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## **8 conscientious objectors jailed in 2021, UN special procedures ignored**

***On 16 March the regime jailed another conscientious objector to military service for two years, the eighth such 2021 jailing. Like six of the other 2021 jailings, 21-year-old Jehovah's Witness Rasul Rozbayev is being punished for the second time on the same charges. The jailings ignore a December 2020 appeal by four UN special procedures. A March 2020 regime report to the UN insisted that defending the country "is the sacred duty of every citizen".***

By Felix Corley

Forum18 (19.03.2021) - <https://bit.ly/3rk2w53> - On 16 March, a court in the northern Dashoguz Region jailed 21-year-old Jehovah's Witness conscientious objector Rasul Rozbayev for two years in an ordinary regime labour camp for refusing compulsory military service. This is his second sentence on the same charges. He is the eighth conscientious objector known to have been jailed so far in 2021. All these prisoners of conscience had offered to perform an alternative civilian service, but Turkmenistan does not offer this.

The regime has rejected repeated United Nations (UN) calls to introduce a genuinely civilian alternative service (see below).

Forum 18 tried to find out why prosecutors bring cases to punish these prisoners of conscience such as Rozbayev, who cannot perform military service on grounds of conscience but are ready to perform an alternative, civilian service. An official of Dashoguz Region Military Prosecutor's Office told Forum 18 that it does not answer oral questions, only questions submitted in writing (see below).

Courts jailed six Jehovah's Witness conscientious objectors in January, five of them within the space of two days. As all six had already served earlier sentences on the same charges, courts handed all of them a two-year jail term, five of them in a strict-regime labour camp. A court jailed a seventh for one year in February (see below).

The jailing of prisoner of conscience Rozbayev brings to 16 the number of young conscientious objectors to military service known to have been convicted and to be currently serving jail sentences (see full list below of currently jailed conscientious objectors).

This new case brings to 32 the number of known convictions and jailings of conscientious objectors since Turkmenistan resumed such jailings in January 2018. All of them are Jehovah's Witnesses.

An increasing number of conscientious objectors to military service are serving second sentences for the same "crime". Ten of the current 16 known conscientious objector prisoners – including Rozbayev and [six of the seven other young men jailed in 2021](#) - are serving second sentences (see below).

Six Jehovah's Witness conscientious objectors were freed from Seydi Labour Camp in 2020 [after serving their sentences in full](#).

Forum 18 was unable to reach anyone at the regime's [Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production](#), including its chief specialist Nasrullah ibn Ibadullah or Yusupgeldi Durdiyev, the Cabinet of Ministers official who chairs the Commission. The telephone went unanswered on 19 March (see below).

The telephones of the office of the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova; and of Yusupguly Eshshayev, the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee, went unanswered each time Forum 18 called the same day (see below).

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

Turkmenistan has ignored repeated international calls, for example by [the UN 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](#).

The UN Human Rights Committee has published 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 ([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 (see below).

Jehovah's Witnesses filed a complaint with the UN Working Group on Arbitrary Detention in May 2020 [on behalf of 19 current or former jailed conscientious objectors](#). The 19 men include some of those currently imprisoned in Seydi Labour Camp, plus others who have been released after serving earlier sentences.

A Foreign Ministry official refused in August 2020 to explain why the regime is not willing to introduce a civilian alternative service in line with repeated UN recommendations, and why young men continue to be imprisoned. Ata of the Foreign Ministry's International Organisations Department, who refused to give his last name, claimed to Forum 18 in August 2020 that the regime "is dealing with these bodies, including the UN". He also claimed that ["we are trying to do our best"](#) and said he did not agree that Turkmenistan was failing to implement UN human rights recommendations (see below).

On 10 December 2020, four UN human rights Special Procedures including the Working Group on Arbitrary Detention wrote ([AL TKM 2/2020](#)) to Turkmenistan's government

expressing "serious concern" about the second sentences handed down in August 2020 to two of the conscientious objectors, Sanjarbek and Eldor Saburov. "We deeply regret the criminalization of conscientious objection," they wrote, adding that Turkmenistan "must provide meaningful alternative service" (see below).

The regime did not reply within the requested 60 days, and in its 27 March 2020 report to the Human Rights Committee did not explain why young men with conscientious objections to military service are jailed, and why they cannot perform an alternative civilian service. It merely repeated the regime's claim that defending the country "is the sacred duty of every citizen" (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).

The regime admitted to the UN Human Rights Committee in March 2020 that two jailed Muslims – both in their mid-thirties - had died in prison in 2016. It claimed that they had both died of a "chronic illness" (see below).

### **Latest jailing**

Prosecutors in the northern Dashoguz Region brought a second criminal case against Jehovah's Witness conscientious objector Rasul Ruslanovich Rozbayev (born 14 August 1999) after he refused the call-up to compulsory military service. Like other Jehovah's Witnesses, he explained his conscientious reasons for refusing military service and offered to perform an alternative, civilian service.

In April 2020, after being summoned by Niyazov District Military Conscription Office, Rozbayev submitted a statement refusing military service. He was released but told to come back later. However, on 5 May 2020, the Conscription Office wrote to him stating that he is subject to conscription.

At the Conscription Office on 2 November 2020, officials told Rozbayev to return the following day to be enlisted and taken to the army. He did not report to the Conscription Office on 3 November.

The Conscription Office then summoned Rozbayev on 5 November 2020. He went with his mother. He was asked to undergo a medical examination at Dashoguz Regional Conscription Office.

After sending his written statement by post, Rozbayev and his mother went to the Regional Conscription Office on 12 November 2020. The conscription officer tried to talk him into joining the army. In the end, Rozbayev mistakenly signed a call-up summons, which the authorities view as consent to military service, Jehovah's Witnesses told Forum 18.

On 14 November 2020, Rozbayev wrote to the head of the military unit explaining that he had signed the call-up summons mistakenly, and that he would not arrive on 17 November to join the army. In this statement he once again explained why he could not perform military service on grounds of conscience.

On 26 November 2020 the Regional Conscription Office replied to his statement in

writing, indicating that he is subject to conscription. On 15 January 2021, officials summoned him once again to the Conscription Office, where he explained his position and wrote an explanatory note.

On 22 January, the Prosecutor's Office summoned Rozbayev. Officials told him his case had been handed to a prosecutor. Prosecutors brought the case 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.

Forum 18 tried to find out why prosecutors bring cases to punish individuals such as Rozbayev who cannot perform military service on grounds of conscience but are ready to perform an alternative, civilian service. An official of Dashoguz Region Military Prosecutor's Office, Ayjermal Hanova, told Forum 18 on 19 March that she could not answer any questions as it does not answer oral questions, only questions submitted in writing.

### ***Rozbayev's trial, conviction***

Prosecutors issued the indictment on 28 February. The following day officials told Rozbayev that his case had been handed to Niyazov District Court and asked him to sign a pledge not to leave the town.

At his trial at Niyazov District Court on 16 March, Judge Shamurad Gumanov found Rozbayev guilty and jailed him for two years in an ordinary regime labour camp, Jehovah's Witnesses told Forum 18 on 17 March. Nobody except his immediate family was allowed to attend the hearing.

Officials arrested Rozbayev in the courtroom at the end of the trial and took him to the Temporary Detention Prison (DZ-E/7) in Dashoguz Region.

Forum 18 was unable to reach Niyazov District Court on 19 March.

Prisoner of conscience Rozbayev is intending to appeal against his conviction, Jehovah's Witnesses added.

### ***Rozbayev's 2017 conviction***

The Military Conscription Office first called up Rozbayev in 2017. After refusing military service, his case was handed to prosecutors. They brought a criminal case against him under Criminal Code Article 219, Part 1, which punishes refusal to serve in the armed forces in peacetime.

At his trial in December 2017, the same Judge Gumanov of Niyazov District Court sentenced Rozbayev to two years' corrective labour. Under these sentences, individuals live at home but 20 per cent of their salary is withheld by the state budget. He served his sentence in full, which expired in December 2019.

Between 2014 and 2017, the authorities punished conscientious objectors with corrective labour or suspended prison terms, rather than imprisonment. Rozbayev was among the last conscientious objectors to be given a corrective labour sentence before jailings resumed in 2018. On 17 January 2018, a court [sentenced Arslan Begenchov to one year's imprisonment](#), the first of a continuous series of jailings since then.

### ***Seven earlier 2021 trials, convictions, jailings***

Courts jailed six Jehovah's Witness conscientious objectors in January 2021, [five of them within the space of two days](#). As all six had already served an earlier sentence on the same charges, courts handed all of them a two-year jail term, five of them in a strict-regime labour camp.

In February, a Judge at Hojambaz District Court in Lebap Region [sentenced Nazar Palvanovich Alliyev \(born 12 December 2000\) to the maximum term of two years](#) in a strict-regime labour camp.

All seven were jailed 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.

### ***Second convictions increasing***

A growing number of conscientious objectors are being convicted twice on the same charges when they continue to refuse renewed call-up to compulsory military service after completing their first sentences.

Ten of the current conscientious objector prisoners (all of them Jehovah's Witnesses) have been convicted twice of the same "crime" since Turkmenistan [restarted jailings of conscientious objectors in January 2018](#).

In its December 2020 letter about the cases of two of those sentenced for a second time, four UN human rights Special Procedures pointed out to Turkmenistan's government that sentencing individuals for the second time for the same "crime" violates the International Covenant on Civil and Political Rights (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 was the case of Azat Ashirov, while Serdar Dovletov's case was the second (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. Courts jailed 7 conscientious objectors in 2019, one of them for four years, one for three years, one for two years and four for one year. Courts jailed 5 conscientious objectors in 2020, four of them for two years and one for one year.

### ***Calls for alternative civilian service ignored***

Turkmenistan has ignored repeated international calls to introduce an alternative to compulsory military service. In March 2017, the UN Human Rights Committee adopted Concluding Observations on Turkmenistan's human rights record (CCPR/C/TKM/CO/2).

The Committee stated: "The State party should revise its legislation without undue delay with a view to clearly recognizing the right to conscientious objection to military service, provide for alternative service of a civilian nature outside the military sphere and not under military command for conscientious objectors, and halt all prosecutions of individuals who refuse to perform military service on grounds of conscience and release those who are currently serving prison sentences."

The UN Human Rights Committee has repeatedly called for an alternative civilian service to be introduced. It 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 were 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. 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's September 2019 Decision urged 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.

## ***Ignoring UN special procedures, and Human Rights Committee***

On 10 December 2020, four UN human rights Special Procedures wrote to Turkmenistan's government ([AL TKM 2/2020](#)) expressing "serious concern at the conviction and detention of Messrs. Sanjarbek Saburov and Eldor Saburov for their refusal, based on their religious conscience and opinion, to perform military service".

The Saburov brothers were [each jailed in August 2020 for two years](#). "We also express our serious concern at the fact that the S. A. Niyazov District Court of the Dashoguz Region has yet to share with the family of the two brothers copies of its [August] 2020 decision", the Special Rapporteur on Freedom of Religion or Belief, Ahmed Shaheed, the Working Group on Arbitrary Detention, the Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression, and the Special Rapporteur on Minority Issues wrote.

The December 2020 Communication also expressed concern that the Saburov brothers were convicted and punished a second time, "which is a violation of the rule against double jeopardy, or non bis in idem, enshrined in article 14(7) ["Right to equality before courts and tribunals and to fair trial"] of the International Covenant on Civil and Political Rights".

"We deeply regret the criminalization of conscientious objection," the UN human rights Special Procedures wrote. Turkmenistan "must provide meaningful alternative service, that is, it must be [compatible with the reasons for the conscientious objection](#), of a non-combatant or civilian character, in the public interest and must not be punitive of character".

The UN Special Procedures asked the government to comment on the cases and explain why the Saburov brothers were convicted for a second time. "Please provide detailed information on the measures undertaken to ensure that persons, including those who are members of religious or belief minorities, who refuse to perform military service based on their conscience, religion or belief are not criminally prosecuted and punished, and that their right to freedom of religion or belief is respected and protected," they also asked.

The regime did not reply to the UN within the requested 60 days. However, in the regime's report to the Human Rights Committee submitted on 27 March 2020, the regime did not explain why young men with conscientious objections to military service are jailed, and why they cannot perform an alternative civilian service. It merely repeated the regime's claim that [defending the country "is the sacred duty of every citizen"](#).

## ***Jehovah's Witnesses push for alternative civilian service***

Jehovah's Witnesses have urged Turkmenistan's government to introduce a civilian alternative to compulsory military service. In March 2020, local Jehovah's Witnesses visited the regime's [Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production](#) in the capital Ashgabat.

At the Commission, the Jehovah's Witnesses raised the issue of an alternative civilian service, as well as pushing for the government to [allow their communities to gain official registration \(officials have always rejected such applications\)](#), to end harassment of young Jehovah's Witnesses and to allow a visit by foreign Jehovah's

Witnesses.

"The meeting was cordial," Jehovah's Witnesses noted, "but the official recommended contacting the appropriate Ministries and commented specifically that he was unable personally to resolve the matter of registration."

Forum 18 was unable to reach the Commission's chief specialist Nasrullah ibn Ibadullah or Yusupgeldi Durdiyev, the Cabinet of Ministers official who chairs the Commission. The telephone went unanswered each time Forum 18 called on 19 March 2021. (Both Durdiyev and Nasrullah are former imams.)

### ***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 15 Jehovah's Witness young men, continue to be jailed.

On 19 March 2021, the telephone at the office of the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova went unanswered. The telephone of Yusupguly Eshshayev, the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee, similarly went unanswered each time Forum 18 called the same day.

A Foreign Ministry official refused to explain why the regime is not willing to introduce a civilian alternative service in line with repeated UN recommendations, and why young men continue to be imprisoned. Ata (who would not give his last name) of the Foreign Ministry's International Organisations Department claimed to Forum 18 in August 2020 that Turkmenistan ["is dealing with these bodies, including the UN"](#).

Ata said he did not agree that Turkmenistan is failing to implement UN human rights recommendations. "Our Department is dealing with difficult issues, including with the United Nations, the World Trade Organisation, the World Health Organisation, and the OSCE," he claimed. "We are trying to do our best."

### ***Many prisoners of conscience***

The 16 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 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 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](#) (see below).

### ***Which labour camp?***

Four of the [five conscientious objectors sentenced to strict regime labour camps in January](#) – Ruslan Artykmuradov, Azamatjan Narkulyev, Maksat Jumadurdiyev and Veniamin Genjiyev - have been transferred to the strict-regime Labour Camp LB-E/11 at Seydi.

The conscientious objector sentenced to ordinary regime labour camp in January – Artur Yangibayev – was transferred, as officials [told him earlier](#), to the ordinary-regime Labour Camp LB-E/12 at Seydi, Jehovah's Witnesses told Forum 18. The eight other conscientious objectors jailed between 2019 and 2020 and still serving sentences are held in this camp (see below).

The fifth conscientious objector sentenced to strict regime labour camp in January – Ikhlosbek Rozmetov – remains in the Temporary Detention Prison (DZ-E/7) in Dashoguz Region. It remains unknown if officials will send him to the Labour Camp LB-E/11 at Seydi (located next to the ordinary-regime camp), or to the strict-regime Labour Camp MR-E/16 in Bayramali in Mary Region.

While Rasul Rozbayev also remains in the Temporary Detention Prison (DZ-E/7), Nazar Alliyev – sentenced in February – remains in the Temporary Detention Prison (LB-E/9) in Lebap Region. Lebap Regional Court rejected Alliyev's appeal in a 30-minute hearing in his absence on 9 March, Jehovah's Witnesses told Forum 18. His mother and a friend were the only outsiders allowed in for the hearing. Alliyev's lawyer also did not take part, for which the Judge issued the lawyer with a reprimand.

A prisoner died of coronavirus on 14 August 2020 in the strict-regime Labour Camp LB-E/11, Turkmen.news noted on 24 August 2020. The regime [claims that the country has no coronavirus infections](#).

Conditions in labour camps [where prisoners of conscience are held are harsh](#). Relatives who want to send food or other parcels to prisoners at either of the Seydi Labour Camps must bring the parcel to the marble arch in the remote village of Uchajy in neighbouring Mary Region, 150 kms (95 miles) away. Three times a month, prison guards collect the parcels to take them to the Labour Camps, Turkmen.news noted. Prisoners complain that parcels often are not handed over, or if they are fresh food has gone off, the news service added. Money can now be sent in parcels, but often is missing when a parcel is handed over.

Camp officials are known for high levels of corruption. After prison visits from relatives were banned in March 2020 because of coronavirus, prison guards began offering prisoners to buy food from them to make up for food parcels earlier brought by prisoners' relatives, Turkmen.news noted on 19 November 2020.

In a complaint to the UN Human Rights Committee, former Jehovah's Witness prisoner of conscience Aibek Salayev stated that [conditions in Seydi Labour Camp LB-E/12, 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 [found that Turkmenistan had violated the rights of Salayev and another Jehovah's Witness former prisoner of conscience Vladimir](#)

[Nuryllayev](#). The Views of the Committee on the case ([CCPR/C/125/D/2448/2014](#)) were adopted on 18 April 2019. It stated that Turkmenistan "is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future".

### ***Prison deaths***

In its 27 March 2020 report to the UN Human Rights Committee (CCPR/C/TKM/3), Turkmenistan admitted that two of the Muslims from Turkmenabat had died in prison. Lukman Yaylanov [died in 2016, possibly as a result of torture, as did Narkuly Baltayev](#). Another of the Muslim prisoners, Aziz Gafurov, [died in summer 2017](#). Gafurov's thin body was covered in bruises when returned to relatives.

The regime's report to the UN mentions only the deaths of Yaylanov and Baltayev, two of the Muslims both born in 1980. It claimed that Baltayev had died in March 2016 – nine months after his conviction – "of a chronic illness, as was confirmed in the findings of a forensic examination". It insisted that he had not been subjected to torture. It similarly claimed that Yaylanov had died in October 2016 "of a chronic illness, as confirmed by the findings of a forensic examination". It made no mention of why the two young men had been jailed. It also made no mention of Gafurov's death in prison.

The regime's report also claimed that prisoners have the right to exercise freedom of religion or belief. "Persons serving sentences in open prisons may, at their request, be granted permission to visit religious institutions located within the settlement where the prison is located," it claimed. "Ministers of duly registered religious associations may be invited to visit prisoners, at the prisoners' request, in the manner established by law. In correctional facilities, prisoners may perform religious rites and have and use ceremonial objects and religious literature. The correctional facility administration is to provide an appropriate space for such purposes."

Former prisoners of conscience have stated that prison authorities [severely restrict the exercise of freedom of religion and belief and other human rights in prisons](#).

### ***Thirteen conscientious objectors currently in Seydi Labour Camps***

Sixteen Jehovah's Witness conscientious objectors are known – as of 19 March – to be serving jail terms. Three are in Temporary Detention Prisons waiting to be transferred to labour camps.

Nine of the jailed conscientious objectors are currently imprisoned at the [harsh ordinary-regime Seydi Labour Camp](#) in the desert in Lebap Region.

The address of the ordinary-regime Seydi Labour Camp is:

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

Four of the jailed conscientious objectors are currently imprisoned at the strict-regime Seydi Labour Camp, which is adjacent to the ordinary-regime camp. The address of the strict-regime labour camp is:

746222 Lebap velayat

Seydi  
uchr. LB-E/11  
Turkmenistan

### ***List of known jailed conscientious objectors***

Sixteen conscientious objectors to compulsory military service (listed below in chronological order of sentence) – all of them Jehovah's Witnesses – are known to be jailed. Thirteen are serving prison sentences 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. Ten are serving second sentences.

1) 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.

2) 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 Ashgabat City Court; two years' ordinary regime labour camp.

3) Serdar Nurmuhammedovich Dovletov, born 2 December 1993; sentenced 12 November 2019 Bayramali City Court under Criminal Code Article 219, Part 2; appealed rejected 3 December 2019 Mary Regional Court; three years' ordinary regime labour camp.

4) Kamiljan Ergashovich Ergashov, born 27 June 2001; sentenced 13 January 2020 Niyazov District Court under Criminal Code Article 219, Part 1; appeal rejected 4 February 2020 Dashoguz Regional Court; two years' ordinary regime labour camp.

5) Vepa Bahromovich Matyakubov, born 19 August 1998; sentenced 17 February 2020 Boldumsaz District Court under Criminal Code Article 219, Part 1; appeal rejected 17 March 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

6) Sanjarbek Davranbekovich Saburov, born 12 August 1994; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

7) Eldor Davranbekovich Saburov, born 9 April 1999; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

8) Myrat Baymukhammedovich Orazgeldiyev, born 6 May 2002; sentenced 3 September 2020 Vekilbazar District Court, under Criminal Code Article 219, Part 1; appeal rejected 29 September 2020 Mary Regional Court; one year's ordinary regime labour camp.

9) Ruslan Khadynyaz oglu Artykmuradov; born 24 May 2000; sentenced 11 January 2021 Sayat District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' strict regime labour camp (second sentence).

10) Azamatjan Narkulyevich Narkulyev, born 9 November 2000; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' strict regime labour camp (second sentence).

11) Maksat Jumadurdiyevich Jumadurdiyev, born 15 May 2000; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' strict regime labour camp (second sentence).

12) Artur Aydogdyevich Yangibayev, born 22 April 1997; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' ordinary regime labour camp (second sentence).

13) Veniamin Muslimovich Genjiyev, born 12 May 2000; sentenced 19 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; appeal lodged to Lebap Regional Court; two years' strict regime labour camp (second sentence).

14) Ikhlosbek Valijon oglu Rozmetov, born 26 November 1997; sentenced 19 January 2021 Gurbansoltan eje District Court, under Criminal Code Article 219, Part 1; two years' strict regime labour camp (second sentence).

15) Nazar Palvanovich Alliyev, born 12 December 2000; sentenced 10 February 2021 Hojambaz District Court, under Criminal Code Article 219, Part 1; appeal rejected 9 March 2021 Lebap Regional Court; one year's ordinary regime labour camp.

16) Rasul Ruslanovich Rozbayev, born 14 August 1999; sentenced 16 March 2021 Niyazov District Court, under Criminal Code Article 219, Part 1; intends to appeal to Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

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## **Police detain, threaten, swear at Muslims**

***Police detained about ten Muslim men in Farap in January who they believed were following their faith too closely, such as by praying every day. Officers "used swear words and behaved crudely towards those they detained." Police forcibly shaved one man, made him drink alcohol, and fined him with no explanation. About ten more were held for praying in a home. Officials warned school children not to take part in (unspecified) "illegal" religious groups and residents received a similar warning.***

By Felix Corley

Forum 18 (16.03.2021) - <https://bit.ly/2P6gzNP> - Government officials repeatedly warn individuals not to participate in religious communities that the regime has not allowed to exist. In December 2020, officials in the capital Ashgabat warned school children not to take part in (unspecified) "illegal" religious groups. In February 2021, officials warned residents in the northern Dashoguz Region not to follow religious groups that do not have state approval.

In January, police in the eastern Lebap Region again targeted Muslims who they believed were following their faith too closely, such as by praying every day. Police in Farap detained about 10 men and at the police station "used swear words and behaved crudely towards those they detained." Police forcibly shaved at least one man, made him drink alcohol, and fined him with no explanation (see below).

Also in Farap, police raided a home in January where about 10 men were praying the namaz. The men were taken to a police station, and it remains unknown what then happened to them. Police claimed they had violated lockdown regulations, though these remain unclear. The regime does not give clear public health instructions, as - despite

numerous deaths with coronavirus-type symptoms -it does not admit that the country has any such cases (see below).

Officials at all levels continue to try to find out who is religious and threaten such individuals with harmful consequences if they are. Such enquiries – whether by police or diplomats at Turkmenistan's consulates abroad – often include questions as to whether an individual drinks alcohol or not. Individuals often feel forced to lie about their beliefs to try to avoid punishment (see below).

In countries with many students from Turkmenistan – such as Belarus, Ukraine, and Turkey – the regime's diplomats often summon students to warn them about their behaviour. This includes warning them not to attending mosques or other religious communities or, for men, not having beards (see below).

Turkmenistan imposes severe restrictions on [exercising freedom of religion or belief and interlinked rights](#). Only state-approved activities in state-approved locations by state-approved religious communities are allowed. All exercise of freedom of religion and belief without state permission is banned and subject to a variety of punishments.

Seven Jehovah's Witness conscientious objectors to military service have been jailed in 2021 so far, and there are currently [15 jailed conscientious objector prisoners of conscience](#). (Nine are serving second sentences for the same "crime".) "We deeply regret the criminalization of conscientious objection," four UN human rights Special Procedures wrote to the regime in December 2020, adding that Turkmenistan "must provide meaningful alternative service". The regime has not responded to the UN.

### ***Violating international human rights commitments***

Turkmenistan ratified the [International Covenant on Civil and Political Rights \(ICCPR\)](#) in 1994. [General Comment 22](#) on ICCPR Article 18 ("Freedom of thought, conscience and religion") states, among other things: "no one can be compelled to reveal his [sic] thoughts or adherence to a religion or belief", and that "the freedom to manifest religion or belief may be exercised 'either individually or in community with others and in public or private'."

No official was prepared to explain to Forum 18 why the regime breaks its legally-binding international human rights obligations by: pressuring individuals to reveal their beliefs; warns and threatens individuals not to exercise their freedom of religion or belief in non-regime approved communities; and why the regime tries to force individuals to act against their beliefs by drinking alcohol, or by doing compulsory military service.

The telephone of Yusupguly Eshshayev, the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee, went unanswered each time Forum 18 called on 16 March. The woman who answered the phone at the office in Ashgabat of the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova put the phone down as soon as Forum 18 asked to speak to her.

The telephones of the Deputy Foreign Minister's Office and of the Foreign Ministry Press Office were not answered each time Forum 18 called on 16 March.

The official who answered the phone on 16 March at the regime's [Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production](#) claimed that neither Commission Chair Yusupgeldi Durdiyev nor chief specialist and former Chief Mufti Nasrullah ibn Ibadullah were available.

## ***Police detain, threaten, swear at Muslims***

From about 20 January, police and other officials in the eastern Lebap Region increased pressure on Muslims who followed their faith. Pressure was particularly intense in Farap and Charjou Districts, Radio Free Europe's Turkmen Service noted on 22 January.

Officials often [summon and threaten people known to exercise their freedom of religion and belief](#), including men who attend mosques, women who wear headscarves, Protestants meeting for worship, and Jehovah's Witnesses.

"From the middle of this week, they have been conducting explanatory work on people up to the age of 55 who observe Islamic customs and pray every day," a 30-year-old resident of Farap told Radio Free Europe. "They invite them to the local administration and the housing management office. Ministry of State Security [secret police] officials also use the services of their informers among the population to reveal who are the believers."

The Farap resident was among many men detained by police in mid-January on the street because they had beards. "Because I was busy I hadn't shaved for about a week," the Farap resident noted. Officers took the men to the police station, suspecting them of being "religious extremists" or "Wahhabis". Officers "wanted to know if I followed religious traditions or not, and if I drink alcohol or not. They questioned me for about two hours."

The resident was one of about 10 men detained at the police station that day for the same reason. He told Radio Free Europe that officers "used swear words and behaved crudely towards those they detained."

However, the police were not just interested in the individuals they had detained, asking if they also knew people who "followed religious traditions". The Farap resident told officers he did not. Officers then shaved off his light beard, claiming that he did not resemble the photo in his identity document.

"Then they forced me to drink vodka, telling me 'Drink if you're not a Wahhabi'," the Farap resident told Radio Free Europe. "Without explaining the reason, they also insisted that I pay a fine of 50 Manats, but wouldn't give me a receipt." The fine represents about two days' average local wage for those in formal work.

Muslims increasingly fear being branded "extremists" if they visibly fast or mark Ramadan. Turkmenistan has jailed numerous Muslims on vague "extremism" accusations, including to punish them for meetings to study their faith. One Muslim [stopped going to mosque in 2019 after police summoned him](#). "Who is more important, Allah or the President?" an officer asked him.

The telephones at Farap District Police went unanswered each time Forum 18 called on 16 March. An officer from Lebap Regional Police in Turkmenabat refused to answer any questions the same day.

In September 2019, Mary Region secret police officers [summoned a 50-year-old man](#) "because he was religious and prays the namaz". "I told them I pray the namaz. They said they know about that," the man told Radio Free Europe. Officers were also interested to know if Muslims drink alcohol or soft drinks. In December 2019, particularly in Mary Region east of Ashgabat, the regime stepped up its campaign against women wearing the hijab headscarf.

In January 2019, Police in Ashgabat and 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. Police appear to believe that young men who wear beards encourage Muslims to become extreme. In one case in Lebap Region, officers forced a young man they had detained not only to shave but to drink alcohol.

### ***Police raid Muslim prayers – coronavirus an excuse?***

Also in Farap on 15 January, police raided a home where about 10 people had gathered to pray the namaz (Muslim Friday prayers), Radio Free Europe also noted on 22 January. Officers arrested all those present, holding them in the investigation prison for alleged violation of lockdown regulations, a local resident told Radio Free Europe. It remains unclear what then happened to those detained.

Radio Free Europe was unable to get comment on these arrests and detentions from the police, Ministry of State Security (MSS) secret police, or local authorities in Lebap Region.

Although many people in Turkmenistan have died from the coronavirus infection, [the regime does not admit that any cases have occurred in the country](#). The regime has banned some activities, including travel inside the country without special permission and going to restaurants, and extended the New Year school holidays. However, they say such measures are only to counter "seasonal respiratory infections".

In the week of 10 to 15 January, the main regime newspapers – such as "Turkmenistan" (in Turkmen) and "Neutral Turkmenistan" (in Russian) – carried instructions on how people could protect themselves from such infections, such as by washing hands, increasing indoor ventilation and exercising. Such announcements instructed people only to wear masks and "go more rarely to populated places". They made no mention of not visiting other people in their homes.

Mosques and other places of worship of communities which the regime allows to exist were mostly ordered closed from July 2020 because of the coronavirus pandemic, along with shops, restaurants and many places of work. However, official events occur frequently with no facemasks and no social distancing.

At two official events in Lebap Region on 15 January – publicised with photographs in the newspaper "Turkmenistan" the following day – attendees do not appear to be wearing masks. One photo shows people listening as President Gurbanguly Berdimukhamedov opened a gas compressor station. The event was attended by regime ministers and Chinese officials. The other shows dancers outside the new Fire Safety Department of Lebap Regional Police.

Raids on people meeting for worship have reduced since early 2020 during the pandemic. Police [raided a Christmas gathering of Protestant women](#) in a village in Lebap Region in December 2019. Throughout 2019 police also [raided Jehovah's Witness meetings, interrogated and threatened individuals and brought cases to court](#). Incidents included police physical violence, intimidation, house searches (often without a warrant) and seizures of personal belongings.

### ***Dashoguz residents instructed not to follow unapproved religious communities***

In February, the Interior Ministry began handing out instructions to residents in the northern Dashoguz Region, either in person or posting them in mail boxes,

Turkmen.news noted on 9 March. The two-page instructions – reproduced on Turkmen.news – claimed to tell residents how to protect their homes, for example by not using too many electrical appliances in one socket or to take care when smoking. However, the instructions also spoke about behaviour outside the home, telling residents to cross roads carefully.

The list of banned activities includes Point 20: "Believing in religious currents that have not been registered in our country." It gives no explanation of why following such religious communities is banned, or why the ban was included in a list of instructions about how residents should protect the safety of their homes.

The regime is interested in closely monitoring religious communities which do not have state permission to exist. 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 [jailed "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).

The February 2021 instructions also warned Dashoguz Region residents to use the internet only in accordance with the law. (The internet is slow and expensive, and access to foreign-based news and opposition websites is blocked.)

### ***School instructions not to attend "incorrect religious movements"***

In mid-December 2020, just before the beginning of the winter school holidays, officials instructed school children in at least one Ashgabat secondary school to sign a pledge that they would observe various restrictions during the holidays, Turkmen.news noted on 24 December 2020. As well as observing health restrictions in light of the pandemic, school children had to pledge not to attend sermons by "incorrect religious movements".

"I have been warned that if my participation in any of the above mentioned events becomes known, I will bear responsibility up to being expelled," concludes the document the children had to sign.

The document – reproduced by Turkmen.news – does not explain what an "incorrect" religious movement is.

Officials have targeted [non-Muslim schoolchildren and their parents and guardians](#) with threats of school expulsion.

### ***Intrusive questions at Istanbul consulate***

Turkmenistan's diplomats [regularly try to monitor and threaten citizens working or studying abroad](#) who exercise their freedom of religion and belief.

In about November 2020, the Turkmen consulate in the Turkish city of Istanbul started issuing "certificates for return to Turkmenistan" for Turkmen citizens whose passports had expired but who were unable to return to Turkmenistan to renew them, Turkmen.news noted on 25 February 2021. An individual had to apply for and pay for these certificates, which are valid for six months, but not everyone who applied was able to get one.

Everyone who applied was investigated thoroughly. "First of all, the special services [MSS

secret police] find out how religious the person is, whether they drink alcohol, whether they go to mosque and whether they have links to extremist organisations," Turkmen.news said. Officials also wanted to know if individuals had taken part in demonstrations against the regime's policies, which have become more frequent in foreign cities.

"If a migrant is 'excessively' religious or showed disloyalty to the authorities of Turkmenistan, they have no chance of legalising themselves," Turkmen.news added.

Telephones at the Turkmen consulate in Istanbul went unanswered each time Forum 18 called on 16 March. The telephones at the Foreign Ministry press office and at the office of the deputy minister Vepa Hajiyev went unanswered each time Forum 18 called on 16 March.

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 other religious communities or, for men, not having beards.

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## **Five conscientious objectors jailed in two days**

***Five conscientious objectors to compulsory military service who had already served sentences were jailed again in trials on 18 and 19 January. Courts gave all five two-year terms, four of them in strict-regime labour camp, bringing to six the number jailed so far in 2021. All had offered to perform an alternative civilian service, but Turkmenistan does not offer this. Nine of the 14 known jailed conscientious objectors – all of them Jehovah's Witnesses – are serving second sentences.***

By Felix Corley

Forum 18 (26.01.2021) - <https://bit.ly/3aivDA4> - In a series of trials on 18 and 19 January, courts have jailed five more conscientious objectors, all of them Jehovah's Witnesses. As the five young men had previously served sentences for refusing compulsory service on grounds of conscience, four of the five were given two-year terms in strict regime labour camp. All had offered to perform an alternative civilian service, but Turkmenistan does not offer this. Turkmenistan has rejected repeated United Nations calls to introduce such a service.

Danev District Court in Turkmenistan's eastern Lebap Region sentenced Azamatjan Narkulyev, Maksat Jumadurdyev and Artur Yangibayev on 18 January. Danev District Court and Gurbansoltan eje District Court in the northern Dashoguz Region sentenced Veniamin Genjiyev and Ikhlosbek Rozmetov on 19 January. Three of these are aged 20, the other two are 23 (see below).

Danev District Court jailed four of the five conscientious objectors, a court official told Forum 18 on 26 January. All four have already lodged appeals. Forum 18 was unable to speak to the Judges as they were not in the building, the court official added (see below).

The latest sentences came one week after the 11 January jailing of another 20-year-old Jehovah's Witness conscientious objector Ruslan Artykmuradov. As he too had already served an earlier sentence on the same charges, a court elsewhere in Lebap Region similarly handed him a two-year strict regime sentence. He is about to be sent to the strict-regime labour camp in Seydi (see below).

These new sentences bring to six the number of conscientious objectors to military

service known to have been convicted and jailed so far in 2021. This means 14 young conscientious objectors are known to be currently serving jail sentences (see full list below).

These new cases bring to 30 the number of known convictions and jailings of conscientious objectors since Turkmenistan [resumed such jailings in January 2018](#). All of them are Jehovah's Witnesses.

An increasing number of conscientious objectors to military service are serving second sentences for the same "crime". Nine of the current 14 known conscientious objector prisoners – including all those sentenced in January - are serving second sentences (see below).

Six Jehovah's Witness conscientious objectors were freed from Seydi Labour Camp in 2020 [after serving their sentences in full](#).

The telephone of chief specialist Nasrullah ibn Ibadullah at the regime's [Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production](#) had been switched to a fax line on 26 January.

The telephones of Yusupgeldi Durdiyev, the Cabinet of Ministers official who chairs the government's Commission controlling religious communities; of the office of the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova; and of Yusupguly Eshshayev, the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee, went unanswered each time Forum 18 called on 26 January (see below).

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

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](#).

The UN Human Rights Committee has published 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 (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 (see below).

Asked why the regime is not willing to introduce a civilian alternative service in line with repeated United Nations (UN) recommendations, and why young men continue to be imprisoned, an official of the Foreign Ministry's International Organisations Department told Forum 18 in August 2020 that Turkmenistan "is dealing with these bodies, including the UN". He said he did not agree that Turkmenistan was failing to implement UN human rights recommendations (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).

Jehovah's Witnesses filed a complaint with the UN Working Group on Arbitrary Detention

In May 2020 [on behalf of 19 current or former jailed conscientious objectors](#). The 19 men include some of those currently imprisoned in Seydi Labour Camp, plus others who have been released after serving earlier sentences.

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).

### **Four prosecutions in Danev District**

On 30 December 2020, the Prosecutor's Office in Danev District of the eastern Lebap Region [informed four previously convicted Jehovah's Witness conscientious objectors that new cases had been opened against them](#) 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.

On 30 December 2020, Danev District Prosecutor's Office also seized the passports of each of the four.

The Military Conscription Office summoned Veniamin Muslimovich Genjiyev (born 12 May 2000) in March 2020, nine months after he completed his previous sentence. He submitted a written statement that he was not able to perform military service on grounds of conscience and offering to perform an alternative civilian service. In May 2020 the Military Conscription Office conducted a medical examination. It sent another summons on 12 October 2020 and Genjiyev again sent his written statement. Military Conscription Office staff visited his workplace the following month and then took him to the Regional Military Conscription Office for questioning over several hours. Again he was given a medical examination. Danev District Prosecutor's Office [summoned Genjiyev on 25 December 2020](#), where he again had to write an explanation for his refusal to perform military service.

Prison officials released Genjiyev on 25 June 2019 after he completed in full his [one year jail term](#).

The Military Conscription Office summoned Azamatjan Narkulyevich Narkulyev (born 9 November 2000) in May 2020 for a medical examination, four months after he completed his previous sentence. Military Conscription Office staff visited his workplace in November 2020 and then took him to the Regional Military Conscription Office for questioning over several hours. Again he was given a medical examination. Danev District Prosecutor's Office [summoned him on 25 December 2020](#), where he again had to write an explanation for his refusal to perform military service.

Prison officials released Narkulyev on 7 January 2020 after he completed in full his [one year jail term](#).

The Military Conscription Office summoned Maksat Jumadurdiyevich Jumadurdiyev (born 15 May 2000) in March 2020. He submitted a written statement that he was not able to perform military service on grounds of conscience and offering to perform an alternative civilian service. In May 2020 the Military Conscription Office conducted a medical examination. He submitted another statement, but the head of the Office refused to accept it, sending him to the Regional Military Conscription Office. After questioning, it sent his case back to Danev District Military Conscription Office, with an instruction to forward his case to the Prosecutor's Office. On 15 December 2020, he passed a medical examination. Danev District Prosecutor's Office [summoned him on 25 December 2020](#), where he again had to write an explanation for his refusal to perform military service.

Prison officials released Jumadurdiyev on 17 July 2019 after he completed in full his [one year jail term](#).

The Military Conscription Office summoned Artur Aydogdyevich Yangibayev (born 22 April 1997) in May 2020 for a medical examination, almost two years after he completed his previous sentence. He passed a medical examination on 15 December 2020. Danev District Prosecutor's Office [summoned him on 25 December 2020](#), where he was questioned and had to write an explanation for his refusal to perform military service.

In 2018, Yangibayev [completed a sentence of two years' corrective labour](#), under which 20 percent of his salary was withheld to the state budget.

### **Four trials, convictions, jailings in Danev District**

The Prosecutor's Office presented all four cases to Danev District Court in January 2021. All four were tried 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.

At the end of hearings on 18 January, Judge Shohrat Veljikov sentenced Azamatjan Narkulyev and Artur Yangibayev to the maximum term of two years, Narkulyev in a strict regime labour camp and Yangibayev in an ordinary regime labour camp, an official of Danev District Court told Forum 18 on 26 January. The same day, Judge Bahargul Kadyrova handed Maksat Jumadurdiyev a two-year strict regime labour camp term.

At the end of a hearing on 19 January, Judge Veljikov sentenced Veniamin Genjiyev to the same maximum term of two years in a strict regime labour camp, the court official added. Forum 18 was unable to speak to the Judges as they were not in the building, according to the official.

The official said all four have lodged appeals against their convictions, which would be handed on to Lebap Regional Court after 28 January.

Officials have already told Yangibayev he will be transferred to the ordinary-regime labour camp LB-E/12 at Seydi, Jehovah's Witnesses told Forum 18. The other three do not know whether they will be sent to the strict-regime labour camp LB-E/11 at Seydi or to the strict-regime camp MR-E/16 in Bayramali in Mary Region.

### **Fifth new trial, conviction, jailing**

Ikhlosbek Valijon oglu Rozmetov (born 26 November 1997), who is from Gurbansoltan eje District of the northern Dashoguz Region, received phone calls both in November 2019 and September 2020 from the Military Conscription Office requesting that he come to the office to pick up a military card, but he decided not to go, Jehovah's Witnesses told Forum 18.

Although Rozmetov had never received any previous summons, on 7 October 2020 officials handed his younger sibling a notification letter indicating that Rozmetov had repeatedly failed to appear at the Military Conscription Office since July 2019. The letter stated that his case would be sent to the Prosecutor's Office if he refused to come.

Within days, Rozmetov received a summons and a request to undergo a medical examination. He then mailed his written statement to the Military Conscription Office refusing military service. During the next few weeks, the Military Conscription Office summoned him several times, but he refused to go.

On 11 November 2020, Rozmetov received an official response from the district Military Conscription Office stating that he had been found fit and was obliged to perform military service. He again received a summons and he again mailed his written statement.

On 24 November 2020, military officers forcefully took Rozmetov from his workplace to the Military Conscription Office. The next day he underwent a full medical examination and was requested to again write an explanatory note of his refusal to perform military service, after which he was released.

A Prosecutor interrogated Rozmetov on 9 December 2020. On 31 December, officials informed him that they had opened a case against him under Criminal Code Article 219, Part 1. The case was handed to Gurbansoltan eje District Court in January 2021.

At his trial on 19 January, Judge Merdan Tachmamedov convicted Rozmetov and sentenced him to two years' imprisonment in a strict-regime labour camp, Jehovah's Witnesses told Forum 18.

Prison officials released Rozmetov on 11 July 2019 after he completed in full his [one year jail term](#).

Rozmetov's original trial in July 2018 was held not in a court building but in the conference hall of Gurbansoltan eje District Military Conscription Office in 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. The Regional Court rejected his first appeal the same month.

### **2021's first two-year strict-regime jail term**

Ruslan Khadyazyaz oglu Artykmuradov (born 24 May 2000), who lives in the eastern Lebap Region, was sentenced to two years' strict regime labour camp on 11 January, four weeks after his 15 December 2020 arrest.

Judge Chemen Berdyeva of Sayat District Court [found him guilty 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.

Judge Berdyeva handed down the harsher sentence as this is the second time the court has sentenced Artykmuradov to a jail term for refusing compulsory military service on grounds of conscience.

On 14 January an official of Sayat District Prosecutor's Office refused to explain to Forum 18 why Artykmuradov was being punished for the second time, simply for offering to do an alternative civilian service rather than military service. The official also refused to identify the prosecutor in the case and put the phone down.

Artykmuradov chose not to appeal against his latest conviction and it has now entered legal force.

Artykmuradov had [filed a written statement on 14 December 2020 with Sayat District Military Conscription Office refusing compulsory military service](#).

After holding Artykmuradov since 18 December 2020 at the pre-trial detention prison LB-E/9 in Turkmenabat, the prison authorities are preparing to transfer him to a strict-regime labour camp. The most likely labour camp is at Seydi in Lebap Region, where the

strict regime camp LB-E/11 is next to the ordinary regime labour camp LB-E/12 where eight other conscientious objectors jailed between 2019 and 2020 are held (see below).

A prisoner died of coronavirus on 14 August 2020 in strict-regime labour camp LB-E/11, Turkmen.news noted on 24 August 2020. Government officials claim that the country has no coronavirus infections.

Prison authorities could send Artykmuradov to serve his sentence in the strict-regime labour camp MR-E/16 at Bayramali in Mary Region. Camp officials are known for high levels of corruption. After prison visits from relatives were banned in March 2020 because of coronavirus, prison guards began offering prisoners to buy food from them to make up for food parcels earlier brought by prisoners' relatives, Turkmen.news noted on 19 November 2020.

After Artykmuradov refused military service on grounds of conscience after his first call-up in 2018, Prosecutors in Lebap Region brought a case against the then 18-year-old Jehovah's Witness under Criminal Code Article 219, Part 1.

On 13 August 2018, Sayat District Court found Artykmuradov guilty and [jailed him for one year in an ordinary regime labour camp](#). Artykmuradov had not been under arrest in the run-up to the trial. He was arrested in the court room after the verdict was handed down.

Lebap Regional Court rejected Artykmuradov's appeal on 11 September 2018. He served his sentence in the labour camp at Seydi, where conscientious objectors mostly serve their sentences. He was [freed on 12 August 2019 at the end of his term](#).

## **Second convictions increasing**

A growing number of conscientious objectors are being convicted twice on the same charges when they continue to refuse renewed call-up to compulsory military service after completing their first sentences.

Nine of the current conscientious objector prisoners (all of them Jehovah's Witnesses) have been convicted twice of the same "crime" since Turkmenistan [restarted jailings of conscientious objectors in January 2018](#).

In January 2018, Koneurgench City Court [jailed Kerven Kakabayev \(born 9 September 1996\) for one year](#). He is from Koneurgench in the northern Dashoguz Region, and was called up in 2017. This was a year after a [December 2014 criminal conviction for conscientious objection expired in December 2016](#). That earlier conviction did not lead to a labour camp sentence.

In February 2020, Vepa Bahromovich Matyakubov (born 19 August 1998), a Jehovah's Witness from the northern Dashoguz Region's ethnic Uzbek minority, was [convicted for a second time for refusing compulsory military service on grounds of conscience](#). He was given a two-year jail term. In [February 2017 he had been convicted under Criminal Code Article 219, Part 1 for refusing military service](#). The sentence allowed him to live at home under restrictions, but during the two years the state took 20 per cent of his wages.

Matyakubov's older brother Dovran was convicted and imprisoned twice for his conscientious objection to military service, in December 2010 and again in December 2012. Dovran Matyakubov was [released from his second sentence under amnesty in October 2014](#).

In August 2020, Niyazov District Court in Dashoguz Region jailed two brothers – 26-year-

old Sanjarbek Saburov and 21-year-old Eldor Saburov – for two years each for refusing compulsory military service on grounds of conscience. On 1 September 2020, Dashoguz Regional Court [rejected the Saburov brothers' appeals](#).

Sanjarbek Saburov refused military service during the spring 2016 call-up. On 17 July 2016 he was placed in preventive detention while awaiting trial. On 9 August 2016, a Judge [handed him a two-year suspended sentence. He was released in the courtroom after more than three weeks' detention](#).

In 2017, Eldor Saburov similarly refused to undertake military service on grounds of conscience. On 19 December 2017, Niyazov District Court [sentenced him to two years' corrective labour, with 20 per cent of his wages taken by the State](#).

### **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 was the case of Azat Ashirov, while Serdar Dovletov's case was the second (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](#). Courts [jailed 7 conscientious objectors in 2019, one of them for four years, one for three years, one for two years and four for one year](#). Courts jailed 5 conscientious objectors in 2020, four of them for two years and one 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 2019.

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 were 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](#). [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 urged 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.

### **Jehovah's Witnesses push for alternative civilian service**

Jehovah's Witnesses have urged Turkmenistan's government to introduce a civilian alternative to compulsory military service. In March 2020, local Jehovah's Witnesses visited the regime's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production in the capital Ashgabat.

At the Commission, the Jehovah's Witnesses raised the issue of an alternative civilian service, as well as pushing for the government to allow their communities to gain official registration (officials have always rejected such applications), to end harassment of young Jehovah's Witnesses and to allow a visit by foreign Jehovah's Witnesses.

"The meeting was cordial," Jehovah's Witnesses noted, "but the official recommended contacting the appropriate Ministries and commented specifically that he was unable personally to resolve the matter of registration."

The telephone of the Commission's chief specialist Nasrullah ibn Ibadullah had been switched to a fax machine when Forum 18 called on 26 January. The telephone of Yusupgeldi Durdiyev, the Cabinet of Ministers official who chairs the Commission, went unanswered the same day. (Both Durdiyev and Nasrullah are former imams.)

### **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 10 Jehovah's Witness young men, continue to be jailed.

On 26 January, the telephone at the office of the government-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova went unanswered. The telephone of Yusupguly Eshshayev, the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee, similarly went unanswered each time Forum 18 called the same day.

Asked why the regime is not willing to introduce a civilian alternative service in line with repeated United Nations (UN) recommendations, and why young men continue to be imprisoned, Ata (last name unknown) of the Foreign Ministry's International Organisations Department told Forum 18 in August 2020 that Turkmenistan "is dealing with these bodies, including the UN".

Ata said he did not agree that Turkmenistan is failing to implement UN human rights recommendations. "Our Department is dealing with difficult issues, including with the

United Nations, the World Trade Organisation, the World Health Organisation, and the OSCE," he claimed. "We are trying to do our best."

Many prisoners of conscience

The 14 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 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 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](#).

### **Eight conscientious objectors currently in Seydi Labour Camp**

Fourteen Jehovah's Witness conscientious objectors are known - as of 26 January - to be serving jail terms. Eight of them are currently imprisoned at the [harsh ordinary-regime 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 stated that [conditions in Seydi Labour Camp LB-E/12, 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 [found that Turkmenistan had violated the rights of Salayev and another Jehovah's Witness former prisoner of conscience Vladimir Nuryllayev](#). The Views of the Committee on the case (CCPR/C/125/D/2448/2014) were adopted on 18 April 2019. It stated that Turkmenistan "is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future".

Relatives who want to send food or other parcels to prisoners at either of the Seydi Labour Camps must bring the parcel to the marble arch in the remote village of Uchajy in neighbouring Mary Region, 150 kms (95 miles) away. Three times a month, prison guards collect the parcels to take them to the Labour Camps, Turkmen.news noted. Prisoners complain that parcels often are not handed over, or if they are fresh food has gone off, the news service added. Money can now be sent in parcels, but often is missing when a parcel is handed over.

### **List of known jailed conscientious objectors**

Fourteen conscientious objectors to compulsory military service (listed below in chronological order of sentence) – all of them Jehovah's Witnesses – are known to be jailed. Eleven are serving prison sentences 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. Nine are serving second sentences.

1) 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.

2) 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 Ashgabat City Court; two years' ordinary regime labour camp.

3) Serdar Nurmuhammedovich Dovletov, born 2 December 1993; sentenced 12 November 2019 Bayramali City Court under Criminal Code Article 219, Part 2; appealed rejected 3 December 2019 Mary Regional Court; three years' ordinary regime labour camp.

4) Kamiljan Ergashovich Ergashov, born 27 June 2001; sentenced 13 January 2020 Niyazov District Court under Criminal Code Article 219, Part 1; appeal rejected 4 February 2020 Dashoguz Regional Court; two years' ordinary regime labour camp.

5) Vepa Bahromovich Matyakubov, born 19 August 1998; sentenced 17 February 2020 Boldumsaz District Court under Criminal Code Article 219, Part 1; appeal rejected 17 March 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

6) Sanjarbek Davranbekovich Saburov, born 12 August 1994; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

7) Eldor Davranbekovich Saburov, born 9 April 1999; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

8) Myrat Baymukhammedovich Orazgeldiyev, born 6 May 2002; sentenced 3 September 2020 Vekilbazar District Court, under Criminal Code Article 219, Part 1; appeal rejected 29 September 2020 Mary Regional Court; one year's ordinary regime labour camp.

9) Ruslan Khadynyaz oglu Artykmuradov; born 24 May 2000; sentenced 11 January 2021 Sayat District Court, under Criminal Code Article 219, Part 1; chose not to appeal; two years' strict regime labour camp (second sentence).

10) Azamatjan Narkulyevich Narkulyev, born 9 November 2000; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; appeal lodged to Lebap Regional Court; two years' strict regime labour camp (second sentence).

11) Maksat Jumadurdiyevich Jumadurdiyev, born 15 May 2000; sentenced 18 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; appeal lodged to Lebap Regional Court; two years' strict regime labour camp (second sentence).

12) Artur Aydogdyevich Yangibayev, born 22 April 1997; sentenced 18 January 2021

Danev District Court, under Criminal Code Article 219, Part 1; appeal lodged to Lebap Regional Court; two years' ordinary regime labour camp (second sentence).

13) Veniamin Muslimovich Genjiyev, born 12 May 2000; sentenced 19 January 2021 Danev District Court, under Criminal Code Article 219, Part 1; appeal lodged to Lebap Regional Court; two years' strict regime labour camp (second sentence).

14) Ikhlosbek Valijon oglu Rozmetov, born 26 November 1997; sentenced 19 January 2021 Gurbansoltan eje District Court, under Criminal Code Article 219, Part 1; two years' strict regime labour camp (second sentence).

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## **Conscientious objector jailed, awaiting second trial**

***Arrested in December 2020, 20-year-old Jehovah's Witness conscientious objector Ruslan Artykmuradov is awaiting trial in Turkmenabat's Pre-Trial Detention Prison for refusing compulsory military service. He offered to do an alternative civilian service, but Turkmenistan does not offer this, despite repeated United Nations calls. Artykmuradov has already served a one-year jail term on the same charges. If convicted, he will become the 25th conscientious objector known to have been jailed since 2018.***

By Felix Corley

Forum18 (05.01.2021) – <https://bit.ly/39dmiYR> – Police arrested 20-year-old Jehovah's Witness conscientious objector to military service Ruslan Artykmuradov on 15 December 2020. They transferred him on 18 December to the Pre-Trial Detention Prison in Turkmenabat in the eastern Lebap Region, where he remains awaiting trial for refusing compulsory military service. No trial date has yet been set. He has already served a one-year jail term on the same charges.

Prosecutors opened the second criminal case against Artykmuradov in December 2020 after the Military Conscription Office rejected his request to do an alternative civilian service (which does not exist in Turkmenistan). Turkmenistan has rejected repeated United Nations calls to introduce such a service (see below).

If convicted, Artykmuradov would become the 25th conscientious objector to military service known to have been convicted and jailed since January 2018. All of them are Jehovah's Witnesses (see below).

If he is convicted at his expected trial, Artykmuradov would become the fifth conscientious objector (all of them Jehovah's Witnesses) to be convicted twice of the same "crime" since jailings of conscientious objectors resumed in 2018. Such second convictions may be increasing (see below).

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

Including Bahtiyar Amirjanovich Atahanov (born 17 June 2000), who has been serving a jail term since July 2019, eight Jehovah's Witness conscientious objectors are serving jail terms of between one and four years. All eight are imprisoned in Seydi Labour Camp in the eastern Lebap Region. Three of them are serving second sentences (see full list 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.

The official who answered the phone at the office of the regime-appointed Human Rights Ombudsperson Yazdursun Gurbannazarova on 5 January introduced herself, but when Forum 18 asked to speak to Gurbannazarova the official claimed she could not hear Forum 18. Subsequent calls went unanswered (see below).

Yusup Durdiyev, the Cabinet of Ministers official who chairs the government's Commission controlling religious communities, introduced himself on the phone on 5 January, but when Forum 18 asked him about the jailed conscientious objectors he claimed he could not hear. Subsequent calls went unanswered (see below).

The telephone of the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev went unanswered on 5 January (see below).

The UN Human Rights Committee has published 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 (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 (see below).

Asked why the regime is not willing to introduce a civilian alternative service in line with repeated United Nations (UN) recommendations, and why young men continue to be imprisoned, an official of the Foreign Ministry's International Organisations Department told Forum 18 in August 2020 that Turkmenistan "is dealing with these bodies, including the UN". He said he did not agree that Turkmenistan was failing to implement UN human rights recommendations (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).

Jehovah's Witnesses filed a complaint with the UN Working Group on Arbitrary Detention in May 2020 on behalf of 19 current or former jailed conscientious objectors. The 19 men include some of those currently imprisoned in Seydi Labour Camp, plus others who have been released after serving earlier sentences (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).

### ***Refuses military service, ready to do alternative***

Jehovah's Witness conscientious objector Ruslan Khadynyaz oglu Artykmuradov (born 24 May 2000), who lives in the eastern Lebap Region, is facing criminal prosecution for the second time for refusing compulsory military service on grounds of conscience.

Artykmuradov filed a written statement on 14 December 2020 with Sayat District Military Conscription Office refusing compulsory military service. He also filed a motion to Sayat District Prosecutor's Office to terminate the case it had lodged against him 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.

Police arrested Artykmuradov on 15 December 2020 and took him to the police station, Jehovah's Witnesses told Forum 18. Three days later, officers transferred him to the pre-trial detention prison LB-E/9 (known as Abdy-Shukur) in the regional capital Turkmenabat. He will be held there until his trial, which is expected to take place at Sayat District Court.

Sayat District Prosecutor's Office refused to put Forum 18 through to the prosecutor handling Artykmuradov's case or to discuss why he is being prosecuted again.

### ***Earlier conviction***

After Artykmuradov refused military service on grounds of conscience after his first call-up in 2018, Prosecutors in Lebap Region brought a case against the then 18-year-old Jehovah's Witness under Criminal Code Article 219, Part 1.

On 13 August 2018, Sayat District Court found Artykmuradov guilty and jailed him for one year in an ordinary regime labour camp. Artykmuradov had not been under arrest in the run-up to the trial. He was arrested in the court room after the verdict was handed down.

Lebap Regional Court rejected Artykmuradov's appeal on 11 September 2018. He served his sentence in the labour camp at Seydi, where conscientious objectors mostly serve their sentences. He was freed on 12 August 2019 at the end of his term.

### ***Second convictions increasing?***

Conscientious objectors are often convicted twice on the same charges when they continue to refuse renewed call-up to compulsory military service after completing their first sentences.

If he is convicted at his expected trial, Artykmuradov would become the fifth conscientious objector (all of them Jehovah's Witnesses) to be convicted twice of the same "crime" since jailings of conscientious objectors resumed in 2018.

In January 2018, Koneurgench City Court jailed Kerven Kakabayev (born 9 September 1996), who is from Koneurgench in the northern Dashoguz Region, for one year. He was called up a year after his earlier criminal conviction expired in December 2016.

In February 2020, Vepa Bahromovich Matyakubov (born 19 August 1998), a Jehovah's Witness from the northern Dashoguz Region's ethnic Uzbek minority, was convicted for a second time for refusing compulsory military service on grounds of conscience. He was given a two-year jail term. In February 2017 he had been convicted under Criminal Code Article 219, Part 1 for refusing military service. The sentence allowed him to live at home under restrictions, but during the two years the state took 20 per cent of his wages.

Matyakubov's older brother Dovran was convicted and imprisoned twice for his conscientious objection to military service, in December 2010 and again in December 2012. Dovran Matyakubov was released from his second sentence under amnesty in October 2014.

In August 2020, Niyazov District Court in Dashoguz Region jailed two brothers – 26-year-old Sanjarbek Saburov and 21-year-old Eldor Saburov – for two years each for refusing compulsory military service on grounds of conscience. On 1 September 2020, Dashoguz Regional Court rejected the Saburov brothers' appeals.

Sanjarbek Saburov refused military service during the spring 2016 call-up. On 17 July 2016 he was placed in preventive detention while awaiting trial. On 9 August 2016, a Judge handed him a two-year suspended sentence. He was released in the courtroom after more than three weeks' detention.

In 2017, Eldor Saburov similarly refused to undertake military service on grounds of conscience. On 19 December 2017, Niyazov District Court sentenced him to two years' corrective labour, with 20 per cent of his wages taken by the State.

### ***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 was the case of Azat Ashirov, while Serdar Dovletov's case was the second (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. Courts jailed 7 conscientious objectors in 2019, one of them for four years, one for three years, one for two years and four for one year. Courts jailed 5 conscientious objectors in 2020, four of them for two years and one 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 2019.

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 were 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. 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 urged 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.

### ***Jehovah's Witnesses push for alternative civilian service***

Jehovah's Witnesses have urged Turkmenistan's government to introduce a civilian alternative to compulsory military service. In March 2020, local representatives visited the government's Commission for Work with Religious Organisations and Expert Analysis of Resources Containing Religious Information, Published and Printed Production in the capital Ashgabat.

At the Commission, the Jehovah's Witnesses raised the issue of an alternative civilian service, as well as pushing for the government to allow their communities to gain official registration (officials have always rejected such applications), to end harassment of young Jehovah's Witnesses and to allow a visit by foreign Jehovah's Witnesses.

"The meeting was cordial," Jehovah's Witnesses noted, "but the official recommended contacting the appropriate Ministries and commented specifically that he was unable personally to resolve the matter of registration."

Yusup Durdiyev, the Cabinet of Ministers official who chairs the government's Commission controlling religious communities, introduced himself on the phone on 5 January, but when Forum 18 asked him about the jailed conscientious objectors he claimed he could not hear. Subsequent calls went unanswered. The telephone of Commission specialist Nasrullah ibn Ibadullah went unanswered on 5 January. (Both Durdiyev and Nasrullah are former imams.)

### ***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 10 Jehovah's Witness young men, continue to be jailed.

The telephone of the regime-appointed Chair of the Mejlis (Parliament) Human Rights Committee Yusupguly Eshshayev went unanswered on 5 January.

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Ata said he did not agree that Turkmenistan is failing to implement UN human rights recommendations. "Our Department is dealing with difficult issues, including with the United Nations, the World Trade Organisation, the World Health Organisation, and the OSCE," he claimed. "We are trying to do our best."

### ***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.

More than 60 Muslims from in and around the eastern city of 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 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.

### ***Eight conscientious objectors currently in Seydi Labour Camp***

Eight Jehovah's Witness conscientious objectors are known - as of 5 January - to be serving jail terms. All eight are currently 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

A prisoner died of coronavirus on 14 August 2020 in the neighbouring strict-regime labour camp (LB-E/11), Turkmen.news noted on 24 August 2020. Government officials claim that the country has no coronavirus infections.

In his complaint to the United Nations (UN) Human Rights Committee, former Jehovah's Witness prisoner of conscience Aibek Salayev stated that conditions in Seydi Labour Camp LB-E/12, 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 found that Turkmenistan had violated the rights of Salayev and another Jehovah's Witness former prisoner of conscience Vladimir Nuryllayev. The Views of the Committee on the case (CCPR/C/125/D/2448/2014) were

adopted on 18 April 2019. It stated that Turkmenistan "is also under an obligation to take all steps necessary to prevent similar violations from occurring in the future".

Relatives who want to send food or other parcels to prisoners at either of the Seydi Labour Camps must bring the parcel to the marble arch in the remote village of Uchajy in neighbouring Mary Region, 150 kms (95 miles) away. Three times a month, prison guards collect the parcels to take them to the Labour Camps, Turkmen.news noted. Prisoners complain that parcels often are not handed over, or if they are fresh food has gone off, the news service added. Money can now be sent in parcels, but often is missing when a parcel is handed over.

### ***Freed in 2020 after serving full jail terms***

Five Jehovah's Witness conscientious objectors were freed from Seydi Labour Camp in 2020 after serving their sentences in full:

- Muhammetali Charygeldiyevich Saparmyradov (born 11 November 1995), freed on 19 March 2020 after completing his one-year jail term.
- Mekan Orazdurdiyevich Annayev (born 22 June 1999), freed on 26 June 2020 after completing his two-year jail term.
- David Andronikovich Petrosov (born 15 May 2001), freed on 30 September 2020 after completing his one-year jail term.
- Selim Yolamanovich Taganov (born 22 March 2001), freed on 3 October 2020 after completing his one-year jail term.
- Eziz Dovletmuradovich Atabayev (born 15 March 1998), freed on 19 December 2020 after completing his two-year jail term.

### ***Further UN complaint***

On 20 May 2020, Jehovah's Witnesses filed a complaint with the United Nations Working Group on Arbitrary Detention on behalf of 19 current or former jailed conscientious objectors. The 19 men are the eight currently imprisoned in Seydi Labour Camp, plus others who have been released after serving earlier sentences.

### ***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 jailed. Eight are serving prison sentences: five 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. One other prisoner is awaiting trial.

1) 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.

2) 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 Ashgabat City Court; two years' ordinary regime labour camp.

3) Serdar Nurmuhammedovich Dovletov, born 2 December 1993; sentenced 12 November 2019 Bayramali City Court under Criminal Code Article 219, Part 2; appealed

rejected 3 December 2019 Mary Regional Court; three years' ordinary regime labour camp.

4) Kamiljan Ergashovich Ergashov, born 27 June 2001; sentenced 13 January 2020 Niyazov District Court under Criminal Code Article 219, Part 1; appeal rejected 4 February 2020 Dashoguz Regional Court; two years' ordinary regime labour camp.

5) Vepa Bahromovich Matyakubov, born 19 August 1998; sentenced 17 February 2020 Boldumsaz District Court under Criminal Code Article 219, Part 1; appeal rejected 17 March 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

6) Sanjarbek Davranbekovich Saburov, born 12 August 1994; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

7) Eldor Davranbekovich Saburov, born 9 April 1999; sentenced 6 August 2020 Niyazov District Court, under Criminal Code Article 219, Part 1; appeal rejected 1 September 2020 Dashoguz Regional Court; two years' ordinary regime labour camp (second sentence).

8) Myrat Baymukhammedovich Orazgeldiyev, born 6 May 2002; sentenced 3 September 2020 Vekilbazar District Court, under Criminal Code Article 219, Part 1; appeal rejected 29 September 2020 Mary Regional Court; one year's ordinary regime labour camp.

9) Ruslan Khadynyaz oglu Artykmuradov; born 24 May 2000; arrested 15 December 2020, charged under Criminal Code Article 219, Part 1 (second sentence if convicted).

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