohrc.org/ru/news_old/politzaklyuchyonnyh-v-turkmenistane-ogranichivayut-v-kontaktah-s-rodstvennikami

³⁸ <https://www.ohchr.org/sites/default/files/2022-06/A-HRC-WGAD-2022-18-TKM-AEV.pdf>

The Working Group issued its decision in response to a to a legal petition filed by Freedom Now and the international law firm Vinson & Elkins.³⁹

Continued pressure on former political prisoner

TIHR and IPHR are also concerned about the following case of an elderly man who has reported continued pressure following his release from prison, where he was held for several years on charges believed to have been politically motivated:

- **Agajuma Bayramov**, a 73-year-old resident of the village of Sandykachi in Mary Region, is believed to have been imprisoned in retaliation for his efforts to draw attention to socio-economic problems and violations of the rights of citizens.⁴⁰ A criminal case was reportedly fabricated against him in 2016 after he first submitted numerous appeals to authorities and thereafter gave several interviews to the Prague-based Turkmen Service of RFE/RL on issues such as unemployment, corrupt practices in education, and problems with transportation. In an interview to RFE/RL in March 2016⁴¹, Bayramov said that elderly people in the village had demanded that he stop speaking to independent media. Three months later he disappeared: thus, in June 2016, he failed to show up for an agreed meeting in Ashgabat with independent journalist Soltan Achilova, who was RFE/RL's correspondent at the time and currently cooperates with TIHR. Only in May 2022 did Achilova hear from Bayramov again, following his release after spending close to six years in prison for attempted rape – charges believed to have been fabricated, in a similar fashion as in other cases where such accusations⁴² have been levelled against individuals targeted for politically motivated reasons. Bayramov alleged being regularly subjected to torture and ill-treatment in prison, as a result of which he lost his hearing and developed serious health issues. He spent a period of his imprisonment in the infamous Ovadan-Depe Prison, known to accommodate prisoners convicted on politically motivated charges.

After his release, Bayramov has reportedly remained under tight police control, being requested to report to local police every day, receiving regular police visits at home, and being prohibited from leaving his home village without police permission – which he has been denied. In mid-June 2022, was detained by police at the train station and sent back home when he travelled to Ashgabat without police permission to visit his two sons and their families. His sons were also reportedly intimidated by police in connection with this incident. In late August 2022, Bayramov made a new attempt to travel to Ashgabat, but was detained in Mary and sent back home. He has been warned not to travel anywhere and to refrain from contacts with others to avoid repercussions, including being re-imprisoned.

Given the difficulties surrounding communication with Bayramov in the current situation, it has not been possible for TIHR and IPHR to obtain further information about his case, including the

³⁹ <https://www.freedom-now.org/turkmenistan-un-declares-detention-of-lawyer-pygamberdy-allaberdyev-to-be-a-violation-of-international-law/>

⁴⁰ See more on his case in the following TIHR article: <https://www.hronikatm.com/2022/05/6-years-for-interview/>; and the following TIHR-IPHR statement: <https://www.iphronline.org/turkmenistan-new-president-should-end-persecution-imprisonment-of-critical-voices.html>

⁴¹ <https://rus.azathabar.com/a/31872677.html>

⁴² <https://turkmen.news/turkmenistan-srok-interviy/>

details of his conviction. However, available information clearly suggests that he was and continues to be targeted for expressing views critical of the authorities.

Attempts to ensure the return of activists based abroad

In addition to targeting critics living in Turkmenistan for prosecution, the authorities have sought the detention and return of outspoken activists based abroad. These individuals would be at a serious risk of politically motivated arrest, imprisonment, and torture where they to be returned. In particular, in autumn 2021, several Turkmenistani activists based in Turkey were detained and threatened by deportation. Thanks to the interventions by lawyers and human rights groups, they were subsequently released.

The following activist was released only after being held for several months:

- In a welcome development in March 2022, a Turkish court ruled to release Turkmenistani activist **Vepa Orazmukhammedov**, who had been held in detention since October 2021 and was facing return to Turkmenistan. The Turkmenistani government had requested the issuance of an Interpol arrest warrant in his case. Orazmukhammedov has openly criticised the situation in Turkmenistan in online video appeals and taken part in meetings initiated by foreign-based opposition movements.⁴³

The case of the following well-known activist, who has a broad followership on social media, illustrates how activists remain under pressure even after successfully challenging deportation measures:

- In September 2021, Turkish police detained **Dursoltan Taganova** and held her for two days in a deportation centre before releasing her following interventions by her lawyer proving her right to legally stay in Turkey.⁴⁴ This was the second time the activist had faced the threat of deportation from Turkey. Previously she was detained in July 2020 and held for two months pending return to Turkmenistan – formally for a migration violation but, in reality, for her involvement in the protest movement against Turkmenistan’s government.⁴⁵ At that time, following an international campaign in her support, Taganova was eventually released and granted the right to legally stay in Turkey during the examination of her asylum application.

Following her release from detention in September 2021, Taganova reported continued pressure, including in the form of a campaign by Turkmenistani authorities aimed at discrediting and stigmatising her. For example, during a meeting organised by representatives of different authorities in Farap in the Lebap region in November 2021, employees of public organisations were shown portraits of Taganova and five other activists based abroad and warned not to watch or “like” video messages posted by them on the internet.⁴⁶ In August 2022, Taganova was

⁴³ <https://www.hronikatm.com/2022/04/activist-released/>

⁴⁴ <https://www.hronikatm.com/2021/09/taganova-released/>

⁴⁵ <https://www.iphronline.org/wp-content/uploads/2021/06/CLOSED-CIVIC-SPACE-IN-TURKMENISTAN-JUNE-2021-1.pdf>

⁴⁶ <https://rus.ozodi.org/a/31558328.html>

detained by Turkish police outside Turkmenistan's consulate in Istanbul as she and other activists were trying to hand over a letter to the president (see more below).

Although no activist is known to have been sent back to Turkmenistan from Turkey to date, the threat of detention and a possible forced return to Turkmenistan continues to loom over activists based in this country. This is especially the case as Turkmenistani authorities are believed to have handed over a list to Turkish authorities of activists whose detention and return they request. In February 2022, the Turkmen Helsinki Foundation obtained and published a copy of this confidential, undated and unsigned document, which featured the names of 25 activists allegedly considered to threaten national security in Turkey.⁴⁷ Among those included on the list were Vepa Orazmukhammedov and Dursoltan Taganova, whose cases are summarised above.

Physical attacks on activists

In several cases, Turkmenistani activists based abroad, especially in Turkey have been physically attacked by unknown perpetrators. In the following two cases, attacks took place directly on the premises of Turkmenistan's consulate in Istanbul:

On 16 August 2022, five Turkmenistani activists, accompanied by Turkish lawyers and human rights defenders arrived at Turkmenistan's consulate in Istanbul to submit a letter to the president of the country. The letter concerned difficulties facing Turkmenistani citizens living abroad, including problems to renew their passports at the country's diplomatic representations.

- As reported by the Turkmenistan Helsinki Foundation for Human Rights⁴⁸, the activists were let into the consulate's premises; however, as they tried to hand over the letter to consulate representatives, they were attacked and beaten by a group of unknown perpetrators wearing masks. As a result, several of the activists were injured, including **Atamurat Saparov** who received a head injury. Moreover, Saparov and his co-activist **Dursoltan Taganova**, as well as a Turkish activist were detained by Turkish police based on a complaint filed by the consulate alleging that they posed a threat. They were released only several hours later. The victims of the attack also filed a complaint with local police about the incident, but our organisations have no further news about its consideration.

In a possibly related development, on 15 October 2022, **Shamil Kurbandurdiev**, the son of one of the activists who were beaten up outside the consulate in August, was assaulted by several men who said they had been hired to carry out an attack on him. Prior to the assault, Kurbandurdiev had repeatedly and unsuccessfully applied for a new passport at the Turkmenistani consulate in Istanbul.⁴⁹

- On 1 August 2021, Turkmenistani activists attempted to hold a peaceful rally outside Turkmenistan's consulate in Istanbul to protest against the government's repressive policies.

⁴⁷ <https://www.hronikatm.com/2022/02/25-activists-list/>

⁴⁸ <https://www.tmhelsinki.org/article/ae8c6424-42f7-4985-b34a-5280cb601cb4>

⁴⁹ <https://www.hronikatm.com/2022/10/activist-beat-up/>

However, Turkmenistani diplomats called Turkish police, who dispersed the protest participants, and detained ten activists, holding them for a few days before releasing them without charge.⁵⁰ Human rights groups later learned that Turkmenistan's consulate had filed a complaint with Turkish police, falsely accusing the protesters of endangering the safety of its staff and "disturbing peace and tranquillity."⁵¹ As reported by eyewitnesses, a group of young men, believed to have been engaged by Turkmenistani authorities, also arrived at the protest venue and attacked protesters, verbally assaulting them and injuring several activists.⁵²

Moreover, blogger **Farhad Durdyev** alleged being forcefully apprehended and taken to the consulate premises. According to him, he was arbitrarily held there for several hours, beaten, and pressured to apologize for his government-critical videos.⁵³ He reported the incident to Turkish police but no one is known to have been held accountable.

In a further incident of intimidation targeted at Durdyev, a Turkmenistani pro-government blogger published a video in mid-August 2021, in which Durdyev's mother appeared, tearfully begging the activist not to engage in "destructive" activities. In the same video, the pro-government blogger himself lashed out against Durdyev and denounced him and others based abroad as "traitors" because they "pour dirt" on Turkmenistan.⁵⁴ Human rights activists were convinced that the video was orchestrated by the security services.

Pressure on critical voices through their relatives and contacts

The authorities also continue to put pressure on critical voices in other ways, such as by intimidating their relatives and others with whom they have been in contact. Among those targeted are people with links to TIHR:

- Independent journalist **Soltan Achilova**, who previously worked for the Turkmen service of RFE/RL and currently cooperates with TIHR, has repeatedly been subjected to intimidation and harassment because of her journalistic work. She is subject to ongoing surveillance and security services have targeted people whom she has interviewed, questioning them about their conversations with her and warning them that they may face problems if they communicate with her. Security service officials have, among others, told her interviewees that she is associated with "subversive foreign organisations working against the state".⁵⁵
- **Khalida Izbastinova**, the mother of TIHR's head Farid Tukhbatullin, received a series of intimidating visits by police. Thus, on 29 November 2021, two police officers visited 80-year-old Izbastinova in her home in the city of Dashoguz and requested to take her fingerprints, referring to an alleged

⁵⁰ TIHR reports from 3 August 2021 and 5 August 2021: <https://www.hronikatm.com/2021/08/protestors-arrested/>, and <https://www.hronikatm.com/2021/08/tk-internal-affairs/>

⁵¹ See Memorial news release from 3 September 2021: https://memohrc.org/ru/news_old/v-aeroportu-stambula-zaderzhali-priletevshego-iz-francii-rukovoditelya-oppozicionnogo

⁵² See more in YouTube report published on 1 August 2021: https://www.youtube.com/watch?v=Nhpp27hpDmg&ab_channel=MuradKurbanov

⁵³ For more information, see IPHR-TIHR update from October 2021: <https://www.iphronline.org/turkmenistan-s-government-targets-critics-at-home-and-abroad-in-its-relentless-crackdown-on-dissent.html>

⁵⁴ <https://turkmen.news/secret-police-pressure-activist/>

⁵⁵ <https://www.hronikatm.com/2022/04/achilova-surveillance/>

order to do so but without explaining the reasons. Disturbed by this incident, Izbastinova filed a written complaint about it with the local police department, inquiring about the legal basis and reasons for taking her fingerprints. On 28 December 2021, several police officers again visited Izbastinova for the apparent purpose of convincing her to drop her complaint. However, she insisted on receiving a response to her complaint and the police officers eventually left. On 13 January 2022, Izbastinova received a written response from the local police department stating that her complaint had been “considered” without providing any details. The following day, on 14 January 2022, police visited her for the third time, with an officer requesting and writing down information about her close relatives and walking around the apartment filming it. The officer failed to explain the reasons for the check and to provide any document proving its legal basis.

TIHR and IPHR believe that the police actions were aimed at intimidating Izbastinova because of her son’s human rights activities and his criticism of the Turkmenistani authorities. It was not the first time that she was subjected to intimidation. In particular, in October 2017, unknown perpetrators threw stones and bricks at the windows of her apartment, resulting in several broken windowpanes, and frightening her, although fortunately she was not injured. While police opened an investigation into the incident, to date the perpetrators have not been found or held accountable.⁵⁶

Recommendations

The Turkmenistani authorities should:

- Put an end to the pattern of intimidation and harassment of citizens based in- and outside the country 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.
- Ensure, in particular, that no one is criminally charged, declared wanted, arrested or imprisoned because of their expressions of discontent, civic engagement or contacts with foreign-based groups and activists; 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, including Nurgeldy Khalykov, Khursanai Ismatullaeva, Murat Dushemov and Pygambergeldy Allaberdyev. As long as these individuals remain behind bars, the authorities should ensure that their treatment fully corresponds to international standards.
- Ensure that Agajuma Bayramov and his family are not subjected to any further persecution, that his allegations of unlawful imprisonment and torture are impartially and thoroughly investigated and those responsible held accountable, and that he receives adequate treatment for his health problems.
- Facilitate effective and impartial investigations by Turkish police into the reported attacks on activists at the premises of Turkmenistan’s consulate in Istanbul with a view to holding those responsible to account.
- Stop putting pressure on critical voices through their relatives and others with whom they are in contact.

⁵⁶ <https://www.iphronline.org/turkmenistan-attack-highlights-unrelenting-pressure-critics.html>

- In follow-up to the standing invitation issued in 2018 to all UN special procedures to visit the country, facilitate visits by the Special Rapporteur on Human Rights Defenders and the Special Rapporteur on the Independence of Judges and Lawyers, who have previously requested to visit the country, and commit to cooperating constructively with these special procedures on such visits and the implementation of recommendations resulting from them.

4. TWENTY YEARS SINCE REPORTED ASSASSINATION ATTEMPT, ONGOING PRACTICE OF ENFORCED DISAPPEARANCES

This year, on 25 November 2022, it will be 20 years since the reported assassination attempt on Turkmenistan's previous president, Saparmurat Niyazov, the details of which remain murky to date. However, as one observer put it, it is clear that the events of that day "precipitated a series of repressive measures" that "led to further government control, repression against perceived threats and isolation of Turkmenistan, already notorious as one of the world's most repressive and closed societies".⁵⁷

Following the reported assassination attempt, the authorities arbitrarily arrested dozens of people, tortured and ill-treated them, and convicted them of their alleged complicity in the attack following show trials. A report issued in the framework of the OSCE Moscow Mechanism, which was invoked by ten OSCE States, described the legal process against those charged in connection with the reported assassination attempt as one of "expeditious justice that violates all the principles of a fair trial". The report also pointed out that the authorities practiced "collective punishment", not only prosecuting those accused of being directly involved in the assassination attempt, but also their relatives, as well as other opponents of the regime.⁵⁸ Many of those who were convicted over their role in the reported assassination attempt subsequently disappeared in prison, with the authorities denying them all contacts to the outside world and refusing to provide any information about them to their families, in gross violation of the rights of those affected and their families.

Since 2022, the Prove They Are Alive NGO campaign has documented over 160 cases of enforced disappearances involving individuals convicted in relation to the reported assassination attempt on late President Niyazov, as well as other people convicted following politically motivated and unfair trials. According to the Coalition's information, while some victims have died in prison, eventually been allowed contacts with their families, or released, over 90 of the documented cases of disappearances are ongoing. These cases include those of individuals whose prison sentences are known to have expired but whose status is unknown.⁵⁹

⁵⁷ <https://eurasianet.org/assassination-attempt-one-year-ago-altered-international-perception-of-turkmenistan>

⁵⁸ <https://www.osce.org/files/f/documents/0/5/18372.pdf>

⁵⁹ <https://provetheyarealive.org/twenty-years-after-the-start-of-mass-repression-in-turkmenistan-the-international-community-must-take-strong-action-to-stop-enforced-disappearances%ef%bf%bc/>

Recommendations

The Turkmenistani authorities should:

- Put an end to the practice of enforced disappearances, in accordance with their international human rights obligations, and the recommendations received by different human rights bodies.
- Undertake to investigate all cases of enforced disappearances documented by independent NGOs since 2002; to provide information about the fate and current whereabouts of the persons concerned; and to grant them access to their family and lawyers.
- Promptly facilitate a visit to the country of the UN Working Group on Enforced or Involuntary Disappearances, in accordance with the Group's request, and commit to cooperating constructively with the Group during such a visit and in follow-up to it.

5. VIOLATIONS OF WOMEN'S RIGHTS

Turkmenistan's government has identified efforts to improve the status of women and promote true gender equality as a political priority.⁶⁰ However, women currently remain one of the most vulnerable groups of the population, whose rights are arbitrarily restricted contrary to the country's commitments and obligations under international human rights law.

Soon after President Serdar Berdymukhamedov took office, reports emerged about reinforced efforts by the authorities to promote so-called traditional values and standards regarding women's role and to enforce restrictive requirements regarding women's appearance and conduct. There were, for example, reports about unofficial restrictions being enforced with respect to women's clothing in public places, their use of make-up and beauty services, and their car rides.⁶¹

Propaganda events were organised in state institutions, public organisations and educational establishments to "educate" women and girls on issues of morality and observance of national traditions and how they are expected to behave, dress and look. Those attending events were threatened with repercussions, including dismissal or expulsion if they fail to comply with requirements such as wearing national-style dresses and refraining from heavy make-up.⁶²

There were reports about police raids on beauty salons, with owners being warned that they might face penalties if they provide services such as eyelash and nail extensions and lip augmentations.⁶³ Similarly, there were reports of women being checked by police, detained and fined for having made use of such services.⁶⁴ There were also reports about inspections of stores selling beauty products for women, with

⁶⁰ See, for example, <https://turkmenistan.gov.tm/ru/post/63208/v-ashhabade-sostoyalos-zasedanie-dialoga-zhenshchin-gosudarstv-centralnoj-azii-i-rossii>

⁶¹ <https://www.currenttime.tv/a/turkmenistan-asia-women-rights/32028786.html>

⁶² <https://www.hronikatm.com/2022/04/women-morality/>, <https://rus.azathabar.com/a/31821279.html>

⁶³ <https://rus.azathabar.com/a/turkmenistan-puts-severe-restrictions-on-women-s-appearances-and-ability-to-travel/31837016.html>

⁶⁴ <https://www.currenttime.tv/a/turkmenistan-asia-women-rights/32028786.html>

inspectors demanding that lipstick, nail polish and other products that supposedly are “harmful” to the “health and appearance” of women be removed from the shelves.⁶⁵

In addition, state media have carried articles about the “rules of behaviour” of women that supposedly are determined by national traditions. For example, an article published in *Neutralniy Turkmenistan* in mid-October 2022 instructed women to demonstrate “reverent respect” for their husbands and to refrain from referring to them by their names.⁶⁶

The authorities’ current drive to promote so-called traditional and moral values is likely to further strengthen negative and discriminatory attitudes toward women and girls, in addition to resulting in arbitrary restrictions on their rights. It might also aggravate problems of violence against women by leaving perpetrators feeling vindicated and reinforcing patterns of victim blaming⁶⁷, thereby making victims even more reluctant to report abuse.

It is welcome that the results of the first-ever national sample survey on the health and status of women in the family, which the government carried out with technical assistance of the United Nations Population Fund (UNFPA) and support from the EU, were made public in August 2022.⁶⁸ The survey, which drew on data from 3,500 households, found that 16 percent of all women surveyed had experienced at least some form of violence, including physical, psychological and sexual violence by their husbands or partners. It also found that women who experience domestic violence rarely reach out for help, with less than 12 percent of victims of partner violence turning to the police or other institutions. The results indicated that social pressure and the fear of “dishonouring the family” are key reasons why women typically remain silent about violence and refrain from seeking help and protection. In particular sexual violence, which survey respondents reported experiences of least frequently, is associated with a high level of taboo and stigmatisation.

Against this background, there is reason to believe that there is likely to have been underreporting of experiences of abuse among those surveyed and that violence against women in the family might be more widespread than the survey results show. It is now also imperative that the government takes effective measures to implement the recommendations set out based on the survey findings in order to prevent and ensure accountability for all types of violence against women.

Recommendations

The Turkmenistani authorities should:

- Put an end to arbitrary and discriminatory restrictions on women’s rights and ensure that efforts to promote so-called traditional and moral values are consistent with national commitments and international human rights obligations with respect to women’s rights and gender equality.

⁶⁵ <https://www.hronikatm.com/2022/06/unhealthy-makeup/>

⁶⁶ <https://www.hronikatm.com/2022/10/national-traditions/>

⁶⁷ <https://www.hronikatm.com/2022/05/police-victim-blaming/>

⁶⁸ <https://turkmenistan.unfpa.org/en/news/turkmenistan-releases-first-ever-national-survey-health-and-status-woman-family>

- Take effective measures to implement the national action plan on promoting gender equality for the years 2021-2025, as well as the recommendations resulting from the recent national survey on the health and status of women in the family with a view to combating violence and discrimination against women.
- Cooperate constructively with the Committee on the Elimination of Discrimination against Women (CEDAW) during its upcoming review of Turkmenistan's sixth periodic review submitted under the corresponding convention and commit to implementing the recommendations resulting from this review.