

RELIGIOUS FREEDOM IN TURKMENISTAN



May 11, 2004

**Briefing of the
Commission on Security and Cooperation in Europe**

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ABOUT THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

The Helsinki process, formally titled the Conference on Security and Cooperation in Europe, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. As of January 1, 1995, the Helsinki process was renamed the Organization for Security and Cooperation in Europe (OSCE). The membership of the OSCE has expanded to 55 participating States, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia.

The OSCE Secretariat is in Vienna, Austria, where weekly meetings of the participating States' permanent representatives are held. In addition, specialized seminars and meetings are convened in various locations. Periodic consultations are held among Senior Officials, Ministers and Heads of State or Government.

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys numerous missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <www.osce.org>.

ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

The Commission on Security and Cooperation in Europe, also known as the Helsinki Commission, is a U.S. Government agency created in 1976 to monitor and encourage compliance by the participating States with their OSCE commitments, with a particular emphasis on human rights.

The Commission consists of nine members from the United States Senate, nine members from the House of Representatives, and one member each from the Departments of State, Defense and Commerce. The positions of Chair and Co-Chair rotate between the Senate and House every two years, when a new Congress convenes. A professional staff assists the Commissioners in their work.

In fulfilling its mandate, the Commission gathers and disseminates relevant information to the U.S. Congress and the public by convening hearings, issuing reports that reflect the views of Members of the Commission and/or its staff, and providing details about the activities of the Helsinki process and developments in OSCE participating States.

The Commission also contributes to the formulation and execution of U.S. policy regarding the OSCE, including through Member and staff participation on U.S. Delegations to OSCE meetings. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from participating States. The website of the Commission is: <www.csce.gov>.

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COMMISSION ON SECURITY AND COOPERATION IN EUROPE
WASHINGTON, DC

The briefing was held at 4 p.m. in Room 485, Russell Senate Building, Washington, DC, Ronald J. McNamara, Deputy Chief of Staff, Commission on Security and Cooperation in Europe, moderating.

Panelists present: Ronald J. McNamara, Deputy Chief of Staff, Commission on Security and Cooperation in Europe; Joseph R. Crapa, Executive Director, U.S. Commission on International Religious Freedom; Lawrence Uzzell, President, International Religious Freedom Watch; Najia Badykova, Research Associate, Institute for European, Russian and Eurasian Studies at George Washington University's Elliot School of International Affairs and former head of Turkmenistan's Department of Economic Relations; and Felix Corley, Editor, Forum 18 News Service.

Mr. McNAMARA. Good afternoon. My name is Ron McNamara. I am currently serving as the Deputy Chief of Staff of the Commission on Security and Cooperation in Europe.

Today's briefing is a cooperative effort with the U.S. Commission on International Religious Freedom [CIRF]. We are very pleased to have the Executive Director of CIRF, Joseph R. Crapa, with us. He will make brief remarks in a few moments.

Members of the Helsinki Commission—members of both the House and Senate—have repeatedly raised concerns regarding the human rights situation in Turkmenistan with Turkmen representatives, as well as with senior U.S. officials and OSCE Chairs-in-Office, including Minister Passy from Bulgaria.

At the Helsinki Commission, we assess developments on the ground in Turkmenistan in light of the commitments that country accepted in becoming a participating State of the Organization for Security and Cooperation in Europe [OSCE]. In this regard, it is worth noting the historical fact that President Niyazov personally signed the 1975 Helsinki Final Act document on behalf of Turkmenistan on July 8, 1992.

There are copies of a report out front that the Commission produced on a decade of membership in the OSCE that looks at the question of the former Soviet states during the first half of the document, and the second half is an appendix of historical documents, including President Niyazov's signature to the original 1975 Helsinki Final Act document. Maybe being a historian myself, it is always interesting to know some historical aspects of the people that we are dealing with.

The members of the Helsinki Commission have taken a strong stance against the ongoing human rights abuses and religious oppression in Turkmenistan. I note that in

October of last year, 8 members of the Helsinki Commission and 26 other Members of Congress wrote Secretary of State Powell urging him to designate Turkmenistan as a Country of Particular Concern [CPC] under the 1998 International Religious Freedom Act [IRFA].

Since then, the situation for religious freedom has continued to deteriorate further, validating the point of the letter and reinforcing the message of 34 Members of Congress who wrote to the Secretary of State.

Copies of a sheet listing other Helsinki Commission initiatives on Turkmenistan are also available at the documents table out front. Those documents can be easily accessed at the Commission's web site, <http://www.csce.gov>.

Despite the determined efforts of the U.S. Ambassador to Turkmenistan, Tracy Jacobson, Niyazov appears unwilling to make the necessary changes to avoid meeting the statutory criteria for CPC designation. In an attempt to shun designation and a U.N. Human Rights Commission resolution, Niyazov's government undertook a spring charm offensive and issued new paper promises on religious freedom. Tellingly, these "improvements" also increased the control of the authorities over funding sources and registration.

The Niyazov regime has demonstrated the cosmetic nature of these legislative changes as many problems continue and persist. For example, new criminal code amendments passed in October 2003 included large fines, imprisonment and the possibility of hard labor for the crime of participating with an unregistered religious community. These articles remain on the books.

On March 2, a court convicted the former Islamic leader of Turkmenistan of treason and sentenced him to 22 years in jail. Reportedly, the mufti ran afoul of the authorities when he refused to place Niyazov's spiritual book, the *Rukhnama*, next to the Koran in the front of this imam's mosque.

No religious community has successfully registered despite the supposed liberalization of the religious registration process.

At the Helsinki Commission, we are particularly mindful of the hardships faced by individuals living in authoritarian regimes or dictatorships. Sometimes, there can be a tendency to develop a kind of caricature of such regimes based on the idiosyncrasies of the leader in question. We must avoid such approaches that overlook the real repression and abuse perpetrated by such regimes.

A couple of cases in point:

- Despite being released from prison over 2 years ago, Baptist Pastor Shagildy Atakov remains internally exiled in Turkmenistan, a practice which we certainly had hoped had gone the way of the Soviet Union but is alive and well, unfortunately, in Turkmenistan.
- Six Jehovah's Witnesses are known—and I would stress, these are the known cases—to be serving time in prison for conscientiously objecting to military service.

Overall, Turkmenistan is a severe violator of religious freedom and therefore meets CPC criteria because of its systematic, ongoing, egregious violations of religious freedom. New efforts by Niyazov to avoid designation fall far short of genuine change. Any meaningful change must end the repression of religious communities and fully respect the right of individuals to profess and to practice their faith or belief.

I therefore look forward to hearing from our distinguished panelists this afternoon with their timely presentation and assessment of developments in Turkmenistan as the State Department prepares to make designation determinations on CPC status for countries in the near future.

As is customary at Commission briefings, there will be a full transcription of today's proceedings. In addition, time permitting, we will open the floor to questions from the audience following the presentations of our panelists. When posing a question, please state your name and any affiliation you may have. I appreciate CIRF's bringing this distinguished panel together to discuss the deteriorating situation for religious liberty under President Niyazov's authoritarian regime. Tomorrow CIRF will release its policy recommendations, and I hope the State Department will heed their solid recommendations on Turkmenistan.

At this time I recognize Joseph R. Crapa, Executive Director for the Commission on International Religious Freedom, to give a few additional opening remarks and to introduce today's panel.

Mr. CRAPA. Hi. My name is Joe Crapa. I will be brief.

Thank you, Ron. We are very pleased to be here and join with the Helsinki Commission.

I want to take just a few brief moments to put in context who and what the CIRF is; why we are interested in this issue; and why we are specifically interested in Turkmenistan. I want to explain what a CPC is, and why it is very important, and why it matters in terms of American foreign policy.

About 28 years ago, when I was a young staff person on the Hill, Congress had the wisdom to create the Helsinki Commission and created one of the finest watchdogs and beacons for human rights throughout Eastern Europe and the Soviet Union.

In 1998, Congress again showed wisdom in passing the International Religious Freedom Act that created the designation of a Country of Particular Concern [CPC] as a tool or a part of American foreign policy.

It also created the CIRF as an independent federal commission—to act as an advisor to the Secretary of State, the Congress, and the President about those countries that abuse or deny religious freedom and suggest remedies and policies of the United States in dealing with these countries.

It took us a while in the United States to develop the concept that human rights are very much a part of the arsenal of tools that one uses in dealing with other countries and shaping, or helping to shape, the way the world settles itself out.

The Congress looked and said, well, religious freedom is the first freedom. It is a key right. It is not something that only the United States cares very deeply about. We are not about simply the Constitution of the United States, which we would certainly like other countries to adopt, but it is really not a matter of American self-interest.

We are all signatories to Article 18 of the U.N. Universal Declaration of Human Rights, which guarantees the right of freedom of conscience and thought and belief. So religious freedom is an essential freedom. Without religious freedom, people cannot express themselves. People cannot give hope or belief to their aspirations in their own inner spiritual lives and their own religious practices.

The CIRF was established, as I say, in 1999. We have nine commissioners, three appointed by the president, three appointed by the House, three appointed by the Senate.

Commissioners are lay people. They are American citizens who bring an expertise in international religious matters, in human rights, particularly in religious freedom.

One key part of the act was that it created a designation called “a Country of Particular Concern.” Read into that the old concept of rogue nations. However, it is essentially those countries, as Ron said, and very specifically in the statute, those countries found to have engaged in or tolerated particularly severe violations of religious freedom, including torture, imprisonment, prolonged detention, or arrests.

Each year under the statute, our Commission makes recommendations to the President and the Secretary of State on which countries should receive this designation and recommendations of changes or aspects of American foreign policy that would be helpful in those countries.

A CPC designation is both positive and negative. It creates a menu of about 14 different remedies, both positive and negative, ranging from démarches to actual sanctions, but also very specific items in terms of interchanges and international negotiations.

In the past, the CIRF has named about 11 or 12 countries as countries of particular concern. Some of them are countries whose designation I would call obvious: North Korea, China, Burma—countries that are severe violators.

Among those countries that the CIRF has recommended in the past, currently recommends, and will publicly recommend again tomorrow in our announcement, our annual report, is Turkmenistan. We have not noted any improvement in Turkmenistan; as a matter of fact, we noted deterioration.

As Ron has said, there has been this “11th-hour-and-59th-minute” new religious registration law coming out, coincidentally about 3 days before the Geneva Human Rights Conference began.

As our witnesses and guests will tell you, there has been no demonstrable change in the repressive and negative policies of the government and the ability of anyone other than the two official churches, although they are curtailed as well, to register and practice religion freely under a government that should be guaranteeing religious freedom. So that is what a Country of Particular Concern is.

The CIRF’s role (as well as, I think, that of the Helsinki Commission) is to serve in an advisory capacity. Ultimately, the U.S. Government and the administration officially make this decision. We certainly urge them to do it. The purpose of this meeting, which is fortuitously timed as well, is that the State Department is due to make their recommendations sometime within the next month.

We call the shots the way they are. Being an independent commission, we can be outspoken and are outspoken, and we look through the lens of human rights and religious freedom.

The U.S. Government will make its decision on a number of points.

Our argument, however, is that if one looks at it from what the statute says, very clearly Turkmenistan falls into the category of a Country of Particular Concern.

Now, we are also advocating that Saudi Arabia be named a Country of Particular Concern, and that Vietnam be named as a Country of Particular Concern. Other considerations will come in, but our argument is that if one again judges by the standards of human rights and religious freedom, these countries fit the statute and therefore deserve to have the designation.

We have invited today three very distinguished guests who have not only, in one case, come from Turkmenistan, but in another case is a reigning expert in the world on

that region and another person who has written, and is continuing to write, a series of reports on Turkmenistan that I would really recommend you read immediately upon leaving this room.

Our first guest with the panel will be Larry Uzzell. Larry is the president of International Religious Freedom Watch, an independent research center that reports on threats to freedom of conscience in totalitarian and authoritarian countries. He, for those with not too long a memory, was the head of the Keston Institute as well.

Najia Badykova is a research associate at the Institute for European, Russian and Eurasian Studies at the Elliott School of International Affairs, George Washington University; and former head of Turkmenistan's Department of Economic Relations.

Felix Corley is the editor of Forum 18 News Service, which reports on threats and actions against religious freedom in the former Soviet bloc countries. He is also the author of a study, which I believe is included in your package on Turkmenistan.

Enough said—why don't I turn over the desk to the panel?

Mr. McNAMARA. Again, for those who may have arrived after the opening of the briefing, time permitting at the end, we will have questions entertained from the floor. However, we ask that you wait until the end of the panelist's presentations, and we will resume then.

Mr. CRAPA. Can I just add one thing—for those who are congressional staff, we are not here to lobby, but there have been letters from Members of Congress to the Secretary of State, and there have been letters to the administration on this and various other countries. As you all know, not only those of you on the Hill, but certainly those of you on the Hill, any voice from Congress is greatly appreciated on these issues. Attention is paid to that voice. Thank you.

Mr. UZZELL. Well, Joe, thank you very much. I need to push a certain button here. This technology always defeats me. Can you hear me? Is this thing turned on? OK, good.

Well, thank you very much, both of you, for that introduction. I know that time is short, and I will try to compress my remarks.

With your permission, Ron, could we treat Felix's and my joint statement as being read into the record? Everybody has had a chance to pick up a copy at that point. I do not know about you, but I always hate it when somebody reads droningly from a statement that has already been passed out and is available in writing. So I at least will not make that mistake.

I am always grateful for the privilege of testifying before the Helsinki Commission, and also I am always grateful for the privilege of testifying before the CIRF. This is the first time that I have done both at once, and I hope it will not be the last.

I will try to leave as much time as possible for questions and just touch the highlights of that joint statement. Still, I will add in a few extra things as well. Let me reassure Felix immediately that he is not to be held responsible for anything I say that is not in our joint written statement. I will bear the sole blame, the sole burden for that.

I think we are facing a real test right now. All of us who deal with human rights have a lot of experience with statutes that do not mean anything, like the human rights provisions of the 1993 Russian Constitution, or the provisions of constitutions and statutes of many former Soviet republics that profess guarantees of religious freedom.

However, right now I am worried about another statute that may turn out not to mean very much in practice, and that is the 1998 International Religious Freedom Act of this body, the U.S. Congress. I really think we are facing one of the most serious tests that

this statute—and the process that it set up—has faced since 1998, precisely because—no offense to my Turkmen friends—Turkmenistan is not a superpower. It is not a great player like China and Russia. It is a country with which the United States had \$100 million in combined imports and exports last year, as compared with \$147 billion for China and almost \$10 billion for Russia. It is a country that, in its very own name and its own statement of its own identity, declares itself to be a neutral country. It is not an ally; nor is it an enemy. It is not a threat to us.

If we are not willing simply to tell the truth about Turkmenistan by designating it as a CPC when objectively, the situation cries out for such a designation, then why should anybody take the word of the U.S. Government seriously? Why should anybody take seriously the noble mission that our government has taken upon itself to make international religious freedom a formal goal of our foreign policy?

I think it is absolutely clear that the events of the last 2 months make irrefutable the conclusion that, as Joe says, what happened 2 months ago is just window dressing. It is an announcement by the President of Turkmenistan cleverly timed to avoid CPC status, to avoid human rights designations. But really nothing has changed in practice.

Two months have gone by. There have been some excellent reports in the last 24 hours from the Forum 18 News Service. Those reports came in too late for them to be included in Felix's and my joint statement. But I will yield to Felix to talk about those reports later on—there are devastating details about new things that the Turkmenbashi regime is doing.

The results, though, as I discovered as I was preparing these remarks: we have the word of the Turkmenistan regime itself. I would encourage you to go online and look up <http://www.rukhnama.com>. I did not know this until last Friday when I was doing a little preparation for this gathering, but as it turns out, *Rukhnama* has its own web site. The first page that pops up when you go online, the home page, happens to be in English. So this is accessible to everybody in this room: www.rukhnama.com.

If you go into that web site, you will see the following:

The Bible, the Koran and now ... the most holy Rukhnama. A book of spirituality of the Turkmen people ... authored by a truly prophetic man, Turkmenbashi; the holy Rukhnama, on par with the Bible and the Koran, is to be used as a spiritual guide—to remove the complexities and anguishes from day to day living.

What our sources in Turkmenistan tell us is that when a Muslim enters a mosque in today's Turkmenistan, he is supposed to pause upon entering, touch the text of the holy Rukhnama, which must be on display, the personal vanity scriptures of the president, Turkmenbashi—I guess it is kind of like the dictator's equivalent to home movies—and reverence it in the same way that one would reverence the Koran.

I am told by Najia that the situation is not quite as serious in the Orthodox Church as it is among the Muslims. Nevertheless, the State Department report of last December on the state of religious freedom in Turkmenistan says that there are credible reports of this pseudo-scripture being forced upon Russian Orthodox churches as well. It is difficult to say to what extent it is forced on Protestant churches, because all Protestant worship has been forced underground.

It is also something that should be of concern even to people who do not care at all about religious freedom. If you are utterly indifferent to religion and to freedom of con-

science, but care about the quality of secular education, you have to be concerned about the fact that the *Rukhnama* is taking over state education in Turkmenistan.

It is not enough that elementary education and secondary education have been cut from 10 to 9 years; we are now seeing subjects like arithmetic being trimmed so more time is allotted in school to study the holy *Rukhnama*. Again, this is something that the Turkmenistan regime attests to on its own web site. If you go back to that *Rukhnama* web site, you will see an account of the first government-sponsored intellectual and creative contest in the country that took place not long ago. This is the equivalent to the Westinghouse Science Fair or the Scripps National Spelling Bee.

According to their account, the jury did not ask the finalists questions on math, physics, biology, literature, geography or foreign languages. There were no questions put forth on those subjects.

The expert panel tested their knowledge of the country's current domestic and foreign policies, and goals of the spiritual and moral code for the Turkmen people, the sacred book, *Rukhnama*. That is the centerpiece of contemporary Turkmen education.

I know this sounds sort of comic opera-ish. It is very easy, as you were saying, to focus on the personal eccentricities of the dictator of this country. Nevertheless, it is not at all comical to the victims, who now face the reality of being deprived of any chance of getting a decent education.

I see I am running out of time. Let me close on an optimistic note. I would like to talk about one of the most moving experiences of my life when I visited Turkmenistan in the summer of 2000. I visited the ruins of a Seventh-day Adventist Church, the first place of Christian worship to be torn down, physically destroyed by government action anywhere in the former Soviet Union since the Brezhnev years. Felix has with him a relic from this church, which perhaps he could stand up and show to people.

This is a piece of shipping material from the Adventist Development and Relief Agency in Maryland, just outside Washington, in the suburbs of Maryland, which they used as wadding to support the building. When I took a tour guided by the pastor, of the ruins of what had been the largest Protestant church in the capital of Turkmenistan, I discovered this lying on the grounds. The building had been torn down about 6 months earlier. I asked him for permission to bring it back with me, and he gave me that permission.

He also told me a story about his conversation with the really saintly Polish Catholic priest in Ashgabad, who also took the same tour of the ruins that I did—in fact, before that had been an eyewitness to the physical destruction of this building. The Catholic priest, Father Andre, asked for permission to take one of the stones from the ruins. He said to the Protestant pastor, “Someday, we will have permission to build a real Catholic church here in Ashgabad. We will not just have to worship on diplomatic territory.

“When that day comes, we are going to take this stone from the ruins of your Protestant church and use it as the cornerstone of our new Catholic church.”

Some day that day will come. Some day that church will be built, someday the *Rukhnama* will occupy the place that it deserves—alongside the collective writings of Leonid Brezhnev.

When that day comes, I hope the people of Turkmenistan will remember that we in the West were on their side when it counted and not on the side of their oppressors.

Thank you.

Najia?

Ms. BADYKOVA. Thank you, Larry.

Indeed it was very interesting to hear from you what is going on in Turkmenistan. It is really a very interesting speech.

You already have my statement. That is why I do not want to repeat what I wrote already, and probably you did not look at it. Anyway, it seems to me it will not be so interesting if I just repeat all this.

Maybe I will touch upon several very sensitive issues regarding Turkmenistan—why it happened in Turkmenistan, and why United States does not want to pay attention, at least so far has not been paying any attention, to what is going in Turkmenistan, and why Russia has such a strange position regarding Turkmenistan.

Because Turkmenistan is very rich in gas, this unfortunately happens to be the main problem. Gas resources and revenues received by Turkmenbashi from gas exports give him an opportunity to be independent from international organizations, from the United States, which caused isolation of the country and allowed him to have his policy.

Regarding Russia, it is well known that Russia has a very strong influence in Turkmenistan, due to her control over the gas pipelines. So this fact is the reason behind Russia's very strong leverage here. However, Russia never used this leverage in a way that would benefit the people of Turkmenistan. Russia used it to get rich—I mean, to enrich herself and to gain control in this area.

So that is why I think that people in Turkmenistan do not believe that Russia can bring about any positive changes in this country.

It was very interesting to listen to Larry when he said why not the United States—why not the United States? This question also, I would like to ask the people in the United States here and I tried to ask this at the State Department: Why not the United States?

I heard an explanation that United States has very little leverage. But it seems to me that the United States has small but very powerful leverage, which the United States has to utilize. This leverage, of course, is not economical leverage, but psychological leverage.

If the people of Turkmenistan knew that the United States could help them, it seems to me that the people would be happy to know that somebody is doing something to destroy this regime.

So it is very serious. I do not know how I can say this, and how I can explain it to the people who make decisions regarding Turkmenistan. It is very important, it seems to me, to have this decision right now, because the next development, probably, would be some catastrophe in Turkmenistan.

What we have with the population in Turkmenistan—it seems to me that you should understand one thing: that people of Turkmenistan are immigrants inside their own country. We have a country inside a country. The people do not pay attention to what is going on around them.

Yesterday, and not only yesterday, when I heard that the region where this—a lot of talking about registration, about all the confessions. But it seems to me that the serious problem we have is with Islam—there is no Islam. It is all gone. Maybe we had Islam until 1991, maybe 1993. After that what do we have? Now it is Islam according to Turkmenbashi.

So the Turkmen people up until maybe 1993, 1994, were very happy that they had new mosques. They were very happy. But now, nobody's happy because who wants to go to the mosque and listen ... [Inaudible] ... before the prayer, how good the president is, and that he is a prophet? So that is why this is a serious problem. That is why, it seems to me, here we have a problem, not just with registration.

I do not want to repeat what I wrote about education, But I would like to say that a high school graduate completes only 9 years of education and many classes were canceled. What about the future generations? It seems to me that after Turkmenbashi, we will have an uneducated, unemployed, drug-addicted generation. A serious problem, not just for the Turkmen people, but for Central Asia and for the United States.

It seems to me that, if not now then later, the United States will face a serious problem and perhaps will pay much more attention than they currently do right now. It seems to me that the decision to designate Turkmenistan a Country of Particular Concern is maybe a small, yet a very powerful step.

So I will stop here. I will be very happy to answer any questions. Thanks.

Mr. CORLEY. Forum 18 News Service is very grateful for the opportunity that the Helsinki Commission and the CIRF have offered for us to take part in this briefing.

As you can see from the developments we have been covering in recent months on our web site, <http://www.forum18.org>, the situation in Turkmenistan remains critical concerning religious freedom. But I want to put it on the public record: Forum 18 News Service does not take a position on whether the U.S. Government should give this CPC status or not. That is obviously a decision for people within the United States and for the administration. But Forum 18 News Service is very keen on any moves that can be taken around the world that help promote religious freedom for people of all faiths.

Larry mentioned a very optimistic story; the question of the priest. They are going to build a Catholic church. They are determined to do so. They are looking at the long term.

I want just to mention one very sad thing that I heard last month when I was speaking to members of the New Apostolic Church in Moscow, who retain very close links with their community in Ashgabad. It is a very small community, but it functioned quite happily until the restrictions came in 1997, really when the clampdown occurred. They told me in Moscow that their people in Ashgabad were warned not to meet for worship at all. "Unregistered religious activity is illegal. You cannot meet for worship."

I asked them, "What did you do then?" The church's response was, "We decided to halt all religious services until we can function legally. We abide by the laws of every state. We will not hold services until we can get legal status and we can hold services legally." This means that members of the New Apostolic Church are voluntarily not joining for worship because Niyazov has decided, for reasons known only unto him, that religious believers should not have the freedom to meet for worship.

This religious community has voluntarily decided they are not going to worship God in the way that they see fit, which is really sad.

I am used to speaking to people in Turkmenistan, hearing their perspective on things. For example, the Jehovah's Witnesses have six prisoners, one of them serving an 8-year term on falsified charges. He was already in a labor camp. An officer in the camp pulled off his epaulettes from his uniform and blamed this on the Jehovah's Witness. They slapped on an extra sentence of 8 years. So in all, he will have served probably nearly 10 years by the time he is out.

We have talked to people who are like this. They are still continuing to meet for worship despite all the difficulties, with some of their people in labor camps. It is difficult for me, sitting outside the country, to talk to these people. I do not personally suffer from it. But here you have people who are determined to continue their practice despite all the difficulties.

That is difficult for us to report on. It is difficult when we hear this constantly from people. Still, when you hear about religious faith that voluntarily (and I am not blaming them) decides to pack up, to not worship God in public with all of their believers—it is a sad sign of the situation that Turkmenistan has come to.

If I can just give one other picture of the situation: Say, for example, in 5 years time, a crazed dictator comes to power in the United States, decides that only religious communities that have registration can function, decides that Episcopalians will get registration and Jews will be the main minority faith. The Episcopalians will be registered; the Jews will be registered. All other faiths will be banned—the Jehovah’s Witnesses, the Adventists, the Catholics, the Baptists, the Methodists, the Baha’is, the Hare Krishna communities—everyone, across the board, is banned.

They say, “You are a Christian. If you want to go to church, you go to the Episcopalians. If you are Jewish, you have your synagogues. Everyone else—forget it. You cannot worship in the way you want.”

What is worse though, for the Episcopalians, they allow them to have functioning churches. But this crazed dictator who might, I hope, never come to power in the United States, would name all of the bishops. There would be an office created, maybe the Central Religious Agency or something like this, or the Federal Agency for Religion, whose main occupation, when it is not cracking down on minority faiths, will be deciding which priest is going to be named to which parish, which bishop is going to be appointed. The church would not have the power to name its own clergy and bishops.

This is the situation that we have now in Turkmenistan. If you are Muslim, you have only a Sunni Muslim mosque to go to. There is no other mosque—no Shi’a mosques or any other branch of Islam. The government appoints all imams. The *Rukhnama* is promoted in sermons. It is carved on the walls of mosques. A copy of the book is given a place of honor. As we have already heard, people have to touch copies of the *Rukhnama* as they go in.

The government’s Committee for Religious Affairs is sitting there. One of its main functions is to appoint imams. That means the government has the power of control over who is appointed to which posts. The committee also takes part in cracking down on minority faiths. Of the four senior officials of this committee, two of them are Muslim clerics, one of them is a Russian Orthodox priest, and one of them is a functionary of the state, which means that, *de facto*, the Muslims and the Russian Orthodox have a power of veto over any other community functioning in the country.

If perchance any of these registration applications that people are hoping to lodge are ever lodged, when they get to this—they hand them to the justice ministry, which hands them over to this Committee for Religious Affairs: two imams, one Russian Orthodox priest and one state functionary. This is not fair. It is not religious freedom. People do not have religious freedom.

Despite the moves made by the president in March under intense international pressure, the fundamentals on the ground have not changed. People cannot meet openly for worship if they are in an unregistered religious community. The unregistered communities are the Jews, the Armenian Apostolic church, all Protestants—Baptists, Pentecostals, Lutherans, Greater Grace, the Pentecostals—the Baha’is, the Hare Krishnas, the Jehovah’s Witnesses. There are probably other communities as well that I have not mentioned.

The fundamentals of the situation have not changed.

Thank you.

Mr. UZZELL. I would like the record to show that we finished in less than 30 minutes. So each of us did indeed spend only 10 minutes.

As a former Hill rat, I know that is actually unusual.

Questions? The floor is open for questions—or comments.

QUESTIONER. I wonder if any or all of the panelists could comment on the recent—it must have been at the beginning of this year or at the end of last year—switch, under Jackson-Vanik, from an approval to a waiver for Turkmenistan, a recognition that Turkmenistan had met the requirements of the Jackson-Vanik amendment to a waiver, to sort of blanket, essentially admitting that they had not met the requirements of the amendment.

And if you can get that, what implications that had at that time, if you think that is going to presage CPC designation at all.

Thank you.

Mr. CORLEY. I am an expert on religious freedom, not on immigration issues. But it is an interesting juxtaposition that on the same day that Niyazov announced these relaxations of punitive standards for religious registration, he also announced an easing in the requirements for exiting the country.

I am skeptical of whether that will really mean a substantial easing or just a return to the status quo before he tightened things up even further a couple of years ago.

Two months have already gone by. I have not heard that it has become much easier for people to leave the country than it was 2 months ago. Najia, have you heard anything along those lines?

Ms. BADYKOVA. Regarding the exit visa, yes, there are no exit visas right now. They were abolished. Whether people can leave country depends on their conduct. If they belonged to certain organizations or if they conducted certain activities in Turkmenistan, or if they worked with the government—they might have a problem leaving Turkmenistan. We know many instances where people at the airport had problems leaving the country.

So that is why I think Turkmenbashi will continue to have certain people blacklisted. Turkmenbashi will try to avoid doing this, you know, this year.

Mr. UZZELL. If I might add another point, we just got word last week that apparently the Niyazov regime does intend to go ahead and in June put into effect new requirements that would invalidate any university degree earned outside Turkmenistan since 1993, which has a profound effect, an indirect effect, on the freedom to travel of Turkmen students who are studying in places like Moscow or New York or Washington.

This is a self-inflicted brain drain, yet another example of crippling the intellectual future of his own country.

QUESTIONER. I would like to start by just thanking each of you for coming and for the Commission, both Commissions, I guess I should say, for holding this briefing.

As you brought out the material used in our church [Seventh-day Adventist] there in Ashgabad, tears came to my eyes. We get reports over and over about the suffering that is going on there, and sometimes it is hard to imagine this is going on without a greater sense of urgency throughout the human rights community.

I would like to ask sort of a pragmatic question.

One discussion point about the new registration law is that possibly the—it is premature to judge the impact of this law. In other words, as you have all suggested, I do not believe any new organizations have been registered, and I am not sure how many have tried and what kind of barriers or success they have found.

If it is premature to judge—if, in your judgment, it is premature to judge the impact of this, when would it be mature enough, when would the issue be mature enough for us to make a judgment on the impact of this particular development?

Mr. UZZELL. Just very quickly, as an abstract statement: if you really want to give people freedom that was previously denied them, if you have been trampling people into the mud but have made a sincere commitment to change that, 2 months should be plenty of time, it seems to me.

However, Felix is our real expert on the details, if you would not mind tackling that one.

Mr. CORLEY. When the decree came out initially, many people, against their better judgment, thought, “Well, maybe things are changing. Let’s maybe go and find out about it.”

They went to the Justice Ministry. The Justice Ministry, which obviously had very little work to do registering religious organizations the last few years because no new ones had been registered, was really at a loss as to what to do. They came up with a model statute the religious organizations could have.

Seven or eight different faiths that we know of went to seek information about how to register. Nevertheless, only one, the Greater Grace Church, lodged an application in the middle of April. After 3 weeks, they heard nothing.

It seems that officials do not really know what to do. They have not had any instructions, so far, at the Justice Ministry from on high: Do we register these guys? Do we not register them? In any case, the Justice Ministry has to send applications to the Committee for Religious Affairs.

But so many people just do not believe a leopard would change its spots. They say, “Look, we tried to register 5 years ago. You have to present your whole list of all your members, adult members. You have to put your full name, date of birth, citizenship, work address, home address and so on. The last time around, they went through all the people on the list and harassed them.”

Bureaucrats went around finding some way of getting people to take their name off the lists. They could kick you out of your job, for example, if you are in a state-run job. They could even remove your child from higher education. There is a whole range of things, to kick you out of your flat. We know that various members of religious minorities have been kicked out of their jobs over the last few years. That has happened a lot with Protestants and Jehovah’s Witnesses. People have had their homes taken away if they held worship services in their private homes. So these people are just scared.

They also fear that the application is a way that the government might have for people to identify themselves as activists of minority communities so they then can be lined up for further punishment down the line. People are quite understandably very reluctant to actually put in the application.

I think that with this first one, the Greater Grace Church, so many people are watching. They are looking at that and saying, “We will see how that one goes, then we will take it from there.”

But one other thing before Najia comes in:

We learned the other day that communities that asked for information on registering are being told of a new decree that is secret. They are not given the decree, but the officials will give them a kind of summary of it, as to what will happen once you are registered, if any community gets registration, the kind of new requirements coming through.

One of them is all non-Muslim faiths will have to give 20 percent of their income to the Committee for Religious Affairs. It is a tax, where you pay one of the oppressive organizations that has been doing so much to harass minority faiths over the years.

They are demanding 20 percent; it will not apply to Muslims. We do not know if it is going to apply to the Russian Orthodox church. But who knows?

But the second thing, and perhaps more dangerous, is that for every single service you hold in your place of worship, you will require specific permission, this is the vibe we are getting, we have not seen the text of it, because it is secret.

This is what they have been told by the committee. You need specific permission for each service. I do not know how many services your people have in your communities every week. In my church, they have a service every day, with several on the weekend, on Sundays.

They must apply, I presume, to the committee for every single service. They hold one every day in the Russian Orthodox Church, when they hold vespers, for example, will they need permission for that, and then for the morning liturgy, will they need permission for that?

So, even if they get through the hoops of actually getting registration, these conditions are going to be so unacceptable, that many people are already saying to us, "We are just not going to bother. It is just not going to be worth it, because we are not prepared to subject ourselves to this level of control."

Najia?

Ms. BADYKOVA. Regarding applications—it is possible to apply, but I do not believe that they will make decisions immediately. People are working on so many different levels in Turkmenistan. I mean, in the various agencies of the government, they are so afraid of everything that they just sit waiting for directions from above. They want instructions on what they have to do. So that is why this is a serious problem. I do not want to blame the people who work with the registration office. They are just scared. It is a normal situation for a place like Turkmenistan.

I also know from my personal experience. It happened 5 years ago. I was asked to help with registration. I know that they had a serious problem.

I have several friends in Turkmenistan, also they are neither Muslim nor Christian, but they are of other confessions. They told me that it is much better just to avoid registration, because nobody trusts the Turkmen Government.

Mr. UZZELL. Yes. If I might add something else, it has been 2 months and we have seen, not just new rules, the new rules are important, but we have also seen specific episodes that we would not be seeing if there were really a sincere intent to bring religious freedom to Turkmenistan.

It was April 12, a full month after the president's decree, that a group of Baptists found themselves being fined and having their personal property confiscated because they had the temerity to hold a worship service in a private apartment.

Reporters Without Borders, a private journalistic human rights organization, reported that on April 30 a correspondent of Radio Free Europe/Radio Liberty [RFE/RL] was beaten up in his home. I wondered why I hadn't found that out from Radio Liberty.

Well apparently, they do not want that to be known. It came out: they were afraid of making a protest publicly. If RFE/RL is afraid, imagine how afraid isolated religious believers must be.

QUESTIONER. I have to say, I have been impressed by the efforts of the U.S. Ambassador to Turkmenistan, the way she has used the threat of CPC status to try to coax some changes out of the regime. As we are hearing today, this is not working.

So let us say the State Department does the right thing and designates Turkmenistan as a Country of Particular Concern. What next? Will this improve things? How do you think the Turkmenistan Government will respond? What recommendations would you have for foreign policy for the United States, and for the Congress in moving forward in a post-CPC-designated relationship with Turkmenistan?

Mr. UZZELL. Well, even if it does not have an effect, I think it is important to tell the truth. I think a major component of IRFA [International Religious Freedom Act] is truth-telling, and the effect that has on the morale of the believers within the beleaguered country that they know that the most powerful government in the world is specifically concerned about their situation.

It has a ripple effect on other countries as well. This can be hard to measure, but who knows what you might be avoiding in terms of a possible new wave of repression in Uzbekistan if you are willing to tell the truth about Turkmenistan?

I think what you do is give them the CPC that they so richly deserve and then see what happens. Give them a reasonable time to make adjustments. Try to draw them into a dialogue.

Certainly the ambassador and her predecessors have been doing that almost without interruption for years, trying to draw the Government of Turkmenistan into a genuine dialogue. But this is a dialogue with only one partner. They are just not interested in a serious conversation in good faith.

But go back, give them another chance, bargaining this time from a position of strength, CPC already being in place. If there is still no response—I mean, I would give them some months. I would give them in good faith some time to respond. But if there is still no response, then I would look to concrete sanctions.

I believe in linkage. I think there should be real, concrete, painful penalties suffered by governments that trample on the rights of their own citizens. There is still a modest, very modest, I know, amount of bilateral aid going from the U.S. Government to Turkmenistan. As a U.S. citizen, I do not see why my tax dollars should go to a government that in some ways is even more repressive against religious minorities than the Soviet Socialist Republic of Turkmenistan was as part of the Soviet Union 20 years ago.

Ms. BADYKOVA. Yes, I completely agree with Larry, yes. And what is the impact? I am an optimist. I do not want to say that there is no impact. I hope there will be some impact. At least one immediate impact, will be the psychological one. And I know that Turkmenbashi does not like criticism. So that is why at first it will be very painful for him, it seems to me.

But I do not want to say that it is the main reason for CPC. A reason should be completely different. Nevertheless, I have to say that people in Turkmenistan will at least see that the United States makes decisions, and that something happened. It is very important.

The second, it seems to me probably the Government of Russia will think a little bit about what is going on in Turkmenistan. They know what is going on in Turkmenistan but probably they will change their policy a little bit. It seems to me Russia will think about that.

About hurting the regime—here are very small amounts of export and import. Economically, it is impossible to create any problems for this system. Nevertheless, probably it would be better if the United States would not help Turkmenistan to renovate its military, or something like that.

I do not know exactly. I do not want to say the exact name of the program. But I know that the United States provides help for Turkmenistan, and it should be stopped at least for now. I do not want to say that United States should stop other technical assistance to Turkmenistan, particularly in the area of education. Not stopping it there is very important.

Mr. CORLEY. Can I just say that there is a precedent for pressure from outside having an impact?

When we look at the case of Shageldy Atakov, the Baptist whom we have already heard about today, he was freed from prison directly because of international pressure. Many Baptists from around the world were writing to their governments about this. The United States was very much involved in his case.

He came out of prison only because of international pressure. Niyazov caved in on that one.

Niyazov issued this decree back in March solely because of international pressure. They tightened the law on religion last October to criminalize, specifically in the law for the first time, unregistered religious activity. In fact, as we know, *de facto*, unregistered religious activity had already been criminalized. But in law, they only did that last October.

Within 6 months Niyazov had to come forward and issue this decree and have the religion law changed again. This was very humiliating for him. He thinks now he is over the worst. He has done what it takes and is off the hook. The fundamentals of the situation have not changed.

The government seeks to control, restrict, harass, make religious communities just disappear. That is its aim. That has not changed. We have seen that pressure from outside does work.

QUESTIONER. Getting back to that issue, what happens to an unregistered religious community, any non-Muslim or non-Orthodox community that attempts to meet for worship or has any kind of religious activity? You mentioned a couple of anecdotal examples. What are some specific penalties codified into law as of last fall? Do you have any other anecdotes about things that have happened to those groups?

Mr. UZZELL. In effect, you refer to all non-registered worship—which means all Protestant worship of all kinds; and it also means all Roman Catholic worship, except those services conducted by papal nuncios who have diplomatic immunity; It would also mean, by the way, the worship of the Armenian Apostolic Church which, I think, does not get enough attention. I think we, as Americans, should be very careful not to be seen to be lobbying only for our fellow Americans who are missionaries in foreign countries, or for those faiths, like the Baptist faith, which is the largest Protestant denomination in America. If we really have a human rights agenda seeking the rule of law and a level playing field, we should be lobbying for religious freedom of the most obscure, indigenous religions that do not have large followings in America.

Because Turkmenistan is just across the Caspian Sea from Armenia, it has a substantial Armenian minority, which at the moment has no churches. There were six Armenian churches in Turkmenistan before 1917, before the Bolshevik takeover. Now there are none.

In Uzbekistan, right next door, the Armenians are allowed to worship, although that is a very repressive country in general.

Still, to answer your specific question, in the summer of 2000 I visited a Baptist church in the capital of Turkmenistan. It was meeting in a house—not just an apartment, but a separate building, in size like a suburban house in America, that they had converted into a worship space and in which they were having regular publicly announced services every Sunday.

They were very nervous in the summer of 2000. They saw that the pendulum was swinging against them.

For the last several years, that congregation has not been able to function. The building has been sealed; they no longer have access to their own building. Members of that congregation have lost their jobs, have suffered penalties in school, have been unable to get admitted to university and the like because they are known to be observant, practicing Christians.

As I said earlier, the situation is actually worse than it was under the Soviet Union. That particular congregation has been around for decades and was legally registered and functioning under Leonid Brezhnev.

Felix, maybe you have something to add.

Mr. CORLEY. Well, yes. The standard fines that people are given are 250,000 manats, which is just a little bit more than \$50 U.S. dollars. This is a sort of guideline figure that the administrative commissions will hand out to people who take part in or lead worship, especially leaders of unregistered communities or the owners of the apartment where the worship takes place.

Mr. UZZELL. Excuse me, Felix, maybe you should tell them what \$50 means as to the monthly wage in Turkmenistan.

Mr. CORLEY. What is the monthly wage?

Ms. BADYKOVA. [Unintelligible.]

Mr. CORLEY. 250,000 manats.

Mr. UZZELL. \$50 is at least double the monthly wage.

Mr. CORLEY. There is the black market rate and there is the ...

Ms. BADYKOVA. Yes, officially the average salary, right now, they say it is around \$60. But it seems to me, it is not \$60, but something around \$35.

Mr. CORLEY. So this is a lot of money. There is a particular Baptist church up in Balkanabat, where the members have repeatedly been fined. There has been maybe a dozen or more that meet regularly. The second time around, they double the fines. Then the next step after that is criminal prosecution. This has not happened to them recently.

But over the years, there were all kinds of measures taken: as we have already mentioned, confiscation of homes used for private worship and any foreigner involved in religious activity in the country was deported. By the year 2000, perhaps 100–300 foreigners of all faiths involved in unregistered religious activities were kicked out of the country. Many of them were Muslims from Iran. There were Baptists from Russia, Ukraine, the United States, Jehovah's Witnesses, including one person who was in fact a Turkmen citizen. Under international law you cannot deport people who are citizens—you cannot be deported from your own country. You are not allowed to deport your own citizens from your own country. But they deported this guy to Russia. I think he may have had joint Turkmen and Russian citizenship.

So, there are great penalties. One of the Jehovah's Witnesses said to me last Friday, from Ashgabad, "You can meet, up to four people can meet. Beyond that, you cannot meet."

I said to him, "Well, how can they know how many you are?"

He said, "They know. We do not know how they know, but they know."

During the police raids on meetings, they will be confiscating people's religious literature, writing down all of the details. They often drag them over to the local administration. They often bring in the local mullah and try to persuade or compel people to change their faith. This is an extraordinary thing that government officials are encouraging members of one religious community to pressure people that they have detained into converting to another faith.

We had a very recent case, in fact, in March when a Jehovah's Witness was taken to the government Committee for Religious Affairs, the main one in Ashgabad. There were seven people, including a mullah, probably either the chairman or the deputy chairman. They tried to compel him to change what they called his disgraceful religion as a Jehovah's Witness—state officials.

Imagine in the United States, you get hauled in by the traffic police, they find a Bible in your car and the local police try to pressure you to convert from being a United Methodist to being an Episcopalian or something. It is outrageous.

There's all manner of things that many unregistered communities do. They have to head out into the countryside somewhere to hold worship. Or they have to switch locations of where they hold services every week because by now they are very tight-knit communities. Everyone knows each other. They have to trust each other.

But there's always a risk. The police could be at the next meeting. Some believers do not care. They think worshiping their God is more important than worrying about whether the police are going to kick down the door, write down their passport details, kick them out of their jobs, make problems for their children in kindergarten or in school, these types of things.

So religious faith survives despite all of the pressure.

Mr. UZZELL. I am going to add to that this is unique in the former Soviet Union. There are other former Soviet republics where you have difficulties if you want to bring your faith into the public square. If you want to have a public worship service, rent the local movie theater or the local sports palace and pass out religious literature on the street and advertise it, you might have difficulties in Russia or in Uzbekistan.

But you can do whatever you want in the confines of your own home. You can invite your friends over and have a prayer meeting. By and large Protestants, especially in other former Soviet republics, do not have this problem.

Turkmenistan is a religious persecutor to a unique degree. Therefore, it should have targeted unique treatment from the U.S. Government.

QUESTIONER. I used to work for the Embassy of Turkmenistan here in Washington.

Thank you very much for the presentation. It is a very interesting presentation. But here I just want to add a very brief comment. It is hard to imagine a country in the world that would need CPC status more than Turkmenistan.

A number of examples have already been given here, new cases. I can add a few others. Many of them were documented before. Again, it is hard to imagine that any other country qualifies more perfectly than Turkmenistan. But here we see one very important thing. We are in a totally different environment, in a different context in the region because of the new security equation in the region: fighting terrorism, the situation in Af-

ghanistan. Because of that, I believe that it is hard to imagine that Turkmenistan will be granted CPC status.

Mr. Uzzell mentioned that Turkmenistan is not a regional power. It is not a this and that. It is not an ally. Turkmenistan is an ally in fighting terrorism. You just have to read the letter that President Bush sent to President Niyazov on February 19, the first anniversary of the start of war in Iraq. He is an ally.

It is very important. Just look on the map. At this point we can understand maintaining dialogue with Turkmenbashi because of flights, re-fuelings, etc. Taking into consideration the fact that President Niyazov had assassination attempts twice. So because of security concerns, they cannot exclude this new environment when we are talking about it.

Again, I very much would like to see Turkmenistan given CPC status because, if it does not happen, there are terrible implications in terms ... [Inaudible]

What he actually did with the letter on February 19—it was widely broadcast in order to show the people of Turkmenistan: “Look, what I am doing, I am doing this. I am fighting terrorism.”

This new environment gives them more space for his bureaucrats to argue with anybody. For example, I will give you one brief quote. In October, I believe, October 22, Minister of Justice said that we have undertaken more harsh measures against religious freedom because of our concern for national security and the threat of terrorism.

They are now putting that tag on everything. They say that all these religious organizations trying to register, they are actually disguising themselves, their real activity. They are going to undermine, they say, constitutional regime, but it is not constitutional, you know, everybody knows that.

Well, I would say that they have to keep in mind: that is a new environment, but the same time, if we will not grant CPC status, believe me, he will use this as a new ... [Inaudible] He will, or maybe not, publicize this in the media broadly like he did with his letter, but he will make his ... [Inaudible]

Ms. BADYKOVA. OK, thank you very much for reminding us about the letter, which was published in Turkmen newspapers.

First of all, Turkmenistan is not an ally of the United States because this country has no ... [Inaudible] ... agreements, so that is why I do not consider Turkmenistan to be an ally of the United States. That is my opinion. I might be wrong, but I did not see anything on being allies.

Another thing—I did not see this letter, this official letter from the U.S. Government in any international foreign newspapers, just in Turkmen ones.

We should not believe the Turkmen propaganda and mass media. They sometimes publish strange stories, so that is why I do not believe that.

Probably Turkmenbashi received some letter from United States and decided to portray himself as an ally of the United States. I do not believe that an alliance ever happened. Maybe they have some secret agreement, but so far there's no agreement on Turkmenistan being an ally of the US.

That is why I do not think that the United States considered Turkmenistan to have some specific new situation. It seems to me—again, I did not want to talk about that here. But probably I have to say this: in Central Asia, we have very strange and unique situation when the two world powers, the United States and Russia, have some strange relation-

ship. You know, officially they say that they are allies, but, indeed, we can see something different.

Of course, Russia wants to regain control and to be an essential player, particularly in Turkmenistan. This is a vacant space, because there are no foreign troops in Turkmenistan. That is why Russia tries to take strength in her role in Turkmenistan.

Regarding the United States, of course United States also has interests, but so far there are no steps from the U.S. side. It is not understandable what kind of position the United States has right now toward Turkmenistan. That is my opinion.

It seems to me it will be not so painful for the United States to take this decision and show that it has power—real power, small leverage, but anyway, a very powerful leverage, a strong signal to the Turkmen Government, particularly to Turkmenbashi.

There are problems not only with religion, many other problems. I do not want to talk about all of this. You know, it takes more than one hour maybe, it may need several hours.

Mr. UZZELL. Yes, if I may just quickly add: at the risk of sounding cynical, I sometimes wonder whether there is any dictator anywhere in the world who does not claim to be an ally of the United States in the war against terrorism.

Dictators do not get where they are by not being clever. They know what our hot buttons are. Anybody who is suppressing any kind of domestic minority, be it ethnic, religious or political, is going to claim that he is fighting terrorism.

The United States has shown itself to be naive in the way it responds to those claims. What I fear, more in Uzbekistan, actually, than in Turkmenistan, is that we will end up with a repeat of the kind of situation we had in Iran in the 1970s, in which a secular, authoritarian regime—tone deaf to religion because of its ham-fisted, inept handling of religious questions—provokes a fundamentalist Islamic revolt. In the seventies it was the shah of Iran who was tone deaf to religion, as most of these Central Asian leaders are—they are the old Soviet elite. These are not Muslim governments; these are highly secular. You end up with far more of a terrorist threat than you would have if you had taken human rights seriously.

There is not a contradiction between human rights and the fight against terrorism when properly understood. By pursuing religious freedom, we are helping to inoculate Central Asia against the threat of terrorism.

QUESTIONER. I wanted to add a footnote about the question of the role that Turkmenistan plays in the security situation in Central Asia. I think Turkmenistan does offer overflight—has given overflight rights to NATO and U.S. Air Force to go—lead to Afghanistan, and as Najia has mentioned in her written statement.

But I wanted to posit a reason that Turkmenbashi is so ruthless in his policies toward religion. It seems to me that he sees them as a rival—simply put—as a rival to his cult of personality, which is reaching ever more megalomaniac dimensions. You might say it is the state of religion versus the religion of the state. Or in the case of Turkmenistan the religion being ... [Inaudible] ... you know, Turkmenbashi. Just wanted to get your reaction to that. Finally, I just wanted to say, it seems to me, therefore, if the United States does properly designate Turkmenistan as a CPC, it would be doing a lot to undercut the cult of personality.

Ms. BADYKOVA. Yes, I agree with you completely. Yes, Turkmenistan provided space for U.S. and U.N. forces and also for humanitarian aid, that's all. But Turkmenistan did not participate in any meetings in the region, and also ignored everything else. Not just terrorism, but also problems of drug trafficking. It is a serious problem. I wrote it in my statement. You can find information there, just my opinion about that.

Yes, it is a cult of personality. It seems to me that designation of Turkmenistan as a CPC will cause a psychological impact upon him. It is very strong signal to him maybe he will think a little bit about what he is doing.

But regarding religion, yes, of course, he is using everything, every instrument, everything to glorify himself. It is obvious.

Mr. CORLEY. Yes, I agree with what has been said. I would put Niyazov in a different category when compared with Karimov in Uzbekistan and other leaders around the region—President Aliyev in Azerbaijan, for example—who are very keen on controlling everything in society. They fear that some kind of opposition might come through from religious communities, which is why they clamp down on them.

In Turkmenistan, we are really into a North Korea situation where we have a leader whom we do not know whether or not he believes his own propaganda, but has created a cult of personality that, as everyone knows, has gone to completely absurd degrees. A cult of personality that, as everyone has highlighted today, has impacted very negatively on the education system, on just about the life of the whole country.

But yes, it is not just the case of controlling any forces that might provide opposition to his regime further down the line. But it is some kind of obsessive, complete control that does not allow space for anyone apart from himself. This does put Niyazov in the same category as the North Korean leadership.

Mr. UZZELL. Just one quick, final comment: if you could go back in a time machine, to, let's say, the year 1985 and try to predict which of the Central Asian states would be the most repressive in a post-Soviet environment of independence, I do not think you would have predicted Turkmenistan.

The history, the political culture, the temperament of the Turkmen people, are such that it is not a place that is inherently authoritarian more than the other Central Asian states. It is not Switzerland. It is not a place with a rich democratic tradition. But I would worry more about fanaticism, authoritarianism and tyranny in Uzbekistan than I would in Turkmenistan.

I think that in Turkmenistan to a unique degree, the extreme extent of persecution that the country is experiencing now is connected to the warped personality of this one individual. In that sense, there is hope because, contrary to what he may think, this individual is not immortal.

Mr. McNAMARA. If there are no further questions, I would just make note that what is clear are the commitments that President Niyazov signed on behalf of Turkmenistan: that the Helsinki documents, clearly uphold the right of the individual to profess freely and practice his or her faith.

We appreciate your sharing your depth of knowledge in terms of the real-life situation on the ground in Turkmenistan. The other clear thing is the provisions of the statute passed by the U.S. Congress with respect to CPC status. Clearly, it seems like quite a clear match that Turkmenistan does, in fact, warrant such designation as a number of our Commissioners and other Members of Congress concerned with the developments in the country have been on record.

Certainly, this is something that, regardless of the status, we will continue to monitor developments in Turkmenistan in this and other areas.

Thank you for attending today.

[Whereupon the briefing ended at 5:10 p.m.]

**PREPARED STATEMENT OF
JOSEPH R. CRAPA, EXECUTIVE DIRECTOR,
U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

INTRODUCTION

On behalf of the U.S. Commission on International Religious Freedom, I would like to thank the Helsinki Commission for its leadership role on human rights over many years, relating to Turkmenistan and the other countries in the OSCE region.

**THE U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
(USCIRF)**

The USCIRF is an independent federal government agency created by the International Religious Freedom Act of 1998 (IRFA). IRFA also mandated the establishment of the post of Ambassador-at-Large for International Religious Freedom within the State Department as well as a Special Adviser on International Religious Freedom within the National Security Council.

The USCIRF is the world's first government commission with the sole mission of reviewing and making policy recommendation on religious freedom violations abroad. Nine independent voting Commissioners, appointed by the President and the leadership of both parties in Congress head up USCIRF, plus the State Department's Ambassador-at-Large for International Religious Freedom who is a non-voting member.

In May of each year, USCIRF issues its Annual Report with policy recommendations for the President, the Secretary of State and Congress. The report also critiques the State Department's Annual Report on International Religious Freedom and its implementation of the International Religious Freedom Act of 1998 (IRFA).

CPC PROCESS

Every year, USCIRF examines the status of religious freedom around the world. On the basis of that review, USCIRF recommends that the Secretary of State designate certain countries as "countries of particular concern" (CPCs). CPCs are those countries found to have engaged in or tolerated particularly severe violations of religious freedom, including torture, imprisonment, prolonged detention or arrests. Once given CPC designation, the IRFA requires the president to take actions specified under that law. There are a range of such actions, including economic sanctions. The CPC process is a relatively new and significant policy option in the U.S. human rights agenda.

TURKMENISTAN AND CPC STATUS

Turkmenistan is one of the most repressive states in the world today, and its government regularly engages in severe and ongoing violations of religious freedom. The USCIRF has, and continues to recommend, that Turkmenistan be named a CPC.

HAS THE STATUS OF RELIGION IN TURKMENISTAN IMPROVED?

Under Turkmen law, only Sunni Muslims and the Russian Orthodox are granted the right to legal existence and even that is limited. All other religions—ranging from Shia Muslims and Baha'is to Catholics to Baptists, Pentecostals, Seventh Day Advenists and

Jehovahs Witnesses—are banned. Religious adherents belonging to unregistered groups are subjected to a wide range of harassment and abuse, including penalties under both criminal and civil law for the practice of their faith. Many of these problems—are detailed in the State Department’s Annual Report on International Religious Freedom.

In 1999 and 2000, Turkmen President Saparmurat Niyazov promised senior U.S. officials that he would loosen restrictions on official recognition of minority religious communities that would allow them to operate legally and openly. However, no action was ever taken on this promise. Instead, a new law was passed that criminalized unregistered religious activity.

Then in March 2004, Turkmen President Saparmurat Niyazov issued a decree that purportedly will ease registration requirements for religious communities in Turkmenistan. Moreover, the decree itself relates only to a narrow aspect of the registration law; other repressive aspects remain as does the criminal penalties for unregistered religious activities. To date, however, no religious communities have been registered as a result of the decree. There is concern that President Niyazov’s all-too-timely move—just at the time when the U.N. Human Rights Commission was about to meet—will nevertheless encourage the Department of State to forego a much-warranted CPC designation for Turkmenistan.

In an effort to highlight the current state of religious freedom in Turkmenistan and the political context within which these conditions should be seen, the USCIF together with the Helsinki Commission have invited three experts to share their views. Mr Uzzell will make a presentation for his organization and Forum 18. Ms. Badykova will also make a presentation. Mr. Corley will take part in the question and answer period.

- Lawrence Uzzell, president of International Religious Freedom Watch, an independent research center that reports on threats to freedom of conscience in totalitarian and authoritarian countries, and former head of the Keston Institute.
- Najia Badykova, Research Associate at the George Washington University and former head of the Department of Economic Relations within the Turkmen government.
- Felix Corley, editor of Forum 18 News Service, a news service reporting on threats and actions against religious freedom in the former Soviet Bloc.

**PREPARED JOINT STATEMENT OF
LAWRENCE UZZELL, PRESIDENT,
INTERNATIONAL RELIGIOUS FREEDOM WATCH
AND FELIX CORLEY, EDITOR,
FORUM 18 NEWS SERVICE**

When a government has violated the most fundamental of human rights as egregiously, thoroughly and systematically as Turkmenistan has done, it should take more than formal statutory or regulatory changes before the world should let itself be satisfied that genuine reform is underway. It is all too easy for such countries, which have long since been signatories to international human-rights pacts, simply to continue the deeply entrenched practice of violating their own laws. For example, Turkmen officials have specifically claimed that their government carries out fully its commitments under the United Nations Declaration of Human Rights—a statement which is absurd on its face. It seems pointless even to have such international agreements, acceptance of which by a national government is entirely voluntary, if other governments take no action when the agreements are grossly and flagrantly violated.

Overall, the information now available makes it clear that Turkmenistan's March 11 presidential decree ostensibly relaxing one of the barriers to state registration is simply an attempt to get international credit for reform without actually making any substantial reforms. During the very week that the president's decree was issued, a Jehovah's Witness in Ashgabad was summoned to the Gengeshi (the Soviet-style state council for religious affairs) and pressured to renounce his faith; he refused and was later fired from his job. That same week, police in Ashgabad raided a meeting of Jehovah's Witnesses in a private home and took them to the police station for interrogation. Later that month, the secret police raided the home of a Bahai in Balkanabad in western Turkmenistan and threatened to confiscate his home.

There has been no significant change in the Gengeshi's institutional culture; it remains a closed, totalitarian-style institution in the classic KGB tradition which for example refuses to answer questions from journalists. There is no evidence that any of its officials, responsible for countless cruel violations of the most elementary rights of religious believers, has been fired, reassigned, or even reprimanded. There is no evidence that the Gengeshi has been taken out of the business of approving appointments and promotions of clergymen—just as there is no evidence that the State Security Ministry has been taken out of the business of recruiting informers and otherwise spying on religious communities. The abuses in this area have been so gross that any reforms would have to be dramatic and public; in the absence of such actions, one may fairly conclude that such reforms are nonexistent.

Similarly, the government has made no public announcement, dramatic or otherwise, that it is ending its harsh restrictions on the publication and importation of religious literature.

There is no evidence that the Niyazov government has stopped requiring legally registered Muslim and Orthodox Christian communities (or for that matter the state schools) to stop treating the president's vanity pseudo-Scriptures, the "Ruhnama," as if it were a holy book comparable to the Bible or the Koran. Thus in effect Turkmenistan continues to force serious religious believers to commit blasphemy.

There has been no concrete progress in allowing Shia Muslims to worship freely. In fact, in late March Niyazov told officials of the Gengeshi that he was handing over three

new mosques to it which evidently will be used for Sunni worship, and that no further mosques will be allowed. This issue should be of particular concern to Western governments who are often accused of caring about religious freedom only for Christians, not for Muslims.

Though the Armenian Ambassador has chosen to express an optimistic view in public, there has been no visible, substantial progress in allowing the Armenian Apostolic Church to revive any of its 19th-century parishes. This issue too deserves special attention from Western governments who are often accused of caring only about Western Christian missionaries, not about purely indigenous forms of Christianity.

There is no evidence that any of the Protestant communities whose places of worship had been forcibly closed over the last several years have had those buildings returned. There is no evidence that the Adventists, whose church in Ashgabad was bulldozed by the city authorities five years ago, have been invited to rebuild that church or to build another one.

There are no concrete indications that any Roman Catholic clerics will now be allowed to function in the country, other than emissaries from Vatican City with diplomatic immunity.

There are no concrete indications that Jehovah's Witnesses are now less likely to be imprisoned for being faithful to their religious convictions, such as conscientious objection to military service.

As of early May, not one new religious community had in fact been registered under the new rules. It is true that many have not even applied—but in light of the government's utter failure to make any of the other changes which it could have and should have made immediately, it is totally understandable why religious communities continue to be afraid.

Moreover, since March 11 government officials have specifically reiterated that unregistered religious activity is illegal.

To sum up: As Forum 18 stated last month, "The changes to the law this year show that concerted pressure on the Turkmenistan authorities from outside has led to a public change of the proclaimed policy. However, for religious believers to see real and not spurious change, the Adalat Ministry will have to register all religious communities that apply for registration without discrimination; unregistered religious activity will have to be decriminalized (including abolishing articles of the criminal and civil code which punish unregistered religious activity); believers in prison for their faith will have to be freed; there will have to be an end to police and security ministry raids on private homes where believers are meeting for worship; there will have to be an end to interrogations of and fines on believers; those fined for practicing their faith will have to be compensated; believers who have been fired from their jobs for their membership of minority religious communities will have to be reinstated; those responsible for raiding religious meetings and beating and otherwise punishing believers for the free exercise of their faith will have to be brought to legal accountability; and believers will have to be able to enjoy the right to publish and distribute whatever religious literature they wish to and organize and take part in religious education freely. Only if the authorities meet these obligations will believers in Turkmenistan believe that the situation has changed irrevocably for the better."

**PREPARED STATEMENT OF
NAJIA BADYKOVA, FORMER HEAD
OF TURKMENISTAN'S DEPARTMENT OF ECONOMIC RELATIONS
AND RESEARCH ASSOCIATE, GEORGE WASHINGTON UNIVERSITY
INSTITUTE FOR EUROPEAN, RUSSIAN, AND EURASIAN STUDY**

INTRODUCTION

Turkmenistan is one of the most isolated countries in Central Asia—and the world. It is ruled by President Niyazov who calls himself “Turkmenbashi” or Head of the Turkmen. The international community pays little attention to Turkmenistan, a country that has the fifth largest reserves of natural gas in the world. Niyazov’s official policy of neutrality has served him well: He has managed to isolate his country from the rest of the world. This situation could have major consequences not only for Turkmenistan, but also for the entire Central Asian region as well as for U.S. strategic interests in that area.

In my presentation, I will touch on several key issues that provide some useful background on the situation inside Turkmenistan:

1. U.S. and Regional countries Security Interests
2. Regional Cooperation
3. The Domestic Situation
4. Future Prospects

1. U.S. AND REGIONAL SECURITY INTERESTS

Turkmenistan’s security policies do not reflect solidarity with the interests of the United States or with the countries of Central Asia. Except for the minor concession of providing overflight rights for the US and NATO air forces during the operation in Afghanistan, Turkmenistan does not take part in any regional organizations and ignores the international coalition on the war against terrorism and the struggle against drug trafficking.

A) TALIBAN

Until the very last moment, Turkmenistan was the only Central Asian country that maintained close contacts with the Taliban. Numerous reports and publications allege that after September 11 elements of the Taliban found shelter in, and transited, the territory of Turkmenistan.

Until September 11, Turkmenistan maintained active trade relations—mainly sales of gasoline—with Afghanistan, or, to be more precise, with the Taliban, in violation of U.N. sanctions. There are also grounds to believe that Turkmen territory is used for drug-trafficking. After September 11, Turkmen government structures possibly connected to narco-business have undergone major shake-ups.

The post-September 11 situation has not moved towards more transparency and cooperation in the war against terrorism, extremism and drug-trafficking. Turkmenistan still does not participate in any meetings on a regional level in the anti-terrorist struggle and until the present has not taken part in any efforts directed against narco-business.

From 2000 until now, Turkmenistan has not provided information to international organizations on drug confiscations and chemicals used to refine drugs.

According to the most recent information from the Turkmen government and U.N. statistics, at least 20 to 25 percent of the narcotics originating in Afghanistan transits the territory of Turkmenistan. Other countries in the region, particularly Uzbekistan, have expressed concern that Turkmenistan, with its long common border with Afghanistan, refuses to cooperate on questions relating to narco-business.

2. REGIONAL COOPERATION AND SECURITY

Turkmenistan ignores regional cooperation, resulting in the impossibility of resolving many regional problems: water and energy resources, the regional transportation system, trade and ecology.

“Turkmenbashi” cooperates only in the energy sphere, since gas revenues provide the financial base for his regime.

Turkmenistan’s economy heavily depends on a gas distribution system in which Russia plays a decisive role. Russia also has a strong economic interest in exploiting the lucrative Turkmen gas market to meet its domestic and international needs. Russian access to the Turkmen gas market also allows it to maintain tacit control over the entire regional energy market and to prevent the development of alternative gas pipelines from Central Asia. Russia tries to increase its political influence in Central Asia by manipulating the energy market. After the murky attempted November 2002 coup in Turkmenistan, it seems evident that Russian purchases of Turkmen gas are linked to its support for “Turkmenbashi’s” regime since Russia benefits from the status quo. If Russia gains more influence in Turkmenistan, it will only strengthen the current regime and cannot lead to reform.

A Turkmenistan-Afghanistan gas pipeline is not an economic necessity. It would also provide international funding that would allow the Turkmen regime to further enrich itself and finance more of “Turkmenbashi’s” new projects.

3. THE DOMESTIC SITUATION

The political and economic system of Turkmenistan is totally controlled by one man: “Turkmenbashi.”

A) ISOLATION.

The regime’s central policy is to isolate Turkmenistan from the rest of the world. This policy includes a burdensome visa regime and restrictions on movements inside the country. It is also quite difficult for foreigners to get visas to visit Turkmenistan. And if a foreigner wants to marry a Turkmen citizen, “Turkmenbashi” ruled that he or she must pay \$50,000! I must add, however, that I have never heard of that provision being put into effect.

B) THE POLITICAL SYSTEM

There is no political opposition in Turkmenistan, since the political system is destroyed and members of the political opposition are in exile or in prison. The constant firing of officials at various levels of the government and in the law enforcement agencies

rule out the possibility of opposition from within the elite. Despite “Turkmenbashi’s” policy of neutrality, in recent years he has begun to buy weapons for his army.

C) ECONOMY

It is difficult to assess Turkmenistan’s domestic situation. Official statistics are inflated two-three times to glorify Niyazov’s regime. The economy is totally based on redistribution. The population receives the minimal wage possible and then “Turkmenbashi” distributes free gas and electricity. In this way, a tiny portion of the wealth stolen from the people is returned to them. Unemployment and drug addiction have become normal.

Under the current irrational and corrupt political system, Turkmenistan’s rich energy resources are more a curse than a blessing. Turkmenistan’s high income from its gas exports permits its government to remain aloof from international organizations, to completely ignore the need for reforms and to isolate the country from the rest of the world. “Turkmenbashi’s” decisions never make sense from an economic point of view: Billions are wasted on palaces and other projects. All of this is being done at the expense of the current and future generations of Turkmenistan.

D) EDUCATION

Education has been lowered to nine years and classes in math, physics and most foreign languages have been dropped or shortened. Two books by “Turkmenbashi,” the *Rukhnama* and his new work, “The Source of Wisdom” are now important “educational” high school textbooks. Due to the low level of education, anyone who has graduated from schools like these will have no chance to enter universities outside Turkmenistan. Niyazov’s 2003 decision that diplomas of foreign institutes of higher education will not be recognized as valid may become law on June 1, 2004. This would represent another step in the country’s isolation and will probably lead to a further brain-drain from Turkmenistan.

E) HEALTH CARE

The country’s health care system is in a lamentable state, but most people lack access even to this poor medical system. “Turkmenbashi’s” decision in early April 2004 to fire 15,000 nurses and to replace them with soldiers has led to a dramatic decrease in the already poor level of medical service. This step allows the government to lower spending on the health sector. Soldiers are also being used on a wide scale in government enterprises, such as in construction and factories, to work essentially as slave labor.

F) INFORMATION

The population is isolated from almost all sources of information from outside the country. Local newspapers and television strongly distort all events inside the country. Turkmen media claims that the entire world approves of “Turkmenbashi’s” policies, particularly its policy of neutrality. In this way, the domestic media tries to convince the Turkmen population that the country is on the right path. “Turkmenbashi” is extremely sensitive to any criticism from outside Turkmenistan and that is why the country is totally isolated from the external world.

G) IDEOLOGY AND RELIGION

“Turkmenbashi’s” ideology is dangerous since it proclaims the unique nature of the Turkmen people and essentially promotes a chauvinist ideology. Russians, Uzbeks, Azerbaijanis, and members of other ethnic minorities are routinely discriminated against in employment and other areas.

“Turkmenbashi” thinks he is a prophet. “Turkmenbashi’s” cult of personality has reached such a point that the *Rukhnama* has been elevated to the level of the Koran. Mosques are supposed to engrave quotes from the *Rukhnama* on their walls. All of this is deeply offensive to devout Muslims, not only in Turkmenistan. All other religions except the Russian Orthodox Church are under strong pressure and basically are illegal.

4. FUTURE PROSPECTS

If these negative trends continue and if world opinion continues to close its eyes to events inside Turkmenistan, the country will face a very difficult and unstable future after Niyazov has left the scene. The country will have a destroyed economy, an uneducated and undernourished population, a huge army of unemployed people and major problems with drug addiction. Therefore, Turkmenistan as well as the long-term U.S. commitments in Central Asia will pay a heavy price for ignoring the tragic situation in that country.

In the last two months, there have been some minor positive steps undertaken by the Turkmen Government. For example, the Turkmen authorities have started to cooperate with the U.N. on narco-trafficking. A simplified exit procedure for leaving the country is now in effect. Niyazov announced a decree to simplify the re-registration of religious organizations. And the World Bank and IMF have sent missions to Turkmenistan. In late March the U.N. Human Rights Commission sent a mission to discuss possible future cooperative projects with the Turkmen government.

One must note, however, that many of these potentially positive steps occurred just before the U.N. Human Rights Commission met to consider the adoption of a resolution critical of Turkmenistan. The question remains: do these recent positive moves represent a genuine change in policy or are they merely political theater frequent in Central Asia? And will these positive changes ever be enacted in reality? Unless the international community undertakes significant new policies with regard to this isolated country, it is very doubtful that Turkmenistan will move in a positive direction.

I hope that the U.S. government, international organizations and non-governmental organizations will not forget the people of Turkmenistan. I hope the international community will include the Turkmen people in educational and cultural exchanges, public health programs and improve access to information. I also hope that Western officials will speak out publicly against human rights and other abuses by the Turkmen government. Such measures can help bring about a more positive future for the people of Turkmenistan, the Central Asian region and for U.S. interests in the world.

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