

# U.S. Policy in Central Asia and Human Rights Concerns



March 7, 2002

Briefing of the  
Commission on Security and Cooperation in Europe

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

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

Although the OSCE continues to engage in standard setting in the fields of military security, economic and environmental cooperation, and human rights and humanitarian concerns, the Organization is primarily focused on initiatives designed to prevent, manage and resolve conflict within and among the participating States. The Organization deploys more than 20 missions and field activities located in Southeastern and Eastern Europe, the Caucasus, and Central Asia. The website of the OSCE is: <[www.osce.org](http://www.osce.org)>.

## **ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE**

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

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

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

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

# U.S. POLICY IN CENTRAL ASIA AND HUMAN RIGHTS CONCERNS

MARCH 7, 2002

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# U.S. POLICY IN CENTRAL ASIA AND HUMAN RIGHTS CONCERNS

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THURSDAY, MARCH 7, 2002

COMMISSION ON SECURITY AND COOPERATION IN EUROPE  
WASHINGTON, DC

The briefing was held at 2:00 p.m. in Room 3235, Rayburn House Office Building, Washington, DC, Ronald J. McNamara, Chief of Staff, Commission on Security and Cooperation in Europe, moderating.

*Panelists present:* Lawrence Uzzell, Director, the Keston Institute; E. Wayne Merry, Senior Associate, American Foreign Policy Council; Nina Shea, Commissioner, U.S. Commission on International Religious Freedom.

Mr. McNAMARA. Thank you, and welcome to this afternoon's briefing which is our latest in a series of hearings and briefings convened by the Commission on questions pertaining to the countries of Central Asia. Before making a few brief remarks, I do want to make a couple of personal observations.

One is that as a participant in the negotiations for the Paris Charter of 1990, I just want to observe that the establishment of dynastic dictatorships was not what we had in mind when we negotiated the following commitment which all of the participating States, including the countries of Central Asia, have signed on to "build, consolidate and strengthen democracy as the only form of government for our nations."

Actually, on the way over I was thinking that, historically, it is appropriate that we hold this briefing today as this month marks the 10th anniversary of the admittance of the countries of the region that we will be discussing today as members of the OSCE. The leaders of these countries physically signed the original 1975 Helsinki Final Act. Each country was required to submit a statement indicating unreserved acceptance of all of the existing OSCE commitments negotiated to that time. Certainly, they have participated in the consensus process over the past decade.

To address a question that sometimes arises when we're raising issues of human rights and democratization, I just wanted to make one other brief quote from another OSCE document, the 1991 Moscow Concluding Document, in which the participating States, including those states we'll discuss this afternoon, "categorically and irrevocably declare the commitments undertaken in the field of the human dimension are matters of direct and legitimate concern to all participating States and do not belong exclusively to the internal affairs of the state concerned."

Since 1999, our Commission has convened hearings on Kazakhstan, Uzbekistan, Turkmenistan and, most recently, Kyrgyzstan. Later this year, we anticipate convening a hearing on Tajikistan to round out that series.

Due to the terrorist attacks on the United States and America's military campaign in Afghanistan, Central Asia has gone from being viewed as a repressive, resource-rich backwater to center stage on the world arena. U.S. relations with all the region's countries

have gotten considerably closer.

Next week, as you probably know, Uzbekistan's President Karimov will arrive in Washington to meet with President Bush. In that regard, there are several materials out front, including a letter that a number of our Commissioners signed to President Bush regarding the question of permanent normal trade relations and the extension of that status to certain countries, including a couple that may come up this afternoon. A letter is also circulating for signature by our Commissioners at this very moment to President Karimov outlining some of the Commission's longstanding concerns.

A key focus of attention in U.S. policy which has intensified with American engagement in the region affects the prospects for democratic change in Central Asia, which has a well-deserved reputation as a black hole of human rights. Several administration officials and the State Department spokesman have denied that the U.S. human rights agenda has taken a back burner as an issue to military and anti-terrorism cooperation.

In this regard, some of us certainly took note of the remarks of National Security Advisor Dr. Rice, made at a press conference on September 19, in which she indicated we are not going to stop talking about these human rights matters, and that human rights and religious freedom, specifically, will continue to be elements of the U.S. agenda in terms of our engagement with these countries.

Some certainly assert that working with representatives of these countries allows us to raise issues more often and with greater chance of success. As evidence, they point to incremental victories. For example, Uzbekistan has finally registered an independent human rights organization and recently sentenced to long jail terms several policemen who had tortured detainees.

Still, there is little sign of any willingness on the part of the Central Asian leaders to make fundamental systemic changes. There are indications, on the other hand, of growing ferment in some of the countries. The number of hunger strikers in Kyrgystan grows as a parliamentarian, Azimbek Beknazarov, remains imprisoned.

Perhaps most interesting is the situation in Turkmenistan where we have seen a wave of defections of former high-level officials now openly joining the opposition. Just this week, a nervous President Niyazov demoted his national security chief. In fact, in our audience this afternoon is Chary Annaberdiyev, the former DCM at Turkmenistan's embassy here in Washington, who has renounced the Niyazov regime and joined the opposition. He may have a few brief remarks that he would want to make at the end of our question and answer period.

As a housekeeping matter, I should indicate that today's briefing is being transcribed. An unofficial transcription will be available by close of business tomorrow on the Commission's web site, [www.csce.gov](http://www.csce.gov). We urge you to visit our web site.

Before introducing the witnesses, let me explain that, following their collective presentations, we will open the floor to questions and answers. You are welcome to come forward to the podium here and address any questions to any of the panelists, the experts, this afternoon.

We would ask that you indicate your name and any affiliation that you have, and there will be a sheet available for you to write your name just so that it will accurately be spelled in the transcription, which, again, will be available by close of business tomorrow.

I am pleased to welcome our expert panelists this afternoon. Larry Uzzell is the Director of the Oxford-based Keston Institute and a former Washington correspondent for Scripps Howard newspapers. Next will be Wayne Merry, Senior Associate at the Ameri-

can Foreign Policy Council in Washington and Senior Fellow of the Pearson Peacekeeping Center in Nova Scotia, and certainly known to many of us for his work as a former Foreign Service Officer at the State Department with considerable experience at the Pentagon as well. We are also very pleased to have Nina Shea, who is a Commissioner with the United States Commission on International Religious Freedom.

So I will turn to Larry for his presentation, and then we'll proceed in that order.

Mr. UZZELL. Good. Thank you very much, Ron. Can you all hear me? Is the microphone working? If not, let me know.

It's a really great pleasure to be back in the city where I lived and worked for 20 years, in the Washington area. Don't get here often enough these days, and I'm glad to be here at this time of year, rather than in July or August.

I'm going to talk only about Uzbekistan, because it is front and center right now, and also because it is where I was most recently, just before Christmas.

Much of what I have to say is going to be based on the observations and insights of Keston's relatively new full-time correspondent for Central Asia, Igor Rotar, who is one of the world's leading specialists on the Islamic peoples of the former Soviet Union. He and I recently spent some time together gathering information in Tashkent. As you said, Ron, Keston is a British organization. One of our British habits is understatement, and we try to avoid using words like "persecution" unless those terms are indeed justified.

By the way, do you all have access to my written testimony? Because if that's been available, I will slightly abridge my remarks in the interests of time.

We believe that words like persecution should not be used lightly. We do not use it for Russia, we go out of our way to avoid using the term "persecution" for what's happening in religious life in Russia today. But in Uzbekistan, our considered judgment is that the word "persecution" is entirely accurate.

We also try to avoid utopianism. We recognize that the real world is a world of tradeoffs. One has to balance, sometimes, goals such as human rights with other competing goals, such as national security.

With Uzbekistan, however, the danger is that the West will undermine the stability of Central Asia in the long term and our own national security—not by placing too much but by placing too little emphasis on human rights. This is a national security danger as well as a human rights danger.

We believe that Mr. Karimov's policies are such as to inflame the very real threat of Islamic extremism rather than to quench that threat. Like most of the Soviet ruling class from which he came, he and his top advisers seem to be tone-deaf to religion as a social phenomenon. They are manifestly hostile to the concept of social institutions of any kind, religious or secular, that are independent of state control. They are now using the extremist threat as an excuse to crack down on any display of Islamic religious life that is not directly under the thumb of their own regime.

Today's Uzbekistan is a country where a young man risks being hauled off for police questioning simply because he wears a beard. (You can see why I'm against this.) A beard is a traditional sign of Islamic piety in that culture. It's like wearing ashes on your forehead on Ash Wednesday if you're a Roman Catholic. Such men, as well as women who wear traditional Islamic head coverings, face the reality of discrimination at work, at school.

Uzbekistan has closed hundreds of mosques since the mid-1990s. The only Islamic institutions functioning above ground are those controlled by the Spiritual Directorate of



Uzbekistan, which, in effect, is a state agency. When Igor and I visited there in December, we could not find one micron of disagreement between them and the secular state.

Muslims who merely meet for private prayer meetings or who possess Islamic literature not specifically authorized by the government, have often been harassed, arrested, imprisoned, and tortured. One recently-released prisoner told us that he had suffered beatings in prison simply for saying his Muslim prayers. At least he is still alive. Others have died while in custody.

The authorities usually accuse such Muslims of advocating the violent overthrow of the existing government. They rarely produce convincing evidence. Our sources could find no case of Muslim believers being charged with such offenses but then later being found innocent. So, an accusation is tantamount to a finding of guilty.

Something I especially want to emphasize is that we have found a connection between violations of the rights of Muslims and violations of the rights of Christians and other religious minorities in Uzbekistan. Igor and I met with a Baptist pastor who told us that he is unable to get official registration for his congregation, because it would be politically awkward for the authorities to authorize more Christian churches after having closed so many mosques.

We have found strict limitations on imports of Bibles and other religious literature. I think we are driven to the conclusion that, in Uzbekistan and elsewhere, Christians must support religious freedom for Muslims because it affects the freedom of the Christians themselves, but of course, also, because it is the right thing to do.

As for U.S. policy—Keston is not a lobby; we are not a pressure group. We are an understated British organization that emphasizes reporting reality, as we see it, from the field. We do not have a high profile presence in Washington.

Nevertheless, I, personally, am a U.S. citizen. I retain the right to engage in the favorite indoor sport of U.S. citizens, which is to throw rocks at the U.S. Government. So, a couple of observations on U.S. policy.

I did a computer search on the U.S. State Department's last two reports on religious freedom in Uzbekistan. The latest is quite recent. I couldn't find any instance in which the State Department characterized anything happening in Uzbekistan right now as religious persecution. There were references to alleged persecution or claims of persecution but no endorsement of those claims. Nor, as most of you know, has State classified Uzbekistan as a country of particular concern under the International Religious Freedom Act, passed by the U.S. Congress. I think that's most unfortunate. Sound policy does begin with facing and with telling the truth. I fear that the State Department has not made that beginning, even though the factual sections of the report on Uzbekistan are excellent. Even though the detailed accounts of individual abuses are excellent, you have to have the summation of the total.

The need to face that truth, in this case, goes far beyond Uzbekistan. We have a regime there that is waging war, not just on the extremists but on all serious Muslim believers. The more Washington embraces that regime, the easier it is for the Islamic militants, not just in Uzbekistan but around the world, to argue that the West is fighting not just terrorism right now, but Islam as a whole, which leads directly into the increasing likelihood of the rightly-feared scenario of a global clash of civilizations between the West and Islam.

I repeat, this is not a case of utopianism versus realism. The hardheaded reality is that Mr. Karimov's current policies are taking him toward the same fate that befell the



Shah of Iran in the 1970s. He should radically rethink those policies. He should be nudged by the United States into rethinking his policies, not as a matter of idealistic sentimentality, but as a matter of regime survival for his own government.

Thank you very much.

Mr. McNAMARA. Thank you, Larry.

Wayne?

Mr. MERRY. Thank you, Ron.

Let me start by saying that, as someone who has carefully used the products of the Keston Institute for more than 20 years in both my official and unofficial professional life, it is truly the gold standard for information on issues concerning international religious liberties.

However, being of Celtic extraction, but not English, I've never felt a particular inclination toward understatement.

[Laughter.]

The terrorist events of September 11 were a tragedy for many and a shock for most. For some political leaders in Central Asia, however, they constituted an opportunity: an opportunity for them to establish a new importance for themselves with the United States and to avoid accountability for the conduct of their governments in domestic affairs.

I think one must recognize that the entire region of Central Asia has deteriorated dramatically in the last decade, and more, first, in living standards, which are now at third-world levels, and, with the exception of Kazakhstan, in the lower third of third-world standards, according to EBRD numbers, and Kazakhstan barely in the middle third. Their deterioration in human rights and democratization, however, is perhaps even more severe.

I lived and worked in the Soviet Union for the U.S. Government in the early 1980s and in the early 1990s. I spent a considerable amount of time in the early 1980s in Central Asia. I can tell you that, in many respects, in particular that concerning the practice of religion, conditions are worse in many of these countries now than they were at the end of the Brezhnev era. I think that is an extraordinarily sad commentary.

Now, Central Asia, as a region, is experiencing many of the same problems of other post-imperial regions: countries experiencing the process of decolonialization.

Nevertheless, it is important to recognize that, in many respects, the post-Soviet experience in Central Asia is even worse than conditions we have seen in places like Africa and parts of Asia, partly because the ruling elites of these countries were never really nationalists. They were entirely Soviet and are now neo-Soviet in their thinking and inclinations. Indeed, they did not seek independence, they supported the efforts to block Gorbachev's efforts at greater decentralization of authority, and they supported the August 1991 *putsch* against Gorbachev.

In addition, we must recognize that while European imperial policies throughout the Third World have created borders that are the basis for a great many conflicts and problems, that Stalin's nationality policies created frontiers in Central Asia which are perhaps the worst of all. The long-term consequences of Stalin's nationality policies, as reflected in the contemporary frontiers of Central Asia, are likely to bedevil that region and the outside world for much of the 21st century.

Central Asia experiences problems similar to other parts of the Third World in being an inheritor of the imperial policies of commodity exploitation, ecological damage and extremely bad demographics. They also inherited elites which have been trained in the

imperial mode for the purposes of ruling local populations from which the elites were, and continue to be, highly alienated.

Unfortunately, this region is, in one respect, much worse than most of the Third World, in that these countries also inherited highly-developed and highly-skilled mechanisms of the modern police state. Unlike countries of Africa, Latin America, or East Asia, the Central Asian countries inherited and continue to practice the most advanced police methods that were developed in the Soviet tyranny.

This is not, as it is sometimes described, a form of traditional Asiatic despotism, but something that I think is much more robust and insidious and a much greater challenge for human rights figures and dissidents and religious believers in the countries concerned.

In the character of their rule, most of these countries resemble what in Africa is known as “the big man regime.” These are characterized by rule based on ethnicity, clan and family ties, an unwillingness to distinguish between public and private wealth, and mechanisms of control that are based on limitations of pluralism and participation in the political processes rather than the expansion of participation. In addition, all of the leaderships in these countries face the challenge of dynastic perpetuation of their power as a key problem of authoritarianism.

In Kazakhstan, I think we see again what is sometimes described by economists as the commodity trap: the false promise of great wealth from having large oil reserves. In the same way that one can see in Nigeria and Indonesia how such wealth can make conditions in a country even worse through vast corruption and waste, we see the same thing in Kazakhstan, where a family-based kleptocracy prevents not only the spreading of the benefits of this wealth throughout the population as a whole, but prevents rational development of other aspects of the economy so that Western investors, except in the oil and gas field, are less and less inclined to go to Kazakhstan.

Also in Kazakhstan we see a lost opportunity for U.S. policy in which the many years of effort in the program called Cooperative Threat Reduction, aimed at the elimination of the inherited nuclear arsenal from Kazakhstan, has been successful in its purely arms-control aspects, but has failed to contribute to any broader processes of political maturation, democratization or human and civil liberties in that country.

One must look at Kyrgyzstan, in some ways, as the light that failed in Central Asia. At the time of its independence, under President Akayev, there was a great deal of hope that this would be the one country in the region that would be a beacon for democracy and accountable government. Unfortunately, the same was true some 20 years before in the newly independent Zimbabwe under President Mugabe.

We have seen in both cases that the temptations of power have led individuals away from their original idealistic inclinations toward the maintenance of very restrictive and very authoritarian patterns of control. We now see in both cases—I think quite clearly in Kyrgyzstan—the case of a ruler who is so afraid of competition in the political process that he now imprisons even his oldest and closest associates and previous friends.

Tajikistan, in many respects, must be considered almost as a failed state, despite the relative success of the 1996–1998 peace process. It was the most artificial of Stalin’s creations in the region, since most Tajiks do not even live in Tajikistan. I feel that, in many ways, it is comparable to the tragedy of Angola, as being a country afflicted by endless ethnic and other conflicts without any form of effective governance.

Turkmenistan, in many ways, in the region is the worst of the worst. I have testified on this at a previous hearing of the Helsinki Commission and will not go into detail. But it

is marked by the continued existence of mass penury in the midst of enormous potential wealth because of the megalomaniac rule of a single individual whose tendencies are certainly comparable to those of Ceausescu in Romania, if not those of Bokassa and Duvalier.

Most disturbing, I think, are Niyazov's pretensions to the status of a religious prophet and his promulgation of his own writings as having a standing for religious Muslim believers comparable to that of the Koran—an act of blasphemy that, to my knowledge, has no equivalent anywhere else in the Muslim world.

Uzbekistan, to my mind, is in some ways the greatest tragedy of all, because at the time of independence it had, in many ways, the best economic prospects, having the most balanced economy and potential, that has gone completely unrealized because of the unwillingness of the leadership to engage in even the most minimal economic, social and political reforms. Indeed, in many ways, the economic situation has gone backwards because of the reimposition of Soviet-style controls which were briefly lifted under Western pressure at independence.

This is, largely because of President Karimov's quest for regional greatness and his dreams of the creation of what he calls Turkistan: a hegemony of his country—Uzbekistan and his capital Tashkent—as the center of a new semi-imperial domain in Central Asia, sharing, as has been said before, the dreams of a man like the Shah of Iran. But unlike the Shah of Iran or of Nasser of Egypt, who did demonstrate some concern for the well-being of their own citizens, there has been little, if any, of that in Uzbekistan. In many ways, the tragedy of Uzbekistan is comparable to that of Kenya.

In Uzbekistan today, people stagnate in their economic and political opportunities because of this self-absorbed ruler. We have seen that countless thousands of Muslims have been arrested and imprisoned without the least inclination toward due process of law. The use of the death penalty is so flagrant that the actual numbers are treated as a state secret, indicating that the statistics are so bad they are not even worth falsifying.

International organizations like Amnesty International have been kept out, and I believe the recent approval of a new nongovernmental organization for human rights to be purely a sop to the U.S. Government on the eve of Karimov's visit to Washington.

Over the years since independence, Karimov has time and again tried to find an issue to make himself and his country important to Washington and to gain U.S. support for his regional hegemonic ambitions. First he portrayed himself as a buffer against Russian power in Central Asia; then, he tried to portray himself as an ally with the United States against Iran; then he tried to make himself useful in the narcotics war, although it is unclear that his government does not profit much more by this narcotics traffic; and more recently in the struggle against terrorism.

I think, ironically, one of the very few beneficiaries of the policies of the Al Qaeda terrorist network has been the Government of Uzbekistan and its president.

Throughout the region, particularly in Uzbekistan, one sees in the treatment of religious believers the classic, almost reflexive approaches of the Soviet period. As someone who studied those issues in some detail when I served at the embassy in Moscow, I remember very well that there were two conflicting schools of thought, about how to combat religious beliefs—the “weeds” school, and the “nails” school.

The “weeds” school said that religious belief is so pervasive that it is not sufficient to cut off its surface manifestations. You have to root it out by brute force. The “nail” school said that religion was like a nail: the harder you hit it, the deeper in it goes.

While both schools of thought were antithetical to religion and religious practice, the

“nail” school was at least moderately more tolerant in its approach. Unfortunately, in Central Asia, and particularly in Uzbekistan, we have seen regimes that have opted, unreservedly, for the less tolerant “weed” school, seeking to eradicate any form of religious practice that is not directly under government control.

This is and will continue to be a breeding ground for radicalism. From radicalism will come violence. I recommend to anyone interested the recently published book by Ahmed Rashid, *Jihad*, about the sources and potential for religious extremism in Central Asia.

Since the collapse of the Soviet Union, U.S. policy has been driven by a series of short-term perspectives rather than by a long-term vision. The first of these was the denuclearization of Kazakhstan, a very laudable, necessary objective in its own right, but not one which looked to broader U.S. interests in the region. Then came the interest in oil and gas and pipelines and now comes terrorism.

The question, however, that needs always to be kept in mind when dealing with such regimes, is whose agenda is being served and who is defining the relationship. All too often, naive Americans go to this part of the world, are told by the rulers exactly what they want to hear, and come back believing the United States has pliant client states in the region. Whereas, in fact, what these regimes are doing is using the great power of the United States to serve their own quite different agenda.

Again we are seeing, as was true during the Cold War in much of the Third World, among these regimes the willingness to barter and bargain among great powers as they tell Washington, Moscow, and Beijing seriatim exactly what those capitals wish to hear and seek to play them off one against the other.

One thing that these leaders did learn in the late period of the Soviet Union was how to talk like Gorbachev in the West, although they behave like Stalin at home.

The U.S. Government currently defines evil in the world largely in terms of states seeking weapons of mass destruction—certainly a very great danger and worthy of our attention.

A previous U.S. president described the Soviet Empire, however, as an evil empire, not just because of its imperial character and its conduct on the world stage, but most particularly in the form of its treatment of its own people. That president took a particular interest in the status of religious belief.

The question the U.S. Government always has to face is this: we were opposed to those evils when they were of a Soviet and communist character. Will we continue to be opposed to those evils in circumstances in which they are neo-Soviet and under regimes that are more semi-feudal? Were the principles that we enunciated during the Cold War on civil liberties, human rights and democratization tactical, or are they principles in which we deeply believe? If they are ones in which we deeply believe, then they should be applicable to these regimes, despite the short-term imperatives of the war against terrorism.

Thank you.

Mr. McNAMARA. Thank you, Wayne.

Ms. Shea?

Ms. SHEA. Yes, thank you, Ron. Thanks to the Commission for inviting the Commission on International Religious Freedom to testify at these important briefings today.

I also want to say that I am very delighted to be serving on the panel with Mr. Merry and Mr. Uzzell, both of whom have been extremely enlightening and informative witnesses before our own Commission on these countries.

I plan to speak on religious freedom in Uzbekistan and Turkmenistan, but will not spend much of my time describing the appalling religious freedom conditions there, as that topic has been covered. Instead, I will focus on the Commission's mandate to make recommendations to U.S. policymakers.

As many of you probably know, the U.S. Commission on International Religious Freedom is a U.S. Government entity created by Congress to monitor religious freedom around the world and to make independent policy recommendations to the President, Secretary of State and Congress on how the United States can promote religious freedom in foreign countries.

The U.S. Commission on International Religious Freedom has repeatedly expressed its concern that cooperation in the war against terrorism not be traded off for U.S. silence on religious freedom and other human rights issues. We have expressed this both publicly to President Bush and in meetings with Secretary of State Powell, Undersecretary of State Dobriansky and Assistant Secretary of State Jones.

Reflecting what the Commission has said, the administration has recently affirmed that the campaign against terrorism affords the United States a unique opportunity to encourage much-needed improvement by Uzbekistan's government in its abysmal treatment of religious exercise. In so doing, the United States demonstrates its commitment to its strongest principles and values, including the very rights and freedoms the terrorists would destroy.

The upcoming visit to the United States by President Karimov is an opportunity for the administration to demonstrate its commitment to advancing human rights during the campaign against terrorism by pressing for human rights improvements in Uzbekistan.

As for Uzbekistan, let me just briefly add to what my fellow speakers have said by noting that the Commission is extremely concerned about the conditions there for religious freedom, which we have judged to be poor. Generally speaking, the Uzbek Government insists on exercising excessive control over all religious practice in that country.

Despite the constitutional guarantee of the separation of church and state, the Karimov government strictly regulates Islamic institutions, beliefs and practice through the officially sanctioned Muslim Spiritual Board.

Certain underground groups in Uzbekistan, including the Islamic Movement of Uzbekistan, do pose a genuine security threat to the Uzbek Government. But in recent years, the Uzbek Government has arrested, tortured, and imprisoned thousands of Muslims who reject the state's control over religious practice.

In addition, the Law on Freedom of Conscience and Religious Organizations, passed in May 1998, severely restricts the right of independent Muslims, as well as minority religious groups, to exercise their religious freedom.

In short, the Commission believes that the Government of Uzbekistan violates the religious freedom of its people.

I should make clear that the Commission supports the administration's strong response to the threat of terrorism. Moreover, we recognize that the Government of Uzbekistan has cooperated with the United States in its anti-terrorist campaign, resulting in stronger ties between the two countries.

However, while the Commission acknowledges the threat of terrorism to the Uzbek Government, virtually all observers, and many U.S. Government officials as well, contend that the current government's extremely repressive policies are actively contributing to the growth of, and popular support for, radicalized groups there that the campaign against



terrorism is attempting to counter.

As Undersecretary Dobriansky told the Commission last December, “extremism in the name of religion tends to take root where religious freedom does not exist.”

The Commission has made a number of recommendations regarding the United States’ relationship with Uzbekistan. In particular, we strongly urge the administration to take these recommendations into account during the upcoming visit of President Karimov to the United States. If the gross religious freedom violations are a neglected topic during that visit, American silence will only send a message that the United States accepts the Uzbek Government’s repressive and counterproductive policies.

In light of Uzbekistan’s poor record on religious freedom, the U.S. Government should continue to press forcefully its concern about religious freedom violations in Uzbekistan, consistent with the Uzbek Government’s obligation to promote respect for and observance of human rights.

The U.S. Government should also press the Government of Uzbekistan to discontinue its practice of excessively regulating the free practice of religion in Uzbekistan, including the oppressive regulation of the Islamic clergy and the use of registration requirements to prevent minority religious groups from practicing their faith.

Moreover, the Commission believes that the U.S. Government should strongly encourage the Uzbek Government to establish a mechanism to review the cases of persons detained under suspicion of or charged with religious, political or security offenses and to release those who have been imprisoned solely because of their religious beliefs, practices or choice of religious association, as well as any others who have been unjustly detained or sentenced.

The Commission further recommends that all U.S. assistance to the Uzbek Government, with the exception of assistance to improve humanitarian conditions and advance human rights, should be made contingent upon that government’s taking a number of concrete steps to improve conditions for religious freedom for all individuals and religious groups in Uzbekistan.

In this case, the United States should not simply accept Uzbek Government rhetoric about intended improvements in Uzbekistan; instead, there must be concrete and discernible changes in the current Uzbek Government’s policies.

Such concrete steps should include: releasing persons imprisoned solely because of their religious beliefs, practices, or choices of religious association; ending torture; halting the arrest and detention of persons because of their religious beliefs, practices, or choices of religious association; and refraining from using registration requirements to prevent religious groups from practicing their faith.

The U.S. Government should continue to develop assistance programs for Uzbekistan designed to encourage the creation of institutions of civil society that protect human rights and promote religious freedom. This assistance could include training in human rights, the rule of law, and crime investigation for police and other law enforcement officials.

However, since such programs have been attempted in the past with little effect, they should be carefully structured to accomplish, and carefully monitored and conditioned upon fulfillment of, these specific goals. Again, if concrete steps indicating improvement are not taken, such assistance should be discontinued.

Finally, in view of the increase in U.S. economic and security assistance to Uzbekistan since last September, the U.S. Government should be careful to scrutinize all such assistance to ensure that these programs do not facilitate Uzbek Government policies that

result in violations of religious freedom and other human rights.

Two Uzbek institutions, in particular, that already receive U.S. security assistance, the Ministry of the Interior and the National Security Service, which is the former KGB, are cited by human rights groups as having a direct involvement in arresting, detaining and even torturing a number of religious prisoners.

We should reiterate here that, by implementing the Commission's recommendations, the U.S. Government would not be interfering in the internal affairs of Uzbekistan, but only encouraging the Uzbek Government to adhere to its international commitments to which the Government of Uzbekistan has voluntarily agreed—and that is, to protect human rights, including religious freedom, and to abide fully by the rule of law, including ensuring due process of law to all.

I'd like to point out that the full set of the Commission's recommendations on Uzbekistan were communicated to President Bush in October of last year. We ask that those recommendations be attached to this testimony as part of the record of this briefing. They can also be found on the Commission's web site.

Next Tuesday's visit of Uzbekistan's President Islam Karimov affords President Bush and the Secretary of State the opportunity to express the U.S. Government's concerns over that country's poor record on religious freedom and human rights.

The Commission has a mandate and responsibility to investigate religious persecution, and so it has asked the Secretary of State to help arrange a meeting of President Karimov with our Commission to discuss its concerns directly with him. The Commission awaits Secretary Powell's response and hopes that he will see the importance of including the U.S. Commission on International Religious Freedom in such meetings with governments that are severe religious-freedom violators.

The Commission also remains gravely concerned about the situation in Turkmenistan, where conditions for religious freedom are extremely bad. Only two religions are officially recognized, Sunni Islam and the Russian Orthodox Church, and even these two are highly restricted by the state. Other religions are effectively prohibited from operating freely.

The 1997 version of the religion law not only required all groups to re-register with the government, but also made registration considerably more onerous. Many churches and religious groups registered for years suddenly found themselves deregistered and prevented from re-registering due to these deliberate, onerous registration requirements. Most groups, no matter what their religious orientation, are now deregistered and thus, in effect, banned and actively suppressed.

In view of the ongoing egregious and systematic violations of religious freedom in Turkmenistan, in 2000 and 2001, the Commission called on the U.S. Department of State Department to name Turkmenistan a Country of Particular Concern, or CPC, pursuant to the International Religious Freedom Act of 1998. However, the State Department so far has declined to designate Turkmenistan a CPC.

Given that the State Department's own report on religious freedom noted that the Turkmen Government's respect for freedom of religion deteriorated last year, it seems increasingly difficult to understand the U.S. Government's refusal to name Turkmenistan a CPC.

The Commission has formulated further recommendations on Turkmenistan, which we are releasing today. I will summarize them briefly now and ask that the Commission's complete report and recommendations on Turkmenistan be made a part of the record of



this briefing. Thank you.

The Commission recommends that the U.S. Government suspend all non-humanitarian assistance to the Government of Turkmenistan, with the exception of programs that serve specifically identifiable U.S. national security interests in connection with the current campaign against terrorism—an exception that should, however, be very narrowly construed.

Any remaining U.S. assistance should be scrutinized to ensure that these programs do not facilitate Turkmen Government policies or practices that result in religious freedom violations. In addition, state visits between the U.S. and Turkmenistan should be suspended until religious freedom conditions in the country have improved significantly.

The U.S. Government should identify specific steps that the Government of Turkmenistan must take to reinstate U.S. economic and security assistance, much of which is suspended due to the country's poor human rights record. These steps should reflect a substantial improvement in the protection of religious freedom and should include, but not be limited to: the lifting of oppressive legal requirements on religious groups and allowing all such groups to organize and operate freely; the end to harassment and deportation of religious leaders; and the halting of unjust arrest, detention, imprisonment, torture and residential and workplace intimidation of religious leaders and adherents.

Finally, the U.S. Government should raise the issue of religious freedom violations in Turkmenistan at the U.N. Commission on Human Rights. The United States should sponsor a resolution which would, among other things, create a U.N. special rapporteur to investigate the situation in Turkmenistan.

On behalf of the U.S. Commission on International Religious Freedom, I want to thank you for the opportunity to discuss these policy options today.

Mr. McNAMARA. Thank you, Ms. Shea, especially for your series of recommendations. The materials that you presented will be available, along with statements of our other panelists, via the Commission's web site, which again is accessible at [www.csce.gov](http://www.csce.gov).

Just a couple of things that I wondered if the panelists might respond to before we open the floor to questions from the audience. A number of references have been made to opportunities, and I wonder if anyone would care to assess the degree to which those opportunities are being taken advantage of by the administration. One thing that I note, on the horizon, is that later this year there will be a convening of this international democracy effort, known as the Community of Democracies.

I can well imagine that some leaders of these countries would cherish an opportunity to appear at a global meeting of that nature. I wondered if anyone would be interested in venturing into the appropriateness of extending an invitation to such individuals as the ones leading the countries we're talking about today?

Ms. SHEA. Well, we have met with various members of the administration to discuss recommendations and to find out what they are doing. The administration has claimed that the increased contact that they've had with Uzbekistan since September has given them opportunities, and that they have raised their concerns about human rights and religious freedom with the Uzbek Government.

There have been some prisoner releases and some prison monitoring. They just registered an NGO that has been trying to get registration for 10 years. But there is much more to be done.

One thing that we're trying to do is persuade the State Department to let us meet with Karimov himself so we can directly show America's concerns, show him that we are

congressionally-mandated to do this kind of thing, and we have issues with him. That request has not gone very far, as far as we can tell right now.

So, I think there is a lot more the State Department and the administration could do.

We're also giving some aid to Turkmenistan presently, which in our view, is just beyond the pale. There is gas development aid and some military aid, not a lot, but we would like to see the development aid end until there are improvements in religious freedom.

Mr. MERRY. Obviously, the most important opportunity is that which will take place next week when President Karimov is here in Washington. I very well remember the extreme anxiety that his government, and presumably he himself, experienced the last time he was in Washington, in which he had only a very brief photo opportunity visit in the Oval Office.

I should think that, in many ways, the importance of this upcoming visit looms extraordinarily large in his sense of self-esteem and will be portrayed in elaborate terms in the Uzbek press. I think it is very important that all of his interlocutors here in Washington understand that there are important issues that need to be raised, and I hope that would also be the case for his Congressional interlocutors.

A series of opportunities that have taken place in recent months have been the visits of Congressional delegations to Tashkent, where they have met with senior officials of the government, including President Karimov. I do not know what has been said during those discussions. I would hope that at least some members of the Senate and the House took opportunities to raise human rights issues.

I think it is important to keep in mind that in a political environment, such as that of Uzbekistan, which has what I sometimes characterize as a "single in-box" government, in which almost any decisions of importance require the authorization of one man, that there really is no substitute for bringing these issues directly to the leader. Speaking even to the foreign minister or to members of the presidential apparatus generally guarantees that the issue will go no further, because of their own fear of raising sensitive questions.

I can think, in particular, of one that is a family issue, but also a political issue, concerning three people currently in prison in Uzbekistan because they are relatives of the now-estranged husband of Karimov's daughter. The problem is that the two children, who are both U.S. citizens, having been born in this country, are prevented from having any access to their father, who is currently living in refuge in this country. They violently expelled many of his other relatives from Uzbekistan, solely because of their relationship to his estranged son-in-law.

I think this is the kind of issue which demonstrates that if people in Washington want to make a difference, they have to be willing to overcome their natural reticence to raise unpleasant issues with a visiting head of state. Next week, in all of his meetings here in Washington, from the Oval Office on down, it is important that this opportunity not be lost.

Mr. UZZELL. Yes, let me go out of my way to stress that these are my personal recommendations. Keston, as an academic research institute in another country, doesn't make policy recommendations, even to the British government. The culture of think tanks in Britain is somewhat different from the culture of think tanks inside the Beltway.

Nevertheless, as I said, I'm a U.S. citizen. I can have opinions. Believe it or not, I have some. Speaking as an individual, I would stress a couple of things.

I think it is important that Karimov get a strong message on religious persecution—

especially religious persecution. I would put that in a special category, not just because that's what my organization specializes in, but because that's the threat to regime survival, more than freedom of the press, even though I do care about freedom of the press as a human rights issue. Religious persecution should get special attention not just from the usual gang of suspects, not just from the people that they are used to hearing it from—the people like me, the people like the State Department officials who specialize in religious freedom—but from people who wear epaulets on their shoulders.

Uzbekistan loves its contacts with the American military, with the American intelligence community. They would like to have as many contacts with those guys as possible. They are willing to put up with the scolding and the nagging of what they see as the sentimentalists from the State Department and the NGOs.

I think it is important that the U.S. Government speak with a single voice and especially emphasize that U.S. security advisers, people in the U.S. military, people in the U.S. intelligence committee who are coordinating our alliance—which is what it is, let's face it—with Uzbekistan, in the war on Al Qaeda—that they tell their Uzbek interlocutors precisely, as a question of regime survival, of winning the war, of preventing a wave of Islamic extremism from sweeping through Central Asia, that they have to stop harassing young men just because young men wear beards, they have to stop waging war on Islam as a whole.

As an individual citizen, I also have grave doubts—and here I am venturing even further from my own specialty—about long-term bases in Central Asia, in Uzbekistan and elsewhere. Is this really sustainable in the long run? Is it something about which we want to be making the kinds of noises that we're already making?

Mr. Karimov should get the message that he's not going to get any agreement to long-term bases as long as the religious freedom situation continues to be as utterly unacceptable as it is. He should be getting that message forcefully from American men—sorry for the sexism, but you know what kind of culture we're dealing with—American men who wear uniforms.

Thank you.

Mr. McNAMARA. Thank you, Larry.

For those who have...

Mr. MERRY. In that regard, I would hope the Helsinki Commission would see to it that the results of today's hearings and briefing and of other hearings are communicated to the officer on the staff of the Central Command in Tampa who is responsible for human rights issues.

Mr. McNAMARA. Thanks. For anyone with a question, again, the procedure is, if you come forward, please indicate your name and your affiliation and to whom the question is addressed. If you could make a notation of the correct spelling of your name, that will ensure its accuracy in our transcription.

Thank you.

QUESTIONER. I would like to ask a question of Mr. McNamara.

About a year and a half ago, your Commission, also this Committee of Foreign International Relations—International Relations Committee, passed a resolution which put in question membership of Central Asian countries in OSCE. Just a couple of weeks ago, several representatives of Turkmen opposition have written a letter to OSCE and to your Commission here in the Congress once again revisiting this issue.

Their question was, well, if Turkmenistan is now going to have an election, but what

is the reason for Turkmenistan to be a member for OSCE? They asked to raise this issue as soon as possible, because, as some of the panelists and you yourself mentioned, that there is a very explosive situation going on there. Immediate, so not 2 months from now, immediate attention to this issue should be raised.

Would you like to comment on that?

Mr. McNAMARA. Sure. With respect to the OSCE, it operates on the basis of consensus. With respect to membership issues, certainly any decision of the OSCE requires the consensus.

There is a provision agreed to at a ministerial council meeting that took place in Prague in January 1992, I believe. The year I'm not precise on. But it does foresee the possibility that a decision could be taken in an instance where there is clear, gross and uncorrected violations of human dimension commitments by a participating State without the consent of that State.

As a practical matter, in terms of the experience of the OSCE, there is only one state that has had its status as a member affected, and that was Yugoslavia, as a result of its genocidal attacks on other parts of the former Socialist Republic of Yugoslavia. Even that decision was not taken on the basis of consensus minus one, because the representative of Yugoslavia conveniently absented himself from the meeting that I was in attendance at in 1992 when Yugoslavia's membership was suspended.

Ironically, there is a strange twist to this issue because a number of the countries of the region have actually taken this issue and turned it around, trying to use as a threat that they may consider leaving the OSCE and ending their participation. I could editorialize my personal views on that, but that probably wouldn't be appropriate at this time.

So those are some of the dynamics as a practical matter, in terms of membership issues. I seriously doubt that consensus would be reached on expelling a country or even suspending it, for that matter.

But the point that you've made is well taken. I mean, the United States, as you may know, historically worked very hard to ensure the participation of all of the former Soviet Republics, including those of Central Asia. From my perspective, I think it is a question of the engagement on the human dimension issues that we are discussing this afternoon where there needs to be continued pressure, including by the U.S. delegation in Vienna.

Mr. UZZELL. Just a quick comment. I'm not sure that everything is being done that could be done to get our partners in Europe to lobby Turkmenistan on this issue.

One thing that struck me as an observer of Russia living in Moscow back in 1997 was that when Boris Yeltsin vetoed the first version of the repressive law on religion that year, one factor that came into play was that he was being lobbied not just by the United States, not just by the Vatican, but by the European Union, which put up a pretty good, united stand on this issue, which unfortunately they rarely do.

Unfortunately, when the law was modified very slightly, not in any significant way, Russia was able to maneuver and split apart especially southern Europe on this issue. None of the Mediterranean countries took a strong stance on this issue. Something about northwest European Protestant monarchies had made them pro-religious freedom. Denmark, Norway, Holland, and the U.K., of course, were those that were most solid on this issue.

But I think our State Department could and should be doing more to lobby Turkmenistan and other Central Asian countries indirectly through the European Union. I think we sometimes underestimate how much the United States really is perceived as

the great Satan in those countries. Sometimes they are more willing to listen to a European voice than they are to an American voice.

So I, as a U.S. citizen who works for a British organization, have found in Russia that I sometimes get more mileage by introducing myself as a representative of a British organization than as an American journalist. I play either card depending on which works better in the situation. The British card lately, in certain situations, has been the most potent one. I think we should keep that in mind.

Mr. MERRY. On the question of attempting to suspend Turkmenistan from the OSCE, I would point out that just because such an effort might not succeed is not in itself a reason why it should not be pursued.

It is the very nature of the most egregious human rights violators that they are the least responsive to sanctions. But the sanctions should be undertaken, or at least attempted, if only for their virtue as a shaming procedure.

In some cases, as we know from the long Cold War efforts on human rights, sometimes you can work only at the margins because the margins are all that are available to you. But that's no reason not to undertake the effort.

QUESTIONER. I'd actually like to pick up on that last point. You talked about a shaming process. One thing the Congress is considering right now is Jackson-Vanik and graduation of former Soviet republics. Leaving aside Russia for the moment, I'd like to hear your views on graduation.

We have a smaller issue of whether we consider all the countries at once or each individually. But then the larger issue of how important is having Jackson-Vanik and a regular review of the human rights record, particularly religious freedom.

I'd like to get all the panelists' views on that. Thank you.

Mr. UZZELL. I'm not going to leave out Russia because it is just too much front and center on that very issue. I may be the last person in Washington—and when I leave Washington on Friday there will not be anybody left—who still wants to keep Jackson-Vanik in place. Again, that's my personal position as a U.S. citizen.

I have been really disturbed over the last year and a half that, with Russian government violation of the religious freedom of Jews growing under President Putin, we seem to see Western pressure shrinking. I do not fully understand the dynamics of that. Judaism is not a missionary evangelical faith. Jews do not attempt to convert to Judaism people of other ethnic backgrounds. The Jews in Russia are one of the most secularized demographic groups in the world. Those that were seriously religiously observant were those who were most likely to leave when it became possible to do so.

Therefore, throughout the 1990s, Jews had fewer problems than Protestants and Catholics and other religious minorities as a religiously observant minority. That small minority of Russian Jews who are serious about the religious dimension of their identity, who go to worship services and so on, were not having the kinds of problems that Protestants especially were increasingly having in the late 1990s—of access to places of worship, being able to rent buildings and so on.

Then, a faction fight erupted within the Russian Jewish community, the kind of faction fight that all religions have from time to time. You have two people, each of whom claims to be the legitimate chief rabbi of Russia, and a rather vicious fight between them. We needn't go into the merits of who's right and who's wrong. That's not the business of the Helsinki Commission. That is the internal business of Russia's Jews to sort out for themselves.



It is also not the business of Vladimir Putin, but he thinks it is. We have seen, over the last year and a half, the Kremlin actively work for the interests of one of these rival Jewish factions against the other. That's outrageous if you take seriously the concept of civic society, the idea that both religious and secular organizations should be independent of state control, especially in a country whose constitution, the 1993 Russian constitution, mandates that there is no state-established church and that the state is neutral between religions and religious factions.

For the governor of Omsk province in western Siberia to visit the local Jewish synagogue and say, "If you defect from the one faction to the other faction, we can give you all sorts of juicy government subsidies"—this is outrageous. This is worse than anything that was happening to Jews in Russia from, say, 1992 to 1999.

Now, let's understand that it is not anti-Semitism here. Anti-Semitism is a serious problem in Russia, but it is not at issue in this case. It's because Shaevich, the incumbent Chief Rabbi, is an ally of Gusinsky, the media magnate who was a political enemy of the president's.

But whatever the motives, there is no justification whatsoever for Putin, if he claims to be president of a society that obeys its own constitution, to meddle. It's as if George W. Bush were taking a position and using White House influence to lobby for one of the factions now battling for control in the Southern Baptist Convention. It is something that American Jews ought to be angry about. Unfortunately, we are actually seeing less activism from the NGOs. Perhaps I should qualify that since I'm looking at it from Oxford – but from where I sit, five time zones away, I do not hear as much about this as I used to hear about the emigration issue during the Soviet era. I do not hear as much about it as I do about anti-Semitism.

When some teenage hooligan desecrates a Jewish cemetery, I hear about that from the Jewish lobbies in Washington. But when the president of the country is actively intervening in the internal life of a religious confession, I'm hearing less about that. Why is that? I suppose one reason might be that it is an issue that divides the NGOs' constituents. Both of these rival candidates for leadership among Russian Jews have allies in America, and it is politically awkward for NGOs to get involved in this. It's easier to talk about the racist, xenophobic, anti-Semitic group that's desecrating cemeteries in Siberia.

But if you really care about Russia obeying its own laws and respecting the fundamental premise of a civic society, that their non-government institutions, be they secular or religious, make their own decisions about who's going to run them, and do not have those decisions made for them by the president of the secular state, then you should be a lot more exercised about this issue than the NGOs have been and the U.S. Government has been.

The U.S. State Department recently released a report on human rights. It talks about the so-called allegation that the Russian Government is taking sides on this issue. Believe me. This should not be called a mere allegation but an established fact. It is an established fact that the Russian government is meddling, sticking its nose in where it doesn't belong.

I think that issue should be linked to Jackson-Vanik. That is my personal opinion.

Mr. MERRY. Let me answer your three questions in reverse order.

First, I think the maintenance of annual review mechanisms in law is absolutely essential. It's essential so that the information compiled by these many reports becomes widely available and has the imprimatur of the U.S. Government, even if the language often used in them is more diplomatic than I would like. It's important because it creates

a yardstick against which foreign governments know they will be measured. Not least important, it creates the imperative for the U.S. Government, in its bureaucratic structures, to deal with these issues, which, in the absence of statutory requirement, they would not do.

Second, I think evaluating countries as a group rather than individually on any issue demonstrates that you do not care about the issue anymore. If you look at countries as a cluster, obviously the standard is reduced to the least common denominator among them. If we're going to treat countries as sovereign entities for the purposes of international law, we should certainly treat them as individuals for purposes of consideration of U.S. law.

Finally, on Jackson-Vanik itself, I'm not sure that Jackson-Vanik, as a particular piece of legislation, is the best mechanism for dealing with some of these countries, particularly because Jackson-Vanik was so much predicated on the issue of anti-Semitism in the Soviet Union.

I think in much of Central Asia, while there still are problems for Jews, frequently Jews are the subject of discrimination not because they are Jewish but because they are deemed to be European. They are seen to be Russians or Slavs. So, in a sense, they are the subject of discrimination of a wider character.

I think that the mechanisms for reporting and review of standards of human rights practices, as I said, are essential, but I'm inclined to think that, at least in Central Asia, Jackson-Vanik is not the best mechanism for that.

I would note for the record that there is another statutory standard which is contained in the legislation prolonging the Cooperative Threat Reduction program to the non-former nuclear weapons states of the former Soviet Union. To my knowledge at least two countries have failed the annual human rights requirement contained in that legislation—Belarus and Turkmenistan.

However, I've argued for a number of years that the practices on religious liberties alone in Uzbekistan and Kazakhstan militate in favor that those countries should be disqualified from receiving any kind of assistance under this program.

I would draw to the attention of some of the sponsoring members of Congress that I believe the State Department and Defense Department are considerably beyond the intent of the law and of the human rights specifications required when the Congress passed that statute.

Ms. SHEA. The Commission has not taken a position on Jackson-Vanik per se, but we're very concerned that there be no signal given that the United States is indifferent to religious freedom violations.

We again emphasize that there should be monitoring of rights violations. There should be close scrutiny of aid and how our aid is used. More than that, the United States should condition, or make our aid contingent, in the case of Uzbekistan, on a list of improvements that should be identified by the U.S. Government. We should also be pressuring and publicizing, and using international mechanisms like the U.N. to do so, both domestically and internationally.

So there are our recommendations. I think they add up to something very similar to what Jackson-Vanik does.

QUESTIONER. The first part of my question is for Ms. Shea. This is basically regarding Turkmenistan not being declared as a CPC. Do we know the reasons? Is it because that country or regime is very crucial to our interest in that region?



Ms. SHEA. For which country?

QUESTIONER. Turkmenistan. The second part is...

Ms. SHEA. No, we do not know why it hasn't been named. So I guess you would have to direct that question to the State Department.

QUESTIONER. The second part: we have seen this as a pattern, actually, it is not an exception. If you look at the other countries, for example China and in India recently, the violence that we have seen in India that so many people were massacred just because of their religious beliefs—does your Commission have any position on India?

Ms. SHEA. We are monitoring the situation and formulating our recommendations at this time on India.

But we are a group that is independent of the State Department. Let me be clear about that. So we make recommendations to the State Department. We are mandated by Congress to do so. Our role is to deliberate and formulate policy recommendations.

So we have taken India up, and we'll be releasing something in the near future.

Thank you.

QUESTIONER. My questions are directed toward Mr. Merry, specifically regarding your comment that we need to overcome our reticence of bringing up controversial issues with foreign dignitaries, such as President Karimov.

Currently a letter is circulating in the Senate and the House regarding the Maqsudi family of Uzbekistan and the United States about their businesses which have been taken and the employees and the family members who are being unjustly detained.

When this letter is handed to President Karimov, what do you recommend should be directly expressed in terms of U.S. policy and conditions of our relationship?

Mr. MERRY. I have seen the draft of the letter, and I think it is clear in what it says. I would certainly recommend that a Russian-language copy of it be attached, so that President Karimov simply doesn't see something in English and hand it to an aide. That's the last he's ever inconvenienced by it.

How exactly this letter would be passed to President Karimov obviously is a matter for the members of Congress who would be meeting with him and who are interested in this issue. I think the key is to be polite, but to be clear that this is an issue important to members of Congress, that they are aware of it and that they think it is worth their time and the potential unpleasantness of raising it directly with him.

I think it is very likely that most of the concerns that have circulated in this country about this case have never been communicated to this man at all.

I am partly, by my former profession, a student of authoritarian regimes. The capacity of people in the bureaucracies of authoritarian regimes not to trouble the boss with bad news can scarcely be exaggerated. I think if Members of Congress care about this case, and I hope they do, that they will be willing to do that directly.

The trick of diplomacy is not being nice to people. It's being able to communicate things that you consider to be important in ways to get people's attention without being personally unpleasant. I should think that most members of the U.S. Congress are quite experienced at doing that.

QUESTIONER. May I comment on that?

Mr. UZZELL. Just a quick trip back into the past. The 1997 Russian law on religion was something that erupted rather abruptly from a closed committee process, and lots of people in Russia weren't paying much attention to it. It wasn't a big stir in Russia. President Yeltsin was not aware of it.

But this Congress certainly was aware of it. Using information from the Keston Institute, a letter was circulated here on Capital Hill and got hundreds of signatures from both sides of the aisle from both houses. That letter was very competently translated into Russian. I think John Finerty can recall how impressed both he and I were at that time by the quality of the translation into Russian.

Mr. UZZELL. The letter was personally presented to Boris Yeltsin on his next visit to America by President Clinton, hand to hand, from one president to the other. Keston's sources within the Kremlin told us that was the first that Yeltsin found out about the law. This confirms what Dr. Merry said.

The impact of that cannot be overestimated. That is, I think that played a major role in why Yeltsin vetoed the earlier version, though unfortunately that policy was later turned around. But it shows what difference this kind of tactic can make if you handle it correctly.

QUESTIONER. Just following on from what you've just been saying, I'm wondering what kind of influence NGOs, in particular, can have on some of these issues in the states that you've been mentioning.

We have had an ongoing letter-writing campaign regarding situations in Turkmenistan to the Turkmenistan government and the various embassies of the Turkmenistan government around the world. To date, I have yet to see any kind of response whatsoever in any kind of form, not even a comment of "Don't bother sending any more letters, we simply put them in the rubbish bin."

So, I'd like some kind of response as to whether what we're doing is really worth it. Are we completely wasting our time? What should our response be?

I appreciate your comments about the British factor, and I appreciate that too. Thanks.

Mr. UZZELL. The first part of my answer may cause me to be arrested and hauled out of this building by the ACLU. But the first part of my answer—not my entire answer—has to do with the "P" word, which is called prayer. By ginning up these campaigns, you have millions of people around the world praying for those who are being persecuted. I, as a religious believer, believe that makes a difference. You're appealing to a court higher than that of the White House or the Helsinki Commission.

But on a more mundane, tactical level, what can we do within our power as political actors to influence reality? The old saying is, "Pray as if everything depended on God, work as if everything depended on yourself."

Keston has been orchestrating—providing the material for letter-writing campaigns for a long time. We're not a lobby, but we give information to those who are lobbyists. We provide prisoner lists and that sort of thing.

In decades of dealing with prisoners under totalitarian governments, even including governments that are harsher than governments that we're dealing with today, we have found, not always, but most of the time, it does help for a prisoner's name to be known, for letters to be sent to him, even if they do not get delivered to him personally in prison.

Let's not forget the case of Shageldy Atakov, who became the center of a worldwide campaign. I think by the end of it, any Baptist who read the newsletters of his own Baptist jurisdiction, in the English-speaking world, knew about this prisoner of conscience in Turkmenistan. Eventually, even the terminally insensate President Niyazov decided this was just too much of a pain in the neck. So, Atakov is now free.

Now, the problem is not solved. I understand that Atakov is under constant surveillance and has been threatened. He's been told not to associate with his past Baptist friends.

Of course, the systemic problems of religious persecution continue unabated and are getting worse in Turkmenistan. But there is one man who was in prison and is now free. Believe me, that letter-writing campaign made a difference.

Mr. MERRY. As someone who's associated with at least one NGO that does human rights work, I am very conscious that it sometimes seems very frustrating. While many people are very interested in human rights issues, it sometimes seems like we never accomplish very much.

However, I personally know more than a few people who were in the Soviet Gulag, who were in other prison camps, who were gotten out because of the activities of human rights NGOs. Miracles do happen.

I think the kind of tactics that NGOs pursue have to be predicated on the character of the case and of the regime. There are some regimes, I think Turkmenistan is one of them, where you really have to engage in public shaming procedures. What you have to attack is their sense of *amour propre* and the vanity of the regime, which is why I proposed that the United States seek the suspension of Turkmenistan in the OSCE, even if it is unsuccessful.

I think there are other instances where letter-writing campaigns can be successful if properly focused. I think in Kyrgyzstan and in Kazakhstan there have been a number of cases that have been successful in this regard. But, to some degree, these are like water dripping on stone: it's a slow process, and you have to keep the drops coming. It is very frustrating. But when you meet people who have been helped by these efforts, it does, I think, for many people, tend to confirm that the effort was worthwhile.

Ms. SHEA. Yes. Let me just add that I'm also, in addition to my Commission job, the director of the Center for Religious Freedom of Freedom House, an NGO, and I've worked on this issue for many years.

I believe that letter-writing campaigns are very important. But I have found that often it is more effective if you direct them to our political leaders, particularly our elected political leaders, the White House, and members of Congress, because in a democracy they have to respond, and they have to eventually, if they get enough of them, take action to satisfy their constituents.

Therefore, I think that kind of letter-writing campaign or e-mailing campaign or petitioning is more effective than doing it to a dictatorship, which is not used to responding to anyone.

The United States, our political leaders, our Congressional delegations who go abroad, the White House and so forth, their words will have a great deal of impact. They have a responsibility to raise these issues. So, I think that's sometimes a better route.

Mr. McNAMARA. Excuse me, Wayne, you mentioned the shame factor, and I think there are some elements of the debate in terms of Jackson-Vanik as well as the extension of an invitation to a gathering such as the Community of Democracies. Such actions do bring with it the sort of Good Housekeeping seal of approval, if you will.

So, while some individuals take a strict or narrow view in terms of Jackson-Vanik, it would seem to me as though even the notion of extending it to places such as Uzbekistan and Turkmenistan, just the timing and the symbolism that comes along with that Good Housekeeping seal of approval, certainly should be a matter of concern.

Mr. MERRY. I do not want to at all denigrate the importance of symbolism in dealing with these kinds of regimes. Particularly, the more narrowly focused the regime, the more it is based on the vanity of an individual or individuals. Occasionally, you can communi-

cate to that kind of regime with symbols more than you can to a more broadly based, more pluralist form of governance.

I am not actually taking a stand on Jackson-Vanik. I have some question in my mind as to whether that particular piece of legislation, in terms of how it was originally created, is relevant in the case of Central Asia, where I think the problems for not just Jews, but all religious believers and all forms of civil liberties are so intense.

I would actually like to see standards in sanctions that would have a broader applicability and would have more teeth to them. I have a feeling that one problem with Jackson-Vanik is that it is been around for so long, it has, to some degree, lost a lot of its force.

But I'm not taking a specific position on Jackson-Vanik. Frankly, I hadn't sat down and looked at it seriously enough before this session.

QUESTIONER. I just got back from living in Central Asia for more than 6 years. I was a part of the United Nations team there, and we often discussed security issues, including Uzbekistan. I've been to Uzbekistan several times to try and discuss refugee migration issues with the government, which officially is not recognized as an issue, therefore you can't get very far in it.

I just wanted to make a comment and then ask a question. First, working closely within the U.N., and with the OSCE on the ground, it was always evident from our discussions that the U.S. is the critical player in putting pressures on all of these states, and most notably Turkmenistan and Uzbekistan, on human rights.

I do not believe—the OSCE—I agree with the comments on the shaming. We always, when we talked to Uzbekistan, you always had to talk about being the big brother in the region and sort of commend them on certain things. But I think that time for that has ended.

I was just wondering why the U.S. hasn't been more explicit, as Mr. Uzzell said, in alluding to alleged persecutions and not just saying that it is occurring, because I think it is very alarming, what's going on in all of the Central Asian countries, but in some more than others.

I think that it is good that you're having this meeting, and I'm honored to be here today. I fully support your conclusions today.

Mr. UZZELL. I will be interested in hearing what Wayne has to say about this, because he's the former foreign service officer. I have never worked for the foreign policy part of the executive branch of the U.S. Government.

But I can comment as somebody who lived 10 minutes away from the U.S. embassy in Moscow and was regularly visited by the political officers and the human rights officers, so that we could brief them on these things.

I was impressed by the degree of interest that they displayed and the quality of their analysis. I speculate that they wrote pretty good first drafts. They sent pretty good cables back to Washington, although I didn't see those cables myself. But of course they varied in quality. Some career foreign service officers that I dealt with were people who, really, I could tell, were waking up in the morning, thinking, what can I do today to advance the cause of religious freedom?

The State Department is a bureaucracy. The first draft gets back there, and it becomes a process of a prolonged tug-of-war between the various players in the bureaucratic game.

There is always the danger that people place the desire for good relations ahead of the desire to tell the truth. It is a challenge to find ways to reward the individual who

insists on telling the truth, to find incentives both for the individual and the bureaucracy to tell the truth. That's what these reports are supposed to be all about.

The fact that you tell the truth and the whole truth about what's going on in Uzbekistan does not directly mean that you have to crack down on Uzbekistan.

The policy response to that is a separate question.

But I think that the integrity of these human rights reports is crucial. They are widely read throughout the world—people in England, the people in Russia await the annual publication of the report on religious freedom and of the report on human rights, the country reports. The documents are taken very seriously. The integrity of these documents, as truth-telling documents, is something to which more energy should be devoted.

Mr. MERRY. During the Cold War there was always a question if you were posted to a U.S. embassy in a communist country, and I served in two thereof, whether or not we pursued human rights issues for their own sake or whether we pursued them as an instrument of Cold War rivalry.

For the most part, we did both. I think, with the end of the Cold War, there was, for many people, a sense that, "Good, now we do not have to talk about this human rights stuff anymore." In fact, quite recently I had a conversation with an acquaintance who is in the executive branch of the government, whose response to the growth of U.S. basing in some Central Asian countries was explicitly, "Good, now we can get on with security cooperation and not be bothered with all of this human rights junk."

I think it is true that there are officers in the foreign service that care about human rights today. But I do not think the issue looms anywhere near as large in the former socialist world as it does in our relations with some other parts of the world, particularly China, for example, or a place like Sudan or Saudi Arabia.

I welcome the fact that human rights is not just an East-West issue and that we're looking at countries more broadly around the world in terms of human rights. I think that's good.

However, I deplore the fact that much of the energy that we brought to human rights, as part of the Cold War, has dissipated in an East-West context. I think part of the problem is that far too much emphasis has been given to economic reform as an instrument which automatically would bring in its wake democratization, civil liberties, rule of law and so on and so forth, a fallacy which I think is difficult for almost anyone still to adhere to, though many people in Washington apparently do.

I think that a large part of the problem has to do with congressional interest. I assure you that the reason why these reports are done and if they are done diligently is because there is a statutory requirement.

I think that it is unfortunate, however, that in many smaller embassies throughout the former Soviet region, where many of the worst problems are, human rights issues are sometimes now being relegated to contract employees rather than to the full-time diplomatic staff. I recognize that these are small posts and that they have a lot to do. I think it sends entirely the wrong message, however, if the human rights portfolio is not performed by a person with full diplomatic status.

I also think it is very important who the United States sends as ambassadors to these countries. Ambassadors have lots of opportunities to communicate U.S. priorities in subtle and sometimes non-subtle ways. Ambassadors who care about these issues can make a difference not just in individual cases, but in the entire tenor in which human rights is conducted as part of the bilateral relationship, and can often provide leadership within



the diplomatic corps so that other countries will take an interest. An ambassador who is not motivated to do so, however, will leave a huge gap.

So I would also encourage members of Congress, when they go on trips to this part of the world—and as someone who was on the receiving end of more Congressional delegations than I scarcely wish to remember, I would have to say I think the problem with Congressional travel is that there is so little of it. I think Congressmen should travel more. But I think they need to do a lot more of their homework for these trips, and that when they go on the trips they should not let their schedule and their activities be so heavily dictated by the local government and even by the U.S. embassy.

Members of Congress need to be willing to ask tough, demanding questions and to insist they get answers, so that people in foreign ministries and in American embassies know that there is interest back here on the Hill. Because in the absence of that kind of Congressional interest, and in the absence of chiefs of mission who care about human rights, many opportunities are lost and will be lost.

Ms. SHEA. Well, I agree with my co-panelists. I also want to add something, another angle on this too, and that is, I have seen, across the board in State Department reporting over the years, a secular myopia, a discomfort with using religious sources for information.

Sometimes these religious sources are the victims themselves, so the State Department will attempt to put a distance between the case and themselves by saying “The Baptists claimed” or “The Jehovah Witnesses alleged.” Sometimes they will just not use their stuff—even when it is reporting on a widespread condition in a country. So there will be a brief mention of the issue, but there will not be the detail and the texture that you really need to do the shaming or to get the story across accurately.

I think some of that is going on here, as well. The government report, which I have right here, will be strong in one sense in saying that there were severe restrictions, but then when they get into the examples, and the examples are from religious groups, will say “allege,” “claim” and so forth.

So I think it is part of this confusion about separation of church and state. I have heard State Department officials say, “Well, we can’t talk about religion. We can’t talk about religious persecution because there is a separation of church and state under our Constitution,” missing the whole point that we’re not promoting a religion. We’re trying to protect the issue of religious freedom. So I think that may also be at work here.

Mr. McNAMARA. My understanding is that Mr. Annaberdiev may want to make a couple of observations or share a few comments with us today.

Mr. Annaberdiev. Thank you very much. My name is Chary Annaberdiev. I, just a couple of weeks ago, was in the position of Deputy Chief of Turkmenistan Mission. Just this Monday, I was granted political asylum.

I spent 7½ years with this position, which certainly immediately raises the question why I’ve asked for political asylum after so long being in this position. But it is a long story.

The short answer is because, up to the recent time, we still had reasonable high officials in Turkmen Government, so it made particular sense for me, to stay in this country in this capacity like the United States where you have an unrestricted access to any information and provide this information for those reasonable guys.

But we got to the point where when there were no such guys at all now in the government. You cannot work with anybody who actually understands the reasonable language.

When we were talking about what kind of measures might be found to not change, maybe influence, behavior of particular leaders—in Uzbekistan and Kazakhstan; I'm not going to discuss these cases because it is not my business in general.

But in the case of Turkmenistan, I should admit that there are no such measures or mechanisms that will change or somehow influence behavior of the president of Turkmenistan. This is not a joke, but maybe his case is more appropriate to discuss in NIH, National Institute of Health, in the department of mental health.

But the Turkmen car is driven by a simply crazy driver, he is not hitting anybody, he doesn't understand any reasonable language. He is driving this car on regional highway, and we have to pray—there will definitely be an accident—that this accident will not give us severe consequences for other drivers, that it will damage only those who were in this car.

And I hope, first of all, the driver will be, you know...

I appreciate this hearing. I do not have much time, to—but I have to say this is my first appearance since I was granted political asylum.

I appreciate the Government of the United States for that, because my family is just living in a safe place right now. This is very important. Now I can at least work with those who are involved in all these regional issues, because I hope that my experience and my knowledge will bring closer those days when this regime comes to its end.

I'm not talking right now about changing behavior, because in the case of Turkmenistan, this is a special case. It is not possible to change the behavior or somehow to influence this behavior, because this just not the case.

Again, I appreciate this chance to speak here. I'm ready to work very closely with the Helsinki Commission and with all of those who are interested in all these developments in the region. Thank you.

Mr. McNAMARA. Thank you very much.

I wonder if there are any further questioners? If not, we appreciate the appearance of each of our expert panelists. Again, the materials relating to today's briefings will be available in an informal transcript by the close of business tomorrow. So, hopefully you'll avail yourselves of these resources.

Thank you.

[Whereupon, the briefing was concluded at 4:00 p.m.]



## APPENDICES

### PREPARED STATEMENT OF LAWRENCE UZZELL, DIRECTOR, KESTON INSTITUTE

It is as always an honor and pleasure to brief the Helsinki Commission. I don't spend as much time in Washington as I would like these days; that is because we at Keston have chosen not to have a high-profile presence inside the Beltway but instead to concentrate our limited resources on places such as Uzbekistan. One of the changes at Keston since the last time I met with you is that we now have a full-time correspondent for Central Asia, one of the world's leading specialists on the Islamic peoples of the former Soviet Union. That person is Igor Rotar, and most of what I say will be based on his on-the-spot observations and insights. He and I recently spent some time together gathering information in Tashkent.

As you know, Keston is a British organization though its employees include both Russian citizens such as Igor and U.S. citizens such as myself. One of our British habits is understatement; we try to avoid sensationalism. My colleagues and I have repeatedly said that terms such as "religious persecution" should not be used lightly; we explicitly reject the use of that phrase to describe the situation in today's Russia, despite the continued problems of religious discrimination and repression in that country. In Uzbekistan, our considered judgment is that the word "persecution" is all too accurate.

Keston also tries to avoid utopianism. The real world is a world of trade-offs, and sometimes one has to balance competing goals such as human rights and national security. In the case of Uzbekistan, however, the danger is that the west will undermine the long-term stability of Central Asia, and thus our own security, not by placing too much emphasis on human rights but too little.

We also want to avoid romanticizing the Uzbek opposition. We think that President Karimov is right when he says that Uzbekistan faces a real threat from Islamic extremists. The U.S. government is right to classify the Islamic Movement of Uzbekistan as an international terrorist organization. The Party of Liberation (Hizb-ut-Tahrir) is less extreme, but we have found that at least its rhetoric has taken a violently anti-western turn since September 11. It is now openly calling for a jihad against the United States and its allies.

Unfortunately, Mr. Karimov's policies are such as to inflame this threat rather than to quench it. Like most of the Soviet ruling class from which he came, he and his top advisers seem tone-deaf to religion. They are manifestly hostile to the concept of social institutions, religious or secular, that are independent of state control. They are using the extremist threat as an excuse to crack down on any display of Islamic religious life that is not directly under the thumb of the regime. They are not deliberately trying to drive pious Muslims into the arms of the extremists, but that is the practical effect of their policies.

Today's Uzbekistan is a country where a young man risks being hauled off for police questioning simply for wearing a beard, that traditional sign of Islamic piety. Women wearing traditional Muslim head coverings also face discrimination. It is as if Roman Catholics in America were to fear displaying ashes on their faces on Ash Wednesday.

Uzbekistan has closed hundreds of mosques since the mid-1990s. The only Islamic institutions functioning above ground are those controlled by the Spiritual Directorate of Uzbekistan, which in effect is a state agency. Muslims who merely meet for private prayer meetings or who possess Islamic literature not authorized by the government have often

been harassed, arrested, imprisoned and tortured. One recently released prisoner told us that he had suffered beatings in prison simply for saying his Muslim prayers. But at least he is still alive; others have died while in custody.

The authorities usually accuse such Muslims of advocating the violent overthrow of the existing government, but rarely produce convincing evidence. We have asked our sources whether there have been any cases of Muslim believers charged with such offenses but later found innocent. They could think of none.

Uzbekistan's laws on religion make those of Russia seem libertarian by comparison—though Russia's are now moving in Uzbekistan's direction. It is now a criminal—not just an administrative—offense to violate a vaguely worded ban on the use of religion to “undermine social harmony.” A 1998 statute explicitly prohibits all religious activities of any kind except by organizations that have received formal accreditation by the Uzbek Ministry of Justice. As in the old Soviet practice, everything is forbidden except that which is specifically permitted.

I would like to emphasize that Keston has found a direct connection between the freedom of Muslims and that of other religious faiths in Uzbekistan. Keston met with a Baptist pastor who told us that he was unable to get official registration for his congregation because it would be politically awkward for the authorities to authorize more Christian churches after closing so many mosques. We have found strict limitations on imports of Bibles and other religious literature. In Uzbekistan as elsewhere, Christians should support religious freedom for Muslims not only because it is the right thing to do in principle, but also because it affects the freedom of the Christians themselves.

Yesterday I did a computer search on the U.S. State Department's last two reports on religious freedom in Uzbekistan—the latest issued just last week. The reports are excellent in their detailed accounts of individual abuses, but I was unable to find one instance in which they use the term “persecution” to describe the Uzbek government's policies on religion. Nor has State classified Uzbekistan as a “country of particular concern” under the 1998 International Religious Freedom Act. I think this is unfortunate. Sound policy begins with facing and telling the truth.

The need to face the truth in this case has implications that go far beyond Uzbekistan. In the words of one human-rights activist in Tashkent, Mr. Karimov “is waging war not only on extremists but simply on all serious Muslim believers.” The less Washington does to push Tashkent toward respecting the religious freedom of its own citizens, the easier it will be for Islamic militants to argue that we are fighting not just terrorism but Islam as a whole. The more plausible that claim, the more likely the dark scenario of a global “clash of civilizations.”

I repeat, this is not a case of utopianism versus realism. The hardheaded reality is that Mr. Karimov's current policies are taking him toward the same fate that befell the Shah of Iran in the 1970s. He should radically rethink those policies not as a matter of idealistic sentimentality, but of regime survival.

**PREPARED STATEMENT OF NINA SHEA, COMMISSIONER,  
U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM**

Thank you for inviting the Commission on International Religious Freedom to participate in this important briefing. I plan to speak on religious freedom in Uzbekistan and Turkmenistan, but I won't spend much of my time describing the appalling religious freedom conditions there, as that topic has been covered. Instead, I will focus on the Commission's mandate to make recommendations to U.S. policymakers. As many of you probably know, the U.S. Commission on International Religious Freedom is a U.S. government entity created by Congress to monitor religious freedom around the world and to make independent policy recommendations to the President, Secretary of State, and Congress on how the U.S. can promote religious freedom in foreign countries.

The U.S. Commission on International Religious Freedom has repeatedly expressed its concern that cooperation in the war against terrorism not be traded off for U.S. silence on religious-freedom and other human rights issues. We have expressed this both publicly to President Bush and in meetings with Secretary of State Powell, Under Secretary of State Dobriansky, and Assistant Secretary Jones. Reflecting what the Commission has said, the Administration has recently affirmed that the campaign against terrorism affords the United States a unique opportunity to encourage much-needed improvement by Uzbekistan's government in its abysmal treatment of religious exercise. In so doing, the United States demonstrates its commitment to its strongest principles and values, including the very rights and freedoms the terrorists would destroy. The upcoming visit to the United States by President Karimov is an opportunity for the Administration to demonstrate its commitment to advancing human rights during the campaign against terrorism by pressing for human rights improvements in Uzbekistan.

With regard to Uzbekistan, let me just briefly add to what my fellow speakers have said by noting that the Commission is extremely concerned about the conditions for religious freedom there, which we have judged to be poor. Generally speaking, the Uzbek government insists on exercising excessive control over all religious practice in that country. Despite the constitutional guarantee of the separation of church and state, the Karimov government strictly regulates Islamic institutions, beliefs, and practice through the officially sanctioned Muslim Spiritual Board. Certain underground groups in Uzbekistan, including the Islamic Movement of Uzbekistan, do pose a genuine security threat to the Uzbek government. But in recent years, the Uzbek government has arrested, tortured, and imprisoned thousands of Muslims who reject the state's control over religious practice. In addition, the Law on Freedom of Conscience and Religious Organizations passed in May 1998 severely restricts the right of independent Muslims, as well as minority religious groups, to exercise their religious freedom. In short, the Commission believes that the government of Uzbekistan substantially violates the religious freedom of its people.

I should make clear that the Commission supports the Administration's strong response to the threat of terrorism. Moreover, we recognize that the government of Uzbekistan has cooperated with the United States in the anti-terrorism campaign, resulting in stronger ties between the two countries. However, while the Commission acknowledges the threat of terrorism to the Uzbek government, virtually all observers (and many U.S. government officials) contend that the current government's extremely repressive policies are actively contributing to the growth of—and popular support for—radicalized groups there that the campaign against terrorism is attempting to counter. As Under Secretary Dobriansky told the Commission last December, “extremism in the name of religion tends to take root where religious freedom does not exist.”

The Commission has made a number of recommendations with regard to the United States' relationship with Uzbekistan. In particular, we strongly urge the Administration to take these recommendations into account during the upcoming visit of President Karimov to the United States. If the gross religious freedom violations are a neglected topic during that visit, American silence will only send the message that the U.S. accepts the Uzbek government's repressive—and counterproductive—policies.

In light of Uzbekistan's poor record on religious freedom, the U.S. government should continue to press forcefully its concern about religious freedom violations in Uzbekistan, consistent with the Uzbek government's obligations to promote respect for and observance of human rights. The U.S. government should also press the government of Uzbekistan to discontinue its practice of excessively regulating the free practice of religion in Uzbekistan, including the oppressive regulation of the Islamic clergy and the use of registration requirements to prevent minority religious groups from practicing their faith. Moreover, the Commission believes that the U.S. government should strongly encourage the Uzbek government to establish a mechanism to review the cases of persons detained under suspicion of or charged with religious, political, or security offenses and to release those who have been imprisoned solely because of their religious beliefs, practices, or choice of religious association, as well as any others who have been unjustly detained or sentenced.

The Commission further recommends that all U.S. assistance to the Uzbek government, with the exception of assistance to improve humanitarian conditions and advance human rights, should be made contingent upon that government's taking a number of concrete steps to improve conditions for religious freedom for all individuals and religious groups in Uzbekistan. In this case, the United States should not simply accept Uzbek government rhetoric about intended improvements in Uzbekistan; instead, there must be concrete and discernible changes in the current Uzbek government's policies. Such concrete steps could include: releasing persons imprisoned solely because of their religious beliefs, practices, or choice of religious association; ending torture; halting the arrest and detention of persons because of their religious beliefs, practices, or choice of religious association; and refraining from using registration requirements to prevent religious groups from practicing their faith.

The U.S. government should continue to develop assistance programs for Uzbekistan designed to encourage the creation of institutions of civil society that protect human rights and promote religious freedom. This assistance could include training in human rights, the rule of law, and crime investigation for police and other law enforcement officials. However, since such programs have been attempted in the past with little effect, they should be carefully structured to accomplish, and carefully monitored and conditioned upon fulfillment of, these specific goals. Again, if concrete steps indicating improvement are not taken, such assistance should be discontinued.

Finally, in view of the increase in U.S. economic and security assistance to Uzbekistan since last September, the U.S. government should be careful to scrutinize all such assistance to ensure that these programs do not facilitate Uzbek government policies that result in violations of religious freedom and other human rights. Two Uzbek institutions in particular that already receive U.S. security assistance, the Ministry of the Interior and the National Security Service (the former KGB), are cited by human rights groups as having a direct involvement in arresting, detaining, and even torturing a number of religious prisoners.

It should be reiterated here that, by implementing the Commission's recommenda-

tions, the U.S. government would not be interfering in the internal affairs of Uzbekistan but only urging the Uzbek government to adhere to its international commitments—commitments to which the government of Uzbekistan has voluntarily agreed—to protect human rights, including religious freedom, and to abide fully by the rule of law, including ensuring due process of law to all.

I'd like to point out that the full set of the Commission's recommendations on Uzbekistan were communicated to President Bush in October of last year and we ask that those recommendations be attached to this testimony as part of the record of this briefing. They can also be found on the Commission's website.

Next Tuesday's visit of Uzbekistan's President Islam Karimov affords President Bush and the Secretary of State the opportunity to express the U.S. government's concerns over that country's poor record on religious freedom and other human rights. The Commission has a mandate and responsibility to investigate religious persecution, and so it has asked the Secretary of State to help arrange a meeting of President Karimov with our Commission to discuss its concerns directly with him. The Commission awaits Secretary Powell's response and hopes that he will see the importance of including the U.S. Commission on International Religious Freedom in such meetings with governments that are severe religious freedom violators.

The Commission also remains gravely concerned about the situation in Turkmenistan, where conditions for religious freedom are extremely bad. Only two religions are officially recognized, Sunni Islam and the Russian Orthodox Church, and even these two are highly restricted by the state. Other religions are effectively prohibited from operating freely. The 1997 version of the religion law not only required all groups to re-register with the government, but also made registration considerably more onerous. Numerous churches and religious groups that had been registered for years suddenly found themselves "deregistered" and prevented from re-registering due to these deliberately onerous registration requirements. Most groups, no matter what their religious orientation, are now "deregistered," and thus, in effect, banned and actively suppressed.

In view of the ongoing, egregious, and systematic violations of religious freedom in Turkmenistan, in 2000 and 2001, the Commission called on the U.S. Department of State to name Turkmenistan a country of particular concern, or CPC, pursuant to the International Religious Freedom Act of 1998 (IRFA). However, the State Department so far has declined to designate Turkmenistan a CPC. Given that the State Department's own report on religious freedom noted that the Turkmen government's "respect for freedom of religion deteriorated" last year, it seems increasingly difficult to understand the U.S. government's refusal to name Turkmenistan a CPC.

The Commission has formulated further recommendations on Turkmenistan, which we are releasing today. I will summarize them briefly now and ask that the Commission's complete report and recommendations on Turkmenistan be made a part of the record of this briefing.

The Commission recommends that the U.S. government suspend all non-humanitarian assistance to the government of Turkmenistan, with the exception of programs that serve specifically identifiable U.S. national security interests in connection with the current campaign against terrorism, an exception that should, however, be very narrowly construed. Any remaining U.S. assistance should be scrutinized to ensure that these programs do not facilitate Turkmen government policies or practices that result in religious freedom violations. In addition, state visits between the United States and



Turkmenistan should be suspended until such time as religious freedom conditions in the country have improved significantly.

The U.S. government should identify specific steps that the government of Turkmenistan must take in order to reinstate U.S. economic and security assistance, much of which is suspended due to the country's poor human rights record. These steps should reflect a substantial improvement in the protection of religious freedom and should include, but not be limited to: the lifting of oppressive legal requirements on religious groups and allowing all such groups to organize and operate freely; the end to harassment and deportation of religious leaders; and the halting of unjust arrest, detention, imprisonment, torture and residential and workplace intimidation of religious leaders and their adherents.

Finally, the U.S. government should raise the issue of religious freedom violations in Turkmenistan at the United Nations Commission on Human Rights. The United States should sponsor a resolution, which would, among other things, create a U.N. special rapporteur to investigate the situation in Turkmenistan.

On behalf of the U.S. Commission on International Religious Freedom, thank you for the opportunity to discuss policy options for these important countries.

SUBMISSION OF NINA SHEA, COMMISSIONER,  
U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

RECOMMENDATIONS ON UZBEKISTAN

FROM LETTER OF NOVEMBER 9, 2001 TO PRESIDENT GEORGE W. BUSH

**Recommendation 1.** The U.S. government should continue to press forcefully its concern about religious freedom violations in Uzbekistan, consistent with the Uzbek government's obligations to promote respect for and observance of human rights. The U.S. government should also encourage scrutiny of these concerns in appropriate international fora such as the Organization on Security and Cooperation in Europe (OSCE) and other multilateral venues.

**Recommendation 2.** The U.S. government should press the Uzbek government to cease its abuse of those articles in its criminal code, including Articles 159 and 216, that negatively impinge on religious freedom.

**Recommendation 3.** The U.S. government should strongly encourage the Uzbek government to establish a mechanism to review the cases of persons detained under suspicion of or charged with religious, political, or security offenses and to release those who have been imprisoned solely because of their religious beliefs, practices, or choice of religious association, as well as any others who have been unjustly detained or sentenced.

**Recommendation 4.** The U.S. government should instruct the U.S. Embassy in Tashkent to continue to every extent possible its policy of carefully monitoring the status of individuals who are arrested for alleged religious, political, and security offenses.

**Recommendation 5.** While recognizing the Uzbek government's duty to protect its people from violence and terrorism from whatever source, the U.S. government should press the government of Uzbekistan to discontinue its practice of excessively regulating the free practice of religion in Uzbekistan, including the oppressive regulation of the Islamic clergy and the use of registration requirements to prevent minority religious groups from practicing their faith.

**Recommendation 6.** The U.S. government should press the Uzbek government to ensure that every religious prisoner has access to his or her family, human rights monitors, adequate medical care, and a lawyer, as specified in international human rights instruments, including Article 14 of the International Covenant on Civil and Political Rights. In addition, the U.S. government should press the Uzbek government to ensure that all prisoners are allowed to practice their religion while in detention, to the fullest extent compatible with the specific nature of their detention.

**Recommendation 7.** The U.S. government should press the Uzbek government to adhere to its international commitments to abide fully by the rule of law and to protect human rights ensuring due process of law to all.

**Recommendation 8.** All U.S. assistance to the Uzbek government, with the exception of assistance to improve humanitarian conditions and advance human rights, should be made contingent upon that government's taking a number of concrete steps to improve conditions for religious freedom for all individuals and religious groups in Uzbekistan. These steps should include:

- releasing persons imprisoned solely because of their religious beliefs, practices, or



- choice of religious association;
- ending torture;
- halting the arrest and detention of persons because of their religious beliefs, practices, or choice of religious association; and
- refraining from using registration requirements to prevent religious groups from practicing their faith.

The state should also relinquish at least some control over the Islamic clergy and believers.

In addition, U.S. security and other forms of assistance should be carefully scrutinized to ensure that these programs do not facilitate Uzbek government policies that result in religious freedom violations.

**Recommendation 9.** The U.S. government should continue to develop assistance programs for Uzbekistan designed to encourage the creation of institutions of civil society that protect human rights and promote religious freedom. This assistance could include training in human rights, the rule of law, and crime investigation for police and other law enforcement officials. Since such programs have been attempted in the past with little effect, they should be carefully structured to accomplish, and carefully monitored and conditioned upon fulfillment of, these specific goals.

**Recommendation 10.** The U.S. government should retain the recently reinstated Uzbek language program at the Voice of America (VOA), and should use VOA and other appropriate avenues of public diplomacy to explain to the people of Uzbekistan why religious freedom is an important element of U.S. foreign policy as well as specific concerns about religious freedom in their country. In addition, the U.S. government should continue its practice of encouraging exchanges between the people of Uzbekistan and the United States, paying attention to opportunities to include human rights advocates and religious figures in those programs.

**SUBMISSION OF NINA SHEA, COMMISSIONER,  
U.S. COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM REPORT  
AND RECOMMENDATIONS FOR U.S. POLICY ON TURKMENISTAN**

**MARCH 7, 2002**

**A. INTRODUCTION**

Turkmenistan can be described as one of the most totalitarian states in the world today. Human rights are severely curtailed by the highly authoritarian government of President Saparmurad Niyazov, who rules Turkmenistan by means of an extensive cult of personality. Though a façade of democratic governance has been created by the establishment of three separate branches of government, in fact, the country's parliament or Mejlis rubber stamps Niyazov's decisions and the judiciary is not independent of his whim. Criticism of Niyazov or the government is not tolerated and there is no legal organized opposition. Major opposition figures have been imprisoned, institutionalized, deported, or have fled the country, and their family members are routinely harassed by the authorities. As the government completely controls all media, there is no press freedom and foreign media is not permitted. No independent, politically-active non-governmental organizations exist.<sup>1</sup> Conditions for religious freedom in Turkmenistan are extremely poor. Only two religions are officially recognized, and even these two are highly restricted by the state. Other religions are effectively prohibited from operating freely. According to the State Department's most recent religious freedom report, the Turkmen government's "respect for freedom of religion deteriorated during the period from July 1, 2000 to June 30, 2001."<sup>2</sup>

In view of the ongoing, egregious, and systematic violations of religious freedom in Turkmenistan, in 2000 and 2001, the U.S. Commission on International Religious Freedom called on the U.S. Department of State to name Turkmenistan a country of particular concern, or CPC, pursuant to the International Religious Freedom Act (IRFA). However, in both years, the State Department declined to designate Turkmenistan a CPC.

Since its inception but over the past year in particular, the Commission has broadly studied the situation in Turkmenistan. It has held a number of private briefings with academics, former diplomats, and other experts on Central Asia and Turkmenistan, and conducted personal interviews with representatives of human rights organizations. The Commission has also conducted personal interviews with victimized groups. In addition, in November 2001, the Commission held a hearing on the issue of religious freedom during the campaign against terrorism at which conditions for religious freedom in Central Asia, including Turkmenistan, were examined by commissioners.

In light of these conditions, the Commission makes the recommendations outlined in subsection C of this report.

**B. BACKGROUND**

**1. Demographic Information**

Turkmenistan is a thinly populated country of 4.8 million in a relatively large geographic area, much of which is uninhabitable desert. Approximately 77 percent of the country's population is Turkmen, 10 percent Uzbek, 9 percent Russian, with smaller numbers of Kazakhs and others. Roughly 89 percent of the population of Turkmenistan is Muslim (overwhelmingly Sunni, although some Shia communities exist) and 9 percent are

Russian Orthodox Christians. In addition, there are very small communities of Armenian Orthodox, Roman Catholics, Baha'is, Baptists, Buddhists, Jehovah's Witnesses, Pentecostals, and Seventh-day Adventists in Turkmenistan.

## **2. Recent Political Developments**

In recent years, President Niyazov has tightened his grip and further elevated his personal status. Beginning in the late 1990s, the few remaining government critics were arrested and convicted of criminal offenses. Families of dissidents in exile experienced more harassment, frequently being dismissed from their jobs, blacklisted from higher education institutions, and having their property confiscated.<sup>3</sup> An intense crackdown on religious groups was instigated (see below). In July 2000, the government announced that it would monitor all visiting foreigners, and decrees were issued to monitor foreign mail and telephone calls.<sup>4</sup> A 2000 Helsinki Commission report summarized the situation in Turkmenistan by noting that, “despite a totally stage-managed parliamentary election, his own virtual coronation, and absolute control, Niyazov remains fanatically intolerant of any criticism.” In February 2001, Niyazov strengthened his personality cult with the publication of his three-volume work, *Ruhnama*, containing his “spiritual thoughts.” The work, according to Niyazov himself, “must be in a Turkmen's heart, it must be his happiness.”<sup>5</sup>

## **3. Religious Freedom Concerns**

The Constitution provides that Turkmenistan is a secular state that guarantees freedom of religion, the equality of religions, and the separation of the state from religious organizations. In practice, however, religious freedom, as in the case of other human rights, is a casualty of the repressive nature of the regime. Since the country gained independence in 1991, religious groups have been required to register with the government in order to engage in religious activities, according to the Law on Freedom of Conscience and Religious Organizations. In 1997, the Turkmen government passed a new version of this law that effectively banned all religious denominations apart from Sunni Islam and Russian Orthodoxy, though the religious activity of even those two religions is controlled and tightly regulated by the state. At the same time, Niyazov's cult of personality can be seen as quasi-religious; according to the State Department's Annual Report on International Religious Freedom, the Turkmen government requires all schoolchildren to be instructed in the *Ruhnama*, the president's spiritual guidebook.<sup>6</sup> The book is compared in importance in Turkmenistan's press with the Koran; indeed, the work is to be “holy, like the Koran” for the Turkmen people. A newspaper article announcing the work describes Niyazov as “having the wisdom of a prophet.”<sup>7</sup> Opposition on religious grounds to the reverence demanded by the Turkmen leader is considered a grave affront to his power.

### *a. Muslims*

Islam in Turkmenistan was particularly influenced by tribal ties and traditions that remain very strong. During the Soviet period, the Islamic religion was harshly repressed in Turkmenistan (as it was elsewhere in Central Asia), and came under the control of the Soviet government's Muslim Spiritual Board in 1941. With the establishment of state-monitored religious practice, there emerged teachers and other believers who did not accept the authority of those imams who collaborated with the Soviet regime.<sup>8</sup> When the Turkmen republic gained independence in 1991, the Muslim Spiritual Board was maintained. However, Niyazov declared Islam to be an integral part of Turkmen identity, and the Islamic religion was no longer officially repressed. In the early 1990s, Niyazov gave an

order for Islamic principles to be taught in schools and more religious schools and mosques were opened. In addition, Turkmenistan became a member of a number of Islamic organizations.

However, the government under Niyazov has retained tight control over Islamic practice and observance and continues to appoint, remunerate, and monitor all members of the clergy. As a result of the 1997 changes in the religion law effectively permitting only the Sunni Muslim Board and the Russian Orthodox Church to remain registered, only these two religions are allowed to be practiced in any organized fashion in Turkmenistan. In fact, however, only those Muslim religious teachers and believers who accept and fully cooperate with state authority are tolerated. Religious worship, instruction, or other education outside of this officially approved structure is not allowed. According to the International Helsinki Federation for Human Rights, “an official of Turkmenistan's Council for Religious Affairs acknowledged that the council directly controlled the selection, promotion, and dismissal of all Sunni Muslim mullahs” in the country.<sup>9</sup> Imams have been instructed by the government to repeat an oath of loyalty to the “fatherland” and the President after each daily prayer. Anyone who acts outside this rigid state structure would be considered in opposition and would be treated as harshly as other political opposition figures. In February 2000, an elderly imam, Hoja Ahmed Orazgylych, was arrested for “economic crimes” in retaliation for comments he made criticizing Niyazov's pronouncements on religion.<sup>10</sup> Orazgylych also provided a Turkmen translation of the Koran that was “called into question” by Turkmen authorities, who had all copies of the translation burned.<sup>11</sup> The Islamic cleric was eventually sent into internal exile and his home and a small mosque on his grounds in Ashgabat were bulldozed by security forces. In addition, Niyazov deported as many as 300 foreign Islamic teachers in 2000.<sup>12</sup>

In June 2001, the government closed the medresseh in the town of Dashoguz (sometimes spelled Tashauz), leaving only one institution in the country able to carry out Islamic education (the theological faculty at the Turkmen State University in Ashgabat).<sup>13</sup> Niyazov ordered the closure, saying that he is “against education that confuses children.”<sup>14</sup> In a speech in January 2002, President Niyazov publicly admitted that he had closed down all the country's medressehs and announced that one medresseh to serve the entire country would soon be set up, and that it would have a maximum of 20 students.<sup>15</sup> In addition, the government maintains control over participation in the annual pilgrimage to Mecca (the hajj) by determining who and how many are able to travel there.

#### *b. Religious Minorities*

Similar to its control over the Islamic clergy, the Turkmen government's Council for Religious Affairs exercises direct control over the hiring, promotion, and firing of the Russian Orthodox Clergy.<sup>16</sup> Other religious minorities are not able to function legally at all, as the new version of the religion law put forth in 1997 not only required all groups to re-register with the government, but also made registration considerably more onerous. To satisfy re-registration requirements and gain legal status, religious organizations must identify in writing at least 500 Turkmen citizens over the age of 18 as adherents in each city where the group seeks to be registered. This requirement has effectively meant that only two groups, the officially sanctioned Sunni Muslims and the Russian Orthodox, are currently legally registered.<sup>17</sup> Numerous churches and religious groups, including Baptists, Baha'is, and others, that had been registered for years suddenly found themselves “deregistered” and prevented from re-registering due to the deliberately onerous registration requirements. Not only have all other groups, no matter what their religious ori-

entation, become “deregistered,” and thus, in effect, banned and actively suppressed, but it is “reported that security forces routinely interrogate and intimidate believers, especially those attempting to collect the 500 signatures required for registration.”<sup>18</sup> Moreover, Turkmen authorities have apparently told minority groups that “they should not include Turkmen names among the signatures on any application for state registration.”<sup>19</sup> Even when 500 signatures are collected, these groups are still denied registration, usually for some spurious reason that is not mentioned in the law.<sup>20</sup> President Niyazov personally promised senior Clinton administration officials in 1999 that the registration requirements would be relaxed, but no such changes have been made.<sup>21</sup>

The 1997 religion law appears to be part of a deliberate, systematic government policy to rid Turkmenistan of religious activity other than that engaged in by the two recognized communities. Members of unregistered religious communities—including Baha'is, Baptists, Hare Krishnas, Jehovah's Witnesses, Muslims operating independently of the Sunni Muslim Board, Pentecostals, and Seventh-day Adventists—have reportedly been arrested, detained (with allegations of torture and other ill-treatment), imprisoned, deported, harassed, fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed.<sup>22</sup> One Baptist pastor, Shageldy Atakov, was sentenced to four years in prison on unsubstantiated charges relating to earlier business dealings; it is widely believed that his religious activities were the sole reason for his imprisonment.<sup>23</sup> Atakov was released from prison in January 2002, but was warned not to associate with other Baptists and is being kept under close surveillance by the Turkmen security police.<sup>24</sup> A number of Jehovah's Witnesses have been imprisoned for failure to perform military service.<sup>25</sup> Security officials routinely break up religious meetings in private homes, search homes without warrants, confiscate religious literature, and detain and threaten congregants with criminal prosecution and deportation.<sup>26</sup> Family members of detained religious leaders have been subjected to harassment and “internal exile.” One Adventist pastor was arrested by internal security services and accused of holding an illegal meeting. Following intervention by foreign diplomats he was released, but his home was subsequently demolished by the authorities.<sup>27</sup>

Keston Institute reports that Baptist leaders who do not have Turkmen citizenship, regardless of their legal status in Turkmenistan, are routinely deported to Russia or Ukraine, together with their families and frequently their congregants. The State Department's Religious Freedom Report for 2000 notes that even those who hold dual Turkmen-Russian citizenship are forcibly deported, sometimes after periods of imprisonment.

According to the International Helsinki Federation for Human Rights, “in 1999, Turkmenistan became the only country in the former Soviet Union to destroy a place of worship when bulldozers demolished a newly built Seventh-Day Adventist Church under the pretext of the need to build a new road,” a road which has never been built.<sup>28</sup> In August 1999, security forces also destroyed a Hare Krishna temple. In February 2001, authorities in a district of Ashgabat sealed the country's last functioning Baptist church. The church was owned by the congregation and in existence for 20 years, but had lost registration in 1997 under the new religion law. In March 2001, the Turkmen authorities reportedly broke the seals on the church and removed all of its contents.<sup>29</sup>



## C. COMMISSION RECOMMENDATIONS

According to John Beyrle, then-Deputy Special Advisor to the Secretary of State for the New Independent States, the United States under the Clinton administration established a number of priority goals with regard to Turkmenistan. These included: “strengthening Turkmenistan’s commitment to democracy, human rights, and the rule of law;” broadening cooperation “to counter global threats” such as drug trafficking and terrorism; and supporting Turkmenistan’s “transition to a market-based economy open to foreign investment.” The U.S. bilateral assistance program in Turkmenistan included funds for advice and training in support of market transition, security assistance programs, democracy and health care programs, and “limited military assistance programs [aimed] to encourage Turkmenistan to participate more fully in the NATO Euro-Atlantic Partnership and other regional security initiatives.”<sup>30</sup> (Turkmenistan is a member of NATO’s Partnership for Peace program.) There has been no indication that these goals have changed under the new Bush administration.

However, at the 2000 hearing, Beyrle admitted that “we have had only minimal success in promoting this agenda,” not least because “the government of Turkmenistan has shown scant interest in engaging constructively on core issues of democracy, human rights, and economic reform.”<sup>31</sup> This negative assessment seems to be shared by the current administration. In June 2001, Clifford Bond, the Acting Principal Deputy in the Office of the Special Advisor to the Secretary of State for the New Independent States, noted at a Congressional hearing that the government of Turkmenistan “remains one of the most repressive regimes in the world with a Stalinist-era command economy and a cult of personality that rivals North Korea’s.”<sup>32</sup>

**Recommendation 1.** The U.S. government should designate Turkmenistan as a country of particular concern (CPC) for particularly severe violations of religious freedom pursuant to the International Religious Freedom Act of 1998 (IRFA).

Through its systematic and comprehensive control of all religious activity, the government of Turkmenistan has egregiously suppressed religious freedom. The highly restrictive religion law passed in 1997 effectively allows only the Sunni Muslim Board and the Russian Orthodox Church to remain registered and hence able to function. Yet, even in the case of those two religions, religious worship, instruction, or other education outside of the officially approved structures is not allowed. Moreover, the practice of prolonged detention without charges of persons because of their religious beliefs is clearly evident in Turkmenistan, as well as the presence of torture or degrading treatment of religious prisoners and lengthy periods of imprisonment. According to the State Department’s 2001 Report on International Religious Freedom, “the government’s respect for freedom of religion deteriorated during the period covered by the report. Harassment of unregistered religious groups intensified and included torture, arrest, and seizure or destruction of property.”<sup>33</sup>

In both 2000 and 2001, the Commission recommended to the Department of State that Turkmenistan be named a country of particular concern (CPC). In a statement issued in August 2001, the Commission noted that “the government of Turkmenistan severely restricts religious activity other than that engaged in by the official Sunni Muslim Board and the Russian Orthodox Church. Members of unrecognized religious communities—including Baha’is, Baptists, Hare Krishnas, Jehovah’s Witnesses, Muslims operating independently of the Sunni Muslim Board, Pentecostals, and Seventh-day Adventists—have reportedly been arrested, detained (with allegations of torture and other ill-treatment),



imprisoned, deported, harassed, fined, and have had their services disrupted, congregations dispersed, religious literature confiscated, and places of worship destroyed.” In addition, the 1997 law on religious associations, as noted by the State Department, “has been interpreted to control religious life tightly and to restrict severely the activities of all religions.” Clearly, the abysmal conditions for religious freedom in Turkmenistan warrant that country's designation as a CPC.

**Recommendation 2.** The U.S. government should immediately suspend all non-humanitarian assistance to the government of Turkmenistan, with the exception of programs that serve specifically identifiable U.S. national security interests in connection with the current campaign against terrorism. This recommendation does not apply to U.S. assistance to appropriate nongovernmental organizations, private persons, or cultural or educational exchanges.

CPC designation requires the President to take action against the government of Turkmenistan (unless the President waives this requirement). In view of the egregious religious-freedom and other human rights violations committed by the government of Turkmenistan, the United States should invoke sections 405(a)(9) and (a)(11) of IRFA and should suspend all security assistance (except those programs that serve specifically identifiable U.S. national security interests related to the campaign against terrorism) and all other non-humanitarian assistance to the government of Turkmenistan.

The Office of the Coordinator of U.S. Assistance to the New Independent States reports that in FY 2000, the U.S. government provided an estimated \$16.5 million in assistance to Turkmenistan, including \$6.19 million in Freedom Support Act assistance, \$4.7 million in other U.S. government assistance, and \$5.66 million in U.S. Defense Department excess and privately donated humanitarian commodities.<sup>34</sup> Because of its human rights record, Turkmenistan has already been de-certified for military assistance under the Cooperative Threat Reduction (CTR) Treaty. In March 2000, Special Advisor for New Independent States John Beyrle stated at a Congressional hearing that “it would be difficult for us to certify Turkmenistan for the CTR Program considering its human rights situation.”<sup>35</sup> Yet, other security assistance remains in place. According to the Assistance Coordinator's report, “in FY 2000, Turkmenistan's Ministry of Defense continued to maintain a consistent but low-profile relationship with the U.S. Department of Defense (DOD).” The country received \$313,000 in assistance under the International Military Education and Training (IMET) program and \$600,000 in Foreign Military Financing. Under the Excess Defense Articles program, the Turkmen government received a U.S. Coast Guard patrol boat that will enable the country's maritime border guard to improve its non-proliferation and export control capabilities. In addition, the United States continues to provide counter-narcotics training to Turkmenistan's border guards.<sup>36</sup> In FY 2000, the State Department allocated \$485,000 under the Export Control and Related Border Security (EXBS) program to help Turkmenistan develop its nonproliferation capabilities, focusing on developing the Turkmen government's abilities to interdict illicit trafficking in weapons of mass destruction, dual-use weapons, and weapons-related materials.<sup>37</sup>

Although Turkmenistan receives very little aid for economic and political reform in comparison to the other former Soviet states, it ranks as one of the highest recipients of U.S.-backed commercial financing assistance. Congress allocated \$102.9 million in U.S. Export-Import Bank guarantees for Turkmenistan in 1998, though no new Export-Import Bank loan guarantees have been provided since then.<sup>38</sup> In fiscal year 1999, the U.S. government provided \$23.2 million in aid for economic restructuring (focusing on the oil and gas, energy and water sectors), health care reform, training activities, democratic reform,

and security programs concerning counter-proliferation of weapons of mass destruction (primarily border and customs controls). Fiscal year 2000 aid targeted budget reform, private-sector reform, and developing Turkmenistan's oil and gas sector.

However, the U.S. Agency for International Development (AID) and the Department of State consider that Turkmenistan has made very little progress on the transition to a sustainable, market-oriented democracy. Turkmen government policies, including its repressive human rights policies, have thus resulted in the suspension of numerous U.S. development assistance programs there. In the past, AID programs have included technical assistance aimed at creating sound fiscal, trade, and investment policies, good management practices, and better commercial and business laws. "However," according to the Agency's Web site, "due to the paucity of results from this investment, USAID has closed out its programs for trade and investment and privatization." USAID has requested \$5.5 million for its FY 2002 programs in Turkmenistan, down from \$10.5 million spent in FY1999.

The exception recommended by the Commission ("programs that serve specifically identifiable U.S. national security interests in connection with the current campaign against terrorism") should be very narrowly construed. Indeed, this exception should be understood to be far narrower than that available in section 407 of IRFA, which allows the President to waive the application of any action that would otherwise be required as a result of CPC designation if the President determines that "the important national interest of the United States requires the exercise of such waiver authority."

Without genuine political reform in Turkmenistan that includes the protection of religious freedom, U.S. assistance will serve little purpose but to buttress a highly dictatorial government and its repressive security apparatus. The government of Turkmenistan has regularly made statements about intended improvements, but the situation continues to decline, as the State Department's own report indicates. As the Commission noted in August 2001, "specific promises made by President Niyazov to senior U.S. officials in 1999 have not been carried out; in fact, the situation continues to deteriorate, eliminating expectations for improvement."

The U.S. government should immediately suspend all remaining non-humanitarian assistance to the government of Turkmenistan. The U.S. should only consider restoring security and non-humanitarian development assistance after the government of Turkmenistan takes concrete steps to improve conditions for religious freedom for all individuals and religious groups in that country (see Recommendation 5). When it is apparent that conditions for religious freedom have substantially improved, the suspension of assistance on the basis of religious-freedom violations should be lifted.

**Recommendation 3.** The U.S. government should scrutinize all aspects of any remaining assistance programs in Turkmenistan to ensure that these programs do not facilitate Turkmen government policies or practices that result in religious-freedom violations. The United States should also examine its programs in Turkmenistan to determine if opportunities exist within those programs to promote the development of genuine respect for human rights, including religious freedom, in that country.

All remaining U.S. foreign assistance to Turkmenistan should be scrutinized carefully to ascertain whether it in any way contributes to government policies or practices that violate religious freedom. Particular attention should be paid to assistance earmarked for training customs and drug enforcement officials. In a country marked by the complete absence of the rule of law, opportunities for abuse and corruption, particularly in the security and law enforcement arena, are great. Thus, U.S. assistance must be carefully monitored to ensure that it does not contribute to or facilitate human rights abuses.

According to the U.S. Assistance Coordinator's report, the United States still funds several democracy-building programs in Turkmenistan. Because of the Turkmen government's refusal to permit genuine economic or political reform, such assistance programs have increasingly been directed towards training and exchange programs, including such things as public diplomacy exchanges and a university partnership program. For example, in 2000 the U.S. Embassy in Ashgabat launched a "Democracy Commission," which supports projects involving "civic education, the free flow of information, women's issues, community self-help" and other aspects of democratic institution-building.<sup>39</sup> In addition, USAID funds go to several American non-governmental organizations (NGOs) that attempt, in Turkmenistan's highly restrictive environment, to promote civil society, including through the development of indigenous NGOs there. All such programs and assistance, as well as the exchange and education programs mentioned above, should be examined to determine if possibilities exist to promote religious freedom in Turkmenistan. Clearly, the largest obstacle to genuine reform in that country is the policies of the government itself, which will not likely be affected by programs that work amongst the Turkmen people. However, if opportunities exist to generate improvement in religious-freedom conditions or support the development of potential advocates or leaders, they should be pursued. Moreover, because societies inevitably outlast any individual government, U.S. investment in appropriate persons and organizations in Turkmenistan may yield future dividends for the protection of human rights should political conditions change in the future.

**Recommendation 4.** The U.S. government should support efforts to facilitate Turkmenistan's sale of natural gas on world markets, including support for the Trans-Caspian Gas Pipeline (TCGP), only if the Turkmen government takes definitive steps to improve substantially conditions for religious freedom in Turkmenistan.

Despite its relatively small population and the repressive nature of the regime, Turkmenistan has captured significant international attention not least because it has the world's fourth largest natural gas reserves as well as substantial oil deposits.<sup>40</sup> However, export of these resources has not moved much beyond the countries of the former Soviet Union, as Turkmenistan's land-locked status continues to present an enormous problem. Currently, Turkmenistan is heavily dependent on existing Russian pipelines to reach markets in Europe, compelling the country to find new gas export corridors through Iran or Turkey.<sup>41</sup> According to observers, Turkmenistan is counting for its financial survival on expected windfall revenues from an as-of-now unrealized Trans-Caspian Gas Pipeline (TCGP), though the plan is running into considerable difficulties. In the late 1990s, Turkmenistan began exporting gas through Iran, via its first pipeline not crossing Russian territory.<sup>42</sup>

A key element of U.S. policy toward Turkmenistan is support for the TCGP, which would transport natural gas from Turkmenistan through Azerbaijan and Georgia to Turkey. In 1998, the U.S. Trade and Development Agency gave Turkmenistan a \$750,000 grant to conduct a feasibility study on the pipeline. The consortium leading the pipeline project, PSG International, includes U.S.-based Bechtel and GE Capital Corporation, with Royal Dutch/Shell to co-lead the pipeline's development. However, according to a report by the U.S. Department of Energy, the TCGP has run into problems and its future is uncertain, as negotiations between the Turkmen government and the consortium of companies involved have stalled over payment and price issues.<sup>43</sup> The State Department's Web site states that "the government of Turkmenistan essentially removed itself from the negotiations [over the TCGP] in 2000 by refusing all offers by its commercial partners and making

unrealistic demands for multimillion dollar 'prefinancing.'"<sup>44</sup>

Human rights groups have charged that U.S. interests in the pipeline's development have made the U.S. government reluctant to voice its concerns about religious freedom and human rights in Turkmenistan. Though U.S. officials have been critical of Turkmenistan's human rights record, regular denunciations by them of President Niyazov's repressive policies have not been linked to economic development assistance, and therefore may have been less effective than might otherwise be the case in modifying the regime's behavior. The U.S. government should evaluate its involvement in the facilitation of the pipeline's progress and other potentially lucrative energy developments to determine whether significant amounts of money from American companies are being used to fund the Turkmen government's extremely repressive institutions. Support for the TCGP and other such projects should be conditioned upon evidence of substantial improvement in Turkmenistan's protection of religious freedom. Without a doubt, the future value and stability of any pipeline project will be made more secure by the implementation in Turkmenistan of the rule of law, which includes respect for religious freedom and other human rights, as well as the cessation of corrupt business and accounting practices such as "prefinancing."

**Recommendation 5.** The U.S. government should identify specific steps that the government of Turkmenistan could take in order to have its currently suspended assistance reinstated and to avoid triggering further restrictions on assistance programs. These steps should reflect a substantial improvement in the protection of religious freedom and should include, but not be limited to, the lifting of oppressive legal requirements on religious groups and allowing all such groups to organize and operate freely, the end to harassment and deportation of religious leaders, and the halting of unjust arrest, detention, imprisonment, torture, and residential and workplace intimidation of religious leaders and their adherents (including releasing those currently in detention or imprisoned).

Rather than accept rhetoric of the Turkmen government that is not followed by action, the U.S. government should outline clearly specific steps that the Turkmen government must take to improve substantially conditions for religious freedom in that country. If such positive steps are taken with regard to religious freedom, the U.S. government should no longer withhold assistance on religious freedom and other human rights grounds and consider increasing economic and other assistance to Turkmenistan.

**Recommendation 6.** The U.S. government should press forcefully its concern about religious freedom violations in Turkmenistan, consistent with the Turkmen government's obligations to promote respect for and observance of all human rights. The U.S. government should vigorously press the government of Turkmenistan (a) to release immediately and unconditionally any persons who have been detained solely because of their religious beliefs, practices, or choice of religious association; (b) to ensure that all people in Turkmenistan are able to exercise their right to religious freedom without threat of harassment, detention, imprisonment, or torture; and (c) to permit all religious groups to organize and worship freely.

Over the past decade, the United States has frequently raised the issue of human rights with the government of Turkmenistan. In certain cases, the U.S. Embassy in Ashgabat has monitored the cases of particular religious prisoners and registered protests about their treatment. Moreover, the U.S. government has been willing to invoke certain elements of American law with regard to human rights and U.S. assistance to that country. (For example, Turkmenistan has been decertified for military assistance under the Cooperative Threat Reduction (CTR) program because of its poor human rights record.) The



U.S. government should maintain this level of active concern about Turkmenistan's human rights record. Given that the religious-freedom violations in Turkmenistan are of such an egregious nature, the United States should raise its concerns to the Turkmen government at every opportunity.

Promises alone by Turkmen government officials to facilitate the registration of religious groups should not be accepted. There has been more than one occasion on which Turkmen authorities have made promises to American officials that have not been fulfilled. For example, the State Department's Religious Freedom Report for 1999 states that "in May 1999, the Special Advisor to the Secretary for the New Independent States and the [U.S.] Ambassador jointly raised the issue of religious freedom with President Niyazov. The President promised to permit registration of almost all religious groups, but to date no action has been taken by the government." In February 1999, USCIRF Commissioner Firuz Kazemzadeh traveled to Turkmenistan, where he was told by Turkmen officials that the situation for religious freedom would improve and that the numerical requirement, as well as other overly burdensome requirements, for the registration of religious groups would be eased. As of this writing, no actions have been taken to improve the situation.

The Constitution of Turkmenistan provides for freedom of religion. However, the 1997 version of the religion law pointedly made registration so burdensome as to ensure that virtually no minority religious groups would be able to operate legally. Even when the law's conditions are met, these groups are still denied registration, often for some capricious reason not cited in the law.

According to the State Department report as well as the reports of international human rights groups, there are numerous religious detainees and prisoners in Turkmenistan, persons arrested and imprisoned only for attempting to exercise their religious freedom. Most are accused of participating in "illegal" religious activities, yet the burdensome registration requirements in the 1997 law on religion virtually ensure that all minority religious practice and worship, as well as the religious practice of independent Muslims, will be deemed illegal because religious groups cannot become registered. In addition, persons accused of such "illegal" religious activity are commonly arrested on spurious drug or other charges. The U.S. government should press the Turkmen government to review each of these cases through a transparent process and, to the extent warranted, release these prisoners.

The U.S. government should press the government of Turkmenistan to put its own constitutional guarantees of religious freedom into practice. All people in Turkmenistan should be able to exercise, without fear of harassment, detention, or imprisonment, the religious freedom guarantees outlined in that country's Constitution and in international human rights instruments that Turkmenistan has accepted. In addition, the Turkmen government should not be permitted to use its repressive law on religion as a shield behind which it makes the claim that it is upholding the rule of law. Instead, the government should take whatever legislative or regulatory steps necessary to ensure that all religious groups in Turkmenistan are able to organize and operate freely.

**Recommendation 7.** State visits between the United States and Turkmenistan should be suspended until such time as religious-freedom conditions in the country have improved significantly.

In April 1998, President Niyazov visited Washington, where, despite his deplorable human rights record, he was received by U.S. officials at the highest level. During his visit, the Turkmen president met with President Clinton and Vice-President Gore, as

well as other very senior U.S. officials. However, in acknowledgment of the country's abysmal human rights record, there was no joint press conference with the two presidents, a usual practice accorded visiting heads of states. Also during the visit, Niyazov signed "a bilateral energy dialogue with the Department of Energy, a scientific and technical Memorandum of Understanding with the Department of Agriculture, a joint statement on security relations with the Department of Defense, a financing framework agreement with the Export-Import Bank, a joint technical exploration study with Exxon, a production and sharing agreement with Mobil and Monument oil, and a cooperative agreement on oil field services with Halliburton."<sup>45</sup>

The International Religious Freedom Act states that among actions the U.S. president may take in the face of severe religious-freedom violations is "denial of one or more working, official, or state visits."<sup>46</sup> In the case of Turkmenistan, where religious freedom and other human rights are so deliberately and egregiously violated by a government completely controlled by a virtual dictator, state visits in particular would send the signal that the United States is satisfied with the situation as it stands. Thus, there should be no state visits between the two countries until the situation for human rights, including religious freedom, has substantially improved (as measured by the steps outlined in recommendation 5 above).

**Recommendation 8.** The U.S. government should also encourage scrutiny of religious-freedom violations in Turkmenistan in appropriate international fora such as the Organization on Security and Cooperation in Europe (OSCE) and other multilateral venues. The U.S. government should also raise the issue of religious-freedom violations in Turkmenistan at those United Nations bodies that consider human rights questions, including the Commission on Human Rights. The United States should sponsor a resolution at the United Nations condemning religious-freedom and other related human rights violations in Turkmenistan, which would create a U.N. special rapporteur to investigate the situation in Turkmenistan.

Turkmenistan joined the then-CSCE in 1992 and in so doing, committed itself to upholding the principles outlined in the Helsinki Final Act and other OSCE documents. The United States, through the OSCE, should continue to press Turkmenistan to abide by those commitments. During the April 1998 visit of President Niyazov, the United States pledged to push for the creation of an OSCE office in Ashgabat to monitor the human rights situation in Turkmenistan. According to the OSCE's Web site, "the OSCE Centre in Ashgabat, Turkmenistan, was established by the OSCE Permanent Council on 23 July 1998 and opened in January 1999." The United States should continue such active engagement in the OSCE with regard to Turkmenistan, and should actively raise specific religious-freedom concerns in appropriate OSCE settings, explicitly naming the government of Turkmenistan. The U.S. delegation to the OSCE should continue to encourage the OSCE office in Ashgabat to monitor closely the situation in Turkmenistan and regularly report back to OSCE members. The U.S. government should become more active in raising concerns about religious-freedom and related human rights violations in Turkmenistan at the United Nations, including at all U.N. bodies concerned with human rights. Such actions should include the sponsorship of a resolution condemning the religious freedom and other human rights violations in that country. In addition, conditions in Turkmenistan warrant the appointment of a special rapporteur to investigate the government's appalling human rights record, including particularly severe religious-freedom violations. The U.N. resolution should create such a post.



- <sup>1</sup> See the Turkmenistan page of the Web site of the U.S. Agency for International Development, where it notes that in Turkmenistan, “the degree of state control in political and social spheres continues to grow. No political opposition is allowed and the political processes that do occur are tightly controlled, aimed at consolidating the power of the ruling elite. There is no freedom of the press. Civic or community organizations, which form the base of a dynamic civil society, are discouraged and often harassed.” <<http://www.usaid.gov/country/ee/tm/>, accessed December 4, 2001).
- <sup>2</sup> U.S. Department of State, *Report on International Religious Freedom: Turkmenistan*, October 2001, p. 1 <<http://www.state.gov/g/drl/rls/irf/2001/5699.htm>, accessed October 29, 2001).
- <sup>3</sup> See Human Rights Watch, Testimony submitted for the hearing of the Commission on Security and Cooperation in Europe, “Democratization and Human Rights in Turkmenistan,” March 21, 2000 <<http://www.hrw.org/press/2000/03/turkmen0321.htm>).
- <sup>4</sup> Ahmed Rashid, “Central Asia Summary: Recent Developments in Kazakhstan, Kyrgyzstan, and Turkmenistan,” *Eurasia Insight*, January 18, 2001.
- <sup>5</sup> David Hunsicker, “Niyazov Moves to Expand Personality Cult,” *Eurasia Insight*, April 30, 2001 <<http://www.eurasianet.org/departments/insight/articles/eav043001.shtml>>.
- <sup>6</sup> *2001 Report on International Religious Freedom*, p. 3 (Internet).
- <sup>7</sup> Hunsicker, “Niyazov Moves to Expand Personality Cult.”
- <sup>8</sup> According to the Library of Congress' Area *Handbook for Turkmenistan*, “In the Soviet era, all religious beliefs were attacked by the communist authorities...Most religious schooling and religious observance were banned and the vast majority of mosques were closed. For the most part, the Muslim Spiritual Board functioned as an instrument of propaganda...Most religious belief, knowledge, and customs were preserved only in rural areas in 'folk form' as a kind of unofficial Islam not sanctioned by the state-run Spiritual Directorate.”
- <sup>9</sup> International Helsinki Federation for Human Rights, *Religious Intolerance in Selected OSCE Countries in 2000, Report to the Seminar on Freedom of Religion or Belief in the OSCE Region*, The Hague, June 26, 2001, p. 28.
- <sup>10</sup> The Muslim cleric reportedly criticized Niyazov for inviting children to celebrate the new year at the end of 1999 by dancing around a Christmas tree chanting a prayer to the president. See Amnesty International, *Report 2001: Turkmenistan* <<http://web.amnesty.org/web/ar2001.nsf/webeurcountries/Turkmenistan?OpenDocument>>.
- <sup>11</sup> Jean-Christophe Peuch, “Turkmenistan: Leader Tightens His Grip on Unofficial Islam,” *Radio Liberty/Radio Free Europe Report*, June 28, 2001.
- <sup>12</sup> Human Rights Watch, *World Report 2001: Turkmenistan*.
- <sup>13</sup> *2001 Report on International Religious Freedom*, p. 2 (Internet).
- <sup>14</sup> “Turkmenistan's President Orders Closure of Islamic School,” *Agence France-Presse*, June 26, 2001.
- <sup>15</sup> Rotar, Igor, “Turkmenistan: Chief Mufti Refuses to Discuss Presidential Madrassah Closures,” *Keston News Service*, January 21, 2002.
- <sup>16</sup> “Turkmen Official Admits that Government Controls All Clergy Appointments,” *RFE/RL*, July 13, 2000.
- <sup>17</sup> Amnesty International, *Turkmenistan: Harassment and Imprisonment of Religious Believers*, March 2000 <<http://www.amnesty.org/ailib/aipub/2000/EUR/46100700.htm>>.
- <sup>18</sup> Commission on Security and Cooperation in Europe, Human Rights and Democratization in Uzbekistan and Turkmenistan, March 2000, p. 14.
- <sup>19</sup> *Religious Intolerance in Selected OSCE Countries in 2000*, p. 29.
- <sup>20</sup> A group of Hare Krishnas reportedly collected the necessary signatures and sought registration, but the application was rejected because some of the signatories did not live close enough to the town where they went to register. See *Turkmenistan: Harassment and Imprisonment of Religious Believers*.
- <sup>21</sup> U.S. Department of State, *Report on International Religious Freedom: Turkmenistan*, 1999, p. 3.

- <sup>22</sup> Many reports detail these events, including *Turkmenistan: Harassment and Imprisonment of Religious Believers*; and *Human Rights and Democratization in Uzbekistan and Turkmenistan*; and Religious Intolerance in Selected OSCE Countries in 2000.
- <sup>23</sup> Atakov was reportedly being held in solitary confinement in the punishment cell of the labor camp where he was serving his sentence, having been sent to the punishment cell for refusing to swear the prisoners' obligatory oath of loyalty to the president. See Human Rights Watch, Testimony before the Helsinki Commission, March 2000; and *Turkmenistan: Harassment and Imprisonment of Religious Believers*. International outcry about Atakov's case was so great that the Turkmen government, uncharacteristically, reportedly offered to allow him to seek asylum abroad. Atakov said that he and his family (who have been forced into internal exile) have no interest in leaving their country. See Barbara Baker, "Turkmenistan Offers Christian Prisoner Freedom Abroad," *Compass Direct*, June 1, 2001.
- <sup>24</sup> Corley, Felix, "Turkmenistan: Freed Baptist 'Under Surveillance,'" *Keston News Service*, January 27, 2002.
- <sup>25</sup> At least four members of the Jehovah's Witnesses sentenced for refusing to serve are now listed by Amnesty International as prisoners of conscience. See *Turkmenistan: Harassment and Imprisonment of Religious Believers*.
- <sup>26</sup> See *Turkmenistan: Harassment and Imprisonment of Religious Believers*.
- <sup>27</sup> *Religious Intolerance in Selected OSCE Countries in 2000*, p. 28.
- <sup>28</sup> Ibid.
- <sup>29</sup> *2001 Report on International Religious Freedom*, p. 4 (Internet).
- <sup>30</sup> John Beyrle, Testimony before the Helsinki Commission Hearing on "Democratization and Human Rights in Turkmenistan," March 21, 2000.
- <sup>31</sup> Ibid.
- <sup>32</sup> Clifford Bond, Testimony for the Subcommittee on the Middle East and South Asia, House International Relations Committee, June 6, 2001.
- <sup>33</sup> *2001 Report on International Religious Freedom*, p. 1 (Internet).
- <sup>34</sup> Office of the Coordinator of U.S. Assistance to the NIS, *U.S. Government Assistance to and Cooperative Activities with the New Independent States of the Former Soviet Union: FY 2000 Annual Report*, January 2001, p. 100.
- <sup>35</sup> "Helsinki Commission Documents Deplorable State of Human Rights in Turkmenistan," *Helsinki Commission News*, March 22, 2000.
- <sup>36</sup> Report of the Office of the Coordinator of U.S. Assistance to the NIS, p. 103.
- <sup>37</sup> Ibid.
- <sup>38</sup> Human Rights Watch, "Turkmenistan: Human Rights Development," 2000. In April 2000, the European Bank for Reconstruction and Development suspended \$200 million in public sector loans to Turkmenistan to protest the government's repressive policies, and the International Monetary Fund also withheld loans due to a lack of economic reforms. See Rashid, "Central Asia Summary."
- <sup>39</sup> Report of the Office of the Coordinator of U.S. Assistance to the NIS, p. 102.
- <sup>40</sup> Reports and articles variously state that Turkmenistan has the world's 3rd, 4th, or 5th largest natural gas reserves.
- <sup>41</sup> *U.S. Department of State, Background Notes: Turkmenistan*, January 2001 (<<http://www.state.gov/r/pa/bgn/index.cfm?docid=2866>> accessed June 25, 2001).
- <sup>42</sup> See U.S. Department of State, *Background Notes*, and Rashid, "Central Asia Summary: Recent Developments in Kazakhstan, Kyrgyzstan, and Turkmenistan."<<http://www.eurasianet.org/departments/insight/articles/eav011801.shtml>>.
- <sup>43</sup> "Turkmenistan," Energy Information Administration, Department of Energy, June 2001, p. 6 (<<http://www.eia.doe.gov/emeu/cabs/Turkmen.html>> accessed June 27, 2001).
- <sup>44</sup> Department of State, *Background Notes*.

<sup>45</sup> Jared Feinberg, "Turkmenistan President's Visit Leaves Sour Taste," *Weekly Defense Monitor*, vol. 2, no. 17, April 30, 1998.

<sup>46</sup> IRFA § 405(a)(7).

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