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EU-Turkmenistan: The authorities must move from words to action

Ahead of the European Union (EU) Human Rights Dialogue with Turkmenistan, to take place in Turkmenistan's capital Ashgabad on 24 June 2008, Amnesty International calls on EU delegates and the Turkmenistani authorities to demonstrate that human rights are an integral part of their interactions – and not a fig leaf behind which either side is free to privilege economic cooperation.

President Gurbanguly Berdymukhamedov has professed his government's commitment to protect human rights but Amnesty International's report, *Turkmenistan: No effective human rights reform* (AI Index: EUR 61/004/2008), issued today, documents that widespread and systematic human rights violations continue and impunity pervades for police, security services and other government authorities.

Amnesty International's report focuses on human rights developments since President Saparmurad Niyazov's death in December 2006 and highlights patterns of human rights violations that were established under President Niyazov and continue to this day. Steps taken by the government of President Berdymukhamedov to address human rights concerns have been limited. It is important that the international community does not overestimate these steps and does not turn a blind eye to the continuing appalling human rights situation.

Key human rights concerns:

Dozens of prisoners labelled as "traitors of the motherland" by the authorities and sentenced in unfair trials to prison terms between five years and life in connection with an alleged coup attempt in November 2002 have been subjected to enforced disappearance. The authorities have not disclosed their whereabouts; they have been held without contact with the outside world for over five years and the authorities refuse to respond to allegations that several of them died in custody.

The authorities of President Berdymukhamedov have taken measures to silence human rights defenders, other independent civil society activists and journalists, including by interrogating, harassing and arbitrarily detaining them.

Opposition parties are not allowed in Turkmenistan and many opposition activists live in exile.

Religious freedom is severely restricted. Religious gatherings in homes have been raided in many cases; often the participants were temporarily detained, given large fines and dismissed from their work places. Police reportedly beat religious believers or threatened them with violence.

The authorities in many cases targeted relatives of civil society activists, independent journalists, those with opposition political views and religious believers, including of those living in exile, in order to stop them from criticizing government policies and speaking out about human rights violations in Turkmenistan.

A travel ban barring many dissidents, opposition activists, independent journalists and their relatives from leaving the country is one of the tools the government uses to silence critical voices.

The courts are heavily dependent on the executive branch and a fundamental reform of the judiciary is urgently needed to strengthen the rule of law in the country.

Law enforcement officers and prison guards have allegedly subjected detainees and prisoners to torture or other ill-treatment in many cases. Impunity for such human rights violations is the norm in Turkmenistan.

In at least some cases torture or other ill-treatment reportedly resulted in deaths in custody. Amnesty International is not aware of any such cases where the authorities conducted a prompt, thorough, impartial and independent investigation in order to establish the truth and bring perpetrators to justice.

Amnesty International continues to be concerned about the lack of a civilian alternative to military service for those objecting to serve in the armed forces on conscientious grounds. Young men refusing to perform military service on such grounds risk imprisonment.

Amnesty International is also concerned that the application of the residence registration system (widely referred to by the Russian word *propiska*) leads to a number of human rights violations affecting scores of people in Turkmenistan. It seriously restricts access to housing, employment, social benefits, free health care and access to education for children. In addition, it leaves those without a valid *propiska* in a particularly vulnerable position with regard to other human rights violations. The *propiska* system has also become a breeding ground for corruption as many of its regulations can be overcome by bribes.

Ethnic minorities are subjected to discrimination, in particular with regard to employment and higher education.

Recommendations:

In its report Amnesty International calls on the Turkmenistani authorities to implement a list of recommendations. Among them are the following key points:

- o Immediately and unconditionally release all prisoners of conscience.
- o Ensure respect and protect the human rights of political dissidents, religious believers, independent civil society activists and journalists and ensure that they are able to carry out their peaceful activities free from harassment and without threat of detention and imprisonment and other human rights violations.
- o Lift travel restrictions imposed on political opponents, religious believers, civil societies and their families.
- o Ensure that all those convicted in connection with the November 2002 alleged armed attack on President Niyazov are retried in proceedings which meet international standards on fairness and to which international trial observers have access.
- o Ensure that the relatives of all those convicted in connection with the November 2002 alleged attack are provided with information about the whereabouts of the prisoners.
- o Grant the International Committee of the Red Cross, other independent observers and the prisoners' relatives access to the prisoners.
- o Eradicate impunity for torture or other ill-treatment.

- o Abolish legislation and practices arising from the residence registration system (*propiska* system) that restrict access to housing, employment, social benefits (such as maternity and child support, and pension payments), free health care and access to education for children.
- o End discrimination of ethnic minorities, in particular with regard to access to employment and higher education facilities.
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