

**Statement of
George Krol
Deputy Assistant Secretary of State
for South and Central Asian Affairs
before the
Commission on Security and Cooperation in Europe
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Mr. Chairman and members of the Commission,

Thank you for this opportunity to appear before you today to discuss Turkmenistan and the prospects for change there. The Helsinki Commission has been a consistent voice in raising Congressional concerns about human rights and democratic developments in Turkmenistan and Central Asia.

Mr. Chairman, Turkmenistan has entered a potentially significant phase in its relatively young history as a nation state. Its authoritarian ruler for more than two decades, Saparmurat Niyazov died in December 2006. Gurbanguly Berdimuhamedov emerged as Turkmenistan's new president and has an opportunity to move Turkmenistan toward its place among the world's community of respected, prosperous, stable, market-oriented democracies that respect human rights.

Since President Berdimuhamedov assumed power, several hopeful signs of change have appeared. The new leadership has allowed greater openness: internal travel restrictions have been eased; educational reforms have been introduced; the government created an Institute on Democracy and Human Rights that aims to help Turkmenistan meet its international treaty obligations in the area of human rights as well as serve as an unofficial ombudsman; a government Human Rights Commission has been established; a committee to review citizen complaints against law enforcement activities has been set up; and some political prisoners have been released.

In February 2007, the country held its first Presidential election since 1992. Though the election did not meet western standards it was noteworthy in Turkmenistan for the involvement of five candidates and for public debates that mentioned topics like the problem of drug abuse which was never even acknowledged by the previous regime.

The Turkmen leadership has called for economic, social and democratic reforms to bring Turkmenistan into the 21st century. In an effort to end the country's past isolation, Turkmenistan has welcomed numerous foreign

delegations, including many from the U.S. Government and two from the U.S. Congress. President Berdimuhamedov has also visited many countries, including the United States, to revive relations that long languished under his predecessor.

These are welcome developments. But even the Turkmen leadership recognizes Turkmenistan still has a long way to go to meet international standards for democracy and human rights. It has not moved as fast as we and its people would like on political reforms, increased access to the Internet, allowing free media, releasing all political prisoners, and addressing serious human rights abuses by security forces.

It still bears the strong imprint of its Soviet past and its last leader's long authoritarian rule – a rule that did not develop protections for human rights, standards for freedom of religion or expression, democratic institutions, multiple political parties, competitive elections, civil society, inquiring and independent media, transparent justice, an independent judiciary, an open economy, an efficient bureaucracy responsive to the people's needs, freedom for all to travel abroad, or normal relations with the rest of the world.

President Berdimuhamedov seems to be taking a cautious step-by-step

approach to rebuilding his country's society and economy, and is seeking constructive advice and support on how to go about this daunting task. The time is ripe for well-targeted and thoughtful engagement, encouragement, and support.

The United States has always respected and supported Turkmenistan's sovereignty and independence. Since the beginning of bilateral relations, the United States has sought to develop a relationship with Turkmenistan based on respect for human rights, democratic values and mutual economic and security interests. Turkmenistan's abysmal human rights record under the past president greatly reduced the extent and scope of our bilateral engagement.

The United States is encouraging the new Turkmen leadership to take real steps toward respecting human rights, developing democratic institutions, and establishing the rule of law to ensure fundamental freedoms for the people of Turkmenistan.

U.S. policy in Turkmenistan is three-fold. We encourage democratic reform and respect for human rights and fundamental freedoms including

improvements in the education and health systems. We encourage growth of a market economy, privatization of agriculture and diversification of Turkmenistan's energy exports. We promote security cooperation in our global struggle against crime, drugs, and terrorism.

Mr. Chairman, President Berdimuhamedov has publicly stated that he is committed to modernizing Turkmenistan and promoting democratic reform. He has made a public commitment to bring Turkmenistan's laws and practices, including those related to human rights up, to international standards. On his order, the country's legal, human rights, and legislative bodies are working to draft more than thirty laws and codes, including on religion and civic organizations, family, and criminal procedure codes.

In late September, a revised national constitution was adopted. It included provisions for a strengthened and enlarged Mejlis (parliament), eliminated many of former President Niyazov's arbitrary addenda, and contained some rights-related textual changes the international community had suggested. Most notably, it eliminated the Halk Maslahaty (Peoples Council), an oversized, bureaucratic, and largely rubber-stamp body whose powers have largely been transferred to the Mejlis. A new law on the election of

Deputies to the Mejlis has also been adopted, and some provisions of the old election law about which we had expressed concern have been eliminated. These include negative voting, a process in which voters cross off the names of candidates they do not support instead of marking the candidate they do support.

Elections for the expanded 125-seat Mejlis will be held on December 14. We are now working on plans to informally monitor the parliamentary elections and to help Turkmenistan to move farther down the path toward a more transparent democratic process. As part of that effort, our embassy in Ashgabat recently organized the visit of an official from the Central Election Committee to visit the United States to observe our elections. While the official was in Washington, I met with him to discuss the upcoming Turkmen parliamentary elections. Embassy Ashgabat has also met with Central Election Committee officials to discuss the elections. Embassy officers are traveling around Turkmenistan and meeting with candidates. They plan to attend campaign events as well. Personnel from our embassy will also attempt to visit polling stations and talk with officials and voters during the election.

Over the longer term, Embassy Ashgabat is working to facilitate visits by respected academics to speak on democracy and elections. Last week, a professor of political communication at Emerson College, an expert on U.S. elections, met with Turkmenistan officials and students. Our embassy also will work with the newly elected parliament to foster its professional development and encourage increased exchanges. We will look to increase exchanges with the Institute for Democracy and Human Rights and the Central Election Committee.

We understand that the Organization for Security and Cooperation in Europe's Office for Democratic Institutions and Human Rights will send a four-person election support team. The team will arrive in Ashgabat around December 6 or 7 and will remain in the country through the elections. In Turkmenistan, the team will attend campaign rallies, meet with non-governmental organizations, examine voter lists, visit polling places, and meet with election officials. After the election, we understand the team will draft a memo for the OSCE Center in Ashgabat. That information will likely be incorporated into the Center's report on the election that will be available to OSCE member states.

We also understand that the United Nations has been working with the Turkmenistan government, providing training for local election monitors and poll watchers.

Mr. Chairman, we harbor no illusions that Turkmenistan's parliamentary elections on December 14 will meet international standards, but I believe that these steps toward reform including the new constitution and new election laws, may be the first on a long road towards systemic democratic reform. Political pluralism does not exist in Turkmenistan, and there are no checks and balances. Independent media, a vital component to free and fair elections, are absent.

For Turkmenistan, at this stage, much of the focus of our effort should be on education. We should look at these elections as an opportunity to educate and encourage the Turkmen, who heretofore have had little to no experience let alone understanding of democracy and its processes. We are dealing with a political culture that will take time to evolve. The key point, I believe, is that we must remain engaged with the Government and people of Turkmenistan if we wish to advance democratic reform.

The Government of Turkmenistan could also do more to engage with the international community on human rights and democratic development, including sending a delegation to the OSCE's Human Dimension Implementation Meeting.

Mr. Chairman, on human rights, Turkmenistan's human rights record has long troubled the United States. In keeping with U.S. policy, we continue to press for the freeing of more political prisoners, allowing international access to all prisons, and the elimination of abuses and restrictions on freedom of movement, assembly and the media. We are also working to promote greater religious freedom and advocate the growth of civil society.

Although President Berdimuhamedov is making progress in overhauling Turkmenistan's laws, human rights practices continue to lag behind his stated intentions and Turkmenistan's OSCE commitments. Radio Free Europe/Radio Liberty reporters continue to experience harassment from security forces. Religious freedom conditions have improved since the Niyazov era, especially with the move away from the *Ruhnama* as an official ideology. Additionally, the UN Special Rapporteur on religious freedom was allowed to visit for the first time this September. Small evangelical

Christian religious communities, however, continue to experience problems with registration, and authorities target unregistered religious groups for harassment and detention. The government continues to prohibit conscientious objection to military service, which had been legal until 1995. Although President Berdimuhamedov in 2007 released Turkmenistan's former Grand Mufti, imprisoned since 2005 on charges of complicity in the 2002 attack on President Niyazov, only a handful of other individuals considered to be political prisoners have been released. Closed trials that fail to meet international standards of due process continue. We are currently drafting the 2008 Human Rights Report for Turkmenistan, which will describe these and other abuses in greater detail.

More recently, the arrest and detention in a psychiatric facility of RFE contributor Sazak Durdymuradov, as well as the recent sentencing of former political prisoner and civic activist Gulgeldy Annaniyazov in a closed trial to 11 years in prison, serve as reminders that there is still much to be accomplished on the human rights front in Turkmenistan. We continue to raise cases such as these on a regular basis with the Government of Turkmenistan.

In seeking to promote democratic development and strengthen respect for human rights, we are working with the government appointed and newly empowered Institute for Democracy and Human Rights, which is one of the government bodies most open to cooperation with foreign donors. In January 2008, the Ministry of Foreign Affairs agreed to USAID's proposal for cooperation with the Institute. Areas for cooperation include information exchange, the provision of legal and technical expertise, and support for increased access to information. Together with the Institute, USAID's partner, the International Center for Not-for-Profit Law, has laid out an ambitious plan for cooperation over the next year. Last week, the International Center for Not-for-Profit Law and the Institute jointly hosted a forum on NGO legislation. Other USAID partners have made or are preparing to make other proposals based on feedback from the Institute.

We are still awaiting, however, a response from the Government on U.S. Government proposals for improvements on and cooperation in the area of human rights. We look forward to the Government of Turkmenistan's consideration of those proposals as well.

The new leadership in Turkmenistan has shown particular interest in engaging the U.S. across the board through programs like the Peace Corps, especially in the fields of health, education, and social, legislative, and media development. We will continue to work with our colleagues here in Washington, with the Congress, with non-governmental organizations and with our friends and allies to expand contact and exchanges in all these areas.

Another of our priorities is to encourage and support American businesses and non-governmental organizations to engage the Turkmen economy and society for mutual benefit. Turkmenistan needs immense foreign investment to realize its potential and U.S. and international companies have shown strong interest in pursuing partnerships.

The new leadership in Turkmenistan has reached out to us for constructive help and advice as they and we seek to turn a new page in their history and in our relationship. I believe that continued engagement by the United States is the only way to encourage greater openness and the development of sustainable democratic institutions in Turkmenistan. The role of the United States and the international community is to provide constructive

encouragement and advice. A democratic process must be founded on a society that understands and practices democratic values.

Thank you. I look forward to your questions.

