

DISAPPEARED IN TURKMENISTAN'S PRISONS: ARE THEY STILL ALIVE?



FEBRUARY 20, 2014

**Briefing of the
Commission on Security and Cooperation in Europe**

Washington: 2015

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ABOUT THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE

The Helsinki process, formally titled the Conference on Security and Cooperation in Europe, traces its origin to the signing of the Helsinki Final Act in Finland on August 1, 1975, by the leaders of 33 European countries, the United States and Canada. As of January 1, 1995, the Helsinki process was renamed the Organization for Security and Cooperation in Europe (OSCE). The membership of the OSCE has expanded to 56 participating States, reflecting the breakup of the Soviet Union, Czechoslovakia, and Yugoslavia.

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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February 20, 2014

**Commission on Security and Cooperation in Europe
Washington, DC**

The briefing was held from 3:02 to 4:46 p.m. EST in 122 Cannon House Office Building, Washington D.C., Janice Helwig, Policy Advisor, CSCE, presiding.

Ms. HELWIG. OK, everyone, welcome. I think we'll go ahead and get started. I'd like to welcome you all today on behalf of the Helsinki Commission for this briefing on "Disappeared in Turkmenistan's Prisons: Are They still Alive?" I think most of you know that 10 years ago, 10 OSCE countries invoked the Moscow Mechanism against Turkmenistan out of concern over hundreds of arrests in the wake of an alleged failed coup attempt. These cases were detailed in the resulting report by Moscow Mechanism rapporteur Emmanuel Decaux, who, by the way is now head of the U.N. Committee on Enforced Disappearances. Many of these individuals remain unaccounted for, and other individuals imprisoned since then have also been disappeared. The Helsinki Commission has continued, over the years, to raise these cases and to ask for information from the government of Turkmenistan on the health and whereabouts of these individuals. Since the Moscow Mechanism was invoked, the United States has also raised this issue every year at the OSCE Human Dimension Implementation meeting in Warsaw in a special statement. I'd just like to also say, on a personal note, that I would very much like to know what has happened to former Foreign Minister Batyr Berdyev, who I knew very well when he was the Turkmen ambassador to the OSCE in Vienna. I remember him not only as a friend, but as a Turkmen official who was devoted to and concerned about his country. I did invite today the embassy of Turkmenistan. I don't think there's anybody here. Perhaps they will come later. So what I will start out with is introducing all of our panelists now, and then after they all speak, we're going to open the floor for comments and questions from you all, so you can be thinking about anything you might like to ask or say while they're speaking.

So first, we're going to hear from Rachel Denber, who is Deputy Director for Europe and Central Asia at Human Rights Watch, where she specializes in the countries of the former Soviet Union. Previously, she directed Human Rights Watch's Moscow office and did field research and advocacy in Russia, Georgia, Armenia, Azerbaijan, Kazakhstan, Uzbekistan, Estonia, Ukraine, Kyrgyzstan and Tajikistan. That's a lot. She has authored reports on a wide range of human rights issues throughout the region. She earned a bach-

elor's degree from Rutgers University in international relations and a master's degree in political science from Columbia University, where she studied at the Harriman Institute.

Then we'll hear from Catherine Fitzpatrick, who is a veteran of the international human rights movement and has been active on human rights in Eurasia for 35 years. She is a New York-based consultant for a number of nonprofit human rights organizations, and has served as a public member on the U.S. delegation to several OSCE human dimension meetings. She has been a regular contributor of news articles and translations to a number of websites, including Radio Free Europe, Radio Liberty and EurasiaNet, and is currently a translator and writer for The Interpreter, which covers Russian and related regional media. She has followed Turkmenistan since 2005, edited a weekly newspaper on Turkmenistan from 2006 through 2012, and currently contributes regularly to Natural Gas Europe on developments in Turkmenistan's oil and gas sector. We'll hear from Peter Zalmayev, who is director of the Eurasia Democracy Initiative, an international nonprofit organization dedicated to the promotion of democracy and rule of law in post-communist transitional societies of Eastern Europe and Central Europe, the Caucasus and Central Asia. He received his masters in international affairs from Columbia University's school of international and public affairs with a concentration in post-Soviet Eurasian studies. From 2000 to 2006, he managed the Central Asia Caucasus program at the International League for Human Rights, and he now provides regular commentary to the U.S. international print and broadcast media on political, social and economic developments in the countries of the former Soviet Union. You may have also heard Peter's name because he is the one who directly asked president Berdimuhammedov at Columbia University in 2008 about the whereabouts of these individuals and whether they were still alive. Kate Watters is cofounder and executive director of Crude Accountability, an environmental and human rights nonprofit organization that works with natural resource-impacted communities in the Caspian and Black Sea regions. She works closely with activists in affected communities to develop strategies and campaigns for environmental and human rights protections on the local, national and international levels. She has conducted a wide variety of trainings and workshops, including on human rights awareness, popular epidemiology, and community air monitoring. She has also trained local activists to understand compliance and accountability mechanisms at the World Bank and other international financial institutions. She is the author of numerous reports and articles on civil society in Central Asia and the Caspian region and has been interviewed for print media, radio and television with regard to environment, oil and gas and human rights in the Caspian and Black Sea regions.

Then finally, we'll hear from Mr. Boris Shikhmuradov who is the editor of Gundogar News Service, which provides independent news about Turkmenistan. Boris is also the son of Boris Shikhmuradov the former foreign minister turned opposition figure who was imprisoned in 2002 following an alleged coup attempt to overthrow the government of Turkmenistan. Boris Shikhmuradov Senior has been disappeared in Turkmenistan's prison system since December 2002, and his family has not heard any word about his fate since then. Boris and his family have been working to find information about his father for the past 12 years, including appealing to international organizations, such as the United Nations and the OSCE. Boris is in Washington, D.C. today just to participate on this panel, and we truly appreciate his taking the time to come and speak with us. So with that, Rachel, I will turn it over to you.

Ms. DENBER. Hi. Thank you so much. Janice, thank you for inviting me to join this really important panel. I thought that we would start by painting kind of a broad picture of Turkmenistan, and to help understand why it is that there can be a government that allows a situation to happen whereby people just disappear in its prison system and where the government denies—refuses to provide any information about their health or their whereabouts to the loved ones.

How could it be that a government would refuse to even acknowledge whether persons in their custody are even dead or alive? I mean, that is—that should be—that is an extremely—it's an atrocity. It should boggle our minds how something like that can happen. What kind of government would allow that to happen? So I'd like to just talk a little bit about what kind of government the Turkmen government is and to provide a context and help you understand how these circumstances could actually be. So I think many people have no trouble identifying what kind of government North Korea is. When you hear the country name "North Korea," you automatically identify it as—this is one of the most closed, totalitarian governments in the world. It's one of the most closed countries in the world, one of the most repressive countries in the world. Am I right? When I say North Korea, you—everybody automatically knows what you're talking about. But when you say Turkmenistan, most people—even many policymakers who should know better just sort of scratch their heads and say, where? Isn't that the place with the crazy dictator who had the statue that went this way and that way, the revolving—most associations people had with Turkmenistan, unfortunately, date from the Niyazov period where during the presidency of Saparmurat Niyazov, who had a grotesque personality cult. The country was mostly associated with the excesses of his personality cult, with the gold statues he built to himself, the renaming of the months after his family members, after the renaming of days after his family members. Probably one of the most grotesque personality cults in the modern era.

After Niyazov died in 2006 and was replaced by Gurbanguly Berdimuhammedov, there was a very brief period when people thought maybe there could be some winds of change, but those hopes were very, very quickly dashed, and I think Turkmenistan sort of fell into a—kind of a blank space. On the one hand, you have the government under Berdimuhammedov seeking more external contact, so you saw Berdimuhammedov go on trips abroad, which Niyazov almost never did.

There was a rotating—a revolving door of diplomats and businessmen going into—going into Turkmenistan. It's a level of contact that I think was not the case during the Niyazov period. It seems, to the external world, and I think, especially to policymakers who were very eager to reap the benefits of Turkmenistan's hydrocarbon wealth, it seemed like that this was a time of opening and a time of potential engagement. But really, very little has changed since Niyazov's death. If anything, the only thing that's changed, maybe, are the statues and the portraits. Berdimuhammedov has been busy building his own cult of personality. Turkmenistan remains one of the—one of the most closed and repressive governments in the world. There is increased contact between Turkmenistan and the international community, but none of that has to do with human rights. There is no change in Turkmenistan's stature as a country where there is absolutely no independent scrutiny of its human rights situation—none. Ten special—United Nations human rights monitors. Ten of them have requested permission to visit the country. All 10 are waiting for their invitations from the Turkmen government. Human Rights Watch

has not been to Turkmenistan since 1999 because the government won't give us visas even when we have left our passports at the embassy for lengthy periods of time.

It's closed to external scrutiny; Turkmenistan is also very much closed to internal scrutiny. This is a government that does not tolerate even the most mild criticism. Not from within its own ranks, certainly not from outside its ranks. There is no freedom of expression. There is no free media. The idea of an independent nongovernmental organization is basically unheard of.

There are a couple of activists who are—who operate very, very much under the radar who are able to get information about human rights violations. They do that, really, at their own peril. The rare journalists or reporters who are stringers for foreign news outlets put their lives and their safety in jeopardy when they do that. About every year we hear about a correspondent or a reporter for Radio Free Europe, Radio Liberty, getting arrested, getting detained, getting harassed. Unregistered nongovernmental organization activity is criminalized in Turkmenistan. In order to get a foreign grant an NGO basically has to go through five layers of approvals by the Turkmen government. Obviously any kind of real alternative political parties are out of the question.

There was a great deal of—a great deal of hullabaloo made when the—when a supposedly alternative political party was created at the end of last year, but this party is led by a crony of Berdimuhammedov, so I don't think that we should read too much into that.

But I think that—I think that too often international actors, particularly international financial institutions and the like, who are trying very hard to see some positive movement in Turkmenistan for their own interests, tend to look at these changes like the introduction of a new political party or a second political party and a new law on the media that was adopted recently as some kind of harbinger of change. But in fact, it's window dressing. It is not real change.

Turkmenistan is one of the few countries that still retain—that still prevent foreign travel abroad absolutely arbitrarily. For several years now the Turkmen migration authorities have prevented people from leaving the country for study abroad, they have prevented relatives, and family circles of inconvenient persons whether they are exiled political opposition people or other people who are just inconvenient to the government.

They prevent these people from leaving the country. There are every year there seem to be students who have difficulty leaving the country to complete their travel abroad in various different countries. It's not at all unheard of to be actually pulled off the airplane by migration officials as you're trying to leave the country. So if you're anybody who has any kind of connection to suspicious people or if you're going to suspicious countries, your ability to travel abroad is in question.

I want to say a couple more words about Berdimuhammedov's cult of personality and the degree to which the country is ruled by—absolutely ruled by him and his cronies. Whenever Berdimuhammedov travels to the regions and when—and makes public appearances, the government mobilizes, local authorities mobilize local citizens to come, to attend rallies, to praise the government. These can be kind of traumatic experiences. People have to come and praise him in unison. Once you're in the venue, you're not allowed to leave until the president leaves.

I think one indicator of the degree to which he's trying to cultivate this image for himself and the lack of any kind of media freedom, I think many of you probably heard

about an incident last year with Berdimuhammedov. You all know how important horses are and horse racing is in Turkmen culture. Berdimuhammedov was participating in a hippodrome race.

Of course, his horse was supposed to win. But as one person joked, his horse was afraid of coming over the finish line before he actually did and he fell off the horse. This was caught on video, there were many journalists there. Because this was the president at the—at the hippodrome. As soon as he fell off the horse, people were stunned.

Secret service people came out from all around to take away everyone's video cameras because this was not supposed to appear on the news at all. And it was—it was—otherwise. This is Berdimuhammedov, his appearance would have been all over the Turkmen news. One person was able to smuggle out a film. It was quite shocking.

This is an environment where—and I won't talk about this because I know Cathy Fitzpatrick will, where the government makes use of the criminal justice system to deal with inconvenient people, to deal with political rivals. The criminal justice system is used in political ways all the time.

Unfortunately, because human rights organizations can't operate in an open environment it is extremely difficult to get information about the circumstances under which people are detained, the circumstances under which they're charged and the circumstances under which they are sent for long years to prison.

The last point I wanted to make is that this is also an environment where there is no freedom of religion, or freedom of religion is extremely—is highly curtailed. There are—particularly—not only, but particularly for Protestant and Baptist religious confessions where there are numerous instances where they are harassed by their local governments, where they are not only prevented from gathering and worshiping, but where they are actively persecuted and threatened. So this is just the big picture of a country where people can disappear into the prison system.

Ms. HELWIG. Thank you, Rachel. So we'll turn it over to Cathy next.

Ms. FITZPATRICK. Thank you, Janice. I'm Cathy Fitzpatrick. I'm going to talk about the climate of fear that's created in the government by the constant harassment and bullying of officials and then their disappearance—jailing, disappearance and sometimes re-emergence, which keeps everyone off-balance. I sometimes think Turkmenistan is kind of like a hologram, that if you break off any piece of it, it will just keep replicating because the patterns and the structures of that kind of society are so hard to change.

Commonly, we think that the problem is that there's this cult of personality, that if we just take out the persona—and he's not really so personable—Berdimuhammedov, that we'll change the whole system. That was the theory about Niyazov, but it replicates because it really isn't so much the cult of personality as it is the fact that all decisions are wired to come to that figure and that office. I mean, everything from whether a gas field is sold or leased to a foreign country or company to the pattern on a schoolgirl's uniform, the shape of a box hedge, all of those decisions are coming by serial processing to the president.

It makes it very hard to change the society because there's no group that can show initiative. It reminds me of the Soviet period when, around 1991 I visited. A KGB officer told us that people were so afraid of starting perestroika that the KGB itself had to start it and pose as businessmen. That, of course, had a terrible effect. If you look for sectors

in the society that could bring about change, it's hard to know where to find them because they've been kept so terrorized.

Probably the most insecure job in the country is the national security chief. That person has been changed numerous times. The second-most changed officials are in the oil and gas sector. Just last month the president issued strict reprimands, as they call them in Turkmen—strict reprimands to Yaylym Berdiev, the minister of national security, and Dovrangeldy Bayramov, the chairman of the state migration service. He called them on the carpet for lax oversight—it's always the same formula—shortcomings in their work. About what? Could it have been related to the issue of Afghanistan and the spillover, the issue—when you tie together this—national security and federal migration? Could it be related to Iran? We don't know, and we may never know because they will never tell us; they just have these vague televised reprimands and newspaper accounts, and then the person disappears.

It's often been noted that the foreign minister, Rashid Meredov, is the last man standing from the previous dictator's Cabinet. Then the question is, why would he still be there? I mean, his fate contrasts so much with Shikhmuradov's fate. It's almost as if they need to have one familiar face, especially for dealing with foreigners, because foreigners would really begin to wonder what's going on with this government if they didn't have at least one person they could orient themselves towards.

As Rachel was saying, it's not like North Korea. They're not executing people on TV. But in some ways, it has a more—a long-term worse effect by disappearing people. They're out of view, the public forgets them, but the internal life of the regime is very much terrorized because they know those people are disappeared, and they don't forget them.

The whole way that Berdimuhammedov came to power was by—the constitutional system was set up that the speaker, so-called speaker of parliament—which is just a rubber-stamp parliament—he was supposed to be the interim leader after the death of Niyazov. It's not much of a democratic structure, but even that pretext of democracy had to be trampled by this coup, essentially. So what Berdimuhammedov did was he saw that this man had a family tragedy where his son's wife had committed suicide. They brought charges against this man blaming him for the suicide. They also claimed he had abused his office.

As often happens, as Rachel has mentioned, they have the family plan. One person is in jail; they bring the whole family, put them in jail too, mainly so that they won't become like the mothers of the Plaza de Mayo or some kind of, you know, relatives group that's going to start to agitate and bring attention to their—to the fate of their loved ones and put them in jail too.

What's curious is that the speaker of parliament was sentenced to five years, and then all of sudden, in March 2012, at the—at the U.N. in New York when there was a session of the U.N. Human Rights Committee, the deputy foreign minister announced that Atayev and his wife were released and that they had been released for a while. But no one had seen them, and we still can't really confirm what happened to them. We were told that this was a kind of gift to the U.N., that this case had been raised many times—and it actually shows why it's important to raise cases because they do eventually act on them, but it's not much a gift if the man isn't free.

There are concentric circles around that case because Berdimuhammedov also had to dismiss the prosecutor, the prosecutor that he had conspired to set up a tie on the

fake charges. That man knew too much; he had to go. Then it's often in the Stalinist mode that first it starts up with those who knew too much, and then the circles of those who knew about those who disappeared and those who had reports, and then it goes so far that pretty soon, you have the entire system, half of them are in jail.

I want to mention another figure from the Niyazov regime who was disappeared in the first few days after he came to power, and that's Lieutenant General who was the chief of the presidential security service and his son and another associated businessman. Usually the way it's described, that he was some kind of kingmaker, or he was part of the sort of palace coup that brought this dentist to power. But it could have just been a business dealing. We don't know. I mean, often there is very mundane reasons for the way these governments work; they just have some kind of, caper in Qatar or Turkey or something, and somebody has an offshore business and, that's a part of where they send offshore the funds, and the people are arrested because they know too much. That man is rumored dead, and no one knows what has happened to him. Another case of concern is Gulgedy Annaniyazov. He was arrested and then eventually released, went to Norway, got asylum and then had the bad judgment to return to Turkmenistan and be arrested. Lot of people have been trying to get him out since, notably Norway itself. The U.N. working group on arbitrary detention has issued an opinion that, you know, his case is a violation of human rights, and let's hope that that will eventually help to get more information about him. No information's been received since 2009 when he asked for a pair of glasses. We don't know what happened.

Last year the European parliamentary member Leonidas Donskis together with 23 colleagues signed a letter to the Turkmen ambassador, and he included Annaniyazov's case and also two—the case of two popular YouTube singers who were—who were arrested because their songs seemed a little too much rabble-rousing. They had the word “awake” in them—awake, awake, Turkmenistan. That was thought, you know, to be, sort of Orange Revolution material. Those two were arrested. That appeal did lead to their release. It shows why those kinds of appeals are worth doing.

I just want to mention one other—two other cases, if I have a minute. One is the main interlocutor for all these billion-dollar oil and gas deals. I mean, this is a tremendous amount of business of all of these companies of China and Germany that actually have deals with Turkmenistan, and U.S. is always trying to get a deal there. Chevron is always in talks, but—in the promise that they're going to get a lease, an oil field that they can drill, but they never do. Most of the oil and gas businesses is really now in the hands of China and to some extent Malaysia and a little bit of Germany.

But all those billions of dollars are all—were all in the hands of one fellow named Tadgberdy Tagiyev. He was very well-known. He was in every meeting. He was in the—in the Czechs' energy summit in 2009. Then he was last seen going to China, similar to Shikhmuradov's case, where he went to China, tried to ask for more money from the Chinese, and then he was apparently arrested and disappeared. That was 2009. Disappeared.

No one knew where he went. They didn't know if he was arrested for corruption. There were rumors that he was—his arrest was about the Chinese, that he would fail to get more money out of the Chinese and had to be punished. Another version of the story was that he knew the truth about the real size of the oil—the gas reserves in Turkmenistan and knew that the Western assessments of these were in fact based on

both Soviet and Turkmen engineering studies that were inflated. That was a bit of a convoluted story.

I think probably the Chinese story is more likely because Berdimuhammedov solved the problem of the Chinese by taking his son-in-law. I mean, the family clan also works in the government, where they become so distrusting of officials, even in their own clan, even that they've spent their whole careers with, that they bring in their own family members and then tie them through blood ties into deals. That son-in-law was able to finish to complete the Chinese gas deal. However, he then fell from favor because he got caught in some kind of real estate scam in London.

I mean, these kinds of stories, there is literally hundreds of them, and we can't even track them all, and these reprimands happen practically every week. Someone then disappears from view, and we don't know what happened to them.

One final case that just came off the newswires recently was the man who was in charge of the horse breeding. Akhal-Tekeis is like the symbol of Turkmen nationhood, and it's also a rare recent breed that was prized. Rachel told us how the president was riding on the white horse that was from this breed.

This man who used to be the director of this horse breeding program, Gelgik Girazov, he was arrested on grounds that no one could ever make sense of, and they seemed to be trumped up. He was tortured. He was sentenced. He then was released. There was a lot of intervention on his behalf from foreign diplomats who knew him and knew the farm. One sad aspect of it sometimes it takes animals dying to get people to care. People dying doesn't always work, I find, in this business, but the horses on the farm all died after he was arrested, and that caused people to be very concerned about this case, and he got a lot of attention. He was released, but now he's in very poor health. Broke his back when he was tortured. He's not allowed to leave for medical care abroad.

There you have it. I think it's important to have businessmen raise these cases, even quietly, because, not just for human rights grounds, they should care for practical reasons that the people they're doing business with disappear and take the deal with them.

One final comment is the WikiLeaks cases. It's going to be a very short comment because I'm not even going to list their names, although there are several cases that I'm working on, serious reprisals of people mentioned in WikiLeaks, that either their names were redacted or their profiles were such that you could detect who they were. These people have been harmed. It's often said that there's no harm from WikiLeaks, by the supporters, but that's because the people who have been mentioned in WikiLeaks don't want to get up and paint a target on their back and say, hi, I've been mentioned in WikiLeaks so hit me again, OK?

If you're in Turkmenistan and you are mentioned in those cables, you hope maybe no one will notice or you don't want to draw attention to yourself. You can't publicize these cases but they are working their way through. Eventually I think we will see there's a lot more damage than has been reported, because you have to look at not just human rights activists but a whole variety of people who brought information from the U.S. Embassy of various kinds, some of them about human rights, some of it about oil and gas, all kinds of issues, and what's happened with them as a result of this publication. Thanks.

Ms. HELWIG. Thank you, Cathy.

Peter.

Mr. ZALMAYEV. I'm going to talk a little bit about the current potential leverage of individual governments with respect to Turkmenistan.

More than 10 years ago now the Turkmen courts handed down lengthy prison sentences to a group of alleged participants in an alleged assassination attempt on President Nizayov's life. The short trials lasted a few hours at most. To this date the very minimal demands of the international community, which Rachel characterized as an atrocity, have not been met, and that is to tell anything to the relatives and loved ones and their former colleagues about the well-being of these prisoners and to allow the Red Cross to visit that group of prisoners at all. The Turkmen officials have never offered voluntary comments as to the status of its prisoners other than a very surprise question that was put to the president in 2008 at Columbia University.

The case of Turkmenistan's intransigence on issue presents a curious confluence of various factors, among them the international institutions' lack of enforcement mechanisms, the foreign governments' lack of political will to intervene, the relative obscurity of Turkmenistan's geopolitical position, and finally the apparent interest in maintaining the status quo by foreign companies that are present in Turkmenistan.

There has been much carrot and very little stick in the international approach to Turkmenistan, with the exception of a few isolated cases, including the release from prison of several activists. The Turkmen government has not budged on any of these. The picture is pretty dire. Institutions have been reduced to paying mere lip service to the need to abide by international human rights obligations, and there's very little appetite for the few tricks left in the bag to be deployed, and the main one being political pressure, direct legal pressure from governments.

As a consensus-based organization, the OSCE was instrumental 10 years ago in 2003 when it invoked its investigative Moscow Mechanism, which resulted in a comprehensive report prepared by a special appointed rapporteur who was actually barred from visiting the country. Since then the organization has been futilely pointing to the document in trying to reason with its recalcitrant member, often being found in a very humiliating position of lecturing to an empty chair, which Turkmenistan has, for many years now, neglected in an apparent show of contempt to send its representative to the OSCE's annual Human Dimension meetings in Warsaw.

In a situation where the organization's very charter cannot be enforced even though such a symbolic gesture as, let's say, its temporary suspension—which is what the Council of Europe, for example, did with Belarus in '97, in Russia in 2000—what mechanisms of encouraging good behavior is left? In a situation when the organization's budget for its office in Ashgabat is pretty much unspent and the—its very mission is under de facto quarantine by the government, what can one talk about with respect to engagement and a dialogue? I'm afraid we can't, and with each passing day the OSCE is sinking further into the pool of irrelevance where it's been getting mired for quite some time now.

This pessimistic impression of mine was vividly reconfirmed when I visited last week the site of the Moscow Mechanism which took place in Vienna on the sidelines of the winter session of the OSCE Parliamentary Assembly. Though I have to say kudos to members of the coalition—proved that they are a live campaign—who organized the event, it seemed to be business as usual when you looked around the room at the sleepy lunchroom—lunchtime faces of the OSCE bureaucrats as usual not willing to rock any boats and as usual happy to feed on the steady diet of cooperation and dialogue language.

The U.N., with its myriad institutions, finds itself in a similarly unenviable position of having its frequent attempts at intervention wholly ignored, whether the conclusions of its Universal Periodic Review Working Group in Geneva, which works under the auspices of the Human Rights Council, or the special rapporteurs that Rachel has mentioned, who have been, each one of them, denied access to the country.

Turkmenistan's proclaimed policy of neutrality has allowed its government to play off the various sides to manage Russia and China on one end, the EU states and the United States on the other, which in effect it has hamstrung the latter in their attempts, however feeble, to bring about positive change in Turkmenistan. The EU's position has been that only dialogue and not ostracism can bring about good behavior and has engaged the Turkmen government under the interim trade agreement, consistently stopping short of signing the full-fledged Cooperation and Partnership Agreement, in large measure due to the vocal protests of human rights groups over the years.

It certainly doesn't help the cause of democracy in Turkmenistan that the EU considers and continues to consider Turkmenistan as a vital alternative of energy supply by-passing Russia. So while lip service is paid to the need to develop democracy in Turkmenistan and to do something about its political prisoners, reflected most recently—and I'm using air quotes here—in its 2003 resolution of the European Parliament on the human rights situation in Turkmenistan and Central Asia.

The official position, one that you find on the EU's website, states that: "Recent years have shown a significant strengthening of the EU-Turkmenistan relations. The European Commission, via the overall policy dialogue of the development cooperation instrument, has reinforced its bilateral cooperation with Turkmenistan and is supporting the economic, social and institutional sector reforms announced by the Turkmen leadership."

Finally, in 2008 the new EU Special Representative for Central Asia Patricia Flor stated that she did not support setting in concrete benchmarks for progress on human rights in Central Asia as a foundation for the EU's relationships with states like Turkmenistan. So whereas the EU's influence in Turkmenistan is limited, Washington's is probably even smaller and dwindling. Although it presents all the right rhetoric that can be found in its annual human rights reports and in the interventions of the institution that it hosts, such as the Helsinki Commission, the U.S. has little strategic interest in Turkmenistan, and unfortunately little leverage to bring about any meaningful changes.

What can the EU and the U.S. do? What can they do? What they can do is actually—is something that they will be most reluctant to do, and that is to raise the issues including that of the political prisoners, the group we are talking about today, directly in their bilateral engagements with the Turkmen government officials all the way up to the president; to exert pressure through companies which do business in Turkmenistan, including those taking part in the feeding frenzy of the country's vast and still underdeveloped gas industry; all of that while keeping in mind that introducing any sort of human rights benchmarks into dealings of these companies will probably further antagonize the Turkmen government and push it closer and make them embrace even more tightly their Russian and Chinese competitors, which are already predominant on the ground.

Likewise, it is important to bring closer scrutiny to the dealings of banks such as Deutsche Bank and companies such as Daimler and Caterpillar and John Deere and others, to dissuade them from contributing to the stability of the regime and to its ideology. The precedent was set a few years ago when the Deutsche Bank account of the Turkmen

government was investigated. It is reported to be under the sole and direct control of the president, and it is estimated to be around \$20 billion. Also, several companies have been publicly exposed in shameful underwriting and translation into their language and publication of the former President Niyazov's spiritual guide *Ruhnama*. Daimler did that a few years ago and had to pay a pretty hefty price when it was the subject of a suit brought against it by the U.S. Justice Department.

But limited sanctions must also be on the table in the form of a visa ban on high-level officials. With its trade embargo against Cuba still in place in the Magnitsky law, would it be that much of a stretch to consider some sort of a symbolic gesture against, and at the very least, equally bad human rights violator like Turkmenistan?

Will these measures work? It's far from certain and I'm skeptical, to be frank, that they will. But it is certain that the current approach has failed and it is time to be—to stop paying lip service to—and hiding behind diplomatic language. Maybe it's time to acknowledge reality and to try something new.

Ms. HELWIG. Thank you.

Kate.

Ms. WATTERS. I'm Kate Watters, executive director of Crude Accountability. I'm going to take us from the sort of broader description of what Turkmenistan is, and appalling human rights situation there, to a very concrete campaign that my organization and Human Rights Watch is also involved with. 54 other organizations that are part of a group called the Turkmenistan Civic Solidarity Group have begun in the last six months. They're just called *Prove They Are Alive*. This is an effort—this is a campaign to try to do exactly what the title says, prove they are alive, to identify and to understand what the fates are of the dozens, maybe hundreds of people who have disappeared inside Turkmenistan's prison system since the 2000s.

My colleagues have already described the situation so I won't go into a lot of the details, but all of the people who are—who we are researching and trying to identify in our campaign are people who have been missing for at least 10 years, they're people who had unfair trials if they had a trial at all. They were arrested and put into the prison system and have simply disappeared. Their families have not seen them. They have not been able to send them letters or packages. They have no information about their health.

The people in the prison systems have had no access to medical care. They've had no access to legal representation. Although in some of the agreements that family members have from the Turkmen government, there are even stipulations about how many times a year they're supposed to be able to see their family members, in fact they have never seen them.

For some of the family members, they had heard information that a year ago, maybe a year-and-a-half ago, that their family members who were nearing the ends of their terms, those who were serving shorter terms—10 years, 12 years—they were coming to the end of their term and the families were told that they would be getting good news soon. They all assumed that their family members would be released. A few months later most of those people—many of those people were informed that, in fact, their family member had had a fight with a guard, had done something in the prison system which had caused them to be resentenced. In one instance we know a family member was supposed to come out and then was resentenced to seven years more.

In other instances, at the time when the family member should have heard information about their people, they simply heard nothing. There was this sort of rush of hope that maybe after this decade we're going to see our person, we're going to find information out about them, and then again nothing. This is tantamount to torture, never mind what's happening to the people inside the prison systems. For their family members, for their loved ones, for their colleagues even, this amounts to torture.

Our campaign is not asking the Turkmen government to say that these people are political prisoners. We're not asking for fair trials. We're not asking them to release these people from prison even, although, frankly, all of those three demands would be perfectly reasonable in most of these circumstances. What we're asking for is simply information. It's a pretty low bar. It's a pretty low standard. We're asking the international community to support us—civil social organizations, governments, international organizations, businesses, people—human beings to stand up and say: Prove they are alive.

We want to cooperate on the international level with various types of international institutions, as I mentioned, but we're also hoping to get into some kind of dialogue, as naïve as it sounds, with the Turkmen government. We've written to the foreign minister a letter—you may have seen the materials outside. We've written to Minister Meredow. We've been waiting for almost four months now for a response. Because we haven't received a response, we have made that letter public. So you can feel free to take that letter, read it, send it—show it to people, because we believe that what has worsened this problem over time is the fact that it's not being spoken about publicly.

There's a lot of effort on the diplomatic level, and we acknowledge that effort and we are grateful for that effort. We appreciate that effort and we believe that it is what's kept this issue on the table all of these years, but it's time to speak publicly. It's time to speak out in the world about what's happening in Turkmenistan. Why is it that we know about Korea? Why is it North Korea? Why is it that we know about Myanmar but we don't know about Turkmenistan?

The disappearances that are happening in Turkmenistan and continue to happen in Turkmenistan are very similar to the kinds of disappearances that happened in Argentina in the 70s. People know about that. We want people to know about what's happening in Turkmenistan. We've invited the Turkmen government into dialogue and we're hoping that they will agree at some point to speak with us or with other intermediaries.

At about the same time that all of these arrests happened in 2002, 2003, the government also cracked down on civil society. Rachel talked about that. Cathy talked about that a little bit. But in 2003, the Turkmen government created a new NGO law, and that NGO law essentially required that every organization that had been operating reregister with the government so that they could continue to, you know, do whatever their humanitarian work was, their environmental work, their women's issues work, whatever it was, beekeepers—there were beekeepers.

Everyone was forced to reregister. Not surprisingly, virtually every organization, when they went back with their new documents, was denied registration, which automatically made their work illegal. Initially it was a criminal offense to continue to work as a civil society organization after that law was changed. The criminal piece was taken away but the damage was done.

Civil society, which had been small but fledgling and growing in Turkmenistan was smashed down at just about the same time that all of this repression was happening in

the political sphere. It had, as my colleagues have mentioned, the effect of really terrorizing the society, and that terror continues. That unknowing, that disappearing that you never know if it's going to be you or the guy sitting next to you, makes it very, very hard to speak out.

The other piece, which Cathy also talked about, is this collective punishment. In 2002, when people were rounded up, they weren't just the people who were allegedly involved in this coup attempt, allegedly tried to assassinate the president. They were their family members, their friends, people they went to school with, people who lived near them, people who just happened to be there. They were swept up, taken away, and many of those people disappeared as well.

So the pressure to speak out is enormous, and even for people who are outside of the country, if they have family members who are inside, they risk their family members, they risk their friends, they risk their schoolmates, they risk their former neighbors' health and safety. And sadly, President Berdimuhamedov has continued this tradition of authoritarian rule, of massive human rights violations and suppression of dissent, which Niyazov started all those years ago.

So we believe that it's time to stop. It's time to stop this. It's time for the Turkmen government to join the international community of nations abiding by international human rights standards. It's time to stop the suffering of the families of the disappeared and it's time for the government of Turkmenistan to speak the truth about their fates.

We've talked to the OSCE about this issue, both at the human dimensions meeting held in Warsaw in October of last year and at the Parliamentary Assembly, as my colleague mentioned, last week, which was held in Vienna. We've brought the case of specific families to the United Nations Working Group on Enforced and Involuntary Disappearances, and we're speaking here today with you, asking for international support for our campaign. As I mentioned, we've also written to the Minister of Foreign Affairs Rasit Meredov, and we have yet to hear from him.

We've also been conducting a lot of research, and you see on the wall the faces of some of the disappeared. This is not a complete list, and as you can see, we don't yet have even photographs of many of the disappeared, even some of the very well-known people. We don't have a photograph of Batyr Berdyev, for example. It's very hard to find this information. In some cases there is a fair amount of information to be had; for example, the case of Boris Shikhmuradov and even information about Batyr Berdyev and some of the others who were connected with the alleged coup attack in 2002. Those cases are better documented than some of the others.

But even in these instances, we have conflicting accounts, difficulty verifying information, and politically motivated information, which makes it challenging to put together a reliable narrative. So using these published materials in Russian and English that we've been able to find, as well as accounts from those who are willing to speak with us, we've been able to put together some of the stories. The biographies that we have are outside on the table, for anybody who's interested in reading them. Our goal is to document the names and the biographies of the disappeared as fully as we can and to publish that information.

We're also working with various international governments to convince the Turkmen officials that speaking out about the disappeared is actually in their interest. We also

hope that the international community will recognize its own responsibility and continue to push the government of Turkmenistan to honor its international obligations.

As you've heard, Emmanuel Decaux, a professor who is the special rapporteur, issued a report in keeping with the Moscow mechanism, which is one of the mechanisms of the OSCE which allows for research into cases when there's been a violation. We believe that continuing to push for the information and the questions that were raised in Professor Decaux's report is really important. So in order to continue the efforts of Professor Decaux and all of those who have continued year in and year out to raise the questions about the disappeared and to push Turkmenistan to speak publicly, we have a few recommendations that are for the OSCE and for other international organizations and the United States government with regard to Turkmenistan.

One is that we believe the Parliamentary Assembly of the OSCE should consider establishing a working group on Turkmenistan. It could also alternatively have a personal representative of the chair of the Parliamentary Assembly that would work on the human rights situation in Turkmenistan, and that person could be appointed.

Secondly, the Parliamentary Assembly of the OSCE should adopt a resolution on Turkmenistan at its 2013 summer session or alternatively adopt a resolution on enforced disappearances and abductions in the OSCE region specifically referring to cases in Turkmenistan along with other countries, perhaps Belarus or, sadly, Ukraine comes to mind.

Members of the Parliamentary Assembly delegations to the OSCE, including the United States, should urge their governments to put questions to the government of Turkmenistan on the status of the disappeared, the state of the investigation of the cases of the enforced disappearances, and they should request visits to see political prisoners. In addition, the U.S. government should consider—should continue, excuse me, to raise the issue of the disappeared both publicly and privately in the diplomatic engagement with Turkmenistan. We know that privately the issue of the disappeared has been raised many times in internal discussions, and we know this has gone on for many years. But in addition, we believe that discussing the issue publicly is critical to obtaining a statement from the government about the status of the disappeared.

The U.S. can play this role in its bilateral relationship with Turkmenistan and through the various international organizations to which it's a party, including the United Nations, the OSCE and other humanitarian and even cultural organizations. UNESCO comes to mind, for example. Finally the role of the international financial institutions is one that can be used here, and I encourage governments to think about international financial institutions as well and to push them to include human rights standards overtly in their requirements for financing in Turkmenistan. The European Bank for Reconstruction and Development has done this by binding Article 1 to lending in Turkmenistan. This has had a very large impact on the way the institution operates in Turkmenistan. The World Bank, sadly, is lagging behind, but human rights organizations are pushing hard for overt human rights.

With countries like Turkmenistan, this is really a critical and key piece because we know Turkmenistan doesn't need money from the West. It doesn't need money. It can go to China for money and go elsewhere for money. It has its own money, for heaven's sake. What it needs is political legitimacy. Institutions like the World Bank, institutions

like the EBRD, membership in the OSCE, those kinds of things give legitimacy. And that's where the pressure needs to come.

So I'll stop with that. Thank you.

Ms. HELWIG. Thank you, Kate. Boris.

Mr. SHIKHMURADOV. I will try to be short. I'm asked about my family's situation many times. I've been asked the same question, if I thought my father had been dead or alive, because we never have heard anything about him since in January 2008. Today here for the first time I will say no. I don't think he's alive. I say not because I have lost my hope, but because unfortunately, I have gained some bitter experience. Actually we all know that there's absolutely no way to bring the leadership to justice for human rights violations if it is somehow linked with security. Because they want to continue dialogue with Turkmenistan, they get so mad when asked about human rights violations. The international community prefers not to so what can be done? What we can do?

My father is a Russian citizen, so he has a Russian passport. He has always been a Russian citizen. What did the Russian government do to provide consular and legal assistance to this citizen? Nothing. About 30 letters on Russian minister of foreign affairs saying that they unable to obtain information about my father. They ignore its obligations and they ignore all OSCE recommendations. They ignore universal human rights declarations and they ignore United Nations General Assembly resolutions that was offered several times, like, I think, two or three times a resolution was adopted with a number of recommendations, and none of them was accepted and none of them was implemented.

So we keep on asking the diplomats, we keep on asking the government officials from different countries, we keep asking diplomatic missions to international organizations, and we keep asking them for their assistance, but unfortunately, the government of Turkmenistan and the president, President Berdimuhammedov and his foreign minister, the one whom we talked about many times, they don't care. They don't care about what people say about that.

Our family is not the only one. In November 2002, more than 60 people were arrested. It was of—that so-called assassination attempt on President Niyazov's life. I don't know all of them, but universally, I know about, I would say, six or seven families who are in absolutely same situation as we are. There are many rumors about some of prisoners being dead already, being buried already, being—like, being thrown out of jails like—because sometimes they say that they don't let relatives even have a chance to see their fathers and brothers for the last time. Sometimes they just throw bodies out of the gates and just let relatives take it. So some of these families are outside, some of them live in the U.S. here. I know one family, they stayed in Boston, and I don't know why, but, I think you talked to them, but they did not come here because they have somebody left in Turkmenistan. Even being Americans already, people are afraid of talking too much.

Some of the families are in Turkmenistan. Those are in a very, very difficult situation because they don't know even about their chances, like I have a chance to sit here in front of you and talk to you, but those people who are in Turkmenistan, they don't even know about what is happening outside. They don't even know that somebody cares about political prisoners. These people, they definitely—I think that they already lost their hope. I don't know, what can be done to change the situation because all these experts who just now reported to us here, they're absolutely right. Sometimes it is very difficult to believe in what they say, but yes, it is—it is definitely right.

What they say about the recommendations to national governments, to international organizations, this is all right things to do. But will it happen or not? Nobody knows, and it depends on how—it very much depends on how the public will react. This is actually the answer to that question. What can be done? This situation should be discussed publicly.

As much information needs to be made public about the situation in Turkmenistan. It is difficult to get information from inside the country, but there are some people who risk their lives delivering important information about the current situation in the country because being outside, like sometimes we don't know exactly what is happening there, and we very much rely on those people who deliver information.

Ms. HELWIG. Thank you. Thank you, Boris.

Mr. SHIKHMURADOV. Thank you.

Ms. HELWIG. So I'd like to open it up for comments and questions from the audience. When you speak, if you would identify yourself, and please speak up, because I'm afraid I don't have another microphone to pass around.

QUESTIONER. You made me think about the idea of communication with people in Turkmenistan, because as governments do respond, the epicenter of the information comes from Turkmenistan, right? People they have no idea. So it means that they can react to what's happening. So by using international organizations, it seems that it doesn't work, or you see actually no results, and it somehow—I wouldn't say it's ineffective, but maybe we should think about another way how to maybe contact the people who are inside by using social science.

Mr. SHIKHMURADOV. You know, whatever is happening now in Ukraine could never happen in Turkmenistan because they would never allow more than two, three people to get together. So they just start killing immediately. They don't let the situation go that far. No, so if you mean social networks, social networks are not allowed, even if technically it is possible, because now, there are hundreds of technical ways to use social network websites, but people are so much afraid that nobody would take that risk.

Ms. DENBER. I tried to be very brief during my presentation, so I didn't talk about the limits that are put on Internet interaction in Turkmenistan. There are people online in Turkmenistan. I don't want to give the impression that people aren't online, that it's totally cut off from the Internet community. It's highly regulated and highly restricted in Turkmenistan. Internet connection is quite expensive in Turkmenistan. You have to assume that it's fairly heavily monitored because of the the monopoly provider. Internet cafes are also highly from what we understand, are also highly regulated. You have to provide your passport, and you have to sign in, provide your passport information, et cetera. Websites are blocked—many websites—not all websites, but many websites are regularly blocked—I mean key websites.

But there is still—from what we understand, there is still communication through Facebook now from Turkmenistan, through—I think also through Contactia and through other, like, Russian-language platforms. One of the reasons why we know that is because—is as you might remember, I mentioned briefly a couple of minutes ago that there was a Radio Free Europe/Radio Liberty reporter in Turkmenistan who was briefly arrested and then released. When we were trying to understand what it was that led to his arrest, because he didn't write—he didn't—the stuff that he reported on wasn't terribly—wasn't terribly anti-government or critical. You never really know in Turkmenistan

why someone gets arrested, but one of the—one of the potential theories was that he had written an article having to do with women wearing headdress, wearing Islamist headdress, like her scarf, tied this way and not the typical Turkmen way, or the traditional Turkmen way, I mean.

It was on Radio Free Europe/Radio Liberty's website, and it generated a huge response. Many people were commenting on it, and it seemed that they were from inside Turkmenistan. The theory was that this guy's in trouble. He's causing trouble because he's getting—he's getting people involved in a debate. I'm giving you that example just to show that people are online, but it's very difficult. So using soft power is difficult. It's also potentially very dangerous for people who would be the recipients of soft power. That doesn't mean that one shouldn't—I think that does not mean that international organizations, that foreign entities, intergovernmental organizations, it doesn't mean that they should not try to use social networks to spread information about human rights, about what's happening in the outside world. I'm saying that they are—I think we should all be aware of what the—what the dangers are for people who are actually inside Turkmenistan to using that.

Ms. FITZPATRICK. The whole issue of the social media and the Internet is something I followed quite a bit with Turkmenistan. There's actually people who check in on Four-square from Ashgabat, if you can believe it. They usually check it in the TV tower. But then they publish Instagram photos of their shopping because they're the children of the—of the officialdom. There are people that publish YouTubes of their classrooms, but they can afford the expensive Internet connection. There is people on Twitter. The ambassador of the United States started an account on Mail. Ru because that embassy in Ashgabat that we have has enormous investment and trying to do social media. He has 8,000 friends, OK? And now maybe half of them are FSB agents—but a lot of them are 18-year-old kids who want to go to school in the United States.

That's the problem with this theory of change through the Internet is that a lot of what it drives in is the desire to leave, and people do leave. They only get as far as Kyrgyzstan, but it's that much better. They don't come back. They're not a force for social change. There's a whole theory of how the middle classes in these countries, as they become more affluent and as they use the Internet, maybe they use it for their cats, but eventually they'll rebel—well, guess what. It doesn't happen that way in these countries. They become a force to prop up the government more, and—unlike some of the Arab Spring countries. Berdimammedov knows that, and that's why he hands out 2,000 free iPhones to students going to Turkey. They might go on, Facebook or whatever, but they're wired into his regime. We really have to take a second look at that whole theory of trying to—I'm all for using it and I do use it, but I think you have to look at what you are strengthening when you empower people with social media. It's not necessarily the factors of change that you'd want to see.

Mr. ZALMAYEV. That's Evgeny Morozov's line, right, that he's kind of been arguing?

Ms. FITZPATRICK. No, that's not Morozov's line. Morozov has a whole different line he's soft on the regimes, in the end, because he thinks they're so powerful that we should concede.

Ms. HELWIG. OK. Cathy.

QUESTIONER. Cathy Cosman, U.S. Commission on International Religious Freedom. I'm very glad there's been some discussion of religion. I believe you were referring to hijab, not Islamist headdresses, but hijabs which are traditional—

Ms. DENBER. Turkmen—typical—traditional Turkmen pattern, but tied under the chin. Also, there has been a U.N. special rapporteur who went to Turkmenistan, in 2008, also went to Hungary. She wrote, a upbeat report.

I would also say that the group that most of these countries in Central Asia with majority Muslim populations, their religious laws are aimed at the majority population. Of course, it affects all religious groups, but if you—if you're a politician in any country, you think of what is the group which can potentially offer political—can be mobilized for political resistance. That's obviously the majority of religion in the majority of the cases. So while here we may hear more about problems of conscience, objectively speaking, I think it's true that it's Muslims who feel the majority of the—who feel the impact of the restrictions, the multiple restrictions on religion law.

I do think it's also significant that when Berdimuhammedov was on his great charm offensive back in 2007, he did release seven political prisoners, including the former grand mufti of Turkmenistan, who had been accused of alleged involvement in the alleged assassination plot against Niyazov. We—the commission on which I serve on the staff, we met both with Berdimuhammedov and with Ivadullah, the ethnic Uzbek former grand mufti of Uzbekistan, and in fact, we participated in a celebratory dinner to mark his release from prison. Since then he's not been allowed to return to his Uzbek majority region bordering Uzbekistan. He now serves, I believe this is still true, as an informal adviser to the committee on religious affairs, where he's still an adviser to that group, which of course implements the religion law, such as it is, which is pretty restrictive.

I wanted to call attention also to one other case of someone who was returned to Turkmenistan from Sweden in the—in 2011 under the mistaken belief by the Swedish government that all was OK now in Turkmenistan under Berdimuhammedov—namely, this 32-year-old son of two correspondents from RFE/RL. His name is Keymir Berdiev. He had been living in Russia I guess for 10 years. Maybe he'd lived in other countries in Western Europe, and he ended up in Sweden hoping that he was safe there. Unfortunately, he was not. He was forcibly returned. When he received the news that he would be forcibly returned, he tried to commit suicide. Nevertheless, he was returned. Some of us tried to prevent that unsuccessfully informally. So I just wanted to add to the fact that as far as I know, no one has heard anything further from him. I don't know whether anyone is here from RFE/RL, but I would hope that they continue at least to try and find out about his situation because both of his parents were prominent correspondents from RFE/RL.

Finally, I did want to also mention that forced labor in cotton in Turkmenistan is also a problem, and I would hope that human rights groups pay some attention to that. Of course, it's gotten deserved attention in Uzbekistan and to some extent in Tajikistan, but as far as I know, Turkmenistan has been left off the list.

Ms. DENBER [continuing]. Thanks, Cathy. There are actually a lot of things that I would have liked to have talked about in this overall introduction to Turkmenistan that I made.

Forced labor in cotton was certainly one of them. We're absolutely aware that it's an issue. There's been good documentation about it, and it's publicly available now by

an—by an NGO. It's managed to give information out. Another issue that we didn't get to talk about that—but that affects many—the lives of many people in Turkmenistan is unfair compensation for house demolitions that are demolitions that are done in order to—either for, beautification or urban renewal or just the construction of parks and monuments and such. Actually, Human Rights Watch has documented—we managed a couple of years ago to actually interview people whose homes were expropriated from them and with very—with very poor levels of compensation and in some cases no compensation at all.

When you have a political system that is utterly unaccountable, it's no surprise that the lives of ordinary people who have nothing to do with politics are impacted, you know, because they can't get any interaction that they have to have with their local government, just for everyday things, whether it's your pension; whether it's, your house; whether it's demolition; whether it's, your bills, everything is subject to arbitrary—to the arbitrary actions of local officials.

If that's the way it is for people in everyday life, you can imagine what it's like for people who have in any way distinguished themselves by having the courage to be critics or having the bad luck to be a rival.

Ms. FITZPATRICK. We probably should have started with this, rather than ended with this. I mean, we could endlessly talk about the cases, but I think we really need to cut to the heart of why our country does not do anything about Turkmenistan, because it can't. I mean we're heavily reliant on the access through airspace in Turkmenistan to Afghanistan, whether it's the Northern Distribution Network, which is the passageway for all the nonlethal material to go to the troops, the NATO troops, and in Afghanistan we pay hundreds of millions of dollars to be able to land, fuel and then take freight into Afghanistan.

Some hope was held out by some officials that we've been, raising these cases with for many years that things would get better as we withdrew troops and we'd start going in the opposite direction and pass through the NDN.

I think that probably that's not going to change, at least in the near term, because I think that, you know, we will have to keep supplying—we just gave a huge tranche to Afghanistan itself. We're trying to do development work, you know, provide schools and food and so on, and arrange electricity transfers in the region and so on. I, that relationship's going to hold.

It's also a listening post on Iran, and one of the big revelations that came from WikiLeaks and probably ruined a lot of information channels—when things that, like Iranian truck drivers would drive in across the border, into Turkmenistan, which for them was a holiday—I mean, try to imagine your life if that was your holiday—and then they would, you know, pump them for information.

I don't think this is going to change. What I think you can do with these regimes, though, is you could stop conferring legitimacy on them. You can't always do it by speaking out, but you can do simple things, like one of the things that I find really most egregious is that Berdimuhammedov's—one of his most prized possessions is a picture of himself with Obama and his wife at the Metropolitan Museum of Art in New York. It's kind of a photo bomb picture, if you will, because Obama didn't actually meet with Berdimuhammedov.

He didn't actually sign any pipeline deals with him. He actually got nothing out of him for, all—the whole time he's been in office. But there was this nice reception where there was some Turkmen jewelry on display, very nice Turkmen jewelry. I went myself. So that sort of thing, that social milieu that we hope would be transformative, in fact is used to legitimize the regime. I mean, you have horrible things like German doctors going and performing an operation on a hapless fellow with the dentist in chief there, Berdimuhammedov himself, who has a medical degree—operating on a guy. Imagine the German medical profession going and taking part in a charade like that.

These kinds of legitimizing exercises that we can control and we don't have to do, we don't have to lay these optics on with this regime, and I think my colleagues and I disagree about this, and we can debate it, but I think we need to pare down some of these human rights festivals that we have in Ashkhabad, where we send Oxford professors and, professors from Missouri to go and teach human rights to the same 20 officials that have already been in the last zillion sessions. I mean, if I see that woman with the beehive hairdo once again getting trained by one of our, I wish I had a dollar for every time I've seen that kind of thing happening.

We can still engage with them. We can find ways to sort of have, you know, like the ABCs, Annual bilaterals. We have those things. Maybe we could cut down on the sort of shows. The oil—and the annual oil and gas why do we go to that? We don't have a pipeline. We didn't get a pipeline out of these people for 15 years. Why do we keep going to the conferences?

But I think we can look for opportunities like that and help undermine their standing in the world, which they achieve when—when we—when they can have pictures with us.

Ms. HELWIG. OK. Maybe we have time for a couple more questions. Is there anybody else that would like to ask a question?

QUESTIONER. My name is Chari. I am a Turkmen native. So I used to work for the embassy. I want to talk—when we talk about Afghanistan Turkmen society, I think it's important to mention one way that people at this point it's a very unengaged society, because since Berdimuhammedov came into power. He understood perfectly that yet it frankly happened because of economic expansion. Plus because it came from even Afghanistan. The main threat to power is educated people. He understood this perfectly, and from his very first day, his policy was, you know, aimed at completely, completely education. You know what he did. He changed 10-year education to nine-year. He, basically, all of his classes was about but at the same time many teachers was forced out of the country. He removed mathematics from the curriculum. So they removed it—totally removed this subject. It is not even possible to compare with any other It is completely, completely uneducated society. It's not only that they have economical message. This is the policy which completed their mission. This is what going on is.

What is interesting in this—knowing that—keeping that in mind, how is this possible? And the government—you know, there is basically governance. This uneducated are taking government? How they can manage to keep it a secret? Where is? It's an impression somebody from other planet taking care of them. Even though because if the culture and society, you cannot hide this stuff, but it's not and I know that those who take care of prison changed in Turkmen society rumors going between. It's not possible, you know, to—you cannot even hear look, I saw him over there. He was there, you know. It is not possible in this society. It's—what is amazing is, who is charge of that is so

carefully kept secret. Nobody can know what happened to them and there isn't—because there is no way to learn

Ms. HELWIG. Anybody want to comment?

Ms. DENBER. I'd like to make a couple of comments. I think that's a—that's an excellent point that—that's the key question, I think, that you raised, Chari, and that's how can they keep up this charade of pretending they don't know, because I think that our campaign Prove They Are Alive is to make the government acknowledge—is to make it—have some kind of official acknowledgement about the fate and whereabouts of these people disappeared. Of course there's all kinds of information flies around through informal networks. I've talked to families—at least one family who talked about how she got—not from this campaign but from another person who had been imprisoned and who has recently died in prison—how they managed to get information out about—how she managed to get—how she managed to get information about her father and what kind of information—who was imprisoned and what other kind of information managed to get out about other prisoners in that prison.

Through informal networks they change the guards very frequently precisely in order to prevent information from getting out, precisely to keep people in a state of confusion. So there's a whole elaborated mechanism for keeping information secret, for keeping people in confusion. Despite that system, information still gets out. It gets out informally. I would not be surprised if many of the people who are in—who are the—who are featured in this campaign—I would be—not be surprised if their families already have a lot of information informally.

But that's not the point. Of course you can get information informally. The point is that the government has to acknowledge it.

What I think is interesting is how the government avoids the issue. We were talking before about how, whenever the subject of the disappeared comes up, the response on the part of the government—well, the government—I think you're right that it's a bit even odd to call it “government.” The response on the part of the authorities, Berdimammedov and the people who are—and the officials who are under him, they get hysterical. They yell. They scream. They say, these people aren't—they're not political prisoners and they're not this, they're not that. You know, they're criminals, blah, blah, blah.

That's not the point. The point isn't who they are or why they're in jail. The point is, are they dead? Are they alive? Where are they? Why can't they talk to their families?

They won't engage. I mean, it's a game of—kind of like a game of denial and a game of mirrors.

Also, there's another theory is that if Berdimammedov were to acknowledge that these prisoners—acknowledge anything about them, it's like—it's almost like acknowledging that they were—their own complicity, because if they were if they died and if they died under suspicious circumstances, then someone's head has to roll. Someone's responsible for that. If they acknowledge—and if they acknowledge that they've been basically officially disappeared for the past—well, how long has he been in office now? Since 2007? So for the past seven years—if they have—if they acknowledge that for the past seven years that these people, they were disappeared, we did have information about them but didn't reveal it, well, then they're complicit in a pretty serious human rights violation.

Ms. HELWIG. Kate, did you want to comment?

Ms. WATTERS. Yeah, I mean, just absolutely I think you've hit the issue on the head. It's this combination of systematic destruction of an educational system, which leaves a society where you don't have a lot of people who are engaging in critical thinking in the way that we understand it—I think the other issue is fear.

I think that when the regime, the authorities, the president, whoever it is, when they behave so atrociously and the information that we have about the disappeared is horrific, the details—the information is horrific, the status of the prisons is horrific, the location of the prison is horrific, and some of these people are in Novadan Daipau, which is in the middle of a desert, where it's over 40, 50 degrees Centigrade in the summer and freezing cold in the winter, and we don't know—do they have electricity, do they have air conditioning, do they have access to water, do they have access to—I mean, the information that is out there is so horrific that the notion that you would then risk speaking about that and risk that—not for yourself, maybe, but for your loved one, whether they're inside the system or could be put into that system, is enough to keep you quiet.

I think the other piece is the legacy of the Soviet period and the legacy of Stalinism and the legacy of all the—the people who are educated, the generations that do have those—that educational knowledge base, they remember that. They remember Stalinism. They remember the disappeared from before. That makes for a very toxic mix.

Ms. HELWIG. One final question?

QUESTIONER. Just maybe a quick reaction. Akma from Freedom Now. The two points that—just to continue on the discussion on social networking and why it doesn't work and then the level of literacy, and coming from Uzbekistan, working on Uzbekistan, I can compare two countries, perhaps, and I think you don't have those problems in Uzbekistan. Social networking is still fine. Yes, some of the opposition are blocked, their website are blocked but generally can—people use Facebook, YouTube. YouTube has lots of clips of people of the government, Karimov, his family and others, and you can watch that. And is Facebook—those websites that are blocked in Uzbekistan are posting on Facebook as a note, and everyone can see it and read it if he or she wants.

At the same time, literacy level is relatively better, maybe. Yeah, there is not that severe clash on education, though social sciences are dying. It's known.

But I think the second factor that Kate brought up is this fear that is more important, that keeps people from speaking out. If you recall, everyone who works in this field know that at the very early stages of independence of Central Asian countries, scholars were saying that the fact that the level of literacy is high gives hope that the level of democratization would be fast, that there will be some good hopes that it will work out, because I think the fear of—the fact of fear is really high. I even if a person is very educated, he knows from the social networks and information the level of—the atrocious human rights violations happening on a daily basis, still people are very, very afraid of speaking out and maybe mobilizing against the government because of the persecution.

Ms. HELWIG. Thank you.

Would any of our panelists like to say anything in closing?

Ms. WATTERS. I would like to just thank you all for coming, but I also want to say if anyone has any information about disappeared, any information that you think could be useful to the campaign, please do contact us at our website, provetheyarealive.org, and at an email address, provetheyarealive@gmail.com. Please email us, write us, contact us,

call me, take my business card. We're looking to gather information. So any way that you feel you can be useful, we'd be grateful for that.

Ms. FITZPATRICK. I have, I guess, a question. We were discussing the Magnitsky list idea. I'm all for trying to add to the Magnitsky list, which we can now do because of other developments, but I wonder if you could make a Magnitsky list for Turkmenistan, because the people who did the persecutions themselves, some of them are disappeared, like Rejepov, and so on. It'd be interesting to try to make a list of who you think is responsible and then see if you can then add them. But I'm just wondering if that approach is useful as the other approaches that focus on the victims rather than the prosecution of the perpetrators. It's just a question of tactics. I—just if you have an opinion on that.

Mr. SHIKHMURADOV. Well, I just want to say I think that there is a human dimension, political dimension and economic dimension. So in the human dimension in Turkmenistan, zero—nothing? Political dimension also—it is not the strong point, because, like this poor minister of foreign affairs, he is actually the only one who can speak and represent his country. Again, he's being attacked like everywhere he goes. He has to say that no—that foreign diplomats, they don't speak about human rights and political problems in Turkmenistan publicly, but informally of course they try to raise these issues, which makes him very nervous, and he—like Peter was there, because—like the—one of the most interesting things happened—it was in Brussels or in Geneva where the—

Mr. ZALMAYEV. In Maastricht.

Mr. SHIKHMURADOV [continuing]. Ah, Maastricht, yes, when he saw—when he came into the big hall or big conference hall, and he saw two Turkmenistan opposition members, and he started shouting that the building is in danger because terrorists are there. So he was trying to bring public security officers there.

So like this is Turkmenistan's policy—political dimension, nothing. So only economic issues that keeps this country alive, this regime alive. I'm not speaking about Turkmenistan's economy itself, because it is corrupted, it is definitely not transparent, like transparency level's zero, but it continues living because of the foreign companies, like—including some oil and gas giants and some heavy machinery producers and some oil and gas traders and the development—who agree to come to Turkmenistan and to work there and to play by the local rules.

So this is what we should attack. This is what we should target our attention to. I think that if Turkmenistan government—they don't care about what people say about them. They accept all this strange and, you know, bizarre, like laws, rules, regulations changing months and changing, like—making golden statues of the president and then moving it around the city from one place to another. They don't care. They just do whatever they want to do.

But why American companies don't care about what people say about all this, I don't know. the economic regulations keeps this regime alive.

Ms. HELWIG. OK. Well, I would like to thank everybody very much for coming and I think we'll end on that note. Thank you.

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