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HRWF submission to the EU ahead of the EU-Turkmenistan Dialogue

A submission to the EEAS ahead of the Human Rights Dialogue EU – Turkmenistan on 25 June 2024

- **Six Sunni Muslim followers of the Turkish theologian Said Nursi sentenced to 12 years in prison**
- **Jehovah’s Witnesses and conscientious objection to military service**

HRWF (11.06.2024) - Two religious groups are particularly affected in the practice of their right to freedom of religion or belief: Sunni Muslims who are followers of the Turkish theologian Said Nursi and Jehovah’s Witnesses.

Six Sunni Muslim followers of the late Turkish theologian Said Nursi sentenced to 12 years in prison in 2017

On August 15, 2017, the Balkan Regional Court in Balkanabat sentenced **Begejik Begejikow**, Jumanazar Hojambetow , **Ahmet Mammedurdyew**, **Meret Owezow**, **Bahram Saparov** and **Myraturdy Shamyradow** to 12 years in prison for “inciting social, national, ethnic, racial or religious hostility” (Art. 177-3 TCC), “participating in an organized criminal group” (Art. 275-2 TCC), and “financing of criminal structures” (Art. 275.1-2 TCC). In reality, these peaceful believers were just exercising their right to freedom of religion.

Said Nursi was a Turkish religious scholar, opinion leader and activist concerned with the acute problems of society. Throughout his life, he attempted to reconcile religion, modernity and politics. His books inspired a faith movement that played a vital role in the revival of Islam in Turkey throughout much of the 20th century and now has several millions of followers worldwide, including in Russia and other post-Soviet countries with a Muslim majority.

Even though the Turkish theologian Said Nursi never advocated for or incited violence, called for the overthrow of the regime or favoured the establishment of a caliphate, Nursi's teachings have been labelled extremist by Russia and Turkmenistan. Said Nursi followers are often accused of being part of a group called ‘Nurjylar’ or ‘Nurcular’, but they deny the existence of such a group entirely.

Jehovah’s Witnesses and conscientious objection to military service

The government of Turkmenistan refuses to recognize the right of conscientious objection despite calls to comply with international standards and commitments. As a result, Jehovah’s Witnesses, who cannot in good conscience support the military, are liable to imprisonment.

In 2015 and 2016, the United Nations Human Rights Committee (CCPR) issued ten sets of Views against Turkmenistan in response to Communications filed by individual Witnesses who had been prosecuted and imprisoned for conscientious objection. These Views obligated Turkmenistan to provide a genuine alternative civilian service outside the military sphere and not under military command.

The CCPR reprimanded Turkmenistan for prosecuting and imprisoning young Witnesses for conscientious objection in violation of Article 18 of the International Covenant on Civil and Political Rights (the Covenant). The CCPR also concluded that prison officials tortured some of the Witnesses in violation of Article 7 of the Covenant.

In April 2017, the CCPR repeated its concern about Turkmenistan's "continued failure to recognize the right to conscientious objection to compulsory military service and the repeated prosecution and imprisonment of Jehovah's Witnesses refusing to perform compulsory military service."

It called on Turkmenistan to "revise its legislation without undue delay," and to "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."

On 11 March 2022, the CCPR adopted its Views and reiterated that "the right to conscientious objection is inherent in the rights guaranteed by article 18 (1) of the Covenant and is not subject to any justification under article 18 (3) of the Covenant" (par. 3.3). Additionally, the CCPR said that the Charjew district court in Lebap Region had violated the Covenant when it convicted a Jehovah's Witness for violating article 219 (1) of the Criminal Code and sentencing him to 12 months of imprisonment for his conscientious objection to military service

Currently, no Jehovah's Witnesses are imprisoned as conscientious objectors to military service but their situation has still not been resolved.

Recommendations

Human Rights Without Frontiers recommends that during its dialogue with Turkmenistan the European Union demand

- the release of the six Muslim Said Nursi followers sentenced to 12 years in prison
- the adoption of a law providing for an alternative civilian service to the military service.