

THE STATE OF DEMOCRATIZATION  
AND HUMAN RIGHTS  
IN TURKMENISTAN

---

---

HEARING  
BEFORE THE  
COMMISSION ON SECURITY AND  
COOPERATION IN EUROPE  
ONE HUNDRED SIXTH CONGRESS  
SECOND SESSION

MARCH 21, 2000

Printed for the use of the  
Commission on Security and Cooperation in Europe  
[CSCE 106-2-6]



Available via the World Wide Web: <http://www.csce.gov>

## COMMISSION ON SECURITY AND COOPERATION IN EUROPE

### LEGISLATIVE BRANCH COMMISSIONERS

#### HOUSE

CHRISTOPHER H. SMITH, New Jersey  
*Chairman*  
FRANK R. WOLF, Virginia  
MATT SALMON, Arizona  
JAMES C. GREENWOOD, Pennsylvania  
JOSEPH R. PITTS, Pennsylvania  
STENY H. HOYER, Maryland  
BENJAMIN L. CARDIN, Maryland  
LOUISE McINTOSH SLAUGHTER, New York  
MICHAEL P. FORBES, New York

#### SENATE

BEN NIGHTHORSE CAMPBELL, Colorado  
*Co-Chairman*  
KAY BAILEY HUTCHISON, Texas  
SPENCER ABRAHAM, Michigan  
SAM BROWNBACK, Kansas  
TIM HUTCHINSON, Arkansas  
FRANK R. LAUTENBERG, New Jersey  
BOB GRAHAM, Florida  
RUSSELL D. FEINGOLD, Wisconsin  
CHRISTOPHER J. DODD, Connecticut

### EXECUTIVE BRANCH COMMISSIONERS

HAROLD HONGJU KOH, Department of State  
EDWARD L. WARNER III, Department of Defense  
PATRICK A. MULLOY, Department of Commerce

### COMMISSION STAFF

DOROTHY DOUGLAS TAFT, *Chief of Staff*  
RONALD J. McNAMARA, *Deputy Chief of Staff*  
  
ELIZABETH M. CAMPBELL, *Office Administrator*  
OREST DEYCHAKIWSKY, *Staff Advisor*  
JOHN F. FINERTY, *Staff Advisor*  
CHADWICK R. GORE, *Communications Director*  
ROBERT HAND, *Staff Advisor*  
JANICE HELWIG, *Staff Advisor*  
MARLENE KAUFMANN, *Counsel*  
KAREN S. LORD, *Counsel for Freedom of Religion*  
MICHELE MADASZ, *Staff Assistant/Systems Administrator*  
MICHAEL J. OCHS, *Staff Advisor*  
ERIKA B. SCHLAGER, *Counsel for International Law*  
MAUREN T. WALSH, *General Counsel*

# THE STATE OF DEMOCRATIZATION AND HUMAN RIGHTS IN TURKMENISTAN

MARCH 21, 2000

## OPENING STATEMENTS

	PAGE
Hon. Christopher H. Smith, Chairman .....	1
Hon. Ben Nighthorse Campbell, Co-Chairman .....	2
Hon. Steny H. Hoyer, Ranking Member .....	3
Hon. Sam Brownback .....	4
Hon. Joseph R. Pitts .....	5

## WITNESSES

Testimony of John Beyrle, Principal Deputy to the Ambassador-at-Large and Special Adviser to the Secretary of State for New Independent States .....	7
Testimony of Avdy Kuliev, Turkmen Opposition in Exile .....	22
Testimony of Pyotr Iwaszkiewicz, formerly of OSCE Office in Ashgabat ..	26
Testimony of Firuz Kazemzadeh, Member, U.S. Commission on International Religious Freedom .....	30
Testimony of Cassandra Cavanaugh, Research Associate, Human Rights Watch/Helsinki .....	33
Testimony of E. Wayne Merry, Director, Program on European Societies in Transition, Atlantic Council of the United States .....	36

## APPENDICES

Prepared Statement of Hon. Christopher H. Smith .....	49
Prepared Statement of Hon. Ben Nighthorse Campbell .....	52
Prepared Statement of Hon. Steny H. Hoyer .....	53
Prepared Statement of Hon. Joseph R. Pitts .....	54
Prepared Statement of Sen. Sam Brownback .....	56
Prepared Submission of Avdy Kuliev .....	57
Prepared Submission of Piotr Iwaszkiewicz .....	61
Prepared Submission of Firuz Kazemzadeh .....	71
Prepared Submission of Cassandra Cavanaugh .....	74
Prepared Submission of E. Wayne Merry .....	79
Statement of Ramil Galimov .....	82
Statement of Yazmammed Annamammedov .....	88
Statement of Nurbibi Annamammedova .....	91
Russian Evangelistic Ministries Report to the Helsinki Commission on the Persecution of Christians in Turkmenistan .....	94
Notes on the Video "Destruction of the Seventh Day Adventist Church, Ashgabad, Turkemnistan, November 1999" .....	99
Known Prisoners of Conscience in Turkmenistan .....	100

# THE STATE OF DEMOCRATIZATION AND HUMAN RIGHTS IN TURKMENISTAN

TUESDAY, MARCH 21, 2000

COMMISSION FOR SECURITY AND COOPERATION IN EUROPE,  
WASHINGTON, DC

The Commission met at 2:00 p.m. in Room 334, Cannon House Office Building, Washington DC, Hon. Christopher Smith, Chairman, presiding.

*Commissioners present:* Hon. Christopher H. Smith, Chairman; Sen. Ben Nighthorse Campbell, Co-Chairman; Hon. Joseph R. Pitts; Hon. Steny Hoyer; Sen. Sam Brownback

*Witnesses present:* John Beyrle, Principal Deputy to the Ambassador-at-Large and Special Adviser to the Secretary of State for New Independent States; Avdy Kuliev, Turkmen Opposition in Exile; Pyotr Iwaszkiewicz, formerly of OSCE Office in Ashgabad; Firuz Kazemzadeh, Member, U.S. Commission on International Religious Freedom; Cassandra Cavanaugh, Research Associate, Human Rights Watch; and E. Wayne Merry, Director, Program on European Societies in Transition, Atlantic Council of the United States.

## OPENING STATEMENT OF HON. CHRISTOPHER H. SMITH, CHAIRMAN

Mr. SMITH. Ladies and gentlemen, welcome to this hearing on democratization, human rights, and religious liberty in Turkmenistan. This is one in a series that the Helsinki Commission has held on Central Asia.

Last May we examined the political and human rights situation in Kazakhstan. In October we turned our attention to Uzbekistan. Our next Central Asia hearing will probably examine the situation in Kyrgyzstan.

Our focus today is on Turkmenistan. Under the leadership, or should I say misrule, of Mr. Niyazov, the country has become a worse-case scenario of post-Soviet development. Human Rights Watch Helsinki does not shrink from calling Turkmenistan one of the most repressive countries in the world.

Alone of the post-Soviet bloc countries, Turkmenistan remains a one-party state, but even that party is only a mere shadow of the former ruling Communist Party. All the real power resides in the country's dictator, who savagely crushes any opposition or criticism.

Not only are all political and civil rights ignored or abused in Turkmenistan, freedom of religion is violated. The law, the most restrictive in the former USSR, requires 500 people to register a religious commu-

nity. Only Islam and Russian Orthodoxy are registered and the authorities have intimidated, arrested, and otherwise persecuted individuals and groups trying to practice their faith.

Last November Turkmen authorities demolished a Seventh-day Adventist Church in Ashgabad having previously torn down a Hare Krishna temple. Except during the Bosnian hostilities, I cannot recall another incident of an OSCE participating State destroying a house of worship since Romania in the 1980s. In fact, much about Turkmenistan today recalls Nicolae Ceausescu. Niyazov's cult personality has taken increasingly extreme forms.

On December 28 delegates to the People's Council, ostensibly the most authoritative representative body in the country but actually a rubber stamp for Niyazov, gave him the right to remain in office permanently. His virtual coronation as president for life flagrantly violates OSCE commitments which call for regular and competitive elections.

This move, which many had expected, not only offends our sensibilities, it is a serious challenge to the OSCE. If there is no appropriate response, other Central Asian leaders might be tempted to follow Niyazov's example, and the region, which might be described as a black hole for human rights, will sink even deeper into the mire.

Last December, Helsinki Commission staff visited Turkmenistan and spoke at length with Ambassador Mann and embassy personnel about conditions in the country. Moreover, to judge by the State Department's annual reports on human rights observance, the Clinton Administration has no illusions about Niyazov or his regime. However, Washington wants its cooperation in building a Trans-Caspian gas pipeline to transport natural gas from Turkmenistan to Azerbaijan and Turkey under the Caspian Sea, as opposed to transporting the gas through Russia or, even worse, through Iran.

The Administration has invested considerable time, effort, and prestige in this initiative so U.S. policy toward Turkmenistan offers an excellent case study where U.S. economic and strategic interest conflicts with human rights concerns.

I would like to yield to my very distinguished co-chairman and good friend Ben Nighthorse Campbell for any opening comments that he might have.

**OPENING STATEMENT OF HON. BEN NIGHTHORSE CAMPBELL,  
CO-CHAIRMAN**

Sen. CAMPBELL. Thank you, Mr. Chairman. The series of hearings on Central Asia launched by the Commission is a very significant and important contribution to our understanding of the trends in this region. These hearings are also intended to influence the ongoing policy debate in Washington about what to do now that the hopes for a rapid democratization that were so prevalent in the 1990s have proved illusory.

When the Government of Turkmenistan was admitted to the OSCE in 1992, it accepted all the existing Helsinki commitments and declared its determination to act in accordance with these provisions. Today, Turkmenistan is reported to be the most repressive of the former Soviet Republics. In fact, sometimes it's compared to North Korea.

Perhaps most disturbing is the decision, as you mentioned, by Turkmenistan's president to effectively make himself president for life. Nothing like that has ever happened to our knowledge before in the

OSCE region and it represents a fundamental challenge to everything that the Organization stands for.

The effects of the repression in Turkmenistan have reached as far as my home state in Colorado. We were recently contacted by a constituent who informed our office about the case of a gentleman by the name of Nurberdi Nurmammedov, if I pronounced it correctly, the leader of an unregistered opposition movement who was arrested on January 5 of this year.

In December, while a Helsinki Commission staff delegation was in Turkmenistan this gentleman was brave enough to attend a reception at the home of Ambassador Mann despite warnings by Turkmen authorities to avoid foreign diplomats.

After that, he dared to tell Radio Liberty that the amendment to the country's constitution allowing an individual to serve for more than two terms was unconstitutional and undemocratic. For his efforts and his willingness to speak out, he was sentenced on February 25 to 5 years in prison for hooliganism and intent to commit murder, which is a real stretch, in my opinion.

His son was sentenced to two years in prison on charges of hooliganism. Turkmen authorities kept foreign diplomats from attending any of the court proceedings. I trust that Mr. Beyrle, who is with us from the State Department, will have something to say about the political prisoners in Turkmenistan and I would urge him to insist on the right to visit this particular gentleman who, I am told, is in poor health.

I would also appreciate receiving a report on the status of negotiations between the State Department and the Government of Turkmenistan so I can pass that information along to our interested constituents in Colorado.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much, Mr. Chairman. I'll yield to my good friend, Mr. Hoyer.

**OPENING STATEMENT OF HON. STENY H. HOYER,  
RANKING MEMBER**

Mr. HOYER. Thank you very much, Mr. Chairman. I want to thank you for holding this series of hearings on Central Asia and the Caspian Region. It is exclusively in the context of an energy bonanza and "great games" that we usually talk about in the Caspian Region. The ramifications for human rights, unfortunately, rarely get the same attention.

I have not yet been to Central Asia, unfortunately, but my study of the region, for which these hearings are so valuable, leads me to the conclusion that Turkmenistan alone among its neighbors never allowed any opposition to emerge.

Even in Uzbekistan some political opposition was permitted in the early '90s. In most other countries of the Central Asian region, opposition parties labor under great disadvantages in an uneven struggle to participate in the political process and are often repressed. But at least they have the right to exist.

President Niyazov, by contrast, has always crushed opposition elements, displaying a consistency worthy of nobler ends. It seems to me, Mr. Chairman, this is an important indicator of the significance of personality and the highly personalized political systems which emerged from the rubble of the USSR.

From the perspective of the OSCE, Turkmenistan is a troubling country for many reasons; it is the worst human rights offender in the entire OSCE, and is led by a dictator who takes pleasure in flouting his human rights commitments. Turkmenistan forces the OSCE and members states who care about human rights to consider how to influence Niyazov toward reform.

When the situation is this bad with no evident prospect of change for the better, perhaps isolation and condemnation should be the goals of policy makers. That is after all what we have done to Milosevic and Serbia.

On the other hand, when the USSR signed the Helsinki Final Act in 1975, Moscow, too, had no intention of observing the commitments that it had undertaken to implement. In time these commitments and the principles behind them played a key role in undermining Soviet totalitarianism.

Perhaps, therefore, it would be wiser to remain engaged, keep pressing, and wait for circumstances to change. These are difficult choices, made even more uncomfortable by Niyazov's personality cult, so out of place in the 21st century. His cruelty and his willingness to ignore international public opinion are hallmarks of a repressive regime. Precedent is important and Niyazov is a terrible model for other Central Asian leaders.

Moreover, his repression allows other Central Asian states, including Uzbekistan's Karimov and Kyrgyzstan's Akaev, to describe their own authoritarianism as progress by comparison with the worst-case scenario, and ask for Western indulgence.

Mr. Chairman, I anticipate that our expert witnesses will help illuminate these issues and I look forward to the discussion.

Mr. SMITH. Thank you. We will now turn to Commissioner Brownback for an opening statement.

**OPENING STATEMENT OF HON. SAM BROWNBACK,  
COMMISSIONER**

Sen. BROWNBACK. I want to thank you very much for holding this series of hearings on Central Asia. It is my hope that the outcome of our work will help urge and encourage Turkmenistan to evolve in the area of human rights, particularly in the area of religious tolerance for which, presently, there is a high disregard.

Turkmenistan continues to engage in numerous infringements of religious liberty, some which I would like to briefly describe. The Chairman mentioned the continuous crackdown on religious groups including the actual bulldozing of a church to the ground by the government, deportation of peaceful missionaries, and the arrest and incarceration of people because of their faith. Given this troubling litany, now is the time for the Government of Turkmenistan to enter a new era of tolerance for religious minorities.

Given this era of dramatic change throughout the former Soviet Union, this is an opportunity for Turkmenistan to embrace religious freedom, which is a litmus test for a truly civil society.

The first positive step would be to change the present law which requires a religious congregation to have at least 500 adult members before it can legally register. Without registration, it becomes an outlaw organization with members subjected to many abuses such as these recent events discussed today.

We have mentioned already the bulldozing of the Seventh-day Adventist Church. On March 3 Turkmen authorities arrested Mr. Atakov, a Baptist Christian whose brother is serving a 4-year sentence in a labor camp reportedly for his religious beliefs. His Baptist colleague, Anatoli Belyayev, was arrested on February 2 and is still imprisoned in Ashgabad. Last April, the government confiscated their Bibles declaring that their religious beliefs were “forbidden.” Reportedly during extensive interrogation by the KNB (former KGB), Mr. Atakov was severely beaten after refusing to reveal information about the church.

I have learned of several others who have been arrested and imprisoned. I want to submit this list for the record. My simple point and my plea, Mr. Chairman, to the Turkmen government, is to change, embrace tolerance, and embrace human rights. It’s going to happen either way. It would be much better if they would move forward and begin to recognize the human rights of its people.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much. Commissioner Pitts.

**OPENING STATEMENT OF HON. JOSEPH R. PITTS,  
COMMISSIONER**

Mr. PITTS. Thank you, Mr. Chairman, for holding this timely hearing examining the human rights record of Turkmenistan.

As you know, I have a keen interest in the region having traveled to Central Asia last year. I agree with you that Turkmenistan is one of the most repressive states in the OSCE region, particularly regarding human rights. By every measure Turkmenistan is violating its OSCE commitments.

Let me mention some notable statistics in relation to Turkmenistan. In bulldozing the Hare Krishna temple last August and the Seventh-day Adventist Church last November in Ashgabad, Turkmenistan became the only OSCE country to actually destroy places of worship.

By only permitting two religious groups to function, both of them as quasi-governmental entities, and by requiring, similar to other oppressive countries in the region, that any other group have 500 members before they can register, Turkmenistan maintains a repressive hold on religious practice unparalleled in the OSCE region.

Turkmenistan is the only former Soviet republic with no legal Bible society or Bible bookstore. Despite the Bible society having 800 signatures for the registration application, legal status was refused last October.

Turkmenistan’s cavalier attitude toward human rights was further underscored last year when police arrested democracy activist and former parliamentarian Mr. Pirimuguli Tanrykuliev while he was lunching with the U.S. Embassy’s human rights officer. In August, the government sentenced him to eight years imprisonment on trumped-up charges.

Last December, two Baptist pastors were arrested and deported while Helsinki Commission staff were meeting with government officials in Ashgabad on human rights and religious liberty issues.

I personally have been involved through the Religious Prisoners Congressional Task Force in the case of Shageldy Atakov. Mr. Atakov is an ethnic Turkmen Baptist lay preacher who is imprisoned on trumped-up charges because of his religious activity. Mr. Atakov is also considered a prisoner of conscience by Amnesty International and Jubilee Campaign. Credible reports indicate that he is being tortured in prison.

The Jehovah's Witnesses have also reported the continuing arrest and torture of their members.

Two weeks ago Pastor Shokhrat Piriev of the Turkmen Church union was arrested, his car and identity papers confiscated, and he was internally deported from Ashgabad for his religious activities. Recently Pastor Piriev's car and papers were returned but his church continues to be harassed by security forces. Authorities continue to show signs that they will force Pastor Piriev to move. I find this litany of human rights abuses very disturbing.

Unfortunately, it is not only with Turkmenistan that I am troubled. I have seen a tendency in the engagement of our own government with Turkmenistan to overemphasize stability and strategic economic interests and de-emphasize human rights. Any time a U.S. Government official sits down with a Turkmen Government official, human rights concerns must be at or near the top of the talking points. We cannot separate our discussion on other issues from the ongoing violation of human rights. I would like to see this message much more strongly conveyed by all levels and all branches of the U.S. Government.

Mr. Chairman, my hope is that this hearing, along with the important work of the human rights community, will help to fan the flames of democracy and will promote the upholding of the fundamental human freedoms of the people of Turkmenistan.

I associate myself with the tenor of the remarks of Senator Brownback that we call on the Government of Turkmenistan to enter a new era of tolerance regarding the issue of religious liberty.

I look forward to hearing more from our witnesses on these issues. Again, thank you, Mr. Chairman for holding this timely and important hearing.

Mr. SMITH. Thank you very much, Commissioner Pitts. Before we proceed to our State Department witness, John Beyrle, we will view a video documenting the destruction of the Seventh-day Adventist Church in Ashgabad which occurred over a two-week period last November.

The official reason given for the destruction of the church was that a road had to be built and that the building was in poor condition. The video documents the fact that the building was in excellent condition and took considerable effort and time to tear down.

Helsinki Commission staff visited the site in December and reported that no efforts were being made to build a road through that area and, in fact, a major road already exists just a few blocks away.

Ms. LORD. As you can see, this is the interior of the Seventh-day Adventist Church in Ashgabad. This video was taken the day before the building was bulldozed. You can see the building is in very good condition and obviously well kept.

The reasons that the government gave for bulldozing the building in the first instance were they wanted to build a major new road through that area. You can see it's obviously a residential area. Later on, the government gave a second reason: that it was in bad condition.

The security forces and city workers arrived on Saturday night—November 13, 1999—while they were actually having a church service there. This next segment shows the building the day after. You'll notice the dates in the bottom left-hand corner of the video.

You'll also notice a number of security people hanging around, too. The church estimated that there were about four times as many security personnel as city workers. You can also hear the parishioners singing in the background.

This segment shows the workers attempting to pull down this wall with just a bulldozer. They weren't able to do it so they brought in some heavier equipment. Here you see a wrecking ball here. Notice the date of the 18th. The destruction started on the 13th so we are now seeing the situation 5 days later. It was the only Protestant church building in Ashgabad—it was.

Notice the video panning to a security officer on the wall overseeing the work. This is two days later and the building is almost down. Now we are seeing the last day and the destruction work. This was the same day, November 20, that President Clinton was meeting with President Niyazov in Istanbul. Here we are searching the rubble on the 21st. This is the scene that the Helsinki Commission staff saw in December.

The translation of this phrase is, "The church in Ashgabad was completely destroyed on the 20th of November, 1999."

Mr. SMITH. Karen, thank you very much. The last time I saw that kind of destruction was at the hands of the infamous Nicolae Ceausescu. In fact, I remember standing in a bulldozed church with a pastor named Buny Kocar that was three-quarters of the way down, although that part was absolutely demolished. We all know the ignominious fate of Ceausescu.

Let me introduce our State Department witness, John Beyrle, the Deputy Coordinator to the Ambassador-at-Large of the Newly Independent States. Mr. Beyrle is a career foreign service officer who has served in Moscow, Prague, and Sofia. From 1993 to 1995 he was the Director for Russian, Ukrainian, and Eurasian Affairs at the National Security Council.

He also has experience on the Hill having been a foreign policy adviser to Senator Paul Simon. Mr. Beyrle testified before the Commission last October on Uzbekistan and we are very glad to have him back here again.

Mr. Beyrle, please proceed.

**TESTIMONY OF JOHN BEYRLE, PRINCIPAL DEPUTY TO THE  
AMBASSADOR-AT-LARGE AND SPECIAL ADVISER TO THE  
SECRETARY OF STATE FOR NEW INDEPENDENT STATES**

Mr. BEYRLE. Thank you very much, Mr. Chairman. It's an honor to be back here before you today to discuss U.S. interests and the situation in Turkmenistan.

Let me start by taking a few minutes just to talk about our interests and our policies and then we can talk about some problems that we need to discuss today. The United States has a very strong stake in seeing Turkmenistan develop into a democracy, a market-based democracy.

Its geo-strategic position bordering on Iran and bordering on Afghanistan to the south; its sharing of the Caspian Sea with Russia, Azerbaijan and other states; and the fact that it straddles an important historical trade route between Southwest Asia and the North Caucasus, a trade route which I might add today is too often used for illicit transit of people, drugs and goods – all these argue for our continued engagement with Turkmenistan.

This is an important interest for us and we have established a number of priority goals to serve those interests. First among these is strengthening Turkmenistan's commitment to democracy, human rights, and rule of law.

We urged the Government of Turkmenistan at every turn to hold free, fair, and transparent elections, to establish basic protections for human rights. We've encouraged them to show much greater respect for the rights of all faiths to practice their religious beliefs and openly express their faith.

Our second priority goal is to broaden our cooperation with Turkmenistan to counter global threats, like the proliferation of weapons of mass destruction, drugs and arm trafficking and terrorism. These are interest which I would argue assume an even greater importance in light of the trends in neighboring states to the south of Turkmenistan.

We've supported Turkmenistan's transition to a market-based economy open to Western investment. We've tried to advise and assist the Government of Turkmenistan to develop its gas reserves and create multiple options for delivering these to world energy markets.

We've also encouraged Turkmenistan to reduce its dependence on foreign borrowing and commodity export earnings. We've stressed the need for enterprise privatization, individual commercial activity, and private property ownership.

Finally, we work to facilitate regional efforts at resource allocation including water sharing, environmental remediation, and development of trade and energy.

We have a bilateral assistance program funded by Congress which serves as an effective tool to pursue these goals. It's focused primarily on democracy programs like those largely at the community level which focus on priorities like civic education, training of NGOs, and legal reform.

We also have modest security assistance programs which aim to help Turkmenistan deter, detect, and counter trafficking and weapons of mass destruction and narcotics. Our programs in the social sector have been directed primarily toward grassroots efforts to improve health care delivery and basic education.

Unfortunately, Mr. Chairman, I have to say that we've seen only minimal success in promoting our policy agenda with Turkmenistan. In particular, the government there has really shown, I'd say, scant interest in engaging constructively on the core issues of democracy, human rights, and economic reform. I think it would be useful now for me to address each of these in detail. Then I want to leave some time for questions.

Turkmenistan has taken several steps backward on the democracy front in the past year. The parliamentary elections held last December 12 were judged so undemocratic that the OSCE didn't even bother sending an observer mission. The government handpicked all of the candidates and the state-controlled media didn't allow any free discussion of the issues.

On top of this, as we know, the President Niyazov concocted a vote in Parliament in late December to extend his term of office indefinitely. The personality cult, which was referred to in a couple of statements by the Commissioners, the personality cult centered on President Niyazov has indeed grown to enormous proportions in Turkmenistan and no one dares to challenge it.

There is no freedom of association in the country to speak of. All community groups have to be registered. There are a number of domestic NGOs but they have very limited and politically nonthreatening agendas like nature conservation or women's rights.

The government forbids the formation of any organization with even the slightest suggestion of a political agenda. The Democratic (former Communist) Party of Turkmenistan is the only officially registered political party. Although freedom of assembly is theoretically guaranteed by the constitution, in practice the security services routinely break up any meeting suspected of having a political character.

Free and open media are vital to the growth of any democracy or would-be democracy but, here again, the record in Turkmenistan is very poor. Soviet style press censorship remains the norm. All media outlets are government owned and controlled. No independent newspapers or broadcasters are registered. In fact, any upstart unofficial or underground news organizations are quickly suppressed.

On the human rights front, I think it's no surprise to this Commission that the rule of law is really little respected by the Government of Turkmenistan. Human rights groups have documented countless official actions to silence those people, those brave people who try to express their right to free speech and political expression. These are rights to which, I should add and stress again and again, the Government of Turkmenistan has pledged itself voluntarily in international agreements.

Police and security officials regularly manufacture evidence to justify politically motivated arrests. On occasion they don't even bother with formal arrests or formal charges. Arrestees can expect that there will be extended pretrial detention without the right to any visit by counsel or even family members. Once they are on trial, they receive only cursory attention to due process by a judiciary which is wholly answerable to the government itself.

The U.S. Government has strongly criticized such cases on many occasions privately, in our public statements, and in international forums such as the OSCE in Vienna.

Our annual Human Rights Report this year assessed the human rights picture in Turkmenistan as extremely poor. We gave details of many individual rights violations. Mr. Chairman, under your leadership this Commission has consistently echoed and amplified this message helping increase its resonance and we appreciate that very much.

Although these efforts have sometimes resulted in shorter periods of milder repression, I think we can say that Turkmenistan has consistently ignored U.S. and international calls to respect its formal commitments both to OSCE principles and basic standards internationally accepted of human rights.

Religious freedom, as we have seen, is severely restricted by the government. Minority faiths are routinely persecuted. Under Turkmen law, as has been noted, religious organizations have to register with the government but the regulations are so restrictive that in practice only the Russian Orthodox Church and the Sunni Muslim faith have succeeded in getting themselves registered.

Against the rest, as we have seen, Turkmen authorities pursue a systematic policy of harassment, arrest, deportation of practitioners and clerics including Baptists, Pentecostals, Seventh-Day Adventists, Jehovah's Witnesses, Baha'i, Hare Krishna, and others.

Economic reform is crucial to Turkmenistan's transition. If they are going to be a successful market democracy, they need to have a successful market economy.

Unfortunately, the Niyazov regime has maintained the heart of a Soviet-style command economy. Industrial activities are still under state control and internal commodity prices are still set by the government and artificially depressed. The government has bet its future on the anticipated revenues from an as-yet unrealized Trans-Caspian gas pipeline to Turkey. They hope they will be able to survive in the interim on export earnings from the cotton crop and gas sales to Russia.

The government budget virtually ignores the operations of state funds in key sectors like communications, oil and gas, agriculture. These funds maintain their own relatively nontransparent accounts. More importantly, a major portion of the government's financial reserves are kept in the foreign exchange reserve fund. This is a special account which is kept under the personal control of President Niyazov.

So some foreign investors find few real opportunities in Turkmenistan. Every deal has to be thoroughly vetted by the central government. In fact, the government is usually the joint venture partner so it's no surprise that when an investor finds himself embroiled in a dispute, he finds it difficult to have his concerns addressed in any meaningful way.

Mr. Chairman, this has been a fairly bleak picture but I have painted it to underscore what is our profound concern over Turkmenistan's continued shortcomings, especially in the democratic and humanitarian spheres where the international obligations that President Niyazov obligated himself to are so clear.

I've done my best, I hope, to highlight U.S. efforts to point the leadership to a different path and our work to instill greater appreciation for these basic values among the people of Turkmenistan who are the real sufferers.

We shouldn't be daunted by the current government's intransigence because the Turkmen people as a whole continue to welcome and appreciate our engagement and seek it out to the extent that they dare.

There is a talented and energetic younger generation in Turkmenistan and we know they can see that the current leadership is swimming against the tide of history. I would say that's what gives us the most hope for reform.

I really want to mention in this regard the exemplary efforts of our Embassy in Ashgabad led by Ambassador Steve Mann to represent our interests in Turkmenistan. The conditions there, as we know, are very trying but Ambassador Mann has maintained a constructive dialogue with Turkmen officials.

He has spoken very bluntly about the serious shortcomings which we are talking about today while still managing to reach out to offer the people of Turkmenistan a brighter and broader vision of their future. I think that is a very important service and I wanted to take a moment to highlight that.

Mr. Chairman, Central Asia is an area of increasing concern for important American interests, and Turkmenistan's position dictates that we have to stay engaged. We are convinced that progress toward democracy in a market-based economy is critical to their ability to establish themselves as an independent, stable, and prosperous member of the community of nations but we have a lot of work to do. They have a lot of work to do as well. With the support of this Commission and with Congress' support as a whole, we are going to keep working toward that goal.

Thank you very much, Mr. Chairman. I'm ready to entertain questions.

Mr. SMITH. Thank you very much for your testimony. Let me ask you if you could tell us either now or for the record how many political prisoners are there, who are they, and what kind of contact do we have? When the U.S. Ambassador raises questions about their status and their mistreatment, how is he regarded by the government?

Mr. BEYRLE. We don't maintain a comprehensive list of prisoners of conscience for every country, but I can name the cases of imprisonment for political or religious views which we follow the most closely and the cases which we brought to the attention, and continue to bring to the attention, of the Turkmen government.

I don't have any hesitation about doing this in an open forum because these are names which the Government of Turkmenistan has heard from us repeatedly. I would mention Nurberdi Nurmammedov which Chairman Campbell mentioned, arrested in January 2000 after he criticized the amendment of the constitution. He was convicted on unsubstantiated charges of attempted murder and catchall hooliganism.

I would add Commissioner Campbell mentioned that his son was also convicted of hooliganism. His son appeared in court to testify on his father's behalf not even realizing that he was facing charges. He left the courtroom a prisoner. This trial was a mockery.

I would mention Pirimguli Tanrykuliev, another name which was mentioned, I believe, by Commissioner Pitts. He was arrested in June 1999 after he expressed his intention to run in parliamentary elections and possibly to form an opposition party. He was later convicted again on unsubstantiated charges of abuse of office and the theft of government property.

We have raised his case on numerous occasions with the Turkmen government. Most—not most recently but personally when I was in Turkmenistan in February I raised this case personally with the foreign minister.

Parahat Yklimov was sentenced in November 1999 on trumped-up charges of financial misconduct. He was told he would be released if his exiled brother, Sapar Yklimov, discontinued his political activities. Shageldy Atakov, also mentioned by the Commissioners, was originally arrested in December of 1998. He was sentenced in August of 1999. His wife and 5 children have been subjected to internal exile inside of Turkmenistan.

Mukhametkuli Aimuradov, who was convicted in secret in 1995 for anti-government activities, is still in prison. He was sentenced to an additional 18 years in 1998 for attempting to escape.

I would mention also Khoshali Garayev who is deceased. He was a Russian citizen who was the co-defendant in the Aimuradov trial. He was found hanged in his cell under suspicious circumstances in 1999. The Turkmen government has refused our repeated appeals to open an investigation in his case.

Mr. Chairman, just before we came over for the hearing, we were in contact with the Jehovah's Witnesses here in the United States and they have given us also additional names of prisoners of conscience cases which we have not been able to previously document. These are names which we will be bringing to the attention of the Turkmen authorities

as well in trying to find out the welfare and whereabouts of these individuals; Yazmammed Annamammedov, Guvanch Ashirov, Igor Nazarov, Nurberdi Nurmammedov, and Nuryagdy Gaiyrov.

Since we've only just received the details of these cases, I think I would refer you to the Jehovah's Witnesses' submission to this Commission dated March 17, 2000. That's the source of this information.

As I mentioned, we don't miss an opportunity to raise these cases with the Government of Turkmenistan at all levels from our Ambassador on down. I wish my answer to your second question, "What's the response," could be more positive.

We have seen on occasion, as I mentioned, some loosening of the repression. We saw a couple of political prisoners, two political prisoners released in the general amnesty in early 1999. Unfortunately, the amnesty this year, two amnesties which have seen almost 12,000 common criminals released from prison were not accompanied by the release of any prisoners of conscience.

Mr. SMITH. Let me just ask you one additional question and then I'll yield to Co-Chairman Campbell. Obviously the Trans-Caspian Pipeline is a very big issue and many of us have concerns that the drive to secure additional revenues as well as the actual resources trump human rights concerns.

President Clinton recently wrote to President Niyazov congratulating him on his 60th birthday and thanking him for supporting the Trans-Caspian Pipeline. We know that there have been concerns that Niyazov has said that maybe he'll go through Russia. Perhaps he'll be in party with the Iranians. We know that the Iranians have their own oil to sell and they have their own problems. Why do we allow those threats to seemingly move us?

Second to that, the President when he was in Istanbul in November at the OSCE Summit said that Washington stands ready to help finance the Trans-Caspian Pipeline through the Ex-Im Bank. I believe very strongly that Turkmenistan is one of the worst violators of human rights in Niyazov.

If ever there's a time where we should be looking to nix an Ex-Im Bank loan and to use our considerable authority and clout to do so, this would be it. What's the Department's view? I'm disturbed by this juxtaposition of human rights, placing it at perhaps a distant third and profits and the control of resources trumping that.

Mr. BEYRLE. Thanks, Mr. Chairman. First of all, human rights is not a distant third. Human rights is the priority in American policy toward Turkmenistan and we are discouraged and dismayed by the retrograde progress that we've seen. We continue to make our views known. We continue to hold the Turkmen government to the international standards that they voluntarily assumed when they signed up to the Helsinki Accords and we'll continue to do this.

With regard to the energy situation and our policy toward the development of the Trans-Caspian gas pipeline, our policy on the Trans-Caspian gas pipeline is really a regional policy. Turkmenistan is one of the players but Turkmenistan is not the only actor. Azerbaijan can play a role in this and, of course, Turkey, a NATO ally of ours, is very interested in seeing the Trans-Caspian gas pipeline built so that they can have access to a steady supply of gas for their domestic market.

Our interest in seeing TCGP develop is based on our interest in strengthening the independence and prosperity of all the new states in the Caspian region. All these states to one degree or another have some

problems with reform. Some are in worse shape than others and I would argue, and probably find no argument, that Turkmenistan has got the biggest problems of all.

We see a coherent energy policy based on an east-west strategy of bringing the resources out of the country via sort of east-west route as a way to help reestablish economic linkages in the region. It's a way that helps these countries which are often at loggerheads with each other and have rivalries and disputes. It's a way to give them incentive to bury the hatchet, to find cooperation where they have only been arguing up until the present.

It's also a way to bolster our own energy security by encouraging a free flow of Caspian resources to world markets and by the strategy of encouraging multiple routes we avoid sending these resources through choke points or in giving one or another state a kind of monopoly hold over the transit of the resources through the region.

I know that the Pipeline Solution Group, the PSG consortium, has been involved in some intense discussions with the Government of Turkmenistan in recent months. I know that the Turkish government is also very interested in convincing President Niyazov that the Trans-Caspian gas pipeline offers a real alternative and a real opportunity for his country.

We very much support those efforts and we'll continue to do everything we can to make sure that the Trans-Caspian gas pipeline is done on an equitable basis. But we will not compromise our fundamental principles in the process. We will not allow human rights, the rule of law, democratization to take a back seat. We'll continue to push on that front as well.

Mr. SMITH. I know that you are sincere about that, but on the other hand, when we receive an interfax memo from Edward Smith, president of PSG, written on January 17, suggesting that the economic advantages are too big to drop because of Turkmenistan's restriction on democracy. As you just pointed out, PSG is very important to this whole process.

If that kind of message is being broadcast to Niyazov, I'm not sure what incentive he has, especially since he has most recently claimed presidency for life after promising our president a couple of years ago that he would hold elections. It seems as if he's backtracking right in broad daylight.

While we do have a concern about human rights, we don't convey that there is a penalty if those rights are abused and abused, in this case, with impunity.

Mr. BEYRLE. Well, Mr. Smith is a private businessman and doesn't speak for the Administration and we have made the Administration's view on TCGP quite clearly to the Turkmen government. I think it's important to look at efforts to engage economically in a business commercial sense with a country like Turkmenistan.

I think we also have to look at what that engagement brings to the country. It brings exposure to western habits and practices. It brings more Westerners into the country. It, in essence, makes the state involved a bit more dependent on its relationship with the west. It can pay some longer term dividends which we can't lose sight of if we're looking at our engagement with Turkmenistan in strategic terms.

There's no question that the current situation in Turkmenistan doesn't give a lot of opportunity for near-term hope but, as I mentioned, we need to stay engaged. There is another generation. There is a younger generation which will take over at some point and they continue to look to us to help set a standard and to help explain the way things ought to be.

Obviously our democratization programs, the kind of assistance that I described, play a role in that. The engagement by commercial entities also plays a role in that as well.

Mr. SMITH. I'll yield to Chairman Campbell but I want would like to make this point. Iran and Iraq had considerable contact with our oil companies, and certainly with Americans, and this certainly did not deter them from moving in the direction of dictatorship.

Sen. CAMPBELL. Well, let me just add to that train of thought, Mr. Chairman. It seems to me if the administration puts economic considerations, or if anybody does, ahead of human suffering, discrimination, and disenfranchisement, we've already compromised our principles—not only OSCE principles but also the fundamental principles for which America stands.

Let me ask you a few questions, Mr. Beyrle. You talked a little bit about incentives for change. Considering that President Niyazov has never demonstrated the slightest inclination to loosen his grip, what gives you the reason to expect that he might in the future with what you call incentives to change?

Mr. BEYRLE. Well, Mr. Chairman, I think you have to believe in redemption and you have to be prepared for strategic patience.

Sen. CAMPBELL. While people are continually sent to prison and discriminated against for their religious beliefs and so on?

Mr. BEYRLE. Our allies and our friends in OSCE make the point as well that Turkmenistan's actions are well out of keeping and frankly in flagrant disrespect of its obligations under OSCE.

As I said, we have seen some signs occasionally of periodic loosening. Yes, President Niyazov has a firm hold on that country but we are determined to keep demonstrating to him and to the people of Turkmenistan that what is happening there is not in keeping with the way the other transition states are traveling the road back.

Somebody once compared the experience of Soviet Communism to a long detour down a dead-end road. Most of these countries, now having reached the dead end, are coming back. They are coming back at different rates but they are all finding the road back is very unfamiliar.

Sen. CAMPBELL. I understand your words. I just really question how much patience a person that is imprisoned in a rat-infested cell with little food and regular beatings, how much patience that person could have with this long-range agenda.

You also mentioned the OSCE. Considering the way that the OSCE agenda and fundamental principles have been flouted, do you think that Turkmenistan should remain a member of the OSCE?

Mr. BEYRLE. Well, I think despite their shortcomings we are probably better off having Turkmenistan inside than outside of OSCE. The OSCE commitments are on the record. They provide a standard for us to judge what Turkmenistan is doing. The OSCE in Vienna provides a forum for us and others for speaking out about what's happening in Turkmenistan.

Turkmenistan does respect some of its OSCE commitments. The confidence and security building measures of the Vienna Document on arms control for inspections and monitoring of military activities and respect for neighboring borders have in large part generally been respected by Turkmenistan. I would hate to lose that by excluding them from Turkmenistan. It's a question.

Sen. CAMPBELL. Did I understand you to say that we probably should back Ex-Im Bank financing for the Trans-Caspian Pipeline because it's good for the area?

Mr. BEYRLE. To my knowledge, there's no question at this point about any Ex-Im financing of the Trans-Caspian gas pipeline. The financing that is under discussion to my knowledge is either on a project basis or equity basis.

Sen. CAMPBELL. Maybe I worded that wrong but I understood that the Ex-Im Bank is now considering a loan. Maybe it's on agriculture machinery as well. What would you feel about that? Would the Department advise against that involvement in light of the ongoing human rights violations?

Mr. BEYRLE. Well, it's a hypothetical situation but let me say this. Obviously Ex-Im is an independent government agency so we're not going to comment on anything that they may be considering. We are aware of the fact that there is a proposal for credits. The Turkmen government, I think, has talked about this publicly.

I can say that when and if this proposal reaches the Department of State, we would have to look at it very carefully considering all of the options and all of the factors and taking into account the human rights and democratization situation in Turkmenistan.

Sen. CAMPBELL. Well, I understand we are planning to give them a Coast Guard cutter. If I asked you why we should give a Coast Guard cutter to such a regime, would you give me the same kind of answer?

Mr. BEYRLE. The Coast Guard cutter would go, as I understand it, to the Maritime border patrol. I mentioned that we did have some programs on the security side underway with Turkmenistan with which we are satisfied that we're serving our own interests. Because of the fact that there's a terrible problem with drugs and weapons coming across the Afghan border and also coming through Iran, we want to give the Turkmen government the capability to interdict and monitor its border.

Sen. CAMPBELL. It's an armed vessel?

Mr. BEYRLE. This is not an armed vessel.

Sen. CAMPBELL. It's not an armed vessel.

Mr. BEYRLE. This is simply a monitoring vessel. We are processing the paperwork for this right now but I can guarantee you that it will go to an entity of the Turkmen government; that is, the border patrol which we do not see at all involved in the repressive policies of the Niyazov government.

The repressive agencies of the government are the KNB and the Interior Ministry, not the border patrol which has a very specific function.

Sen. CAMPBELL. I understand. I take it from your answers that the Administration would not be particularly supportive of sanctions being placed on Turkmenistan. Is that correct?

Mr. BEYRLE. Well, in terms of international lending, it's a moot question because neither the IMF nor the World Bank have any interest in Turkmenistan based on both the economic and the democratic picture there.

Sen. CAMPBELL. But if we are going to continue to give them direct help as in Coast Guard cutters and so on—

Mr. BEYRLE. I would put our bilateral assistance, sir, in a slightly different category again because some of that serves our interest. We want to give the Turkmen Government the capacity to fight against the spread of nuclear weapons, to stop drugs and arms from coming across the border. We certainly want to be able to continue the exchange programs that we have going on in a very modest but hopefully growing democracy building effort that we are able to fund.

Sen. Campbell: Okay. One just last short question, Mr. Chairman, just to try to get it straight in my own mind. What is Turkmenistan's definition of hooliganism? That sounds like something half the United States Congress could be accused of.

Mr. BEYRLE. Very interesting question. Hooliganism is a Soviet-era word.

Sen. CAMPBELL. I know. It is still used quite often in Russia.

Mr. BEYRLE. It comes from a Russian word "*khuliganstvo*" which comes from the Irish word hooligan. The best translation of it is disorderly conduct.

Sen. CAMPBELL. Disorderly conduct.

Mr. BEYRLE. But it's a catchall for any crime that the government wants to exploit to put people in prison.

Sen. CAMPBELL. Thank you. Thank you, Mr. Chairman.

Mr. SMITH. Mr. Hoyer.

Mr. HOYER. Mr. Chairman, I want to ask some brief questions with reference to the OSCE Memorandum of Understanding (MOU) and then I hope we can hear from the opposition leaders.

It's my understanding that the efforts to negotiate an MOU with Turkmenistan from the OSCE standpoint are essentially in limbo. Niyazov, as I understand, wants to dilute the OSCE's position. Can you update us on the state of play between ODIHR and Turkmenistan?

Mr. BEYRLE. I actually had a meeting 2 or 3 days ago with Mr. Stoudman's Deputy Director when he was through Washington. He, indeed, confirmed that they are at something of an impasse with the Government of Turkmenistan in negotiating the MOU now for the very reason you cited, the Turkmen Government wants to water down the standards.

Our position on this is pretty firm. OSCE needs to hold its ground. This is a slippery slope that we can't begin to go down. There are no categories of membership in OSCE, in our view, and I think all the OSCE members maintain that view as well.

If there is to be an MOU, it's got to be an MOU that looks very much like the other MOUs.

Mr. HOYER. So the United States will stand firm behind ODIHR and the OSCE in not sanctioning any diminution of the OSCE's principles?

Mr. BEYRLE. Absolutely. OSCE and ODIHR we view as organizations which I mentioned earlier that are amplifying and giving resonance to the message that we send as a government. ODIHR and OSCE in general perform an invaluable service. They are partners in this and we

need to stand behind them. I can't picture a circumstance in which we would send a message to the Government of Turkmenistan that would indicate somehow a lessening of our support for ODIHR or OSCE.

Mr. HOYER. I'm pleased to hear that and hopefully that will be our official policy as well. Last question. Presumably we meet with Niyazov on a regular basis, and we discuss his obligations under OSCE. What is his reaction?

Mr. BEYRLE. Ambassador Mann, indeed, meets with him, I would say, maybe once a month both carrying out bilateral business and also when visitors come through. The reaction of President Niyazov when we raise human rights is, I think it is fair to say, bristling. He is tired of hearing it from us, and obviously he doesn't have much to say in response to us.

I've mentioned that occasionally we see some loosening. We've seen some loosening and we hold out hope that the message we are delivering to him will get through. I can't say that we see through his actions that our representations have tremendous effect but we need to stay engaged and we need to keep trying. We are engaged at all levels of the bureaucracy, not just with President Niyazov but with the Foreign Ministry.

Mr. HOYER. Is their posture essentially that human rights considerations are internal affairs of Turkmenistan and that it's none of our business? Or is their posture that we are incorrect in our observations as to what's happening?

Mr. BEYRLE. I would say it's somewhat of a mixture of both. It tends to be a Soviet-style response of rejecting the premise of the question and denying the facts that we try to state.

Mr. HOYER. Thank you, Mr. Beyrle. You have a tough job, as all the State Department personnel do, in dealing with countries such as Turkmenistan. We heard similar testimony of human rights violations throughout the Soviet period.

We did continue to engage the Soviet Union but we continued to be dealt with in a fashion that Niyazov is adopting as well. Ultimately, of course, the publicly and repeated criticisms and confrontations within the OSCE context did have an effect.

Mr. Chairman, it had an effect in some respects because of the courageous dissidents, Helsinki monitors, religious activists, and democrats with a small "d", who had the courage to stand up. They were very much buttressed and, to some degree, protected by the focus of the west on their activities because they themselves have no political power. Niyazov and other totalitarian countries have no defense against the light of truth.

It is the spotlight of international attention and focus that I think is critical. That, of course, is one important function that OSCE serves.

Thank you very much, Mr. Chairman.

Mr. SMITH. Commissioner Pitts.

Mr. PITTS. Thank you, Mr. Chairman. Mr. Beyrle, we were disappointed that Turkmenistan was not designated as a country of particular concern under the 1998 International Religious Freedom Act given the ongoing and the pervasive human rights and religious liberty violation.

What is the Department's view on adding Turkmenistan to this list in light of their government crackdown on religious believers last fall and this spring?

Mr. BEYRLE. We're in the process now of trying to do an inventory, a sort of catalog of abuses. It's a sad job but it needs to be done. The video tape that we saw here, I think, is pretty eloquent testimony to a deterioration from an already bad situation in Turkmenistan. I think that's going to have a very strong influence. That and other similar instances of repression of believers over the past year. This is going to have a very strong influence on the decision we make on how to characterize Turkmenistan in the annual report.

Mr. PITTS. There's a group, I think the title is Russian Evangelistic Ministries, who have a much longer list of incidents of human rights violations. Are you familiar with their list? Have you been provided with that list?

Mr. BEYRLE. I haven't been provided with it.

Mr. PITTS. I'll make sure you get a copy of it.

Mr. BEYRLE. What's the name of it? Okay, please do.

Mr. PITTS. I'll get you a copy of it. Considering the terrible human rights situation in Turkmenistan, what is the State Department's view on certifying Turkmenistan for participation in CTR, Cooperative Threat Reduction Program with the United States?

Mr. BEYRLE. Well, Mr. Commissioner, that is another issue. We are in the process of coming to closure on making a recommendation to the Secretary of State for a number of countries in Central Asia on whether to certify them for continued CTR funds.

I don't want to prejudge the decision that Secretary Albright would make but I have to say that based on everything that we've talked about here today and the general record on human rights and democratization in Turkmenistan, I think it is safe to say it would be difficult for us to recommend a country like Turkmenistan for certification.

Mr. PITTS. Why did you say that we are rewarding them with a Coast Guard cutter?

Mr. BEYRLE. Well, I didn't say we were rewarding them.

Mr. PITTS. We're giving them a Coast Guard cutter.

Mr. BEYRLE. The point I was trying to make was that we have an interest in Turkmenistan in helping stem some transnational threats that emanate from countries to their south. The Coast Guard cutter will simply give them the wherewithal to monitor their border against incursions, their sea border against the transit of illicit arms, drugs, potentially weapons of mass destruction. In that region that is very much in our interest.

Mr. PITTS. You said it was not armed?

Mr. BEYRLE. It's not an armed vessel. It's simply a monitoring vessel very much like the U.S. Coast Guard uses to monitor some of our own border regions.

Mr. PITTS. But could it not easily be converted with their armaments for military uses?

Mr. BEYRLE. I don't know the answer to that. Let me check. I don't believe so but it's a fair question. Let me look into it.

Mr. PITTS. I think we have been giving Turkmenistan assistance since 1992. Considering the disastrous human rights situation there, why should we give them anything besides humanitarian aid?

Mr. BEYRLE. Well, the security assistance that we give them is modest and, as I mentioned, it tends to be directed at things which are in our own interest, stemming the transit of these weapons of mass de-

struction or drugs or conventional weapons. The assistance, again fairly modest, that we give to the Turkmen military, exposes them to western planning, western military doctrine.

This is essentially an investment in the future, in our view, that the current situation cannot last and that we need to start reaching out and identifying those people and those entities which need to be prepared for the change which we hope will come in the future.

Of course, on the democracy and humanitarian side, we're talking about the Turkmen people who very much are suffering and appreciate any help and any hand-up that they can get.

Mr. PITTS. Considering that Niyazov has never demonstrated the slightest inclination to loosen his absolute control of society, is there any reason to expect liberalization of Turkmenistan while he's in power?

Mr. BEYRLE. Well, as I said, you have to take a longer-term view. You have to believe in the possibilities of redemption and not give up hope. I think Commissioner Hoyer said it best. In fact, I didn't get a chance to remind him but he and I first met in Moscow in 1984 when I was a junior officer and he came trying to set up a meeting with Andrey Sakharov and Yelena Bonner in Grozny which, not surprisingly, we weren't successful in setting up for.

It wasn't that many years afterwards, 6 or 7 years, that the Soviet Union collapsed and communism collapsed. I think we need to keep our eye on that horizon and keep working the problem inside Turkmenistan where we can, where we have the resources, and where we have the opportunities to lay the ground work for a better future.

Mr. PITTS. Thank you, Mr. Chairman.

Mr. SMITH. Mr. Pitts, thank you very much. I would just like to get your reaction to some testimony that Cassandra Cavanaugh from Human Rights Watch will be presenting. She points out, "In 1999 the unimaginable happened in Turkmenistan's bad human rights situation. It worsened even further."

She then goes on to say, "The U.S. has pursued a two-track policy toward Turkmenistan and those tracks run in opposite directions. On the one hand, diplomats in Ashgabad relay criticism of Turkmenistan's abuses and direct assistance to strictly apolitical local nongovernmental organizations. On the other hand, the U.S. carries out aggressive diplomacy to promote the Trans-Caspian Pipeline steadfastly rejecting any suggestion that the two tracks should be linked."

She goes on to say elsewhere in the testimony, and I quote, "During a meeting between President Clinton and Niyazov on April 23, the U.S. Government's Trade and Development Administration awarded a \$750,000 grant to conduct the pipeline feasibility study for a proposed \$2.8 billion pipeline."

After the deal was signed, the White House issued a press release stating, "Turkmenistan is committed to strengthening the rule of law and political pluralism including free and fair elections for parliament and the presidency in accordance with international standards."

Is that Pollyanna? Is that pie in the sky? Is that false hope to suggest when it was well documented that human rights standards are flouted and Turkmenistan is moving in the wrong direction?

Then, in the whirlwind of presidential White House-type diplomacy you make it seem something good is happening when something entirely bad is happening. Niyazov said in Washington when reporters questions about the government's attitude toward opposition parties,

“We don’t have any opposition parties. You are ill informed. We have none.”

Why would the White House do that? We need a straight answer. You are giving it. I believe you are a very straight shooter but when the White House Press Office puts out that kind of release, it certainly denigrates our efforts to promote human rights in that country. I’ll be happy to yield.

Mr. BEYRLE. Thank you, Mr. Chairman. I have to, first of all, take issue with something that was in the first part of what you said. There was a suggestion there, if I understood it correctly, that we deliver our message on human rights only to NGOs or people who aren’t involved in decision making.

It’s true that President Niyazov controls the country and has it in quite a firm grip, but we don’t shy away from delivering our human rights message at any level. I mentioned that Ambassador Mann when he goes in to see the president, when I went in to see the foreign minister, puts human rights at the top of the agenda. They don’t like to hear it but they realize that’s what they are going to hear from us and that is something we care about and that it underlies the relationship.

With regard to financing, the feasibility study for the gas pipeline, again what I have tried to describe is a regional energy policy which looks at Turkmenistan but also looks at countries like Kazakhstan, like Azerbaijan, and Georgia, all states which need to share in the prosperity of the natural resources that are in the Caspian basin region.

All of these states have problems. Turkmenistan has more problems than most of them. We need to work harder with Turkmenistan to get them to see that essentially they are swimming against the tide of history here. That the direction that President Niyazov is taking the country is not one that is going to guarantee the long-term prosperity or well being of its people.

Mr. SMITH. Finally, unless Mr. Hoyer has further questions, what was the genesis of the White House saying Turkmenistan is committed to strengthening the rule of law and political pluralism including free and fair elections for parliament and the president in accordance with international standards?

Mr. BEYRLE. What was the date of that?

Mr. SMITH. What was the genesis of it? How could something like that be issued? Certainly the State Department, and I know Secretary Shattuck, Harold Koh, and Secretary Albright would not, in their right mind, make that kind of a statement no matter how optimistic we may be because Turkmenistan is not committed to protecting human rights. Clearly, they weren’t showing any propensity for moving in the right direction.

Mr. BEYRLE. Well, our policy is they need to show commitment. They need to demonstrate that what they signed up to in the international agreements they intend to carry out. When they don’t do this, we need to call them on it.

Mr. SMITH. Thank you. I would like to thank you, Mr. Beyrle, very much for your testimony.

Mr. BEYRLE. Thanks, Mr. Chairman.

Mr. SMITH. We appreciate it. I would like to ask our second panel if they would proceed to the witness table. I just want to say for the record that we did invite Turkmenistan Ambassador Ugur to participate. More-

over, the Commission asked the U.S. Embassy in Ashgabad to inform President Niyazov and Foreign Minister Shikmuradov about these hearings.

Nevertheless, we still have no representative from the Government of Turkmenistan to testify. That is unfortunate because we would really like to ask them some questions and hear their side of the story.

Some of our witnesses have come from very great distances. Mr. Avdy Kuliev, for example, has come from Moscow. He was Turkmenistan's foreign minister in the early 1990s before falling out with President Niyazov.

Since 1992, he has lived in Moscow where he has engaged in opposition political activity including the establishment of the Turkmenistan Foundation. In April of 1998, he returned to Turkmenistan where the authorities immediately arrested him.

Since President Niyazov was in Washington at the time, however, for a meeting with President Clinton, Mr. Kuliev was simply put on a plane back to Moscow. We're glad he is here.

The second of our guests also came from afar, and he is Pyotr Iwaszkiewicz, a career professional from Poland's Ministry of Foreign Affairs. He finished up his assignment as the Human Rights Officer in the OSCE Center in Ashgabad just last week.

Mr. Iwaszkiewicz will offer us fresh and firsthand information on what it is like trying to do human rights work in Turkmenistan. We are pleased that he is able to join us as well.

Dr. Firuz Kazemzadeh began teaching at Yale University in 1956 and he was named Professor of History in 1968. He served as Director of Graduate Studies in History, Chairman of the Council on Russian and Eastern European Studies, and Master of Davenport College. He retired from Yale as a Professor Emeritus in 1992. In 1998 he was appointed by President Clinton to the United States Commission on International Religious Freedom. He has lectured as a visiting professor at Stanford, Harvard, Columbia, Lewis and Clark College, and the University of Southern California Law School. He also lectured at the University of Humanities in Friendship University in Moscow.

He is the author of *The Struggle for Transcaucasia 1917-1921; Russia and Britain in Persia, 1864-1914; a Study in Imperialism*, as well as chapters in several collective works such as the *Cambridge History of Iran*, and of numerous articles and various journals.

Cassandra Cavanaugh is a Research Associate at Human Rights Watch/Helsinki, Europe and Central Asia Division. She is also a Ph.D. candidate in History at Columbia University where she has concentrated on the study of Russian and Central Asian relations. Previously, Ms. Cavanaugh served as Program Officer in Uzbekistan and Tajikistan for the International Research and Exchanges Board (IREX). Upon joining Human Rights Watch in 1998, she conducted human rights fact-finding missions in Kazakhstan, Turkmenistan, and Uzbekistan. Cassandra testified before the Commission last October on Uzbekistan. She is an expert and we thank her for being here.

And, finally, I'm especially pleased to welcome E. Wayne Merry, the Director of the Atlantic Council's Program on European Societies in Transition. Wayne spent 26 years in the State Department serving, among other postings, 6 years in Moscow as a specialist in Soviet and Russian politics. He then joined the staff of Secretary of Defense Perry as Regional Director for Russia, Ukraine, and Eurasia to supervise the

development of defense and military relations between the Pentagon and former Soviet republics. Before coming to the Atlantic Council, Wayne was Senior Advisor to the Helsinki Commission so we know him quite well and we look forward to hearing his testimony today. Thank you.

Avdy Kuliev, please begin. Bring the mike a little closer, please, for your translator as well.

**TESTIMONY OF AVDY KULIEV, TURKMEN OPPOSITION IN  
EXILE**

Mr. KULIEV. Mr. Chairman, esteemed Senators, and members of Congress, ladies and gentlemen, I am very glad that today we are discussing the human rights situation in Turkmenistan.

Mr. SMITH. Interpreter, if you wouldn't mind bringing that closer. We really can't hear you.

Mr. KULIEV. I think that if this issue is considered in the United States, a country well known for its defense of democracy, I think that things will soon be on the right track. I don't want to waste time and speak in Russian. I will have my translator read my statement for you.

Having received independence after the collapse of the Soviet Union, Turkmenistan did not proceed on a path towards democratic changes and the creation of a civil society. It continued to enforce old methods of authoritarian control that reached the level of absurdity, making the entire government system and civil society depend on the whims and caprices of one person: President Niyazov.

Since May 18, 1992, Turkmenistan's constitution has not been in compliance with democratic and human rights principles. It contains a number of articles that are contrary to its first article that states that, "Turkmenistan is a democratic and law abiding state." Let us refer to some of them.

Article 19 of the constitution states, "The realization of human rights and freedoms should not violate rights and freedoms of other people, moral principles and order, or be harmful to the state's security." The Turkmen Government interprets this article in a manner that allows them to repress dissidents and opposition leaders that support human rights, freedom of speech, freedom of association, and demonstrations.

Article 55 states, "A citizen of Turkmenistan can become president if he is of Turkmen origin, not younger than 40 years of age, and resides in Turkmenistan..." Turkmenistan is a multi-ethnic state. Close to 30 percent of its population are people of other nationalities.

This article limits the rights of other nationalities to assume the highest governmental duties. Also, a significant number of Turkmen emigrated and reside outside Turkmenistan in various parts of the world. Among them there are many worthy people that can contest for the position of Turkmenistan's president.

Article 13 states, "The state language in Turkmenistan is Turkmen." This article could have been lawful and appropriate if it reflected the actual situation in Turkmenistan today. First, today's government corpus does not speak Turkmen well. Second, the Turkmen language is lagging behind in its development due to the fact that for many years it has not been used for clerical and office procedures.

Because of these reasons, the Turkmen language cannot serve all the needs of the state and, in fact, Russian remains the state's language. The government uses Article 13 to promote nationalistic politics. This article creates tension and fosters distrust between Turkmen and non-Turkmen citizens and puts them in an unequal position.

And finally, Article 45 and all of Chapter 2 of the constitution entitled, "Khalk Maslakhati Turkmenistana," called Khalk Maslkhati (Peoples' Council) the highest representative organ of public governance in Turkmenistan. They diminish and almost eradicate the role and functions of the Parliament, through which the people may have been able to participate in the government. The constitution itself foresees the violations of political and civil rights of Turkmen people.

One has to note while talking about the constitution that not one of the articles is being abided by. There are hundreds of examples of how the articles of this principle law of the country are being violated. There are specific examples of violations of people's civil and political rights.

There are also many cases of the infringement of property and religious rights. In recent years many families were forced to move from their houses for the reason that their houses were located in areas needed for the construction of some important governmental structure, a road or a president's palace.

The government ignores all of the constitution's articles that guarantee political freedoms. For example, Article 28 grants the right to citizens to create political parties and civil organizations. However, there is a law adopted by the Parliament in 1990 that a party can be officially registered only if two-thirds of the Parliament's members vote for it.

There is another requirement for registration imposed upon party founders, which is to provide signatures and addresses of 1,000 people wishing to join this party. These two requirements make it almost impossible to create alternative parties or organizations in Turkmenistan.

But even this constitution, far from perfect, is accepted by Niyazov and presents a threat to his dictatorship, inasmuch as the Turkmen opposition, international human rights organizations, and the democratic powers of the West call on Niyazov to abide by the constitution. That is why he decided to adopt an alternative constitutional document called "Rukhnama."

Now, the Rukhnama will have more meaning for Turkmen than the constitution. The constitution will fulfill the role of a screen for communication with the outside world while people in Turkmenistan will be forced to abide by the Rukhnama. With the help of the Rukhnama, Niyazov wants to legitimize the prohibition of freedom of thought, freedom of speech, and freedom of association. The significance of this action for Niyazov's regime can be comparable to the establishment of Peoples' Council.

Legally it is a useless organ that duplicates functions of the Parliament. By creating the Peoples' Council, Niyazov totally diminished the role of the Parliament. He would like to do the same to the constitution with the Rukhnama. In a manner similar to how the Peoples' Council stands above the Parliament, he would like to see the Rukhnama above the constitution.

Niyazov presents the Rukhnama as a democracy manual for Turkmen. This raises the question: what does Niyazov propose to give non-Turkmen in place of democracy? What should non-Turkmen, who make up a large part of the population, use as a guide for their lives?

The Rukhnama is seen as a sacred and prophetic document. Each prophet always had his sacred book. Every day Niyazov's propaganda machine instills in peoples' minds the idea that Niyazov-Turkmenbashi (the father of all Turkmen) is the 13th prophet. One should not exclude

the possibility that some day it will be announced in Turkmenistan that the Rukhanama was sent to earth by God through Turkmenbashi, his messenger.

There are many people in Turkmenistan today that are being persecuted for political reasons. The government takes away jobs from liberal thinking citizens. They take away their apartments, destroy their houses, fire their relatives from their jobs and expel their children from schools. Many people who do not agree with Niyazov's politics were sent to prisons and mental hospitals. They live under constant government control or house arrest.

With the facilitation of human rights organizations such as Amnesty International and Human Rights Watch, many people left the country. They now reside in Sweden, Norway, the USA, and other countries. According to some sources, there are 200,000 migrants from Turkmenistan in Russia, 30 percent of whom are Russian-speaking Turkmen.

Repression in Turkmenistan is not ending, but only becoming more severe every day. Turkmenistan today is like one big prison for people residing there. People live in complete isolation from the rest of the world. People cannot enter or leave the country freely. No one feels free and secure in that country. However, the international community does not show concern about the violations of human rights and basic rules of democracy in Turkmenistan.

During the rule of Bush and Baker, the American Government regarded the observance of human rights, democratization of civil society, freedom of speech and support of market economy as prerequisites for cooperation with the newly independent states. Deputy Secretary of State Strobe Talbott confirmed on July 23, 1997, that democratic progress was still the most important purpose for cooperation.

Nowadays it seems to be forgotten. Geo-political, oil and gas interests have overridden democracy. It seems that the West does not notice what is actually happening in Turkmenistan, while Niyazov remains one of the worst of known dictators. Investments in Turkmenistan continue, an example being the Trans-Caspian gas pipeline.

Niyazov's internal politics are based on three main components: corruption, flunkeyism, and repression. Niyazov controls the economy and people through the mechanisms of corruption. None of the former members of Niyazov's government machine that today has several hundred people will go against the system that Niyazov created.

They are afraid to lose their illegitimately gained capital. Even if they wanted to oppose the regime, they are not able to do it. Niyazov, who has damaging information on almost all former government officials, holds them on a hook. They are not allowed to leave the country without his permission.

Flunkeyism has reached a level of national policy in Turkmenistan. No issues in the country are resolved without praising Niyazov. No one, regardless of their post, is allowed to express their personal opinion. This right belongs exclusively to Niyazov and no one can violate it.

Last fall, during negotiations between Niyazov and the Russian delegation headed by I. Ivanov, the Minister for Foreign Affairs, Turkmenistan's Foreign Minister B. Shikhmuradov gave his opinion on one of the issues being discussed. This displeased Niyazov. Fearing Niyazov's anger, Shikhmuradov was forced to fall on his knees, crawl to Niyazov and kiss his hands and feet, asking for forgiveness, all in front of the Russian delegation.

The third component of internal politics is repression and the promotion of fear. During the time of Turkmenistan's independence tens of thousands of people were forced at some stage into Niyazov's prisons. People that went through this experience said that almost everyone was imprisoned for criticizing the government on charges of slander. According to Niyazov's own words, the number of people who were amnestied in the last eight years comes to more than 100,000 people. However, not one political prisoner was amnestied.

Liberal thought is being persecuted in Turkmenistan in the cruelest way. The government organizes killings of people who disagree with Niyazov's politics. Two political prisoners, Charimurad Gurov and Khoshali Garaev, were viciously murdered in Turkmenistan's prisons. Before that, two dissidents, writer Akmurad Shirov and poet Bapba Gyeklen, disappeared under strange circumstances. They punished a correspondent, Sosnia, from one of the leading newspapers in the country, for critical reporting.

Today prisoners of conscience in Turkmen prisons include Mukhammetkuli Aimuradov, Pirimkuli Tangrikuliev, and Nurberdi Nurmammedov. President Niyazov recently punished the religious leader and Koran translator Khodjakhmet Orazklich Akhun because he dared to criticize Niyazov on Radio Liberty for acts not corresponding to the canons of Islam.

Niyazov destroyed his house and mosque with a bulldozer, burned all of his translations of the Koran, and sent Khodjakhmet Akhun, and his entire family into exile to a region in Turkmenistan that is without water.

The last example of human rights violation I'd like to highlight is the trial of Nurberdi Nurmammedov, representative of the opposition "Agzibirlik," who criticized the parliamentary elections and the extension of Niyazov's presidential term to life. The trial took only one day, February 25, 2000. They did not allow foreign observers or friends of Nurmammedov into the courtroom.

According to the lawyer from Moscow, hired by the Moscow Helsinki Group and the OSCE, there is no basis for a crime. On top of that, all witnesses at the trial denied their previous evidence. Despite this, Nurmammedov was sentenced to 5 years in prison. They accepted the attorney's complaint to the court of appeals under consideration, but did not invite him to the next trial, which took place on March 15, 2000. That trial upheld the previous decision. All these people suffered only because they wanted democracy and freedom of speech in Turkmenistan. That was their only crime.

Given the inhumanity of today's regime in Turkmenistan and on behalf of the Turkmen opposition, I call on the U.S. Government to impose political and economic sanctions on Turkmenistan with the goal of forcing it to respect human rights and democratic value in Turkmenistan. Only the U.S. can have an impact on the situation in Turkmenistan.

Apart from that, it is essential to improve the work of the Turkmen service of Radio Free Europe/Radio Liberty. This radio program is the only source of information for Turkmen, although the intellectual and professional level of the programs is low. It would be a good idea to organize programs in Russian as there are many Russian-speaking listeners. It would also be beneficial to create a Turkmen service for the radio program "Voice of America."

There are many supporters of democracy in Turkmenistan, but they do not even have the means to distribute information to people with the goal of explaining the advantages of a democracy and a lawful state. Thank you.

Mr. SMITH. Thank you very much, Mr. Kuliev. We really appreciate your testimony. It's comprehensive and it's very, helpful to this Commission. We'll get to questions after everyone has completed his statement. I would like to ask Mr. Iwaszkiewicz if he would present his testimony.

**TESTIMONY OF PYOTR IWASZKIEWICZ, FORMERLY OF OSCE CENTER IN ASHGABAD**

Mr. IWASZKIEWICZ. Thank you, Mr. Chairman. I'm very happy and it's a great honor for me to be here. Thank you for your kind invitation.

In the beginning I would like to make just two points. As you see, my written testimony is a little bit too long so I will present orally only the first part of it and I would like to submit the remainder for the written record.

Mr. SMITH. Without objection.

Mr. IWASZKIEWICZ. Thank you. Apart from what you said in your introduction, I would like to add that I have quite a lot of OSCE experience. In 1994 I was a member of the OSCE initial mission to Nagorno-Karabakh and Armenia. And in 1996-1998 I was the Public Relations and Media Officer of the OSCE Mission to Georgia. Under the Polish Chairmanship, I was a member of the OSCE coordination team within the MFA responsible for activities in the CIS countries.

From January 1999 until mid-March 2000, I served as the Human Dimension and Media Officer in the Ashgabad Center. On March 16, my assignment ended and for the time being I am working at the Polish Ministry of Foreign Affairs where I have been employed since 1992.

The following statements express my personal point of view and is not the point of view of the OSCE.

Just let me say some words about the OSCE office in Ashgabad, as well as the OSCE Centers in Bishkek and Almaty, which were established by an OSCE Permanent Council decision and started to function in January 1999. The Center in Ashgabad is headed at present by Ambassador Istvan Venczel of Hungary, and assisted by a team of three experts seconded by the U.S., Italy, and Poland. The mandate of the Center is open-ended and the mandate is quite broad and includes the following tasks:

To promote the implementation of OSCE principles and commitments as well as the cooperation of Turkmenistan within the OSCE framework with special emphasis on the regional context in all OSCE dimensions including the economic, environmental, human, and political aspects of security and stability. The Center is also mandated to establish and maintain contacts with local authorities and NGOs, and to assist in arranging OSCE regional events.

Let me say a few general words about the Turkmen view of democracy. Turkmenistan's president, Saparmurat Niyazov, constantly emphasizes that Turkmenistan has its "own national way to democracy" and that there was no need for instruction or assistance from outside the country.

According to the president, the specifically Turkmen-type of democracy combines “general human values“ with “the specifics of the Turkmen mentality.“ This scheme links democratization both to the achievement of economic prosperity and to legendary “ancient Turkmen democratic institutions.“

During the current transition period, the population of Turkmenistan is considered by Niyazov to be “not ready“ for a Western type of democracy. In the president’s view, the way to avoid social tensions, conflicts, and bloodshed is to forbid institutions such as a free press and political opposition.

Here are some examples, printed almost daily in the newspapers, that illustrate Niyazov’s concept of democracy. All examples are from the Turkmen press. “For the time being during this transitional period we consider democracy to consist of the right of every person to freely choose his work and for public tranquillity and security to be preserved. Then when economic prosperity will be achieved, the society itself will choose new principles of democracy.“

Or, “For me it is a real sign of genuine democracy when little children go to school and their mothers do not fear for them.“

Or, “For me it is the greatest democracy when in hospitals new citizens of independent Turkmenistan are born.“

And so on and so on. It’s the president’s understanding of democracy published on the record in every issue of the newspaper.

In fact, the political system in Turkmenistan is an authoritarian regime in which all decisions of major, and often of minor, importance are taken by Niyazov personally. All heads of administration at all levels are appointed and dismissed by the president, as are prosecutors and judges, as well as chief editors of the mass media.

The outward manifestation of Niyazov’s style of governing is a personality cult that puts Stalin’s cult to shame. Niyazov’s image is omnipresent in statues, portraits on every public building, photos in every issue of every newspaper, pins in the lapels of parliamentarians and government employees. His portrait graces a wide range of consumer items from teapots to perfumes.

This cult is one manifestation of the developing state ideology which is replacing Marxism-Leninism. The cult of the president is supplemented by a cult of his mother. The state ideology has a distinct religious aspect which is to be embodied in the Rukhnama, a “moral code for the Turkmen people,“ which has been hailed in the press as “the second Koran.“

In the official media, Niyazov is compared to a prophet, sometimes specifically to Buddha, Jesus, or Muhammed, even to God. In this climate, it is not surprising that, in December 1999, a hand-picked assembly of Niyazov’s most vocal supporters gave him the option of remaining president for as long as he wishes.

Despite recent assertions that he intends to start preparing a succession, Niyazov constantly seeks to convince the population that he is indispensable. He is frequently shown on television scolding the members of his government as if they were naughty children. While boasting of the glorious history of the Turkmen people, Niyazov rarely omits to add that, without a strong leader, they would begin quarreling among themselves and end by killing each other.

His efforts to infantilize the population have had minimal success, however. The Turkmen, whether from urban or rural backgrounds, are quite capable of analyzing and discussing the political situation in

the country. Unfortunately, there is no legitimate means for them to do so with any degree of security. Even comments made at intimate family gatherings may be reported to the security services.

The slightest criticism of Niyazov, whether direct or indirect, can lead to a drastic reaction on the part of the authorities. This is the real reason why Professor Pirimkuli Tanrykuliev and opposition leader Nurberdi Nurmammedov were jailed in the last year on trumped-up criminal charges. This is also the reason for the persecution of non-orthodox religious groups whose beliefs do not fit with the official ideology.

Perhaps the most important role in the state system of Turkmenistan is played by the Committee for National Security (KNB). Its officers oversee practically all spheres of public life. Their reaction to any sign of independent opinion can only be described as draconian.

To sum up, Turkmenistan is being subjected to the creation of a totalitarian ideology designed to preserve the power of one man. In this process, almost all the principles and standards of the OSCE are being infringed. The OSCE Center in Ashgabad has to face an endless string of serious problems in attempting to carry out its mandate. Let me give you some examples from my personal experience.

Despite the declared willingness of the Turkmen authorities to cooperate with the Center, from the very beginning, we faced numerous difficulties in fulfilling our tasks. From my own point of view, the most serious were the restrictions on contacts with people and with state institutions.

From the start, the Center was required to arrange all meetings with government officials through the Foreign Ministry. The Center's "minder" always demanded to know in detail the topics to be discussed, but frequently failed to arrange the requested meetings. Usually the request was ignored.

This was the fate of our repeated requests to visit the notorious prison in Turkmenbashi (Krasnovodsk) as well as to meet with the chairman of the Committee of National Security (KNB).

Our attempts to establish direct contacts with various state agencies, including courts at various levels, were unsuccessful in most cases because their personnel refused to enter into contact with the Center without the permission of the Foreign Ministry. So the Center had regular direct contact only with the Foreign Ministry and the National Institute for Democratization and Human Rights under the President of Turkmenistan.

In the Memorandum of Understanding between the Government of Turkmenistan and the OSCE on opening the Center, the Turkmen authorities promised not to hinder Center contacts with the population. In practice they constantly tried to restrict such contacts.

Many times we learned that persons who visited the Center office or met with the international staff were summoned to the KNB or visited by KNB officers and warned to refrain from such contacts.

These individuals told us that the KNB officers had threatened them in various ways, for example, with loss of their jobs or housing, or that their children would not be admitted to the university, but instead would be conscripted into the army where they would receive "special treatment." Consequently, many people have been afraid to visit the Center, which is clearly under constant observation. Many of them requested meetings with Center staff in other places, such as private apartments

or public parks. But such meetings were condemned as “conspiratorial” by the authorities who accused me, as the Human Dimension Officer of the Center, of behaving “like a spy.”

Many people feared even to phone the office and sought other ways to contact the Center staff including appearing after office hours at our homes. When the Center protested to the Foreign Ministry that contacts with the population were being hindered, the protest was ignored.

Following are some examples of such behavior of the KNB. Let’s put it into the written testimony. But my proposal would be not to mention the names because the names of people involved in these cases, if published, can be dangerous for them. Just instead of the name put XX or WW.

This applied not only to my meetings with various persons but also to visits of official OSCE delegations. For example, during his visit to Ashgabad in April 1999, the Adviser to the OSCE Representative on the Freedom of Mass Media, Stanley N. Schrager, was supposed to meet with journalists who are not employed by the state media. This meeting had been agreed to by the Turkmen authorities who asked that the Center take sole responsibility for setting it up.

Although the journalists we invited initially agreed to meet Mr. Schrager, they all failed to turn up. Although we had not informed the Turkmen authorities of the names of the persons invited to the meeting, all of them told us later that they had been approached by officers of the KNB who had “advised” them not to appear. The KNB habitually warns journalists not to meet the Center’s international staff.

A similar situation occurred when the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) sent a Needs Assessment Mission to Turkmenistan to study the situation prior to the parliamentary election in December. A meeting was scheduled between the delegation and representatives of local NGOs and unregistered political groups. Before the meeting, Nurberdi Nurmammedov, leader of Turkmenistan’s oldest opposition group Agzybirlik, was visited by a high-ranking KNB officer who gave him a strongly-worded warning not to meet the ODIHR group.

The human dimension activities of the Center, especially our contacts with independent thinkers, have often provoked negative reactions on the part of Turkmenistan’s top level officials. As soon as the Center started to function, it became apparent that the Turkmen authorities were dissatisfied that our activities did not meet their expectations. We, at the Center, were determined not to be a fig leaf covering Turkmenistan’s dismal performance in implementing their human rights commitments.

This dissatisfaction was first expressed last spring by Vladimir Kadyrov, Director of the National Institute for Democratization and Human Rights under the President of Turkmenistan, during a visit with our first Head of Center, former Austrian Ambassador Paul Ullmann. Kadyrov mentioned that Turkmen Foreign Minister Boris Shikhmuradov had received negative reports about my activities. These reports characterized my contacts with opposition figures as “clandestine.” Ambassador Ullmann reminded Kadyrov that meetings with opposition figures are included in the Center’s mandate.

Not long afterward, President Niyazov himself complained about the activities of the Center, mentioning me by name, to the State Department Special Adviser Steven Sestanovich during the latter's visit to Turkmenistan. This was followed by a letter and subsequent phone call by Foreign Minister Shikhmuradov to the OSCE Secretary General.

Reportedly, my dismissal was requested on the grounds that I was seeking to establish a human rights organization in Turkmenistan (I was not), and that I was financing the Turkmen opposition. This latter accusation was presumably motivated by a payment by the Center for a translation into Turkmen of a brief text about the OSCE. The translator was a person close to the opposition.

When OSCE Chairman-in-Office, Norwegian Foreign Minister Knut Volleback, visited Turkmenistan in October, he, too, heard the complaints about me from President Niyazov.

When they were unable to rid themselves of me through complaints, the Turkmen authorities adopted other methods. In late August, an NGO activist and a member of an unregistered opposition party told me in confidence that the KNB had tried to force them to produce a written statement or to sign a prepared document stating that I had encouraged them to take actions against the government. I was also accused of having tried to establish an illegal organization to undermine the government and having strongly criticized Niyazov. The KNB officers had also attempted to force the wife of an NGO activist to make a similar statement.

My two contacts said they had refused to sign and had told the KNB that they had never discussed such things with me. In their opinion, the KNB intended to pressure others to denounce me. From this and other less concrete bits of evidence it became clear that the security service intended to stage a political provocation in order to force me to leave the country.

My experiences have led the Center's international staff to conclude that the Turkmen authorities would very much like to limit our contacts to specially prepared official meetings. This approach would ensure that the Center would have access only to officially-approved information which would then be used in Center reports to portray Turkmenistan as a land of flourishing democracy, justice, and welfare.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much, Mr. Iwaszkiewicz. We appreciate your testimony. I would like to ask Dr. Kazemzadeh if he would proceed.

**TESTIMONY OF FIRUZ KAZEMZADEH, MEMBER,  
U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

Mr. KAZEMZADEH. Mr. Chairman, members of the Commission, Turkmenistan, as has already been stated, is one of the most repressive of the successor states of the Soviet Union and one of the poorest. Bordering on the Caspian Sea, Kazakhstan, Uzbekistan, Afghanistan, and Iran, Turkmenistan occupies an important strategic position. That very position, however, makes it vulnerable.

With a population of fewer than 5 million and a limited pool of educated persons, Turkmenistan has been unable to make much economic or social progress since it achieved independence in 1991. Its government practices and attitudes have remained largely Soviet in substance and style.

Turkmenistan has never been a nation. The nomadic tribes that inhabit the area east of the Caspian Sea never had a central government. Conquered by Russia in the last decades of the nineteenth century, they were ruled from St. Petersburg and Moscow until 1991. Thus there is no tradition of government, no legal tradition, except what has been inherited from an alien colonial power.

It is, therefore, not surprising that Turkmenistan today is ruled by a president whose authority in practice is not limited by laws. As under the Soviets, in Turkmenistan today elections and referenda are nothing but public endorsements of the decrees of the ruler.

My concern is with human right, and primarily with religious freedom that does not exist in Turkmenistan. The government lives in fear. It is frightened of events that have overtaken Afghanistan, where the Taliban have engaged in a bloody conflict and imposed their version of Islamic theocracy on the country.

It is frightened of what has transpired in Tajikistan and by the possibility that Turkmenistan might be infiltrated by Islamicist political or military groups, particularly the Wahhabis, presumed to be financed by Saudi Arabia, groups that would receive aid from abroad.

Fear of intervention and subversion prompts the government endlessly to emphasize Turkmenistan's neutrality, which is proclaimed to be one of the foundational principles of Turkmenistan's statehood.

The government sees any religious organization as a potential threat to the stability of the state. It should be noted that the Turkmen Muslim population in its vast majority is tolerant and shows no signs of wishing to establish a theocratic state on the Afghan or Iranian model. The repressive policies of the government in regard to religion are motivated not so much by religious intolerance as by fear of diversity, fear of losing control.

The collapse of communism has left an ideological and psychological vacuum in Turkmenistan that the governing establishment, itself a child of the Soviet regime, is trying to fill through the cultivation of an artificial nationalism and the cult of the leader.

The president is being turned into a superhuman being, perhaps even a prophet. Rumors circulate in Ashgabad that a book entitled *Ruhnameh*, a Perso-Arabic word literally meaning "soul book," is already in draft. This book would take its place next to the Koran as a repository of truth about morality and a prescription for the conduct of life of the Turkmen people.

There is no room for independent thought and free religion. While the constitution speaks of freedom of religion in terms that echo the Universal Declaration of Human Rights, supplementary legislation and government practice make a mockery of principles so proclaimed. All religions and denominations, except Sunni Islam and Russian Orthodoxy, have been virtually banned.

The 1997 law that requires a religious community to have at least 500 members to be registered makes all activity by smaller communities illegal. Thus Baptists, Seventh-Day Adventists, Jehovah's Witnesses, and Baha'is have been in effect outlawed. Some of their adherents have been subjected to arrest, intimidation, and deportation. Their houses of worship have been closed or demolished.

The Baptists, who have met the numerical requirement for registration, have nevertheless been refused recognition. Pastor Vladimir Chernov was deported in December 1999. Baptist leaders Anatolii Belyaev and Mikhail Kozlov were arrested by officers of the KNB in February 2000.

Belyaev, his wife, and his daughter were eventually deported to Russia. During a raid on the Ashgabad Baptist Church, a KNB officer is reported to have said, "First we will deport all foreign missionaries, then we'll strangle the remaining Christians in this country."

The Turkmen Baptist Shageldy Atakov was arrested in his home at Turkmenbashi former Krasnovodsk) in December 1998 and sentenced to 4 years imprisonment for his involvement in the activities of local Baptists.

His wife and 5 children have been subjected to "internal deportation" on KNB orders as she refused to sign a statement renouncing her Baptist faith. Other members of the Atakov family have been subjected to arrest and harassment.

The demolition of the Seventh-day Adventist Church in Ashgabad, erected with government permission; the destruction of the unfinished Hare Krishna temple in Mary; the refusal to register the Bible Society of Turkmenistan; raids on the homes of members of unregistered religious communities; confiscation of religious literature, and the ever present threat of arrest and imprisonment, have created an atmosphere in which all practice of religion is dangerous.

While high government officials have been promising for months that the situation would improve and the numerical requirement for registration of religious groups lowered, no improvement has taken place, and harassment by the police and the KNB has continued or even increased.

America's commitment to support international religious freedom requires action on the part of the United States Government. It should continuously remind the Government of Turkmenistan that maltreatment of religious minorities would have serious consequences for relations between the two countries. However, given the facts of political life in Turkmenistan, only representations made on the highest level would be heard in Ashgabad.

The United States should raise the issue at the United Nations Commission on Human Rights and advocate the appointment of a special rapporteur who would investigate the situation in Turkmenistan. A resolution condemning human rights violations there is bound to influence, at least to some degree, the thinking of the regime.

Perhaps the most effective measures would be economic ones. Turkmenistan's economy has been deteriorating. It can be repaired and developed only with large infusions of capital and technology from outside the country. Turkmenistan is currently engaged in intricate negotiations with several countries about the construction of pipelines to convey its natural gas to world markets.

This provides leverage that the United States and other like-minded countries could very well use in urging the Government of Turkmenistan to improve its behavior in regard to human rights, and specifically in regard to religious freedom.

Rapid and radical improvement of Turkmenistan's treatment of religious minorities cannot be expected. Still, consistent use of all legitimate means to push the Government of Turkmenistan in the right direction must sooner or later achieve the desired results.

Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much, Dr. Kazemzadeh. We appreciate your testimony.

I would like to ask Cassandra to proceed.

**TESTIMONY OF CASSANDRA CAVANAUGH,  
HUMAN RIGHTS WATCH**

Ms. CAVANAUGH. Well, first of all, I would say that Human Rights Watch is very grateful to Chairman Smith and to the other Commissioners for the opportunity to participate in this important hearing on what you have quite accurately fairly named the most repressive of the new independent states.

I'm going to summarize some of my testimony and I ask that the full version be submitted to the record.

Mr. SMITH. No objection. Your full testimony will be made part of the record.

Ms. CAVANAUGH. Ever since 1993 the U.S. State Department's Annual Report on Human Rights has begun with the same sentence on Turkmenistan. "Turkmenistan, a one-party state, dominated by its president and his closest advisers, made little progress in moving from a Soviet-era authoritarian style of government to a democratic system."

Yet, despite the U.S. Government's yearly acknowledgment of the Niyazov government's dismal human rights record, the U.S. continues to support the dictatorship in order to secure its participation in the Trans-Caspian gas pipeline.

Indeed, this very hearing comes at a time when Turkmenistan has been in the news, not for its devolution into a North Korea-style dictatorship-for-life, but because it has challenged the terms of its participation in the gas pipeline.

This singular pursuit of a pipeline has led to the unfortunate situation in which U.S. policy towards Turkmenistan since its independence has been driven solely by energy interests to the detriment of all other goals, including the promotion of human rights and democracy.

Yet, anyone who follows developments in the country might easily have predicted that the government's utter disrespect for the rule of law has implications for international involvement in its energy sector, as well as for its political fate.

I'm going to briefly summarize the human rights developments in Turkmenistan as we see them because they have been very adequately treated by other people here at this hearing to say only that human rights abuses in Turkmenistan are well documented to the extent that people are allowed to do so. They amount to a total lack of basic civil and political freedoms.

Credible reports document the routine use of torture. There are essentially no due process rights at all. Finally, I should mention that in Turkmenistan alone of all the other newly independent states, neither Turkmen citizens nor really international monitors can effectively monitor the observance of human rights. This is, of course, due to state sponsored repression.

Chairman Smith has already mentioned the negative turn in 1999 which is almost unthinkable given how bad the situation was beforehand. By almost every measure, human rights observance became worse in Turkmenistan. The anti-religious assault became more vicious.

State authorities stepped up their harassment of the family members of exiled dissidents. They were arrested, imprisoned, deprived of their homes, businesses, and other property. They have been blacklisted from institutions of higher learning. Turkmenistan, of course, created several new political prisoners in 1999, notably among them Pirikuli Tangrykuliev and Mr. Nurmammedov, and others who have already been mentioned in the course of the hearing.

Despite this worsening, U.S. policy towards Turkmenistan has not changed one iota and the two-track policy that Chairman Smith has already mentioned remains in place.

The chronology of economic assistance provided by the U.S. to Turkmenistan through the Export-Import Bank shows very clearly which of these tracks has the right of way. I should say that assistance has now reached over \$300 million since 1995.

I would just like to give a little bit of the chronology to show how blatant the contradictions are between criticism of human rights abuses on the one hand, and continued economic assistance on the other.

In 1995 desperate citizens staged a peaceful demonstration against the previous year's falsified parliamentary elections in the capital Ashgabad. Scores were arrested, beaten, and eye-witnesses reported that many demonstrators died in detention.

As many as 30 demonstrators and other activists were sentenced to prison terms that year. At the same time, Turkmenistan received over \$78 million in loan guarantees through the U.S. Export-Import Bank.

In 1996 Turkmenistan committed three government critics to psychiatric hospitals in a harkening back to the Soviet era, without medical necessity and received \$109 million in new loan guarantees.

In 1997 Turkmenistan began to outlaw and harass many religious congregations other than the dominant Sunni Islam and Russian Orthodoxy after introducing restrictive new amendments to its law on religion late in the previous year. That year the U.S. provided over \$133 million in new loan guarantees to Turkmenistan through the Export-Import Bank.

In 1998 the pattern continued. On March 10 preceding Niyazov's visit to the United States, the Export-Import Bank awarded \$96 million to three U.S. companies in order to sell natural gas equipment and other services to Turkmenistan.

Later President Niyazov released some political prisoners on the eve of his April meeting with President Clinton but he continued to beat, harass, and arrest others. One political prisoner died in custody under suspicious circumstances during this time.

During the April visit U.S. Government officials reported having raised human rights issues privately with Niyazov. At the same time the U.S. awarded companies grants, using public funds, to get a foothold in Turkmenistan's energy sector. During a meeting with President Clinton and Niyazov on April 23 the U.S. Government's Trade and Development Administration awarded a \$750,000 grant to conduct a pipeline feasibility study, which the Chairman has already mentioned.

This pattern continued in 1999. Though no new Ex-Im appropriations were made for Turkmenistan, economic assistance continued in other guises. More disturbingly even as Turkmenistan jailed more government critics, the U.S. Government's two-track diplomacy continued to totally undercut its message on human rights.

Six days after the sentencing of the Turkmen dissident Pirikuli Tangrykuliev to eight years imprisonment on August 14, U.S. Secretary of Energy Richardson, John Wolf, the Special Advisor to the President and Secretary of State for Caspian Basin Energy Diplomacy, and J. Joseph Grandmaison, the Director of the U.S. Trade and Development Agency, met with President Niyazov to discuss the proposed Trans-Caspian gas pipeline and to release the next tranche of the \$750,000 feasibility grant.

The U.S. Government waited until August 23, 3 days after Richardson left the country, to issue a condemnation of Tangrykuliev's conviction. On January 18, 2000, while Special Adviser Wolf was again meeting with President Niyazov, Turkmen officials charged the son of Nurberdi Nurmammedov, Murad, as an accomplice to his father's crimes.

Nurmammedov and his son were sentenced on February 25, but the State Department waited to condemn the sentence for nearly 3 weeks, issuing a statement only last Friday, March 17, after a flurry of meetings between Ambassador-at-Large Wolf and senior Turkmen officials on the fate of the pipeline agreement.

Clearly any U.S. criticism of Turkmenistan's human rights abuses is totally belied by continued U.S. taxpayer-funded support for the Turkmen government. In the absence of concrete consequences for Turkmenistan's egregious failure to uphold its international and bilateral commitments, the Government of President Niyazov has no incentive whatsoever to reform.

Human Rights Watch strongly urges strict conditionality for any form of non-humanitarian assistance to Turkmenistan, particularly new Ex-Im credits for any purpose and not only this agricultural grant that is under consideration but for pipeline purposes as well.

Currently even the minimal human rights considerations required by Ex-Im bank policy are seemingly ignored. Two years ago we examined the policy that obliges the State Department to conduct a human rights impact assessment for the Export-Import Bank of the United States whenever financing of more than \$10 million is under consideration.

The assessment is supposed to examine "the general status of human rights and the effect of the export on human rights in the importing country." We filed a Freedom of Information Act request for the review of a 1998 financing package to Turkmenistan, the \$96 million loan guarantee extended for the gas compression equipment.

In this case, the human rights assessment did not seem to have examined the impact of extending funds on human rights at all and clearly did not account for the Government of Turkmenistan's appalling human rights record, a situation regularly noted in the State Department's own Human Rights Country Reports.

Rather, the assessment was simply a minimal signature on a document besides the words human rights, a State Department official's signature and nothing more.

Now, new language in the FY 2000 Foreign Operations Appropriations Act requires the creation of a mechanism to assess the human rights implications of all Export-Import Bank projects and to monitor the human rights impact.

The Ex-Im Bank was given 120 days following the passage of the Act to report to Congress on the implementation of such a system and we hope that they will do so in a timely manner and place a priority on implementation in regards to projects involving Turkmenistan.

Similarly, provisions in the 1998 Religious Freedom Act, which Commissioner Pitts has mentioned, as did Professor Kazemzadeh, provide for a broad array of possible measures to be taken against governments which brutally persecute religious believers. We believe they should be invoked against Turkmenistan.

There are many reasons aside from the demands of U.S. law that economic assistance to Turkmenistan should be conditioned upon respect for human rights. Such conditionality is the necessary first step in promoting real political and economic reform of critical importance not only to Turkmenistan but to U.S. strategic interests as well.

Given the fact that Turkmenistan's hydrocarbon resources are controlled by an abusive, corrupt, and undemocratic government which operates with a total lack of transparency, fostering pipeline construction alone will not lead to the creation of a democratic state. Nor will it lead to the long-term stability of the region particularly when public funds are indiscriminately extended to such an abusive government.

In the absence of democratic institutions, Turkmenistan's post-Niyazov era will likely be marked by vicious internecine battles to control state resources. Without a redoubled effort to ensure adherence to the rule of law and respect for human rights including clear and verifiable human rights conditionalities on financing, it is unclear how the situation will improve.

Rather than make energy interests and human rights mutually exclusive goals, we urge you to ensure that human rights are not sidelined in favor of pipelines because we believe that creating democratic institutions, fostering the rule of law, and ensuring respect for human rights are good for the strategic and energy interests of the U.S. government, and a responsible use of taxpayer funds.

Thank you.

Mr. SMITH. Thank you very much, Ms. Cavanaugh.

Mr. Merry.

**TESTIMONY OF E. WAYNE MERRY, DIRECTOR,  
PROGRAM ON EUROPEAN SOCIETIES IN TRANSITION,  
ATLANTIC COUNCIL OF THE UNITED STATES**

Mr. MERRY. Thank you, Mr. Chairman. As the final witness in this afternoon's hearing, the staff of the Helsinki Commission asked me to focus on recommendations for United States policy.

As the recommendations I am about to make will be dismissed by some of my former colleagues at the Defense Department and the State Department as extreme, let me make clear that I regard the political and human rights situation that we face in Turkmenistan as extreme.

We are not dealing with the kind of authoritarian regimes that exist elsewhere in Central Asia and the Caspian region. We are dealing in Turkmenistan with governance by megalomania. What we should see as a comparison are the governments of Uganda under Idi Amin, Zaire under Mobutu, North Korea under Kim Il-Sung, and Romania under Ceausescu.

In the world today the only peers that the Niyazov regime has are those of perhaps Qaddafi, Saddam Hussein, and Kim Jong-il, with the very important distinction that the United States today maintains normal and even cordial relations with Niyazov and still deludes itself about his regime's potential for reform. When I use the term "cordial," I refer to the public embrace of this man not once but twice by the President of the United States.

Some people will dispute my use of the term "megalomania." Let me give a few citations for why I think this is not extreme.

I have sometimes been given the argument that Mr. Niyazov's assumption of the name "Turkmenbashi," meaning "Father" or "Head of the Turkmen" is comparable with the name "Ataturk" assumed by Mustafa Kemal in Turkey. The difference is that Kemal became Ataturk only 2 years before his death and after fully 2 decades of achievement in both the political and military fields comparable with those of George Washington, who was called Father of His Country by some even during his final years.

There is something quite different, I think, for a political figure to anoint himself from the very beginning of his reign as a "supremo," "generalissimo," or "maximum leader." The appropriate comparison here for Niyazov is with the much unlamented Jean Bedel Bokassa, the self-proclaimed first emperor of the short-lived Central African Empire. I think if we keep that comparison in mind, much about contemporary Turkmenistan will be clear.

Mr. Chairman, megalomania is a hunger that is never satisfied. Once Niyazov took on this pompous honorific, no amount of public adoration could possibly suffice. His face and figure, in silk and wool, on paper and marble, in bronze and steel, adorn literally every corner of his impoverished land.

His name is attached to cities, industries and, as we've heard, even a fragrance. He is worshiped in the press as "an angel sent to Earth" and "a child born from a special glance of God." And, as we all know, Niyazov has awarded himself supreme political power for life.

I might note that I traveled through Soviet Turkmenistan in the latter part of the Brezhnev regime, and the cult of Brezhnev was only a pale echo of the cult of Niyazov in Turkmenistan today.

This style of rule sometimes seems amusing to outside observers but it is no joke and these vanities come at a very heavy price for the people of his country. Four years ago Niyazov retroactively declared himself the founder of every newspaper and other periodical in Turkmenistan. As part of the cult of his mother and as a dutiful son, he declared his mother to have been the founder of every broadcast media in the country. Now, while vanity certainly played some role in these actions, the more basic motive was to exercise total and complete control over speech and the press in Turkmenistan.

I would like to submit to you here copies of a typical daily newspaper from Ashgabad. I would ask you particularly to note the poem that is contained in the masthead which is conveniently both in Turkmen and in English, so this is not my translation. This is the official Turkmen translation.

This hymn is not only a required fixture of every publication in Turkmenistan. It is also recited as an obligatory state oath by every school child in the country from the very youngest every morning. Allow me to read the text out loud.

“Turkmenistan, my beloved motherland, my beloved motherland!  
 You are always with me in my thoughts and in my heart.  
 For the slightest evil against you let my hand be lost.  
 For the slightest slander about you let my tongue be lost.  
 At the moment of my betrayal to my motherland, to her  
 sacred banner,  
 To Saparmurat Turkmenbashy let my breath stop.”

Now, this is not quite the Pledge of Allegiance to the Flag, I'm sure you'll agree. But for every child, every student, indeed every citizen of Turkmenistan, every day, the very notion of opposition to Niyazov, however slight, is unambiguously associated with images of mutilation and death. Is it any wonder that the overt manifestations of political independence in Turkmenistan have been so few and the consequences to those who speak out so grave?

Mr. Chairman, what can and should the United States do about such a ghastly regime and leader? First, we must face facts, and the State Department's recent human rights report on Turkmenistan does not, and I'm afraid the testimony here today of my friend and former colleague, Mr. Beyrle, does not.

State persists in the view that Niyazov is a strong-willed ruler like Tito capable of redemption rather than an unbridled despot like Ceausescu, that he somehow is the Central Asian equivalent of Robert Mugabe rather than some kind of latter-day Bokassa.

I believe in redemption for people. I certainly believe in redemption for the people of Turkmenistan. I think the notion of redemption for

Saparmurat Niyazov is preposterous. Such men do not go from bad to better. They go from bad to worse. Our ability to influence such a regime towards genuine democracy, civil liberties, and accountable government is effectively nil. This is not cynicism; it is realism.

Second, in addition to retention of absolute power, Niyazov values above all other things the gratification of his already bloated ego. We should not feed him. The reception of Niyazov at the White House in 1998, against the recommendations of this Commission, was a scandal and a mistake, as was the presidential embrace at the Istanbul summit last November.

No good whatsoever came to the hard pressed people of Turkmenistan from these gestures, while Niyazov was simply confirmed in his arrogance by the public approbation of the world's superpower. We Americans sometimes forget just how much our gestures mean to the tyrants of the world. We need only look at how hard these tyrants work for these gestures to find out how important they are. We should not forget.

Third, let's be sensible about Turkmenistan's natural gas about which there has been a great deal of hype. It's true that this country sits atop huge reserves of gas, but it will be years, and perhaps even decades, before its potential will make a significant difference in the world's already fairly sated energy supply.

In addition, while oil is a commodity traded by tankers in a global market, natural gas distribution is largely limited to pipelines and hence sold in regional markets. The major customers for Turkmen natural gas will be Turkey, Russia, Ukraine, and the countries of southern Asia. There is no reason why these markets cannot very well look after themselves without support from the American taxpayer.

The United States does not have an overriding economic interest in Turkmenistan. It is not a Saudi Arabia for us. In any case, we should remember the consequences of our support for an autocratic regime in Iran in pursuit of what were perceived as economic interests.

Next, the United States should terminate all but quite unambiguously humanitarian official assistance programs in Turkmenistan and especially stop defense and military contacts. However well-intended these contacts, they are ill-conceived, serve no tangible American interest, and will be abused by the Niyazov regime.

It is just fantasy to imagine we are developing democratic civil-military relations in Turkmenistan or that we are obtaining useful influence with the Turkmen military. Also, I may say, there is no such thing as an unarmed Coast Guard vessel. Coast Guard vessels do not exist only to interdict traffic. They exist to keep people in. I once lived on the eastern side of the Berlin Wall and the official rationale for that structure was that it kept bad things *out* of East Germany, not that it kept the East German people *in*. I can hardly imagine that our Government ever would have given support of any type, tangible or otherwise, to the Berlin Wall.

The Pentagon may object that I once personally played a role in creating these programs with Turkmenistan and that's quite true, but at least I recognize the mistake and the need to correct it. In addition, I feel strongly we should take steps to suspend Turkmenistan's participation in the Partnership for Peace program. PFP is supposed to be based on and to inculcate and further shared values and purposes.

There are a number of countries in PFP that scarcely qualify for the Partnership but I believe Turkmenistan absolutely does not. If the European Union can minimally chastise Austria about Joerg Haidar, surely the Partnership for Peace should draw the line at Saparmurat Niyazov.

Finally, drawing on a point that was raised earlier, I believe this Commission should very seriously consider whether Turkmenistan has any business being in the OSCE at all. In 1992 when the invitation was first extended, I argued within the U.S. Government that it was a mistake.

Things have obviously gotten much worse in the ensuing eight years. It is quite clear that the Niyazov regime has no intention whatsoever of fulfilling any of its OSCE commitments other than those which serve its own interest in the security field.

There are other participating States in the region where one can at least hope that an OSCE presence may slowly change things for the better. As we've heard already today, Turkmenistan is extremely barren ground so long as the current power system exist. Participation in OSCE, however, does give a patina of respectability to Niyazov and allows him to strut on a multilateral stage on a basis of presumed equality with genuine democratic leaders as he did in Istanbul.

The OSCE saw fit to suspend Yugoslavia from the organization for its regional behavior. I think the precedent should be established with Turkmenistan to suspend a country for its internal behavior. If Helsinki principles can be stretched to accommodate the Niyazov despotism, then they lose all meaning. Taking this kind of action against Turkmenistan, I believe, would enhance the OSCE's credibility and efforts in other problematic countries and demonstrate that joining the Helsinki process is not just an empty formalism.

Mr. Chairman, of all the countries that this Commission will examine in its hearings, none more justifies American policies based on a long-term perspective and adherence to our principles than does Turkmenistan.

Niyazov may be around for years, but he is not forever. A minimalist policy toward Turkmenistan today, I believe, will pay dividends tomorrow.

I thank you for this opportunity to testify before the Commission.

Mr. SMITH. Thank you for your very incisive remarks. We have benefitted from your advice and counsel before and now we are doing it with you as a witness. We do thank you for that.

Earlier, Mr. Byerle talked about redemption, and the concept of strategic patience. Certainly for the man or woman sitting in a jail suffering beatings and lack of food, this is a concept that seems irrelevant. Your point, Mr. Merry, in comparing Turkmenistan to a number of despotic and gruesome regimes in Africa, Central Europe, and North Korea, I think, is a very fitting juxtaposition to Mr. Byerle's concept of redemption.

In the early 1980s, a few of us raised the fact that Ceausescu's Securitate was one of the most repressive in all of Central Europe. The State Department fought us tooth and nail throughout that process. It took us 3 years to get a resolution passed calling for the withdrawal of Most Favored Nation status for Ceausescu.

Ceausescu came to Washington, met with President Carter, was feted, and was given the red carpet treatment in the late 1970s. Now, nobody in the State Department or anywhere else has a picture of Nicolae Ceausescu on their wall. I think the same could be said with every other dictator. It seems to me that when we're talking about Mr. Niyazov, that we too will come to rue the day that we had this hand-and-glove relationship with him as he tramples the rights of his own people.

Redemption comes when someone seeks redemption. It seems that he's going in the opposite direction, which leads me to my first question.

Mr. Kuliev, we do appreciate your testimony, your courage in being here and for taking a stand. You were once the foreign minister, were the one, if I'm not mistaken, who actually signed the 1992 letter on behalf of Turkmenistan accepting all Helsinki commitments. You might recall one of the operative phrases from the 1990 OSCE Charter of Paris which Turkmenistan agreed to when it joined the OSCE in 1992 was, and I quote, "Democracy is the only form of government for our states."

Was it your belief then that Turkmenistan would, indeed, live up to its obligations? I think Mr. Merry pointed out, and others have pointed out, Niyazov has gotten worse, not better. This has been a deterioration. There's no sign of improvement by any measure. The megalomaniac is becoming even worse.

Did you see that then? What was your take of the man then? Did he have democratic aspirations back then?

Mr. KULIEV. Yes, at that point we believed and we wanted Turkmenistan to follow the path of democracy. But, unfortunately, there had never been a country of Turkmenistan. In retrospect, I believe we needed a protectorate, probably under the auspices of the United Nations or maybe under the auspices of the great powers such as the U.S., Great Britain, Germany, France, and, maybe, Russia. Probably we needed 20 to 30 years under the protectorate before we could ever think about going independent.

Mr. SMITH. Ms. Cavanaugh, in your testimony you reminded us, and I quoted it when Mr. Beyrle was here, of the White House press office's statement during the state visit by Niyazov when regrettably the White House whitewashed on a despicable regime. Maybe they believed it and maybe they didn't. I wasn't sure we got the answer from Mr. Beyrle.

As a general question to all of you, isn't accuracy extremely important when we're dealing with foreign governments? We all know that it is, but, unfortunately, in the heat of the moment or in the euphoria of trying to encourage good feelings to emerge from a meeting or series of meetings, diplomats have a tendency to suddenly be profuse in their praise of someone who does despicable things.

How do you take the White House statement? Was there any validity or truth to it back on April 23 when it was stated, and again, I quote, "Turkmenistan is committed to strengthening the rule of law and political pluralism including free and fair elections for parliament and the presidency in accordance with international standards." Was that an accurate statement when made and is it accurate now?

Ms. CAVANAUGH. Well, of course, hindsight is 20/20. I am not willing to second guess the people who crafted that statement back in 1998.

Mr. SMITH. But was it accurate then?

Ms. CAVANAUGH. Was Turkmenistan at that point willing to respect democracy and build a democratic government? Well, we can see that it wasn't because in 1999 they were supposed to hold free and fair elections. There were elections for president scheduled for 2002 which now have been pretty much rendered moot by the declaration of this life presidency. As a predictive statement of Turkmenistan's willingness, I think that we can see it has very little value.

The interesting point about that statement is that now that it has become so patently clear that it was not true at that point in 1998, the goalposts have shifted. In 1998 we were willing to support and pledge billions of dollars in future Ex-Im guarantees for this pipeline on the basis of Turkmenistan's supposed willingness to uphold democratic values and build a democratic system.

Now that it's clear that Turkmenistan is willing to do no such thing and, as a matter of fact, is doing exactly the opposite, we hear the administration saying that, "Well, we need the pipeline for our own strategic interest because it's in the economic good of the region as a whole."

The goalposts have obviously been shifted. I think we have to call that and really push that statement as well as challenging the basis for this supposed economic benefit that's going to be derived to the region.

As I mentioned, I think many political scientists have made it perfectly clear that if you put a lot of oil revenue or hydrocarbon revenue into countries which have these sorts of systems, as we heard, they go directly into some uncontrollable accounts tied to the leaders and very little benefit is derived for the people of the region or the people of any particular country.

Mr. SMITH. Mr. Merry.

Mr. MERRY. Mr. Chairman, as someone who has worked on a great many pieces of press guidance in my time, let me just note that I think this is reflective of the unfortunate tendency from summit diplomacy, and not just in this country, always to try to define results as positive and, in this case, to take Niyazov's assertions at face value.

Now, they could have been described in the press statement as the visitor's assertions. They didn't have to be delivered as a statement of American credulity. I think this is reflective also of the tendency always to try to put a positive gloss on a problem when there are other perceived economic issues involved.

I can show you innumerable assertions of a similar type from Saddam Hussein and from Kim Jong-il. We don't take those seriously, one, because we've learned something about them and, two, because we do not have a direct economic influence.

I think Ms. Cavanaugh's detailed description about the disjuncture between American economic approaches to Turkmenistan and human rights approaches is exactly on the mark.

Mr. SMITH. Let me just ask you in follow-up, is there any accountability when those kinds of statements are made? They do their dirty work, if you will, for the dictator in question in his country, and yet it just gives a sense of comfort here to people who say, "Oh, things must be moving in the right direction."

Even the Country Reports and Human Rights Practices say there has been little progress. That seems to convey that, while it's not as much as we would like, there's been some. The State Department's Human Rights reports themselves don't say emphatically that there has been no progress, if I'm hearing the testimony correctly and if our information is correct. Why not a declarative statement, "There has been no progress. Rather, there has been regression." We see that in China. I've had 15 hearings on human rights in China in my subcommittee. Amnesty and all the other groups tell us that there is significant regression.

Yet, you get wriggle word and phrases out of the Country Reports that take the edge off it, so to speak. That may be helpful to an ambassador who wants to maintain his access to the diplomatic receptions in any given capital, but it certainly does not do justice to the truth. That's what we should be all about here.

There seems to be no accountability for that kind of statement and I do appreciate your thoughts on that. Maybe you would like to comment.

Mr. MERRY. May I just say that Ambassador Steven Mann in Ashgabad is also a friend and former colleague of mine. We worked together in the Soviet Union in one of the worst periods of the Cold War on human rights issues. I have no doubt that Mr. Beyrle is quite correct in saying that Ambassador Mann raises human rights issues quite directly with Turkmen officials and with President Niyazov.

It is scarcely surprising that a dozen demarches will be negated by one such White House press statement. If you were the tyrant, whom would you believe, the Ambassador or the White House press statement?

Mr. SMITH. Well put. Let me ask you, Mr. Iwaszkiewicz, it is obvious from your testimony that trying to do human rights work in Turkmenistan is extremely difficult. Can you tell us about the relations between the OSCE leadership in Vienna and the OSCE office in Ashgabad. Did you get the support that was needed? Can you update us on the state of play between ODHIR and Turkmenistan?

Mr. IWASZKIEWICZ. Well, I worked in Turkmenistan under first Norwegian and then Austrian chairmanship. We had the support of the chairmanship. However, the OSCE Secretary General and even the OSCE Chairman in Office received complaints from the Turkmen authorities about my behavior. Of course, they also received the Center's

commentary on this situation. The Center did not receive an immediate response from the Norwegians, and the response, once it came, was to ask me to back off a bit and that I was harassing the government a little bit. In the end, the chairmanship supported me when it became clear that the Turkmen government wanted the chairmanship to dismiss me. In the end they did support me and our activities. We also received clear support from the Secretary General and ODHIR.

You also asked about the relationship between ODHIR and Turkmenistan. The main issue is the Memorandum of Understanding between the OSCE, ODHIR, and the Turkmen government. The Memorandum is as yet unsigned. Turkmenistan is the only country in the region which did not sign the Memorandum. This has not made our work easier because the Memorandum of Understanding between ODHIR and OSCE is supposed to be the legal and also financial framework for our activity in the human rights area. There is no such framework. We are trying, with the support of ODHIR, to conduct our projects which are aimed mostly at informing people of the OSCE's human rights standards. We are publishing some small books on it. This is the level of our activity. There is no relationship between ODHIR and Turkmenistan.

Recently, the Turkmen ambassador in Vienna, Mr. Burdier, stated that the Government of Turkmenistan appreciates ODHIR sending a delegation to Turkmenistan to discuss the Memorandum again. Let's see what will happen.

Mr. SMITH. Thank you very much. I yield to Commissioner Pitts.

Mr. PITTS. Thank you, Mr. Chairman. To follow up with Mr. Iwaszkiewicz on the Chairman's question, I understand that you are going to be replaced in the OSCE Center in Ashgabad by another Polish diplomat. Considering how many problems you had with the Turkmen authorities, has your replacement been instructed to be more accommodating or less active in human rights?

Mr. IWASZKIEWICZ. I don't think anybody would instruct him to be less active. As I said, I received full support from the Chairmanship and the Secretary General. My level of activity wasn't considered too high. I don't think my successor will be instructed to be not as active.

I think my successor will face problems similar to those I had in Turkmenistan because he will have to build his own network of contacts. Of course, we are mandated to meet with opposition political groups, independents and unemployed journalists, and NGOs. This will again disappoint Turkmen authorities. I think he will be in trouble very soon. Thank you.

Mr. PITTS. Mr. Merry, I was very intrigued with your testimony and your suggestion that perhaps Turkmenistan should be removed from the OSCE. What would the consequences be if Turkmenistan was removed from the OSCE?

Mr. MERRY. You may note that in my testimony I put this down as a suggestion for the Commission to consider, partly because it obviously does have broader ramifications. There is, however, the precedent of the suspension of the Former Republic of Yugoslavia and it was along those lines that I had action in mind.

However, I do recognize that there is a very important difference in the minds of many OSCE participating States between the behavior of a country outside of its borders and the behavior of a country inside its borders. I don't for a moment imagine that there wouldn't be considerable resistance among a number of OSCE participating States to the

idea of suspending any country based on its internal activities.

I think, however, that this is the kind of issue that eventually the OSCE has to deal with if it continues to harbor among its membership a state whose internal repressions are as blatant as they are in Turkmenistan. I'm not proposing this for any of the other regional countries even though their human rights failures are often quite severe, but I think Turkmenistan is really quite exceptional. I think it is on the order that we've seen in some of the most rampant dictatorships.

One of the reasons for my proposal was that, if successful, perhaps miraculously successful, it would form a useful precedent for action taken against a country for flagrant violation of OSCE commitments. Secondly, because I do believe things in Turkmenistan are going to get worse. I think they are going to get significantly worse.

I think even an unsuccessful effort to suspend Turkmenistan from the OSCE could serve as more of a restraint on a man like Niyazov, who values his international acceptance and respectability very highly, than all of the diplomatic demarches in the world.

I think the idea that he could actually find himself in the same position as Milosevic, suspended from the OSCE, might actually serve as a deterrent on further repressive action by this regime, whereas many of the other kinds of actions we're talking about do not. I think things have not gotten as bad as they are going to get in Turkmenistan. I think they are going to get worse.

Mr. PITTS. When you suggested suspending Turkmenistan, you said that the Helsinki Commission should explore this possibility so that the Helsinki principles do not lose their meaning. What are some of the ramifications that would occur if there was a suspension from OSCE? Can you just name—

Mr. MERRY. You mean ramifications for Turkmenistan or for the Organization?

Mr. PITTS. Ramifications for Turkmenistan.

Mr. MERRY. I think, for Turkmenistan, it's difficult to imagine that suspension from the OSCE would actually make things worse. I do not see that its membership in the OSCE is today serving as anything of a restraint on the actions of the Niyazov regime. I think the threat of suspension, as I mentioned before, might act as a bit of a restraint.

My view is really motivated by what can the United States or this Commission consider doing that might bring some element of relief to the people of Turkmenistan. It's a difficult concept. As someone who did human rights work during the Cold War, I know it's always very hard to think what can one practically do for people in this kind of a circumstance.

In the case of North Korea and Iraq where they are not members of this type of international organization, there is no sanction that can be brought against them diplomatically. I think Niyazov values very highly his membership in an international organization like the OSCE.

If you look at the way he participated, the way he almost deliberately elbowed his way into the center of the photo frame at Istanbul, I think the notion, even if it were only suggested publicly by an organization like this Commission, that Turkmenistan be suspended would get his attention in ways the diplomatic efforts might not. It's at least something I would ask members of the Commission to think about.

Mr. PITTS. We certainly will. For Dr. Kazemzadeh or for any of the other witnesses, do you think we should have other types of sanctions imposed on Turkmenistan? If so do you have any specific suggestions?

Mr. KAZEMZADEH. I suggest that we might go to the United Nations. We have not brought up the issue of Turkmenistan in the UN Commission for Human Rights. I think that this will be a very good forum. In Turkmenistan they are obsessed, or the ruling elite is obsessed with the notion of neutrality. They want to be in good graces with everybody.

Taking them to the UN, taking them to the Human Rights Commission and through the process to the Third Committee and, finally, perhaps a condemnation in the General Assembly will have an effect.

Mr. PITTS. Thank you. Ms. Cavanaugh, you—

Mr. MERRY. Congressman, can I make one more point?

Mr. PITTS. Go ahead.

Mr. MERRY. I would like to address something that I believe you raised earlier which is the question of certification under the Cooperative Threat Reduction Program, also known as the Nunn-Lugar program. I think the idea that Turkmenistan would not lose its certification is simply preposterous. If the administration certifies Turkmenistan, I think the Congress ought to consider revising the legislation to move the certification process up to this end of Pennsylvania Avenue.

My understanding, from what I've heard, is that the administration probably will decertify Turkmenistan but try to use that perhaps as a bit of a cover for not decertifying some other countries in the area which are also particularly flagrant in their violations, particularly Uzbekistan. If Turkmenistan is decertified, I would ask you not to be too jubilant. I would ask you also to look and see whether other countries in the region were let past the bar who perhaps should not have been. Thank you, sir.

Mr. PITTS. Thank you. Ms. Cavanaugh, you mentioned something regarding the Ex-Im Bank procedure that was being developed or called to be developed regarding human rights. Would you explain that, please?

Ms. CAVANAUGH. Well, even before the Foreign Appropriations Act of this year, there was a requirement that Ex-Im Bank refer all loans greater than \$10 million to the State Department which had to conduct a human rights impact assessment.

Now, as I mentioned through the Freedom of Information Act we have obtained some of those impact assessments and found that they were essentially completely cursory. They consisted of signatures with no evidence that the real impact was actually even considered.

Now, this procedure has been strengthened through language that was introduced into the operations act this year and the Ex-Im Bank is supposed to report to Congress—I think that the 120 days has already passed—on how they are going to strengthen human rights impact assessments on these loan projects.

There is a great instrument that you have in order to keep track of where the money goes and to stop it from going to Turkmenistan.

Mr. PITTS. Thank you. That's very helpful. How would you explain the worsening of the human rights situation since 1999? I think you cited that it had gotten worse. Why?

Ms. CAVANAUGH. I explain it to a great degree with the United States's looking the other way in 1998. I think after the 1998 visit, I think after the promise of unlimited funding for the pipeline that Turkmenbashi realized he didn't have to do anything and so he was essentially given carte blanche to deal with his opponents and perceived opponents anyway he wanted to. Maybe that's too hubristic on the part of U.S. citizens but, nonetheless, I think there's much truth in it.

Mr. PITTS. Thank you. One final question for Mr. Kuliev. What is the view of the Turkmenistan opposition groups about sanctions? In your opinion, what kind of sanctions would be most useful?

Mr. KULIEV. I think that the United States should take both political and economic sanctions against Turkmenistan. Since the United States invests a lot of money into the gas project currently underway in Turkmenistan, I think the U.S. Government should exert control over the money invested into this project and it should not give this control to businessmen and major oil and gas companies that are operating there. I think that we should tie in the questions of economic development with the process of democratization in Turkmenistan.

Another approach would be to create within the OSCE a kind of mechanism that would enable people from not only Turkmenistan but from other republics in Central Asia to turn to this mechanism in order to resolve the difficult situations that they might be facing in their respective countries. I would propose a kind of an international court.

Mr. PITTS. Thank you, Mr. Chairman.

Mr. SMITH. Thank you very much, Commissioner Pitts. Let me just ask a couple of final questions. I do thank you for your patience. It's been a long hearing. This is an extremely important subject and we plan on doing much more.

Mr. Merry, I think you made some very good recommendations that we ought to consider and follow up as a Commission. All of you have and we will take every one of them under close advisement and we will have an action agenda.

Dr. Kazemzadeh, you mentioned, as have other witnesses, that religious activity is very, restricted. Jehovah's Witnesses and Baptists are routinely tortured in prison. Can you tell us specifically about the torture in the prisons? What is really going on with these people? If somebody is arrested for their beliefs, what happens then?

Mr. KAZEMZADEH. To the best of my knowledge, they are conveyed to the detention centers of the Committee of National Security. They are warned initially and told not to participate in such activities. They are also threatened with the loss of jobs. It has been mentioned here already that threats are made against families. Threats are made against children who may not continue their education if the parents participate in religious activities. These are mild cases. When people disobey, there is a second arrest or second investigation that may lead to a trial which results, as we have seen in several cases, in sentences of 4 or 8 years in jail. Those are pretty awful jails. There have been cases of beatings which have been amply documented.

I think that the Keston Institute has been invaluable in discovering these cases and presenting them to the public. It seems that Turkmenistan up to now has had a sort of immunity from the media. Turkmenistan is far away. Nobody is really interested.

This is why I mentioned, or even stressed, the idea of going to the UN. If the situation in Turkmenistan is raised before the Commission on Human Rights, then right there in Geneva the situation will be discussed. Turkmenbashi will not like that because he will then appear in a terrible light before world public opinion.

Mr. SMITH. Ambassador Seiple, who heads up the religious freedom office at the State Department, issued his report recently in which he named those countries of greatest interest to the United States because of their human rights religious persecution records. Unfortunately, be-

cause I think the record would warrant it, Turkmenistan was not included, nor was a place like North Korea where religious exercise is nonexistent as well. I mentioned, when he testified before my subcommittee on International Operations and Human Rights, why some countries were left out.

I think some of you might want to comment on whether or not you think it ought to be included. It is a new office within the State Department working on this information, but it would seem, based on the available evidence, that Turkmenistan ought to be one of those because it is a flagrant abuser.

I also would like to know whether or not you think the sanctions that were prescribed by the 1998 International Religious Freedom Act would be helpful. As you know, sanctions are not mandatory. The law authorizes the President but does not compel him to act. It does give him a generous waiver but the ball is in his court to take effective action. The President and his people seem bent on continuing this hand-and-glove relationship on the pipeline. It seems to me there are other things that might be done which might influence Turkmenistan to take a different course. There are several options that are available to the President pursuant to that legislation. What is your view on that? Should we take action and should Turkmenistan be included among the worse violators?

Mr. KAZEMZADEH. Well, this is a very complicated issue. I think that Turkmenistan should have been included on the list of countries of particular concern. China was included. China is much more significant and more difficult to deal with than Turkmenistan. The consequences of offending Turkmenistan cannot be compared to the consequences of getting into trouble with China.

I think that Turkmenistan actually is a wonderful instance of a country that one can step on without bad consequences to the United States.

Now, the Commission on International Religious Freedom that was created by the Congress in '98 has chosen for the first year of its existence to deal with the Sudan, China, and Russia. I think that it is desirable that Turkmenistan and several other countries be included.

North Korea is such an obvious case that nobody was even thinking of it. It was just assumed that somehow North Korea is not in our world. There is no use even talking about it.

Mr. SMITH. I ask that it be included next year. You mentioned the Sudan. In recent years bipartisan efforts have been made, and I was among those, not only to further sanction the Sudan because of slavery and because of its killing of 2 million in its war in the south, but also to look at those companies like Talisman Oil. Recently in my own state, and there are a number of states that have now taken this action, to divest themselves of shares in Talisman Oil because it is aiding and abetting the despotic regime in Khartoum.

We launched the same inquiry and the administration deserves credit with regards to Burma. UNOCAL, an oil company, has been very active there. Why wouldn't that also apply? Perhaps you might recommend that Bechtel and G.E. Capital make a very concerted effort, or be made to spur reform in Turkmenistan?

Perhaps Edward Smith might be contacted and a marker be laid down that there is going to be an effort made by the human rights community, by the emigre community and the exile community to take action against those specific companies.

I was amazed and it took some doing but my own governor took the action of divesting New Jersey's pension funds, a very considerable holding in Talisman Oil. One of the human rights organizations in New York, Freedom House, asked us to take action. We looked into it and found out that their information was credible in terms of how much the New Jersey pension funds were invested in Talisman.

A couple of months later after being apprised of it and action taken, New Jersey divested itself of shares of Talisman Oil. Would you recommend that kind of action, that direct action be taken with regards to Bechtel and G.E.?

Mr. KAZEMZADEH. TIAA CREF, which is one of the biggest pension funds in the United States, has also divested itself of Talisman stock, although they have claimed that this was not because of the human rights situation.

Mr. SMITH. New Jersey made the same claim. I said why don't you just take credit for doing it for the right reasons. It was astonishing but they made the same statement, that it was for economic reasons.

Mr. KAZEMZADEH. Frequently there is a reluctance to put pressure on business. Somehow, business seems to occupy a rather sacred position in some circles. I think that, indeed, big corporations that intend or are making investments in such countries should be approached. People should talk to them. The public should know how they act.

Mr. SMITH. I think most people would be unaware of the fact that G.E. Capital, and Bechtel are benefitting from a collaboration with a dictatorship. In this case, Turkmenistan is the most brutal in what used to be the Soviet Union. Hopefully, what we can do in this Commission is to energize and alert people to the situation as you have done so well in this testimony, all five of you.

Would anybody want to comment on any other points with regards to the hearing? I would like to thank you very much for your expert testimony. There are a number of action items that you have recommended to us that I can assure you we will take under very close advisement. I think you know that this is an activist bipartisan Commission. We have expert staff and appreciate hearing from former staff such as Mr. Merry. I want to thank you for all that you have done on behalf of human rights and for giving us the benefit of your wisdom and counsel today.

This hearing is adjourned.

(Whereupon, the hearing was adjourned at 5:25 p.m.)

**WRITTEN STATEMENT OF  
HON. CHRISTOPHER H. SMITH, CHAIRMAN**

Hearing on democratization, human rights and religious liberty in Turkmenistan. This is one in a series the Helsinki Commission had held on Central Asia: last May, we examined the political and human rights situation in Kazakstan and in October we turned our attention to Uzbekistan. By the way, considering the awful parliamentary election that has just taken place in Kyrgyzstan, our next Central Asia hearing will probably examine the situation in that country.

Our focus today is Turkmenistan. Under the leadership—or should I say misrule—of Saparmurat Niyazov, the country has become the worst-case scenario of post-Soviet development. Human Rights Watch/Helsinki does not shrink from calling Turkmenistan one of the most repressive countries in the world. Alone of the post-Soviet bloc countries, Turkmenistan remains a one-party state. But even that party is a mere shadow of the former ruling Communist Party—all the real power resides in the country's dictator, who savagely crushes any opposition or criticism.

Not only are all political and civil rights ignored or abused in Turkmenistan, freedom of religion is violated. The law—the most restrictive in the former USSR—requires 500 people to register a religious community. Only Islam and Russia Orthodoxy are registered and the authorities have intimidated, arrested, and otherwise persecuted individuals and groups trying to practice their faith. Last November, Turkmen authorities demolished a Seventh-Day Adventist Church in Ashgabad, having previously torn down a Hare Krishna Temple. Except during Bosnian hostilities, I cannot recall another instance of an OSCE participating State destroying a house of worship since Romania in the 1980's.

In fact, much about Turkmenistan today recalls Nicolae Ceausescu. Niyazov's cult of personality has taken increasingly extreme forms. On December 28, delegates to the People's Council, ostensibly the most authoritative representative body in the country but actually a rubber stamp for Niyazov, gave him the right to remain in office permanently. His virtual coronation as "president for life" flagrantly flouts OSCE commitments, which call for regular and competitive elections.

This move, which many had been expecting, not only offends our sensibilities; it is a serious challenge to the OSCE. If there is no appropriate response, other Central Asian leaders might be tempted to follow Niyazov's example and the region, which might be described as a "black hole" of human rights, will sink even deeper into the mire.

Last December, a Helsinki Commission staff delegation visited Turkmenistan and spoke at length with Ambassador Mann and Embassy personnel about conditions in the country. Moreover, to judge by the State Department's annual reports on human rights observance, the Clinton Administration has no illusions about Niyazov or his regime. But Washington wants Niyazov's cooperation in building a Trans-Caspian Gas Pipeline to transport natural gas from Turkmenistan and Azerbaijan to Turkey under the Caspian Sea, as opposed to transporting gas through Russia or—even worst—Iran. The Administration has invested considerable time, effort, and prestige in this initiative. So US policy toward Turkmenistan offers an excellent case-study of US economic and strategic interests in conflict with human rights concerns.

To discuss all these complicated issues, we have assembled an expert group of witnesses. Testifying for the State Department is John Beyrle, the Deputy Coordinator to the Ambassador-at-Large on the New Independent States. Mr. Byerly is a career Foreign Service Officer, who has served in Moscow, Prague and Sofia. From 1993 to 1995, he was the Director for Russian, Ukrainian and Eurasian Affairs at the National Security Council, and he also has experience on the Hill, having been a Foreign Policy Adviser to Senator Paul Simon. Mr. Byerly testified before the Commission last October on Uzbekistan, and we are glad to welcome him back again.

As we did in our hearings on Kazakhstan and Uzbekistan, we invited Ambassador Ugur to participate. Moreover, the Commission asked the US Embassy in Ashgabad to inform President Niyazov and Foreign Minister Shikmuradov about these hearings. Nevertheless, we have no representatives from the Government of Turkmenistan to testify.

Some of our other invited witnesses come from great distances. Mr. Avdy Kuliev, for example, came from Moscow. He was Turkmenistan's Foreign Minister in the early 1990's before falling out with Saparmurat Niyazov. Since 1992, he has lived in Moscow, where he has engaged in opposition political activity, including the establishment of the Turkmenistan Foundation. In April 1998, he returned to Turkmenistan, where the authorities immediately arrested him. Since President Niyazov was in Washington at the time, however, for a meeting with President Clinton, Mr. Kuliev was simply put on a plane back to Moscow.

The second of our guests to come from afar is Pyotr Iwaszkiewicz. A career professional in Poland's Ministry of Foreign Affairs, he finished up his assignment as the Human Rights Officer in the OSCE's Center in Ashgabad just last week. Mr. Iwaszkiewicz will offer us not only the most first-hand but the freshest information on what it is like trying to do human rights work in Turkmenistan, and we are pleased that he is able to join us today.

Dr. Firuz Kazemzadeh began teaching at Yale University in 1956, and was named Professor of History in 1968. He served as director of graduate studies in history, Chairman of the Council on Russian and East European Studies, and Master of Davenport College. He retired from Yale as Professor Emeritus in 1992. In 1998, he was appointed by President Clinton to the United States Commission on International Religious Freedom. Dr. Kazemzadeh has lectured as visiting professor at Stanford University, Harvard University, Columbia University, Lewis and Clark College and the University of Southern California Law School. He has also lectured at the University of Humanities and the Friendship University in Moscow. Dr. Kazemzadeh is the author of *The Struggle for Transcaucasia, 1917-1921* and *Russia and Britain in Persia, 1864-1914: A Study in Imperialism*, as well as chapters in collective works such as the *Cambridge History of Iran*, and of numerous articles in various journals.

Cassandra Cavanaugh is a Research Associate at Human Rights Watch/Helsinki, Europe and Central Asia Division. She is also a Ph.D. candidate in History at Columbia University, where she has concentrated on the study of Russian and Central Asian relations. Previously, Ms. Cavanaugh served as Program Officer in Uzbekistan and Tajikistan for the International Research and Exchanges Board (IREX). Upon joining Human Rights Watch in 1998, she conducted human rights fact-finding missions in Kazakhstan, Turkmenistan and Uzbekistan.

Cassandra testified before the Commission last October on Uzbekistan and it is a testament to her expertise that we have invited her back again so soon.

Last, but certainly not least, I am especially pleased to welcome E. Wayne Merry, the Director of the Atlantic Council's Program on European Societies in Transition. Wayne spent 26 years in the State Department, serving—among other postings—six years in Moscow as a specialist in Soviet and Russian politics. He then joined the staff of Secretary of Defense Perry as Regional Director for Russia, Ukraine and Eurasia to supervise the development of defense and military relations between the Pentagon and the former Soviet Republics. Before coming to the Atlantic Council, Wayne was Senior Advisor to the Helsinki Commission, so we know him quite well. Since his liberation from government service, Wayne has written articles for the *Wall Street Journal*, the *Washington Post* and other leading newspapers, he has become a frequent commentator on TV news shows, and he has testified as an expert witness before Congress. Obviously, there is life after retirement as a public servant.

We look forward to his testimony and that of all our other witnesses. At this point, I would like to ask Co-Chairman Campbell to make his opening remarks.

**WRITTEN STATEMENT OF  
HON. BEN NIGHTHORSE CAMPBELL, CO-CHAIRMAN**

Thank you, Mr. Chairman. The series of hearings on Central Asia launched by the Commission is a very important contribution to our understanding of the trends in those regions. These hearings are also intended to influence the ongoing policy debate in Washington about what to do now that the hopes for rapid democratization, so prevalent in the early 1990s, have proved illusory.

When the Government of Turkmenistan was admitted to the OSCE in 1992, it accepted all existing Helsinki commitments and declared its determination to act in accordance with these provisions. Today, Turkmenistan is reported to be the most repressive of the former Soviet republics. In fact, it sounds like a version of North Korea. But perhaps most disturbing was the decision by the Turkmenistan president to effectively make himself president for life last December. Nothing like this has happened before in the OSCE region and it represents a fundamental challenge to everything the organization stands for.

The effects of the repression in Turkmenistan has reached as far as my home state of Colorado. I have been contacted by a constituent who informed my office about the case of Mr. Nurberdy Nurmamedov, leader of an unregistered opposition movement, who was arrested on January 5th of this year. In December, while a Helsinki Commission staff delegation was in Turkmenistan, the gentleman was brave enough to attend a reception at the home of Ambassador Mann, despite warnings by Turkmen authorities to avoid foreign diplomats. Subsequently, he dared to tell Radio Liberty that the amendment to the country's constitution allowing an individual to serve more than two consecutive presidential terms is "undemocratic and unconstitutional."

For his efforts to speak the truth, a Turkmen district court on February 25 sentenced him to five years in prison for "hooliganism" and "intent to commit murder." His son was sentenced to two years in prison on charges of hooliganism. Turkmen authorities kept foreign diplomats from attending the court proceedings.

I trust that Mr. Beyrle of the State Department will have something to say about political prisoners in Turkmenistan. I urge him to insist on the right to see this gentleman, who I am told is in poor health, and I would appreciate receiving a report on the status of negotiations between the State Department and the Government of Turkmenistan which I can pass along to those interested constituents in Colorado.

**WRITTEN STATEMENT OF  
HON. STENY H. HOYER, RANKING MEMBER**

Mr. Chairman, I commend you for holding this hearing. All too often, when Central Asia or the Caspian region is mentioned, it is exclusively in the context of energy bonanzas and “Great Games.” The ramifications for human rights rarely get the same attention.

I have not yet been to Central Asia. But my study of the region — for which these hearings are so valuable — leads me to the conclusion that Turkmenistan, alone among its neighbors, never allowed any opposition to emerge. Even in Uzbekistan, some political opposition was permitted in the early 1990s. In most other countries of the region, opposition parties today labor under great disadvantages in an uneven struggle to participate in the political process and are often repressed, but at least they have the right to exist. President Saparmurat Niyazov, by contrast, has always crushed opposition elements, displaying a consistency worthy of nobler ends. It seems to me this is an important indicator of the significance of personality in the highly personalized political systems which emerged from the rubble of the USSR.

From the perspective of the OSCE, Turkmenistan is a troubling country for many reasons. As the worst human rights offender in the entire OSCE space, led by a dictator who seems to take pleasure in flouting his human rights commitments, Turkmenistan forces the OSCE and member states who care about human rights to consider how to influence Niyazov towards reform. When the situation is this bad, with no evident prospect of change for the better, perhaps isolation and condemnation should be the goals of policymakers. On the other hand, when the USSR signed the Helsinki Final Act in 1975, Moscow, too, had no intention of observing the commitments it had undertaken to implement. But in time, these commitments and the principles behind them played a key role in undermining Soviet totalitarianism. Perhaps, therefore, it would be wiser to remain engaged, keep pressing and wait for circumstances to change.

These are difficult choices, made even more uncomfortable by our revulsion at Niyazov’s personality cult—so out of place in the 21st century—his cruelty, and his willingness to ignore international public opinion. Precedent is important and Niyazov is a terrible model for other Central Asian leaders. Moreover, his repression allows them, including Kazakhstan’s President Karimov and Kyrgyzstan’s President Akaev, to describe their own authoritarianism as progress by comparison with the worse-case scenario, and ask for Western indulgence.

Mr. Chairman, I anticipate that our expert witnesses will help illuminate these issues and I look forward to the discussion.

**WRITTEN STATEMENT OF  
HON. JOSEPH R. PITTS, COMMISSIONER**

Mr. Chairman, thank you for holding this timely hearing examining the human rights record of Turkmenistan. As you know, I have a keen interest in the region, having traveled there last year. I agree with you that Turkmenistan is one of the most repressive states in the OSCE region, particularly regarding human rights issues. By every measure, Turkmenistan is violating its OSCE commitments.

Let me mention some notable statistics in relation to Turkmenistan. In bulldozing the Hari Krishna temple last August and the Seventh Day Adventist church last November in Ashgabad, Turkmenistan became the only OSCE country to actually destroy places of worship. By only permitting two religious groups to function, and both of them as quasi-governmental entities, and by requiring, similar to other oppressive countries in the region, that any other group have 500 members before they can register, Turkmenistan maintains a repressive hold on religious practice unparalleled in the OSCE region. Turkmenistan is the only former Soviet republic with no legal Bible society or Bible bookstore and in spite of having 800 signatures for the a registration application, legal status was refused last October. Turkmenistan's cavalier attitude toward human rights was further underscored last year when police arrested democracy activist and former parliamentarian Mr. Pirmguli Tanrykuliev while he was lunching with the U.S. Embassy's human rights officer, and in August sentenced him to eight years imprisonment on trumped-up charges. Last December, two Baptist pastors were arrested and deported while Helsinki Commission staff were meeting with government officials in Ashgabad on human rights and religious liberty issues.

I have been personally involved, through the Religious Prisoners Congressional Task Force, in the case of Shageldy Atakov, an ethnic Turkmen Baptist lay preacher, who is imprisoned on trumped up charges because of his religious activity. Mr. Atakov is also considered as a prisoner of conscience by Amnesty International and Jubilee Campaign. Credible reports indicate that he is being tortured in prison. The Jehovah's Witnesses have also reported the continuing arrest and torture of their members. Two weeks ago, pastor Shokhrat Piriev of the Turkmen Church Union was arrested, his car and identity papers confiscated, and internally deported from Ashgabad for his religious activities. Recently, his car and papers were returned, but his church continues to be harassed by security forces. Authorities continue to show signs that they will force Mr. Piriev to move. I find this litany of human rights abuses very disturbing.

Unfortunately, it is not only with Turkmenistan that I am troubled. I have seen a tendency in the engagement of our own government with Turkmenistan to over-emphasize stability and strategic economic interests and de-emphasize human rights. Anytime a U. S. Government official sits down with a Turkmen government official, human rights concerns must be at or near the top of the talking points. We cannot separate our discussion on other issues from the ongoing violations of human rights. I would like to see this message much more strongly conveyed by all levels and all branches of the U.S. Government.

Mr. Chairman, my hope is that this hearing, along with the important work of the human rights community, will help to fan the flames of democracy and will promote the upholding of the fundamental human freedoms of the people of Turkmenistan. I look forward to hearing more from our witnesses on these issues.

Once again, thank you, Mr. Chairman, for holding this timely and important hearing.

**WRITTEN STATEMENT OF  
HON. SAM BROWBACK, COMMISSIONER**

Turkmenistan continues to engage in numerous infringements of religious liberty which I would like to briefly describe. There is a continuing crackdown on religious groups, including the actual bull-dozing of a church to the ground by the government, the deportation of peaceful missionaries, and the arrests and incarceration of people because of their faith. Given this troubling litany, now is the time for the Government of Turkmenistan to enter into a new era of tolerance for religious minorities.

In this era of dramatic change throughout the former Soviet Union, this is an opportunity for Turkmenistan to embrace religious freedom, which is one of the litmus tests for a truly civil society. A first positive step would be to change the present law which requires a religious congregation to have at least 500 adult members before it can legally register. Without registration, it becomes an outlaw organization, with members subjected to numerous abuses, such as these recent events described by Keston News Service and Newsroom:

- I have a stone in my office which is a chunk of rock from the Seventh-day Adventist Church which was bulldozed on November 13 by Turkmen authorities. This church was authorized by the government in 1992.
- On March 3rd, Turkmen authorities arrested Mr. Charyiar Atakov, a Baptist Christian whose brother, Shageldy, is serving a 4-year sentence in a labor camp, reportedly for his religious beliefs. A Baptist colleague, Anatoli Belyayev, was arrested on February 2 and is still imprisoned in Ashgabad. Last April, the government confiscated their Bibles, declaring that their religious beliefs were "forbidden." Reportedly, during extensive interrogation by the KNB (former KGB), Mr. Atakov was severely beaten after refusing to reveal information about the church.
- The brother mentioned above, Shageldy Atakov was sentenced in August to 4 years in a labor camp on false charges because of his work with a local Baptist church, the members report. Immediately after arrest, the government forced his wife, Artygul Atakov, and 5 children from their home. She is presently under house arrest in another village.
- Also on March 3rd, a respected elderly mullah of the Muslim faith was transferred from prison into internal exile after appealing to the president for a pardon of reportedly trumped-up charges. It is also reported that the president ordered his Turkmen language Koran to be burned, which is a significant loss since he is a religious scholar and translator.
- In February, reportedly 4 Christians were arrested for their work with churches lacking registration.
- On Feb. 2nd, another Christian, Vitali Tereshin stated that KNB officers burst into his home while he was meeting with church members. The government officers recorded the names of everyone there, and issued a fine for the "unlawful" meeting.
- Missionaries have been deported in the last few months even though their religious activity was peaceful. An additional 2 pastors were incarcerated in December, at the same time that the government raided 4 of the 5 Baptist churches in one region of Turkmenistan.
- Turkmen authorities raided another church in Bezmein, on Feb. 23rd, interrogated the worshipers and warned them to not meet again under threat of criminal prosecution.

**PREPARED SUBMISSION OF AVDY KULIEV**

Ladies and gentlemen, esteemed senators and members of Congress—I would like to express my most sincere gratitude for your concern into the status of human rights in Turkmenistan, and for the result of that concern, today's hearing in the U.S. Congress. I am very grateful for the invitation to this hearing. It is a great honor for me to testify before the Congress of a great power that fights for democracy and human rights in every country.

Having received independence after the collapse of the Soviet Union, Turkmenistan did not proceed on a path towards democratic changes and the creation of a civil society. It continued to enforce old methods of authoritarian control that reached the level of absurdity, making the entire government system and civil society depend on the whims and caprices of one person: President S. Niyazov.

Since May 18, 1992, Turkmenistan's constitution has not been in compliance with democratic and human rights principles. It contains a number of articles that are contrary to its first article that states that: "Turkmenistan is a democratic and law abiding state." Let us refer to some of them.

Article 19 of the constitution states: "The realization of human rights and freedoms should not violate rights and freedoms of other people, moral principles and order or be harmful to the state's security." The Turkmen government interprets this article in a manner that allows them to repress dissidents and opposition leaders that support human rights, freedom of speech, freedom of association (meetings) and demonstrations.

Article 55 states: "A citizen of Turkmenistan can become president if he is of Turkmen origin, not younger than 40 years of age and resides in Turkmenistan..." Turkmenistan is a multiethnic state. Close to 30% of its population are people of other nationalities. This article limits the rights of other nationalities to assume the highest governmental duties. Also, a significant number of Turkmens emigrated and reside outside Turkmenistan in various parts of the world. Among them there are many worthy people that can contest for the position of Turkmenistan's president.

Article 13 states: "The state language in Turkmenistan is Turkmen." This article could have been lawful and appropriate if it reflected the actual situation in Turkmenistan today. First, today's government corpus does not speak Turkmen well. Second, the Turkmen language is lagging behind in its development due to the fact that for many years, it has not been used for clerical and office procedures. Because of these reasons, the Turkmen language cannot serve all the needs of the state, and in fact, Russian remains the state's language. The government uses Article 13 to promote nationalistic policies. This article creates tension and fosters distrust between Turkmen and non-Turkmen citizens and puts them in an unequal position.

And finally, Article 45 and all of Chapter 2 of the constitution, entitled "Khalk Maslakhati Turkmenistana," call Khalk Maslakhati (Peoples' Council) the highest representative organ of public governance in Turkmenistan. They diminish and almost eradicate the role and functions of the Parliament, through which the people may have been able to participate in the government.

The constitution itself foresees the violations of political and civil rights of Turkmen people.

One has to note while talking about the constitution, that not one of its articles is being abided by. There are hundreds of examples of how the articles of this principle law of the country are being violated. There are specific examples of violations of people's civil and political rights. There are also many cases of the infringement of property and religious rights. In recent years, many families were forced to move from their houses for the reason that their houses were located in areas needed for the construction of some important governmental structure – a road or a president's palace. The government ignores all of the constitution's articles that guarantee political freedoms. For example, Article 28 grants the right to citizens to create political parties and civil organizations. However, there is a law, adopted by the Parliament in 1990, that a party can be officially registered only if 2/3 of the Parliament's members vote for it. There is another requirement for the registration imposed upon party founders, which is to provide signatures and addresses of 1000 people wishing to join this party. These two requirements make it almost impossible to create alternative parties or organizations in Turkmenistan.

But even this constitution, far from perfection and accepted by Niyazov, presents a threat to his dictatorship, inasmuch as the Turkmen opposition, international human rights organizations and the democratic powers of the West call on Niyazov to abide by the constitution. That is why he decided to adopt an alternative constitutional document: "Rukhnama." Now the Rukhnama will have more meaning for Turkmen than the constitution. The constitution will fulfill the role of a screen for communication with the outside world, while people in Turkmenistan will be forced to abide by the Rukhnama. With the help of the Rukhnama, Niyazov wants to legitimate prohibition of freedom of thought, freedom of speech and freedom of association. The significance of this action for Niyazov's regime can be comparable to the establishment of Peoples' Council. Legally it is a useless organ that duplicates functions of the Parliament. By creating the Peoples' Council, Niyazov totally diminished the role of the Parliament. He would like to do the same to the constitution with the Rukhnama. In a manner similar to how the Peoples' Council stands above the parliament, he would like to see the Rukhnama above the constitution. Niyazov presents the Rukhnama as a democracy manual for Turkmen. This raises the question: what does Niyazov propose to give non-Turkmen in place of democracy? What should non-Turkmen—who make up a big part of the population—use as a guide for their lives?

The Rukhnama is seen as a sacred and prophetic document. Each prophet always had his sacred book. Every day, Niyazov's propaganda machine instills in peoples' minds the idea that Niyazov-Turkmenbashi (the father of all Turkmen) is the 13th prophet. One should not exclude the possibility that some day it will be announced in Turkmenistan that the Rukhnama was sent to earth by god through Turkmenbashi—his messenger.

There are many people in Turkmenistan today that are being persecuted for political reasons. The government takes away jobs from liberal thinking citizens. They take away their apartments, destroy their houses, fire their relatives from their jobs and expel their children from schools. Many people who do not agree with Niyazov's politics were sent to prisons and mental hospitals. They live under constant government control or house arrest. With the facilitation of human rights organiza-

tions such as Amnesty International and Human Rights Watch, many people left the country. They now reside in Sweden, Norway, USA and other countries. According to some sources, there are 200,000 migrants from Turkmenistan in Russia—30 percent of whom are Russian-speaking Turkmen.

Repression in Turkmenistan is not ending, but only becoming more severe every day. Turkmenistan today is like one big prison for people residing there. People live in complete isolation from the rest of the world. People cannot enter or leave the country freely. No one feels free and secure in that country. However, the international community does not show concern about the violations of human rights and basic rules of democracy in Turkmenistan. During the rule of Bush and Baker, the American government regarded the observance of human rights, democratization of civil society, freedom of speech and support of market economy as prerequisites for cooperation with the newly independent states. Deputy Secretary of State Strobe Talbott confirmed on July 23, 1997, that democratic progress was still the most important purpose for cooperation. Nowadays it seems to be forgotten. Geopolitical, oil and gas interests have overridden democracy. It seems that the West does not notice what is actually happening in Turkmenistan, while Niyazov remains to be one of the worse of known dictators. Investments in Turkmenistan continue – an example being the Transcaspian Project.

Niyazov's internal politics are based on three main components: corruption, flunkeyism and repression. Niyazov controls the economy and people through the mechanisms of corruption. None of the former members of Niyazov's government machine, that today has several hundred people, will go against the system that Niyazov created. They are afraid to lose their illegitimately gained capital. Even if they wanted to oppose the regime they are not able to do it. Niyazov, who has damaging information on almost all former government officials, holds them on a hook. They are not allowed to leave the country without his permission.

Flunkeyism has reached a level of national politics in Turkmenistan. No issues in the country are resolved without praising Niyazov. No one, regardless of their post, is allowed to express their personal opinion. This right belongs exclusively to Niyazov and no one can violate it. Last fall during negotiations between Niyazov and the Russian delegation headed by I. Ivanov the Minister for Foreign Affairs, Turkmenistan's Foreign Minister B. Shikhmuradov gave his opinion on one of the issues being discussed. This displeased Niyazov. Fearing Niyazov's anger, Shikhmuradov was forced to fall on his knees, crawl to Niyazov and kiss his hands and feet, asking for forgiveness, all in front of the Russian delegation.

The third component of internal politics is repression and the promotion of fear. During the time of Turkmenistan's independence tens of thousands of people were forced at some stage into Niyazov's prisons. People that went through this experience said that almost everyone got imprisoned for criticizing the government and as a result of slander. According to Niyazov's own words, the number of people who were amnestied in the last eight years comes to more than 100,000 people. However, not one political prisoner was amnestied. Liberal thought is being persecuted in Turkmenistan in the cruelest way. The government organizes killings of the people who disagree with Niyazov's politics. Two political prisoners—Charimurad Gurov and Khoshali Garaev—were viciously murdered in Turkmenistan's prisons. Before that, two

dissidents – writer Akmurad Shirov and poet Bapba Gyeklen – disappeared in strange circumstances. They punished a correspondent, Sosnina, from one of the leading newspapers in the country, for critical reporting. Today, prisoners of conscience in Turkmen prisons include Mukhammetkuli Aimuradov, Pirimkuli Tangrikuliev, and Nurberdi Nurmammedov. President Niyazov recently punished the religious leader and Koran translator Khodjakhmet Orazklich Akhun because he dared to criticize Niyazov on Radio Liberty for acts not corresponding to the canons of Islam. Niyazov destroyed his house and mosque with a bulldozer, burned all of his translations of the Koran, and sent him and Khodjakhmet Akhun and his entire family into exile to a region in Turkmenistan without water. The last example of unlawfulness is the trial of Nurberdi Nurmammedov, representative of the opposition “Agzibirlik,” who criticized the parliamentary elections and the extension of Niyazov’s presidential term to life. The trial took only one day – February 25, 2000. They did not allow foreign observers or friends of Nurmammedov into the courtroom. According to the lawyer from Moscow, hired by the Moscow Helsinki group and the OSCE, there is no basis for a crime. On top of that, all witnesses at the trial denied their previous evidence. Despite this, Nurmammedov was sentenced to 5 years in prison. They accepted the attorney’s complaint to the court of appeals under consideration, but did not invite him to the next trial, which took place on March 15, 2000. That trial upheld the previous decision. All these people suffered only because they wanted democracy and freedom of speech in Turkmenistan. That was their only crime.

Given the inhumanity of today’s regime in Turkmenistan, on behalf of the Turkmen opposition, I call on the U.S. government to impose political and economic sanctions on Turkmenistan with the goal of forcing him to respect human rights and democratic values in Turkmenistan. Only the U.S. can have an impact on the situation in Turkmenistan.

Apart from that, it is essential to improve the work of the Turkmen service of Radio Free Europe/Radio Liberty. This radio program is the only source of information for Turkmens, although the intellectual and professional level of the programs is low. It wouldn’t be bad to organize programs in Russian, as there are many Russian-speaking listeners. It would also be good to create a Turkmen service for the radio program “Voice of America.”

There are many supporters of democracy in Turkmenistan. But they do not even have the means to distribute information to people with the goal of explaining the advantages of a democracy and a lawful state.

### PREPARED SUBMISSION OF PIOTR IWASZKIEWICZ

The OSCE Centre in Ashgabad, as well as the OSCE Centres in Bishkek and Almaty, was established by OSCE Permanent Council decision Nr. 231 of 11 June 1998; it started to function in January 1999. The Centre is headed at present by Ambassador Istvan Venczel of Hungary, assisted by a team of three experts seconded by the US, Italy and Poland.

The open-ended mandate of the Centre is quite broad and includes the following tasks: To promote the implementation of OSCE principles and commitments as well as the cooperation of Turkmenistan within the OSCE framework, with special emphasis on the regional context in all OSCE dimensions, including the economic, environmental, human and political aspects of security and stability. The Centre is also mandated to establish and maintain contacts with local authorities and NGOs, and to assist in arranging OSCE regional events.

From January 1999 until mid March 2000 I served as Human Dimension and Media Officer in the Ashgabad Centre. On March 16, my assignment ended, and for the time being I am working at the Polish Ministry of Foreign Affairs, where I have been employed since 1992. In 1994 I was a member of the CSCE initial mission to Nagorny Karabakh and Armenia, and 1996-1998 I was Public Relations and Media Officer of the OSCE Mission to Georgia. Under the Polish Chairmanship I was a member of the OSCE coordination team within the MFA, responsible for activities in the CIS countries. The following statements express my personal point of view.

Turkmenistan's president, Saparmurat Niyazov, constantly emphasizes that Turkmenistan had its "own national way to democracy" and that there was no need for instruction or assistance from outside the country. According to the president, the specifically Turkmen type of democracy combines "general human values" with "the specifics of the Turkmen mentality." This scheme links democratization both to the achievement of economic prosperity, and to legendary "ancient Turkmen democratic institutions." During the current transition period, the population of Turkmenistan is considered by Niyazov to be "not ready" for a western type of democracy. In the president's view, the way to avoid social tensions, conflicts and bloodshed is to forbid such institutions as a free press and political opposition.

Here are some examples to illustrate Niyazov's concept of democracy:

- "For the time being, during this transitional period, we consider democracy to consist of the right of every person to freely choose his work, and for public tranquillity and security to be preserved. Then, when economic prosperity will be achieved, the society itself will choose new principles of democracy."
- "For me it is a real sign of genuine democracy when little children go to school and their mothers do not fear for them." "For me it is the greatest democracy when in hospitals new citizens of independent Turkmenistan are born."
- "Democracy as I see it is that people sleep calm and wake up in the morning with kind thoughts and intentions."
- "My democracy—that is the possibility for my people to live and work under a peaceful heaven, to meet every day one's relatives and friends at the family hearth."

In fact, the political system in Turkmenistan is an authoritarian regime in which all decisions of major, and most of minor, importance are taken by Niyazov personally. All heads of administration at all levels are appointed and dismissed by the president, as are prosecutors and judges as well as chief editors of the mass media. The outward manifestation of Niyazov's style of governing is a personality cult that puts Stalin's cult to shame. Niyazov's image is omnipresent, in statues, portraits on every public building, photos in every issue of every newspaper, pins in the lapels of parliamentarians and government employees. His portrait graces a wide range of consumer items, from teapots to perfumes. The present minister of education considers one of her greatest achievements to be the introduction of a requirement that all schoolchildren repeat a daily oath of allegiance to the president; army conscripts and government officials are required to take the same oath. This cult is one manifestation of the developing state ideology, which is replacing Marxism-Leninism. The cult of the president is supplemented by a cult of his mother. The state ideology has a distinct religious aspect, which is to be embodied in the Rukhname, a "moral code for the Turkmen people," which has been hailed in the press as "the second Koran." In the official media, Niyazov is compared to a prophet, sometimes specifically to Buddha, Jesus and Muhammed, even to God. In this climate, it is not surprising that in December 1999 a hand-picked assembly of Niyazov's most vocal supporters gave him the option of remaining president for as long as he wishes.

Despite recent assertions that he intends to start preparing a succession, Niyazov constantly seeks to convince the population that he is indispensable. He is frequently shown on television scolding the members of his government as if they were naughty children. While boasting of the glorious history of the Turkmen people, Niyazov rarely omits to add that without a strong leader they would begin quarreling among themselves and end by killing each other. His efforts to infantilize the population have had minimal success, however. The Turkmen, whether from urban or rural backgrounds, are quite capable of analyzing and discussing the political situation in the country. Unfortunately there is no legitimate means for them to do so with any degree of security. Even comments made at intimate family gatherings may be reported to the security services. The slightest criticism of Niyazov, whether direct or indirect, can lead to a drastic reaction on the part of the authorities. This is the real reason why Professor Pirimkuli Tanrykuliev and opposition leader Nurberdy Nurmamedov were jailed in the last year on trumped-up criminal charges. This is also the reason for the persecution of non-orthodox religious groups whose beliefs do not fit with the official ideology. Perhaps the most important role in the state system of Turkmenistan is played by the Committee for National Security (KNB). Its officers oversee practically all spheres of public life; their reaction to any sign of independent opinion can only be described as draconian. To sum up, Turkmenistan is being subjected to the creation of a totalitarian ideology designed to preserve the power of one man. In this process, almost all the principles and standards of the OSCE are being infringed. The OSCE Centre in Ashgabad has to face an endless string of serious problems in attempting to carry out its mandate. Let me give you some examples from my personal experience.

Despite the declared willingness of the Turkmen authorities to cooperate with the Centre, from the very beginning we faced numerous difficulties in fulfilling our tasks. From my own point of view, the most serious were the restrictions on contacts with people and also with state institutions. From the very beginning, the Centre was required to arrange all meeting with government officials through the Foreign Ministry. The Centre's "minder" always demanded to know in detail the topics to be discussed, but frequently failed to arrange the requested meetings. Usually the request was ignored. This was the fate of our repeated requests to visit the notorious prison in Turkmenbashi (Krasnovodsk) as well as to meet with the chairman of the Committee of National Security (KNB). Our attempts to establish direct contacts with various state agencies, including courts at various levels, were unsuccessful in most cases because their personnel refused to enter into contact with the Centre without the permission of the Foreign Ministry. So the Centre had regular direct contact only with the Foreign Ministry and the National Institute for Democratization and Human Rights under the President of Turkmenistan. In the Memorandum of Understanding between the Government of Turkmenistan and the OSCE on opening the Centre, the Turkmen authorities promised not to hinder Centre contacts with the population, in practice they constantly tried to restrict such contacts. Many times we learned that persons who visited the Centre office or met with the international staff were summoned to the KNB or visited by KNB officers and warned to refrain from such contacts. These individuals told us that the KNB officers had threatened them in various ways, for example with loss of their jobs or housing, or that their children would not be admitted to the university, but instead would be conscripted into the army where they would receive "special treatment." Consequently, many people have been afraid to visit the Centre, which is clearly under constant observation. Many of them have requested meetings with Centre staff in other places, such as private apartments or public parks. But such meetings were condemned as "conspiratorial" by the authorities, who accused the Human Dimension Officer of behaving "like a spy." Many people feared even to phone the office and sought other ways to contact the Centre staff, including appearing after office hours at our homes. When the Centre protested to the Foreign Ministry that contacts with the population were being hindered, the protest was ignored.

To cite some specific examples:

- On 11 May last year, ———<sup>1</sup>, a writer and journalist (at present unemployed), visited me at the Centre. He had already had a short talk with the Head of Centre. During the next few days, I met with ———<sup>1</sup> four more times. During these meetings, the general political situation in Turkmenistan as well as various aspects of the history, literature and socio-economic life of the country were discussed. ———<sup>1</sup> told me that before his last meeting with me he had received several calls, both by phone and in person, from officials of the KNB, one of whom was Iskander Kurbanov, a high-ranking officer. The KNB officials warned ———<sup>1</sup> in the strongest terms to refrain from any further contacts with foreigners; he was

---

<sup>1</sup> Name deleted.

convinced, they were referring to his contacts with the international staff of the OSCE Centre. ———<sup>1</sup> interpreted their statements as a threat that if he pursued such contacts, measures would be taken against him.

- On 23 May, I agreed to visit ———<sup>2</sup>, of the unregistered and hence illegal Party of Democratic Development of Turkmenistan, in his home. When I arrived at his apartment after an unexpected delay, he told me that KNB officers had learned of the planned visit by tapping my phone and had appeared on his doorstep in order to be present when I arrived. He later told me that after I had left him, he had been visited by Lt. Colonel Oraz Annamuradov of the KNB, who had warned him against further contacts with the OSCE Centre.

I have mentioned only two cases but I frequently had to face similar situations. This applied not only to my meetings with various persons but also to visits of official OSCE delegations.

Some examples:

- During his visit to Ashgabad in April 1999, Adviser to the OSCE Representative on the Freedom of Mass Media Stanley N. Schrager was supposed to meet with journalists who are not employed by the state media. This meeting had been agreed with the Turkmen authorities, who asked that the Centre take sole responsibility for setting it up. Although the journalists we invited initially agreed to meet Mr. Schrager, they all failed to turn up. Although we had not informed the Turkmen authorities of the names of the persons invited to the meeting, all of them told us later that they had been approached by officers of the KNB, who had “advised” them not to appear. The KNB habitually warns journalists not to meet the Centre’s international staff.
- A similar situation occurred when the OSCE’s Office for Democratic Institutions and Human Rights (ODIHR) sent a Needs Assessment Mission to Turkmenistan to study the situation prior to the parliamentary election in December. A meeting was scheduled between the delegation and representatives of local NGOs and unregistered political groups. Before the meeting, ———<sup>3</sup>, leader of Turkmenistan’s oldest opposition group Agzybirlik, was visited by a high-ranking KNB officer, the same Iskander Kurbanov mentioned earlier, who gave him a strongly-worded warning not to meet the ODIHR group. The Human Dimension activities of the Centre, especially our contacts with independent thinkers, have often provoked negative reactions on the part of Turkmenistan’s top level officials. As soon as the Centre started to function, it became apparent that the Turkmen authorities were dissatisfied that our activities that did not meet their expectations that we would be a fig-leaf for their dismal performance in implementing their human rights commitments. This dissatisfaction was first expressed last spring by Vladimir Kadyrov, Director of the National Institute for Democratization and Human Rights under the President of Turkmenistan, during a visit to our first

---

<sup>2</sup> Name deleted.

<sup>3</sup> Name deleted.

Head of Centre, former Austrian Ambassador Paul Ullmann. Kadyrov mentioned that Turkmen Foreign Minister Boris Shikhmuradov had received negative reports about my activities. These reports characterized my contacts with opposition figures as “clandestine.” Ambassador Ullmann reminded Kadyrov that meetings with opposition figures are included in the Centre’s mandate.

Not long afterward, President Niyazov himself complained about the activities of the Centre, mentioning me by name, to State Department Special Adviser Steven Sestanovich during the latter’s visit to Turkmenistan. This was followed by a letter and subsequent phone call by Foreign Minister Shikhmuradov to the OSCE Secretary General. Reportedly my dismissal was requested, on the grounds that I was seeking to establish a human rights organization in Turkmenistan (I was not) and that I was financing the Turkmen opposition. This latter accusation was presumably motivated by a payment by the Centre for a translation into Turkmen of a brief text about the OSCE. The translator was a person close to the opposition.

When OSCE Chairman-in-Office Norwegian Foreign Minister Knut Vollebaek visited Turkmenistan in September, he too heard complaints about me from President Niyazov.

When they were unable to rid themselves of me through complaints, the Turkmen authorities adopted other methods. In late August, an NGO activist and a member of an unregistered opposition party told me in confidence that the KNB had tried to force them to produce a written statement or to sign a prepared document stating that I had encouraged them to take actions against the government. I was also to be accused of having tried to establish an illegal organization to undermine the government and having strongly criticized Niyazov. The KNB officers had also attempted to force the wife of one of them to make a similar statement. My two contacts said they had refused to sign and had told the KNB that they had never discussed such things with me. In their opinion, the KNB intended to pressure others to denounce me. From this and other, less concrete bits of evidence, it became clear that the security service intended to stage a political provocation in order to force me to leave the country.

My experiences have led the Centre’s international staff to conclude that the Turkmen authorities would very much like to limit our contacts to specially prepared official meetings. This approach would ensure that the Centre would have access only to officially-approved information, which would then be used in Centre reports that would portray Turkmenistan as a land of flourishing democracy, justice and welfare.

Let me say a few words about the specific Human Dimension issues on which OSCE attention is focused.

The Constitution of Turkmenistan guarantees freedom of conscience and the free expression of opinions (Article 26). Turkmen officials frequently assert that everyone has the right to establish a newspaper, TV or radio station. But this right remains entirely theoretical. The state has an almost absolute monopoly on information. This monopoly is used solely to distribute official propaganda and to implement the above-mentioned state ideology.

There are no independent mass information media in Turkmenistan. All print media as well as TV and radio are completely controlled by the state. Censorship of all publications by the Committee for the Protection of State Secrets is even more exacting than was state censorship during the later Soviet era. All mass media, print as well as broadcast, are financed through the state budget. The printing houses as well as the distribution of publications are under state control. Journalists who are suspected of being insufficiently loyal are immediately fired and sometimes harassed.

Persons who can afford a satellite dish can receive broadcasts from Russia and many other foreign stations such as CNN, BBC and Deutsche Welle, but these broadcasters rarely mention Turkmenistan. In any case, few people outside Ashgabad can afford the necessary equipment. Radio Liberty is the only foreign information source directed specifically at Turkmenistan. Foreign newspapers are effectively unavailable to Turkmen citizens. The number of foreign media correspondents in Turkmenistan is extremely limited.

Government officials explain the lack of independent mass media by saying that the population does not need other sources of information and that information other than that which has passed the censor would disturb the harmony of the society. They sometimes assert that there are no sponsors interested in investing in this type of business. The Turkmen authorities consider the role of the mass media to be educative and to provide selected "positive" information about the activities of the President and the government. All articles, TV and radio programs reflect only the government line, and in Turkmenistan that almost always means the President's line. It is impossible to present alternative opinions or to start a genuine discussion on political or economic issues. This is not to say that the citizens of Turkmenistan are politically illiterate. They understand quite well what is happening in their country, at least insofar as they can observe it personally, and they are not only willing but eager to express their distress at the widespread unemployment, worsening municipal services, and the decline of the health and education systems, once they have decided their interlocutor can be trusted.

Twenty-four newspapers are published in Turkmenistan. As of June 1996, all newspapers list President Niyazov as their "founder." The chief editors are appointed and removed by the president personally. Most of the material published or broadcast in newscasts is prepared by the governmental Turkmen State News Agency. In addition to the texts of laws and presidential decrees, publications consist largely of statements by the President or articles about him. Presidential statements sometimes occupy half or more of a daily issue. Niyazov gives direct instructions not only about the general line to be taken by the mass media, but also regarding details. Given the conditions under which they must work, it is no surprise that journalists and editors engage in self-censorship.

Despite the assertions by government officials that there is no need for an independent press, the political opposition has attempted to publish Turkmen periodicals abroad. The distribution of these publications was not permitted in Turkmenistan. There are two channels of Turkmen State Television broadcasting 15 hours a day in Turkmen. Most of the

daily TV programming is devoted to the activities and public statements of the President. The remaining time is filled mainly with folk music and dances.

Local journalists whose views differ from the official line are considered by the authorities to be especially dangerous elements. They have been jobless for many years and they and their families are subject to harassment. The authorities seek to impede contacts between those persons and the OSCE Centre in order to avoid a flux of information about the real situation in the country. Such "disloyal" journalists are kept in a state of permanent fear.

During the last year, I functioned as Media Officer of the OSCE Centre, establishing contacts with journalists working for government media as well as with journalists who are unemployed for political reasons. The Centre has attempted unsuccessfully to involve Turkmen journalists in regional events such as a seminar in Kyrgyzstan on the mass media in Central Asia. Two local journalists courageously ignored the advice of government officials not to take part in a recent seminar in Georgia that focused in part on the role of the media in creating a civil society.

At the beginning of this year, the Centre was asked by a group of Swedish journalists to distribute invitations to Turkmen journalists to participate in a course in Sweden on journalism and democracy. The invitations were to go to both governmental and opposition (that is, unemployed) journalists. But at least three of the recipients had their invitations confiscated by the KNB the day after they had been received.

The Ashgabad correspondent of the Radio Liberty Turkmen-language broadcast service has been accompanied to press conferences at the Centre by a quite high-ranking KNB officer. The correspondent lives in constant fear of arrest, his telephone is tapped and his movements are under constant observation. This type of intimidation has led him to conclude that he can have contact with the Centre only at night in private residences. The accreditation of the Reuters correspondent in Ashgabad expired three months ago and has not been renewed; he is in effect working illegally now and could be detained at any time.

The Constitution provides for freedom of religion, but the exercise of religion in Turkmenistan is hindered by constant official harassment of religious minorities and by restrictive amendments to the Law on Freedom of Conscience and Religious Organizations. Religious congregations are required to register with the Ministry of Justice. In order to register, a congregation must prove that it has at least 500 members though the regulation appears to mean that a confession can be registered if it has 500 adherents overall. Due to these amendments, most religious communities have lost their official registration. Nevertheless, those communities with no more than 100 members continue to hold worship services, in most cases in private homes. They are subject to various types of harassment.

At present the only religious communities that are registered in Turkmenistan are the Sunni Muslims and the Russian Orthodox Christians. They are strictly controlled by the state. Pilgrimage to Mecca is highly restricted. Recently one well-known Muslim clergyman, Hodja Ahmed Orazylydjev, was imprisoned on fabricated grounds. The real reason for his arrest was his critical comment about the religious policy of the president. On March 3, he was freed, but immediately thereafter was

forcibly deported from his home in an Ashgabad suburb to a town some 200 kilometers away. His house, library and a small mosque he had built himself were demolished.

The situation of unregistered religious communities has significantly worsened since June 1999. The authorities harass them with fines for holding illegal gatherings, “prophylactic talks” with law enforcement officials, confiscation of religious literature and other materials, police and KNB raids during services, libelous attacks in the media, and threats against congregation members and their families, including threats of deportation and loss of jobs. Arbitrary arrest and beating of members of small religious communities and fabrication of cases against them is common. Jehovah’s Witnesses are frequently arrested and beaten by the KNB; several have been imprisoned for refusing military service. Two of these were excluded from an amnesty at the beginning of 2000 because they refused to take an oath on the Koran.

In November 1999, the church of the Seventh-day Adventist community in Ashgabad was demolished on the order of the city authorities, who claimed that a street was to be built over the site. Once the church was destroyed, the authorities decided not to build the road after all. Recently a massive wave of repression against Jehovah’s Witnesses and Baptists began, using all the above mentioned methods.

Turkmenistan remains a one-party state. The Democratic Party of Turkmenistan, the former Communist Party, is the only registered party. It is headed by President Niyazov. All persons holding high level posts—all government ministers, almost all members of Parliament, all district representatives, and all heads of regional and district administrations—are members of the DP. No other parties were allowed to participate in the parliamentary election in December 1999. Although the Constitution allows for freedom of association, and various top-level officials often assert that there is no bar to forming other parties, no political groups other than the DP have been able to meet the requirements for registration.

Niyazov decidedly opposes a multi-party system. Freedom of expression, association and assembly are restricted in the name of political and social stability. Political competition is usually portrayed as a threat to stability. The president often refers to the example of “neighboring countries” where “the existence of a pluralist party system has led to anarchy, chaos and bloodshed.” He characterizes political opponents as “schizophrenics” and “pseudo-democrats” whose only objective is satisfaction of their own selfish ends. A group that now calls itself the Party of Democratic Development formed in 1990, but it has never been able to register. It has no access to the media, it functions illegally and its members are constantly harassed by the authorities. A number of prominent opposition political figures are living abroad. Other opposition groups such as Agzybirlik, the oldest democratic opposition group in Turkmenistan, the Social Democrats and a handful of old-style Communists who refused to remain in Niyazov’s party experience the same problems as does the PDD.

Although guaranteed by the constitution, in practice these freedoms are severely restricted. Genuine grassroots NGOs find it almost impossible to register with the Ministry of Justice, as required by law. A surprising number of tiny grassroots groups do exist, however, mostly active in health, education and environment. Even the environmental groups that earlier were tolerated by the government are beginning to

experience difficulties. One was recently shut down on spurious grounds. The Centre has brought on itself the disapproval of the authorities for having invited members of these genuine NGOs to take part in OSCE events outside Turkmenistan. At least one of these persons has told us that she had been warned by the KNB not to take part in any more OSCE events. Most of the so-called “non-governmental organizations” in Turkmenistan are de facto governmental organizations that are part of the All-National Movement Galkynysh (Revival), an organization set up by Niyazov to promote his policies. The “NGOs” in it include the Women’s Union named for the President’s mother (the former Soviet Women’s Committee under a new name), the Veterans’ Association named for the President’s father (the Soviet-era Veterans Union under a new name), the Youth Association (the Soviet Komsomol under a new name), and the Democratic Party (the Communist Party of Turkmenistan under a new name).

The OSCE/ODIHR would like to conduct a series of meetings between government officials and representatives of genuine NGOs to discuss topics of mutual concern and also explore the possibilities for cooperation between government and NGOs. Similar projects, which are intended to promote the development of civil society, have been carried out successfully in all other countries of Central Asia. But this proposal is one of the main sticking points that has prevented the signing of a Memo of Understanding between ODIHR and the Government of Turkmenistan. “Civil society” is not a concept that the present leadership of Turkmenistan wishes to promote.

The rule of law remains very weak in Turkmenistan. Corruption is widespread. Police and security officials routinely plant evidence against individuals in order to justify their detention. Suspects are beaten up by law enforcement officials almost as a matter of course in order to obtain confessions. The heads of the KNB offices in the towns of Kyzyl Arvat in western Turkmenistan and Goek Tepe near Ashgabad have been reported to engage in sophisticated torture of Jehovah’s Witnesses.

The legal system remains very much as it was in the Soviet era. Judicial proceedings are far below international norms. Except on paper there is no independent judiciary.

Centre staff have attempted unsuccessfully to attend trials in two noted human rights cases. Professor Pirimkuli Tanrykuliev, former head of the dental faculty of the Turkmen Medical Institute, was sentenced to eight years in prison last year on charges of embezzlement. His arrest was almost certainly motivated by his criticisms of the president’s health program and of Niyazov personally. His lawyer said after the trial that none of the points in the professor’s defense was taken note of by either the prosecution or the judge.

The Centre was told by the Director of the National Institute for Democratization that we would be welcome to attend the trial of opposition activist Nurberdy Nurmamedov, charged with hooliganism that supposedly occurred during a quarrel with a business partner last year. In fact his arrest was almost certainly in retaliation for broadcasts on Radio Liberty in which Nurmamedov criticized the December parliamentary election and the open-ended extension of Niyazov’s term in office. Despite the assertion of the Institute Director, Centre staff were not allowed to enter the courtroom where the trial took place on 25 February. We spent many hours waiting outside the court building, in the company of political officers from the US, German and British embassies and a small group of Nurmamedov’s supporters.

Accounts by persons called as witnesses indicated that their testimony on behalf of the defendant was ignored by the judge.

Turkmenistan's prisons became notorious for the number of deaths due to poor conditions. In an apparent attempt to reduce overcrowding as well as to demonstrate his "benevolence," Niyazov has amnestied thousands of prisoners in the last two years. But those persons who are considered by the international human rights community to have been imprisoned on political grounds are yet to be released under an amnesty.

Exit visas are required for Turkmen citizens to leave their own country. Extensive paperwork and an invitation from abroad are required to apply for an exit visa. The Centre's contacts insist that it is the KNB that grants approval for the issuance of exit visas. In 1999 Turkmenistan withdrew from the agreement on visa-free travel within the CIS. Other CIS states have instituted visa requirements for citizens of Turkmenistan, in retaliation against the requirement that their citizens obtain visas to visit Turkmenistan. This severely limited the opportunity for citizens of Turkmenistan to travel outside their own country. Travel for Turkmen citizens within Turkmenistan is hampered by the existence on all major roads of police posts that control movement between regions and districts. The Soviet-era propiska (residence registration) system remains intact in Turkmenistan. The capital, Ashgabad, is practically off-limits to newcomers.

#### **THE OSCE CENTRE: WHAT NOW?**

Despite Turkmenistan's willful flouting of all its OSCE commitments, it is the opinion of the Centre staff that the Centre's work should continue. Perhaps there will be few obvious successes in the short term. But the Centre should be seen as an investment in the future.

**PREPARED SUBMISSION OF FIRUZ KAZEMZADEH**

My name is Firuz Kazemzadeh. I am professor emeritus of history at Yale University and a member of the United States Commission for International Religious Freedom which has endorsed the statement I am about to make.

Turkmenistan is one of the most repressive of the successor states of the Soviet Union and one of the poorest. Yet Turkmenistan is rich in natural resources. Its known reserves of natural gas place it fourth in the world, behind Russia, the United States, and Iran. Turkmenistan has an estimated six to eight billion-ton oil reserve, but geography and politics have made it difficult for foreign business to invest there. Bordering on the Caspian Sea, Kazakhstan, Uzbekistan, Afghanistan, and Iran, Turkmenistan occupies an important strategic position. That very position, however, makes it vulnerable. With a population of fewer than five million and a limited pool of educated persons, Turkmenistan has been unable to make much economic or social progress since it achieved independence in 1991. Its government practices and attitudes have remained largely Soviet in substance and style.

Turkmenistan has never been a nation. The nomadic tribes that inhabit the area east of the Caspian never had a central government. Conquered by Russia in the last decades of the nineteenth century, they were ruled from St. Petersburg and Moscow until 1991. Thus there is no tradition of government, no legal tradition, except what has been inherited from an alien colonial power. It is, therefore, not surprising that Turkmenistan today is ruled by a president whose authority in practice is not limited by laws. As under the Soviets, in Turkmenistan today elections and referenda are nothing but public endorsements of the decrees of the ruler.

My concern is with human rights, and primarily with religious freedom that does not exist in Turkmenistan. The government lives in fear. It is frightened of events that have overtaken Afghanistan, where the Taliban have engaged in a bloody conflict and imposed their version of Islamic theocracy on the country. It is frightened of what has transpired in Tajikistan and by the possibility that Turkmenistan might be infiltrated by Islamicist political or military groups, particularly the Wahhabis, presumed to be financed by Saudi Arabia, groups that would receive aid from abroad. Fear of intervention and subversion prompts the government endlessly to emphasize Turkmenistan's neutrality, which is proclaimed to be one of the foundational principles of Turkmenistan's statehood.

The government sees any religious organization as a potential threat to the stability of the state. It should be noted that the Turkmen Muslim population in its vast majority is tolerant and shows no signs of wishing to establish a theocratic state on the Afghan or Iranian model. The repressive policies of the government in regard to religion are motivated not so much by religious intolerance as by fear of diversity, fear of losing control.

The collapse of Communism has left an ideological and psychological vacuum in Turkmenistan that the governing establishment, itself a child of the Soviet regime, is trying to fill through the cultivation of an artificial nationalism and the cult of the leader. The president is being turned into a superhuman being, perhaps even a prophet. Rumors circulate in Ashgabad that a book entitled *Ruhnameh*, a Perso-Arabic

word literally meaning “soul book,” is already in draft. This book would take its place next to the Koran as a repository of truth about morality and a prescription for the conduct of life of the Turkmen people.

There is no room for independent thought and free religion. While the Constitution speaks of freedom of religion in terms that echo the Universal Declaration of Human Rights, supplementary legislation and government practice make a mockery of principles so proclaimed. All religions and denominations, except for Sunni Islam and Russian Orthodoxy, have been virtually banned. The 1997 law that requires a religious community to have at least 500 members to be registered makes all activity by smaller communities illegal. Thus Baptists, Seventh Day Adventists, Jehovah's Witnesses, and Baha'is have been in effect outlawed. Some of their adherents have been subjected to arrest, intimidation, and deportation. Their houses of worship have been closed or demolished.

The Baptists, who have met the numerical requirement for registration, have nevertheless been refused recognition. Pastor Vladimir Chernov was deported in December 1999. Baptist leaders Anatolii Belyaev and Mikhail Kozlov were arrested by officers of the KNB (National Security Committee) in February 2000. Belyaev, his wife, and his daughter were eventually deported to Russia. During a raid on the Ashgabad Baptist church, a KNB officer is reported to have said, “First we will deport all foreign missionaries, then we'll strangle the remaining Christians in this country.”

The Turkmen Baptist Shageldy Atakov was arrested in his home at Turkmenbashi (former Krasnovodsk) in December 1998 and sentenced to four years imprisonment for his involvement in the activities of local Baptists. His wife and five children have been subjected to “internal deportation” on KNB orders as she refused to sign a statement renouncing her Baptist faith. Other members of the Atakov family have been subjected to arrest and harassment.

The demolition of the Seventh-day Adventist church in Ashgabad, erected with government permission; the destruction of the unfinished Hare Krishna temple in Mary; the refusal to register the Bible Society of Turkmenistan; raids on the homes of members of unregistered religious communities; confiscation of religious literature, and the ever present threat of arrest and imprisonment, have created an atmosphere in which all practice of religion is dangerous.

While high government officials have been promising for months that the situation would improve and the numerical requirement for registration of religious groups lowered, no improvement has taken place, and harassment by the police and the KNB (Committee for National Security) has continued or even increased.

America's commitment to support international religious freedom requires action on the part of the United States government. It should continuously remind the Government of Turkmenistan that maltreatment of religious minorities would have serious consequences for relations between the two countries. However, given the facts of political life in Turkmenistan, only representations made on the highest level would be heard in Ashgabad.

The United States should raise the issue at the United Nations Commission on Human Rights and advocate the appointment of a special rapporteur who would investigate the situation in Turkmenistan. A resolution condemning human rights violations there is bound to influence in some degree the thinking of the regime.

Perhaps the most effective measures would be economic ones. Turkmenistan's economy has been deteriorating. It can be repaired and developed only with large infusions of capital and technology from outside the country. Turkmenistan is currently engaged in intricate negotiations with several countries about the construction of pipelines to convey its natural gas to world markets. This provides leverage that the United States and other like-minded countries could very well use in urging the Government of Turkmenistan to improve its behavior in regard to human rights, and specifically in regard to religious freedom.

Rapid and radical improvement of Turkmenistan's treatment of religious minorities cannot be expected. Still, consistent use of all legitimate means to push the Government of Turkmenistan in the right direction must sooner or later achieve the desired results.

Thank you, Mr. Chairman.

### PREPARED SUBMISSION OF CASSANDRA CAVANAUGH

Human Rights Watch is grateful to Chairman Smith and the other Commissioners for the opportunity to participate in this important hearing on what the commission accurately named the “most repressive of the New Independent States.”

Every year since 1993, the U.S. State Department's Annual Report on Human Rights has begun with the same sentence: “Turkmenistan, a one-party state dominated by its president and his closest advisers, made little progress in moving from a Soviet-era authoritarian style of government to a democratic system.” Yet, despite the U.S. government's yearly acknowledgement of the Niyazov government's dismal human rights record, the U.S. continues to support the dictatorship in order to secure its participation in a Trans-Caspian gas pipeline. Indeed, this hearing comes at time when Turkmenistan has been in the news, not for its devolution into a North Korea-style dictatorship-for-life, but because it has challenged the terms of its participation in the gas pipeline. This singular pursuit of a pipeline has led to the unfortunate situation in which U.S. policy towards Turkmenistan since its independence has been driven energy interests to the detriment of all other goals, including the promotion of human rights and democracy. Yet anyone who follows developments in the country might easily have predicted that the government's utter disrespect for the rule of law has implications for international involvement in its energy sector, as well as for its political fate. Human Rights Watch has reported on human rights in Turkmenistan since 1990. Early in 1999, after several years of being denied visas, U.S. diplomatic pressure helped to secure an official government invitation for Human Rights Watch to meet with Turkmen officials and to carry out research. Our visit was cut short when Turkmen state security officials detained and summarily deported our colleague Alexander Petrov, deputy director of Human Rights Watch's Moscow office and a Russian citizen, late on the night of February 2. Subsequent efforts to gain entry to the country have not been successful, yet we continue to monitor the situation through interviews with Turkmen both in the country and abroad.

### HUMAN RIGHTS IN TURKMENISTAN

The catalogue of human rights abuses in Turkmenistan is extensive and well-documented, and amounts to a total lack of basic civil and political freedoms. It is a country without an independent press, without political parties, and where the price of a critical opinion voiced aloud can be prison. The all-powerful state security service ensures that no Turkmen citizen can exercise their right to freely associate, breaking up the tiniest private gathering of persons suspected of critical ideas. When Human Rights Watch traveled to Turkmenistan, the few dissident intellectuals in the country were warned not to meet with our delegation before we even arrived, and those who did were immediately debriefed and threatened by state security forces. In one instance, a security agent enforcing the house arrest of one dissident, Durdymurad Khojamammedov sat listening during our interview as an on-the-spot censor. For those who fall afoul of security officials or police, the right to fair trial is utterly lacking. Credible reports document the routine use of torture to extract confessions; the accused are routinely deprived of all due process rights. All judges are appointed by President Niyazov.

Though at the end of 1999 Turkmenistan abandoned its use of the death penalty, the most basic right, the right to life to life, remains under threat. Unthinkable prison conditions and the ghastly overcrowding and brutality prevalent in prisons and places of pre-trial detention make any period of arrest tantamount to a possible death sentence, according to eye-witness testimony. Of all the post-Soviet states, Turkmenistan has placed the most draconian restrictions on the rights of its ethnic Russian minority, slashing access to employment, education and information, in addition to impeding their efforts to emigrate.

Finally, in Turkmenistan alone of all other New Independent States, neither Turkmen citizens nor international monitors can effectively monitor the observance of human rights. State-sponsored repression makes the formation of local human rights groups impossible; the imposition of a strict visa regime even for CIS citizens has kept international human rights NGOs out of the country since the spring of 1999.

#### **TURN FOR THE WORSE IN 1999**

In 1999, the unimaginable happened, and Turkmenistan's bad human rights situation worsened further still. In preparation for December parliamentary elections in which all candidates would be pre-approved by the President, Turkmenistan arrested two government critics who had voiced their intention to run for office. Both men, former education official Ayli Meredov and Dr. Pirikuli Tangrykuliev, were convicted of criminal offenses; while Meredov was immediately amnestied, Tangrykuliev was sentenced to eight years in prison. In September, the political prisoner Khoshali Garaev, aged thirty-seven, was reported dead after being placed in solitary confinement by prison authorities, who unconvincingly claimed Garaev committed suicide but refused the family's request for an independent investigation.

The anti-religious assault became more vicious. State authorities stepped up their harassment of mostly Protestant activists, and even bulldozed churches and temples. Members of outlawed religious congregations who are foreign nationals have been assaulted, detained and deported, while Turkmen nationals face even more severe consequences: Shagildy Atakov was sentenced to four years in prison for his religious activity; he is now reportedly being held in solitary confinement in the punishment cell of the labor camp where he is serving his sentence. Pressure on exiled dissidents, political and religious prisoners via attacks on their family members has increased. Family members have been dismissed from their jobs, blacklisted from institutions of higher learning, and banished to internal exile; their homes, businesses and other property have been confiscated. Finally, on the eve of the new year, the Turkmen legislature flaunted its OSCE commitments to implement democratic reform when it confirmed the long-anticipated removal of term limits, effectively designating Saparmurad Niyazov as Turkmenistan's president for life. On January 5, longtime democratic activist Nurberdi Nurmamedov, leader of the never-registered political party Agzybirlik (Unity) was arrested on spurious criminal charges in retaliation for his criticism of this move.

#### **U.S. POLICY**

The U.S. has pursued a two-track policy towards Turkmenistan, and those tracks run in opposite directions. On the one hand, diplomats in Ashgabad relay criticism of Turkmenistan's abuses, and direct assis-

tance to strictly apolitical local non-governmental organizations. On the other, the US carries out aggressive diplomacy to promote the trans-Caspian pipeline, steadfastly rejecting any suggestion that the two tracks should be linked. The chronology of economic assistance provided through the U.S. Export-Import Bank, almost entirely for Turkmen government-controlled projects, which has now reached a total of \$313,409,764, clearly shows which track enjoys the right-of-way:

In 1995, desperate citizens staged a peaceful demonstration against the previous year's falsified parliamentary elections and presidential referendum in the capital Ashgabad. Scores were arrested, beaten, and eye-witnesses reported that many demonstrators died in detention. As many as thirty demonstrators and other activists were sentenced to prison. At the same time, Turkmenistan received over seventy-eight million dollars in loan guarantees through Ex-Im Bank. In 1996, Turkmenistan committed three government critics to psychiatric hospitals without medical necessity, and received one hundred nine million dollars in new loan guarantees.

In 1997, Turkmenistan began to outlaw and harass many religious congregations other than the dominant Sunni Islam and Russian Orthodoxy, after introducing restrictive new amendments to its law on Religion late in the previous year. The U.S. provided over one hundred thirty-three million dollars in new loan guarantees through Export-Import Bank.

In 1998, the pattern continued. On March 10, preceding Niyazov's visit to the United States, the Export-Import Bank awarded U.S.\$96 million three U.S. companies in order to sell natural gas compression equipment and other services to Turkmenistan. Later, President Niyazov released some political prisoners on the eve of his April meeting with President Clinton, but continued to beat, harass and arrest others. One political prisoner died in custody under suspicious circumstances. During his April visit, government officials reported having raised human rights issues privately with Niyazov. At the same time, the U.S. awarded companies grants—using public funds—to get a foothold in Turkmenistan. During a meeting between Presidents Clinton and Niyazov on April 23, the U.S. government's Trade and Development Administration (U.S.T.D.A.) awarded a \$750,000 grant to conduct a pipeline feasibility study for a proposed \$2.8 billion pipeline in Turkmenistan. After the deal was signed, the White House issued a press release stating, "Turkmenistan is committed to strengthening the rule of law and political pluralism, including free and fair elections for parliament and the presidency in accordance with international standards...." But when reporters asked Niyazov about the government's attitude toward opposition parties, he said, "We do not have any opposition parties—you are ill-informed. We have none." As we have seen recently, rather than holding democratic elections, President Niyazov has been declared "President-for-Life."

In 1999, no new loan guarantees were provided through the Export-Import Bank, though economic assistance continued in other guises. More disturbingly, even as Turkmenistan jailed more government critics, the U.S. government's two-track diplomacy continued to undercut its message on human rights. Six days after the sentencing of Turkmen dissident Pirikuli Tangrykuliev to eight years imprisonment on August 14, U.S. Secretary of Energy Richardson, John Wolf, the special advisor to the president and secretary of state for Caspian Basin Energy

Diplomacy and J. Joseph Grandmaison, the director of the U.S. Trade and Development Agency met with President Niyazov to discuss the proposed trans-Caspian gas pipeline and to release a U.S. \$150,000 grant so that the Turkmen government could “formulate documents” related to the project. The U.S. government waited until August 23--three days after Richardson left the country—to issue a condemnation of Tangrykuliev’s conviction. On January 18, as Special Advisor Wolf was again meeting with President Niyazov, Turkmen officials charged Nurberdi Nurmamedov’s 25-year old son Murad as an accomplice to his father’s crimes. Nurmamedov and his son were sentenced on February 25, but the State Department waited to condemn the sentence for nearly three weeks, issuing a statement only last Friday, March 17, after a flurry of meetings between Ambassador-at-Large Wolf and senior Turkmen officials on the fate of the pipeline agreement.

### RECOMMENDATIONS

Clearly, any U.S. criticism of Turkmenistan’s human rights abuses is belied by continued U.S. taxpayer-funded support for the Turkmen government. In the absence of concrete consequences for Turkmenistan’s egregious failure to uphold its international and bilateral commitments, the government of President Niyazov has no incentive whatsoever to reform.

Human Rights Watch strongly urges that conditionality for any form of non-humanitarian assistance to Turkmenistan, particularly new Ex-Im credits for any purpose, must be strict. Currently, they are weak, and even minimal human rights considerations required by Ex-Im Bank policy, for example, are seemingly ignored. Two years ago we examined the policy that obliges the State Department to conduct a human rights “impact assessment” for the Export-Import Bank of the United States whenever financing of more than \$10 million is under consideration. The assessment is supposed to examine “the general status of human rights and the effect of the export on human rights in the importing country.” We filed a Freedom of Information Act request for the review of a 1998 financing package to Turkmenistan: a \$96 million loan guarantee extended to three U.S. companies for gas pipeline refurbishment. In this case, the human rights assessment did not seem to have examined the impact of extending funds on human rights and clearly did not account for the Government of Turkmenistan’s appalling human rights record, a situation regularly noted in the State Department’s own human rights country reports. Rather, the assessment was minimal and consists of a State Department official’s signature of approval beside the words “Human Rights.”

Language in the FY 2000 Foreign Operations Appropriations Act requires the creation of a mechanism to assess the human rights implications of all Export-Import Bank projects and to monitor the human rights impact. The Ex-Im Bank was given 120 days following the passage of the Act to report to Congress on the implementation of such a system, we hope that they will do so in a timely manner and place a priority on implementation in regards to projects involving Turkmenistan. Similarly, provisions of the 1998 Religious Freedom Act, which provide for a broad array of possible measures to be taken against governments which brutally persecute religious believers, should also be invoked against Turkmenistan.

There are many reasons, aside from the demands of U.S. law, that economic assistance to Turkmenistan should be conditioned upon respect for human rights and democratic reforms. Such conditionality is the necessary first step in promoting real political and economic reform, of critical importance not only to Turkmenistan but to U.S. strategic interests as well. Given the fact that Turkmenistan's hydrocarbon resources are controlled by an abusive, undemocratic government, which operates with a total lack of transparency, fostering pipeline construction alone will not lead to the creation of democratic states. Nor will it lead to the long-term stability in the region, particularly when public funds are indiscriminately extended to such an abusive government. In the absence of democratic institutions Turkmenistan's post-Niyazov era will likely be marked by vicious internecine battles to control state resources. Without a redoubled effort to ensure adherence to the rule of law and respect for human rights, including clear and verifiable human rights conditionalities on financing it is unclear how the situation will improve. Rather than make energy interests and human rights mutually exclusive goals, we urge you to ensure that human rights are not sidelined in favor of pipelines; and believe that creating democratic institutions, fostering the rule of law, and ensuring respect for human rights are good for the strategic and energy interests of the U.S. government, and a responsible use of taxpayer funds.

**PREPARED SUBMISSION OF E. WAYNE MERRY**

Mr. Chairman,

Among the states which emerged from the collapse of the Soviet empire the worst governments, by and large, are in the region of Central Asia and the Caucasus. The worst of the worst is Turkmenistan.

The region is characterized by what in post-colonial Africa is called the "Big Man" type of government: regimes built around a single authoritarian figure plus his family and cronies. The consequences of this type of rule are evident throughout much of the Third World. Turkmenistan has the most virulent and destructive form of "Big Man" governance, megalomania.

While authoritarian and megalomaniac regimes may look similar, they are qualitatively very different. If you think back to the Uganda of Idi Amin, the Zaire of Mobutu, the North Korea of Kim Il-sung, and the Romania of Ceausescu you will understand what I mean. In today's world the regime of Saparmurat Niyazov has few peers, perhaps only those of Qaddafi, Saddam Husayn and Kim Chong-il—with the important distinction that the United States maintains normal and even cordial relations with Niyazov and still deludes itself about his regime's potential for reform.

The evidence available here today about Turkmenistan's failures in human rights, civil liberties, and democratization needs no repetition. Let me just cite evidence to support my accusation of megalomania.

First is Niyazov's self-assumption of the name "Turkmenbashi," meaning "Father" or "Head of the Turkmen." But, you may ask, did not Mustapha Kemal in Turkey assume the name "Ataturk" or "Father of the Turk"? There is a huge difference. Kemal became Ataturk only 2 years before his death and after 2 decades of achievement in both the military and political spheres comparable with those of George Washington, who was called father of his country by many in his final years. It is something else for a political figure to anoint himself at the outset of his reign, to join the ranks of the self-styled "supremos," "generalissimos," and "maximum leaders." The appropriate comparison for Niyazov is with the unlamented Jean Bedel Bokassa, self-proclaimed first emperor of the brief Central African Empire—if you keep that comparison in mind, much about contemporary Turkmenistan will be clear.

Mr. Chairman, megalomania is a hunger never satisfied. Once Niyazov took on his pompous honorific, no amount of public adoration could suffice. His face and figure—in silk and wool, on paper and marble, in bronze and steel—adorn every corner of his impoverished land; his name is now attached to cities, industries, and even a fragrance; he is worshiped in the press as "an angel sent to Earth" and "a child born from a special glance of God." And, as you know, Niyazov has awarded himself supreme political power for life.

Niyazov's style of rule is no joke, and his vanities come at a heavy price for his country. Four years ago, Niyazov retroactively declared himself the founder of all newspapers and other periodicals in Turkmenistan. As a dutiful son, he also declared his mother the founder of all broadcast media in the country. Although vanity certainly played its part in these measures, the more basic motive was the exercise of total control over speech and the press. What now passes for media in Turkmenistan behaves in a manner that would embarrass the most shameless of Hollywood publicity agents.

I submit to you copies of a typical Ashgabad daily front page. Please note in particular the poem contained in the masthead (conveniently, both in Turkmen and English). This “hymn” is not only a required fixture of publications in Turkmenistan, it is recited by every schoolchild, from the very youngest, each morning as an obligatory state oath.

Allow me to read the text aloud:

“Turkmenistan, my beloved motherland, my beloved motherland!  
 You are always with me in my thoughts and in my heart.  
 For the slightest evil against you let my hand be lost.  
 For the slightest slander about you let my tongue be lost.  
 At the moment of my betrayal to my motherland, to her sacred banner,  
 To Saparmurat Turkmenbashy let my breath stop.”

Not quite the Pledge of Allegiance to the Flag, you will agree. But, for every child, every student, indeed every citizen of Turkmenistan, every day, the very notion of opposition to Niyazov—however slight—is unambiguously associated with images of mutilation and death. Is it any wonder that overt manifestations of political independence in Turkmenistan have been so few and the consequences to those who speak out so grave?

Mr. Chairman, what can and should the United States do about such a ghastly regime and leader?

First, we must face facts, and the State Department's recent human rights report on Turkmenistan does not. State persists in the view that Niyazov is a strong-willed ruler like Tito rather than an unbridled despot like Ceaucescu, that he is a Central Asian equivalent of Robert Mugabe rather than a latter-day Bokassa. Such men go from bad to worse, not from bad to better. Our ability to influence such a regime toward genuine democracy, civil liberties, and accountable government is nil. This is not cynicism; it is realism.

Second, in addition to retention of absolute power Niyazov values the gratification of his ego. We should not give it. The reception of Niyazov at the White House in 1998 was a scandal and a mistake, as was the presidential embrace at the Helsinki summit last November. No good has resulted for the hard-pressed Turkmen people from these gestures, while Niyazov was confirmed in his arrogance by the public approbation of the world's superpower. We Americans sometimes forget how much our gestures mean to the tyrants of the world. We should not forget.

Third, let's be sensible about Turkmenistan's natural gas. True, the country sits atop huge reserves of gas, but it will be years (and perhaps decades) before its potential will make a significant difference in the world's energy supply. In addition, while oil is a commodity traded by tankers in a global market, natural gas distribution is largely limited to pipelines and hence sold in regional markets. The major customers for Turkmen gas will be Turkey, Russia, Ukraine, and countries in southern Asia. These markets can well look after themselves. The United States has no overriding economic interest in Turkmenistan; it is no Saudi Arabia for us. In any case, let us recall the consequences of our support for an autocratic government in Iran in pursuit of perceived economic interests.

Next, the United States should terminate all but unambiguously humanitarian official assistance programs in Turkmenistan and especially stop defense and military contacts. However well-intended these contacts, they are ill-conceived, serve no tangible American interest, and will be abused by the Niyazov regime. It is fantasy to imagine we are developing democratic civil-military relations in Turkmenistan or obtaining influence. The Pentagon may object that I, personally, once played a role in creating these programs. Quite true, but I recognize the mistake and the need to correct it. In addition, we should take steps to suspend Turkmenistan's participation in the Partnership for Peace. PFP is supposed to be based on shared values and purposes. While a number of PFP members scarcely qualify for the Partnership, Turkmenistan absolutely does not. If the European Union can chastise Austria over Joerg Haidar, surely the Partnership for Peace should draw the line at Saparmurat Niyazov.

Finally, this Commission should seriously consider whether Turkmenistan has any business in the OSCE. Niyazov's regime flagrantly violates its Helsinki commitments. Unlike some participating States in the region where one can at least hope that an OSCE presence may slowly change things for the better, Turkmenistan is barren ground so long as its current power system exists. Participation in the OSCE gives a patina of respectability to Niyazov and allows him to strut on a multilateral stage on a basis of presumed equality with genuine democratic leaders. The OSCE saw fit to suspend Yugoslavia for its regional behavior; it should do so to Turkmenistan for its internal behavior. If Helsinki principles can be stretched to accommodate the Niyazov despotism, they lose their meaning. Taking such action against Turkmenistan would enhance the OSCE's credibility and efforts in other problematic countries and demonstrate that joining the Helsinki process is not an empty formalism.

Mr. Chairman, of all the countries this Commission will examine in its hearings, no case more justifies American policies based on a long-term perspective and adherence to our principles than does Turkmenistan. Saparmurat Niyazov may be around for years, but he is not forever. A minimalist policy toward Turkmenistan today will pay dividends tomorrow.

**STATEMENT OF RAMIL GALIMOV**

Ramil Zupharovich Galimov: Citizen both of Turkmenistan and Russia

Born: January 19, 1958 (Bashkortostan, Sterlitomak, Russia)

Address (where registered): 2nd Microraion, House 7, Apartment 18, Seidy, Turkmenistan

Baptized: July 8, 1995

Serving as a ministerial servant (acting Presiding Overseer of the congregation "Seidy", 1032, Turkmenistan)

Married: January 14, 1997

Wife: Lidiya Pavlovna Galimova

Citizen of Turkmenistan Born: May 15, 1957

Address (where registered): Microraion "Mir-1" house 15, apartment 60, Ashgabad, Turkmenistan

I was living with my wife in Seidy from the year 1997, when we were married. As my wife's mother was living in Ashgabad, we needed to go there quite often. In January 1999 the circuit overseer recommended me to move to Charzhou that belongs to Seidy congregation but where there were no brothers. So we moved there and rented an apartment in the city.

In July 10–15, 1999, I traveled to Ashgabad to work and earn some money to send to my ex-wife, now living in Russia. I have three children (19, 16, 10 years of age) from that marriage. We were divorced in September–October 1996 in Seidy, Turkmenistan.

September 1–2, 1999, Andrei Zhbanov (the only elder in Turkmenistan) called me to say that Brother Ashirov Guvanch had been arrested and the court hearing was scheduled on September 6, 1999, in the city of Kazandzhik. As there was nobody to take care of the legal defense of Brother Ashirov, I was asked to do it as I had some experience in this regard. We confirmed the power of attorney by the brother's signature, the official stamp, and signatures of the prison where he was being kept. Together with Brother Zhbanov, we traveled through Gyzylyarbat to conduct a baptism there.

On September 6, 1999, we arrived to Kazandzhik. The court hearing took place and Brother Guvanch was sentenced to 18 months in prison because of refusing to serve in the army. Brother Yazmammed Annamammedov served as a translator in the court hearing as the court proceedings were in Turkmen language.

After that, on September 9, 1999, we arrived together with Brother Annamammedov to Gyzylyarbat in order to make an appeal to the court for unlawful actions of the National Security Committee (NSC), committed against Brother Yazmammed Annamammedov. Brother Annamammedov had been arrested two times, physically abused, beaten etc. and sentenced to 12 and 10 days detention. All of this was initiated by the chief of the Gyzylyarbat NSC, Atadzhan Myatyyev, together with the police. We required the court to give us the documents of his case and after some discussions the judge agreed.

Right after coming out from the court, the NSC officials arrested us. We were taken to the Department of NSC where I was questioned regarding the reason for my being in Gyzylyarbat. I explained that I was the legal representative of Annamammedov, confirming that by the documents. The NSC officials did not accept me as being a legal representative without legal education or without being a member of the

board of advocates, even though the Turkmenistan law allows this. We were kept in the Department of NSC some 4–5 hours while Chief Myatiyev insulted and threatened us. After being arrested, we were taken to Annamammedov's home and a search was carried out, without any warrant. At the same moment Brother Taganov arrived from Ashgabad and he was arrested together with us. In connection with the search all my personal belongings were taken, including some magazines, Bibles and books. Some of Annamammedov's magazines were also found.

After that all of us (Annamammedov, Taganov and I) were taken to the police station and put into a prison cell. After 3 hours, we were released from the cell and the deputy chief of the police returned my passport and told me to take the next night train to Ashgabad and not to appear any more in Gyzylyarbat. All the legal documents I had with me were confiscated and not returned. To date the documents are at the NSC. However, I did not leave, as the legal matters were still not completed.

At the morning of September 10, 1999, I compiled an appeal to the court on the unlawful actions of the NSC officials against us. The judge accepted my appeal and we set the meeting with him for September 13, 1999 in order to fix the court date. After that, I left for Ashgabad.

On September 13, 1999, I arrived back to Gyzylyarbat together with Brother Gaiyrov Nuryagdy, my translator. Gaiyrov stayed at Annamammedov's apartment while I went to meet the judge to set the court date. When I returned to the apartment, the police had already arrested Gaiyrov because he was reading the Bible in Turkmen language in Annamammedov's home.

When I went to the police station to find out the reason for his arrest the deputy chief of the police agreed that they do not have reason to arrest Gaiyrov, as he should serve as a translator for the court hearing. We were taken to the NSC department and separated from each other.

The director of the NSC, Myatiyev, took me outside and told me to leave and not to come back here again. But, I said that is not possible, and he violently grabbed me back inside again. All this was accompanied with abusive words. The director of the NSC started to beat Gaiyrov on the first floor, while I was taken to another floor.

After some 40 minutes of beating Gaiyrov, I was brought down to the first floor, where I met Gaiyrov and saw the marks on his face. Myatiyev, together with his assistant, Atadzhan, began to beat me seriously. First they beat me with their hands, then with a big club, hitting my head and damaging my hearing. They struck my back and stomach. During the beating Myatiyev tried to force me to take my trousers off so he could rape me. Later, I learned that homosexual rape is one of his methods of abuse. When he realized that I would not allow it, he beat me with even more rage. After some 40 minutes they got tired and I was taken to another floor. We waited (I in the higher floor, Gaiyrov at the first floor) some 3 hours until the assistant chief came and released us to Annamammedov's home, to recover. We were told to return to the Department of NSC next morning.

Sister Irena Aivazova arrived at Annamammedov's home. She is a nurse and treated our wounds, so that we could sleep. All who saw us were quite upset to see how seriously we were beaten. On September 14, 1999, at 8:30 AM, we arrived at the NSC department, as we were told, and were kept there until 10.30 AM. Then I was invited to the court for

the hearing. The following persons were present in the court hearing: myself as the plaintiff, Gaiyrov as translator, Myatiyev as defendant, the chairman of the city court Berdyev, the prosecutor and two assessors.

First I announced objection against the chairman of the court as he had participated in the unlawful persecution of Jehovah's Witnesses earlier and obviously could not be objective. The objection was dismissed. Then I announced a motion on Myatiyev's beating me last night. I asked that the case would be postponed in order to attach additional material to the case. Judge Berdyev dismissed the motion stating that I must approach the General Prosecutor and that here, we will not consider anything else than the appeal of September 9, 1999. The judge denied my complaint, even seeing all the wounds from being beaten the previous night. In my conclusion, I said to the court that, as I am a Russian citizen and being persecuted because of my religious beliefs, I would approach the Russian Government for protection. The judge announced a break.

After the break, the court gave the decision that the given case should be investigated by the higher NSC authorities. After this, I went to NSC as all my documents were there, but I was told that my passport would be given to me later. After this we went to Annamammedov's home and decided that Gaiyrov should leave from Gyzylarbat even without his passport. He left the next morning to Ashgabad in order to go through a medical examination. On the basis of the medical examination, he filed a complaint with General Prosecutor of Turkmenistan in Ashgabad. The copies of the documents were given to the OSCE representative. I could not do the same because I am not a Turkmen; I could not travel freely without a passport. So I stayed in Gyzylarbat.

On September 18, 1999, the NSC assistant chief, Agadzhan, took me to the prosecutor's office where the prosecutor's investigator informed me that Myatiyev filed a complaint against me, stating that I had insulted him with unspeakable words. I informed them that I need medical assistance as well as an examination, because of being beaten. All this was promised. On September 19, 1999 at the prosecutor's office, a woman (court's medical expert) looked at my wounds and said that I should be examined in a hospital. On September 20, 1999, I was invited to the prosecutor's office and after talking about the matter he promised to take me to a hospital. As I did not have a passport, the police had to come together with me to the hospital. However the police did not take me to the hospital, but to the police station. There the divisional inspector of the military base said that I tried to enter the local kindergarten on the military base, and there verbally assaulted the guarding soldiers. This was the reason for being accused with "minor hooliganism".

The court hearing for the "minor hooliganism" charge took place on the evening of September 20, 1999. The judge was a woman who asked me whether I was guilty of the acts with which I was being accused of. I said that I could not do anything like that, because of my religious beliefs. The three soldiers invited to witness against me could not say that I was the offender because "there was a lot of people." They could not confirm their written statement. The judge told the soldiers to leave, to get their statements straight. I was taken back to the police station. The next morning on September 21, 1999, I was taken again from the police station to the court and the young soldiers were now together

with their officer. This time they said clearly that it was me who verbally assaulted him on the territory of the kindergarten on September 5, 1999. I was sentenced to 10 days detention.

Right after the court on September 21, 1999, I was taken to the cell and that afternoon I was put to work on the yard of the police center, as a prisoner. That evening I met Brother Albert Bozhkov in the cell. Brother Bozhkov had been arrested on September 18, 1999 for the same reason: insulting the three soldiers. He was sentenced to 13 days detention. He had been beaten by the NSC chief, Myatiyev and the director of the special department of the military base, Tatov. The prison guard, Rovshan, had beaten Brother Bozhkov all 4 days that he was there. Now when I arrived, Rovshan started to beat me the first evening in the prison. He beat me with his hands and feet using karate punches to my head and body. One of the strikes was right to my heart, so that a heart attack began. Rovshan got frightened and tried to help me. A couple of days I was left in peace, as I could not even work because of the beating the first night. Then the shift changed and Rovshan came to work again. He did not allow Brother Bozhkov and me to sleep in the bed but forced us to sleep on the concrete floor. Daytime we were working at a cotton plantation. My arrest was to finish on October 2, 1999 and that day after we were taken from work, back to the cell, Rovshan began to beat me again using karate methods. I managed to tell the head officer that if the beating continues the result may be unknown as my heart was quite weak after the first beating. The officer took me out of the cell to the reception of the police station and I was allowed to stay there until I was released. I was released in that evening but as my passport was still at the NSC I could not leave Gyzylarbat.

On October 4, 1999, when I was still at Annamammedov's home, two director assistants of NSC arrived by car and took Annamammedov and me to the NSC department. Annamammedov was taken to a room where he was beaten. I was waiting outside and listened how Myatiyev with somebody else were beating Brother Annamammedov. My turn was to be next. I kept listening to this for 40 minutes. I thought that this was to be the end of me, as I could not take any more beatings. So I asked the secretary if I could get some water to drink; as there was only water outside, I went out. Nobody tried to hinder me or ask anything, so I took a taxi and drove to Annamammedov's home where my wife had arrived. Together with her we continued by taxi to Ashgabad. Basically this should have been impossible as I did not have a passport, but the officer at the post let us go without checking any passports.

On October 5, 1999 I met with the OSCE representative, Piotr Iwaszkiewicz in Ashgabad, and told him my story. My written report was given to the general prosecutor of Turkmenistan with a copy to the President and OSCE on October 8, 1999. At the end of November, I received an answer from the general prosecutor informing that my statements were sent to Regional Prosecutor to be examined. Until November 23, 1999 I was left in peace in Ashgabad. Then on November 23, 1999 Brother Taganov called and asked me to come to talk about the matters in Gyzylarbat. When I was just about to go out, two officers of NSC came to my door and said that they wanted to check my passport. Naturally they knew that I did not have my passport because it was unlawfully taken in Gyzylarbat. I let them in, went into another room and while they were talking to my wife, I escaped from a window. I went directly to the Russian Embassy in order to get some help, but

they did not even talk to me because I did not have my passport. Then I approached the OSCE representative, Piotr Iwaszkiewicz, for help and he contacted the Russian Embassy but, to no avail. The Russian Embassy required an official certificate that my passport was taken. However, that was impossible because my passport was taken without any replacement document. Realizing that there was no way to escape being arrested, I went home. Mr. Piotr Iwaszkiewicz called me after some time, informing me about the situation. Around one o'clock, NSC officials arrived to take me into custody. I was put in the 'isolator' [in former U.S.S.R., special prison for political detainees and espionage suspects]. I was kept in jail from November 24, 1999 until December 7, 1999, without any warrant, documents or court decision. There I was also forced to work.

On December 7, 1999 two officials of NSC came to me and told that I will be taken to Seidy where I am registered and where my passport should be. I was put on the train under custody of the NSC officials. On December 8, 1999, we arrived in the city of Turkmenobad (Chardzhou). There I was handed over to the officials of the local NSC and taken into custody and kept in jail until December 10, 1999. During that time I was not questioned or accused of anything neither was I informed of the reason for being arrested.

On the morning of December 10, 1999, the NSC officer handcuffed me to another NSC official, put us into car and drove to Seidy. This was done under the direction of the head of the religious department, Khudaiberchen Saparovich Khudaiberdyev. The car drove into the garage of the local NSC department. There I was taken from the car (in handcuffs) into Department of NSC so that nobody could see me. After some 5 hours in the NSC department, I was taken again into the car (foreign car with dark windows.) The car drove at high speed for some 3 hours, north to the Uzbekistan border in the city of Gazachak. There, I was put into a cell in the NSC department and after some hours, into the office of the local NSC chief. Together with the head of the religious department, Khudaiberdyev, they explained that I was going to be sent to Russia because my religious views are not acceptable in Turkmenistan. They showed my passport and made it very clear that my apartment with all my personal belongings had been confiscated. I used to have a certificate on my apartment in my passport. That was now taken away. I was no longer registered in Seidy. Mr. Khudaiberdyev advised me not to return to Turkmenistan. If I did, they would treat me much worse than before.

Next night I spent in a cell in the NSC department and on December 11, 1999, afternoon I was taken by car to the train station of Gazachak. There I was made to sign a statement that I had been warned not to return to Turkmenistan. Then the NSC officials put me on the train going to Moscow. My passport was given to the train conductor, he was told to take me to Russia. I was given no possibilities to say anything to my wife, who was in Ashgabad. The NSC worker told that after arriving in Russia I could write an invitation for her so that she could leave Turkmenistan too. I had no money, no Russian passport, and only the clothes that I happened to be wearing. The train conductor wanted to drop me off on the Russia-Uzbekistan border, but then he let me travel on, to a bigger city. So on December 13, 1999, I arrived in Saratov, Russia. There I was left on the platform. From there, with the help of other Jehovah's Witnesses, I arrived in Saint Petersburg. Before depor-

tation, I heard some rumors that an international commission will arrive to Turkmenistan. I feel that I was deported from Turkmenistan so that I would not meet with the commission. The National Security Committee considers me to be one the most dangerous defenders of religious freedom and Jehovah's Witnesses in Turkmenistan.

Without the help of my brothers, I would now be in a situation with no way out. Being in Russia with only my Turkmenistan passport, I could only expect to get arrested, put into prison and then sent back to Turkmenistan. There I would have been arrested again right away as I have no registration, or any place to live. That would have resulted in an endless bouncing back and forth between Russian and Turkmenistan, until I would have disappeared.

—*Ramil Zupharovich Galimov*

**STATEMENT OF YAZMAMMED ANNAMAMMEDOV**

*In Solnechnoye, Saint Petersburg, Russia  
December 20, 1999*

To: The General Prosecutor of Turkmenistan  
Copies to: President of Turkmenistan,  
Saparmurat Atavich Niyazov, 0 5 C B  
From: Citizen Annamammedov Yazmamrned  
living in sh. Gyzyrabat  
Yugo-Zapadnyi region, house 50

I state that I, Citizen Annamammedov Yazmammed, have been persecuted by the National Security Committee (NSC) of the Gyzyrabat city as follows:

1. On June 21, 1999 workers of NSC of Gyzyrabat, Agadzhan and Nury, came to my home. They took me together with my wife to Department of NSC. There my wife and I were separated. I was forced to the room of the director of the NSC where I was threatened with physical violence and that they would plant drugs on me in order to institute criminal proceedings against me. They tried also to make me renounce my religious beliefs.

After this the director of NSC, Myatiyev Atadzhan, began to demand that I would give the names of my fellow believers in the city of Gyzyrabat. When I refused to do this, Myatiyev Atadzhan ordered me to be handcuffed with my arms behind my back. Then I was put on the floor and a chair was placed under my legs. Myatiyev Atadzhan then stepped by one foot on my leg and began to beat my heels with a club. Torture continued a half an hour. Then I was escorted to police station into a cell for arrested ones.

Then on June 22, 1999, I was escorted to the court in Gyzyrabat where wrong accusations were presented. According to them I had insulted the workers of the police with unquotable words. I announced to the judge Berdiev Bairam that I cannot allow such acts because of my religious beliefs. The judge Berdiev said that he believes only the workers of the police. After this I was sentenced according to their accusations to 12 days in arrest. I stayed in cell from June 22, 1999 until July 4, 1999. I also state that at the moment of arresting at the Department of NSC my wife and I were addressed with unlawful actions like threatening and swearing with unquotable bad language.

2. On July 23, 1999 I was called to the Department of NSC in Gyzyrabat where I was subjected to moral insult. Again I was demanded to renounce my religious beliefs. I was threatened with instituting criminal proceedings against me, as according to the Turkmenistan Legislation it is possible to institute criminal proceedings on minor hooliganism after three administrative arrests.

Also Myatiyev Atadzhan insisted me to profess Islam. Then I was again given to the police of Gyzyrabat. And as before, the judge, Berdiev Bairam, sentenced me to 10 days in administrative arrest on false accusation.

3. On September 9, 1999 my fellow believer, Galimov Ramil arrived to me, as he wanted to help me to file a complaint in legal order about the illegal action of the NSC, the police and the judge. When we arrived

at the court, the judge Berdiev Bairam was not willing to give the copies of the court decisions on my case but after a short discussion with Galimov Ramil he agreed.

Then we went together with Galimov to find a copying machine in military territory but the workers of the NSC in Gyzyarbat arrested us and took us to the Department of NSC. There the file with documents was taken from Galimov and we were subjected to threats and insults. We were kept arrested about 4 hours. Then we were taken to my home where Agadzhan and the divisional police inspector Orazgeldy made a search without a warrant taking the literature and books that were at home. Then I, Galimov and Taganov (who had arrived to me as a guest at the same moment) were taken to police station where we were kept in cell for the arrested ones more than 2 hours. Then the substitute for the director, R. Ovezberdiev, released us to home and said to Galimov that he should leave and should not come back to Gyzyarbat.

On September 13, 1999 about 5:00 PM I was called to the Department of NSC. When I came I saw in the corridor Gaiyprov Nuryagdy who had marks at arms of being beaten. Then the substitute for the director of the NSC ordered me to appear in the NSC on September 14, 1999 at 8:30 AM. That night some time after 8:30 PM Galimov and Gaiyprov arrived from the NSC. They had marks of being beaten by clubs.

On September 14, 1999 we three arrived at the NSC at 8:30 AM and waited until 11:00 AM. Then we were guided to the courtroom for the hearing of the action of Galimov against the director of the NSC, Myatiyev Atadzhan. After this we went home.

On October 10, 1999 the workers of the NSC took me from my home together with Galimov who had been released from arrest on October 2, 1999. The workers of the NSC, Agadzhan and Nury, took us to the department and after some short discussions I was taken to the room of the director of the NSC and there Myatiyev together with the assistant Nury began to beat me. The torture continued one hour: they beat me with hands and feet. During the beating they tried to force me to take off my trousers in order to violate me.

Then I was taken to the police department where I was kept in a cell for the arrested ones until October 7, 1999. After that I was taken to the court and accused of resisting the divisional police inspector Orazgeldy. During the hearing of the case the judge, a woman, asked me: "Why were you arrested?" I said that the reason was the religious beliefs. After this she sentenced me to 15 days in arrest.

I was kept arrested until October 19, 1999 when I was released in evening after 6:00 PM. The substitute for the director of the NSC, Agazhdan, was waiting for me near the police station. He took me to the room to the director where Myatiyev Atadzhan again demanded that I renounce the religious beliefs. Then they beat me 15 minutes.

After that I was let to the corridor where I saw my wife Nurbibi who had been arrested at 3:00 PM on October 19, 1999. Also my fellow believer, Ashirova Ogulgozel, was there. She had been arrested prior to my wife about 10:00 AM. They were demanded to write a declaration renouncing their religious beliefs.

Then the director of the NSC ordered them to get registered for administrative arrest. Myatiyev Atadzhan announced that now my wife would sit in my behalf. He also announced that he would break down our religious community in Gyzylarbat.

At this moment I do not know what is happening with my wife; seemingly she is kept arrested. My three children were left alone. When I left from Gyzylarbat for Ashgabad at 11:00 PM she was not released yet. I was forced to leave because Myatiyev Atadzhan threatened me again with imprisonment. There is no hope of establishing lawfulness in Gyzylarbat. I hope that my request for help will be considered in OSCE in order to get this investigation under control of that organisation.

—*Annamammedov Yazmammed, October 22, 1999*

## STATEMENT OF NURBIBI ANNAMAMMEDOVA

To: The General Prosecutor of Turkmenistan  
 Copies to: President of Turkmenistan, S A Niyazov  
 From: Citizen Annamammedova Nurbibi  
 Living in address: Yugo-Zapalnyi Region, house 50 Gyzyrlybat

15.11.1999 at 11:30, a worker of NSC (National Security Committee) of Gyzyrlybat, Nury came to our home and asked for my husband Annamammedov Yazmammed. I answered that perhaps he will come in the evening.

Nury told me to say: "If he comes for lunch, he should not go anywhere but stay at home." After this Nury, worker of NSC, started to wait on the western side of our house in his car, because about at 12 o'clock, when children came from the school, they saw the car of NSC. Even Yazmammed, when he came for lunch, saw how Nury was standing next to his car.

After Yazmammed came home, right after him came Nury and greeted. I was in the kitchen looking after food. But then children came and said: "Mom, there are a lot people at our court." When I got out, it was really so.

Investigator of prosecutor said to my husband: "Open the door, I want to check your house." But Yazmammed answered: "Without a warrant I don't let you to check." Nury said to my husband: "You know this guy, he is the investigator of prosecutor." Then the investigator of prosecutor said: "Open the door, I want to check if you have books belonging to your religion and drugs."

And Yazmammed believed his words and opened the door. Because before this, for three times they had locked Yazmammed in, beaten him up, come to our home and taken our religious literature. Yazmammed was calm, because there were not listed things in the house and opened the door.

At that moment I said: "You didn't bring with you any notice, you have the only witnesses, and that's why I will also call my witnesses." And children invited our neighbors Gulay and Begench (husband). Those who entered to the first room: Nury, Orazgeldi (chief of local police, using uniform and on the police uniform he had a civil coat). Inspector and two witnesses (one was soldier, the other one civil), I and Yazmammed. The first room was checked and nothing was found. We went out. I closed the first room. Neighbors were there too. Gulay left for home.

Now we all went to the next room. I stayed next to the door. Nury and Orazgeldi entered the room. There was a shelf hanging in the last corner of the room. Nury and Orazgeldi went to this shelf and Nury took from his pocket a box and a packet and put them to the shelf. Orazgeldi took all this and said: "What's this?" When Nury had entered to this room, he had his hands in pocket. Yazmammed and children saw how these things were put to the shelf. Before these "guests" came, there had been examination from Electroseti, and receipt had been taken about this shelf to show for them. That's why, the God is a witness, this box and packet were put there by them.

Orazgeldi asked: "What's this?" and put the box and packet in front of the inspector. Yazmammed said to me: "Nurbibi, look, they themselves put the box and the packet." Begench and I said, "So that's what they are doing!" causing a sensation.

When the inspector opened the packet, his hands were trembling and contents of the packet poured on him and to the floor. Then the inspector opened the box: "Here are 16 cartridges of pistol."

Earlier the chief of NSC Myatiev Atadshan had said to me, "After locking your husband in for three times, I will put him furtively "tirek" (drugs) and something else, and I will send him to jail." I really cried and said, "Atadshan said so (foregoing) and after all got his way." Then they went in to an inner room and started to check. At that moment Gulay came. And we all were watching them. Because of this they finished checking.

Yazmammed said to Nury, "Nury, don't feed your children with a bread you have got dishonest way." Nury couldn't answer anything. Everything, what they wanted to check we carried there and back: clothes, bed. They made a statement and wanted that we would sign it, but we didn't do that. They left at 13 o'clock. At 14:30 Nury came and took our neighbor Begench. Between 13:00 and 14:30 all these events were told to Ashgabad, Sbanov Andrey (by a spiritual sister, Ayvazova Irmna).

Begench was taken at 14:30 and let go at 19:00. During this time he was thoroughly beaten up. November 17th I brought food for my husband, but one police said that, "You should go to the inspector." I came to the inspector. Inspector asked me to tell everything what happened. I told everything how it really was. "I should have locked you in with your husband, but I let you go. Come here at 16:30. Your neighbors should come here at 14:30."

When I came to that inspector at 16:30, he asked, "Have you been thinking?" He wanted to make me say that the box and packet belong to Yazmammed. I said, "My husband hasn't taken cartridges even to his hands." Inspector called for police and I was locked in to the cell. When I was taken to the cell I saw our neighbor Gulay. "What should I say?" she asked. I answered, "Gulay, that you have to decide yourself" She was going to the inspector. Inspector tried again to make me agree with them, but I said, "Ask my husband."

Then the inspector wrote my words to a paper and gave it to me, so that I would sign it. So hard they were pressing my sense and heart. I read, but to say frankly, I can't remember the words that were written. I signed. Then they let me go.

I came home at 20:30. Meanwhile workers of NSC worried our neighbor Gulay, so that she would write testimony and explanation. Begench and Gulay said that they won't write a statement, but if justice exists, if someone comes from the General Prosecutor and OSCE, we will tell everything like it really was.

Of course, in this statement it's impossible to tell every moment, when the heart presses and hurts, when eyes are filled with tears, but I want to say following: this last order, that fell down to our heads, after we got a letter from the General Prosecutor of Turkmenistan. Here are the measures that were taken by prosecutor Gyzylarbat, NSC and police. Accusations and oppression of the chief of NSC Myatiev Atadsana, that he's making to my husband only because of religious reasons. But

what is said to us in the constitution of Turkmenistan, in the 16. Article (please, read). When representatives of OSCE. met with S. A. Niyazov, it was said that you could believe in any religion. Once there will be justice also in Turkmenistan, because the Sovereign of the whole universe is justified. He sees all the works of people. Everyone answer for his own work. If possible, consider my statement and please, make up a committee of your workers, representatives of the president and O.S C.E. and conduct an investigation.

—23.11.1999, *Annamammedova*

**RUSSIAN EVANGELISTIC MINISTRIES  
REPORT TO THE HELSINKI COMMISSION ON  
THE PERSECUTION OF CHRISTIANS IN TURKMENISTAN  
MARCH 2000**

“Let the sighing of the prisoner come before thee; according to the greatness of thy power preserve thou those that are appointed to die” (Psalm 79:11).

**INTRODUCTION**

Since 1997, the Government of Turkmenistan has engaged in systematic persecution of Evangelical Baptist Christians in the form of church raids, confiscation of literature, detentions, imprisonment, and beatings by the secret police. The persecution seems to have intensified significantly since December of 1999. The government deported nearly all foreign Baptist missionaries in the first part of the year 2000, apparently in preparation for a major crackdown against the remaining Christians in the country. These recent developments indicate an intentional neglect of democratic principles in Turkmenistan, with the secret police explicitly demonstrating a lack of concern for the law. These violations of basic human rights by the Turkmen government should be of concern to the international community.

The situation in Turkmenistan was not always so appalling. As recently as 1996, Christians reported relative freedom to practice their beliefs. This began to change when Turkmenistan adopted new legislation on religion in 1997 stipulating that only groups, with more than 500 members could obtain legal standing with the authorities. Such legislation is incompatible with the Christian understanding of what constitutes a church Jesus Christ said, “Where two or three are gathered together in my name, there am I in the midst of them” (Gospel of Matthew 18:20) At the time this legislation was ratified, all evangelical Christian denominations combined numbered less than 500 baptized believers in Turkmenistan

Besides violating international conventions governing human rights, the new law on religion appears also to be in direct conflict with the Constitution of Turkmenistan (Article 11), which guarantees the citizens’ rights to practice religion. The Evangelical Baptists have made it clear to officials in Turkmenistan that church gatherings are not political in nature. There is a long and reliable record to substantiate this claim. Regardless of that, since June 1997 the secret police has mounted a colossal effort to persecute Evangelical Baptists in the country.

**DOCUMENTATION**

The following is a summary of the actions the Turkmen government and secret police (KNB) applied against Evangelical Baptists:

- June 23, 1997: KNB officers raided the house of P. M. Kashin in the city of Turkmenbashi, confiscating 1,644 pieces of Christian literature, including Bibles and New Testaments. The local police threatened to block the road to Kashin’s house in an attempt to prevent church services. The officers threatened to open a criminal case against P M. Kashin if the church meetings did not stop.

- December 1997: Police officers disrupted a prayer meeting in the house of N. A. Sharipova in the city of Dashkhovuz, taking away Bibles and New Testaments. When V. Malkhov refused to surrender his Bible, one of the officers grabbed him by the throat and attempted to strangle him in front of everybody. A church service held in an apartment of N. A. Motsenko in the city of Nebit-Daga was also interrupted by police.
- January 17, 1998: KNB officers in the city of Bezmein took away Christian books and detained evangelist G. Kuimov while he was ministering with a portable Christian library on a city street. They threatened to open a criminal case against him.
- January 26, 1998: Deputy Procurator T. Amantagov called in S. Smashakhov, a Christian resident of Dashkhovuz, and threatened to apply strict measures against Christians if they continued to gather for prayer, even as few as two in number.
- March 28, 1998: KNB officers in Chardjou detained two Russian Christians, P. Aparin and V. Malkhov, who were legally visiting Turkmenistan. They were interrogated, and then sent to spend the night in a local prison in a cell with other criminals. While in prison, the two men were beaten by the police and their money was confiscated. In the morning they were placed on a train and deported from Turkmenistan without any money.
- March 28, 1998: In the city of Turkmenbashi, KNB agents arrested Artur Usoyan and V. Lemeshenko, visitors from Russia, who were passing out Christian literature free of charge. They were interrogated by the KNB for hours. Artur Usoyan was beaten severely.
- March 29, 1998: KNB agents in Chardjou interrupted a prayer meeting in the house of Vladimir Chernov, confiscating New Testaments, hymnals, and other Christian literature. They wrote down each person's name, home address, and place of work.
- November 10, 1998: A KNB agent, B. Meredov, came to the house of Shageldy Atakov in Kaakhka, demanding that he stop preaching the Gospel. The agent left after making many threats.
- December 10, 1998: A delegation of government officials, (including B. Durdyev—chief of religious affairs, R. Seitnazarov — chief mullah, and Yaztyvakov—from the city's mayor office), visited Shageldy Atakov, an ethnic Turkmen Baptist preacher, demanding that he cease his involvement with the church. They told him that if he did not comply he would-face imprisonment.
- December 18, 1998: Shageldy Atakov was taken away by the police and imprisoned. On December 21, the police opened a criminal investigation against him on fabricated charges.
- January 31, 1999: KNB officer disrupted a church service in the house of Lydia Achilova. Bibles and New Testaments were confiscated.
- March 9, 1999: Lydia Achilova was issued a fine in the amount of 200,000 sums (this amount equals an average monthly salary), for hosting prayer meetings in her house
- March 19, 1999: Shageldy Atakov was sentenced to two years in prison. Due to a protest by the Procurator that the sentence was too lenient, the ruling was sent for reconsideration.

- April 17, 1999: KNB officers detained Anatoliy Belyaev and Charyiar Atakov (Shageldy's brother) at a police checkpoint on the way from Ashgabad to Dashkhovuz. All of their personal belongings, including letters, notes, and friends' addresses and telephone numbers, were taken away. During the interrogation, Charyiar Atakov was severely beaten when he refused to provide information about the inner life of the church.
- June 9, 1999: KNB agents searched the house of Vladimir Chernov in Ashgabad. Without proper identification or the owner's permission, they searched through his house, opening closets and checking furniture. They confiscated 5,085 pieces of Christian literature in 50 different titles, 106 audiocassettes with recorded sermons, personal letters, photographs, a slide projector, and a sound system.
- June 19, 1999: A KNB deputy warned Vladimir Chernov that documents were being prepared for the deportation of his family to Ukraine because of their missionary activity.
- August, 1999: Shageldy Atakov, a ethnic Turkmen Baptist preacher, was resented to four years of imprisonment and fined an amount of \$12,000.
- November 28, 1999: A KNB chief in the city of Cheleken interrupted a church service in the house of A. I. Zherebtsova. Christians were questioned and threatened that they should not attend church services in the future.

#### LATEST PERSECUTION

It is our fear that the authorities of Turkmenistan have developed a new plan to destroy the Baptist churches in the country. As documented in this section, actions against Christians on the part of the government have increased substantially since December, 1999.

- December 16, 1999: Approximately 20 KNB officers raided the house of Vladimir Chernov in the city of Ashgabad. Dmitriy Melnichenko, a 17-year old boy who was guarding the house, in Chernov's absence, was severely beaten by police at the house as well as later at the police station. Anatoliy Belyaev, who lives nearby, was taken into police custody. One of the KNB officers said, "First, we'll deport all foreign missionaries, then we'll strangle the remaining Christians in the country."
- December 17, 1999: Alexander Kosinchuk, en route by train from Ashgabad to Turkmenbashi, was taken off the train in Nebit-Dage. He was questioned by the KNB and released in the evening. Vladimir and Olga Chernov, along with Mikhail Kozlov, also were taken off the train en route to Turkmenbashi, transported to Ashgabad and kept in a KNB prison for almost a week. The same day, KNB officers took away the passports from individuals who hosted church services in the cities of Chardjou, Turkmenbashi, and Mary.
- December 18, 1999: Alexander Efremov and his wife Vera Semina, both citizens of Russia, were told that their permission to live in Turkmenistan is being revoked because they prayed to God together with their friends.
- December 22, 1999: The Efremovs were deported from Turkmenistan to Russia.
- December 22, 1999: KNB officers visited the Shulgin family in the city of Mary and confiscated their passports.

- December 24, 1999: Vladimir and Olga Chernov were deported by plane from Ashgabad to Ukraine.
- December 31, 1999: Artygul Atakov (Shageldy's wife) went to the primary school officials in the city of Mary and told them that her five children will not bow down to the portrait of the country's President.
- January 5, 2000: KNB officers came to the house of the Senkin family in the city of Mary and took away their passports.
- February 2, 2000: The school principal in Mary requested a written note from Artygul Atakov to explain why her children will not bow down to the President's portrait. Shortly thereafter she was visited by six KNB agents who searched the house. Two hours later, two KNB agents took her and V. Shulgin (Russian Christian) to the KNB office where Artygul was verbally abused. The officials threatened that she will end up in prison "together with her husband" if she does not renounce her Christian faith. They then forcefully relocated her and her family from the city of Mary, where she has established legal residence, to the town of Kaakhka. Threatened with a prison sentence, she is not allowed to leave the town of Kaakhka until she renounces her Christian faith. Her husband, Shageldy Atakov, is being held in prison on fabricated charges.
- February 2, 2000: KNB detained Mikhail Kozlov and Anatoliy Belyaev, threatening to deport Belyaev from Turkmenistan. Anatoliy Belyaev spent the next ten days in a prison cell, during which time he fasted. His wife, Natalya, was placed under house arrest.
- February 3, 2000: Non-Christian relatives of the Atakovs were demoted in their jobs. Khoshgeldy Atakov (a brother of Shageldy Atakov) was forced by the KNB to leave his job.
- February 13, 2000: KNB officers in the city of Dashkhovuz disrupted a church service held in Vitaliy Tereshin's house. The owner was taken for questioning; and his passport was taken away. The officers used a video camera to record who was inside the house at the time.
- March 3, 2000: Charyiar Atakov (another brother of Shageldy Atakov) was arrested in the city of Kaakhka and given a 15 day prison sentence for sharing his faith.
- March 11, 2000: After being held for six weeks without charge at a KNB prison, Anatoliy Belyaev was reunited with his wife and daughter at the airport in Ashgabad, and deported to their native country of Russia.
- March 13, 2000: The Senkin and Shulgin families were taken from their homes in the city of Mary, forcefully placed into four KNB vehicles, and then driven away to the train station to be deported from the country.
- March 13, 2000: Shageldy Atakov, a Christian prisoner, was sentenced for one month to a punishment cell. A scheduled meeting with his wife and children was denied.

#### CONCLUSION

Who are the guilty parties in this process? The evidence points to the KNB. But, it is hard to imagine that such a national campaign against Christians could be carried out without the knowledge and approval of President Saparmurad Niyazov.

Each time we received a report of the incidents mentioned above, Russian Evangelistic Ministries sent letters of petition to President Niyazov, urging him to protect the Constitutional rights of Christians in his country. In spite of numerous letters, there appears to be a persistent escalation of centralized effort to undermine and eradicate Christian faith in Turkmenistan.

The Evangelical Baptists in Turkmenistan are law-abiding citizens who pose no threat to the political system in the country. So why are they persecuted like criminals? Why are they demoted, forced into internal exile, discriminated, and mocked? The only reason for their persecution is their faith.

The violations of basic human rights in Turkmenistan tend to reinforce similar tendencies in neighboring states. This is evidenced by a rising tide of persecution against Evangelical Baptists in Uzbekistan and Tajikistan. There is little reason to believe that the situation will improve without pressure from the international community.

#### REQUESTS

We respectfully request that the Turkmenistan government take the following actions:

1. Release Shageldy Atakov and Charyiar Atakov from prison.
2. Allow the five deported Christian families to return to their homes in Turkmenistan.
3. Release Artygul Atakov from de facto internal exile in the city of Kaakhka, and allow her and her family the freedom of movement.
4. Return all confiscated Christian literature.
5. Stop discrimination, intimidation, mockery, persecution, detention, imprisonment, and beating of Christians in Turkmenistan.

Rev. Vladimir A. Okhotin  
Russian Evangelistic Ministries, Inc.,  
P. O. Box 26307  
San Diego, CA 92196-0307.  
Tel/Fax 858/549-4188  
E-mail: OkhotinREM@aol.com

**NOTES ON THE VIDEO  
“DESTRUCTION OF THE SEVENTH DAY ADVENTIST CHURCH,  
ASHGABAD, TURKEMNISTAN, NOVEMBER 1999”**

- The Seventh Day Adventist Church is the largest Christian congregation in Ashgabad and is pastored by Pavel Fedorov. In 1990, the Turkmen authorities registered the congregation and in 1992 gave permission to construct a building. The parishioners constructed the sanctuary, volunteering their time and money.
- The church was subsequently de-registered by the authorities and the congregation tried in 1994, 1996, and 1997 to re-register but had no official response. In August 1997, the governmental authorities began harassing the congregation. Security forces broke into a worship service, threatened the congregants and charged Pastor Fedotov, who was subsequently cleared by the administrative court. In September 1999, security agents disrupted a worship service, demanded that the meetings cease, and fined Pastor Fedorov. Also in September, Pastor Fedotov, along with other pastors, met with the chairman of the Council on Religious Affairs and was told that if church services did not stop, there would be “reconstruction in the city.”
- In early November 1999, the church received notice that the building was to be demolished in order to construct a new road. On November 13, while a Saturday evening service was in process, 5 city workers and 25 security officials arrived and began bulldozing the building. All the surrounding roads, gardens, and back alleys were blocked by the police. Initially, the OSCE representative and the British and American ambassadors were prevented from being present at the scene by security forces.
- Initially, the official reason given for destroying the building was that a new road needed to be built. Later, officials stated that the building was dilapidated and unsound and therefore needed to be destroyed. Helsinki Commission staff visited the site in December and noted a major road existed a few blocks away and further noted that no further efforts were being made to construct a new road. As seen in the video, the building was in immaculate condition and was extremely well built. It took two weeks to complete the demolition.
- Note the presence of security personnel in various video scenes and the dates in the bottom left corner for time lapses.
- Translation of Turkmen quotes. Over the chancel: “Your Word is Truth”; at the end of the video “The Church in Ashgabad was completely destroyed on November 20, 1999.”

**KNOWN PRISONERS OF CONSCIENCE IN TURKMENISTAN  
MARCH 2000**

1. *Dr. Pirikuli Tangrykuliev*: prominent medical scientist and public health administrator who had told foreign diplomats that he wanted to run in the upcoming parliamentary elections to effect political change in Turkmenistan; arrested June 29, 1999, while lunching with a US Embassy official; sentenced to 8 years in prison.
2. *Nurberdy Nurmamedov*: head of *Agzybirlik* (Unity), Turkmenistan's oldest unregistered opposition group; arrested on January 5, 2000 after he openly criticized the December parliamentary election and the decision of the People's Council to crown Niyazov president for life; sentenced to 5 years
3. *Murad Nurmamedov*: son of Nurberdy Nurmamedov; placed under house arrest on charges of armed hooliganism on January 18, 2000 while John Wolf, the Special Adviser to the President and Secretary of State on Caspian energy diplomacy, was in Ashgabad negotiating an inter-governmental framework agreement on the Transcaspian Pipeline; sentenced to 2 years.
4. *Pastor Shageldy Atakov*: convicted in August 1999 for fraud and currently serving a four year sentence; members of his Baptist congregation insist that the charges are fabricated and he has been targeted because of his religious activities; in November, Atakov was reportedly subjected to 15 days in a punishment cell in the Seydy labor camp; Amnesty International lists Atakov as the only known Christian prisoner of conscience in Turkmenistan.
5. *Mukhammetkuli Aimuradov*: in 1994 convicted for allegedly plotting to overthrow the government and kill President Niyazov; currently serving a 15 year term in a maximum security labor prison; in November 1998 the government brought new charges adding 18 years to his sentence.
6. *Parahat Yklimov*: brother of Sapar Yklimov, a former government official who lives outside the country; sentenced to 11 year imprisonment for financial misconduct; prior to his arrest he reportedly had been warned that his brother should cease his political activities abroad; his family reportedly was told by internal security organizations that he would be released if his brother returned to the country.

The following prisoners are reported by the Jehovah's Witnesses:

7. *Yazmammed Annamammedov*: sentenced for 4 years and currently serving time in prison camp in Bezmein.
8. *Guvanch Ashirov*: denied amnesty because he refuses to swear the daily oath (that all prisoners are obliged to swear) of loyalty to president Niyazov; currently serving in Bezmein.
9. *Kurban Zakirov*: denied amnesty because he refuses to swear the daily oath of loyalty to he president of Turkmenistan; currently imprisoned in Bezmein.
10. *Igor Nazarov*: sentenced on March 14, 2000 for second time for his conscientious objection to military service; he had already served a two year sentence ending in 1996 for the same charge; currently in prison in Tedzhen.

11. *Nuryagdy Gaiyrov*: sentenced on January 19, 2000 to one year in prison for his conscientious objection to military service; applied for amnesty but has been denied because he refuses to swear the daily oath of loyalty to the president of Turkmenistan; currently in prison in Tedzhen.

This is a U.S. Government publication produced by  
the **Commission on Security and Cooperation  
in Europe (CSCE)**.



This publication is intended to inform interested  
individuals and organizations about developments  
within and among the participating States of the  
Organization for Security and Cooperation in  
Europe (OSCE).



All CSCE publications may be freely reproduced,  
with appropriate credit, in any form. The CSCE  
encourages the widest possible dissemination of its  
publications.



*Visit our site on the World Wide Web at*

**<http://www.csce.gov>**

The Commission's web site provides instant access  
to the agency's latest press releases and reports  
on recent hearings and briefings in addition to  
an electronic subscription service. Using  
the Commission's subscription page, readers  
with e-mail may choose to receive press releases,  
notices, reports, and other documents on issues  
in which they are most interested.

Please subscribe today.