

UA 238/07

Prisoners of conscience

TURKMENISTAN

Begench Shakhmuradov (m)

Begench Shakhmuradov, a Jehovah's Witness from the Turkmenistani capital Ashgabat, is reportedly due to be tried on 10 September for refusing to serve in the army on religious grounds.

He was called up for military service in May 2007 and was deemed fit for service although he is believed to suffer from tuberculosis. Begench Shakhmuradov was said to have contracted the illness while serving an earlier prison sentence for "evasion of call-up to military service" (Article 219, part 1 of the Criminal Code of Turkmenistan) in 2005.

Begench Shakhmuradov was sentenced to one year's imprisonment on 10 February 2005. Along with three other conscientious objectors he was released on 16 April 2005. Their release was believed to be part of a government move to avoid being classified as a "country of particular concern" under the USA's International Religious Freedom Act, which can lead to the USA taking measures ranging from diplomatic protest to targeted trade sanctions.

In recent months four other Jehovah's Witnesses have been convicted of evading military service. One of them is still imprisoned while three others were given suspended prison sentences: they are unable to leave the town where they live and after 10 pm they are not allowed to leave their house. "They are treated like criminals", a Jehovah's Witness source in Ashgabat told Amnesty International. For further details please see UA 174/07 (EUR 61/015/2007, 05 July 2007) and follow-ups. Amnesty International considers anyone imprisoned solely to punish them for their conscientious objection to military service to be a prisoner of conscience. The organization calls for the prompt and unconditional release of all prisoners of conscience.

BACKGROUND INFORMATION

In Turkmenistan there is no civilian alternative for young men whose conscientiously-held beliefs preclude them from carrying out compulsory military service, and those who refuse conscription face imprisonment under criminal law.

In February 2007, Amnesty International issued a list of recommendations calling on the new government to bring Turkmenistan's human rights record in line with its obligations under international human rights law (see EUR 61/005/2007, 8 February 2007). Among other issues the organization recommended that Turkmenistan "introduce legislative provisions to ensure that a civilian alternative of non-punitive length is available to all those, whose conscientiously-held beliefs preclude them from performing military service."

However, the recent convictions of four Jehovah's Witnesses confirm that the new government has not taken steps to change its policy with regard to conscientious objectors.

All cases of conscientious objectors that have come to the attention of Amnesty International in recent years have been Jehovah's Witnesses, whose religious beliefs do not permit them to bear arms for a secular power or to swear oaths, including that of allegiance required of army conscripts in Turkmenistan.

Amnesty International considers a conscientious objector to be any person liable to conscription for military service who refuses to perform armed service for reasons of conscience or profound conviction. Their profound conviction may arise from religious, ethical, moral, humanitarian, philosophical, political or similar motives. But regardless of the conscientious base to their objection, the right of such individuals to refuse to carry weapons or to participate in wars or armed conflicts should be guaranteed.

Amnesty International does not question the right of governments to conscript individuals into the armed forces, nor does it agree

or disagree with the motives of individual conscientious objectors, but it urges governments that all those liable to conscription are given the opportunity to perform an alternative to armed service on the grounds of their conscience or profound conviction.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian or Turkmen or your own language:

- stating that Amnesty International is concerned that Begench Shakhmuradov, who refuses to serve in the army on religious grounds, has been charged with "evasion of call-up to military service" and is currently awaiting trial at Azatlyk District Court in Ashgabat;
- stating that Amnesty International regards anyone imprisoned for their conscientious objection to military service as a prisoner of conscience and calls for their prompt and unconditional release;
- calling on the authorities to introduce legislation to ensure that a civilian alternative of non-punitive length is available to all those, whose conscientiously-held beliefs preclude them from performing military service.

APPEALS TO:

Gurbanguly Berdymuhamedov
President of Turkmenistan
Presidential Administration
744000 Ashgabat
TURKMENISTAN

Fax: +993 12 355112

Salutation: Dear President Berdymuhamedov

Rashid Meredov
Minister of Foreign Affairs
Magtymkuli ave., 85
744000 Ashgabat
TURKMENISTAN

Fax: +993 12 39 28 50

Email: mfatm@online.tm

Salutation: Dear Minister

COPIES TO:

Shirin Akhmedova
Director of the Turkmen National Institute of Democracy and Human Rights
ul. Navoi 86
744000 Ashgabat
TURKMENISTAN

Email: nidhr@online.tm

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 19 October 2007.
