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Decriminalize consensual same-sex conduct.

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HRW (26.05.2020) - <https://bit.ly/2XuZiRq> - In Turkmenistan, men who have sex with men continue to be arrested and imprisoned on sodomy charges.

In mid-April independent media in the region reported the arrest of a popular entertainer as well as those of numerous other men who move in Turkmenistan's show-business world. Some were able to secure their release. On May 7, a Turkmen court sentenced the entertainer, and several others to two years' imprisonment on sodomy charges.

Turkmenistan is one of sixty-nine countries in the world that outlaw consensual sexual intercourse between men. Article 135 of the criminal code stipulates penalties of up to two years' imprisonment for sodomy and 5 to 10 years if repeated. This blatantly discriminatory law, that violates Turkmenistan's international human rights obligations, enables police to subject gay and bisexual men to harassment, including with the purpose of extortion, humiliation, and abuse.

Human Rights Watch documented a 2013 case in Turkmenistan, where medical staff collaborated with law enforcement officials to conduct an anal exam on an 18-year-old man accused of homosexual conduct. While not evidence of a pattern, the case raises the possibility that forced anal examinations have been or are being used against others charged with sodomy in Turkmenistan.

Such examinations have no medical justification, are cruel, inhuman, and degrading treatment and may amount to torture. They violate the Convention against Torture and the International Covenant on Civil and Political Rights, both ratified by Turkmenistan.

Last year, in an extremely rare headline-grabbing instance, a gay man came out publicly despite hostile social attitudes and bullying by his family. He went missing after he came out, and then briefly resurfaced in the media before going silent again.

In 2017, the United Nations Human Rights Committee flagged criminalization of consensual same-sex conduct as "unjustifiable" and urged the Turkmen government to repeal it. Turkmenistan prides itself on its good standing in the United Nations. The government should immediately dismiss all charges against the men convicted under these laws and release them.

Turkmenistan should also repeal article 135 of the criminal code and protect people from violence and discrimination based on sexual orientation.
