

TURKMENISTAN 2013 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and some laws and policies provide for religious freedom; however, other laws and policies restrict religious freedom and the government enforced those restrictions. Restrictive government practices in the treatment of some registered and unregistered groups continued, and the government's overall respect for religious freedom remained poor. Several religious groups remained unable to register and the government prohibited the operation of unregistered religious groups. The government restricted the ability of registered groups to obtain permanent premises for worship and to print or import religious materials. The government continued to arrest, charge, and imprison Jehovah's Witnesses who were conscientious objectors to military service. There were reports of beating and torture of persons detained for religious reasons.

There were reports of societal abuses or violence based on religious affiliation, belief, or practice. The majority of citizens identify themselves as Sunni Muslim. Local society is historically tolerant and inclusive of different religious beliefs, but ethnic Turkmen who converted to other religious groups or denominations, especially lesser-known Protestant groups, were viewed with suspicion and sometimes ostracized. There was one report of religious minorities having their gas and electricity temporarily shut off by community members.

In meetings with government officials, U.S. embassy and Department of State officials raised concerns about the detention and imprisonment of religious minorities, the rights of religious groups to register, the lack of public access to registration procedures, and restrictions on importing religious literature.

Section I. Religious Demography

The U.S. government estimates the total population at 5.1 million (July 2013 estimate). Government statistics regarding religious affiliation are not available. According to U.S. government estimates, the country is 89 percent Muslim, 9 percent Eastern Orthodox, and 2 percent other. There are small communities of Jehovah's Witnesses, Jews, Shia Muslims, and evangelical Christians, including Baptists and Pentecostals.

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Most ethnic Russians and Armenians are Christian and are generally members of the Russian Orthodox Church. Ethnic Russians and Armenians also make up a significant percentage of unregistered religious congregations; however, ethnic Turkmen are increasingly represented among these unregistered groups.

There are small pockets of Shia Muslims, many of whom are ethnic Iranians, Azeris, or Kurds living along the border with Iran and in the western city of Turkmenbashi.

An estimated 400 Jews live in the country. Local Jews often consider Judaism an ethnic rather than a religious identity. There are no synagogues or rabbis, and Jews do not gather for religious observances.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution provides for religious freedom; however, other laws and policies restrict religious freedom through registration requirements, strict regulation of the production and dissemination of religious literature, and restrictions on permissible activities of religious groups and individuals. These regulations are enforced by the government-controlled Council on Religious Affairs (CRA) and local police through administrative fines.

The religion law requires all religious organizations to register; restricts religious education, literature, and training of clergy; and monitors financial and material assistance to religious groups from foreign sources. The law also provides that leaders of religious organizations have advanced theological training.

New changes to the administrative code in September introduced monetary penalties for disseminating religious literature and further codified a variety of restrictions faced by religious groups. The code revisions set out a detailed schedule of fines for various religious practices, some for the first time, including accepting funds from foreign sources. Fines levied for religious practices previously identified in the old code were reduced for individuals and groups.

The criminal and administrative codes prohibit persecution by private actors towards registered religious groups, but the prohibition is unevenly enforced, and there is no protection extended to unregistered groups. Authorities are generally unable to enforce the prohibition due to lack of reporting by religious groups, who

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have expressed concerns that authorities would increase harassment or monitoring of their activities. Revisions to the administrative code created penalties of 142-355 manat (\$50-\$125) for officials who violate an individual's right of freedom to worship or abstain from worship, and fines of up to 9,951 manat (\$3,500) for religious groups receiving unapproved donations from outside the country. Religious individuals and groups have been fined for religious practices; there are no reports of officials being fined for abusing religious freedom, and observers note it is unlikely this fine would be levied against any agents of the state.

The CRA reports to the president and ostensibly acts as an intermediary between the government bureaucracy and registered religious organizations. It includes Sunni Muslim imams and the head of the Russian Orthodox Church as well as government representatives, but has no representatives from other religious groups. In practice the CRA acts as an arm of the state, exercising direct control over the hiring, promotion, and removal of Sunni Muslim clergy, as well as playing a role in controlling all religious publications and activities. The CRA has no role in promoting interfaith dialogue except between Sunni Muslims and Russian Orthodox Christians.

Although the constitution declares the country a secular state, the government funds the construction of some mosques. The government also approves the appointment of all senior Muslim clerics and requires senior clerics to report regularly to the CRA. The Russian Orthodox Church and other religious groups are financed independently, and the government does not approve the appointment of their leadership.

Following registration with national authorities, some religious groups must obtain approval from local authorities to carry out religious activities. There are two legal categories for registered religious communities: religious groups (consisting of at least five and fewer than 50 members of legal age); and religious organizations (consisting of at least 50 members). Religious groups state that registration procedures are not easy to comply with or understand.

According to the CRA, only large mosques can register as religious organizations. Smaller mosques and houses of prayer must register under the names of private individuals. These smaller mosques may or may not have a resident cleric, depending on the number of worshippers. Many smaller mosques and houses of prayer are located in rural areas, and they are staffed by elderly volunteer clerics who subsist on pensions and material support from their families. At larger

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mosques that are registered as religious organizations, each organization pays clerics and owns its building.

Unregistered religious groups and unregistered branches of religious groups cannot legally conduct religious activities, including establishing places of worship, gathering for services, disseminating religious materials, or proselytizing. Unregistered religious activity is punished as an administrative offense, with fines ranging from 355 to 1,422 manat (\$125 to \$500) depending on whether the person doing the activity is a religious leader and is acting on behalf of a religious group. Registered religious groups can also be fined for publishing or disseminating religious material without state approval.

Although no laws expressly prohibit holding religious services on residential property, the housing code states that communal housing should not be used for any activities other than living. The religion law states that religious services must be held at the religious group's designated location.

The religion law prohibits foreign missionary activity and foreign religious organizations. The law does not restrict the ability of foreigners to worship with local registered religious groups.

The domestic publication of religious literature is prohibited by decree, and the CRA must approve imported religious literature. Only registered religious groups can import literature.

The religion law prohibits wearing religious attire in public places, except for clergy of religious organizations. Many women, however, continue to wear the hijab in public.

The government uses some aspects of Islamic tradition in its effort to define a national identity. Despite its embrace of certain aspects of Islamic culture, the government remains concerned about foreign Islamic influence and the interpretation of Islam by local believers. The government promotes an understanding of Islam based on local religious practices and national traditions. The government's stated policy is that it bans only extremist groups that advocate violence, but it categorizes some Muslim groups advocating theologically different but non-violent interpretations of Islamic religious doctrine as "extremist" and likewise bans such groups.

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The government does not offer civilian service alternatives for conscientious objectors; individuals who refuse military service for religious reasons are offered noncombatant military positions. The penalty under the criminal code for refusing to perform compulsory two-year service in the armed forces is up to two years' imprisonment.

The religion law allows mosques to provide religious education to children after school for four hours per week with the approval of parents. Persons who graduate from institutions of higher religious education (the law does not specify domestic or international institutions) and who obtain CRA approval may provide religious education. Citizens have the right to receive religious education individually or with other persons; however, the law prohibits providing religious education in private settings such as residences, and those who do so are subject to punitive legal action. Some Sunni mosques schedule regular classes on the Quran.

The government prohibits unregistered religious groups or unregistered branches of registered religious groups from providing religious education.

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

Government Practices

There were reports of beatings, pressure to confess to holding an illegal meeting, searches, raids, seizure of private property, confiscation of religious materials, verbal abuse, heavy fines, arbitrary detention, threats of sexual assault, and torture. These acts most commonly occurred when the government suspected individuals of unauthorized or unregistered religious activity. Government authorities at times broke up meetings of registered and unregistered religious groups.

According to government figures, there were 121 registered religious organizations and seven registered religious groups operating in the country. Of these, 104 were Muslim organizations of which 99 were Sunni and 5 Shia; 13 were Russian Orthodox; and 11 represented other religious groups, including Roman Catholics, Bahais, Hare Krishnas, and Protestants.

In January the government replaced the chief mufti and all regional Muslim leaders, some of whom also sat on the Council of Religious Affairs. There was no reported public consultation on this change or the leaders installed, although in the

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past some Muslims expressed concern about the quality of training and changes of appointed Muslim leaders.

Jehovah's Witnesses often refused compulsory military service. There were reports of arbitrary detention, beatings, imprisonment, and torture of Jehovah's Witnesses for refusal to comply with compulsory military service. One report also indicated that government officials threatened a relative of a Jehovah's Witness with rape during detention after a raid on her home. Since 2010, the government imprisoned 15 Jehovah's Witnesses for refusing military service, most recently in July. Courts issued suspended sentences and garnished the wages of five other Jehovah's Witnesses for refusing military service in 2012.

According to the nongovernmental organization Forum 18, in Dashoguz Jehovah's Witness member Matkarim Aminov was resentenced in January and Jehovah's Witness member Dovran Matyakubov was resentenced in December 2012 to a two-year prison term for conscientious objection to compulsory military service. They were first sentenced in December 2010 and released in June 2012 after completing an 18-month prison sentence. Two other Jehovah's Witnesses received 18-month prison sentences for their conscientious objection. There was a report of government officials ordering inmates to beat a conscientious objector with the purpose of having him join a Muslim prayer. Forum 18 also reported that in January police detained, beat, tortured, and subsequently fined three people after a family member had joined a complaint to the UN Human Rights Commission relating to conscientious objection. One of the detainees was reportedly threatened with rape while in detention.

A Jehovah's Witness member sentenced in 2012 by the Dashoguz City Court to four years in a labor camp on allegedly fabricated charges for disseminating pornographic materials remained in prison at year's end.

In September the pastor of the unregistered Light of the World Church, his family members, and former members of his congregation were summoned for questioning by local authorities. The pastor had been sentenced in October 2010 to four years in prison on charges of extortion, and the government had granted him amnesty and released him in February 2012.

Some groups reported difficulties in obtaining permission from local authorities to carry out religious activities. As in the previous year, some groups reported that by routinely notifying the government of their gatherings and events and inviting government representatives to attend, they generally avoided government

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harassment. In June, however, authorities in the city of Mary raided and closed a children's camp organized by a registered Protestant group even though authorities had been notified in advance of the camp's establishment.

Legal and governmental obstacles hindered or prevented some religious groups from purchasing or obtaining long-term leases for land or buildings for worship or meetings; many segments of society experienced obstacles regarding the purchase and leasing of property. Registered groups also had difficulty renting special event space for holiday celebrations from private landlords, possibly due to concern about official disapproval. Some registered religious groups were denied permission to conduct church meetings such as study groups and seminars, although they were able to hold weekly services.

The government forbade unregistered religious groups or unregistered branches of registered religious groups from gathering publicly or privately and retained the option of punishing individuals or groups who violated these prohibitions. Some unregistered congregations continued to practice quietly, mostly in private homes, and were able to do so as long as the neighbors did not complain.

There was a report of a foreigner being deported and given a five-year ban from re-entry because of the person's participation in a religious meeting in a private apartment.

The government did not encourage religious education and there was no official religious instruction in public schools. Authorities actively enforced existing restrictions on private religious education, and made at least one related arrest.

Members of the theology faculty in the history department at Turkmen State University in Ashgabat were the only university-level faculty members allowed to provide Islamic higher education. Reports indicated that candidates had to be vetted by the Ministry of National Security before gaining admittance to this program. There was no possibility of studying theology subjects other than the state-approved Islamic theology. Women were banned from the program.

Although the government did not officially restrict persons from changing their religious beliefs and affiliation, it subjected ethnic Turkmen converts and members of unregistered religious groups to more scrutiny and questioning than non-ethnic Turkmen. It remained illegal to proselytize, although some registered groups proselytized in public without harassment.

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Officers in the Ministry of National Security and Ministry of Internal Affairs in divisions charged with fighting organized crime and terrorism monitored members of religious minorities, reportedly through telephone and undercover surveillance.

The government denied visas to foreigners suspected of conducting or intending to conduct missionary activity. Some congregations seeking religious visitor visas for foreign religious speakers reported the visas were often very short-term and required burdensome paperwork. Others were unable to obtain visas for foreign religious representatives. Some registered religious minority groups, however, obtained assistance from the CRA in obtaining entry visas for foreign members of their churches to give religious lectures to their congregations.

The government implemented new controls on civil society organizations, including religious organizations, that wished to receive grants from outside the country; those groups that obtained the necessary permission were subject to close and continuous scrutiny over the use of the funds.

Religious groups seldom received permission from the CRA to import religious literature. Minority religious groups stated they were disadvantaged in importing religious materials because they had no representation on the CRA. The government reportedly prohibited all religious groups from subscribing to foreign publications. The CRA required that its officials stamp all religious literature, including Bibles and Qurans, to authorize each copy of the text. While the Quran was practically unavailable in state bookstores in Ashgabat, most homes had one copy in Arabic or a Russian translation. Few translations were available in Turkmen. Some citizens reported the seizure of personal Bibles at the airport upon arrival from foreign travel, even though the Bibles had been in their possession when they departed the country.

There were no reports of travel restrictions for religious study abroad or to attend religious conferences. There was one report that officials at Turkmenistan embassies held meetings with Turkmen students studying abroad, in which the officials threatened the students with expulsion from their studies if they continued to attend non-Muslim religious services. A government representative reportedly denied the claim.

In October the government sponsored 188 pilgrims to travel to Mecca for the Hajj. In contrast to previous years, self-funded pilgrims were also allowed to make their own arrangements to participate in the Hajj.

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Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. There was some societal criticism and harassment of those who deviated from traditional ethno-religious beliefs and practices.

Societal attitudes generally reflected the belief that an individual is born into an ethno-religious group, and that Islam was an inherent part of the Turkmen national identity. Those who departed from these traditions received little social support or were criticized. There were reports that ethnic Turkmen who converted from Islam received more societal scrutiny than non-ethnic Turkmen converts and were ostracized at community events. One convert reportedly had his gas and electricity temporarily cut off by community members.

Societal distrust of foreign-based religious groups continued and there was a common belief that Islam from outside the country was “Wahhabist” or “extremist.”

Section IV. U.S. Government Policy

In meetings with government officials, U.S. embassy representatives and visiting U.S. government officials, including the Assistant Secretary of State for South and Central Asian Affairs, urged greater support for religious freedom. They raised concerns about the arrests of Jehovah’s Witnesses and other religious minorities, the right of religious groups to register, the lack of readily-available information about registration procedures, and restrictions on the importation and distribution of religious literature. U.S. embassy officers met with representatives of registered and unregistered religious groups throughout the year to monitor their status.

The embassy requested, and the Ministry of Foreign Affairs provided, information about religious prisoners and numbers of religious groups registered.