

RELIGIOUS FREEDOM IN UZBEKISTAN AND TURKMENISTAN



December 14, 2005

Briefing of the
Commission on Security and Cooperation in Europe

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

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

ABOUT THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE

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

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

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

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

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RELIGIOUS FREEDOM IN UZBEKISTAN AND TURKMENISTAN

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Commission on Security and Cooperation in Europe Washington, DC

The briefing was held at 1 p.m. in room 2359, Rayburn House Office Building, Washington, DC, Knox Thames, Counsel, Commission on Security and Cooperation in Europe, moderating.

Participants present: Hon. Christopher H. Smith, Co-Chairman, Commission on Security and Cooperation in Europe; Knox Thames, Counsel, Commission on Security and Cooperation in Europe; Witness One, a Baptist from Turkmenistan; Felix Corley, Editor, Forum 18 News Service; John Kinahan, Assistant Editor, Forum 18 News Service; and Joseph K. Grieboski, President, Institute on Religion and Public Policy.

Mr. THAMES. Good afternoon, ladies and gentlemen, it is my pleasure to convene this Helsinki Commission briefing. Congressman Smith, who is the Co-Chairman of the Helsinki Commission, has been kind enough to come and open up our briefing with some remarks. Mr. Smith?

Mr. SMITH. Knox, thank you very much. I will be very brief. Let me just apologize in advance that I have to leave. I have seven bills that I am managing today on the floor and there are just too many details. I do thank all of our very distinguished witnesses for taking the time to come out and to provide the benefit of their counsel and insight.

I would like to make a very short opening statement and then yield it right back to Knox.

Uzbekistan continues its policies of repression. The government, at all levels, continues to refuse registration for religious groups seeking legal status and aggressively pursues members of such groups with police raids, criminal penalties and other measures. Throughout an entire region of the country, all non-Orthodox Christian religious activity is prohibited, putting in jeopardy members of several Protestant/evangelical congregations who are present there.

Meanwhile, there is virtually no religious freedom for practicing Muslims, with the state controlling all legal places of Muslim worship and persecuting those who attempt to operate independently. The government continues to jail thousands, mostly Muslims, because of their religious affiliation or beliefs, often subjecting them to torture and beatings.

The Helsinki Commissions the Uzbek officials to allow for religious communities to be active without the threat of police harassment and make provision for their getting registered. I have also urged the Karimov government to release the prisoners detained on account of their religious affiliation or beliefs.

Concerning Turkmenistan, while the regime has taken small steps to provide a modicum of religious freedom by reforming the law, registering a few groups and allowing them to meet, over the past year multiple religious freedom violations have been committed by Turkmen authorities, making these modest reforms seem superficial at best.

Problems continue. Independent Muslim groups and many minority Christian groups have experienced difficulties in obtaining registration and operating freely. Religious services of Baptists, Jehovah's Witnesses and others gathered in private homes have been repeatedly subjected to police raids. At least six mosques have been demolished by the government, and the former grand mufti and a Hare Krishna remain jailed.

Therefore, I urge, and I do this on behalf of my fellow Commissioners both on the Senate and on the House side, that the Turkmen Government end its police raids on religious communities, and to allow all religious groups to meet in community for worship or study. Registration should be freely granted. The government should also release the two religious prisoners or at least significantly reduce their sentences. Mr. Niyazov should invite the U.N. Special Rapporteur on Freedom of Religion for a country visit.

In conclusion, the United States cannot afford to ignore the systematic, ongoing and egregious violations of religious freedom perpetrated by the Karimov and Niyazov regimes. I believe Uzbekistan meets the criteria outlined in the International Religious Freedom Act as a "particularly severe violator of religious freedom" and should be designated a Country of Particular Concern. Considering the modest improvements but continued repression in Turkmenistan, I also urge the president to reconsider designating that country as a CPC country.

Again, I want to thank our very distinguished panel, and Knox, who is our specialist on religious freedom, for convening this briefing. I would simply say parenthetically, I just returned from a trip to Vietnam. I spent 4 days in Hanoi, Hue and in Saigon or Ho Chi Minh City and met with some 60 different religious representatives and four groups of government officials during that visit. As you all know, Vietnam is a CPC country. The similarities in terms of the repression of having people serve time in prison, incarcerated because of their beliefs, in that case because of they are part of the Unified Buddhist Church, or they are evangelicals, or Montagnard or they are Catholics like Father Ly, who is now under house arrest and with whom I had a very, very good meeting, are stark and striking.

Repression knows no ethnicity, but wherever we meet it, we need to meet it head-on. This Commission is absolutely committed and will never cease in its striving to try to end all religious freedom violations wherever and whenever they occur, be they against Muslim or any other faith. So this briefing is part of that ongoing effort to gather information so that we can speak with informed minds and hearts about what is truly going on.

Again, I want to thank you for being here. I also note Larry Uzzell is here, an old friend, and has just recently testified at one of our hearings and did, as he always does, a masterful job. I also want to thank so many of you who are here who work day-in and day-out on this issue. Thank you so much. Again, I regret that I do have to leave, but thank you.

Knox?

Mr. THAMES. Thank you, Mr. Smith.

It is my pleasure to introduce this distinguished panel of experts today. I will briefly introduce each person and then we will hear their presentations. Panelists will speak one after the other, after which there will be time to take some questions from the audience.

Also, a full transcript of today's briefing will be available on the Helsinki Commission Web site within 24 hours. Additional information about the activities of our members concerning these and other OSCE countries is also available there. Our Web site address is www.csce.gov.

Our first speaker, to my left, is a Baptist from Turkmenistan. Our second speaker is Felix Corley, the Editor of Forum 18 News Service. Following Felix will be John Kinahan, the Assistant Editor of Forum 18 News Service. Forum 18 is one of the most well-respected news services in the world that focuses on threats and actions against religious freedom. F-18 reporters work diligently around the world to ensure that religious freedom violations are truthfully reported as quickly as possible.

As a person who follows religious freedom issues throughout the OSCE region, I have found Forum 18 to be an excellent and reliable source of information. Their work makes my job much easier.

After John, our last speaker will be Joe Grieboski, who is the founder and president of the Institute on Religion and Public Policy. The Institute is a think-tank and advocacy organization that studies the relationship of religion, ethics and morality in public policy, government and culture. In September, Joe served as a public member with the U.S. delegation to the OSCE Human Dimension Implementation Meeting in Warsaw, and he is also the Founder and Secretary General of the Interparliamentary Conference on Human Rights and Religious Freedom which recently concluded its third session here in Washington.

I will turn it over to our first speaker, and then we will proceed down the dais.

WITNESS ONE. Thank you, Knox, for this opportunity to be here and share about my personal experience that I had in my country. I just think that will give some sense or understanding of how the persecution is hard on the people of Turkmenistan because of their beliefs. I appreciate that opportunity.

When I believed Jesus Christ and started to attend gatherings in 1994, I never expected that I would be persecuted by the government for my beliefs, because I always had heard the government's promises about human rights, including religious rights. Starting in the university, international law, I studied that the Turkmen constitution and international declarations which Turkmenistan ratified guaranteed the religious freedom in my country. I strongly believed those written laws. I became a witness to violations of those rights in the lives of hundreds of believers and in my own life.

I was a pastor of one of the first national churches in the Ashgabad region, where we had 100 members. In the beginning we actually and openly practiced our beliefs, trusting that written laws would support the justice in our country, but we were wrong. As I was told many times by officials that those laws were not for the people of Turkmenistan, but they were show for the international community. Starting in 1999, my family and I were under specific focus of KGB and MNB, so-called, where they started interrogations, raids to our home, and church meetings were both threatened in order to make me stop being pastor and leading the church gatherings.

Illegally, I was publicly accused and insulted in the central Adolat newspaper of Turkmenistan. Later on, MNB of Turkmenistan raided my apartment several times where they confiscated my literatures and threatened me and my family many times in order to stop us to be in love with church.

My family and I were expelled from our apartment illegally and our registrations were canceled. We were forced to leave the capital, and were arrested later on with the three leaders of the church. In several days, we were tortured together with each other by others by electrical shock, gas mask, choking, continuous beatings, and psychological torture. I never expected that I may face such a torture simply because of my Christian belief and activities.

Under the torture, I was forced to write a letter of confession and a letter that I voluntarily give my house and car to the government. Later on, the authorities confiscated our house and car illegally. They threw us out in the middle of the winter from our house. The raids and threats of MNB agents terrified by 2-, 5- and 6-year-old kids. They were a witness of the terror against their parents, where they saw with their eyes the humiliation, threatening and sufferings of their parents.

My wife was forced to sign the papers under the threats and pains and pressures of the government representatives. Those persecutions were great and destructive pains in the life of my wife and kids. I tried to search for a legal remedy for the violations of my rights, in which I failed because there is no such opportunity. It is not unknown to everyone that courts and every legal branch of the state were working according to phone calls and orders from high authority. My whole family's life was in danger, which forced us to flee from our own country and become refugees.

This is an example of one family which somehow, by God's grace and the help of the international community, could escape further persecutions. But even today, there are so many other people who face persecution in different degrees simply because of their beliefs.

There are some points I want to mention. By issuing the law of registration of religious organizations, the Government of Turkmenistan did not provide a wide range of freedom of religion in Turkmenistan. Those new regulations became a reason for further persecutions and limitations on religious freedom, instead of implementing and broadening the practice of religious rights. I would say that Turkmenistan's leadership always makes a nice face to the international community. Even now its promises of religious rights remain on paper. The so-called supreme law, that is the Constitution of Turkmenistan, guarantees religious rights for the people of Turkmenistan. However, for more than 13 years, it still remains on paper. That is why making new regulations does not mean everything is suddenly in good shape for the religious rights in Turkmenistan.

There are many cases where authorities, the so-called Department of Police, or MNB or KNB, made raids on Christian worship services. They threatened worshipers, confiscated Bibles and their Christian literature. The names of the worshipers were registered, and so all the leaders' were taken. Authorities expelled two families from their apartments. In another case, a woman was arrested, beaten and her Christian readings and other materials were confiscated by the police.

Other Protestant believers were arrested for several days when they made a legal attempt to leave the country to attend a Christian college. Today, those registered churches are limited to practice worship services, which authorities forbid them to rent

places for gatherings to express and spread their beliefs with other people. These are the examples that have happened after the so-called easement made by Turkmen authorities.

I do not say that Turkmen authorities did not improve anything with regard to religious freedom. There were changes in the criminal law and civil law, including new registration regulations, are good steps toward improvement. But the issue of truly implementing them, the main concern to reach, our efforts need to be focused. Turkmen authorities continually deny in public that they oppress people due to their beliefs and religious activities. But there are so many cases like mine, where hundreds of people became victims of the oppression in different degrees.

Many Christians have become refugees because of the serious persecution. So many believers live in constant fear, without being able to express and practice their beliefs. Many of them were fired from their jobs and still live without employment because they are barred from being hired. There is so much oppression going on on a daily basis that I do not have time to mention each one of them.

Nobody in Turkmenistan can seek legal remedy for the violations of the rights and there are not any known cases of such a legal remedy taking place in Turkmen courts. Those officials who violate religious rights of the people in Turkmenistan are never reprimanded, nor is there a legal punishment for their violations. Those things show that conditions have changed mostly on paper, but not in the deeds of Turkmen authorities.

I was sad when I heard that the U.S. Department of State last month issued a waiver of the Government of Turkmenistan in its annual religious freedom report of countries of particular concern and the International Religious Freedom Act. I think it is a mistake to waive Turkmenistan from that list until the people in Turkmenistan can live without fear to express and freely practice their religious rights, even without establishing religious organizations. We should not stop our concern and our work of standing for justice and freedom of religious rights in Turkmenistan.

Under special pressure, unregistered religious groups are under special hardship because of the new regulation of the registration of the religious groups. They are classified by the government as illegal and can be punished with fines under administrative law. This is a violation of the people's constitutional rights based on Turkmenistan's constitution article 11 that guarantees religious liberty.

Turkmenistan is a totalitarian regime where the rule of law is not practiced. It is very important to consider Turkmenistan as a country of particular concern, because it will be a sign to the Government of Turkmenistan that religious rights and enforcement of constitutional law are not taking place in real life. It is very important that the international community continues its work with the Government of Turkmenistan to uphold the supremacy of its constitution and to ensure that the requirement for registration of churches does not restrict or break the rights of Christians to practice their beliefs.

Registration should not be the only way of expressing and practicing of religious rights. The international community should work on that particular issue so they can prevent future prosecutions. I hope and I wish that the international community will continue to be active and pursue human rights and the democracy situation in Turkmenistan.

I appreciate all who are enrolled in advocacy for those oppressed people in my country. In that issue, I appreciate the U.S. Government and also the Congress for its previous and current work on behalf of oppressed people because of their religious beliefs.

Thank you very much.

Mr. THAMES. Thank you.

Mr. KINAHAN. Thank you for that insight into life in Turkmenistan and to the Helsinki Commission for arranging this briefing.

I am going to speak briefly before handing over to Felix here.

Forum 18 News Service's name comes from Article 18 of the Universal Declaration of Human Rights. I think it is worthwhile to read that out, because that is one of the basic benchmarks against which one should consider the performance of the Governments of Turkmenistan and Uzbekistan. It reads: "Everyone has the right to freedom of thought, conscience and religion. This right includes freedom to change his religion or belief, and freedom, either alone or in community with others, and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."

The Governments of Turkmenistan and Uzbekistan in virtue of their membership in the OSCE, are also committed to observe the Helsinki Final Act of 1975. This states the binding importance of, and I quote, "respect for human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief." The governments, I repeat, have freely agreed to actually observe and commit themselves to fulfill those commitments. These commitments recognize that freedom of religion or belief is a litmus test of the state of human rights in any society, embracing as it does freedom of speech and association, freedom to promote one's beliefs, freedom to change one's beliefs, freedom to think differently, freedom of the media, and so on.

We had a rather dramatic demonstration of this in August in Uzbekistan when our correspondent, Igor Rotar, was detained by the Uzbek Government. When Igor asked on what charges he was being detained, then he was asked to guess what he should be detained under. And so he started to make some guesses. Then the officials said to him, "just say yes or no."

This illustrates that when one considers Turkmenistan and Uzbekistan, one is not considering states where the rule of law can be said to apply. We are looking at states where it is instead the whim of the government. Both these states have agreed to observe the international human rights standards, I have mentioned, and others, and they have agreed to do so repeatedly, and all of these states break them. So implementation and how we can actually pressure such governments to implement the commitments that they have freely made is a key issue, not least because it is the citizens of these countries, as we have so graphically heard just now, who bear the consequences of their own governments' lack of good faith.

My colleague Felix Corley will now pick out some major issues that affect both Turkmenistan and Uzbekistan. They are just some of the major issues. We hope that more will appear in questions and answers. We would also encourage you to actually seek more detail in the question and answer session that will follow.

Felix?

Mr. CORLEY. Thank you.

When we think about religious freedom for communities of all faiths, what are the key freedoms we really think of? When we think, if we are members of a religious community, what are the key freedoms of our own religious communities here or wherever we live, that we actually enjoy? I have just picked out four of them:

First, freedom to meet for religious worship.

Take the case of Uzbekistan, on March 24 in a coordinated series of raids, the Jehovah's Witnesses were raided in numerous cities across Uzbekistan. This was the day when they celebrated the memorial of Christ's death. This is the major festival, major religious day that the Jehovah's Witnesses commemorate each year. The police were there raiding them in coordinated attacks across the country in 12 different places.

Places of worship: it is quite natural for a religious community to have, to rent, to build, to buy a place where they can hold services, worship freely as they would wish to. In Turkmenistan, you cannot do this. Of the recently registered Protestant churches, there are only two which can currently meet in Ashgabad as a church community as a whole, even though others have registration. That is not enough. They maybe five people can meet here in this private home if they keep quiet; three here; another place maybe six. But they cannot meet as a body. When they try to get places to meet for worship, they cannot rent a state-run facility because the state will not let them. They cannot build somewhere because even if they had the money, the chances are that it would not fit with a zoning plan. So communities cannot even find a place of worship and they cannot meet.

Government interference: most religious communities around the world fully expect in line with their rights under Article 18, that they should choose their own leadership for their religious community. It is a very natural thing. Different communities choose their leaders in completely different ways. That is their decision, except of course in Turkmenistan. When we think about the Muslim community, it is the largest single community in the country. The Chief Mufti is a very important position. They are on their third one in the last couple of years. The president did not like one; get rid of him! One was even stuck in prison with a 22-year sentence, and the Turkmen government refuses to give out the verdict. We have no idea what the real charges were against him; whether he is innocent or whether he is guilty. The second chief mufti came along after a year-and-a-half, and president got rid of him and installed another one. Is it really the role of the president of a country to appoint religious leaders?

As for the Russian Orthodox Church in Turkmenistan, the government held off registration of their parishes for more than a year-and-a-half, to pressure them to break the ties to the diocese of Central Asia which is based in neighboring Uzbekistan. What does it have to do with President Niyazov whether the church in Turkmenistan, the diocese or the parishes of the Russian Orthodox Church are under the diocese in Tashkent or whether they are under the diocese of Tallinn in Estonia or anywhere else? It should be a decision purely for the church.

The final point I want to address is the question of religious censorship. In neither country can religious communities publish, print, import, or distribute religious literature freely. In our line of work, it is not often that we get a bit of a laugh, but in Uzbekistan the sheer absurdity of the situation was brought home to us when we received a copy of this letter. [See Appendix, page 23.] It is one of about a dozen similar ones that we have been sent by various people. Some guys from St. Petersburg sent two copies of a book to a recipient, or it should have been a recipient, in Uzbekistan. The letter, written in Russian, reads: "These books, in accordance with article 19 of Uzbekistan's law on freedom of conscience, are all literature of religious content coming from foreign countries and are to be studied by specialists in accordance with the procedures set out by this law. In connection with this, literature sent to an address in Uzbekistan, is handed over for study in the Committee of Religious Affairs of the Cabinet of Ministers of the Republic of Uzbekistan, and in accordance with the conclusion of the committee, the import of this

book on to the territory of the Republic of Uzbekistan is forbidden. The two copies are being returned. We ask you not to send in postal packages to addresses in the Republic of Uzbekistan the above-mentioned editions of this book.”

This book is called “The Power of a Praying Wife,” translated into Uzbek. I have not seen this book myself, so I will have to rely on Amazon.com to tell me what this highly dangerous and subversive book is all about. It is by Stormie Omartian, an American. In the Amazon.com review [See Appendix, page 24.], it says: “The trials and pressures of modern life can make the prospect of a fulfilled, meaningful marriage seem impossible. In “The Power of a Praying Wife,” popular Christian author and speaker Stormie Omartian pinpoints common marital struggles and reveals the miraculous way that disciplined prayer can alleviate heartache and sustain unity. According to Omartian, a marriage’s success depends upon laying down all claim to power in and of yourself and relying on God’s power to transform you, your husband, your circumstances and your marriage. She attributes the success of her own 25-year marriage to dedicated prayer for every area, however specific, of her husband’s life.”

This is clearly a highly subversive work. If two copies were to be allowed into the Republic of Uzbekistan, the whole foundations of the state could crumble immediately. The absurdity of many of the things that come up in regard to controls on religious activity can often make us laugh, or sometimes make us laugh. These are clearly absurd.

At the same time, the flip-side of this absurdity is that some recipients in Uzbekistan want to receive these books, there are other recipients and I have other letters like this, will want to receive other books based on the teachings of their own faith. They are not allowed to do so. Uzbekistan has quite frequently confiscated religious literature from people, and under court order has actually burned copies of the Christian Bible. We know that burning or maltreating scriptures is a very live international political issue. Here in Uzbekistan, we have had courts ordering that Christian Bibles be burnt.

Mr. GRIEBOSKI. I would like to take this opportunity to thank the Helsinki Commission, especially Co-Chairmen Smith and Brownback, and especially Knox Thames, for inviting me today to discuss religious freedom in Uzbekistan and Turkmenistan, and especially to focus on the U.S. Government response.

The current situation in respect to religious freedom in both Uzbekistan and Turkmenistan directly results from domestic policies endorsed and implemented by the president of Uzbekistan, Islam Karimov, and by the president of Turkmenistan, President Niyazov. At the same time, U.S. foreign policy has affected some internal developments regarding the religious freedom of Uzbek and Turkmen citizens.

I would like to focus this afternoon on the impact that U.S. foreign policy toward Uzbekistan and Turkmenistan has made on religious freedom. My remarks are divided into two parts. First is a review of U.S. policy toward Turkmenistan and Uzbekistan since the enactment of the International Religious Freedom Act in 1998, and developments in each respective country concerning religious freedom, in particular as reflected in the State Department’s annual report on international religious freedom.

Second, I will have conclusive remarks regarding U.S. efforts to promote religious freedom in Uzbekistan and Turkmenistan.

The International Religious Freedom Act, unanimously passed by Congress in 1998, required incorporation of religious freedom into the overall foreign policy of the United States. Among IRFA’s purposes are the condemnation of violations of religious freedom,

the promotion of religious freedom at an early stage, and the implementation of appropriate tools in the U.S. foreign policy apparatus to advance this fundamental right.

Since 1999 when the State Department released its first annual report, neither Uzbekistan nor Turkmenistan have been recognized as states that require a firm, resolute and yet respectful approach in dealing with issues of freedom of religion. Although there were no reports from Turkmenistan on detention or imprisonment on religious bases, the government had commenced harassment of religious organizations. The United States limited its involvement to an official meeting between President Niyazov, the special adviser to the Secretary of State for Newly Independent States, at the time Stephen Sestanovich, and the U.S. Ambassador to Turkmenistan, to discuss the registration policy, which ultimately did not result in the changing of that policy by the Turkmen government.

The 1999 record for Uzbekistan stated consistent restrictions of religious practice by various groups, as well as state punishment of citizens for their religious beliefs. Particularly harsh treatment was received by Muslims in Uzbekistan. At that time, the U.S. response to the strengthening state control and implementation of draconian legislation on religious practices was a few meetings with high-ranking Uzbek officials which did not lead to change in the policies by Karimov's government.

The 1999 International Religious Freedom Report failed to designate either Turkmenistan or Uzbekistan as a CPC, a country of particular concern for severe violations of religious freedom, which would entail a more stern official action against the violators than just a public discourse on the issue. Furthermore, no other alternative methods to affect the deteriorating situation in either country had been endorsed or implemented officially by the U.S. Government.

The 2000 report cited both Uzbekistan and Turkmenistan for violations of religious freedom. However, the State Department did not adjust its previous year's policies in accordance with the recommendations by the U.S. Commission on International Religious Freedom to designate both Uzbekistan and Turkmenistan as CPCs. Furthermore, Uzbekistan had been requested by a number of well-respected NGO's, including Human Rights Watch, to be designated as a CPC, again to no avail.

Political indifference by the U.S. Government toward Uzbekistan and Turkmenistan prior to the September 11 terrorist attacks, and the ensuing war on terrorism, indicated utter lack of strategic value of the Central Asia region in the calculus of U.S. foreign policy.

In 2001, Turkmenistan and Uzbekistan, listed among 10 countries nominated by the U.S. Commission for International Religious Freedom for the State Department to be designated as CPCs, evade the designation again due to what appeared to be post-9-11 strategic recalculation by the United States and the following alliance that was formed between the United States and Uzbekistan in the war on terror. Instead of listing Uzbekistan and Turkmenistan as CPCs, these countries were identified by the State Department as nations that are, "hostile to certain minority religions," a lesser category than CPC listing.

Although no change in U.S. policy toward either country has occurred following October 2001, the rationale for a continued policy of overlooking and thus condoning the condition of human rights and religious freedom in both countries has undergone a crucial transformation. Strategic and economic interests of the United States emerged as defining vectors of U.S. foreign policy, overriding warrant for action against severe violations of

religious freedom in Uzbekistan and Turkmenistan, ultimately leading to disregard for civil reforms and promotion of true democratic values.

Hence, to the degree significant U.S. security and strategic gains are dependent on offending nations, the less likely it appeared that substantive actions would have been enforced under the International Religious Freedom Act.

A denoted shift in U.S. policy toward countries encroaching on religious freedom such as Turkmenistan and Uzbekistan took place in 2002. The IRF report that year declared that one of the reasons for the United States to promote international religious freedom was that “Religious freedom policy is means of fighting the war on terrorism. The events of September 11, 2001 have had significant implications for that policy,”.

None of the previous reports had advanced such a rationale for promoting religious freedom. This new addition to the introduction demonstrated one of the ways in which the events of September 11 had changed U.S. foreign policy in Turkmenistan and Uzbekistan, as both countries escaped listing in the CPC category once again. Furthermore, the U.S.-Uzbek Declaration on the Strategic Partnership and Cooperation Framework, signed in March 2002, despite rampant and severe state abuses of religious freedom in Uzbekistan, demonstrated that the effectiveness of United States efforts to promote religious freedom is contingent upon strategic benefits gained through cooperation with countries able to play a critical auxiliary role in the war on terrorism.

The underlying tone of the 2003 report reinforced the notion advanced in the previous report. Religious freedom was to be utilized by the U.S. Government as an antidote to terrorism. The executive summary in 2003 stated that “religious freedom reinforces the development and strength of civil societies and it dampens the appeal of religious extremism and religion-based terrorism,”.

However, the United States did not take any action against the backdrop of the flourishing strategic alliance with Uzbekistan, and to a lesser degree with Turkmenistan, to address the issue of growing religious freedom violations in both countries, justified as anti-terror measures.

Meanwhile, large setbacks in 2002 and 2003 due to the coup attempt against President Niyazov, had significant implications on the advancement of human rights in Turkmenistan. While the United States became more attentive to the situation due to the government’s response to the coup, it did not make any substantial changes to its foreign policy toward Ashgabad. The major violations found in the report against Turkmenistan and Uzbekistan in both 2002 and 2003 included arbitrary arrest, torture and violation of due process, restriction of the freedom of speech and assembly, government control over the Internet, radio and television, and draconian registration laws.

In 2004, the State Department again chose not to designate either country as a CPC, contrary to the steadfast and continued recommendation by my institute, the Seventh-Day Adventist Church, the Human Rights Watch, the U.S. Commission on International Religious Freedom, and numerous other NGO. A major breakthrough in CPC designation did come, by the way, with the listing of Saudi Arabia as a CPC, indicating a significant shift in U.S. policy toward Riyadh.

However, contrary to the hailing comments of the alleged strides made by the U.S. Government toward actual enforcement of IRFA, the case of Saudi Arabia does not represent the overall change in U.S. foreign policy toward other egregious state violators of religious freedom. The indiscriminate on Muslim religious communities that followed the

2004 bombings in Tashkent and Bukhara by Karimov's government did not affect U.S. policy toward its key ally in the war on terrorism in Central Asia.

The 2005 annual report, similar to the two previous reviews of religious freedom worldwide, cited improvements on the issue of religious freedom in Turkmenistan, following the permission granted to a few religious minorities to register with the government. Contrary to the expectations for improvement in conditions for believers in Turkmenistan, removal of the registration ban on several minority religions will in fact enable a more direct oversight and censorship by Niyazov's government of religious communities, in fact negating whatever benefit was thought to be gained by permitting the registration.

The tragic events in Andijan on May 13, 2005 prompted a vigorous response by the Uzbek Government to strengthen government control over religious communities and organizations and to impose more restrictions on religious practice. State insecurity and terrorism, which lead to greater instability, repeatedly reflect the level of religious freedom in a country. However, in many countries religious freedom is perceived by governments as a destabilizing policy. Following the events in Andijan, the U.S. Government discredited the validity of the official version without having obtained conclusive evidence of the actual account. Instead, the U.S. Government should have engaged the Uzbek Government in conducting a full investigation, supplemented by adopting a policy of persuasion, instead of berating, to ensure a continued working relationship with the Government of Uzbekistan, to avoid further deterioration of diplomatic relations and to safeguard the U.S. presence and influence in the region.

In conclusion, the introduction of the 2005 report states that, quote, "a voice on behalf of religious freedom is necessary today because many governments only pay lip service to their responsibilities under the Universal Declaration of Human Rights and other agreements," unquote. However, IRFA has been enforced in a somewhat lopsided manner in Central Asia. Despite the ongoing severe violations in Turkmenistan and Uzbekistan, no effective measures have been undertaken by the U.S. Government to change the behavior of the Uzbek Government or to break the shell of isolationism and neutrality of the Turkmen Government.

Current U.S. policy stands toward Turkmenistan and Uzbekistan may lead to further disregard for human rights and religious freedom, stronger resentment and anti-American mood among the political elite of Uzbekistan, further isolationism and political reclusion of Turkmenistan, and perhaps could overall undermine the position of the United States in the region.

Thank you.

Mr. THAMES. Thank you very much.

I would like to again thank our panel for their insightful comments. Now, we will open up a time for questions and answers. I will start with a question. Others who would like to ask after me can just come to the microphone and be sure to give your name and who you are affiliated with.

Two questions to the panel. First, Ambassador Hanford, in the subcommittee hearing that Mr. Smith chaired on the International Religious Freedom Report for this year, indicated that there may be a new CPC designation coming up. Some people think it could be Uzbekistan, but the debate going on, I am told, has to do with whether or not Uzbek actions against alleged extremist groups in their country is really a religious freedom

problem; that it is more a security problem and so does not fit a CPC paradigm. What are your thoughts? Is the Uzbek Government's actions based on religious freedom or is there concern about Hizb-ut-Tahrir here and the IMU more of a security issue that has the affect on religious freedom?

And second concerning Turkmenistan, the pace of reforms has certainly slowed, and we have seen a digression in several areas. What are some recommendations that we should be going forward with as we engage with the Turkmen government this year?

Mr. CORLEY. Just to answer the first question on Uzbekistan, the government makes no attempt whatsoever to distinguish between lawful religious activity, which is in accordance with believers' internationally agreed religious freedom rights, and security threats. The government has traditionally lumped all religious activity and terrorism together as potential threats to the existence of the state and its structures.

There is a potential threat to the Uzbek Government from violent people, but Uzbekistan already has laws which deal with security threats. There is a clampdown on all religious communities underway, using this as an excuse. It not only violates the religious freedom rights of individual believers, but it also increases the security threat to the Uzbek state, the same threat that the government claims to be wanting to reduce. It does this by driving any people who have been affected by the anti-religious oppression into the arms of extremists.

It also means that the government, instead of devoting its law enforcement agencies' attention to looking for real potential terrorists and actual terrorists and finding them and bringing them to justice, is going after peaceful believers, half-a-dozen Jehovah's Witnesses meeting in a flat or Baptists meeting somewhere just on their own, who have every right to do this. The government is wasting its efforts looking for the wrong people.

Mr. KINAHAN. I would just like to reinforce what Felix says. I myself cannot see any national security argument that the Uzbek Government can deploy when it talks about raids on Jehovah's Witnesses or Baptists and others. I, at least, am not aware that these are subversive groups.

The other point that should be made is that post-Andijan the OSCE's Office of Democratic Institutions and Human Rights conducted a program of interviews with refugees from Andijan. They did not find in their interviews, which were concluded on June 13, just a month or so after the uprising, that there was the kind of religious extremist motivation that Mr. Karimov is fond of ascribing to those who took part in the uprising.

So one simply cannot see that national security is served by this. As Felix has pointed out, in actual fact, if the Uzbek Government was concerned about national security, then it should change its policies immediately.

The other final point that should be made is that in international law, derogation from the international human rights standards we have spoken of on grounds of national security is not permissible. It is not an acceptable reason in international law.

Mr. GRIEBOSKI. I actually think the answer to your first question is one much broader than just Uzbekistan. The question of distinction between potentially dangerous terrorist groups and actively free-expressing religious communities is a problem we see developing throughout Central Asia, but also China and elsewhere. I think as a recommendation possibly for the OSCE, for the countries responsible under the OSCE framework, but also for a larger context either of the State Department or other institutions, could be an opportunity to help clarify legislative distinctions between actively spiritual and religious

organizations versus those groups which are political and terrorist in nature, wrapped in the vocabulary of purposes of religion.

Mr. KINAHAN. As for recommendations on Turkmenistan, it is not Forum 18's role to provide recommendations, but clearly there is need to focus on the practicalities of what is happening on the ground. That is the key here. There is no shortage of declarations that have been made by the Turkmen government. What is sadly lacking is the implementation. It is important in any recommendations, in any actions that the U.S. and other governments make, that there is a focus on what is happening practically on the ground and actions to improve that.

WITNESS ONE. One point here, like registration law. I think one thing there is to explain and give knowledge that registration of religious groups are not the only way of expressing and practicing your belief. Registration should not work as a limitation or restriction of expressing and practicing your religious beliefs. That is why I think, again, it is implementation, so those constitutional rights which guarantee, without being registered or registered, you have the rights to express and practice in Turkmenistan. I think it is very important to concentrate on that and be persuasive with the government to stop persecuting those groups who intentionally deny the registration, and also help those registered to practice easily and freely.

Mr. THAMES. Any questions from the audience?

QUESTIONER. Asta Banionis with Radio Free Europe, Radio Liberty.

Have any of your organizations tracked exactly how many religious communities fail to get registered when these various registration schemes are implemented? I believe in Uzbekistan there has been at least two, and in Turkmenistan maybe more than that in the last decade. What kind of a fall-off do we have each time?

Mr. CORLEY. In Turkmenistan itself, there was really the biggest fall-off. In 1996, the law was changed to require any religious community to have 500 adult citizen members. In my church back home, they would be pretty pushed to find 500 adult citizens to sign onto a registration application. So between 1997 when the deadline ran out for getting registration, until the law was changed at the end of 2004 the only religious communities which had registration were Muslim communities and parishes of the Russian Orthodox Church in Turkmenistan. All the rest were illegal because the government also changed the law to make unregistered religious activity illegal, which is of course ridiculous.

But in the Muslim community, not every mosque got registration either. It was the same with Uzbekistan, when the law was tightened in 1998, more than half the mosques which existed did not get re-registration and were forcibly closed down. As for the number of mosques that there were in the early 1990s compared to today, we are probably talking three or four times as many.

So the other problem is, the more these laws were changed through the 1990s and the early part of this century, the more the restrictions were ratcheted up and the pressure increased on the people who signed the registration application. Officials would come around to their houses and threaten them or get them to take their names off the list. The government would go through the list questioning, is this date of birth correct; have you given your correct place of work; have you given your correct home address; are you a citizen; what age are you; did you falsify this; is this really your middle name?

We saw this kind of footling bureaucratic obstruction. Let's not forget that registration is not a technical issue. You do not just come along and officials say, oh yes, the

community exists; here are your documents; everything is fine; there you go. In Uzbekistan, I have the regulations from 1999 on how to register a religious community. I counted them then and I believe there were 17 agencies which had to approve your registration application. If any one of them says no, bang, that is it. You have gotten nowhere. And then of course the next time you try, of course, you have to start again. You have to have another meeting where you bring all the families together; they have to record the members, 500 members as it was in Turkmenistan, or in Uzbekistan it was 100. Community members have to go and sign this document at the time and give their passport number, their date of birth, place of worship, place of residence, place of work, and all the rest of it.

In Uzbekistan they have this other clever trick where the mahalla, a local district within a city, has to approve the desirability of a religious community. Now, in theory, the mahalla is the lowest level of self-administration. In Uzbek terms, when we are talking about self-administration, we mean administration by Karimov himself, not by the people themselves. So therefore, the heads of the mahalla committee are appointed in fact, rather than being elected. Of course, they do not want a Jehovah's Witness community to be registered. We had one case in Tashkent the other day. They got approval a year ago, but did not manage to get through all the hurdles. So, of course, they had to start again.

There was another mahalla meeting very recently and the local mullah, or Muslim imam, was in charge of the meeting. He was chairing it. So a member of one religious faith is sitting in judgment on whether a completely unrelated religious faith should get registration. It is as though a Southern Baptist minister was sitting and deciding whether a Greek Orthodox church somewhere in Maryland should gain state recognition or not. The idea is ridiculous.

In fact, the mahalla committee chairperson there in Tashkent, who had previously supported the idea that this Jehovah's Witness community should gain approval and that their application should go forward to the next stage, was sacked because she had supported this. Of course, if you get through the mahalla level, then it goes to the local district administration, and of course, as everyone knows, the sanitary epidemiological service needs to verify your premises. That is very important. Health and safety is a very important issue in Uzbekistan where religious communities are concerned.

The whole process is not a simple matter. As in Azerbaijan, I know that is not the country we are discussing today, there is one Baptist community which has tried to register since the early 1990's, and the local notary, who is at the first level of the chain, refuses to give the rubber-stamp saying that their documents are correct and allow the application to go forward.

So registration itself is just such a bureaucratic mess. It is a deliberately obstructive system to prevent many communities getting registration.

Mr. KINAHAN. Another problem on registration, and Felix has talked about the problems that exist within law, if one can talk about law in such countries, when in fact we are looking here not so much at justice as an injustice system, is the problem of extra-legal requirements being imposed.

We had an unregistered Protestant group in Turkmenistan who inquired about obtaining state registration and was told by the official concerned that they needed to buy a house where they could conduct worship services before they could apply for registra-

tion. This really is the original catch-22, because without having state registration, you do not have legal personality. Without legal personality, you cannot buy a house. If you cannot buy a house, you cannot get registration.

This is the secret of perpetual motion. Unfortunately in both these countries, it is important not just to look at the law, terrible as those are, but also at the practice, which is oftentimes worse.

Mr. GRIEBOSKI. I would just like to followup on Felix's comments for a moment, to say that the problem of registration is more than just within the two countries that we are discussing today. The question of registration from the perspective of my organization is that registration in general is discriminatory because it requires a certain number, certain percentage of population, the financial levels in some states, before a state could be officially registered.

And so more often than not the registration systems seem to be giving permission for the practice or free expression or free practice of faith within a state, in fact serves as a conditioning and a tightening of that control of any community.

Mr. THAMES. Larry, while you are coming up, Felix, can you bring us up to date on the northwestern province of Uzbekistan where groups have been de-registered recently, and how many have been de-registered of late?

Mr. CORLEY. In Karakalpakstan, the autonomous region in northwest Uzbekistan, there are estimated to be 22 Protestant churches, and none of them now have registration. They recently lost the last one had its registration taken away because they held a meeting in another city away from Nukus, the capital of the autonomous republic. The government deemed that this was an illegal meeting because the registration of the church in Nukus itself did not extend to other cities, so the church could not have a branch in another city. Therefore, that was justification that the church had violated its statutes, and therefore the local justice ministry had the right to close it down.

The case was taken to court and the church lost. It remains without registration, as with the estimated 21 other Protestant churches in the region. So there is no Protestant presence at all. And given that it in Uzbekistan all unregistered religious activity is illegal, what can they do?

QUESTIONER. Larry Uzzell, International Religious Freedom Watch.

I knew that the testimony of Forum 18 would be brilliant, and you do not disappoint. Felix, one of the things that is unique, or almost unique, about Turkmenistan is that it is a country where the president has written his own personal holy scriptures, and has imposed it on his citizens as if it were almost on a par with the Bible or with the Koran. I wonder if you could share with us how that has played out in practice for religious freedom or the lack thereof in that country?

WITNESS ONE. I think the book of the president became an obligation for everybody to read and study. I think beginning from kindergarten and so everywhere. Even to keep your work of house cleaner or office-cleaner, you should pass a test on that book, and determination of can you keep your doctor work in some medical institution, you should pass the test on that book.

I think it is a whole propaganda of that book. Instead of, say, people have the rights to study or not study that book, it is like becoming more the part of the whole system and society. I think without reading, without studying, without supporting that book ideology, you cannot do anything and go anywhere in Turkmenistan. Even I think I heard

that instead of getting a driver's license, you should pass the test or listen to the lecture of the Rukhnama book.

Another thing, issues like they really try to force, yes, it is not directly forcing, but agitation is there that even the mosque should preach and study that book in the mosque. This is a blasphemy for the Muslims to bring the other book into the mosque and appreciate and teach it, but in Turkmenistan, that is the case.

Mr. CORLEY. Yes, I mean, the biggest indication of this with the big new mosque that was built at Kipchak, where the president's parents have their grave, there was a memorial to them. There are inscriptions from the Rukhnama, as you go into the mosque there are big displays. "The Koran is God's book. The Rukhnama is a holy book", something like that. It is just on the side of the doorway as you go in. And then when you go inside and see the main dome of the mosque, there are also quotations from the Rukhnama. I cannot imagine such a thing happening in any mosque outside Turkmenistan.

Obviously, the president is perfectly entitled to write whatever books he likes. Rukhnama now has two volumes, so obviously he is still beaver away on this work. He is perfectly entitled to do so, but imposing it on religious communities and requiring imams to quote from it is unacceptable I know the Kipchak mosque has a teacher whose main job is to teach from the Rukhnama and there are appointed hours when this is done.

As for the cult of personality about the president, many of the minority communities when they are inquiring about registration, learn that they would have to hang portraits of the president up in their place of worship and have the national flag outside. As for these sorts of requirements, if people want to do it, well, fair enough, but to force it on them is ridiculous.

I spoke about this to one of the people in the Russian Orthodox Church, and obviously it is very sensitive. They have a few books in church libraries and they put some copies of the Rukhnama there. They told me, well, if someone would like to borrow it, then of course they can do so. This is a delicate way of getting around a potentially embarrassing situation where they do not want to appear to be defiant, but they would prefer that this Rukhnama and the president would get out of their church.

Mr. THAMES. Just to add a personal experience, when I was in Ashgabad in March, we went out to visit the Kipchak mosque. We went in, and it is a very impressive structure. We were meeting with the new Grand Mufti. We were in the center of the dome. It can hold thousands of people. And there is the nave, I guess you would call it, where it is the only place you see Arabic. It has inscribed, "There is no God but Allah, and Mohammed is his messenger." But then above that is written "the Great Turkmenbashi" and scriptures from the Rukhnama. I would doubt you would see things like that in countries outside of Turkmenistan. I was surprised to see it there.

Mr. CORLEY. Did you see on the bookstands they had copies of the Koran and copies of the Rukhnama as well.

Mr. THAMES. There were copies of the Koran and Rukhnama beside the doors, if I remember correctly, when you came in.

QUESTIONER. I am Erika Dailey with the Open Society Institute's Turkmenistan project.

I want to thank the Helsinki Commission very much for organizing this very important meeting and for the excellent presentations here. You have painted a very vivid picture of an urgent situation.

I am wondering if you could comment on two things. One, just following up on Larry Uzzell's comments about the Rukhnama not being considered as scriptures, as holy text. There are some who say that in point of fact Niyazov has stepped over the threshold of simply controlling religion for the purpose of building a national state, a national ideology, but in fact is actually trying to create his own religion and to supplant existing religions with that religion. He is called the national prophet. One must thank God for sending him to earth before one prays, and so forth. I wondered if you could comment on that assessment.

I wondered if you could also comment, please, on the State Department's conclusion that despite its own very vivid documentation of broad and persistent and egregious violations of religious freedoms, that Turkmenistan nonetheless ranks among those countries that have demonstrated significant improvements. That is the phrase, significant improvements in promotion of religious freedoms.

Thank you.

Mr. CORLEY. On the question of improvements, I was speaking to one Protestant and he said that the one improvement that he could think of is that the government is being more civil to religious communities. Apart from that, no, unfortunately, that Protestant did not see any improvement on the ground.

If you step back and look at Turkmenistan from outside, from scratch, is there freedom to meet freely for worship with people of your choice? No. Is there freedom to buy, acquire, build whatever place of worship? No. Is there freedom to invite and meet with your fellow believers abroad, to travel abroad for religious purposes and come back from abroad? No. Is there freedom to print religious literature and to circulate and distribute it and spread your views in public? No.

All the core freedoms are not there in Turkmenistan. From that respect, perhaps a slight improvement. The government being civil to religious communities is, of course, much better than the situation there a couple of years back. Of course, the position that religious communities, some of them, can register, yes, but if they still cannot meet as a church body or as a whole religious community, well, that progress is pretty thin. Those are my comments on that.

WITNESS ONE. I think you mentioned the civil, I think. There are some cases where may be more tolerant officials are acting today, against the religious groups. But here are the reports after the easement, the so-called easement in Turkmenistan on registration law and some changes in civil and criminal law. There were cases where the police sixth department raided the people, threatened them, and they arrested the blind lady and she was beaten up. And also there is another case where they arrested for a couple of days two ladies from the Jehovah's Witnesses. Even those harsh days a few years ago, there was not such an attitude against the women, but in these days, where we say that there is an easement in the situation in Turkmenistan, there are so many violations going on.

Another thing is like it was said, that the registered Baptist church, Russian Baptist church, they registered the Pentecostal church, their properties were confiscated by the government a few years ago. The Adventist church building was bulldozed. If the government really recognized and admitted that those things were a mistake, then today they should officially, legally acquit those who were imprisoned or arrested, and also re-compensate those material and financial and other, yes, compensate for their actions and also I think it is better to try to find out who is violating.

I believe that if the president wants to change that situation, the whole understanding of the religious situation, he can do that in a one- or 2-hour speech on the TV explaining, asking those Governors to come and leaders of the police and other police, and come and talk openly and officially, saying that we heard these violations are going on in different degrees; I do not want to see those things; and please stop and try to find out who is responsible for those violations going on in Turkmenistan.

I think it is very important for the U.S. and other parts of the international coalition or international community, so-called, not to back-up or make an easement on the situation of religious rights in Turkmenistan, but be more urging and more working toward that that we will have total freedom of religious rights in Turkmenistan.

Mr. KINAHAN. I am picking up on Erika Dailey's question about the imposition of this new religion of Niyazovism or Ruknamaism. Can anybody come up with a name for that? I It is clearly the case that actually there is an attempt to supplant the existing religions within Turkmenistan with the Rukhnama. We have found imams being forced to recite the Rukhnama in the namaz or the daily prayers. I think it is worth repeating in full the oath of loyalty, to see whether, if you belong to a religious community, you would be all that happy to hear this coming from your minister.

It runs like this: "Turkmenistan, you are always with me in my thoughts and in my heart. For the slightest evil against you, let my hand be cutoff; for the slightest slander about you, let my tongue be cutoff. At the moment of my betrayal of my motherland, or her sacred banner, of Saparmurat Turkmenbashi [which means Father of the Turkmen] the Great, the President, let my breath stop.

We see this actually, as we have heard from our friend, influencing all aspects of Turkmen society. If we look in the law on guarantees of the rights of the child, which you might think would be a fairly uncontroversial sort of measure, Baptists from unregistered churches have complained to us bitterly about article 24, part II, which reads, "parents or the legal representatives of the child are obliged to bring him up in a spirit of humanism and the unshakable spiritual values embodied in the holy Rukhnama."

These Baptists have pointed out to us that they have had experience of officials telling them that the Rukhnama is, quote, "the last word of God to the Turkmen people." Baptists declared in practice this law is a direct infringement on the freedom of conscience of citizens professing faith in Jesus Christ or in other faiths not recognized by the state. All I can say is, one can't but agree. And you are right, Erika, to point to the fact that this is a state-created and furthermore a state-imposed religion which is clearly a very, very, very serious religious freedom violation. I think you would need to look to North Korea for a similar development.

Mr. GRIEBOSKI. I think to touch on the second part of that question, I was very concerned, not just with regard to Turkmenistan, but the larger sense of the State Department's understanding of what would be considered significant improvements, given the amount of attention that was placed on Turkmenistan and actually the use of that term significant improvements." What that serves as an indication is that if we look at Turkmenistan, and everything we have heard from my colleagues here about what is really happening, yet see these as significant improvements, what does that mean with regard to the department's judgment in places like Saudi Arabia or places like Pakistan, places even like North Korea or China? How will we then define what are those significant improvements?

What I was also concerned about is the fact that the department did not define in a very clear way what those significant improvements were. My office was led to believe, based on simply reading the report, not even in discussions with the State Department, is that significant improvements are solely the registration of these new religious communities. As I mentioned in my statement, I am not sure that the registration of these communities is in fact a good thing or a positive thing. If Felix is right that a more congenial approach of the government toward religious communities is a significant improvement, then again I have to call into question the department's judgment on what actually defines a significant improvement."

Mr. CORLEY. Just briefly on that one question. One Protestant in Ashgabad told me that he was actually shocked by the level of control that registration brought with it.

Mr. THAMES. Any other questions?

QUESTIONER. In your earlier testimony, did you have any numbers for us on political prisoners of religious persuasion in either of those two countries? Do we have any relative numbers?

Mr. KINAHAN. In Uzbekistan, the most accurate estimate you can give is "very many. One of the things one has to bear in mind is that when ministers of such countries say, oh, we have imprisoned so many terrorists. Well, you are not looking at a system where you have the rule of law; where you have the notion of a fair trial or evidence which you can rely upon being presented in court by law enforcement agencies.

So you have agencies like Human Rights Watch who guess, I think the figure is that you are looking at something like 7,000 prisoners of conscience. Nobody actually knows for sure, but you can say that the number runs to very many indeed, and far more than is at all acceptable. You can probably subdivide the prisoners into three basic categories. Either you could say that the prisoners held really are guilty, as the Uzbek regime maintains. Well, I am not sure there would be too many in this room that would actually agree with that. You have the possibility that there are some who may not be guilty, but who would express support of organizations like Hizb-ut-Tahrir. One has to bear in mind here that, when our reporter was able to gain access to Uzbekistan, which he has not since August, he found great ignorance among people about what groups like Hizb-ut-Tahrir stood for, and people just did not know that they stood for extreme anti-western and anti-democratic positions.

Or you have the third category of those who are signed-up members of extremist terrorist organizations. But we simply do not know, and frankly nor do the Uzbek authorities. Their own system just will not let them be able to come up with any kind of reliable estimate.

So far as Turkmenistan goes, yet again you are looking at very many. Yet again, you have the same kind of problems about identifying exact numbers. So far as religious prisoners of conscience go within Turkmenistan, we can say for certain that the number may be two. I am using the phrase for certain and maybe because in both the cases we know of, the former chief mufti, Nasrullah ibn Ibadullah, or most recently a Hare Krishna devotee Cheper Annaniyazova, then they were both convicted partially on charges which the Turkmen regime has not made public.

So nobody knows for sure, but what is absolutely clear is that in both countries you are certainly looking at a problem that there certainly are many prisoners of conscience.

It is very clear that actually outside states do need to be concerned about that and to be taking action on that.

Mr. GRIEBOSKI. I would like to followup on what John just said, which is that whatever actions the U.S. Government has or does or will take with regard to these two countries in particular, I think it is incredibly important that we understand that this not be a unilateral act to defend and protect and promote human rights and religious freedom within Central Asia, or for that matter anywhere else, to broaden that.

I think it is very important, before we started, we were talking about this here at the panel, that European states also take under consideration the importance of promoting human rights and religious freedom within countries like Turkmenistan and Uzbekistan, that they engage with Kazakhstan on the extremism laws and with the other Central Asian states to guarantee that the situations that we see continuing to denigrate in Uzbekistan and Turkmenistan can actually be halted, but in fact not continue to develop in the other states of the region as well.

Mr. THAMES. I will note that the State Department's International Religious Freedom Report for Uzbekistan estimates that of 5,500 political prisoners, about 500 to 1,000 of them are believed to be in jail because of their religious beliefs.

Any other questions? If not, I would like to thank our panelists again for coming, for some coming a great distance and some coming across town to participate.

I would also like to thank the different NGO's that have been very helpful in having this briefing come together. Religious freedom in Uzbekistan and Turkmenistan will continue to be a priority for the Commission staff, and I believe for many of our Members. I look forward to being in touch with all of you in the future.

Thank you.

Mr. KINAHAN. If any of you would like to know more detail of some of the things that we talked about, our Web site, www.forum18.org is freely accessible. As Knox has said, the Helsinki Commission's Web site is www.csce.gov. Joe, you will have to give you own Web address.

Mr. GRIEBOSKI. Our Web address is www.religionandpolicy.org.

Mr. KINAHAN. I would also recommend you look at the U.S. Commission for International Religious Freedoms site at www.uscirf.gov. There is also the State Department's own site.

Mr. THAMES. And if there are no more endorsements, we will conclude the briefing. Thanks.

[Whereupon the briefing ended at 2:20 p.m.]

APPENDICES

PREPARED STATEMENT OF HON. CHRISTOPHER H. SMITH, CO-CHAIRMAN, COMMISSION ON SECURITY AND COOPERATION IN EUROPE

Good afternoon, ladies and gentlemen.

It is my pleasure to convene this U.S. Helsinki Commission briefing on religious freedom in Uzbekistan and Turkmenistan. Religious freedom is a fundamental human right and a cornerstone of the Helsinki Accords, but as we will hear momentarily, both regimes are in serious breach of their freely undertaken OSCE commitments.

Uzbekistan continues its policies of repression, using the criminal code and a highly restrictive Law on Religion to criminalize unregistered religious activities and severely limit the ability of individuals to freely profess and practice their faith. The government, at all levels, continues to refuse registration for religious groups seeking legal status and aggressively pursues members of such groups with police raids, criminal penalties and other measures. Throughout an entire region of the country, all non-Orthodox Christian religious activity is prohibited, putting in jeopardy members of several Protestant/evangelical congregations present there.

Meanwhile, there is virtually no religious freedom for practicing Muslims, with the state controlling all legal places of Muslim worship and persecuting those who attempt to operate independently. The government continues to jail thousands, mostly Muslims, because of their religious affiliation or beliefs, often subjecting them to torture and beatings. While I understand that Uzbekistan faces real—albeit reduced—threats from extremists operating behind the guise of religion, the government's excessive response has severely limited religious freedoms for all communities, especially Muslims.

I therefore urge Uzbek officials to amend their religion law and criminal code to allow for religious communities to be active without the threat of police harassment, and make provision for their getting registered. The government should grant all groups seeking registration that status. I also strongly urge the Karimov government to release the prisoners detained on account of their religious affiliation or beliefs.

Concerning Turkmenistan, while the regime has taken small steps to provide a modicum of religious freedom by reforming the law, registering a few groups and allowing them to meet, over the past year multiple religious freedom violations have been committed by Turkmen authorities, making these modest reforms seem superficial at best. It is notable that soon after the Annual Report on International Religious Freedom noted Turkmenistan's supposed "significant improvements" in religious freedom, the registered Greater Grace Church was banned by the authorities from holding meetings in publicly-owned premises.

Other problems continue—security officials continue to harass both registered and unregistered religious groups with sporadic raids, imprisonments, fines, threats and other forms of official pressure. Independent Muslim groups and many minority Christian groups have experienced difficulties in obtaining registration and operating freely. Religious services of Baptists, Jehovah's Witnesses and others gathered in private homes have been repeatedly subjected to police raids. At least six mosques have been demolished by the government, and two Muslims were reportedly arrested for protesting the demolitions. The former grand mufti and a Hare Krishna remain jailed.

Therefore, I urge the Turkmen Government to end its police raids on religious communities—registered or unregistered, as well as to allow all religious groups to meet in community for worship or study. Registration should be granted to applicant groups at both the national and local level. The government should also release the two religious prisoners or at least significantly reduce their sentences. Mr. Niyazov should invite the UN Special Rapporteur on Freedom of Religion for a country visit.

In conclusion, the United States cannot afford to ignore the “systematic, ongoing, and egregious violations” of religious freedom perpetrated by the Karimov and Niyazov regimes. I believe Uzbekistan meets the criteria outlined in International Religious Freedom Act as a “particularly severe” violator of religious freedom and should be designated a “Country of Particular Concern.” Considering the modest improvements but continued repression in Turkmenistan, I also urge the President to reconsider designating that country as a CPC.

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In reply to _____

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Уважаем

Согласно статьи 19 Закона Республики Узбекистан о свободе совести и религиозных организациях, вся литература религиозного содержания, поступающая из зарубежных стран, изучается специалистами в соответствии с процедурой определённой Законом. В связи с изложенным литература, отправленная Вами в адрес Узбекистана, предоставлена на изучение в Комитет по делам религий при Кабинете Министров Республики Узбекистан, согласно заключения Комитета ввоз книги «Йбодатгўй аёлнинг қудрати» (возвращаются 2 книги) на территорию Республики Узбекистан запрещён.

Просим Вас не пересылать в почтовых отправлениях в адрес Республики Узбекистан вышеуказанное издание.

Благодарю за понимание.

Директор международного почтамта
Республики Узбекистан

К.Тулєбаєв

Uzbekistan's international post office denies entry in May 2005 to two copies in Uzbek of the Christian book The Power of a Praying Wife by Stormie Omartian
See: http://www.forum18.org/Archive.php?article_id=687

From Amazon.com

The Power of a Praying Wife

by Stormie Omartian

Product Details

- **Paperback:** 203 pages
- **Publisher:** Harvest House Publishers (July, 1997)
- **Language:** English
- **ISBN:** 1565075722
- **Product Dimensions:** 8.2 x 5.3 x 0.5 inches
- **Shipping Weight:** 8.0 ounces

Editorial Reviews

Amazon.com

The trials and pressures of modern life can make the prospect of a fulfilled, meaningful marriage seem impossible. In *The Power of a Praying Wife*, popular Christian author and speaker Stormie Omartian pinpoints common marital struggles and reveals the miraculous way that disciplined prayer can alleviate heartache and sustain unity. According to Omartian, a marriage's success depends upon "laying down all claim to power in and of yourself, and relying on God's power to transform you, your husband, your circumstances, and your marriage." Omartian attributes the success of her own 25-year marriage to dedicated prayer for every area--however specific--of her husband's life; from his finances and his work to his integrity and his temptations. Each chapter offers insight into areas that are especially important to men, followed by "power tools" (inspiring, topical Scripture) to guide one's prayer life and transform a woman's mind with regard to her husband. This practical read will encourage women to trust God to change their spouse, and undoubtedly refocus one's perspective on God's power rather than one's own personal predicament. --*Jill Heatherly*

Book Description

Worrying about your marriage changes nothing... Praying about it can change everything!

Today's challenges and pressures can make a fulfilling marriage seem like an impossible dream. Yet God delights in doing the impossible if only we would ask! Stormie Omartian shares how God has strengthened her own marriage since she began to pray for her husband concerning key areas of his life, including:

- His spiritual walk
- His emotions
- His role as a father, leader, and decision-maker
- His security in work and finances
- His health and physical protection
- His faith and his future

If you desire a closer relationship with your husband, you will appreciate this refreshing look at the power of prayer in marriage.



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