United States Mission to the OSCE

Any Other Business
On Human Rights in Turkmenistan

As delivered by Ambassador Karen Stewart
at the OSCE Human Dimension Implementation Meeting
Warsaw, October 10, 2008

Thank you, Mr. Chairman.

Although the United States has raised various concerns about human rights in Turkmenistan throughout this meeting, we would like to take this opportunity to express our ongoing concern about the situation in that country. This is the sixth year in a row that the United States has made a statement under "any other business" about the situation in Turkmenistan. Of course, for the past two years, there has been a new Government in Turkmenistan. The United States has been carefully monitoring the policies of President Berdimuhamedov and his government and engaging with them to encourage broad-based reforms. We are disappointed that the Government of Turkmenistan has once again not sent any representatives to this meeting; dialogue on these issues is important.

There have been several positive steps. Some reform of the education system has taken place, including the addition of one more year for basic education, and in higher education, expanding student enrollments, extending the term of study to five years, and beginning to reestablish post-graduate programs. We commend the government's decision to develop a national strategic plan to catalogue and to implement the international human rights conventions to which it is a party, and for having already taken some steps towards fulfilling its international human rights obligations. A Human Rights Commission was established under the President in late 2007, which has been working closely with UNDP, the EU, and the OSCE to integrate international human rights obligations into Turkmen legislation, judicial practice, and state institutions. The law on Women's Rights and Children's Rights has been revised and a new law on Trafficking in Persons enacted to bring national laws into conformity with Turkmenistan's OSCE commitments and international treaty obligations. The National Constitution was just significantly revised, which we hope will facilitate other reforms. We welcome recent improvements in religious freedom, such as a reduced emphasis on the Ruhnama and the registration of two religious groups, and were pleased that the UN Special Rapporteur on religious freedom recently made a country visit. We also commend the recent statement by President Berdimuhamedov that the worst forms of child labor – including in the cotton fields – will not be tolerated.

We urge the Government of Turkmenistan to continue this positive momentum on reform by fully implementing steps it already has begun. This includes revising and reforming the Criminal Code, the Civil Code, and the religion law in cooperation with international experts, restoring the 1995 law permitting conscientious objection to military service, allowing citizens unfettered ability to travel inside and outside of the country, increasing public access information via television, internet, and print sources, and continuing dialogue with international entities such

as the OSCE, ICRC, and EU. We also urge the reform of Turkmenistan's electoral system in line with OSCE commitments, particularly for the parliamentary elections that will be held later this year. Opposition parties should be registered, the election commission should be made independent, the rights of citizens to run for office should be expanded, and candidates should be allowed to freely meet with voters or to contest election procedures.

One very concrete step that could be taken and would be a clear signal of the government's intention to move forward with reform would be to allow the International Committee of the Red Cross/Red Crescent (ICRC) and other independent observers access to prisons, including to those imprisoned in connection with the events of November 2002. For the past six years, we have asked for information on and access to our former OSCE colleague, Batyr Berdiev. We have heard reports that he may have died in prison; his family has the right to know whether he is dead or alive. We see no reason why the current Government cannot provide immediately either access to former Minister Berdiev or, if he is no longer alive, information concerning his fate. The longer the current Government stalls in this regard, the greater the risk it will be seen as continuing the policies of the previous regime.

Despite some progress, we are troubled by several recent developments. The June 24, 2008 arrest of former political prisoner Gulgeldy Annaniyazov upon his return from exile abroad sends a chilling message that critics of former President Niyazov's policies will continue to be punished by the current Government. Mr. Annaniyazov was a member of the so-called "Ashgabat Eight," a group of dissidents that was imprisoned in 1995 in connection with a peaceful demonstration calling for expanded democratic reform in Turkmenistan. We urge Turkmen authorities to release Mr. Annaniyazov immediately and to ensure that peaceful human rights advocates are allowed to express themselves freely, in accordance with Turkmenistan's OSCE commitments. The June 20 detention and subsequent release by Turkmen authorities of Radio Free Europe/Radio Liberty contributor Sazak Durdymuradov is also concerning. Attempts such as these and others to intimidate journalists violates the word and spirit of our OSCE commitments.

Mr. Moderator, sustained OSCE engagement is needed to increase dialogue with Turkmenistan. We urge delegations of participating States to meet with Turkmen NGO representatives whenever possible. We urge ODIHR to step up efforts to engage the new government on human dimension issues, such as electoral reform, and believe that a visit to Turkmenistan by new ODIHR Director Lenarcic could be a useful catalyst for forward movement.

Thank you.