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Latest conscientious objector jailed for three years

By Felix Corley

Forum 18 (22.11.2019) - <http://bit.ly/2XIAVNY> - A court in Mary Region jailed 26-year-old Jehovah's Witness conscientious objector Serdar Dovletov for three years despite his chronic stomach ulcer that requires medical attention. Investigators accused him of "fraudulently" evading compulsory military service. Nine other conscientious objectors are serving jail terms in the Seydi labour camp in eastern Turkmenistan.

On 12 November, a court in Mary Region of south-east Turkmenistan jailed 26-year-old Jehovah's Witness conscientious objector Serdar Dovletov for three years for "fraudulently" evading compulsory military service. He was called up despite suffering from a chronic stomach ulcer that needed medical attention, as three doctors testified in court. The investigator accused Dovletov of referring to his religious beliefs "because he did not find any other reasons to fraudulently deviate from military service".



Mary Regional Police Station, where detention centre believed located

Dovletov appealed against his conviction to Mary Regional Court. The appeal has not yet reached the Court, officials told Forum 18 on 22 November (see below).

Jehovah's Witnesses are conscientious objectors to military service and their beliefs do not allow them to undertake any kind of activity supporting any country's military. But they willing undertake an alternative, totally civilian form of service, as is the right of all conscientious objectors to military service under international human rights law.

The sentence handed down to Dovletov brings to seven the number of conscientious objectors to compulsory military service known to have been convicted and jailed in 2019 so far (all of them Jehovah's Witnesses).

Including three who have been serving jail terms since 2018, ten Jehovah's Witness conscientious objectors are known - as of 22 November - to be serving jail terms of between one and four years. Seven of them are imprisoned at the Labour Camp at Seydi in the eastern Lebap Region (see full list below).

Dovletov is still being held at the pre-trial detention prison in the city of Mary, 300 kms (190 miles) east of the capital Ashgabad. He is expected to be transferred to the labour camp at Seydi, where the other nine jailed conscientious objectors are all being held (see below).

Judge Ogultach Yazmamedova of Ashgabad's Kopetdag District Court, who jailed Jehovah's Witness conscientious objector David Petrosov on 30 September for one year, refused to explain why she jailed him despite his declaration to the Military Conscription Office that he was ready to perform a civilian, alternative service. "We don't answer questions by phone," she told Forum 18 (see below).

Turkmenistan has ignored repeated international calls, for example by the United Nations Human Rights Committee, to introduce a genuine civilian alternative to compulsory military service, to stop prosecuting and punishing conscientious objectors, and to compensate those it has punished.

Forum 18 could not immediately reach any officials to find out why Dovletov was jailed and the regime is not willing to introduce a civilian alternative service. In particular, the specialist at the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production, Nasrullah ibn Ibadullah, did not answer his phone (see below).

On 17 September, the United Nations Human Rights Committee published its Decision that the human rights of former conscientious objector prisoners Juma Nazarov, Yadgarbek Sharipov and Atamurad Suvhanov had been violated. The Committee reprimanded Turkmenistan for failing to engage with its consideration of the cases (see below).

This brings to 13 the number of Human Rights Committee Decisions in favour of 15 conscientious objectors from Turkmenistan, all of them Jehovah's Witnesses (see below).

Another Jehovah's Witness conscientious objector former prisoner, Arslan Begenchov, lodged a case to the UN Human Rights Committee in 2018 and is awaiting a decision (see below).

Other prisoners of conscience jailed for exercising the right to freedom of religion or belief – all of them Muslims – are serving far longer jail terms (see below).

No alternative to compulsory military service



Conscripts at Ashgabad Military Conscription Office

Turkmenistan offers no alternative to its compulsory military service. Military service for men between the ages of 18 and 27 is generally two years. Article 58 of the 2016 Constitution describes defence as a "sacred duty" of everyone and states that military service is compulsory for men.

Young men who refuse military service on grounds of conscience generally face prosecution under Criminal Code Article 219, Part 1. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment or two years' corrective labour.

Criminal Code Article 219, Part 2 punishes refusal to serve in the armed forces in peacetime "by means of inflicting injury to oneself, or by simulation of illness, by means of forgery of documents, or other fraudulent ways". Punishment is a jail term of one to four years. The first known use of Article 219, Part 2 to punish a conscientious objector was the case of Azat Ashirov, while Serdar Dovletov's case is the second (see below).

In May 2019, the Military Conscription office in Turkmenabad forcibly conscripted Jehovah's Witness Bahtiyar Atahanov, despite his written declaration that he could not serve in the armed forces because of his religious convictions.

In what appears to have been a show trial, on 15 July a Judge from Tejen City Court came to the military unit and sentenced Atahanov to four years' imprisonment under Criminal Code Article 344, Part 2. This punishes "Refusing to perform the duties of military service by simulating illness or other means with the aim of complete freeing from performing the duties of military service" with a jail term of up to seven years. He lost his appeal on 20 August (see below).

From 2014, courts punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. However, jailings resumed in January 2018. Courts jailed 12 conscientious objectors in 2018, two of them for two years and 10 for one year.

Calls for alternative civilian service ignored

Turkmenistan has ignored repeated international calls to introduce an alternative to compulsory military service. The most recent call came in the latest United Nations (UN) Human Rights Committee Decision, published in September.

The Human Rights Committee has issued 13 Decisions in favour of 15 conscientious objectors from Turkmenistan, all of them Jehovah's Witnesses. In its most recent such Decision, published on 17 September 2019 (CCPR/C/126/D/2302/2013), it ruled that the right to freedom of religion or belief of former conscientious objectors Juma Nazarov, Yadgarbek Sharipov and Atamurad Suvhanov had been violated by their jailing.

Nazarov and Sharipov had been jailed in 2012, and Suvhanov (for the second time) in 2013. The men had lodged their Human Rights Committee appeals in August 2013.

All three men also complained of "inhuman and degrading treatment" after their arrests.

Sharipov told the Human Rights Committee that in "temporary quarantine" detention following sentencing in Dashoguz in December 2012, "he was treated 'terribly, beaten up and humiliated' for his convictions every day during his 10-day detention".

In a 21 March 2013 submission to the Human Rights Committee, Suvhanov's brother noted that when he saw Atamurad two days earlier in the Investigation Prison in Dashoguz, "it was clear to him that his brother was treated 'horribly', was beaten, and 'humiliated for his convictions'. [Suvhanov] also knew that the conversation with his brother has been monitored. He told his brother that he will not be sent to prison colony anytime soon, because the authorities needed to 'break' him."

Neither Sharipov nor Suvhanov lodged official complaints about the beatings "due to the fear of retaliation and further physical abuse by the prison authorities", the UN Committee noted.

However, the Human Rights Committee ruled that the three men had not been able to document their maltreatment sufficiently to allow a finding that their right not to be tortured had been violated.

One of the Human Rights Committee members, French law professor H el ene Tigroudja, argued that the men's prison conditions were enough to justify a finding also that their right not to be tortured had been violated.

Professor Tigroudja pointed out that the Seydi Labour Camp where Nazarov, Sharipov and Suvhanov had served their sentences, "is situated in a desert, with extreme climatic conditions both in winter and in summer, with deplorable hygiene and living conditions, without the possibility of access to such bodies as the ICRC [International Committee of the Red Cross] and, above all, with the complete impossibility for detainees to complain about their treatment without the threat of retaliation". She also noted that sick prisoners – including those who have contracted tuberculosis – are not held separately from other prisoners.

The Human Rights Committee condemned Turkmenistan's government for failing to submit its "detailed observations on the admissibility and merits" of the appeal submitted by Nazarov, Sharipov and Suvhanov, despite repeated requests. The Committee pointed out that Turkmenistan is "required to submit to the Committee written explanations or statements clarifying the matter and indicating the measures, if any, that have been taken by the State to remedy the situation".

The Human Rights Committee stressed that Turkmenistan is under an obligation to make reparation to Nazarov, Sharipov and Suvhanov for the violations of their rights under the International Covenant on Civil and Political Rights, including to "expunge their criminal records and to provide them with adequate compensation. The State party is also under an obligation to avoid similar violations of the Covenant in the future."

The Committee therefore urges Turkmenistan to meet its obligations to avoid similar violations such as by changing the law, "for instance, by providing the possibility of exemption from service or alternative service of a civilian nature".

Another conscientious objector former prisoner, Arslan Begenchov, lodged a case to the

UN Human Rights Committee on 20 June 2018 and is awaiting a decision, Jehovah's Witnesses told Forum 18. When sentenced in Charjew to one year's imprisonment in January 2018, Begenchov was the first conscientious objector to be sentenced to prison since 2014.

Why no alternative civilian service?

Forum 18 was unable to find out why the authorities will not introduce an alternative civilian service and why conscientious objectors who are willing to perform such an alternative service, like the ten Jehovah's Witness young men, continue to be jailed.

The telephones of the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev and the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova went unanswered each time Forum 18 called on 22 November.

The man who answered the phone at the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production referred Forum 18 to the Commission's specialist, Nasrullah ibn Ibadullah. However, his phone also went unanswered on 22 November.

Many prisoners of conscience

The ten jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief.

Five Muslims who met to study the works of theologian Said Nursi failed to overturn their 12-year jail terms at Turkmenistan's Supreme Court in July 2018. Four of the five are in the top-security prison at Ovadan-Depe, where prisoners have suffered torture and death from abuse or neglect.

More than 60 Muslims from in and around the eastern city of Turkmenabad were imprisoned in 2013 and after to punish them for their involvement in a Muslim study group. Most or all the prisoners are believed to be held at Ovadan-Depe. Relatives often have no information as to whether they are still alive. Three of the group are known to have died in prison.

Called up despite "chronic" medical condition

Jehovah's Witness Serdar Nurmuhammedovich Dovletov (born 12 February 1993) is from the town of Bayramali in Mary Region, 30 kms (18 miles) east of Mary. He is married.

"Over the years Serdar suffered from a serious stomach disease (chronic ulcer) and on this basis he has been getting recurrent draft deferments," Jehovah's Witnesses told Forum 18. "At the moment of calling up to military service in 2019 his disease was in the state of intensification."

The District Military Conscription Office called up Dovletov to regular military service in May 2019. This was the same Conscription Office where he had earlier gained deferment. Officials sent him from there to Mary Regional Military Conscription Office for a decision on whether to call him up to be confirmed.

"However, instead of providing deferment from military service, military officers tried to forcefully take Dovletov to the army despite his serious chronic stomach illness," Jehovah's Witnesses added. "In an attempt to flee from the officers he jumped out of the

window from the second floor." Dovelov was placed for some time in a hospital with a broken heel, and was then sent home to complete his medical treatment.

On 23 October, Investigators handed Dovelov an Indictment under Criminal Code Article 219, Part 2 (refusal to serve in the armed forces in peacetime "by means of inflicting injury to oneself, or by simulation of illness, by means of forgery of documents, or other fraudulent ways"). The investigator threatened to take him into custody if he would not sign the Indictment.

"Fearing for his safety Dovelov signed it, even though he did not agree with everything written in it," Jehovah's Witnesses told Forum 18. "For example, in the Indictment the investigator indicated that Dovelov intentionally injured himself by jumping out of the second floor, and only after that he 'referred to his religious beliefs, because he did not find any other reasons to fraudulently deviate from military service'."

Three-year jail term

Prosecutors handed the case against Dovelov to Bayramali City Court. His trial began on 11 November under Judge Annamyrat Saryyev.

During the hearing on 11 November, three doctors who were part of the medical examination commission in the Conscription Offices testified under oath that Dovelov needs serious medical attention with his disease and for those medical reasons he had to be officially suspended from military service for six months.

"The judge was confused," Jehovah's Witnesses told Forum 18. "He adjourned the hearing until the next day. The next day he found Dovelov guilty."

On 12 November, Judge Saryyev sentenced Dovelov to a three-year ordinary regime jail term under Article 219, Part 2.

Dovelov has filed an appeal against the verdict. This would be heard at Mary Regional Court. Officials at the Regional Court chancellery told Forum 18 on 22 November that the appeal has not yet arrived from Bayramali City Court.

Dovelov is still being held in the pre-trial detention prison (MR/D-14) in the city of Mary, Jehovah's Witnesses told Forum 18.

Judge: "We don't answer questions by phone"

Judge Ogultach Yazmamedova of Ashgabad's Kopetdag District Court jailed Jehovah's Witness conscientious objector David Petrosov on 30 September for one year under Criminal Code Article 219, Part 1. Ashgabad City Court upheld the conviction on 29 October.

Judge Ogultach Yazmamedova refused to explain why she jailed Petrosov despite his declaration to the Military Conscription Office that he was ready to perform a civilian, alternative service. "We don't answer questions by phone," she told Forum 18 from the court on 22 November. She then put the phone down.

Nine jailed conscientious objectors in Seydi Labour Camp



Seydi Labour Camp, 2019

Dovletov's jailing brings to ten the number of Jehovah's Witness conscientious objectors known - as of 22 November - to be serving jail terms. Nine of them are imprisoned at the harsh Seydi Labour Camp in the desert in Lebap Region.

The address of the Seydi Labour Camp is:

746222 Lebap velayat
Seydi
uchr. LB-E/12
Turkmenistan

In his complaint to the United Nations (UN) Human Rights Committee, former Jehovah's Witness prisoner of conscience Aibek Salayev complained that conditions in the Seydi Labour Camp where he was held were "inhuman".

Salayev noted that the Camp was "known for its overcrowdedness, harsh climatic conditions, scarce supplies of food, medication and personal hygiene products, and for tuberculosis, skin diseases, its very high mortality rate, and physical abuse". Officials also threatened him with rape in the Camp.

The UN Human Rights Committee ruled that the Turkmen authorities had violated the rights of Salayev and another Jehovah's Witness former prisoner of conscience Vladimir Nuryllayev. The UN published the Decision (CCPR/C/125/D/2448/2014) on 18 April 2019.

List of known jailed conscientious objectors

Ten conscientious objectors to compulsory military service (listed below) – all of them Jehovah's Witnesses – are known to be serving prison sentences. Seven were jailed under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"), Ashirov and Dovletov under Criminal Code Article 219, Part 2, and Atahanov under Criminal Code Article 344, Part 2:

1) Mekan Orazdurdiyevich Annayev; born 22 June 1999; sentenced 26 June 2018 Turkmenbashi City Court under Criminal Code Article 219, Part 1; no appeal to Balkan Region Court; two years' ordinary regime labour camp.

2) Gurbangylych Dovletovich Muhammetgulyyev; born 15 March 2000; sentenced 28 November 2018 Mary City Court under Criminal Code Article 219, Part 1; no appeal to Mary Regional Court; one year ordinary regime labour camp.

3) Eziz Dovletmuradovich Atabayev; born 15 March 1998; sentenced 19 December 2018 Dashoguz City Court under Criminal Code Article 219, Part 1; appeal rejected 15 January 2019 Dashoguz Regional Court; two years' ordinary regime labour camp.

- 4) Azamatjan Narkulyevich Narkulyev; born 9 November 2000; sentenced 7 January 2019 Danew District Court under Criminal Code Article 219, Part 1; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 5) Muhammetali Charygeldiyevich Saparmyradov; born 11 November 1995; sentenced 19 March 2019 Bayramaly City Court under Criminal Code Article 219, Part 1; no appeal to Mary Regional Court; one year ordinary regime labour camp.
- 6) Bahtiyar Amirjanovich Atahanov; born 17 June 2000; sentenced 15 July 2019 Tejen City Court under Criminal Code Article 344, Part 2; appeal rejected 20 August 2019 Ahal Regional Court; four years' ordinary regime labour camp.
- 7) Azat Gurbanmuhammedovich Ashirov, born 7 January 1999; sentenced 31 July 2019 Abadan District Court under Criminal Code Article 219, Part 2; appeal rejected 3 September 2019 Ashgabad City Court; two years' ordinary regime labour camp.
- 8) David Andronikovich Petrosov, born 15 May 2001; sentenced 30 September 2019 Ashgabad's Kopetdag District Court under Criminal Code Article 219, Part 1; appeal rejected 29 October 2019 Ashgabad City Court; one year ordinary regime labour camp.
- 9) Selim Yolamanovich Taganov, born 22 March 2001; sentenced 3 October 2019 Ashgabad's Berkarylyk District Court under Criminal Code Article 219, Part 1; appeal rejected 29 October 2019 Ashgabad City Court; one year ordinary regime labour camp.
- 10) Serdar Nurmuhammedovich Dovletov, born 12 February 1993; sentenced 12 November 2019 Bayramaly City Court under Criminal Code Article 219, Part 2; appealed to Mary Regional Court; three years' ordinary regime labour camp.

Two new conscientious objector jailings

On 29 October, Ashgabad City Court rejected appeals of two 18-year-old Jehovah's Witnesses, David Petrosov and Selim Taganov, against their one-year jail terms for refusing compulsory military service on grounds of conscience. Nine conscientious objectors are now jailed, six of them in 2019. The United Nations ruled that Turkmenistan violated the rights of three more conscientious objectors jailed in 2013.

By Felix Corley

Forum 18 (06.11.2019) - <https://bit.ly/2q7TT41> - In late September and early October, courts in Turkmenistan's capital Ashgabad jailed two more young Jehovah's Witnesses for one year each for refusing to conduct compulsory military service. David Petrosov and Selim Taganov, who are both 18, had told Military Conscription Offices that they were willing to perform an alternative, civilian service. The men are still in the Yashlyk Investigation Prison, but are expecting to be sent to labour camp.

In separate hearings on 29 October, Ashgabad City Court rejected Petrosov and Taganov's appeals against their convictions and one-year jail terms (see below).

The sentences handed down to Petrosov and Taganov bring to six the number of conscientious objectors to compulsory military service known to have been convicted and jailed in 2019 so far (all of them Jehovah's Witnesses).

Including three who were jailed in 2018, nine Jehovah's Witness conscientious objectors are known - as of 6 November - to be serving jail terms of between one and four years. Seven of them are imprisoned at the Labour Camp at Seydi in the eastern Lebap Region (see full list below).

Petrosov and Taganov are believed still to be held at the pre-trial detention prison at Yashlyk, 40 kms (25 miles) south-east of Ashgabad. They are expected to be transferred to the labour camp at Seydi (see below).

Turkmenistan has ignored repeated international calls, for example by the United Nations Human Rights Committee, to introduce a genuine civilian alternative to compulsory military service, to stop prosecuting and punishing conscientious objectors, and to compensate those it has punished.

Forum 18 could not immediately reach any officials to find out why the regime is not willing to introduce a civilian alternative service. In particular, the specialist at the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production, Nasrullah ibn Ibadullah, did not answer his phone. The 71-year-old Nasrullah was jailed by former President Saparmurat Niyazov in March 2004, but freed by his successor in August 2007 (see below).

On 17 September, the United Nations Human Rights Committee published its Decision that the human rights of former conscientious objector prisoners Juma Nazarov, Yadgarbek Sharipov and Atamurad Suvhanov had been violated. The Committee reprimanded Turkmenistan for failing to engage with its consideration of the cases (see below).

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Other prisoners of conscience jailed for exercising the right to freedom of religion or belief – all of them Muslims – are serving far longer jail terms (see below).

No alternative to compulsory military service

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Criminal Code Article 219, Part 2 punishes refusal to serve in the armed forces in peacetime "by means of inflicting injury to oneself, or by simulation of illness, by means of forgery of documents, or other fraudulent ways". Punishment is a jail term of one to four years. The first known use of Article 219, Part 2 to punish a conscientious objector is the case of Azat Ashirov (see below).

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Calls for alternative civilian service ignored

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All three men also complained of "inhuman and degrading treatment" after their arrests.

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Neither Sharipov nor Suvhanov lodged official complaints about the beatings "due to the fear of retaliation and further physical abuse by the prison authorities", the UN Committee noted.

However, the UN Committee ruled that the three men had not been able to document their maltreatment sufficiently to allow a finding that their right not to be tortured had been violated.

One of the UN Committee members, French law professor Hélène Tigroudja, argued that the men's prison conditions were enough to justify a finding also that their right not to be tortured had been violated.

Professor Tigroudja pointed out that the Seydi Labour Camp where Nazarov, Sharipov and Suvhanov had served their sentences, "is situated in a desert, with extreme climatic conditions both in winter and in summer, with deplorable hygiene and living conditions, without the possibility of access to such bodies as the ICRC [International Committee of the Red Cross] and, above all, with the complete impossibility for detainees to complain about their treatment without the threat of retaliation". She also noted that sick prisoners – including those who have contracted tuberculosis – are not held separately from other prisoners.

The Human Rights Committee condemned Turkmenistan's government for failing to submit its "detailed observations on the admissibility and merits" of the appeal submitted by Nazarov, Sharipov and Suvhanov, despite repeated requests. The Committee pointed out that Turkmenistan is "required to submit to the Committee written explanations or statements clarifying the matter and indicating the measures, if any, that have been taken by the State to remedy the situation".

The UN Committee stressed that Turkmenistan is under an obligation to make reparation to Nazarov, Sharipov and Suvhanov for the violations of their rights under the International Covenant on Civil and Political Rights, including to "expunge their criminal records and to provide them with adequate compensation. The State party is also under an obligation to avoid similar violations of the Covenant in the future."

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Why no alternative civilian service?

Forum 18 was unable to find out why the authorities will not introduce an alternative civilian service and why conscientious objectors who are willing to perform such an alternative service, like Petrosov and Taganov and the other seven Jehovah's Witness young men, continue to be jailed.

The telephones of the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev and the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova went unanswered each time Forum 18 called on 5 and 6 November.

The man who answered the phone at the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production referred Forum 18 to the Commission's specialist, Nasrullah ibn Ibadullah. However, his phone also went unanswered on 5 and 6 November.

The former specialist of the Commission, Gurbanberdy Nursakhatov, was arrested and sentenced for reportedly taking bribes from those seeking to go on the haj pilgrimage to Mecca, state media cited officials as announcing at a government meeting on 13 September. He appeared in handcuffs that evening on state television making a tearful confession.

Two officials from the Muslim Board – Rovshen Allaberdiyev (a 42-year-old former Chief Mufti) and Mukhammetmurad Gurbangeldiyev - were tried and convicted with Nursakhatov, according to state media.

Nasrullah ibn Ibadullah, who is 71, was Chief Mufti and Deputy Chair of the government's then Council (Gengeshi) for Religious Affairs under the previous president Saparmurad Niyazov. Niyazov dismissed him in January 2003 and had him sentenced to 22 years' imprisonment in March 2004, ostensibly for alleged participation in the November 2002 failed coup attempt.

Niyazov's successor as president Gurbanguly Berdymukhamedov pardoned Nasrullah in August 2007 and he was freed.

Many prisoners of conscience

The nine jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief.

Five Muslims who met to study the works of theologian Said Nursi failed to overturn their 12-year jail terms at Turkmenistan's Supreme Court in July 2018. Four of the five are in the top-security prison at Ovadan-Depe, where prisoners have suffered torture and death from abuse or neglect.

Dozens of Muslims from in and around the eastern city of Turkmenabad were imprisoned in 2013 and after to punish them for their involvement in a Muslim study group. Most or all the prisoners are believed to be held at Ovadan-Depe. Relatives often have no information as to whether they are still alive. Three of the group are known to have died in prison.

Ashgabad call-ups, arrests, convictions

As part of the regular call-up, the Military Conscription Office called up Ashgabad resident David Andronikovich Petrosov (born 15 May 2001). He told the Conscription Office he could not perform military service because of his religious beliefs as a Jehovah's Witness and expressed a willingness to perform an alternative, civilian service.

Prosecutors brought a case against Petrosov under Criminal Code Article 219, Part 1. The case was handed to Ashgabad's Kopetdag District Court. On 30 September, a judge at the court convicted him and handed down a one-year ordinary regime jail term.

Petrosov appealed against his conviction and punishment. However, on 29 October Ashgabad City Court rejected his appeal, the Court chancellery told Forum 18 on 6 November.

As part of the regular call-up, the Military Conscription Office called up another Ashgabad resident Selim Yolamanovich Taganov (born 2001). He told the Conscription Office he could not perform military service because of his religious beliefs as a Jehovah's Witness and expressed a willingness to perform an alternative, civilian service.

Prosecutors brought a case against Taganov under Criminal Code Article 219, Part 1. The case was handed to Ashgabad's Berkararlyk District Court. On 3 October, a judge at the court convicted him and handed down a one-year ordinary regime jail term.

Taganov appealed against his conviction and punishment. However, on 29 October Ashgabad City Court also rejected his appeal, the Court chancellery told Forum 18 on 6 November.

Petrosov and Taganov are being held at the pre-trial detention prison (AH-D/1) at Yashlyk, 40 kms (25 miles) south-east of the capital Ashgabad, Jehovah's Witnesses told Forum 18. Now their appeals have been rejected, they are expected to be transferred to the labour camp at Seydi.

Appeals against July convictions rejected

Two young Jehovah's Witnesses jailed in July for refusing compulsory military service on grounds of conscience have failed to overturn their sentences on appeal.

On 15 July, Tejen City Court sentenced Bahtiyar Amirjanovich Atahanov to four years' ordinary regime labour camp under Criminal Code Article 344, Part 2.

Ahal Regional Court rejected Atahanov's appeal on 20 August, Jehovah's Witnesses told Forum 18.

On 31 July, Abadan District Court sentenced Azat Gurbanmuhammedovich Ashirov to two years' ordinary regime labour camp under Criminal Code Article 219, Part 2.

After his conviction, Ashirov appealed to Ashgabad City Court. On 8 August, the court informed his mother by phone that it had received his appeal. "Unfortunately, his mother never received the delivery notification from the post office," Jehovah's Witnesses told Forum 18. This means she had no information about whether or not the appeal had been heard and, if so, when.

Ashgabad City Court rejected Ashirov's appeal on 3 September, court chancellery officials told Forum 18. They were unable to say why his mother had not received written notification of the appeal hearing date or whether Ashirov himself had been present for the hearing.

Both Atahanov and Ashirov have been transferred to the labour camp at Seydi, Jehovah's Witnesses told Forum 18.

Seven jailed conscientious objectors in Seydi Labour Camp

Petrosov and Taganov's jailing brings to nine the number of Jehovah's Witness conscientious objectors known - as of 6 November - to be serving jail terms. Seven of them are imprisoned at the harsh Seydi Labour Camp in the desert in Lebap Region.

The address of the Seydi Labour Camp is:

746222 Lebap velayat
Seydi
uchr. LB-E/12
Turkmenistan

In his complaint to the United Nations (UN) Human Rights Committee, former Jehovah's Witness prisoner of conscience Aibek Salayev complained that conditions in the Seydi Labour Camp where he was held were "inhuman".

Salayev noted that the Camp was "known for its overcrowdedness, harsh climatic conditions, scarce supplies of food, medication and personal hygiene products, and for

tuberculosis, skin diseases, its very high mortality rate, and physical abuse". Officials also threatened him with rape in the Camp.

The UN Human Rights Committee ruled that the Turkmen authorities had violated the rights of Salayev and another Jehovah's Witness former prisoner of conscience Vladimir Nuryllayev. The UN published the Decision (CCPR/C/125/D/2448/2014) on 18 April 2019.

List of known jailed conscientious objectors

Nine conscientious objectors to compulsory military service (listed below) – all of them Jehovah's Witnesses – are known to be serving prison sentences. Seven were jailed under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"), Ashirov under Criminal Code Article 219, Part 2, and Atahanov under Criminal Code Article 344, Part 2:

1) Mekan Orazdurdiyevich Annayev; born 22 June 1999; sentenced 26 June 2018 Turkmenbashi City Court under Criminal Code Article 219, Part 1; no appeal to Balkan Region Court; two years' ordinary regime labour camp.

2) Gurbangylych Dovletovich Muhammetgulyyev; born 15 March 2000; sentenced 28 November 2018 Mary City Court under Criminal Code Article 219, Part 1; no appeal to Mary Regional Court; one year ordinary regime labour camp.

3) Eziz Dovletmuradovich Atabayev; born 15 March 1998; sentenced 19 December 2018 Dashoguz City Court under Criminal Code Article 219, Part 1; appeal rejected 15 January 2019 Dashoguz Regional Court; two years' ordinary regime labour camp.

4) Azamatjan Narkulyevich Narkulyev; born 9 November 2000; sentenced 7 January 2019 Danew District Court under Criminal Code Article 219, Part 1; no appeal to Lebap Regional Court; one year ordinary regime labour camp.

5) Muhammetali Charygeldiyevich Saparmyradov; born 11 November 1995; sentenced 19 March 2019 Bayramaly City Court under Criminal Code Article 219, Part 1; no appeal to Mary Regional Court; one year ordinary regime labour camp.

6) Bahtiyar Amirjanovich Atahanov; born 17 June 2000; sentenced 15 July 2019 Tejen City Court under Criminal Code Article 344, Part 2; appeal rejected 20 August 2019 Ahal Regional Court; four years' ordinary regime labour camp.

7) Azat Gurbanmuhammedovich Ashirov, born 7 January 1999; sentenced 31 July 2019 Abadan District Court under Criminal Code Article 219, Part 2; appeal rejected 3 September 2019 Ashgabad City Court; two years' ordinary regime labour camp.

8) David Andronikovich Petrosov, born 15 May 2001; sentenced 30 September 2019 Ashgabad's Kopetdag District Court under Criminal Code Article 219, Part 1; appeal rejected 29 October 2019 Ashgabad City Court; one year ordinary regime labour camp.

9) Selim Yolamanovich Taganov, born 2001; sentenced 3 October 2019 Ashgabad's Berkararlyk District Court under Criminal Code Article 219, Part 1; appeal rejected 29 October 2019 Ashgabad City Court; one year ordinary regime labour camp.

Fourth known 2019 conscientious objector jailing

An Ashgabad court jailed 20-year-old Jehovah's Witness Azat Ashirov for two years on 31 July for refusing compulsory military service on grounds of conscience. He had set out his objections in writing and offered to perform an alternative civilian service. Instead prosecutors claimed he had evaded his obligation fraudulently. Seven Jehovah's Witness conscientious objectors are now jailed, four of them in 2019.

By Felix Corley

Forum 18 (05.09.2019) - <https://bit.ly/2q4UC5B> - In the fourth known jailing of a conscientious objector in 2019, 20-year-old Jehovah's Witness Azat Ashirov was jailed for two years by a court in Abadan in the capital Ashgabad in late July. However, unlike with previous conscientious objectors, prosecutors claimed he had evaded his obligation fraudulently. Ashirov rejects the charges. He had written to the Military Conscription Office setting out his religious objections to performing compulsory military service and offering to perform an alternative civilian service.

Ashirov's jailing brings to seven the number of Jehovah's Witness conscientious objectors known - as of 5 September - to be serving jail terms of between one and four years. Six of them are imprisoned at the Labour Camp at Seydi in the eastern Lebap Region (see below).

Ashirov is awaiting his appeal hearing. He is believed still to be held at the pre-trial detention prison at Yashlyk, 40 kms (25 miles) south-east of the capital Ashgabad. He is expected to be transferred to the labour camp at Seydi (see below).

Turkmenistan has ignored repeated international calls to introduce an alternative to compulsory military service (see below).

Other prisoners of conscience jailed for exercising the right to freedom of religion or belief – all of them Muslims – are serving far longer jail terms (see below).

No alternative to compulsory military service

Turkmenistan offers no alternative to its compulsory military service. Military service for men between the ages of 18 and 27 is generally two years. Article 58 of the 2016 Constitution describes defence as a "sacred duty" of everyone and states that military service is compulsory for men.

Young men who refuse military service on grounds of conscience generally face prosecution under Criminal Code Article 219, Part 1. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment or two years' corrective labour.

Criminal Code Article 219, Part 2 punishes refusal to serve in the armed forces in peacetime "by means of inflicting injury to oneself, or by simulation of illness, by means of forgery of documents, or other fraudulent ways". Punishment is a jail term of one to four years. The first known use of Article 219, Part 2 to punish a conscientious objector is the case of Azat Ashirov (see below).

In May 2019, the Military Conscription office in Turkmenabad forcibly conscripted Jehovah's Witness Bahtiyar Atahanov, despite his written declaration that he could not serve in the armed forces because of his religious convictions.

In what appears to have been a show trial, on 15 July a Judge from Tejen City Court came to the military unit and sentenced Atahanov to four years' imprisonment under Criminal Code Article 344, Part 2. This punishes "Refusing to perform the duties of military service by simulating illness or other means with the aim of complete freeing from performing the duties of military service" with a jail term of up to seven years.

From 2014, courts punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. However, jailings resumed in January 2018. Courts jailed 12 conscientious objectors in 2018, two of them for two years and 10 for one year.

Calls for alternative civilian service ignored

Turkmenistan has ignored repeated international calls to introduce an alternative to compulsory military service.

The United Nations Human Rights Committee has issued 11 decisions in favour of conscientious objectors from Turkmenistan, all of them Jehovah's Witnesses. In its most recent such decision, published on 4 April 2019 (CCPR/C/125/D/2316/2013), it ruled that the human rights of former conscientious objector Arslan Dawletow (Dovletov), who was jailed for 18 months from December 2012, had been violated.

Forum 18 was unable to find out why the authorities will not introduce an alternative civilian service and why conscientious objectors who are willing to perform such an alternative service, like Ashirov and the other six Jehovah's Witness young men, continue to be jailed.

The telephones of the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev, the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova, and Gurbanberdy Nursakhatov, a Deputy Chair of the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production, went unanswered each time Forum 18 called on 4 and 5 September.

Many prisoners of conscience

The seven jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief.

Five Muslims who met to study the works of theologian Said Nursi failed to overturn their 12-year jail terms at Turkmenistan's Supreme Court in July 2018. Four of the five are in the top-security prison at Ovadan-Depe, where prisoners have suffered torture and death from abuse or neglect.

Dozens of Muslims from in and around the eastern city of Turkmenabad were imprisoned in 2013 and after to punish them for their involvement in a Muslim study group. Most or all the prisoners are believed to be held at Ovadan-Depe. Relatives often have no information as to whether they are still alive. Three of the group are known to have died in prison.

Call-up, trial, jail term

In the spring 2019 call-up, the Military Conscription Office called up Jehovah's Witness Azat Gurbanmuhammedovich Ashirov (born 7 January 1999) for compulsory military service. Like all the other Jehovah's Witness conscientious objectors, he submitted a

written declaration explaining his reasons for being unable to perform compulsory military service and setting out his readiness to perform an alternative civilian service.

However, officials rejected Ashirov's request for an alternative civilian service. They claimed he had used fraudulent methods to evade his obligation to perform compulsory military service. Prosecutors at Abadan District Prosecutors' Office prepared a case against him under Criminal Code Article 219, Part 2, which punishes refusal to serve in the armed forces in peacetime "by means of inflicting injury to oneself, or by simulation of illness, by means of forgery of documents, or other fraudulent ways".

The Prosecutor's Office then presented the case to Ashgabad's Abadan District Court. Ashirov rejected the charges against him. However, on 31 July, the Judge convicted him and handed down a two-year ordinary regime prison sentence, Jehovah's Witnesses told Forum 18.

In early August, Ashirov lodged his appeal against his conviction, which is due to be heard at Ashgabad City Court. Abadan District Court confirmed to his mother on about 22 August that it had received the appeal, Jehovah's Witnesses told Forum 18. No date has yet been set for the appeal.

Ashirov is being held at the pre-trial detention prison (AH-D/1) at Yashlyk, 40 kms (25 miles) south-east of the capital Ashgabad. He is expected to be transferred to the labour camp at Seydi.

Six jailed conscientious objectors in Seydi Labour Camp

Ashirov's jailing brings to seven the number of Jehovah's Witness conscientious objectors known - as of 5 September - to be serving jail terms. Six of them are imprisoned at the harsh Seydi Labour Camp in the desert in Lebap Region.

The address of the Seydi Labour Camp is:

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In his complaint to the United Nations (UN) Human Rights Committee, former Jehovah's Witness prisoner of conscience Aibek Salayev complained that conditions in the Seydi Labour Camp where he was held were "inhuman".

Salayev noted that the Camp was "known for its overcrowdedness, harsh climatic conditions, scarce supplies of food, medication and personal hygiene products, and for tuberculosis, skin diseases, its very high mortality rate, and physical abuse". He was also threatened by officials with rape in the Camp.

The UN Human Rights Committee ruled that the Turkmen authorities had violated the rights of Salayev and another Jehovah's Witness former prisoner of conscience Vladimir Nuryllayev. The UN published the Decision (CCPR/C/125/D/2448/2014) on 18 April 2019.

Freed on completing sentences

Four Jehovah's Witness conscientious objectors are known to have been freed from Seydi Labour Camp in August 2019 after completing their full one year jail terms:

Isa Muslimovich Sayayev (born 14 May 1994) was freed on 9 August 2019, exactly one year since he was jailed by Koneurgench City Court.

Ruslan Khadynyaz oglu Artykmuradov (born 24 May 2000) was freed on 12 August 2019, one day short of a year since he was jailed by Sayat District Court.

Sokhbet Rejepmyradovich Agamyradov (born 4 January 2000) was freed on 27 August 2019, exactly one year since he was jailed by Mary City Court.

Serdar Annamyradovich Atayev (born 9 June 2000) was freed on 28 August 2019, exactly one year since he was jailed by Mary City Court.

List of known jailed conscientious objectors

Seven conscientious objectors to compulsory military service (listed below) – all of them Jehovah's Witnesses – are known to be serving prison sentences. Five were jailed under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"), Ashirov under Criminal Code Article 219, Part 2, and Atahanov under Criminal Code Article 344, Part 2:

1) Mekan Orazdurdiyevich Annayev; born 22 June 1999; sentenced 26 June 2018 Turkmenbashi City Court under Criminal Code Article 219, Part 1; no appeal to Balkan Region Court; two years' ordinary regime labour camp.

2) Gurbangylych Dovletovich Muhammetgulyyev; born 15 March 2000; sentenced 28 November 2018 Mary City Court under Criminal Code Article 219, Part 1; no appeal to Mary Regional Court; one year ordinary regime labour camp.

3) Eziz Dovletmuradovich Atabayev; born 15 March 1998; sentenced 19 December 2018 Dashoguz City Court under Criminal Code Article 219, Part 1; appeal rejected 15 January 2019 Dashoguz Regional Court; two years' ordinary regime labour camp.

4) Azamatjan Narkulyevich Narkulyev; born 9 November 2000; sentenced 7 January 2019 Danew District Court under Criminal Code Article 219, Part 1; no appeal to Lebap Regional Court; one year ordinary regime labour camp.

5) Muhammetali Charygeldiyevich Saparmyradov; born 11 November 1995; sentenced 19 March 2019 Bayramaly City Court under Criminal Code Article 219, Part 1; no appeal to Mary Regional Court; one year ordinary regime labour camp.

6) Bahtiyar Amirjanovich Atahanov; born 17 June 2000; sentenced 15 July 2019 Tejen City Court under Criminal Code Article 344, Part 2; appeal lodged to Ahal Regional Court; four years' ordinary regime labour camp.

7) Azat Gurbanmuhammedovich Ashirov, born 7 January 1999; sentenced 31 July 2019 Abadan District Court under Criminal Code Article 219, Part 2; appeal lodged to Ashgabad City Court; two years' ordinary regime labour camp.

Conscientious objector jailed for four years

In the third jailing of a conscientious objector in 2019, 19-year-old Jehovah's Witness Bahtiyar Atahanov was jailed for four years. This is the longest jail term known to have been handed to a conscientious objector, because the authorities deemed him a soldier after forcibly conscripting him. Other prisoners of conscience have received far longer jail terms.

By Felix Corley

Forum 18 (23.07.2019) - <https://bit.ly/2HkNHL3> - Bahtiyar Atahanov, a 19-year-old Jehovah's Witness from the eastern city of Turkmenabad [Turkmenabat], became the third conscientious objector to be jailed so far in 2019 when he was sentenced on 15 July in the southern town of Tejen. But unlike all nine other jailed conscientious objectors, who were sentenced for refusing military service, Atahanov was forcibly conscripted first. This means he was punished as a soldier trying to avoid his obligations and received a four-year ordinary regime jail term.

This is the longest jail term known to have been handed to a conscientious objector, though other prisoners of conscience have received far longer jail terms to punish their exercise of the right to freedom of religion or belief (see below).

"Since Bahtiyar Atahanov was forcefully brought to the military unit, the authorities view him as a serviceman avoiding performing his duties," Jehovah's Witnesses told Forum 18. "This was despite the fact that he clearly expressed his beliefs in his written statement on 19 April 2019 and until now has been refusing to take the military oath and wear military uniform."

In an unusual move, Atahanov's trial was held at the military unit in Tejen to which he had been forcibly sent (see below).

Atahanov's jailing brings to 10 the number of Jehovah's Witness conscientious objectors known - as of 23 July - to be serving jail terms. Nine of them, all jailed under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"), are imprisoned in Seydi Labour Camp (see below).

Turkmenistan has ignored repeated international calls to introduce an alternative to compulsory military service (see below).

No alternative to compulsory military service

Turkmenistan offers no alternative to its compulsory military service. Military service for men between the ages of 18 and 27 is generally two years. Article 58 of the 2016 Constitution describes defence as a "sacred duty" of everyone and states that military service is compulsory for men.

Young men who refuse military service on grounds of conscience generally face prosecution under Criminal Code Article 219, Part 1. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment or two years' corrective labour.

From 2014, courts punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. However, jailings resumed in January 2018. Courts jailed 11 conscientious objectors in 2018, two of them for two years and 9 for one year.

Turkmenistan has ignored repeated international calls to introduce an alternative to compulsory military service.

The United Nations Human Rights Committee has issued 11 decisions in favour of conscientious objectors from Turkmenistan, all of them Jehovah's Witnesses. In its most recent such decision, published on 4 April 2019 (CCPR/C/125/D/2316/2013), it ruled that

the human rights of former conscientious objector Arslan Dawletow (Dovletov), who was jailed for 18 months from December 2012, had been violated.

The man who answered the phone on 23 July 2019 of the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev immediately put the phone down.

Neither the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova, nor Gurbanberdy Nursakhatov, a Deputy Chair of the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production, answered Forum 18's phone calls.

Many prisoners of conscience

The 12 jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief.

Five Muslims who met to study the works of theologian Said Nursi failed to overturn their 12-year jail terms at Turkmenistan's Supreme Court in July 2018. Four of the five are in the top-security prison at Ovadan-Depe, where prisoners have suffered torture and death from abuse or neglect.

Dozens of Muslims from in and around the eastern city of Turkmenabad were imprisoned in 2013 and after to punish them for their involvement in a Muslim study group. Most or all the prisoners are believed to be held at Ovadan-Depe. Relatives often have no information as to whether they are still alive. Three of the group are known to have died in prison.

Call-up, forcible conscription, arrest

In the spring call-up, Turkmenabad City Military Conscription Office called up local resident Bahtiyar Amirjanovich Atahanov (born 17 June 2000) for compulsory military service.

On 19 April Atahanov sent a statement to Lebap Regional Conscription Office (seen by Forum 18) setting out his refusal to perform such service because "according to God's command not to take up weapons and not to learn how to fight, I consider it impossible to go to military service and learn to fight". He asked for the possibility to do an alternative civilian service instead.

On 20 May, officials of Turkmenabad City Conscription Office "fraudulently" took Atahanov to the Conscription Office, Jehovah's Witnesses stated. They then forcibly transferred him the following day to Military Unit No. 37243 in the southern town of Tejen in Ahal Region. On 22 May, the unit commander formally accepted Atahanov into the unit, despite his refusal to swear the military oath in front of the country's flag or put on a military uniform.

On 30 May, the Military Prosecutor's Office opened a case against Atahanov under Criminal Code Article 344, Part 2. This punishes "Refusing to perform the duties of military service by simulating illness or other means with the aim of complete freeing from performing the duties of military service" with a jail term of up to seven years.

Atahanov was transferred from the military unit to pre-trial detention prison AH-D/1 at Yashlyk, 40 kms (25 miles) south-east of Ashgabad.

Show trial?

On 15 July, a Judge from Tejen City Court came to the military unit to conduct the trial. Atahanov was sentenced to four years' ordinary regime imprisonment under Criminal Code Article 344, Part 2, Jehovah's Witnesses told Forum 18.

This is the second known occasion when a conscientious objector has been sentenced at a trial held in a military location.

Ikhlosbek Rozmetov was jailed for one year in July 2018 at a trial held in the conference hall of Gurbansoltan eje District Military Conscription Office in the northern Dashoguz Region. The court verdict said that the trial was open, but gave no reason for the decision to hold the trial in the Conscription Office. It is unknown if the trial was meant to send a signal to local young men of what happens to those who refuse compulsory military service.

In February 2012, senior school students were taken to a courtroom in the capital Ashgabad to watch Jehovah's Witness conscientious objector Akmurad Nurjanov being sentenced to a one-year suspended prison sentence. One fellow Jehovah's Witness described it as a "show trial".

Within days of his 15 July 2019 sentence, Atahanov lodged an appeal to Ahal Regional Court. He appears still to be held at the Yashlyk pre-trial detention prison.

Grandmother's appeals ignored

On 6 and 7 June, after the Military Prosecutor's Office opened the criminal case against Atahanov, his grandmother Raima Atahanova appealed against the charges to the Presidential Administration and to Turkmenistan's General Prosecutor. She argued that the arrest of her grandson and the criminal charges were illegal, insisting that he had never joined the army as he had refused military service.

Atahanova's appeals were sent on to Ahal Regional Military Prosecutor's Office, where Senior Investigator Maksat Dangatarov rejected them. In his 14 June decision, seen by Forum 18, he claimed that Atahanov had known of his obligation to conduct military service and had deliberately refused to do so. He dismissed Atahanova's assertions, claiming that they had been investigated and that "numerous testimonies" back up the prosecution case.

Senior Investigator Dangatarov wrote to Atahanova on 14 June, informing her that her appeals had been rejected.

Forum 18 reached Ahal Regional Military Prosecutor's Office on 23 July, where officials seemed to be aware of the prosecution of Atahanov. However, each time it called, officials said Senior Investigator Dangatarov was out and no one else was available to explain why the criminal case had been brought against Atahanov.

Nine jailed conscientious objectors in Seydi Labour Camp

Atahanov's jailing brings to 10 the number of Jehovah's Witness conscientious objectors known - as of 23 July - to be serving jail terms. Nine of them, all jailed under Criminal Code Article 219, Part 1, are imprisoned at the harsh Seydi Labour Camp in the desert in Lebap Region.

The address of the Seydi Labour Camp is:

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Three Jehovah's Witnesses were freed from Seydi Labour Camp after serving their full one-year ordinary regime jail sentences handed down in July 2018. Veniamin Genjiyev was freed on 25 June, Ikhlosbek Rozmetov on 11 July and Maksat Jumadurdiyev on 17 July, Jehovah's Witnesses told Forum 18.

In his complaint to the United Nations (UN) Human Rights Committee, former Jehovah's Witness prisoner of conscience Aibek Salayev stated that conditions in the Seydi Labour Camp where he was held were "inhuman".

Salayev noted that the Camp was "known for its overcrowdedness, harsh climatic conditions, scarce supplies of food, medication and personal hygiene products, and for tuberculosis, skin diseases, its very high mortality rate, and physical abuse". He was also threatened by officials with rape in the Camp.

The UN Human Rights Committee found that Turkmenistan jailed Salayev and another Jehovah's Witness former prisoner of conscience Vladimir Nuryllayev on fabricated charges to punish them for exercising their right to freedom of religion and belief, and that Salayev was tortured in pre-trial detention. The UN published the Decision (CCPR/C/125/D/2448/2014) on 18 April 2019.

List of known jailed conscientious objectors

Ten conscientious objectors to compulsory military service (listed below) – all of them Jehovah's Witnesses – are known to be serving prison sentences. Nine were jailed under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"), Atahanov under Criminal Code Article 344, Part 2:

1) Mekan Orazdurdiyevich Annayev; born 22 June 1999; sentenced 26 June 2018 Turkmenbashi City Court; no appeal to Balkan Region Court; two year ordinary regime labour camp.

2) Isa Muslimovich Sayayev; born 14 May 1994; sentenced 9 August 2018 Koneurgench City Court; appeal rejected 11 September 2018 Dashoguz Regional Court; one year ordinary regime labour camp.

3) Ruslan Khadynyaz oglu Artykmuradov; born 24 May 2000; sentenced 13 August 2018 Sayat District Court; appeal rejected 11 September 2018 Lebap Regional Court; one year ordinary regime labour camp.

4) Sokhbet Rejepmyradovich Agamyradov; born 4 January 2000; sentenced 27 August 2018 Mary City Court; appeal lodged to Mary Regional Court but city court refuses to hand it on; one year ordinary regime labour camp.

5) Serdar Annamyradovich Atayev; born 9 June 2000; sentenced 28 August 2018 Mary City Court; appeal lodged to Mary Regional Court but city court refuses to hand it on; one year ordinary regime labour camp.

6) Gurbangylych Dovletovich Muhammetgulyyev; born 15 March 2000; sentenced 28 November 2018 Mary City Court; no appeal to Mary Regional Court; one year ordinary regime labour camp.

7) Eziz Dovletmuradovich Atabayev; born 15 March 1998; sentenced 19 December 2018 Dashoguz City Court; appeal rejected 15 January 2019 Dashoguz Regional Court; two year ordinary regime labour camp.

8) Azamatjan Narkulyevich Narkulyev; born 9 November 2000; sentenced 7 January 2019 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.

9) Muhammetali Charygeldiyevich Saparmyradov; born 11 November 1995; sentenced 19 March 2019 Bayramaly City Court; no appeal to Mary Regional Court; one year ordinary regime labour camp.

10) Bahtiyar Amirjanovich Atahanov; born 17 June 2000; sentenced 15 July 2019 Tejen City Court under Criminal Code Article 344, Part 2; appeal lodged to Ahal Regional Court; four years' ordinary regime labour camp.

Second 2019 conscientious objector jailing

By Felix Corley

Forum 18 (03.06.2019) - <https://bit.ly/2XdD06f> - Another conscientious objector to Turkmenistan's compulsory military service has been jailed. A court in the south-eastern town of Bayramaly sentenced 23-year-old Muhammetali Saparmyradov to one year's imprisonment in March. He has since joined 11 other jailed conscientious objectors in the labour camp in Seydi in eastern Turkmenistan. All are Jehovah's Witnesses.

Saparmyradov is the second Jehovah's Witness conscientious objector known to have been jailed so far in 2019. Eleven are known to have been jailed in 2018, 10 of whom are still serving their sentences (see below).

The 12 Jehovah's Witnesses imprisoned for their conscientious objection to military service - all aged between 18 and 25 - are serving one or two year jail terms (see full list below)

Turkmenistan offers no alternative service for those unable to perform compulsory military service on grounds of conscience. The United Nations and the Organisation for Security and Co-operation in Europe have repeatedly called for the government to introduce such an alternative (see below).

Turkmenistan has ignored 11 United Nations Human Rights Committee Decisions - the most recent published in April - that jailing conscientious objectors violated their rights. It also ignored another Decision published in April that the rights of two Jehovah's Witnesses jailed on fabricated pornography charges were violated (see below).

None of the known prisoners of conscience jailed for exercising freedom of religion or belief (including Muslims who met with others to study their faith) was freed in the latest prisoner amnesty, signed by the President on 29 May (see below).

Many prisons (including Seydi ordinary regime labour camp) have a mosque and a small Russian Orthodox prayer room. No Russian Orthodox priests are known to visit, but state-controlled imams do. However, prisoners regard them with suspicion as they are known to report prisoners to the camp authorities (see below).

Forum 18 reached the duty officer at Seydi ordinary regime labour camp on 3 June, but no official was prepared to discuss the conditions of the Jehovah's Witness prisoners of conscience or any other prisoners.

Young men conscripted for military service have complained in the past that "no religion is allowed in the army at all" (see below).

Neither the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova, nor the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev, answered Forum 18's phone calls on 3 June.

Conscientious objector jailed in Bayramaly

Muhammetali Charygeldiyevich Saparmyradov (born 11 November 1995) is a Jehovah's Witness from Bayramaly in Mary Region, east of the capital Ashgabad. He refused his regular call-up to compulsory military service.

Prosecutors then brought a case against Saparmyradov under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"). They handed his case to Bayramaly City Court. At his trial on 19 March, the Judge sentenced him to one year's ordinary regime labour camp, Jehovah's Witnesses told Forum 18.

As Saparmyradov had not been held in pre-trial detention, he was arrested immediately after the court hearing.

Saparmyradov and his mother decided not to appeal against his conviction, Jehovah's Witnesses added.

The authorities then transferred Saparmyradov to serve his sentence at the ordinary regime labour camp in the desert near Seydi, in Lebap Region. (The prison now seems to use the designation LB-E/12, not LB-K/12.) Many other prisoners of conscience jailed to punish them for exercising the right to freedom of religion or belief have been held in the camp, where torture is said to be routine and prisoners are denied their freedom of religion and belief and other rights.

The address of the Seydi Labour Camp is:

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uchr. LB-E/12
Turkmenistan

Saparmyradov was the second conscientious objector known to have been jailed in 2019. The first, Azamatjan Narkulyev, was given a one-year jail term on 7 January.

Prisons' state-controlled mosques, Orthodox prayer rooms only

Some of Turkmenistan's prisons (except Ovadan-Depe strict regime prison) have a mosque and a small Russian Orthodox prayer room, former prisoner of conscience Saparmamed Nepeskuliyev told Forum 18 on 8 May. (Nepeskuliyev, a former Radio Free Europe correspondent, was himself freed from Seydi labour camp in May 2018 and able to leave Turkmenistan in March 2019.)

No Russian Orthodox priests are known to visit prisons, but state-approved imams do. "But prisoners do not trust the clergy," Nepeskuliyev added. "They call on prisoners to be

calm and not to cause trouble, and praise the president. No prisoner would reveal anything to them, just attend prayers."

Similarly, prisoners at the strict regime labour camp at Bayramaly (MR-K/16) complain that the state-appointed imam appears to be unable to answer questions about Islam. He also reports prisoners to the camp authorities if they raise questions about their faith, Turkmen.news told Forum 18 on 3 June. Some prisoners were reportedly sent to the punishment cell after the imam reported them for questioning his knowledge of Islam.

Many prisoners of conscience

The twelve jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief.

Five Muslims who met to study the works of theologian Said Nursi failed to overturn their 12-year jail terms at Turkmenistan's Supreme Court in July 2018. Four of the five are in the top-security prison at Ovadan-Depe, where prisoners have suffered torture and death from abuse or neglect.

Dozens of Muslims from in and around the eastern city of Turkmenabad [Turkmenabat] were imprisoned in 2013 and after to punish them for their involvement in a Muslim study group. Most or all the prisoners are believed to be held in Ovadan-Depe. For several years relatives had no information as to whether they were still alive. Three of the group are known to have died in prison.

Statistical forms prison administrations have to submit regularly to higher authorities, such as the Prosecutor's Office and the Interior Ministry, ask for numbers of various categories of prisoners, including detained "adherents of banned religious organisations". Another form asks for the number of jailed alleged "Wahhabis", "Jehovists", and "Suleimanists" (an apparent reference to followers of Turkish-influenced Islam).

No prisoners of conscience freed under May amnesty

On 29 May, President Gurbanguly Berdymukhamedov signed a decree freeing 764 prisoners, the government website announced the same day. A condition of being freed was for prisoners to repent of what they had done.

None of the 12 jailed Jehovah's Witness conscientious objectors was freed under the amnesty, Jehovah's Witnesses told Forum 18. None of the Muslim prisoners of conscience jailed for meeting with others to study their faith are known to have been freed either, other sources indicated.

No Jehovah's Witness was included in the March prisoner amnesty as, when asked to say in writing if they admitted their "guilt" and repented of their "crime", they all wrote "No".

In September 2018, ahead of the presidential amnesty, officials at Seydi Labour Camp told three Jehovah's Witness prisoners - Kerven Kakabayev (released in January 2019 at the end of his sentence), Mekan Annayev, and Veniamin Genjiyev - that they would be granted amnesty and released. Even though their names were on the publicly announced list of prisoners to be amnestied, the three men were not among the 1,722 prisoners released the following day.

No conscientious objection, no alternative service

In defiance of repeated calls by the United Nations (UN) and the Organisation for Security and Co-operation in Europe, Turkmenistan offers no alternative to its

compulsory military service. Military service for men between the ages of 18 and 27 is generally two years. Call-up is decreed each spring and autumn.

Young men who refuse military service on grounds of conscience face prosecution under Criminal Code Article 219, Part 1. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment or two years' corrective labour.

From 2014, courts punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. However, jailings resumed with two prison terms in January 2018.

UN decisions on prisoners of conscience ignored

The United Nations Human Rights Committee, in its Decision published on 4 April, found that the Turkmen authorities had violated the rights of Jehovah's Witness conscientious objector Arslan Dawletow (Dovletov) by jailing him for 18 months from December 2012. The Committee also complained of Turkmenistan's failure to respond to questions on the case, in defiance of its legal obligations.

The Decision on Dawletow's case was the 11th Human Rights Committee Decision that Turkmenistan violated the rights of Jehovah's Witness conscientious objectors by jailing them. Complaints to the UN Committee by at least four other convicted conscientious objectors (three of whom had been jailed and one fined) are still pending.

The UN Human Rights Committee issued a separate Decision in April that Turkmenistan had also violated the human rights of two other Jehovah's Witnesses by jailing them on fabricated pornography charges to punish them for exercising their right to freedom of religion and belief.

The Human Rights Committee reminded Turkmenistan that it is obliged to make reparation to all three prisoners of conscience, including by expunging their criminal records and providing adequate compensation. "The State party is also under an obligation" to prevent similar violations occurring, both Decisions stress.

Turkmenistan has ignored these latest UN Human Rights Committee Decisions, as it has ignored earlier decisions.

An official of the International Organisations Department of the Foreign Ministry in Ashgabad insisted to Forum 18 in May that the Foreign Ministry is working with the UN Human Rights Committee. However, asked what action the government would take in response to the Human Rights Committee Decisions he refused to say and put the phone down.

"No religion is allowed in the army at all"

Young men conscripted into the army complained earlier of lack of freedom of religion or belief during their service.

Despite the alleged partial guarantees in the Law on the Status and Social Protection of Servicemen, "no religion is allowed in the army at all" members of different religious communities told Forum 18 in 2016. "You can't have a Koran, Bible or other religious literature and you can't conduct prayers visibly," one noted. Conscripts often have no leave during their entire two year service, which means they cannot attend meetings for worship, a member of one religious community noted to Forum 18.

List of known jailed conscientious objectors

Twelve conscientious objectors to compulsory military service (listed below) – all of them Jehovah's Witnesses – are known to be serving prison sentences under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"):

- 1) Mekan Orazdurdiyevich Annayev; born 22 June 1999; sentenced 26 June 2018 Turkmenbashi City Court; no appeal to Balkan Region Court; two year ordinary regime labour camp.
- 2) Ikhlosbek Valijon oglu Rozmetov; born 26 November 1997; sentenced 11 July 2018 Gurbansoltan eje District Court; appeal rejected 23 July 2018 Dashoguz Regional Court; one year ordinary regime labour camp.
- 3) Veniamin Muslimovich Genjiyev; born 12 May 2000; sentenced 17 July 2018 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 4) Maksat Jumadurdiyevich Jumadurdiyev; born 15 May 2000; sentenced 17 July 2018 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 5) Isa Muslimovich Sayayev; born 14 May 1994; sentenced 9 August 2018 Koneurgench City Court; appeal rejected 11 September 2018 Dashoguz Regional Court; one year ordinary regime labour camp.
- 6) Ruslan Khadynyaz oglu Artykmuradov; born 24 May 2000; sentenced 13 August 2018 Sayat District Court; appeal rejected 11 September 2018 Lebap Regional Court; one year ordinary regime labour camp.
- 7) Sokhbet Rejepmyradovich Agamyradov; born 4 January 2000; sentenced 27 August 2018 Mary City Court; appeal lodged to Mary Regional Court but city court refuses to hand it on; one year ordinary regime labour camp.
- 8) Serdar Annamyradovich Atayev; born 9 June 2000; sentenced 28 August 2018 Mary City Court; appeal lodged to Mary Regional Court but city court refuses to hand it on; one year ordinary regime labour camp.
- 9) Gurbangylych Dovletovich Muhammetgulyyev; born 15 March 2000; sentenced 28 November 2018 Mary City Court; no appeal to Mary Regional Court; one year ordinary regime labour camp.
- 10) Eziz Dovletmuradovich Atabayev; born 15 March 1998; sentenced 19 December 2018 Dashoguz City Court; appeal rejected 15 January 2019 Dashoguz Regional Court; two year ordinary regime labour camp.
- 11) Azamatjan Narkulyevich Narkulyev; born 9 November 2000; sentenced 7 January 2019 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 12) Muhammetali Charygeldiyevich Saparmyradov; born 11 November 1995; sentenced 19 March 2019 Bayramaly City Court; no appeal to Mary Regional Court; one year ordinary regime labour camp.

In Ramadan, Muslims fear "extremism" accusations

By Felix Corley

Forum 18 (28.05.2019) - <https://bit.ly/2K3MBpZ> - An increasing number of Muslims feel forced not to mark the Muslim holy month of Ramadan visibly, as they fear being branded "extremists", local people told Radio Free Europe's Turkmen Service. Some therefore choose not to fast, while those that do often try to keep it secret.

Turkmenistan has jailed numerous Muslims on vague accusations that they are "extremists", including to punish them for meeting with others to study their faith. Trials often take place in secret and, once jailed, many prisoners have no contact with relatives. Many such prisoners are tortured (see below).

The economic crisis is also forcing those who need strength to work not to fast during Ramadan. Many lack the money to host the traditional meal with relatives and neighbours to break the fast after sunset (see below).

Ramadan, which this year runs until early June, began on the evening of 5 May. However, the state-controlled Muslim Board (Muftiate) – the only form of Islam the government allows - made no public announcement. The state-controlled media made no mention of it (see below).

Earlier in 2019, a Muslim in the western city of Balkanabad stopped going to mosque after being summoned to the police. "Who is more important, Allah or the President?" officers asked (see below).

Turkmen diplomats in countries with many Turkmen students – such as Belarus, Ukraine and Turkey – often summon students to warn them about their behaviour, including not attending mosques or, for men, not having beards (see below).

Parents are also warned about the behaviour of their children studying abroad (see below).

Only one form of Islam is allowed in Turkmenistan: that under the supervision of the state-controlled Muslim Board (Muftiate). Muslims dissatisfied with the way it organises public Islam have no alternative. Those who try to organise other forms of exercise of the right to freedom of religion or belief have been jailed (see below).

Neither the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova, nor the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev, answered Forum 18's phone calls (see below).

State-controlled Islam, with no alternative

All exercise of the right to freedom of religion or belief is under tight government control. Unlike with other faiths, the government directly controls Islam, including by naming the chief mufti and other imams. No mosques are allowed to exist unless they are subject to the state-controlled Muslim Board (Muftiate).

Imams have long been required to praise the President during Friday prayers, call for Muslims to support him and to pray for his well-being. However, after Friday prayers at an Ashgabad mosque on 17 May, the imam went further in what appears to be a new development.

"The Imam prayed to God that he would give President Gurbanguly Berdymukhamedov strong health and a long life, that Allah would protect him from all troubles and misfortunes, and also that he would punish all his enemies and foes," noted a Radio Free Europe Turkmen Service correspondent, present at the prayers.

The correspondent added that the mosque was full, and many of those present expressed dissatisfaction at the Imam's words, whispering among themselves "Off he goes again."

Muslims who dislike political statements in mosques or the requirements of the Muslim Board over how they practice their faith have no alternative to the state-controlled mosques because of the state-imposed monopoly over all public Islam handed to the Muslim Board.

No Ramadan announcement

The state-controlled Muslim Board (Muftiate) – the only form of Islam the government allows - made no public announcement of the start of the Muslim holy month of Ramadan on the evening of 5 May. The state-controlled media – the only form of media allowed in the country – similarly made no mention of it.

During Ramadan in 2017, the Muftiate set the donation individuals should make at 2 Manats. In Ramadan in 2018, Chief Mufti Charygeldy Seryayev set the donation at 5 Manats. No figure has been announced for 2019.

Afraid to fast in Ramadan?

Few people in Turkmenistan are observing the fast during the Muslim holy month of Ramadan, Radio Free Europe's Turkmen Service noted on 10 May. Some Muslims point to the fear that the police or secret police will brand them as "extremists" if they are widely known to be observing the Ramadan fast.

"In comparison with Turkey, in Turkmenistan you are not conscious that the holy month of Ramadan has begun," one resident told Radio Free Europe on 9 May, without giving their name.

"Those maintaining the fast are afraid that they could be accused of extremism. For this reason, people do not observe the fast during the month of Ramadan or do not speak about it publicly."

Those fasting traditionally break the fast after sunset each evening with an iftar meal, to which they invite their family and neighbours.

"Those maintaining the fast gather each day with about 10 to 15 people at one of their homes to break the fast," the resident added. "After that they go to prayers at the mosque."

Forum 18 is not aware of anyone punished for gathering for iftar meals, but such gatherings could risk attention from the authorities.

Others who have jobs have been forced not to fast during Ramadan to have enough strength to work, as the economic crisis makes it difficult to earn money to support a

family. "If during the fast you don't eat as much as you should, you won't have enough strength to work," one resident of the capital Ashgabad told Radio Free Europe.

The Ashgabad resident also noted that others do not fast because they cannot afford to host the traditional iftar with relatives and neighbours as guests.

Forum 18 tried to ask Human Rights Ombudsperson Yazdursun Gurbannazarova, who was named by the regime-appointed Parliament which has never faced free and fair elections, why individuals cannot exercise their right to freedom of religion or belief without having to fear state reprisals. Her phone was not answered on 28 May.

Forum 18 also tried to call Yusupguly Eshshayev, Chair of the Mejlis (Parliament) Human Rights Committee. However, his phone also was not answered on 28 May.

Consequences of "extremism" accusations

Muslims who exercise the right to freedom of religion or belief – whether by too public devotion to their faith or by meeting with others without state permission – are often jailed as "extremists".

Among jailed Muslims the authorities consider as alleged "Wahhabis" are a large group of Hanafi Sunni Muslims who met in Turkmenabad in 2013 to study Islam and were subsequently arrested and jailed. It is unknown whether their leader Bahram Saparov and others from this group of prisoners of conscience are still alive. Three of the group are already known to have died in prison of torture or neglect.

Among jailed Muslims the authorities consider to follow Turkish-influenced Islam are five Muslim prisoners of conscience who in 2017 met in Balkan Region with others to pray and study their faith, using the works of the late Turkish Muslim theologian Said Nursi.

An imam, freed in 2018, had been jailed for the growing following he had begun to attract for his explanations of the Koran.

Fear of attending mosque, having beard

Many Muslims have long been afraid to attend mosque, given the state surveillance of them and the threat of being branded "extremist", local people told Forum 18.

Earlier in 2019, a Muslim in the western city of Balkanabad stopped going to mosque after being summoned to the police, a resident told Forum 18. "Who is more important, Allah or the President?" officers asked the Muslim. Few people now attend the city's mosques.

Many Muslim men – particularly young men - are afraid to grow beards as police often target bearded men.

In early 2019, police in Ashgabad and the eastern Lebap Region stepped up their campaign to stop men under the age of 40 from wearing beards. They forcibly shaved some and pressured others to shave. One man in Ashgabad, who was detained for two days, noted that the police headquarters was "packed with bearded men". Police appear to believe that young men who wear beards encourage Muslims to become extreme.

Students abroad warned not to attend mosque

Turkmen diplomats in countries with large numbers of Turkmen students – including

Belarus, Ukraine and Turkey – often summon the students to instruct them on their behaviour.

In February, the Turkmen Ambassador to Belarus, Nazarkuly Shagulyyev, summoned students in Minsk, warning women not to wear jeans or skirts and men not to have beards or attend mosque, Radio Free Europe on 11 April cited students as saying. "He said that lads with beards are similar to terrorists," one student noted.

The student said that Ambassador Shagulyyev added that in Belarus, KGB secret police officers "closely watch" mosques. "They watch to see which students attend mosques," the ambassador claimed. It remains unclear if the Ambassador was hinting that the Belarusian authorities might inform the Turkmen authorities if Turkmen students were attending mosques.

An official of the Turkmen Embassy in Minsk would not answer any of Forum 18's questions on 21 May.

For many years, Turkmen diplomats have summoned or visited students to warn them not to get involved in religious communities in the countries where they are studying. A Turkmen diplomat in Ukraine warned students in 2013 not to attend local non-Muslim religious communities, which he called "religious sects 'of another faith'".

Students – particularly those studying in Turkey – are often questioned on their return to Turkmenistan as to whether they or any of their fellow Turkmen students attend mosque or belong to any Islamic movements.

Parents warned

Parents are also warned about the behaviour of their children studying abroad, including that they should not get too involved in exercising their right to freedom of religion or belief.

Officials summoned parents to meetings in schools in the capital Ashgabad in early 2019. Officials from the Migration Service, Ashgabad city administration and Conscription Office, as well as the state-controlled Muslim clergy, issued instructions on how parents should control their children studying abroad.

At one meeting, the imam warned parents that their children should only attend mosque and "keep their distance from other religious movements", Alternative Turkmenistan News (now Turkmen.News) on 5 February cited a parent who had been present at one such meeting.

Human Rights Committee finds former prisoners' rights violated

By Felix Corley

Forum 18 (09.05.2019) - <https://bit.ly/2Mwp1UW> - In two Decisions the United Nations (UN) Human Rights Committee has found that Turkmenistan violated the rights of three Jehovah's Witness prisoners of conscience. Two Jehovah's Witnesses were jailed on fabricated pornography charges to punish them for exercising their right to freedom of religion and belief. The third was among the many Jehovah's Witness young men jailed for refusing compulsory military service on grounds of conscience.

Vladimir Nuryllayev was in November 2011 jailed for four years and tortured after police found he had Jehovah's Witness literature, and was released under amnesty in May 2012. Aibek Salayev was in March 2012 jailed for four years and tortured after being present at a Jehovah's Witness meeting, and was released under amnesty in October 2014. Both prisoners of conscience were jailed on fabricated pornography charges, which were also apparently used against a Muslim prisoner of conscience jailed for distributing religious video and audio recordings (see below).

The UN Human Rights Committee in its Decision published on 18 April (CCPR/C/125/D/2448/2014) also found that prisoner of conscience Salayev was tortured in pre-trial detention (see below).

Conscientious objector Arslan Dawletow (Dovletov) was jailed for 18 months from December 2012. In its Decision published on 4 April (CCPR/C/125/D/2316/2013), the Human Rights Committee stated that Turkmenistan – in defiance of its binding legal obligations under the Optional Protocol to the International Covenant of Civil and Political Rights (ICCPR) - had failed to respond to any of the Committees' questions. The Optional Protocol entered into force for Turkmenistan on 1 August 1997 (see below).

The Human Rights Committee reminded Turkmenistan that it is obliged to make reparation to all three prisoners of conscience, including by expunging their criminal records and providing adequate compensation. "The State party is also under an obligation" to prevent similar violations occurring, both Decisions stress (see below).

The Decision on Dawletow's case was the 11th Human Rights Committee Decision that Turkmenistan violated the rights of Jehovah's Witness conscientious objectors by jailing them (see below).

The Human Rights Committee repeated its insistence in the 10 similar earlier Decisions and in earlier reviews of the country's record under the ICCPR that Turkmenistan "should review its legislation, with a view to ensuring the effective guarantee of the right to conscientious objection", such as by providing a civilian alternative service (see below).

Eleven Jehovah's Witness young male conscientious objectors remain jailed for one or two years for refusing to do compulsory military service. The regime did not include them in the March prisoner amnesty as these prisoners of conscience refused to sign forms admitting their "guilt" (see below).

The regime has ignored previous Human Rights Committee Decisions, and has not adopted any genuine civilian alternative to compulsory military service. Nor has the regime expunged the criminal records or offered compensation to the jailed Jehovah's Witnesses whose rights it has violated.

An official who refused to give his name at the International Organisations Department of the Foreign Ministry insisted to Forum 18 on 8 May that the Foreign Ministry is working with the Human Rights Committee. However, asked what action the government would take in response to the Human Rights Committee Decisions he refused to say and put the phone down.

Neither the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova, nor the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev, answered Forum 18's phone calls.

Another Jehovah's Witness prisoner of conscience, Bahram Hemdemov, was freed on 13

February after completing a four-year jail term imposed for hosting a religious meeting. His appeal to the UN Human Rights Committee is still pending (see below).

Among prisoners freed in 2018 was an imam at the end of a jail sentence apparently imposed for the growing following he attracted for his explanations of the Koran. He was jailed on other charges, which those who know him insist were fabricated (see below).

Internal documents obtained by Turkmen.news and seen by Forum 18 reveal that, among other information, prison administrations must regularly give the Prosecutors Office the numbers of jailed "adherents of banned religious organisations". Another form requires them to give the Interior Ministry numbers of jailed alleged "Wahhabis", "Jehovists" and "Suleimanists" (an apparent reference to followers of Turkish-influenced Islam) (see below).

Working with the Human Rights Committee?

An official of the International Organisations Department of the Foreign Ministry in the capital Ashgabat [Ashgabat] refused to give his name when Forum 18 called on 8 May. He listened to Forum 18's questions about the UN Human Rights Committee Decisions that Turkmenistan had violated the rights of former prisoners of conscience Vladimir Nuryllayev, Aibek Salayev and Arslan Dawletow.

The official then insisted that the Foreign Ministry is working with the Human Rights Committee. However, asked what action the government would take in response to the Human Rights Committee Decisions he refused to say and put the phone down.

Subsequent calls went unanswered.

Forum 18 was thus unable to ask the Foreign Ministry official why Turkmenistan's regime has not implemented earlier Human Rights Committee Decisions.

Forum 18 tried to ask Human Rights Ombudsperson Yazdursun Gurbannazarova, who was named by the regime-appointed Parliament which has never faced free and fair elections, what action the regime would take in response to the UN Human Rights Committee Decisions. Her phone was not answered on 8 May.

Forum 18 also tried to call Yusupguly Eshshayev, Chair of the Mejlis (Parliament) Human Rights Committee. However, his phone also was not answered on 8 May.

Human Rights Committee on Jehovah's Witnesses jailed on fabricated charges

On 29 March, the UN Human Rights Committee adopted a Decision finding that Turkmenistan's regime had violated the rights of two Jehovah's Witness former prisoners of conscience, Vladimir Nuryllayev and Aibek Salayev. The UN published the Decision (CCPR/C/125/D/2448/2014) on 18 April.

Nuryllayev in September 2011 had religious literature and a laptop confiscated from him, was beaten up by police in front of his mother causing blood to flow from his wounds, and was in November 2011 jailed in a rigged trial on fabricated pornography charges. He was released under amnesty in May 2012, and his Supreme Court appeals against his convictions were rejected after flawed appeal hearings.

Salayev was arrested after a Jehovah's Witness meeting he was present at was raided by police, and was in March 2012 jailed and tortured after a rigged trial. Some of the Jehovah's Witnesses initially detained with Salayev heard police officers threatening to plant pornographic material on his computer. He was released under amnesty in October

2014.

Both men were jailed on fabricated pornography charges to punish them for exercising their right to freedom of religion and belief. There was an unconfirmed report at the time that a Muslim had also been jailed on the same fabricated charges for distributing religious audio and video discs. Neither of the two Jehovah's Witnesses had their criminal records expunged on amnesty.

The fabricated charges against the Jehovah's Witnesses were brought after police confiscated their victims' computers giving them ample opportunity to plant false evidence. The Jehovah's Witnesses were convicted after written statements were provided by police from alleged witnesses who did not testify at the trials.

The two men submitted their appeal to the Human Rights Committee in May 2014 (after Nuryllayev's release but while Salayev was still imprisoned). Both complained about the fabricated criminal charges and the denial of fair trials.

Salayev also complained about "the repeated beatings and the threats" while in pre-trial detention. He also complained that conditions in the harsh Seydi Labour Camp in the desert in Lebap Region where he was held were "inhuman conditions". He noted that the Camp was "known for its overcrowdedness, harsh climatic conditions, scarce supplies of food, medication and personal hygiene products, and for tuberculosis, skin diseases, its very high mortality rate, and physical abuse". He was also threatened by officials with rape in the Camp.

Turkmenistan's regime responded to the Human Rights Committee in November 2015 insisting that evidence in the cases proved the men were guilty of distributing pornography as convicted. It failed to respond about the complaint that the men had been jailed to punish them for exercising freedom of religion and belief, had been denied a fair trial and, in Salayev's case, had been subjected to torture and inhuman conditions.

The Human Rights Committee not only upheld Nuryllayev and Salayev's complaint, it also reminded Turkmenistan's regime of its "obligation" to provide the men with an "effective remedy". This includes expunging the men's criminal records and providing "adequate compensation, including for the legal expenses and fees they have incurred".

The Human Rights Committee Decision adds that Turkmenistan "is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future". It must also inform the Human Rights Committee of its actions to put the Decision into effect within 180 days, and must publish and disseminate the Human Rights Committee Decision widely in the state's official Turkmen language.

Human Rights Committee's 11th Decision on conscientious objector cases

On 29 March, the UN Human Rights Committee adopted a Decision finding that Turkmenistan's regime had violated the rights of Jehovah's Witness conscientious objector Arslan Dawletow (Dovletov). The UN published the Decision (CCPR/C/125/D/2316/2013) on 4 April.

In 10 similar earlier Decisions, the Human Rights Committee had found that Turkmenistan's regime had violated the rights of other convicted Jehovah's Witness conscientious objectors. Complaints to the Committee by at least four other convicted conscientious objectors (three of whom had been jailed and one fined) are still pending.

Prisoner of conscience Dawletow was arrested in December 2012 and sentenced the following month to 18 months' imprisonment for refusing compulsory military service on

grounds of conscience. He had offered to perform an alternative civilian service, and submitted his appeal to the Human Rights Committee in May 2013 while still imprisoned in Seydi Labour Camp.

The Human Rights Committee recorded the lack of cooperation from Turkmenistan's regime, which has not replied to four separate sets of questions on Dawletov's case which the Committee put to the regime between 11 December 2013 and 27 August 2015. The Committee noted that this is in breach of Turkmenistan's binding obligations under the Optional Protocol to the ICCPR, which entered into force for Turkmenistan on 1 August 1997.

In 2013, after the UN Human Rights Committee sought a response from Turkmenistan to complaints by 10 Jehovah's Witness conscientious objectors, about 30 police officers raided the lead complainant's family home in the northern city of Dashoguz. Six people were taken to a police station. According to their statements seen by Forum 18, all six were beaten and tortured, one of them severely. In what Jehovah's Witnesses state was "particularly despicable treatment", one detainee was threatened with being raped on a table in the police station. Three were then fined.

The Human Rights Committee stated that Dawletov's own complaint of ill-treatment is "insufficiently substantiated for the purposes of admissibility". However, the Committee fully upheld his complaint that being convicted and jailed for refusing to do compulsory military service was a violation of his right to freedom of religion and belief.

Also, the Human Rights Committee reminded Turkmenistan's regime of its "obligation" to provide Dawletov with an "effective remedy". This includes "full reparation", including by expunging his criminal record and providing "adequate compensation".

The Decision recalled the Human Rights Committee's March 2017 examination of Turkmenistan's record under the ICCPR (CCPR/C/TKM/CO/2), and in the Decision repeats its concern at "continued failure to recognize the right to conscientious objection to compulsory military service and about the repeated prosecution and imprisonment of Jehovah's Witnesses refusing to perform compulsory military service". This repeats previous Decisions and statements by the Human Rights Committee.

However, in January 2018 Turkmenistan restarted jailing conscientious objectors to military service. The 11th and most recent such known jailing was on 7 January 2019.

The Human Rights Committee's latest Decision adds that Turkmenistan "is also under an obligation to avoid similar violations of the Covenant [the ICCPR] in the future". It reiterated that Turkmenistan should therefore "review its legislation, with a view to ensuring the effective guarantee of the right to conscientious objection under article 18 (1) ['Freedom of thought, conscience and religion'] of the Covenant, for instance, by providing the possibility of alternative service of a civilian nature".

Turkmenistan's regime must also inform the Committee of its actions to put the Decision into effect within 180 days. The regime must also publish and disseminate the Human Rights Committee Decision widely in the state's official Turkmen language.

No amnesty for 11 jailed conscientious objectors

Eleven Jehovah's Witness young men are serving prison terms for refusing compulsory military service on grounds of conscience. Each is serving a sentence of one or two years' imprisonment under Criminal Code Article 219, Part 1, which punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment or two years' corrective labour.

All these 11 prisoners of conscience are held in Seydi Labour Camp. (The Camp now seems to use the designation LB-E/12, not the previous LB-K/12.) Many other prisoners of conscience jailed for exercising the right to freedom of religion and belief have been held in this Labour Camp, where torture is said to be routine and prisoners are denied their freedom of religion and belief and other rights.

The most recent conscientious objector to be jailed was 18-year-old Azamatjan Narkulyev, jailed for one year on 7 January. Like all the other conscientious objectors, he had told the Conscription Office he was ready to do alternative civilian service, but the regime does not allow this.

Admitting "guilt" necessary for amnesty

None of the 11 prisoners of conscience was included in the 2,028 convicted persons released under the latest prisoner amnesty, approved in a 20 March Presidential Decree.

"Before the decree, all the prisoners in Seydi Labour Camp were required to give a written answer to two questions:

- 1) Do you admit your guilt and repent of the crime?
- 2) Do you agree with your verdict or not?"

Jehovah's Witnesses told Forum 18 that "all the Jehovah's Witnesses answered 'no' to the first question".

Freed prisoner of conscience's UN complaint pending

A 55-year-old Jehovah's Witness, Bahram Hemdemov, was released from Seydi Labour Camp on 13 February after serving a four-year sentence. He was reunited with his wife, Gulzira, and their four children.

Hemdemov was tortured and given a four-year prison term in May 2015 on accusations of allegedly inciting religious hatred, which his fellow Jehovah's Witnesses deny. His real "crime" seems to have been hosting a meeting for worship.

The regime in 2016 repeatedly refused to answer UN Committee Against Torture (CAT) questions about the torture of Muslim and Jehovah's Witness prisoners of conscience jailed for exercising their freedom of religion and belief, including Hemdemov. Instead, the regime repeated its "religious hatred" allegations about Hemdemov.

The government "granted amnesty to prisoners three times a year on average during Bahram Hemdemov's imprisonment," Jehovah's Witnesses noted, "but overlooked him each time - even though convicted murderers were among those freed".

Hemdemov filed a complaint to the UN Human Rights Committee on 15 August 2016. The complaint is still pending consideration.

Imam freed

An imam was freed in 2018 at the end of his jail sentence imposed for the growing following he had begun to attract for his explanations of the Koran, former prisoner of conscience Saparmamed Nepeskuliyev told Forum 18. (Nepeskuliyev, a former Radio

Free Europe correspondent, was himself freed in 2018 and able to leave Turkmenistan in March 2019.)

The imam had been jailed for alleged sexual relations with underage girls, but those who know him insist that these charges were fabricated. "This is a frequent accusation used against those the government wants to imprison," Nepeskuliyev told Forum 18.

"Adherents of banned religious organisations"

Internal prison documents, obtained by independent émigré news agency Turkmen.news and seen by Forum 18, show information about prisoners prison administrations must submit regularly to higher authorities, such as the Prosecutor's Office and the Interior Ministry.

One form prisons must submit to the Prosecutor's Office asks for numbers of various categories of prisoners, including those who are in quarantine after having just arrived at the prison, or in punishment cells. Row 14 asks for figures for the number of detained "adherents of banned religious organisations".

The regime bans all exercise of freedom of religion and belief by groups of people without state permission, so the category of "banned religious organisations" could be very wide.

Another form, apparently to be submitted to the Interior Ministry's Department for the Execution of Punishments, requires prison administrations to provide numbers of prisoners in the medical unit, punishment cell or other locations within a prison or labour camp, and the number believed to be planning to escape.

This form also asks for the number of jailed alleged "Wahhabis" (Row 11), "Jehovists" (Row 12), and "Suleimanists" (Row 16, an apparent reference to followers of Turkish-influenced Islam).

Among jailed Muslims the authorities consider as alleged "Wahhabis" are a large group of Hanafi Sunni Muslims who met in Turkmenabad in 2013 to study Islam and were subsequently arrested and jailed. It is unknown whether their leader Bahram Saparov and others from this group of prisoners of conscience are still alive.

Among jailed Muslims the authorities consider to follow Turkish-influenced Islam are five Muslim prisoners of conscience who in 2017 met in Balkan Region with others to pray and study their faith, using the works of the late Turkish Muslim theologian Said Nursi.

24 hours in airport, travel ban for Korans

Security personnel at Ashgabad Airport detained a woman working in Turkey bringing in Arabic Korans as gifts for relatives, questioning her for 24 hours. She was later banned from leaving Turkmenistan. Police are again forcibly shaving men under 40 with beards. Officers forced one victim to drink alcohol.

By Felix Corley

Forum 18 (05.02.2019) - <https://bit.ly/2GN7HYe> - In late December 2018, security personnel at the airport in the capital Ashgabad [Ashgabat] detained a local woman returning from work in Turkey because she had brought back copies of the Koran. Officers seized the Korans. She was held for 24 hours in the airport before being allowed

to travel on to her home town. When she tried to return to Turkey in January, security personnel at the airport stopped her from leaving.

Radio Free Europe's Turkmen Service, which reported on the detention, literature seizure and exit denial on 23 January, did not identify the Lebap Region resident for fear of state reprisals.

An official of the Migration Service in Ashgabad refused to discuss such exit bans with Forum 18. Forum 18 was unable to reach other officials (see below).

Meanwhile, police have stepped up their campaign to stop men under the age of 40 from wearing beards. They have forcibly shaved some and pressured others to shave. Police appear to believe that young men who wear beards encourage Muslims to become extreme (see below).

In one case in Lebap Region, officers forced a young man they had detained not only to shave but to drink alcohol (see below).

In recent years, police have intermittently detained young men with beards and forcibly shaved them. Sometimes this is accompanied by forced drinking of alcohol and eating of pork, both unacceptable for devout Muslims (see below).

The authorities impose tight restrictions over all exercise of the right to freedom of religion or belief. Worship and religious meetings without state permission are illegal, officials refuse state registration to many religious communities (including Muslim communities outside the state-backed Muslim Board), all religious literature is subject to state censorship, and individuals are jailed to punish them for exercising freedom of religion or belief outside state controls.

No answers

Forum 18 again tried to call the Human Rights Ombudsperson Yazdursun Gurbannazarova, who was named by the government-appointed parliament, to find out why individuals are stopped at Ashgabad Airport because they have religious literature, why they are banned from leaving Turkmenistan, why young men under 40 are not allowed to choose to have a beard and why police forcibly shave them and force some to drink alcohol.

An official told Forum 18 on 5 February that Gurbannazarova was not in the office. The official said Maysa Muradova, head of the department, was in a meeting and asked Forum 18 to call back in 15 minutes. All subsequent calls went unanswered.

Forum 18 also again tried to call Yusupguly Eshshayev, Chair of the Mejlis (Parliament) Human Rights Committee. His phone went unanswered on 5 February.

Similarly unanswered on 5 February was the phone of Gurbanberdy Nursakhatov, a Deputy Chair of the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production.

Airport detention for Arabic Korans

Security personnel at Ashgabad's international airport found several copies of the Koran in Arabic in the luggage of a Turkmen woman returning from Turkey in late December 2018. The woman, who works legally in Turkey, had returned to visit relatives in the

eastern Lebap Region. She had brought the Korans as gifts, Radio Free Europe's Turkmen Service noted. Officers seized the Korans and souvenirs she had with Arabic inscriptions.

A uniformed police officer and two men in civilian clothes called her over after she had passed through passport control and took her away for questioning. Their questions mainly focused on why she was bringing the Korans into the country.

"The police officer asked no questions, but the men in civilian clothes asked questions one after the other," the woman told Radio Free Europe, "and when necessary they were ready to put moral pressure on me." She said the two men shouted at her: "Aren't you ashamed bringing such books with you, you're a woman! So you're trying to bring in religious/political propaganda!"

Other victims who have been held because they had religious literature and witnesses have told Radio Free Europe that officers behave crudely and in a prejudiced way.

The officers also questioned the way the woman was dressed and why she had not dyed her hair.

The officers then demanded that the woman read out a passage from the Koran for them, apparently to find out if she knew how to read the text. She refused to read from it without ritually washing herself. The officers forced her to read from the Koran. The following morning, they brought an imam from an Ashgabad mosque who listened to her reading and confirmed her correct pronunciation and understanding of the Arabic.

Only after she had been held in the airport for 24 hours did the officers allow the woman to leave. Once she had reached her relatives in Lebap Region, local security officers also questioned her.

In January, after her holiday with relatives, the woman travelled back to Ashgabad airport for the return flight to Turkey. However, airport officials refused to allow her to board her flight as they said she had been banned from leaving Turkmenistan.

The official who answered the phone at the Migration Service in Ashgabad on 5 February refused to explain why individuals are banned from leaving the country to punish them for exercising freedom of religion or belief. "Ask the embassy," he kept repeating, even though Forum 18 was asking about Turkmen citizens denied permission to leave Turkmenistan. He then put the phone down.

The authorities have long obstructed active religious believers from leaving the country.

Enforced beard shaving, enforced alcohol drinking

Police in Ashgabad and Lebap Region have again begun to enforce an unwritten ban on men under 40 wearing beards, two emigre Turkmen news websites noted separately. It appears Police regard young men with a beard as being radical Muslims and fear their influence on society could spread.

On 24 January, police detained a young man on the street in Ashgabad's 6th microdistrict because he had not shaved, Alternative Turkmenistan News noted on 25 January. Officers took him to the local police station, handed him a razor and forced him to shave.

Several other young men were detained for the same reason on the central Ashgabad street where the headquarters of the ordinary police and Ministry of State Security (MSS) secret police are located. "My colleague spent two days there," an Ashgabad resident told Alternative Turkmenistan News. "When he came to work his boss asked him: So, you

managed to get out? He replied that friends had helped him." The young man added that the police headquarters was "packed with bearded men".

Police in Lebap Region held for several days a young man with a beard regarded locally as in "Muslim" style (with the moustache shaved off), a relative told Alternative Turkmenistan News. Officers also forced the young man to drink alcohol.

Police often accompany the detention of young men with beards with bribe-seeking, the Turkmen Initiative for Human Rights noted. Officers demand 100 Manats (several days' average wages) from such young men, otherwise they hand out a fine. Some men may have been beaten and humiliated in detention, it added.

Traffic police are also stopping drivers with beards, one young man who had been stopped told the Turkmen Initiative for Human Rights. After checking his driving licence to confirm that he was under 40, the officer asked why he had a beard as it is "not allowed". The young man responded that he had never heard nor read that it was banned. The officer responded that ignorance of the law is no defence and took him to the police station.

Once there, the officer again told him that men can only grow beards when they reach the age of 40. He forced him to go to the barbers' shop next door to be shaved. "Until your beard is shaved off, you won't get your driving licence back," the duty officer told him. After being shaved, officers gave the young man his driving licence back and released him.

Employers, both state and private, do not allow men of any age to have beards, the Turkmen Initiative for Human Rights added.

In 2014, Police in Turkmenabad [Turkmenabat] detained one former member of a Muslim group led by Bahram Saparov even though he had – apparently out of fear – stopped praying publicly following the mass arrests of group members, including Saparov, the previous year. Officers shaved off his beard and forced him to eat pork and drink alcohol, both unacceptable for Muslims.

Police in the northern Dashoguz Region detained young men with beards in summer 2016 and forced them to shave, Radio Free Europe's Turkmen Service reported at the time. Police forced one of those detained to drink alcohol and eat pork.

New year, new jailed conscientious objector

With the 7 January one-year jailing of 18-year-old Azamatjan Narkulyev, 12 conscientious objectors – all Jehovah's Witnesses - are now jailed for refusing compulsory military service on grounds of conscience. No officials would comment on why, in defiance of United Nations calls, Turkmenistan jails these young men.

By Felix Corley

Forum 18 (22.01.2019) - <https://bit.ly/2MA6Km8> - On 7 January, a court in the eastern Lebap Region handed 18-year-old Azamatjan Narkulyev a one-year jail term for refusing compulsory military service on grounds of conscience. He is one of 12 conscientious objectors – all of them Jehovah's Witnesses – known to be jailed. All had told

Conscription Offices they were ready to conduct an alternative, civilian service, but the authorities do not offer this.

The new jailing came weeks after two other conscientious objectors were jailed in late 2018. A court handed Gurbangylych Muhammetgulyyev a one-year prison term in the south-eastern city of Mary in November. A court handed Eziz Atabayev a two-year prison term in the northern city of Dashoguz in December (see below).

The jailing of Muhammetgulyyev and Atabayev brought to twelve the number of conscientious objectors known to have been jailed in Turkmenistan in 2018 for refusing compulsory military service on grounds of conscience. Of these, only one - Arslan Begenchov – has completed his prison term and been freed. Begenchov was the first conscientious objector to be sentenced to prison since 2014 (see below).

Two of the current conscientious objector prisoners of conscience are serving two-year jail terms and the other ten a one-year sentence (see list at foot of article).

Jehovah's Witnesses expressed concern that conscription offices are now calling back some young men earlier exempted from military service on grounds of health. Protestants have expressed concern that in autumn 2018 the conscription office in Dashoguz summoned two young men who had already completed military service. There officials insulted them because of their faith (see below).

On 20 September 2018, a Turkmen diplomat again rejected to the United Nations Human Rights Council in Geneva a call in the Universal Periodic Review (UPR) of the country to introduce a civilian alternative to compulsory military service. Turkmenistan also rejected a UPR call for independent visits to prisons, including those where Muslim and Jehovah's Witness prisoners of conscience are being held (see below).

No officials would comment on why Turkmenistan jails those who cannot perform military service on grounds of conscience (see below).

Many prisoners of conscience

The twelve jailed conscientious objectors are among the many people Turkmenistan has jailed for exercising freedom of religion or belief.

Five Muslims who met to study the works of theologian Said Nursi failed to overturn their 12-year jail terms at Turkmenistan's Supreme Court in July 2018. Four of the five are in the top-security prison at Ovadan-Depe, where prisoners have suffered torture and death from abuse or neglect.

Dozens of Muslims from in and around the eastern city of Turkmenabad [Turkmenabat] were imprisoned in 2013 and after to punish them for their involvement in a Muslim study group. Most or all the prisoners are believed to be held in Ovadan-Depe. Relatives often have no information as to whether they are still alive. Three of the group are known to have died in prison.

Jehovah's Witness Bahram Hemdemov is serving a four-year jail term to punish him for hosting a religious meeting (see below).

Government rejects alternative service call at UN

During the review of Turkmenistan by the United Nations (UN) Human Rights Council in the Universal Periodic Review (UPR) in Geneva in May 2018, other governments

presented 191 recommendations of how the country could improve its human rights record (A/HRC/39/3).

Argentina recommended: "Adopt the necessary measures in order to recognize the right to conscientious objection to compulsory military service." However, this was among the 19 recommendations the Turkmen government rejected.

The Turkmen government rejected the call to introduce an alternative to compulsory military service in its written response to the UPR (A/HRC/39/3/Add.1), made public by the UN on 13 September 2018. It repeated its rejection at a meeting of the Human Rights Council in Geneva on 20 September 2018.

"We refer to Article 58 of the Constitution of Turkmenistan which provides that the protection of Turkmenistan is a sacred duty of every citizen," Ahmetyar Kulov, First Secretary at Turkmenistan's Permanent Mission to the UN in Geneva, told the meeting. "Under the Constitution, military service is compulsory for all male citizens."

Another UPR recommendation given in May 2018 was: "Provide those who are imprisoned, including in the Ovadan-Depe and Seydi prisons, access to independent inspectors and other visitors and permit those visitors to conduct private and fully confidential interviews with prisoners, consistent with the United Nations Standard Minimum Rules for the Treatment of Prisoners."

The Turkmenistan government's written response also rejected this recommendation, with no explanation.

Many Muslim prisoners of conscience are held at Ovadan-Depe prison (see above), while eleven jailed Jehovah's Witness prisoners of conscience are being held at Seydi Labour Camp (see below).

No answers

Forum 18 again tried to call the Human Rights Ombudsperson Yazdursun Gurbannazarova, who was named by the government-appointed parliament, to find out why young men are being jailed for refusing military service on grounds of conscience and why Turkmenistan rejected the call in the UPR to introduce an alternative to military service.

An official told Forum 18 on 22 January that Gurbannazarova was on a work trip until 28 January. The official referred Forum 18 to Maysa Muradova, head of the department, asking it to call back in one hour. All subsequent calls went unanswered.

Forum 18 also again tried to call Yusupguly Eshshayev, Chair of the Mejlis (Parliament) Human Rights Committee, to find out if the authorities will ever introduce a law to allow those with conscientious objections to compulsory military service to perform an alternative civilian service. The man who answered his phone on 22 January hung up as soon as Forum 18 asked if it was Eshshayev. Subsequent calls went unanswered.

No conscientious objection, no alternative service

In defiance of repeated calls by the United Nations and the Organisation for Security and Co-operation in Europe, Turkmenistan offers no alternative to its compulsory military service. Military service for men between the ages of 18 and 27 is generally two years. Call-up is decreed each spring and autumn.

Young men who refuse military service on grounds of conscience face prosecution under Criminal Code Article 219, Part 1. This punishes refusal to serve in the armed forces in peacetime with a maximum penalty of two years' imprisonment or two years' corrective labour.

From 2014, courts punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. However, jailings resumed with the two prison terms in January 2018.

One-year jail term

On his call-up in autumn 2018, Azamatjan Narkulyev (born 9 November 2000), a Jehovah's Witness from the city of Seydi in Lebap Region, told officials that he was unable to perform military service on grounds of conscience. He offered to perform an alternative, civilian service.

Prosecutors brought a case against Narkulyev under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"). They handed his case to Danew District Court. At his trial on 7 January 2019, the Judge sentenced him to one year's ordinary regime labour camp, Jehovah's Witnesses told Forum 18.

The telephone went unanswered at Lebap Regional Court on 22 January, so Forum 18 was unable to find out if Narkulyev had appealed against his conviction.

Narkulyev is currently being held in the Temporary Detention Prison (LB-D/9) in the city of Turkmenabad. He is likely to be sent to serve his sentence at the labour camp in Seydi, where other jailed conscientious objectors are being held.

Two further 2018 sentences

Two more young men were jailed in late 2018 for refusing compulsory military service, despite offering to perform an alternative, civilian service.

Gurbangylych Dovletovich Muhammetgulyyev (born 15 March 2000) is a Jehovah's Witness from the city of Mary who was called up in the autumn 2018 conscription round. On 17 and 23 October 2018 he failed to arrive at the Mary Regional Conscription Office to begin his military service, despite having been approved for service by a medical commission, according to the subsequent court verdict.

Prosecutors brought a case against Muhammetgulyyev under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service") and he had to sign a pledge not to leave his home town without prosecutors' permission. Prosecutor B. Myradov then handed the case to Mary City Court.

On 28 November 2018, Judge Gulher Aminova found Muhammetgulyyev guilty. She sentenced him to one year's imprisonment in ordinary regime labour camp, according to the verdict seen by Forum 18. He was arrested in the court room after the verdict was handed down, with his sentence to run from that date.

The court rejected Muhammetgulyyev's insistence that his faith bans taking up arms and that he "could not go against the word of Jehovah", the verdict records. His parents and sister also spoke up for him in court.

Curiously, the verdict notes that Muhammetgulyyev is not a member of a political party.

Both Judge Aminova and her assistant refused to discuss the case with Forum 18 on 22 January 2019. Mary Regional Court told Forum 18 the same day that Muhammetgulyyev had not appealed against the sentence.

Following his sentence, the authorities transferred Muhammetgulyyev to the labour camp in Seydi.

Eziz Atabayev (born 15 March 1998) is a Jehovah's Witness from the city of Dashoguz. On 19 December 2018, Judge Sh. Gummanov of Dashoguz City Court found him guilty under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"). He sentenced him to two years' imprisonment in ordinary regime labour camp.

On 15 January 2019, Atabayev's father learned that Dashoguz Regional Court had rejected his son's appeal, Jehovah's Witnesses told Forum 18. Dashoguz Regional Court refused to give Forum 18 any information by phone on 22 January.

Atabayev is currently being held in the Temporary Detention Prison (DZ-D/7) in Dashoguz Region. However, the authorities are expected to transfer him soon to the labour camp in Seydi.

Freed on completing sentence

On 17 December 2018 conscientious objector Arslan Begenchovich Begenchov (born 15 May 1999) was released from Seydi Labour Camp after completing his full term of imprisonment, Jehovah's Witnesses told Forum 18.

The authorities arrested Begenchov on 2 January 2018 in his home region of Lebap in eastern Turkmenistan after he refused to perform compulsory military service on grounds of religious conscience. Charjew District Court sentenced him to one year's imprisonment on 17 January 2018. Lebap Regional Court rejected his appeal on 13 February 2018.

Begenchov served eleven and a half months in prison, as each day of pre-trial detention counts as the equivalent of two days' imprisonment.

Begenchov was the first conscientious objector to be sentenced to prison since 2014.

Ten jailed conscientious objectors in one labour camp

Narkulyev and Atabayev, the two conscientious objectors jailed in December 2018 and January 2019, are likely to be sent to serve their sentences at the ordinary regime labour camp in the desert near Seydi, in Lebap Region. (The prison now seems to use the designation LB-E/12, not LB-K/12.) Many other prisoners of conscience jailed to punish them for exercising the right to freedom of religion or belief have been held in the camp.

The ten jailed conscientious objectors sentenced between January and November 2018 - Kerven Kakabayev, Mekan Annayev, Ikhlosbek Rozmetov, Veniamin Genjiyev, Maksat Jumadurdiyev, Isa Sayayev, Ruslan Artykmuradov, Sokhbet Agamyradov, Serdar Atayev, and Gurbangylych Muhammetgulyyev - are all serving their sentences at the Seydi camp.

Also held at Seydi Labour Camp is fellow Jehovah's Witness Bahram Hemdemov. He was arrested during a March 2015 raid on his home, after which he was tortured. He is serving a four year prison term from 19 May 2015 on charges of allegedly inciting religious hatred, which he strongly denies, but his real "crime" seems to have been hosting a meeting for worship.

No amnesty

None of these prisoners of conscience have been included in prisoner amnesties periodically approved by the president.

On 24 September 2018, ahead of the presidential amnesty, officials at Seydi Labour Camp told Kakabayev, Annayev, and Genjiyev that they would be granted amnesty and released. Even though their names were on the publicly announced list of prisoners to be amnestied, the three men were not among the 1,722 prisoners released the following day, Jehovah's Witnesses told Forum 18.

The address of the Seydi Labour Camp is:

746222 Lebap velayat
Seydi
uchr. LB-E/12
Turkmenistan

Conscription offices reopening cases?

Jehovah's Witnesses expressed concern that Conscription Offices are now calling back some young men earlier exempted from military service on grounds of health, insisting that they are medically fit to serve. Jehovah's Witnesses fear those now re-classified as fit could be called up and face possible imprisonment.

Protestants have expressed concern that in autumn 2018 the Conscription Office in Dashoguz summoned two young men who had already completed military service. There officials complained that the young men "read the Book" (a reference to the Bible) and insulted them because of their faith, fellow Protestants told Forum 18.

List of known jailed conscientious objectors

Twelve conscientious objectors to compulsory military service (listed below) – all of them Jehovah's Witnesses – are known to be serving prison sentences under Criminal Code Article 219, Part 1 ("Rejecting call-up to military service"):

- 1) Kerven Arslanovich Kakabayev; born 9 September 1996; sentenced 29 January 2018 Koneurgench City Court; appeal denied due to missed appeal deadline 27 June 2018 Dashoguz Regional Court; one year ordinary regime labour camp.
- 2) Mekan Orazdurdiyevich Annayev; born 22 June 1999; sentenced 26 June 2018 Turkmenbashi City Court; no appeal to Balkan Region Court; two year ordinary regime labour camp.
- 3) Ikhlosbek Valijon oglu Rozmetov; born 26 November 1997; sentenced 11 July 2018 Gurbansoltan eje District Court; appeal rejected 23 July 2018 Dashoguz Regional Court; one year ordinary regime labour camp.
- 4) Veniamin Muslimovich Genjiyev; born 12 May 2000; sentenced 17 July 2018 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.
- 5) Maksat Jumadurdiyevich Jumadurdiyev; born 15 May 2000; sentenced 17 July 2018 Danew District Court; no appeal to Lebap Regional Court; one year ordinary regime labour camp.

- 6) Isa Muslimovich Sayayev; born 14 May 1994; sentenced 9 August 2018 Koneurgench City Court; appeal rejected 11 September 2018 Dashoguz Regional Court; one year ordinary regime labour camp.
- 7) Ruslan Khadynyaz oglu Artykmuradov; born 24 May 2000; sentenced 13 August 2018 Sayat District Court; appeal rejected 11 September 2018 Lebap Regional Court; one year ordinary regime labour camp.
- 8) Sokhbet Rejepmyradovich Agamyradov; born 4 January 2000; sentenced 27 August 2018 Mary City Court; appeal lodged to Mary Regional Court; one year ordinary regime labour camp.
- 9) Serdar Annamyradovich Atayev; born 9 June 2000; sentenced 28 August 2018 Mary City Court; appeal lodged to Mary Regional Court; one year ordinary regime labour camp.
- 10) Gurbangylych Dovletovich Muhammetgulyyev; born 15 March 2000; sentenced 28 November 2018 Mary City Court; no appeal; one year ordinary regime labour camp.
- 11) Eziz Atabayev; born 15 March 1998; sentenced 19 December 2018 Dashoguz City Court; appeal rejected January 2019 Dashoguz Regional Court; two year ordinary regime labour camp.
- 12) Azamatjan Narkulyev; born 9 November 2000; sentenced 7 January 2019 Danew District Court; one year ordinary regime labour camp.