

TURKMENISTAN 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and some laws and policies provide for religious freedom; however, other laws and policies restrict religious freedom and the government enforced those restrictions. The government's respect for religious freedom did not change significantly during the year. Restrictive government practices in the treatment of some registered and unregistered groups continued. Several religious groups remained unable to register and the government restricted the ability of registered groups to obtain permanent premises for worship and to print or import religious materials. The government continued to arrest, charge, and imprison Jehovah's Witnesses who were conscientious objectors to military service. In contrast to previous years, however, in lieu of imprisonment courts issued fines and suspended sentences to the majority of Jehovah's Witnesses tried for refusing military service.

There were no reports of societal abuses or violence based on religious affiliation, belief, or practice. The majority of citizens identify themselves as Sunni Muslim. Local society is historically tolerant and inclusive of different religious beliefs, but ethnic Turkmen who converted to other religious groups or denominations, especially lesser-known Protestant groups, were viewed with suspicion and sometimes ostracized.

In meetings with government officials throughout the year, including at the March annual bilateral consultations, U.S. embassy and Department of State officials raised concerns about the detention and imprisonment of religious minorities, the rights of religious groups to register, the lack of alternatives to military service for conscientious objectors, and restrictions on importing religious literature.

Section I. Religious Demography

According to 2006 government estimates, the population is 6.7 million. Statistics regarding religious affiliation are not available. However, according to the government, there are 121 religious organizations and seven registered religious groups. Of these, 104 are Muslim, including 99 Sunni and five Shia organizations; 13 are Russian Orthodox; and 11 represent other religious groups, including Roman Catholics, Bahais, Hare Krishnas, and Protestants (who have several small churches). There also are small communities of the following unregistered

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religious groups: Jehovah's Witnesses, Jews, Shia Muslims, and evangelical Christians, including Baptists and Pentecostals.

The 1995 census indicates that ethnic Russians make up almost 7 percent of the population; however, subsequent emigration to Russia and elsewhere continues to reduce this proportion. Most ethnic Russians and Armenians are Christian and are generally members of the Russian Orthodox Church. Ethnic Russians and Armenians also make up a significant percentage of unregistered religious congregations; however, ethnic Turkmen are increasingly represented among these unregistered groups.

There are small pockets of Shia Muslims, many of whom are ethnic Iranians, Azeris, or Kurds living along the border with Iran and in the western city of Turkmenbashi.

An estimated 300 Jews live in the country. Local Jews consider Judaism an ethnic rather than a religious identity. There are no synagogues or rabbis, and Jews do not gather for religious observances.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for religious freedom; however, other laws and policies restrict religious freedom.

The law requires all religious organizations to register; restricts religious education, literature, and training of clergy; and monitors financial and material assistance to religious groups from foreign sources. The law provides that leaders of religious organizations should have advanced theological training.

Following registration with national authorities, religious groups must obtain approval from local authorities to carry out religious activities. While the criminal code outlaws violations of religious freedom or persecution by private actors, it is not enforced.

The government-appointed Council on Religious Affairs (CRA) reports to the president and ostensibly acts as an intermediary between the government bureaucracy and registered religious organizations. It includes Sunni Muslim imams and the head of the Russian Orthodox Church, as well as government

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representatives, but has no representatives from other registered religious groups. In practice the CRA acts as an arm of the state, exercising direct control over the hiring, promotion, and removal of Sunni Muslim clergy, as well as playing a role in controlling all religious publications and activities. The CRA has no role in promoting interfaith dialogue except between Sunni Muslims and Russian Orthodox Christians.

Although the government does not officially favor any religion, it funds the construction of mosques. The government also approves the appointment of all senior Muslim clerics and requires senior clerics to report regularly to the CRA. The Russian Orthodox Church and other religious groups are financed independently, and the government does not approve the appointment of their leadership.

There are two legal categories for registered religious communities: religious groups (consisting of at least five and fewer than 50 members of legal age); and religious organizations (consisting of at least 50 members). The numerical threshold for registration is five members, and all minority groups are eligible to register.

According to the CRA, only large mosques can register as religious organizations. The CRA does not consider smaller mosques, or houses of prayer, to be groups or organizations. These smaller mosques may or may not have a resident cleric, depending on the number of worshippers. Most houses of prayer are located in rural areas, and are staffed by elderly volunteer clerics who subsist on pensions and material support from their families. At larger mosques that are registered as religious organizations, each organization pays clerics and owns its building.

Unregistered religious groups and unregistered branches of religious groups cannot conduct religious activities, establish places of worship, gather and disseminate religious materials, or proselytize. Unregistered religious activity is punished as an administrative offense.

Although no laws expressly prohibit holding religious services in residential property, the housing code states that communal housing should not be used for any activities other than living. The religion law states that religious services must be held at the religious group's designated location. In practice, however, groups may hold services in private homes as long as the neighbors do not complain.

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The religion law prohibits foreign missionary activity and foreign religious organizations. The law does not restrict the ability of foreigners to worship with local religious groups.

The publication of religious literature is prohibited by decree, and the CRA must approve imported religious literature. Only registered religious groups can import literature. In practice these groups seldom obtain permission to import religious publications. While the Quran is practically unavailable in state bookstores in Ashgabat, most homes have one copy in Arabic. Few copies are available in Turkmen.

The religion law prohibits wearing religious attire in public places, except for clergy of religious organizations.

The government uses some aspects of Islamic tradition in its effort to define a national identity. For example, the government built large mosques in Ashgabat, Turkmenabat, Gokdepe, Gypjak, and Mary. Despite its embrace of certain aspects of Islamic culture, the government remains concerned about foreign Islamic influence and the interpretation of Islam by local believers. The government promotes an understanding of Islam based on local religious practices and national traditions. The government officially bans only extremist groups that advocate violence, but it categorizes Muslim groups advocating a stricter interpretation of Islamic religious doctrine as “extremist.”

The government does not offer alternative civilian service for conscientious objectors. The penalty under the criminal code for refusing to perform compulsory service in the armed forces is up to two years’ imprisonment. The government offers individuals who refuse military service for religious reasons noncombatant roles within the military but does not provide them with nonmilitary service alternatives.

Although some independent religious education exists, the religion law prohibits private religious teaching. The government does not promote religious education, and there is no official religious instruction in public schools.

The religion law allows mosques to provide religious education to children after school for four hours a week with the approval of parents. Persons who graduate from institutions of higher religious education (the law does not specify domestic or international institutions) and who obtain CRA approval may provide religious education. Citizens have the right to receive religious education individually or

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with other persons; however, the law prohibits providing religious education in private, and those who do so are subject to punitive legal action. Some Sunni mosques regularly schedule classes on the Quran.

The government prohibits unregistered religious groups or unregistered branches of registered religious groups from providing religious education. Homeschooling usually is allowed only in cases of severe illness or disability and not for religious reasons.

The Law on Political Parties adopted in January prohibits the establishment of political parties on the basis of religion.

The government observes the following Sunni Muslim religious holidays as national holidays: Oraza-Bairam (Eid al-Fitr) and Gurban Bairam (Eid al-Adha).

Government Practices

There were reports of abuses of religious freedom, including reports of imprisonment and detention. Restrictive government practices in the treatment of some registered and unregistered groups continued. Government authorities at times disrupted meetings of unregistered religious groups. In practice when the government suspected individuals of unauthorized or unregistered activity, they were subjected to search, detention, confiscation of religious materials, seizure of private property, verbal abuse, fines, pressure to confess to holding an illegal meeting, and beating. There were reports of imprisonment for conscientious objection.

Authorities in Dashoguz detained a member of Jehovah's Witnesses from March 9-11 on allegedly fabricated charges of disseminating pornographic materials. Prior to his arrest, police raided the man's home and confiscated his religious materials and computer. Jehovah's Witnesses reported that during his detention, Ministry of National Security officers beat him until he was unconscious. On April 12 the Dashoguz City Court sentenced him to four years in a labor camp for disseminating pornographic materials. He remained in prison at year's end.

On January 18 Vladimir Nuryllyayev, a member of Jehovah's Witnesses, received a four-year prison sentence from an Ashgabat court for similar charges of disseminating pornographic materials. He had been in pre-trial detention since November 16, 2011. Prior to his arrest, police reportedly raided Nuryllyayev's home, confiscated religious materials and his computer, and beat him. Jehovah's

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Witnesses reported that Nuryllyayev never met the persons to whom police say he provided pornographic materials. Nuryllyayev was released from a prison in Ovan Depe after receiving amnesty in May.

In February the government granted amnesty to Pastor Ilmyrat Nurlyev, leader of the unregistered Light to the World Turkmen Evangelical Church. In October 2010 the Mary City Court sentenced Nurlyev to four years in prison on charges of extortion and ordered him to pay restitution in the amount of 1,600 manat (\$563).

Jehovah's Witnesses often refused military service because the country did not offer alternative civilian service options for conscientious objectors that they found acceptable. Since 2009, the government has imprisoned 15 Jehovah's Witnesses for refusing military service, most recently in June. Courts issued suspended sentences and garnished the wages of five other Jehovah's Witnesses for refusing military service during the year. At year's end, four members of Jehovah's Witnesses were imprisoned at Seydi for refusing military service.

On August 30, authorities in Turkmenabat detained members of a registered Protestant church for conducting a religious meeting in a private home. Police and Ministry of National Security officers insisted the group broke the law and reportedly pressured members of the church to sign a confession. Police fined one member of the church who signed a confession 750 manat (approximately \$264) for conducting an unauthorized religious gathering.

Some groups reported difficulties in obtaining permission from local authorities to carry out religious activities. As in 2011, some groups reported that by routinely notifying the government of their gatherings and events and inviting government representatives to attend, they generally avoided government harassment. Nonetheless, ten registered minority religious groups established public places of worship, five of which were rented, two were residential buildings used exclusively as church facilities, and three were private residential homes of group members.

The government forbade unregistered religious groups or unregistered branches of registered religious groups from gathering publicly or privately and retained the ability to punish individuals or groups who violated these prohibitions. Some unregistered congregations continued to practice quietly, largely in private homes.

Legal and governmental obstacles hindered or prevented some religious groups from purchasing or obtaining long-term leases for land or buildings for worship or

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meetings. Registered groups also had difficulty renting special event space for holiday celebrations from private landlords due to concern about official disapproval. Some registered religious groups were denied permission to conduct church meetings such as study groups and seminars, apart from a weekly worship service.

Members of the theology faculty in the history department at Turkmen State University in Ashgabat were the only academic faculty members allowed to conduct Islamic higher education.

Although the government did not officially restrict persons from changing their religious beliefs and affiliation, they treated ethnic Turkmen members of unregistered religious groups accused of proselytizing and disseminating religious material more harshly than non-ethnic Turkmen. While some registered groups could proselytize in public without harassment, leaders of other groups noted that proselytizing in public was considered a culturally inappropriate activity.

Officers in the Sixth Department of the Ministry of National Security, the division charged with fighting organized crime and terrorism, monitored members of religious minorities. Nevertheless, those groups continued to engage in regular activities.

The government denied visas to foreigners suspected of conducting or intending to conduct missionary activity. However, several registered religious minority groups obtained assistance from the CRA to get entry visas for foreign members of their churches.

Religious groups seldom received permission from CRA to import religious literature. Minority religious groups claimed they were disadvantaged in importing religious materials because they had no representation on the CRA. The government reportedly prohibited all religious groups from subscribing to foreign publications. The CRA required that its officials stamp religious literature, including Bibles and Qurans, to authorize them. Some groups noted the availability of printable materials on the Internet enabled them to get around restrictions on publication and importation of religious literature. Some citizens reported the seizure of personal Bibles at the airport upon arrival from foreign travel, even though the Bibles were in their possession when they departed the country.

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There were no reports of travel restrictions for religious study abroad or to attend religious conferences.

In November the government financially sponsored 188 pilgrims to travel to Mecca. The government did not provide charter flights for self-paying pilgrims, as it had in some past years. There were no reports that security services detained individuals returning from, or attempting to make, the Hajj without government approval. However, there were also no reports that self-paying pilgrims made the trip to Mecca.

There were no reports of anti-Semitic acts.

The government continued to discriminate against members of some religious groups with respect to employment.

Although the law prohibited wearing religious attire in public places, the prohibition did not extend to women's attire in practice as many women wore the hijab in public.

Section III. Status of Societal Respect for Religious Freedom

There were no reports of societal abuses or discrimination based on religious affiliation, belief, or practice. There was some societal criticism, however, of those who deviated from traditional ethno-religious beliefs and practices.

As a result of government restrictions, 70 years of Soviet rule, and indigenous Islamic culture, traditional mosque-based Islam did not play a dominant role in society. Together with shrine pilgrimages, rituals associated with birth, marriage, and death featuring music and dancing played a greater role in local Muslims' expression of Islam than regular prayer at mosques. The great majority of the population identified itself as "Muslim," and national identity was linked to Islam. Societal attitudes generally reflected the belief that an individual is born into an ethno-religious group. Those who departed from these traditions received little social support or were criticized.

Ethnic Turkmen who converted from Islam to another religious group were viewed with suspicion and sometimes ostracized.

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Societal distrust of foreign-based religious groups continued and there was a common belief that Islam from outside the country was “Wahhabist” or “extremist.”

Section IV. U.S. Government Policy

In meetings with government officials, U.S. embassy representatives and visiting U.S. government officials, including the ambassador at large for international religious freedom and the deputy assistant secretary of state for democracy, human rights, and labor, urged greater support for religious freedom. They raised concerns about the arrests of religious minorities, the right of religious groups to register, the lack of alternative military service for conscientious objectors, and restrictions on the importation of religious literature.

The embassy coordinated efforts with other resident embassies to raise concerns about specific religious minority cases. The Ministry of Foreign Affairs responded to every embassy request for information about prisoners of concern and attempts by religious groups to register.

U.S. embassy officers met with representatives of registered and unregistered religious groups throughout the year to monitor their status, discuss restrictions on religious freedom, and ways to raise their cases with the government.