

## Victims need justice now! A compilation of cases

**T**he new President shortly to be elected in Turkmenistan must break with the country's long legacy of repression and offer its people a new commitment to human rights. Following the death from a heart attack in December 2006 of President Saparmurad Niyazov, after 21 years in power, his successor must seize the opportunity to end long-standing and serious human rights violations and to bring in urgently needed reforms in laws and practice.

Six candidates from President Niyazov's ruling Democratic Party of Turkmenistan, the only registered political party, have been allowed to contest presidential elections to be held on 11 February 2007. The interim government has ignored calls by exiled opposition groups to be allowed to put forward candidates.

Amnesty International calls on the newly elected President to take immediate steps to reverse Turkmenistan's dire record of torture, imprisonment and forced exile. All prisoners of conscience should be released and all harassment of the families of exiled dissidents should cease without delay. Political prisoners sentenced to lengthy prison terms after unfair trials should be freed unless they are to be retried promptly and fairly. Priority should be given to establishing thorough and impartial investigations into allegations of torture and ill-treatment and all deaths in custody. Those officials found to be responsible for human rights violations should be brought to justice. Prisoners must have immediate access to medical care and treatment.

The new presidency and government should make a public commitment to respect and protect human rights, and set out the steps they will take. They must ensure that political dissidents, religious believers, civil society activists and journalists are able to carry out their peaceful activities free from harassment and without threat of imprisonment or other human rights violations. In the longer term, Turkmenistan's laws and practices must be brought in line with the country's obligations under international human rights law. The subordination of executive, legislative and judicial powers to President Niyazov was key to the failure to address impunity or counter widespread human rights abuses.

Some of the victims of human rights violations described in this document have been put behind bars solely for peacefully exercising their right to freedom of expression. Others have been imprisoned for years after unfair trials. Many have been tortured or otherwise ill-treated. Families have been subjected to intimidation and harassment solely because of their family relationship with a dissident.

These individuals are illustrative of a far larger number who have been subjected to human rights violations in Turkmenistan over the last two decades. The government has obstructed human rights monitoring for many years, clamping down on human rights activists within Turkmenistan, and virtually closing the country to international human rights observers.

Amnesty International is calling for justice for all the people of Turkmenistan. Swift action by the new government to ensure the release of prisoners of conscience, the review of other prisoners' cases and investigations of human rights violations would give a strong message to the people of Turkmenistan and to the international community that this is a government ready to respect the exercise of fundamental freedoms.

### Death and imprisonment of human rights activists

**T**he government of President Niyazov failed to ensure the establishment of open, prompt, thorough and impartial investigations into suspicious and unexplained deaths in custody of political detainees, including that of a leading human rights activist as recently as September 2006.

Ogulsapar Muradova was a former member of the Turkmenistan Helsinki Foundation, a human rights organization that cannot openly function inside the country, and a correspondent for the US-funded international radio station, *Radio Liberty*. Arrested in June 2006, she was sentenced to six years' imprisonment in August after being convicted on firearms charges widely believed to have been fabricated. In September she died in prison.

# TURKMENISTAN

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The trial fell far short of international fair trial standards. There were strong indications that the three defendants were ill-treated in an attempt to extract “confession” statements. Reports suggested that Ogulsapar Muradova and co-defendant Annakurban Amanklychev were administered psychotropic drugs as part of this coercion.



Ogulsapar Muradova

Annakurban Amanklychev and another defendant, Sapardurdy Khadzhiiev, both also associated with the Turkmenistan Helsinki Foundation, are still in jail. They too were convicted of firearms offences and are serving seven-year prison sentences.

The charges against the three – the illegal acquisition, possession or sale of ammunition or firearms – were reportedly



Annakurban Amanklychev

brought as a form of punishment for their human rights work. They had gathered and passed on human rights-related information to the Director of the Turkmenistan Helsinki Foundation based in Bulgaria. Annakurban Amanklychev had attended human rights courses in Poland and Ukraine, and co-operated with visiting foreign journalists.

Amnesty International is calling on the new government of Turkmenistan to:

- ▶ immediately and unconditionally release all prisoners of conscience, including Annakurban Amanklychev and Sapardurdy Khadzhiiev
- ▶ ensure that thorough and impartial investigations are carried out into the death in custody of Ogulsapar Muradova and into allegations that Annakurban Amanklychev, Sapardurdy Khadzhiiev and Ogulsapar Muradova were tortured or ill-treated
- ▶ make public the scope, methods and findings of these investigations, and bring those found responsible for human rights violations to justice

## Death in custody and medical neglect

**A**nother death in custody which has remained unexplained and uninvestigated is that of Khoshali Garayev in 1999. Mukhametkuli Aymuradov and Khoshali Garayev were sentenced to 15 years' imprisonment following conviction for alleged anti-state crimes in an unfair trial in 1995. In December 1998 they received an additional sentence of 18 years' imprisonment on charges in connection with an alleged escape attempt.

The circumstances of the death in prison of Khoshali Garayev were suspicious. His family were first informed of his death on 10 September 1999, when they reportedly received a telegram from the prison authorities asking them to collect his body. They received no death certificate and no official, written explanation for his sudden death, and were apparently not allowed either to view the body or to have an autopsy conducted. According to the prison authorities, Khoshali Garayev hanged himself after he was put in solitary confinement following a fight in his cell. However, in a letter written shortly before his death he had appeared hopeful that he would benefit from a forthcoming presidential amnesty and that he would be back with his family in the year 2000. There was no indication that he was particularly depressed or suicidal.

Amnesty International also remains seriously concerned about Mukhametkuli Aymuradov's health. He reportedly suffers from a number of health problems including a gastric ulcer, cholecystitis, heart problems and recurring inflammation of the bladder and kidneys. His eyesight has badly deteriorated. Manager of a building conglomerate at the time of his arrest, and a family man with children and grandchildren, he was reportedly imprisoned solely because of his association with exiled opponents of the government.



Mukhametkuli Aymuradov

Amnesty International is calling on the new government of Turkmenistan to:

- ▶ promptly release Mukhametkuli Aymuradov on the grounds of his seriously deteriorated state of health and also because repeated calls for a fair retrial in his case have gone unheeded for over 11 years
- ▶ ensure that thorough and impartial investigations are carried out into the death in custody of Khoshali Garayev
- ▶ make public the scope, methods and findings of the investigation, and bring anyone found responsible for human rights violations to justice

## 'He is a skeleton with skin'

**G**eldy Kyarizov is another prisoner in desperate need of urgent medical treatment. He is severely malnourished and has been denied appropriate medication. Despite suffering two heart attacks, a stroke and pneumonia in pre-trial detention, he has received inadequate medical care from the authorities.

In late January 2007 his wife, a medical doctor, told a relative, *"He is a skeleton with skin. His weight now [is] 45-50kg. You would never recognize him. He is like a walking dead body."* She had just visited him in the prison in Turkmenabad (formerly Chardzhou) in the eastern Lebap region. Previously able to provide him with medication, on 2 September 2006 she was reportedly informed that he was no longer in the prison and on 18 September that he was not registered as an inmate in any detention facility run

by the Ministry of Internal Affairs. Only in January 2007 did his family learn that he was back at Turkmenabad prison. For over four months, the authorities had not provided him with the medication he needed.



Geldy Kyarizov

Geldy Kyarizov has been in prison for over five years since his conviction in a trial that failed to meet international fair trial standards. Former Director of the state Turkmen Horses (Turkmenatlary) association and an internationally renowned

breeder of Akhalteke horses, he was sentenced to six years' imprisonment in April 2002 after being convicted on charges of abuse of office and negligence.

The charges were allegedly brought because he had fallen out of favour with President Niyazov and was caught up in a clampdown that saw scores of officials imprisoned. He was reportedly put under severe pressure to "confess" in pre-trial detention. In his presence, three officers of the Ministry of National Security allegedly gave another detainee electric shocks to the genitals. Despite his precarious state of health and inadequate medical care, Geldy Kyarizov was reportedly interrogated for 24-hour stretches without a break on numerous occasions.

Amnesty International is calling on the new government of Turkmenistan to:

- ▶ ensure that Geldy Kyarizov is immediately provided with all necessary medical treatment
- ▶ release him immediately if he is not to be promptly and fairly tried in proceedings that conform to international standards for fair trial and are open to international observers

## Suspicious deaths in custody and torture

Dozens of prisoners, convicted of involvement in what the authorities described as an assassination attempt on President Niyazov in November 2002, continue to be held incommunicado. They have been denied all contact with families, lawyers or independent bodies such as the International Committee of the Red Cross, most of them for more than four years since they were sentenced in unfair trials.

Amnesty International has the names of over 60 men and women who were given lengthy prison terms, ranging from five years to life. Three were not present in court and were convicted in their absence. Possibly others were convicted in the series of trials that took place from December 2002, continuing until at least June 2005.

There have been no open or impartial investigations by the authorities into credible reports of torture and ill-treatment in pre-trial detention of many of the defendants.

In one case, Batyr Berdyev, a former Foreign Minister and Ambassador to the Organization for Security and Co-operation in Europe (OSCE), was reportedly handcuffed to a door and beaten by three Ministry of National Security officers following his arrest in December 2002.

There are strong indications that at least two prisoners died in custody in 2003 as a result of torture, ill-treatment and harsh prison conditions – Tagandurdy Khalliev and Amanmukhammet Yklymov. The government has failed to respond publicly to allegations that they and others detained in connection with the alleged assassination attempt may have died in custody.

In October 2006, President Niyazov announced that eight prisoners serving sentences in connection with the alleged assassination attempt would be released in a forthcoming amnesty. The eight had repented, "were not involved much and did not use arms", he said. None of those prisoners known to have been convicted of involvement in the alleged coup attempt was included in the published amnesty list. However, there were unconfirmed reports that three men, Nasrullah ibn Ibadullah and Yazgelder Gundogdiev and another whose name is not known to Amnesty International, may have been released in October.

Amnesty International is calling on the new government of Turkmenistan to:

- ▶ grant the International Committee of the Red Cross and other independent observers immediate and unrestricted access to the prisoners
- ▶ ensure that an open, thorough and impartial investigation into all allegations of torture or other ill-treatment is carried out
- ▶ ensure that all those convicted in connection with the November 2002 alleged assassination attempt are retried in proceedings that meet international standards for fair trial and allow access by international observers
- ▶ open thorough and impartial investigations into the deaths in custody of Tagandurdy Khalliev and Amanmukhammet Yklymov
- ▶ make public the scope, methods and findings of the investigations, and bring to justice those found responsible for human rights violations

## Internal exile

Sazak Begmedov, the 81-year-old father of the Director of the Turkmenistan Helsinki Foundation, Tadzihigul Begmedova, has been in internal exile for over three years. Strong evidence suggested he was seriously assaulted during his forced removal from the capital, Ashgabat, in 2003 and suffered a heart attack as

a result. There has been no explanation for his internal exile or investigation into his ill-treatment.

Amnesty International believes that Sazak Begmedov was targeted in connection with his daughter's human rights work.

On 31 August 2003 he was detained by four police officers near his home in Ashgabat. The officers reportedly beat and kicked him while taking him to the airport, where he was forced onto a plane to Dashoguz, in eastern Turkmenistan near the border with Uzbekistan, for "resettlement". In Dashoguz, the local police chief reportedly refused to explain why he was being "resettled". The police also refused to register his complaint about the beatings although he had a medical certificate documenting concussion and injuries including to the kidneys. Shortly afterwards, on the night of 3 to 4 September, he had a heart attack and required treatment in hospital for more than two weeks.



Sazak Begmedov

He was unable to receive his pension payments for several months; he was told that he could only receive the money at his permanent place of residence in Ashgabat. Officers of the local branch of the Ministry of National Security have reportedly kept his house under close surveillance. He is currently believed to be suffering from tuberculosis and generally in poor health.

**Amnesty International is calling on the new government of Turkmenistan to:**

- ▶ promptly lift the restrictions on Sazak Begmedov's freedom of movement
- ▶ ensure that a thorough and independent investigation be carried out into the allegations that he was ill-treated, with a view to bring those responsible to justice

## Intimidation and harassment of families

**M**any families of dissidents or opposition politicians have been forced out of their jobs or barred from leaving Turkmenistan. Restrictions on freedom of movement have been part of the government's policy of silencing and deterring dissent.

Major Ruslan Tukhbatullin, an army officer, was reportedly forced to resign his military post because of his family relationship with his brother, Farid Tukhbatullin, a well-known human rights defender and former prisoner of conscience, exiled since 2003. After Farid Tukhbatullin was forced to leave the country under pressure from the authorities in June 2003,

the Ministry of National Security on several occasions attempted to obtain information about his activities and whereabouts from his brother.

On 28 March 2005 a senior official in the military administration of Dashoguz region asked Ruslan Tukhbatullin to resign his post voluntarily. He had previously been warned that, unless his brother "kept his head down", he would be dismissed. When he tried to apply for another position in the military, an officer in the military administration reportedly said that, despite his good qualifications, "if he was able to find work at all, it would be somewhere outside this region in some village far away."



Ruslan Tukhbatullin

Thousands are on a "black list" of people banned from travelling outside Turkmenistan. Those targeted range from individuals perceived as critical of the authorities, such as dissidents and civil society activists, and their relatives, to the families of people imprisoned in connection with the 2002 alleged assassination attempt on President Niyazov and relatives of imprisoned officials.

Maral Yklymova, the 28-year-old daughter of Saparmurat Yklymov, has been barred from leaving Turkmenistan to be reunited with her parents in exile. Her father was tried in his absence and sentenced to life imprisonment in December 2002 in connection with the alleged assassination attempt on President Niyazov.

In another typical case, Ovez Annaev was prevented from leaving the country for medical treatment. Brother-in-law to Khudayberdy Orazov, leader of the opposition movement in exile, Fatherland (Watan), he boarded a plane to Moscow from Ashgabat on 2 May 2006 following medical advice to seek specialist treatment for a gastric ulcer. Shortly before departure, Ministry of National Security officers forced him off the plane. He and his wife, Svetlana Orazova, had previously been barred from traveling abroad and had been taken off a plane at least once before. The authorities have accused Khudayberdy Orazov of playing a key role in the alleged assassination attempt on President Niyazov.

**Amnesty International is calling on the new government of Turkmenistan to:**

- ▶ stop the intimidation and harassment of the relatives of human rights activists in exile
- ▶ lift travel restrictions imposed on dissidents and their families
- ▶ protect the human rights of relatives of political dissidents, religious believers, journalists and civil society activists

More information on the human rights situation in Turkmenistan can be obtained at [www.amnesty.org](http://www.amnesty.org)