



Turkmen Initiative for Human Rights



July 18, 2006

President Separmurad Nyazov
Office of the President
744000 Ashgabat
Turkmenistan

Via Facsimile: + 99-312-35-51-12

Dear President Nyazov,

We are a coalition of nongovernmental human rights organizations that are profoundly concerned about the fate of prisoners of conscience Annakurban Amanklychev, Ogulsapar Muradova, and Sapardurdy Khajiev, who have been held incommunicado since their detention one month ago. We believe they are at risk of torture and other forms of ill-treatment in custody and that the accusations against them are groundless and politically motivated to stifle and discredit peaceful dissent. We urge you to ensure their unconditional and immediate release.

Amanklychev was detained on June 16, Muradova, and Khajiev, on June 18. All three are associated with the Turkmenistan Helsinki Foundation (THF), a nongovernmental organization based in Bulgaria that monitors and reports on human rights conditions in Turkmenistan. Muradova is also a journalist for Radio Liberty.

There were credible allegations that the detainees have been ill-treated in custody and that psychotropic drugs have been administered to Amanklychev and Muradova to force them to “confess” to “subversive activities.” As a party to the United Nations Convention against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment, Turkmenistan is obligated to ensure that no one is subjected to torture or other ill-treatment. The detainees’ continued incommunicado detention heightens our fear for their safety.

To the best of our knowledge none of the detainees has been granted access to an attorney, which constitutes a serious violation of these individuals’ rights under article 9

of the International Covenant on Civil and Political Rights (ICCPR), to which Turkmenistan is a party. They were charged only on July 12, considerably longer than the three-day limit prescribed by the Turkmen Code of Criminal Procedure.

According to the detainees' lawyer, Amanklychev, Muradova and Khajiyev are being investigated for illegal weapons possession (article 287-2 of the Criminal Code of Turkmenistan). Statements by the national security minister and by the Turkmenistan News Service have sought to implicate Amanklychev in subversion and espionage. The accusations derive from Amanklychev's assistance in the production of a documentary about Turkmenistan for Galaxie Presse, a French television production company that also supplied the camera.

The documentary features issues such as the cult of personality; the dramatic situation in the education and health systems; and a series of other human rights-related topics, for which he used a hidden video camera to film hospitals, polyclinics, and the outside of a prison. In his June 19 comments, the national security minister stated that Amanklychev had attempted unsuccessfully to film buildings belonging to military and law enforcement agencies, an accusation Galaxie Presse denies.

We believe these accusations are groundless and politically motivated. Hidden video cameras are not a standard journalistic tool, though they are not unusual. They are an accepted option of last resort when it is virtually impossible to secure footage in any other way, and when the public interest warrants it. Because of the unparalleled limits your government has placed on freedom of expression and information, in violation of its obligations under article 19 of the ICCPR, it is reasonable to assert that independent footage for the documentary could not be obtained by any other means.

Turkmen authorities have presented no evidence that Amanklychev has violated the law through use of the camera. Instead, the national security minister has accused him of "planning disruptive activities," citing arms and ammunition allegedly found in his car, which witnesses have said were planted.

The authorities falsely alleged that Amanklychev received "secret video equipment" from a diplomat attached to the French Embassy. In fact, the Embassy only passed on standard audiovisual equipment and the allegations of espionage have been vigorously denied by the French Foreign Ministry, the OSCE, and Galaxie Presse.

Finally, your government's long history of harassing civil society representatives requires that the charges against independent journalists and human rights defenders Amanklychev, Muradova, and Khajiyev be treated with the highest degree of skepticism. Your government routinely silences those who speak out about the widespread human rights violations in your country. It does so through the use of beatings, arbitrary detention and arrest, incarceration in psychiatric facilities without medical justification, house arrest, surveillance, threats, and torture.

Statements in your own media indicate that Khajiyev, Muradova and Amanklychev are being detained not for violations of the law but in retribution for their peaceful and legal human rights work. The Turkmenistan State News Service claimed that after attending

human rights training courses in Poland and Ukraine, Amanklychev “was used by foreign security agencies for subversion.” Attending human rights courses is something your government should be encouraging and not misrepresenting as evidence of subversion.

The THF and the course’s sponsors—the Donetsk chapter of Memorial and the Polish Helsinki Foundation for Human Rights—all confirm that the purpose of their participation was purely related to human rights training. The THF confirms that the money it gave to Amanklychev was not payment for “subversive activities”—as alleged by the national security minister—but per diem payments and reimbursement for his travel expenses.

Further, the newspaper *Neutral Turkmenistan* accused Khajiyev, Muradova and Amanklychev of passing “slanderous information” to the THF, “with the aim of sowing discontent among the population.” The national security minister accused Muradova and Khajiyev of cooperating with Amanklychev in unspecified “illegal activities.” This is an apparent reference to their assistance to the BBC in gathering information about the health care crisis in Turkmenistan. The radio report that resulted from that collaboration exposed the state’s role in devastating the country’s already fragile health care infrastructure and exacerbating the spread of infectious disease.

We urge you to ensure the unconditional release of Amanklychev, Muradova, and Khajiyev, and, pending their release, to allow them immediate access to the attorney of their choice, to their families, to medical care and food in conformity with international minimum standards of treatment of detainees, and to international monitors and physical integrity.

We thank you for your attention to the urgent concerns in this letter.

Sincerely,

Amnesty International
Bulgarian Helsinki Committee
Donetsk Memorial
Human Rights Watch
International Helsinki Federation
Reporters without Borders
Turkmenistan Helsinki Foundation
Turkmenistan Initiative