Commission on Security & Cooperation in Europe: U.S. Helsinki Commission

Helsinki on the Hill Podcast

"Disappeared in Turkmenistan"

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TIERSKY: Hello and welcome back to Helsinki on the Hill, a series of conversations hosted by the United States Helsinki Commission on human rights and comprehensive security in Europe and beyond. I'm your host, Alex Tiersky, from the staff of the Commission, which is formally known as the U.S. Commission on Security and Cooperation in Europe.

Listeners, today we would like to focus on a country that doesn't usually get a lot of attention. That's the country of Turkmenistan in Central Asia. Specifically, this episode is going to be dedicated to a discussion of the plight of people who have disappeared into Turkmenistan's notorious prison system.

We have two incredible guests who know a great deal about this issue on the mics with us today. I'd like to first welcome to the microphone Kate Watters, who works on a campaign for the rights of the disappeared in Turkmen prisons called Prove They Are Alive!

Kate, thanks for joining us.

WATTERS: Thanks so much for having me.

TIERSKY: Let me also welcome to the microphone, calling in from Vienna, Austria, my colleague and dear friend, Janice Helwig. Janice is senior policy advisor with our Commission. She focuses on the countries of Central Asia as well as trafficking in persons.

Janice, thanks for calling in for this.

HELWIG: Hi, Alex.

MR TIERSKY: Well, Turkmenistan, I think for most of us listeners, is something of a mystery. Janice, I was hoping we could do a little bit of a 101 on the country for those of us who don't follow it quite so closely.

I understand that Turkmenistan has some wealth from natural gas. It remains today one of the most isolated and repressive states in the OSCE region, and it has been that way since its independence from the Soviet Union in 1991. Is that right?

HELWIG: Yes, that's exactly right, and I think it's important to understand a bit about the country, to put into context the issue of persons who have disappeared in its prisons. The best way to think of Turkmenistan is a bit of a post-Soviet North Korea. It's isolated and it has really an all-embracing cult of personality of the leader of the country. And by that I mean not only do you see statues and images everywhere, but you have a situation where when the president of the country drives down the road, you have people lining the streets waving at him. You have organized adulation and people who are cheering for him, whatever he does.

It's a country that, under the current president, Gurbanguly Berdimuhamedov – as under the first president, Saparmurat Niyazov – is really completely closed. There is no opposition, there is no independent media. There is virtually no civil society. It's very repressed.

Travel is regulated, so for example, people can't go and travel, go out to study at universities or schools, or visit relatives, and it's also restricted in terms of religious liberty, particularly for what we term as non-traditional religions. And in fact, the State Department has designated Turkmenistan a Country of Particular Concern on religious freedom for many years now.

TIERSKY: Janice, could I ask you – you mentioned this term non-traditional religions. What does that mean in the context of Turkmenistan?

HELWIG: Basically it means any religion that has not been in Turkmenistan for, let's say, at least a hundred years or maybe more so. It is an Islamic country, but this would be the form of Islam that the government recognizes; also Russian Orthodox because of course this was part of the Soviet Union and to some extent Catholicism, so religions – for example, Baptists face a lot of problems in Turkmenistan – or Presbyterians as well as forms of Islam which may not be the official state form.

TIERSKY: Janice, thanks very much. That's a really helpful introduction to the country.

Kate, do you have anything to add?

WATTERS: Yeah, I just would like to add that I think, because there is so little information about Turkmenistan and so little information about the actual workings of the government, there's a risk in the West that, you know, sort of the bizarre behavior of this president is what gets reported on. So, you know, his ability to do everything better than anybody else, for example; you know, he's the best horse rider, he rides a bicycle and shoots a gun. He does this, he does that. You know, it's laughable.

This summer he disappeared from the limelight for a few weeks. There were rumors that he had passed away, that he had died. There were comedy shows in the West about, you know, who is this guy Berdimuhamedov and what happened to him?

But the risk there is that all of that behavior that they are describing, which is really – you know, those are all facets of a cult of personality, and what that does is it draws attention away from the really serious and gross human rights violations that are perpetrated in this country under the leadership of Berdimuhamedov.

TIERSKY: Kate, I understand that the Turkmen government has got just an awful track record of holding people in jail for years without allowing them to communicate with the outside world and without providing families information about their well-being.

I think all of our listeners would agree that the families of these individuals deserve to know the fate and health and the whereabouts of their loved ones. That's what our episode is about today, and that's the campaign that you work on.

Can you please tell us about Prove They Are Alive!?

WATTERS: Sure. I'm happy to do that.

Prove They Are Alive! is an international campaign to hold the government of Turkmenistan accountable for those who have been disappeared into the prison system in that country, and there are organizations from various countries including the United States, including my organization, Crude Accountability, Human Rights Watch, Memorial – there's a lot of organizations that are involved.

And the purpose of the campaign is really to try and understand what has happened to those people who have been disappeared in Turkmenistan's system and to document that phenomenon, and to try and move the bar forward on the issue of the disappeared.

So, for example, we have published a report – and we've republished it several times now; the last iteration was in September of this year – showing that there are 121 individuals who are disappeared in Turkmenistan's system that we can actually verify are disappeared using a number of different resources.

So these are individuals who are disappeared in prison. They have no access to medical care. They have no access to legal assistance. Many of them were tried in cases that, took less than a couple of hours. They've had no medical care, no access to their relatives, no packages, no visits. They've basically just disappeared into the system, some of them for as long as 17 years.

TIERSKY: My goodness. So you mentioned a list of – was it 121?

WATTERS: Right.

TIERSKY: Can you tell us a little bit about how you all are able to put a list like that together if these are individuals who clearly have not been through any kind of a transparent judicial system and they are, as we keep saying, disappeared. Where does this list come from?

WATTERS: Well, it comes from a variety of places, but first and foremost from open source materials. The largest number of these disappeared people are a group of people who are called the Novemberists, who were accused of participating in an alleged coup against the previous president, Niyazov – who Janice mentioned earlier – in 2002. There were show trials when these people were arrested and convicted, and many of their names are in the press actually, so if you go back and look at old magazines, old newspaper coverage, you can find their names.

The same is true for another group who have been in – many of them – for almost as long; some of them actually even longer, which are a group of people who are accused of economic crimes. These are people who basically fell out of favor with the administration for whatever reason. That information is also available.

TIERSKY: Kate, what does economic crimes mean? What is this fig leaf of an accusation?

WATTERS: So this is an accusation that is pretty common in authoritarian regimes and in the post-Soviet space where someone is accused of abusing their authority, abusing their power, stealing money, but mostly it's about abuse of power. And then there are – you know, they haven't paid their taxes – it's an administrative crime that becomes a criminal case against them and, you know, has ended up with, for example, 26 individuals being disappeared since as long as 2002.

TIERSKY: So the Novemberists, those who have been disappeared since then, they are in the Turkmen prison system. What do we know about this penitentiary system in Turkmenistan?

WATTERS: Right. So the disappeared who are in our list, all of them are in a prison called Ovadan Depe, which is a secret prison that was built in the desert outside of Ashgabat, which is the capital of Turkmenistan, and really brutal environment. It can be up to 40 degrees Celsius in the summer – you know, over a hundred degrees of heat in this desert and extremely cold in the winter.

They are disappeared in this prison. Those who are disappeared are oftentimes held in a separate block from the other prisoners for political crimes. There are widespread cases – or accusations of torture. We have evidence of torture. People starve in this prison. You know, 32 of the prisoners here – I want to just get back to who some of these people are – have been accused of Islamic extremism, which gets back to the point that Janice was making, this is a country where people are unable to freely practice their faith. And there are two civil society activists who have also gone into this prison, one of whom died there.

Twenty-seven of the people on our list have died because of these extreme conditions, and we know primarily about the conditions in Ovadan Depe through testimony from – amazingly – a couple of people who survived, and made it out, and were brave enough to speak about the conditions that they were forced to live in.

One prisoner who we spoke with over the course of six months lost 40 kilos, which is half of his body weight, because of the treatment, and the lack of food, and the lack of, you know, medical care in the prison – never mind, you know, the cases of torture that we also hear about in that prison.

TIERSKY: You mentioned this prison is considered secret by the Turkmen government, I imagine. What are the implications of that for anyone from the outside wanting to visit the prison? Let's say human rights groups or representatives of international organizations, diplomats. Is anybody in there seeing what these conditions are and reporting on them?

WATTERS: Right. As far as we know, there has been no – no outside visitors have been allowed to go into Ovadan Depe. Family members until very recently – and I want to mention

that when we talk about sort of what some of the progress of the campaign has been – but until very recently, no one ever had visitors at Ovadan Depe.

So when diplomats are given tours of prisons inside of Turkmenistan – and this happens occasionally – it's sort of a Potemkin village where there is, you know, a situation created where they're not seeing the worst, and they're certainly not seeing Ovadan Depe.

The other way that we know about what is happening in Ovadan Depe is we've been able to use satellite imagery to look at the construction of the prison – was started to be built just, you know, in the early 2000s, and looking at the construction over time, you can see sort of how big the cells are, you know, a whole lot of information, and we can see that the prison has expanded over time. So there are ways to get information, and this is one of the things that I think it's really important to remember is that even these closed societies in this world that we live in now where data and information are everywhere, it's very, very hard to keep all of this stuff secret.

TIERSKY: I understand that your campaign has kind of a direct role in being in touch with the families of these prisoners who, as you mentioned, maybe have had an opportunity to visit, or not, or are being denied that opportunity, being denied information on the prisoners there. Can you tell us about how the families are coping with the disappearance of their loved ones?

WATTERS: Sure. I mean, I think, you know, we talk about torture. We talk about torture of the disappeared and that actually being disappeared is a gross human rights violation.

For the families whose family members have been disappeared, this is also torture, I believe; that to live with the knowledge for 17 years, for example, that your husband may or may not be alive, your brother may or may not be alive in this prison system where all of the information that you're getting is really terrible, and through rumors or, you know, kind of through side channels – nothing official, no official word from the government.

So those who do in the end speak out are incredibly brave people. They are people who have realized that taking this risk is probably the only chance that their loved one has to come out alive, but it's very important to understand that anybody who is inside Turkmenistan is at huge risk themselves, whether they are in prison or not. If they have a family member in prison, Turkmen authorities use this sort of collective punishment where the children of disappeared or the grandchildren of disappeared may not be able to attend the school that they would like to. And as Janice said, they're not allowed to leave the country and go get an education in a university somewhere else. Many spouses and relatives of disappeared are fired from their positions, their jobs. So it's a – it's a real hardship on the entire family that continues now for decades.

TIERSKY: A horrifying situation.

Let's talk about a particular prisoner to put a kind of face on this challenge. I understand that Turkmenistan's former foreign minister – and he's also a former ambassador to the OSCE,

Batyr Berdiev, disappeared into the Turkmen prison system in 2003. Can you tell us a little bit more about that case?

WATTERS: Yes. Batyr Berdiev was in fact the ambassador to the OSCE. He was also the ambassador from Turkmenistan to a number of European countries, including Austria and the Czech Republic. And he was accused of being part of this group of Novemberists, as they were called, participating in this alleged coup attempt against former President Niyazov. And he was actually arrested in late 2002. He was tortured in pre-trial detention. His family was also brought in and interrogated about his activities. One of his relatives was also imprisoned for a period of time. And he disappeared into the Ovadan Depe prison system.

But he managed to smuggle out a group of poems that he had written in those first three months that he was in prison that were written to his wife and his son, and they came to our – we received those poems many years later when the campaign – the Prove campaign started in 2013, and we were given copies of those poems. And we translated them into English. They were written in Russian, and they are beautiful. They are really personal poems about his relationship with his wife, his love for his son, and they're a real testament to, you know, sort of the strength of the human spirit. You know, here you are in this hideous, hideous situation, and what do you do? You write a love poem to your wife. You write a love poem to your son.

TIERSKY: Amazing.

I'd like to give our listeners a little flavor of that poetry. Janice, you are still on the line with us. I understand you've selected a part of a poem that you'd like to share with our listeners, and I wonder if you could please introduce that and read it for us.

HELWIG: Yes, I really would like to do that because I think these poems really reflect the yearning for freedom that Batyr had from prison, and also his desire to comfort somehow his family from prison. And this is a part of a longer poem where he is accepting that he may not survive but wanting to talk in a more positive way for them, I think, still about the future. So let me just read a few lines:

And when we leave our house, where all is so familiar –
The flower vase and the worn out carpet –
The shadow of our quiet hope will stay at home,
Reflected in the eyes of those who remember us.
And life will continue, as our life was once lived,
And, of course, other songs will be sung,
But human hearts, like soldiers of hope
Will again and again both suffer and dream.

TIERSKY: Janice, thank you for that. I'm struck by the word hope being repeated in that passage. Thank you so much for that.

Kate, let me come back to you. I think we now have something of an understanding of the depth of this problem. Let's start talking about how we address it.

Tell me again when Prove They Are Alive! – when the campaign began, and have you seen progress as a result of some of the work that you've been doing? How has the government of Turkmenistan responded, for instance?

WATTERS: Yeah, so the campaign started in 2013, so we're six years in now, and we have seen progress. We have seen – considering that we're working with Turkmenistan which is, as Janice said, one of the most closed countries in the world; one that relies on secrecy and fear and terror to keep its population in line and to continue to advance its own agenda, both inside the country and outside.

We have seen progress, and I think one of the most important pieces of progress that we have seen is that, over the course of the last year and a half, some of the prisoners in Ovadan Depe who were arrested on charges of Islamic extremism have had visitation. Their families have been able to take buses and come to Ovadan and see them for, you know, 30, 40 minutes at a time. These have been repeat visits. We initially were concerned that they would just do this once and, , that would be the end of it, but this is huge. This is huge progress in terms of opening up, and for those individual people who have had their families be able to see them – I mean, each one of these individual stories is a tragedy and so this is an easing of that tragedy for each person who – you know, who is seen and is seen alive. So that's one thing.

The second thing is that on the international level we've begun to see a much more active engagement with diplomats, with Western governments in terms of raising this issue publicly with the Turkmen government. I mean, I think we can say, you know, the Helsinki Commission has been a leader in this for years in terms of raising these concerns, and we of course are really grateful to the Commission for its leadership role here. But we're now seeing other Western governments do the same thing.

The other thing is that the United Nations has received a number of cases about the disappeared, and this has to happen with the agreement of family members or the permission of family members. So we're seeing that, you know, there are people who are willing to come out and use the international instruments that are there to help their families that they may not know about, and the United Nations has been raising these issues and these cases – individual cases, which is also extremely important. So I think all of that amounts to progress.

One prisoner in particular, a man named Annaniyazov, who had been disappeared for many years, served his term. He unfortunately has not been released from the prison system. He's now sort of in a working – it's not even a camp. He's in very remote living conditions living a very hard life, but he's not disappeared. His family can now see him, and we're hopeful that with continued pressure he might be able to leave Turkmenistan and get out of this situation.

So a problem that was denied in 2013 by the Turkmen government is now something that they are actually having to deal with. They address it in international fora. They respond. So that's, you know, very baby steps, but progress.

TIERSKY: Kate, let me come back to a point that you made about a particular individual whose sentence essentially was up. You could be forgiven for assuming that all of these prisoners were under some sort of a life sentence, so can you tell us a little bit more about prisoners? Do they have sentences that might be coming to their conclusion? What happens when their formal sentence is fulfilled? Tell us a little bit about that.

WATTERS: Right, so this is an issue that we're really watching very closely right now. Most of the people who have been disappeared have sentences between about 12 years and up to 25 years, so some of those who have been in prison since 2002, some of their sentences have already expired. Some who went in later, their sentences are set to expire. And we're really watching very closely to see what's going to happen. Many of the prisoners who should have been released have not been – some have. A journalist named Nepeskuliev, who was imprisoned in Turkmenistan – again, on trumped up charges – was released, and he has actually been allowed to leave Turkmenistan. So there is a precedent for this to happen.

But there's a number of cases – there are over a dozen cases of individuals who should have either been recently released or should be released in – well, the next month, or 2020, 2021. So we're really watching that. And that's an area where the international community can play a really important role to say we know these people have served their time or have almost served their time, you know – let them out.

TIERSKY: Yeah.

Janice, can I bring you back into the conversation now? Kate has mentioned international engagement on this issue. She has mentioned the United Nations. She has also been kind enough to mention the role that the Helsinki Commission has played as a leader on this issue in recent years.

Could you flesh that out for us a little bit? Can you tell us a little bit about what that Helsinki Commission engagement has looked like from your perspective as our lead expert on Central Asia?

HELWIG: I can, and before I do that, though, I just want to return a bit to the last comment that Kate made –

TIERSKY: Please.

HELWIG: – because I think another concern is for these people who are not being released. The question is are they still alive or could it be that they're not being released because in fact they aren't, and I think that's also a big concern.

Turning to the Commission work, what the Helsinki Commission and our members have done since 2002, really, is to use the OSCE – the Organization for Security and Cooperation in Europe – as a platform to raise these issues. And they've also raised them directly with the government of Turkmenistan.

So in 2003, our Commission was instrumental in using the OSCE to force an international investigation and a report into the issue. It has been continued to be raised annually in a human rights meeting that the OSCE holds every year in Warsaw.

Our commissioners, our members of Congress have raised it directly with the Turkmen authorities when they have been able to meet with them. Congressman Hastings, our chairman, for example, has directly asked Turkmen Foreign Minister Meredow about this and not gotten any good answer.

Our former commissioner, Chris Smith, has written letters about this to the Turkmen government and Foreign Minister Meredow, in 2005, said that he could come and visit these people in prison, and of course never made good on that promise.

We've also held briefings on the issue including in 2014 with the relatives of another former foreign minister who disappeared in prison, Boris Shikhmuradov. So I think we try to be as active as we can keeping the issue raised.

TIERSKY: Those briefings that you mentioned, of course, are public events that we do to magnify the public profile of an issue, and I'm sure our listeners can quite easily go to our website and find the transcript and possibly even the video of that event.

Janice, thank you very much. I want to ask both of you a kind of fundamental question that I don't think we've gotten to. Why is the Turkmen government not being more transparent? Why are they unwilling to broach the subject of the possibility that a prisoner may have died in their prison system?

WATTERS: I think that the main reason that the Turkmen government is not more transparent about this is that this type of fear, this type of terror – and this really is terror on a national level in that country – is the basis for keeping control. And if any individual inside your country, any citizen of your nation fears that if they step out of line they can be disappeared into the prison system, they're very – they're going to be controlled. It's extremely difficult to stand up and speak your mind when the former foreign minister is in prison, when the head of the oil and gas system went to prison, when heads of – when former – you know, sort of the highest leaders in the country have gone away.

The most recent disappearance is a young man who was a student in Turkey who had organized a student group for Turkmen students in Turkey – a Turkmen kid who was lured back to Turkmenistan in 2018 with an invitation to monitor the elections there. He came back into his country, and he was arrested. And he has disappeared into the prison system. No one has heard from him.

There is absolutely no incentive on the part of those who would offer an alternative to speak out when that's what happens, and it happens on all different levels. And for the Turkmen government to start to speak about that publicly would be to acknowledge the level of terror and control that they have – that they are holding over their society, and it will crumble. And so the easiest thing for them to do is deny it, to be quiet, and to not talk about it.

HELWIG: I think Kate is exactly right. It's about domestic control. And I do think what you see in some of the examples that Kate has given about a bit of responsiveness to the Prove They Are Alive! campaign is that Turkmenistan does care about its international image, as well, but without losing the domestic control. So it will make statements in international fora, other places outside of Turkmenistan trying to portray that it is being responsive or working on these issues.

I will say Turkmenistan also always defends the arrests of all these individuals and claims simply that they are criminals or traitors, so there is no point in talking about them.

TIERSKY: Janice, you mentioned their concern for their international reputation. I wonder if I could press you a little bit on – I mean, clearly the Turkmen government has made commitments on human rights that are relevant to this situation. Can you give us a flavor of the types of commitments that we try to remind them of that are clearly contravened by these disappearances?

HELWIG: Well, I think the first one is not to disappear people. (Laughs.) That is actually a commitment and recognized in international conventions and agreements. Also, treatment of prisoners in detention is another issue where we raise that – the right to a fair trial because, as Kate pointed out, for most of these individuals – if not all – Turkmenistan doesn't have an independent or fair trial system so these trials were basically staged. Most of them were held in closed situations. There have been some trials that have been held even in absentia without the individual's presence. So I think that's kind of the heart of what this is.

I would say, though, when we raise the issue with the Turkmen government, it's also raised as a humanitarian issue that – as Kate mentioned, for the families. This isn't just about those who disappeared. Of course it is also about them, but about their families. They have the right to know where their family member is, whether their family member is alive or dead, and I understand that even under Turkmenistan's laws should have the ability to visit and contact their family member.

TIERSKY: Kate, is there anything you'd like to add to that?

WATTERS: I think Janice has hit it on the head. The issue is that the government of Turkmenistan has signed on to many of the major international conventions. They are members of the United Nations. They are part of, you know – they come to the OSCE meetings. They want to be part of the international community, and in order to do that, they need to – they need to comport themselves on the standards of the international world, and they need to be held to account on that.

And I would just underscore again that when we've seen progress it has been when governments, international institutions have spoken publicly about the crimes that the government of Turkmenistan is committing.

And, you know, we need to remember that 25 years in Ovadan Depe is really a death sentence. The conditions that these individuals are living in are horrific, and there is an urgency on the part of many of these cases to understand, you know, are these people alive, and there are a number of people who have died. As I think I said earlier, 27 people on the disappeared list have died in prison.

Recently the bodies have started to be returned to their families. This is another – you know, I hate to even use this word – but success of the campaign as previously the bodies were not returned. But family members are now being – you know, receiving the bodies of their loved ones when they pass away in prison, and this is an intolerable situation.

TIERSKY: Kate and Janice, I want to thank you both for giving our listeners really just an overview of the scale of this really tragic problem, but more importantly, I think, I want to thank you, Kate, for your call to action and the work that you do, that Janice does, and that colleagues in the campaign do to try to hold the Turkmen government accountable to its commitments and to its obligations to its own people.

Thank you very much for joining us for this episode. Before we go, Kate, I'd like you to please give our listeners a reminder of where they can find out more information about your campaign and the prisoners that your advocacy centers around.

WATTERS: Yes, you can find information on our website, which is provetheyarealive.org, and much of the information is there.

TIERSKY: That's great. Kate, thank you so much. Janice, thank you for joining us by phone from Vienna.

HELWIG: Thank you, Alex.

TIERSKY: With that, listeners, we've come to the end of another episode of Helsinki on the Hill. We're always interested in hearing back from you with feedback. Get in touch via our website, CSCE.gov, our Facebook page or on Twitter.

Thanks again for joining us. Until the next conversation, I'm Alex Tiersky, signing off.

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