

TURKMENISTAN 2020 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution provides for the freedom of religion and for the right of individuals to choose their religion, express and disseminate their religious beliefs, and participate in religious observances and ceremonies. The constitution guarantees the separation of government and religion and stipulates that religious organizations are prohibited from “interference” in state affairs. The law on religion requires all religious organizations, including those previously registered under an earlier version of the law, to reregister regularly with the Ministry of Justice (MOJ) in order to operate legally. According to religious organizations, government security forces continued to severely restrict the importation of religious literature, and it remained difficult to obtain places of worship.

According to Jehovah’s Witnesses, as of the end of the year, 11 Jehovah’s Witness conscientious objectors were imprisoned for refusing military service; several were sentenced to prison terms of one year to two years. The government continued not to offer civilian service alternatives for conscientious objectors. The government registered one new religious organization, and six religious organizations amended their charter during the year. According to local religious communities and international advocacy groups, members of some registered and unregistered Christian organizations continued to face official and unofficial harassment, raids, and house searches, usually as a result of attempting to gather for purposes of communal worship. The government continued to appoint all senior Muslim clerics and scrutinize or obstruct religious groups attempting to purchase or lease buildings or land for religious purposes.

Religious leaders and others again stated they were reluctant to speak out publicly about religious freedom issues out of fear of harassment, ostracism, or public shaming by their family members, friends, and neighbors. Numerous citizens stated that the government’s suspicion of religion continued to be mirrored in the private sector, and that membership in a minority religious organization or even “excessive” expressions of religion could result in the loss of employment or employment opportunities. Some members of minority religious groups reported societal prejudices against religious groups that were not Sunni Muslim or Russian Orthodox.

In meetings and official correspondence with government officials, the Ambassador, embassy representatives, and other U.S. government officials

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expressed concern about religious freedom issues, including the legal status of conscientious objectors, the factors that determined Turkmenistan's designation as a Country of Particular Concern, the ability of religious groups to register or reregister, and restrictions on the import of religious literature. Multiple times during the year, the embassy requested that President Gurbanguly Berdimuhamedov pardon all Jehovah's Witnesses imprisoned as conscientious objectors. In January, the Ambassador and other embassy officials, along with ambassadors and senior officials from European embassies, met with 10 minority religious groups to discuss their challenges in the face of a restrictive environment for religious freedom, including challenges of reregistration, the inability to import religious literature, and the lack of places of worship.

Since 2014, Turkmenistan has been designated as a Country of Particular Concern (CPC) under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. On December 2, 2020, the Secretary of State redesignated Turkmenistan as a CPC and announced a waiver of the sanctions that accompany designation as required in the "important national interest of the United States."

Section I. Religious Demography

The U.S. government estimates the total population at 5.5 million (midyear 2020 estimate). According to U.S. government estimates, the country is 89 percent Muslim (mostly Sunni), 9 percent Eastern Orthodox, and 2 percent other. There are small communities of Jehovah's Witnesses, Shia Muslims, Baha'is, Roman Catholics, members of the International Society for Krishna Consciousness, and evangelical Christians, including Baptists and Pentecostals.

Most ethnic Russians and Armenians identify as Orthodox Christian and generally are members of the Russian Orthodox Church or Armenian Apostolic Church. Some ethnic Russians and Armenians are also members of smaller Protestant groups.

There are small pockets of Shia Muslims, consisting largely of ethnic Iranians, Azeris, and Kurds, some located in Ashgabat, with others along the border with Iran, and in the western city of Turkmenbashi.

According to the Israeli embassy, approximately 200 Jews live in the country.

Section II. Status of Government Respect for Religious Freedom

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Legal Framework

The constitution provides for freedom of religion and worship and for the right of individuals to choose their religion, express and disseminate their religious beliefs, and participate in religious observances and ceremonies. The constitution separates the roles of government and religion, stipulating religious organizations are prohibited from “interference” in state affairs or carrying out state functions. The constitution states public education shall be secular in nature. It provides for the equality of citizens before the law regardless of their religious preference.

The law requires all religious organizations, including those that had registered previously, to reregister with the MOJ in order to operate legally in the country whenever the organization changes its address or amends its legal charter. In practice, however, religious groups have a de facto requirement to reregister approximately every three years. The law permits only the registration of those religious organizations that have at least 50 resident members older than the age of 18. The law defines a religious organization as a voluntary association of citizens affiliated with a religion, organized to conduct religious services and other rites and ceremonies as well as to provide religious education and registered in accordance with the country’s legislation. According to the Ministry of Foreign Affairs, there are 132 religious organizations in the country, drawn from Muslim, Christian, and other faith groups; most (109) are Muslim.

According to the law, the State Commission on Religious Organizations and Expert Evaluation of Religious Information Resources (SCROEERIR) is responsible for helping registered religious organizations work with government agencies, explaining the law to representatives of religious organizations, monitoring the activities of religious organizations to ensure they comply with the law, assisting with the translation and publication of religious literature, and promoting understanding and tolerance among different religious organizations. The law states SCROEERIR must approve all individuals appointed as leaders of religious organizations, although the law does not specify the procedures for obtaining the required approval. SCROEERIR operates under the leadership of the Grand Mufti, who is appointed by the government, as are all other senior Muslim clerics. The Deputy Chairman of the Cabinet of Ministers for education, health, religion, sports, tourism, science, new technologies, and innovation oversees SCROEERIR’s work. The chairman of SCROEERIR is also the chairman of the Department for Work with Religious Organizations of the Cabinet of Ministers. One member of SCROEERIR is from the Russian Orthodox Church.

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To register, organizations must submit to SCROEERIR their contact information; proof of address; a statement requesting registration signed by the founders and board members of the organization; two copies of the organization's charter; the names, addresses, and dates of birth of the organization's founders, and pay a registration fee of ranging from 100 to 800 manat (\$29 to \$230), based on location of registration and other factors. Once SCROEERIR endorses an application for registration, it is submitted to the MOJ, which coordinates an interministerial approval process involving the Ministry of Foreign Affairs, Ministry of National Security, Ministry of Internal Affairs, and other government offices. According to government procedures, the MOJ may additionally request the biographic information of all members of an organization applying for registration. The law states that leaders of registered religious organizations must be citizens who have received an "appropriate religious education," but it does not define that term. Each subsidiary congregation of a registered religious organization must also register, and the registration process is the same as that which applies to the parent organization.

The tax code stipulates registered religious organizations are exempt from taxes.

The law states the MOJ will not register a religious organization if its goals or activities contradict the constitution or if SCROEERIR does not endorse its application. The law does not specify the standards SCROEERIR uses to make that determination. The law assigns the Office of the Prosecutor General to monitor the compliance of a religious organization with the constitution. The law specifies a court may suspend the activities of a religious organization if it determines the organization to be in violation of the constitution; that suspension may only be overcome if the organization submits documentation satisfying the court that the activities that led to suspension have been stopped. The law also states that grounds for dissolution of a religious organization include activities "that violate the rights, freedoms, and lawful interests of citizens" or "harm their health and morale."

The administrative code covering religious organizations delineates a schedule of fines for conducting activities not described in a religious organization's charter.

Unregistered religious organizations and unregistered subsidiary congregations of registered religious organizations may not legally conduct religious activities; establish places of worship; gather for religious services, including in private residences; produce or disseminate religious materials; or proselytize. Any such

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activity is punishable as an administrative offense by fines ranging from 100 to 2,000 manat (\$29 to \$570), with higher fines for religious leaders and lower fines for lay members.

The law states MOJ officials have the right to attend any religious event held by a registered religious organization and to question religious leaders about any aspect of their activities.

The administrative code stipulates penalties of from 200 to 500 manat (\$57 to \$140) for officials who violate an individual's right of freedom to worship or right to abstain from worship, but this has not been enforced in practice.

The criminal and administrative codes provide punishment for the harassment of members of registered religious organizations by private individuals. According to the administrative code, obstructing the exercise of religious freedom is punishable by a fine of from 1,000 to 8,700 manat (\$290 to \$2,500) or detention of from 15 days to one year of "corrective labor," which involves serving in a government-assigned position in a prison near one's home or at a location away from one's home. If an obstruction involves a physical attack, the punishment may entail up to two years in prison. According to the criminal code, the fine is calculated as five to 10 times an individual's average monthly wages (4,350 to 8,700 manat or \$1,200 to \$2,500).

The law allows registered religious organizations to create educational establishments to train clergy and other religious personnel after obtaining a license to do so. The Cabinet of Ministers establishes the procedures for obtaining a license. The law also states individuals teaching religious disciplines at religious educational establishments must have a theological education and must carry out their activities with the permission of the central governing body of the religious organization and the approval of SCROEERIR.

Local governments have the right to monitor and "analyze" the "religious situation" within their jurisdiction, send proposals to SCROEERIR to change or update legislation on religious freedom, and coordinate religious ceremonies conducted outside of religious buildings.

The law allows local governments, with the approval of SCROEERIR, to make decisions regarding the construction of religious buildings and structures within their jurisdiction.

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Under the criminal code, polygamy carries penalties of up to two years of labor or fines of 17,400 to 26,100 manat (\$5,000 to \$7,500).

The law prohibits the publication of religious literature inciting “religious, national, ethnic, and/or racial hatred,” although it does not specify which agency makes this determination. SCROEERIR must approve imported religious literature, and only registered religious organizations may import literature. Registered religious organizations may be fined for publishing or disseminating religious material without government approval. The administrative code sets out a detailed schedule of fines, ranging from 200 to 2,000 manat (\$57 to \$570), for producing, importing, and disseminating unauthorized religious literature and other religious materials.

Religious instruction is not part of the public school curriculum. The law allows registered religious organizations to provide religious education after school to children for up to four hours per week with parental and SCROEERIR approval, although the law does not specify the requirements for obtaining SCROEERIR’s approval. Persons who graduate from institutions of higher religious education, and who obtain approval from SCROEERIR, may provide religious education. According to the law, citizens have a right to obtain religious education, although obtaining religious education in private settings such as residences is prohibited, and those offering religious education in private settings are subject to legal action. The law prohibits unregistered religious groups or unregistered subsidiary congregations of registered religious organizations from providing religious education. The administrative code sets out a detailed schedule of fines, ranging from 100 to 500 manat (\$29 to \$140), for providing unauthorized religious education to children.

The constitution states two years of military service are compulsory for men older than the age of 18. Although service in noncombat roles is allowed, the government does not offer civilian service alternatives for conscientious objectors. Refusal to perform the compulsory two-year service in the armed forces is punishable by a maximum of two years in prison or two years of “corrective labor.” In addition, the state withholds part of the salaries of prisoners sentenced to corrective labor in an amount designated by the court. Salary deductions range between 5 to 20 percent. The law states no one has the right for religious reasons to refuse duties established by the constitution and the law. Until the age of 27, individuals may be convicted each time they refuse compulsory military service, potentially resulting in multiple convictions in their lifetimes.

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The constitution and law prohibit the establishment of political parties on the basis of religion, and the law prohibits the involvement of religious groups in politics.

The law does not address the activities of foreign missionaries and foreign religious organizations. The administrative code, however, bans registered religious organizations from receiving assistance from foreign entities for prohibited activities.

The law requires religious groups to register all foreign assistance with the MOJ and to provide interim and final reports on the use of funds. The administrative code provides a detailed schedule of fines of up to 10,000 manat (\$2,900) on both unregistered and registered religious groups for accepting unapproved funds from foreign sources.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

Military-age Jehovah's Witnesses continued to be arrested and imprisoned for refusing military service; five were arrested and imprisoned during the year. As of the end of the year, 11 Jehovah's Witnesses conscientious objectors were imprisoned for refusing military service, compared with 10 at the end of 2019.

According to the human rights nongovernmental organization (NGO) Forum 18, early in the year, the Dashoguz Provincial Court sentenced Jehovah's Witnesses Kamiljan Ergashov and Vepa Matyakubov to two years in prison for refusing compulsory military service. This was reportedly the second conviction for Matyakubov, who was first convicted in 2017, placed under house arrest, and forced to forfeit 20 percent of his salary. His older brother, Dovran, was imprisoned twice for conscientious objection, first in December 2010 and again in December 2012. Matyakubov's sentence included a statement from SCROEERIR that "the religion of Jehovah's Witnesses is not officially registered in Turkmenistan."

According to Forum 18 and the Jehovah's Witnesses' official website, brothers Eldor and Sanjarbek Saburov were sentenced to two years and imprisoned in August for their conscientious objection to military service. Forum 18 reported that both lost their appeal to the Dashoguz Provincial Court on September 1 and faced a sentence of corrective labor because both had been charged with the same offense previously (Sanjarbek in 2016 and Eldor in 2017).

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According to Forum 18, in September, Myrat Orazgeldiyev, a member of Jehovah's Witnesses, was sentenced to one year in prison for conscientious objection by a district court in Mary Province.

Forum 18 also reported that in May, Jehovah's Witnesses filed a complaint with the UN Working Group on Arbitrary Detention on behalf of 19 current or former imprisoned conscientious objectors.

According to Forum 18, in March, the Lebap Provincial Court fined a homeowner 200 manat (\$57) and confiscated his computer for hosting a gathering to celebrate Christmas in 2019. In February, secret police from the Ministry of National Security reportedly raided a home in Dashoguz Province where local Christians were meeting. All the participants were taken to the police station and the homeowner was later fined 200 manat (\$57). That same month, local police reportedly raided another house in Dashoguz Province where a group of Protestants was attending a housewarming celebration. All those present were taken to the police station and forced to write statements indicating they had attended an illegal religious meeting. In January, police summoned a group of women to make statements and give fingerprints following a raid on their Christmas 2019 gathering in a village in Lebap Province. There were no further developments in this case by year's end.

Forum 18 also reported that in Lebap Province in February, officials banned state employees – including those working in education, culture, health, the military, and the police – from attending Friday prayers in mosques. The employees were warned that if they were seen in mosques they would be fired from their jobs. Officials also banned them from praying at their place of work.

In its report covering 2020, NGO Open Doors ranked the country on its World Watch List of countries where Christians are persecuted. The NGO said the government imposed many restrictions on church life and Christians are highly susceptible to police raids, threats, arrests, and fines unless they are part of a registered church. According to local religious community members and international advocacy groups, members of some Christian organizations faced harassment, raids, and house searches, usually as a result of attempting to gather for purposes of communal worship. They reported that security services interviewed members of religious organizations and demanded they provide information on their communities' activities. Some members also reported that security officials interrogated their friends and family members, asking about the

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members' religious activities. Christian groups reported that Turkmen who converted from Islam experienced government scrutiny and were subject to discrimination. For example, the groups reported converts were denied government jobs or fired from jobs based on their religion.

Unregistered groups stated their members were subject to arrest for "unlawful assembly," in addition to fines stipulated by law. Members of these groups said they continued to practice discreetly, mostly in private homes, and could do so as long as neighbors did not file complaints with local authorities.

Representatives of registered Christian groups said some government officials continued to require them to obtain approval to carry out routine religious activities, such as weekly services, as well as social and charitable activities, including summer camps for children. Some groups sought official approval of such activities, even if they did not believe that approval was required, in order to assure the events would not be disrupted.

Religious groups continued to report the government prevented or severely limited the importation of and access to religious literature; even the few groups who were successful in importing literature complained about the restrictive procedures. Although by law registered religious groups were allowed to import religious literature, they said the government's opaque procedures made it extremely difficult. The Quran remained unavailable in state bookstores in Ashgabat, although many individuals kept a Soviet-era copy in Arabic or Russian in their homes. Few translations were available in the Turkmen language. The Ministry of Foreign Affairs said SCROEERIR allowed the import of 240 religious books during the year.

Members of various religious groups reported that the government and state-affiliated enterprises continued to interfere in the purchase or long-term rental of land and buildings for worship or meeting purposes. Some of the groups reported that landlords feared government reprisal if they leased properties to be used as places of worship. Some groups reported that they had secured properties only to have the landlords renege on the contacts after being instructed by the government. Other groups stated that attempts to purchase land or property to use as places of worship were stymied by intentional government obfuscation or flat-out denial. Registered and unregistered religious groups reported continued difficulty in renting space for holiday celebrations from private landlords, which they attributed to landlords' concerns about potential government disapproval.

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The theology faculty in the Turkmen State University history department in Ashgabat continued to be the only university-level members allowed to provide Islamic higher education. The Ministry of National Security reportedly continued to vet student candidates for admission to this program. The state-approved Islamic theology program remained the only course of study available. Women remained banned from the program.

On February 21, President Berdimuhamedov attended the opening of a 3,000-person-capacity mosque in Turkmenabat, Lebap Province. After the tour, he hosted a communal meal with government officials, Muslim leaders, and local business leaders.

According to members of the Protestant community, clergy in Protestant organizations continued to receive their religious education abroad or via distance learning.

The government continued its practice of approving the appointment of all senior Muslim clerics. The Russian Orthodox Church and other religious groups continued to be financed independently; the government was not involved in appointing their leadership, but the senior Russian Orthodox priest was required to be a Turkmen citizen.

The government continued its practice of denying visas to foreigners suspected of conducting or intending to conduct missionary activity. Religious groups able to obtain religious visitor visas for foreign religious speakers said the government continued to grant such visas for very short durations and required the groups to complete burdensome paperwork. As in previous years, the government did not report the number of religious visitors it allowed into the country, nor did it report the number of visa applications of foreign religious visitors it had denied. Pro-government media reported positively on the visit of a Russian Orthodox Archbishop in February, before borders were closed due to the COVID-19 pandemic.

Section III. Status of Societal Respect for Religious Freedom

Minority religious groups said persons who were not Sunni Muslim or Russian Orthodox continued to report harassment, such as public shaming, by their family members, friends, and neighbors. Members of registered Christian groups continued to report hostility from acquaintances due to their religious affiliation. Religious leaders and others stated they continued to be reluctant to speak out

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publicly about religious freedom issues out of fear of harassment, ostracism, or public shaming by their family members, friends, and neighbors. Numerous citizens continued to state that the government's suspicion of religion was often mirrored in the private sector, and that membership in a minority religious organization or even outward expressions of religion, such as how one wears a headscarf or religious symbol, could result in the loss of employment or employment opportunities. Some members of minority religious groups reported continued societal prejudices against religious groups that were not part of the Sunni Muslim majority.

Persons who joined non-Sunni Muslim or Russian Orthodox religious groups reported continuing societal criticism. Ethnic Turkmen who converted from Islam received more societal scrutiny than non-Turkmen converts and continued to be ostracized at community events, especially in rural areas, according to representatives of religious minority groups.

According to Christian community leaders, Muslims who converted to Christianity faced pressure from families, friends, and local communities to return to their former faith. In its report covering 2020, Open Doors said Christians who come from Muslim backgrounds experienced intense pressure to deny their faith.

Section IV. U.S. Government Policy and Engagement

In meetings and official correspondence with government officials, the Ambassador, embassy representatives, and U.S. government officials continued to express concerns about issues of religious freedom in the country. These included the legal status of conscientious objectors, Turkmenistan's designation as a Country of Particular Concern, the ability of religious groups to register or reregister, and easing restrictions on the importation of religious literature. The Ambassador, personally in meetings, and the embassy, via diplomatic notes, requested that President Berdimuhamedov pardon all Jehovah's Witnesses imprisoned as conscientious objectors.

In January, the Ambassador and other embassy officials met with representatives of 10 minority religious groups to discuss their challenges in the face of a restrictive environment for religious freedom. Several other ambassadors and senior embassy officials from European countries also took part. Representatives from religious organizations spoke about challenges of reregistration, the inability to import religious literature, and the lack of places of worship.

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Since 2014, Turkmenistan has been designated as a CPC under the International Religious Freedom Act of 1998 for having engaged in or tolerated particularly severe violations of religious freedom. On December 2, 2020, the Secretary of State redesignated Turkmenistan as a CPC and announced a waiver of the sanctions that accompany designation as required in the “important national interest of the United States.”