



Oslo, 28.03.2012

EBRD  
One Exchange Square  
London

### **Situation in Turkmenistan and EBRD recommendations**

Distinguished EBRD civil society meeting participants,

The Norwegian Helsinki Committee appreciates this opportunity to address the panel with our concerns and recommendations regarding the human rights situation in Turkmenistan.

The NHC has been involved in several initiatives towards improvement of the situation regarding human rights and civil society in Turkmenistan over many years, and it is with regret we have to admit that our work is not getting easier. Despite new leadership and stated legal reform, little if any concrete reform is noticeable on the ground. At the same time, international attention has increased due to the opening-up to foreign investment. Sadly, this opening-up does not include opportunities for critical journalists, human rights activists, oppositional parties or minorities.

The calibrated strategic approach of the EBRD allows for a closer follow-up of the political and economic situation in Turkmenistan and faster response to progress or regress. This is a positive initiative that the NHC supports. However, it is important that this approach is enforced with a strict hand, and does not weaken under fictive reform and grand words from the regime of Turkmenistan.

The NHC shares the EBRD's concern that there are certain priority areas that need urgent attention and should be monitored closely by the Bank. In this regard it is pertinent that only concrete actions should be considered progress, not mere statements for the international community, legal review which is not implemented in practice, or just making up for unjust arrests in the first place. Unfortunately, there are several examples that promising statements by the Turkmen authorities and President Gurbanguly Berdymammedov are not followed up in practice.

One concrete example is the statement made to the EU Parliament rapporteur for the PCA negotiations that the Norwegian Red Cross in particular had been invited to visit Turkmenistan, and this was noted as progress in the report. When asked however, the Norwegian Red Cross had not heard of any such invitation and still found it as difficult to gain access to the country as any other organisation. The NHC staff remains banned from entry and even the purely humanitarian organisation of Doctors without Borders was forced to leave the country in November 2010.

Another example is the July 2011 statement from the President that he would guarantee the safety of any potential opposition candidate in exile who would like to return to run for President in the February 2012 elections. At the same time as this statement was made, new legislation was developed that identified requirements for presidential candidates that could not be met by any of the politicians in exile; for example no previous criminal record and 15 years consecutive stay in Turkmenistan before running for elections. Despite concrete attempts by the opposition politician Nurmammed Khanamov at reaching the Turkmen Embassy in Vienna to inquire the conditions for his potential return to Turkmenistan to participate in the elections, the Embassy failed to reply to his calls.

Another opposition politician who followed up on a perceived opening in Turkmenistan is Gulgeldy Annaniyazov. He was granted political asylum in Norway in 2002, but returned to Turkmenistan in June 2008 after the death of previous president Niyazov in the hope to contribute to democratic change. He was immediately arrested and sentenced to 11 years in prison in a closed trial. His family has not heard from him since Easter two years ago and does not even know if he is still alive, despite several attempts by the NHC to learn of his whereabouts and condition. Several other political prisoners are still kept behind bars in Turkmen prisons on religious or political grounds. In prisons, conditions are hard and relatives are rarely allowed to meet their family members. Non-Moslem religious prisoners are subject to undue pressure to abandon their faith, and are also having difficulties obtaining relevant religious materials or finding a suitable place for worship.

The few activists outside the walls who dare to speak up are subject to harassment and threats. Natalia Shabunts found a severed sheep's head on her door step the day after she gave an interview to the RFE/RL radio channel, and Annamamed Myatiev has been attacked both on the street and in his own home. Activists based outside of the country are subject to threats and cyber attacks on sites like [chronotm](#) of the Turkmen Initiative for Human Rights in Vienna. Citizens who tried to share information about the casualties and damage following the explosion in the Abadan ammunition storage this summer were also subject to undue pressure from the government. This was possible due to continued restrictions and censorship of internet and telecommunication, parallel to statements guaranteeing increased access to internet and information.

Despite an increase in Turkmenistan's economic growth, the population is neither gaining access to relevant information about this income based on high commodity prices, nor benefiting from the revenue in a country with an approximate 70% unemployment rate and almost half of the population living on 2 USD a day. Activists who strive to prove and inform about economic, social or environmental consequences from exploitation of natural resources are also subject to pressure from the authorities. With the closed nature of the business in Turkmenistan, this work is very dangerous. The environmentalist Andrey Zatoka was imprisoned on trumped-up charges and later forced to leave the country and his Turkmen citizenship in exchange for release in 2009.

One problematic investment in social, ecological and political grounds is the Turkmenbashi Port development. According to local citizens and experts, the project's poor planning has resulted in damage to the environment, the surrounding villages and even another grand investment, the nearby resort site of Avaza. At the same time, international support to this "improvement in selective important regional transport infrastructure" is a form of approval stamp for the authorities that they are doing it right and does not encourage genuine reform or changed approach.

Black lists are still in place for people who criticize the government and their relatives, blocking their possibility to leave the country for shorter or longer time. There is also exit problems for religious believers wanting to make the Hajj to Mecca, and even limitations on non-Moslems' travel within the boundaries of Turkmenistan – for example the police harassment the members of the Path of Faith Church was subject to during holiday in another part of the country.

In the human rights priority areas identified in EBRD's 2010 Country Strategy for Turkmenistan, the NHC sees no genuine improvement in the country and expects the Bank to refrain from reporting it as progress, and continue to ask for concrete reform as precondition for increased activity.

In conclusion, the NHC urges the EBRD to

- Adhere to Article 1 of the Agreement Establishing the Bank and the requirement of commitment to and application of the principles of multiparty democracy, pluralism and market economies, none of which is present in Turkmenistan today;

- Strengthen and concretize the reform benchmarks that must be met with concrete action as precondition for increased public investment in Turkmenistan;
- Be in the front of demanding extended country-by-country reporting from the companies that the Bank finances in Turkmenistan and elsewhere, ensuring that information about investment, profit, turnover and payments in the countries where these companies invest is known, limiting the personal risk for activists who want to find and make use of such information and also for potential investors and the population as such;
- Make use of the policy dialogue and calibrated approach to advocate for increased civil society participation in potential investments and projects that will influence the population and its living conditions.