

Turkmenistan

by Annette Bohr

Capital: Ashgabat
Population: 6.5 million
GDP/capita: US\$5,326

The economic and social data above were taken from the European Bank for Reconstruction and Development's *Transition Report 2006: Finance in Transition*.

Nations in Transit Ratings and Averaged Scores

	1999	2001	2002	2003	2004	2005	2006	2007	2008
Electoral Process	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Civil Society	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Independent Media	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Governance*	6.75	6.75	6.75	6.75	7.00	n/a	n/a	n/a	n/a
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	7.00	7.00	7.00	7.00
Local Democratic Governance	n/a	n/a	n/a	n/a	n/a	7.00	7.00	7.00	6.75
Judicial Framework and Independence	6.75	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Corruption	6.00	6.25	6.25	6.25	6.25	6.50	6.75	6.75	6.75
Democracy Score	6.75	6.83	6.83	6.83	6.88	6.93	6.96	6.96	6.93

* With the 2005 edition, Freedom House introduced separate analysis and ratings for national democratic governance and local democratic governance to provide readers with more detailed and nuanced analysis of these two important subjects.

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

Since the death in December 2006 of independent Turkmenistan's first president, Saparmurat Niyazov, the international community has waited and watched for signs of genuine reform. Under the leadership of President Gurbanguly Berdimuhamedov, Turkmenistan has witnessed varying degrees of change, notably in education, freedom of movement within the country, and the reinstatement of pension payments. The new Turkmen leader has also demonstrated a greater willingness to engage with regional cooperation structures and international organizations, such as agencies of the United Nations, OSCE, IMF, and the U.S. Center for Disease Control. However, while the new government's repudiation of certain of Niyazov's social and economic policies has inspired an initial degree of hope among the population, the reform process so far has been neither far-reaching nor systematically implemented.

Following his election to the presidency in February, President Berdimuhamedov consolidated his rule with surprising swiftness, and one-man rule was quickly re-established in Turkmenistan within a few short months. In 2007, Turkmenistan under the new leadership retained many of the hallmark features of the Niyazov era, including the frequent purging of senior officials, control of the mass media, drastic restrictions on civil liberties and the continuation of the cult of the quasi-spiritual guidebook, the *Ruhnama* (*Book of the Soul*). Like his predecessor, Berdimuhamedov has persisted in using state revenue to fund grandiose construction projects. Perhaps most significantly, the new government has not increased budget transparency, and it remains unclear whether the vast amounts of export revenues that were concealed by Niyazov in foreign banks have been introduced into formal accounting mechanisms.

National Democratic Governance. In 2007 President Berdimuhamedov did not seek to change significantly either the structure of government or the command-administrative methods of rule employed by Niyazov. As was the case throughout Niyazov's rule, under Berdimuhamedov only the executive branch exercises any real power in practice, despite constitutional stipulations regarding the formal existence of executive, legislative, and judicial branches. Other than the government-sponsored Democratic Party of Turkmenistan (DPT) and the Galkynysh National Revival Movement, no parties or movements are legally registered in the country. Turkmenistan is a police state in which the activities of its citizens are carefully monitored by hypertrophied internal security and law enforcement agencies and the president's private militia, whose members receive favorable treatment relative to the rest of the population.

Having consolidated power with surprising swiftness, Berdimuhamedov began reshaping his cabinet within a few months of taking office. Purges were carried out throughout 2007, as the new Turkmen leader berated and summarily sacked over a dozen senior officials in publicized meetings. The work of the Ministry of Internal Affairs was held out for especially harsh criticism. During 2007 progress was made in the dismantling of Niyazov's extensive personality cult, although the new leadership showed no inclination to abandon the *Rubnama* as mandatory reading. *Turkmenistan's rating for national democratic governance remains unchanged at 7.00.*

Electoral Process. Contrary to expectation, a smoothly orchestrated succession was carried out when an extraordinary session of the State Security Council and the Cabinet of Ministers appointed Berdimuhamedov as acting head of state within hours of the announcement of Niyazov's death. Within a few days an emergency session of the People's Council (*Halk Maslahaty*) had rubber-stamped the laws and constitutional amendments formalizing the arrangements for a presidential election to be held in February 2007. In keeping with tradition, the Turkmen Central Electoral Commission claimed that voter turnout for the presidential election was an unlikely 98.6 percent, of which Berdimuhamedov received 89.2 percent of the votes cast. Elections to 40-member people's councils in Turkmenistan's five regions and the city of Ashgabat took place in December. At the end of 2007, no opposition parties or movements were officially registered in Turkmenistan. Unrelenting harassment by the authorities had driven the relatively small Turkmen opposition either underground or into exile. *While multi-candidate, the February presidential election could not be deemed free and fair, given that media coverage was state-controlled, all six candidates were from the same political party (the DPT) and the opposition-in-exile was barred from participation. The elections in December of regional-level people's councils are unlikely to lead to devolution of power or authority to local governments. Turkmenistan's rating for electoral process remains unchanged at 7.00.*

Civil Society. Steady repression by government authorities has forced those independent non-governmental organisations (NGOs) that had managed to gain a foothold in the newly independent state either to dissolve, re-designate themselves as commercial enterprises, or merge with pro-government public associations. Little has changed on the ground for civil society under the new leadership, despite Berdimuhamedov's assertion during a visit to New York in September that the state imposes no restrictions on either foreign or domestic NGOs. As with political parties and public associations, all religious congregations are required to register with the Ministry of Fairness to gain legal status. According to the religious freedom watchdog Forum 18 News Service, since Berdimuhamedov became president, state officials have increased pressures on religious communities—especially Protestant congregations—“with threats, intermittent raids and fines, travel bans on prominent religious activists, denial of legal status and censorship of all religious literature”. During a trip to Turkmenistan in August, a team from the U.S. Commission on

International Religious Freedom reported that harassment of both registered and unregistered religious groups was still in evidence. *Turkmenistan's rating for civil society remains unchanged at 7.00.*

Independent Media. In 2007, Turkmenistan's media organizations continued to uphold the ideological line of the state, which maintains its control over all forms of mass media. Aside from a few foreign short-wave radio broadcasts targeted specifically at Turkmen listeners, satellite television provides the only source of alternative information in Turkmenistan. While foreign printed matter remains generally unavailable, in December Berdimuhamedov announced that the ban on the importation and circulation of all foreign print media—introduced in 2005 by Niyazov—might soon be lifted to allow selected print publications from abroad to become available in the country. Despite the new president's pledge to make 'both the Internet and all other advanced communication technologies available for every citizen of Turkmenistan', access to the Internet remained strictly controlled by TurkmenTelecom, the country's sole Internet provider. New, state-run Internet cafes were reported to be virtually empty of users, primarily owing to high charges, while the resource centers sponsored by some Western embassies and international organizations, which offer free Internet access to the general public, provided a popular alternative. In 2007, inexpensive Chinese-made receivers were reported to have flooded the Turkmen market as people sought news about developments in their country, and mobile phones became more accessible than the Internet for the average Turkmen citizen. *Despite modest improvements in Internet access and mobile telephony, a substantive improvement in information liberalization is unlikely without changes in censorship policy, the establishment of a rigorous system for the training of journalists, and TurkmenTelekom giving up its role as the country's sole internet service provider. Turkmenistan's rating for independent media remains unchanged at 7.00.*

Local Democratic Governance. State power in Turkmenistan's five *velayats* (regions) and in the city of Ashgabat is formally vested in the largely decorative 40-member regional-level people's councils (*halk maslahaty*), which were elected for the first time in the history of independent Turkmenistan in December 2007. The right to appoint governors (*hakims*) was transferred from the president to the councils, which elect the governors from among their memberships in an open ballot, by a simple majority vote. However, the president not only proposes candidates for election to the post of governor, but also confirms their election and retains the right to propose and confirm their dismissal, thereby greatly diminishing any decentralizing effect. Of the reforms undertaken by Berdimuhamedov in 2007, those in the sphere of education were perhaps the most significant and far-reaching, despite the retention of the *Ruhnama* as a part of school curricula. Among several other substantive measures, a March presidential decree restored the tenth year of compulsory education and extended the period of higher education from two to five years beginning in September 2007. However, while teachers were granted a forty percent wage increase in theory, in practice the money reportedly was either

not being paid or was manifested as a cut in hours, throwing into question how quickly and fully the proposed reforms will be implemented. *Owing to substantive reforms in the sphere of education, Turkmenistan's rating for local democratic governance improves from 7.00 to 6.75.*

Judicial Framework and Independence. The Office of the Prosecutor General dominates a legal system in which judges and lawyers play a marginal role. Although formally independent, the court system has no impact on the observance of human rights but rather acts as an important instrument of repression for the regime. Arbitrary arrest and detention remains a widespread practice in Turkmenistan, despite laws prohibiting it. In a clear effort to promote its image internationally before the president's trip to the U.S. in September, in August the Turkmen government pardoned 11 political prisoners held at the Ovan-Depe high-security prison, a few of whom had been convicted in connection with the failed 2002 coup attempt against Niyazov. Human rights organizations were disappointed when a list of more than 9,000 prisoners to be released under an annual amnesty held in October contained no additional names of prominent political prisoners. A meaningful reform enacted by the new Turkmen leadership was the easing of internal travel restrictions, which in practice meant a reduction in the number of roadside document checks and inspections between cities. Significantly, in July the president signed a decree abolishing the requirement to obtain a special permit in order to travel to the country's sensitive border regions. Berdimuhamedov's rule has seen a perceptible reduction in discrimination towards non-Turkmen ethnic minorities, as evidenced by the re-introduction of foreign languages, particularly Russian, into school curricula and public life. *Despite the easing of internal travel restrictions and the toning down of discriminatory practices towards some non-Turkmen ethnic minorities, Turkmenistan's rating for judicial framework and independence remains unchanged at 7.00.*

Corruption. The existence of patronage networks as the basis of power in Turkmenistan has inevitably given rise to a political culture of bribery, nepotism, and embezzlement. During the final years of Niyazov's rule, drastic cuts in pensions and public services, particularly in health and education, and the use of military conscripts as a source of free labor in various sectors of the economy all indicated that the state was having difficulty funding its huge public sector, despite official reports of record foreign trade surpluses. Although Niyazov sought to pin the blame for budget shortfalls on his subordinates by accusing them of mass embezzlement, a more likely explanation was the continued diversion by Niyazov of billions of dollars from gas, oil, and cotton revenues to off-budget accounts under his de facto personal control. According to the London-based international watchdog Global Witness, no information has been forthcoming from the new Turkmen leadership regarding the vast amounts of export revenues concealed by Niyazov in foreign banks. Despite a continued lack of budget transparency under Berdimuhamedov, there does appear to be some easing of the fiscal budget, as evidenced primarily

by the reinstatement of pension rights and plans to improve local infrastructure. However, Berdimuhamedov has continued his predecessor's practice of using state revenue to fund grandiose construction projects. *Despite limited evidence that more state funds have been directed to social programs, most notably pension allowances, it remains unclear whether steps have been taken by the new Turkmen leadership to introduce the off-budget export revenues that were controlled by former president Niyazov into formal accounting mechanisms; consequently Turkmenistan's rating for corruption remains at 6.75.*

Outlook for 2008. As the new Turkmen leadership actively seeks to increase foreign direct investment and improve its international image, President Berdimuhamedov is likely to continue to implement reform in circumscribed areas, notably education, the improvement of the rural infrastructure, and the fight against the illicit drugs trade, while cutting short any attempt to create political pluralism or a vibrant civil society.

MAIN REPORT

National Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	7.00	7.00	7.00	7.00

Since his formal election in February 2007, Turkmen President Gurbanguly Berdimuhamedov has not sought to change significantly either the structure of government or the command-administrative methods of rule employed by former president Saparmurat Niyazov. Following the example of his predecessor, the new Turkmen leader kept the post of prime minister for himself when awarding positions in his new cabinet. In March, the country's highest ruling body, the 2,507-member People's Council (*Halk Maslahaty*), unanimously elected Berdimuhamedov as its chairman, and in August, in a vote with no opposing candidates, the Turkmen president was named the leader of the country's only legal political party and of its sole social movement. Thus, by August 2007, in similar fashion to Niyazov, Berdimuhamedov held the posts of president of the Republic, chairman of the *Halk Maslahaty*, chairman of the Council of Ministers (prime minister), chairman of the Council of Elders, head of the Council for Religious Affairs (*Gengeş*), supreme commander-in-chief of the National Armed Forces, chairman of the Higher Council of Science and Technology, and chairman of both the Democratic Party of Turkmenistan (DPT) and the National Revival Movement of Turkmenistan (Galkynysh).

Despite predictions that the sudden death of Niyazov, independent Turkmenistan's first president, would lead to internal power struggles and possible chaos given the absence of an heir apparent, the transfer of power to 49-year-old Deputy Prime Minister Gurbanguly Berdimuhamedov—who had survived innumerable purges since his appointment as health minister in 1997—was swift and orderly, indicating that a succession strategy had been worked out by Niyazov's inner circle in advance. The power brokers behind the agreement to appoint Berdimuhamedov as Niyazov's successor were most likely leading figures in the country's security agencies, who formed the most influential political force in the country at the time of Niyazov's death. Constitutional changes adopted in the immediate aftermath of Niyazov's death that granted greater authority to the State Security Council, a body including, *inter alia*, leading defense and security officials, lent support to this hypothesis.¹

Turkmenistan is a police state in which the activities of its citizens are carefully monitored by hypertrophied internal security and law enforcement agencies and the president's private militia, whose members receive favorable treatment relative to the rest of the population, such as higher salaries and privileged accommodation.

The Ministry of National Security (MNB) has the responsibilities held by the Committee for State Security during the Soviet period—namely, to ensure that the regime remains in power through tight control of society and by discouraging dissent. The Ministry of Internal Affairs directs the criminal police, who work closely with the MNB on matters of national security. Both ministries abuse the rights of individuals and enforce the government's policy of repressing political opposition. Following the coup attempt in November 2002—when oppositionists led by Boris Shikhmuradov, a former long-serving foreign minister, sought forcibly to remove the president from power—greater powers were devolved to the President's paramilitary force, the Presidential Guard. Consisting of some 2,000 to 3,000 former security agents whose loyalty has been tested over time, the Presidential Guard is not subordinated to any security service and carries out a wide range of functions on the personal orders of the president. Both the Presidential Guard and the MNB operate with impunity.

As was the case throughout Niyazov's rule, under the new Turkmen leadership only the executive branch exercises any real power in practice, despite constitutional stipulations regarding the formal existence of executive, legislative, and judicial branches. The Parliament (Majlis) has been transformed into a presidential appendage, and presidential decree is the usual mode of legislation. During his reorganization of political structures in 1992, President Niyazov created the *Halk Maslahaty* to recall the Turkmen "national tradition" of holding tribal assemblies in order to solve society's most pressing problems. According to a constitutional amendment and constitutional Law on the People's Council, which were passed by that same body in August 2003, the council was elevated to the status of a "permanently functioning supreme representative body of popular authority." The August 2003 law ascribed to the People's Council a number of legislative powers, including the passing of constitutional laws, thereby officially displacing the Parliament as the country's primary legislative body. All political parties are required by law to register with the Ministry of Justice (renamed the Ministry of Fairness in September 2003), thereby allowing the government to deny official status to groups that are critical of its policies. Other than the government-sponsored DPT and the Galkynysh National Revival Movement, no parties or movements are legally registered in the country. The Constitution proscribes the formation of parties with a religious or nationalist orientation (Article 28). However, since the government has prevented all parties other than the DPT from registering and functioning, this ban is of little relevance.

Having consolidated power with surprising swiftness, within a few months of taking office President Berdimuhamedov was secure enough in his new post to begin reshaping his cabinet. Perhaps the surest indication that the new leader had successfully created his own power network was the removal in May of 'grey cardinal' Akmurad Rejepov, head of the president's personal militia and the only senior official who had managed to retain his place in Niyazov's inner circle throughout Niyazov's presidency. A career KGB agent since Soviet times, Rejepov had provided personal security to Niyazov with unswerving loyalty since 1986,

becoming head of the Presidential Guard in 1991. By removing Rejepov, who was indelibly linked to the *ancien regime*, Berdimuhamedov gained the ability to act with greater autonomy, particularly when appointing leading figures in the ‘power ministries’. In July Rejepov was sentenced to 20 years’ imprisonment on charges of corruption and abuse of office.

The purges carried on apace throughout 2007, as Berdimuhamedov removed over a dozen cabinet-level officials, including the Supreme Court Chairman, the Oil and Gas Minister, the Minister for National Security and two Ministers for Culture and Media. As the new President repeated his predecessor’s pattern of berating and summarily sacking senior officials in publicized meetings, by October only six Niyazov appointees remained in the 30-member Cabinet of Ministers. The work of the Ministry of Internal Affairs, which saw its head replaced twice within the space of a few months (April and October), was held out for especially harsh criticism by the new regime. The Ministry for National Security did not come in for censure, and it is unclear whether Berdimuhamedov singled out the Interior Ministry for public lambasting in order to make that body more accountable for its actions, to put the Ministry more firmly under his own control, or to serve as a response to the deluge of complaints from members of the public that had been submitted to the newly formed police complaints commission.² Owing to a lack of transparency and contradictory reports, it is difficult to draw firm conclusions regarding the effectiveness of the police complaints commission, which was created as a presidential council in March 2007 for the purpose of uncovering abuse in the law enforcement agencies.

During 2007 progress was made in the dismantling of Niyazov’s extensive personality cult. In March Niyazov’s honorific title ‘Turkmenbashi’ was replaced in the state oath by the term ‘President’,³ and in June the golden logotype of Niyazov’s profile was removed from television screens and replaced by the profile of the new president, although only during news broadcasts. The appearance of Berdimuhamedov’s portrait in public places coupled with the disappearance of many portraits and statues of Niyazov prompted speculation by some observers that the new president was in the process of establishing his own personality cult, while others noted that officials accustomed to servility as a way of seeking favor were responsible for perpetuating certain aspects of the cult.⁴

A major tool used to buttress Niyazov’s lavish personality cult and to create a pseudo-state ideology was the *Ruhnama* (*Book of the Soul*), a national code of spiritual conduct ostensibly written by Niyazov. Published in two volumes, the *Ruhnama*—which was accorded the de facto status of a holy book on a par with the Koran—embodies Niyazov’s personal reflections on Turkmen history and traditions as well as moral directives. Imams were required to display the *Ruhnama* in mosques and to quote from it in sermons, and the country’s citizens were required to study and memorize its passages. In 2007, the new leadership stated that it did not intend to abandon Niyazov’s quasi-spiritual guidebook, even sponsoring an international conference in April titled “Holy Ruhnama—Treasury of Knowledge and Youth of the World”. The same month Berdimuhamedov announced the construction of a

Ruhnama University, which was to be a major science and education centre and a ‘unique institution of higher learning’.⁵

Electoral Process

1999	2001	2002	2003	2004	2005	2006	2007	2008
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

Contrary to expectations, a smoothly orchestrated succession was carried out when an extraordinary session of the State Security Council and the Cabinet of Ministers appointed Berdimuhamedov as acting head of state within hours of the announcement of Niyazov’s death on 21 December 2006. A constitutional coup was executed by the political elite in power at the time of Niyazov’s death in order to secure the placement in power of the candidate of their choice: while the Constitution clearly stated that the parliamentary chairman was to fill in as president until a new leader was elected, the current chairman, Ovezgeldy Ataev, was removed on the same day and charged with criminal activity by the Office of the Prosecutor General.

Only five days later, on December 26, an emergency session of the *Halk Maslahaty* rubber-stamped the laws and constitutional amendments formalizing the arrangements for a smooth transfer of power, thereby ensuring stability in the short term. The Law on Presidential Elections was passed (this law had not been adopted under Niyazov owing to his “life presidency”), and the presidential election was set for February 11. In order to legitimate the appointment of Deputy Prime Minister Berdimuhamedov as interim president, the Constitution was amended to designate a deputy prime minister as acting head of state by a resolution of the State Security Council in the event that the president is unable to execute his duties. In a relatively quick procedure that did not reveal any latent power struggles, two candidates for president were nominated from each of the country’s five regions and the city of Ashgabat, although only six ultimately received the requisite number of votes (two-thirds of the membership of the *Halk Maslahaty*). Aside from Acting President Berdimuhamedov, all candidates were lesser known bureaucrats lacking political weight. In a scenario reminiscent of Niyazov’s rule, only Berdimuhamedov received the unanimous support of the *Halk Maslahaty*, which was an excellent indicator that his victory in the February 2007 election was a foregone conclusion.

In keeping with tradition, the Turkmen Central Electoral Commission claimed that voter turnout for the presidential election was an unlikely 98.6 percent, of which Berdimuhamedov received 89.2 per cent of the votes cast. While multi-candidate, the election could not be deemed free and fair, given that media coverage was state-controlled, all six candidates were from the same political party (the DPT) and the opposition was barred from participation. Despite these impediments, the campaign meetings preceding the presidential election offered the Turkmen

electorate the chance to tentatively raise some issues regarded as taboo under Niyazov, which was an opportunity they had not been afforded since the perestroika years under Gorbachev.

No opposition parties or movements are officially registered in Turkmenistan. Unrelenting harassment by the authorities has driven the relatively small Turkmen opposition either underground or into exile. The opposition-in-exile remains small, weak, poor, and prone to internal division. Nonetheless, in the immediate aftermath of Niyazov's death, leading members publicly announced their intention to agree on a single candidate to run in the presidential election. Meeting in the Ukrainian capital of Kiev on December 25, the opposition-in-exile nominated former deputy prime minister and central bank chairman Khudaiberdy Orazov as their presidential candidate. In the event, Turkmen security agencies warned that opposition leaders would be arrested on arrival at any airport in Turkmenistan should they attempt to return.⁶

During Turkmenistan's 16-year history of independent rule, electoral officials have declared near 100 percent voter turnout rates for all elections and referendums. To achieve such spectacularly high participation rates, electoral officials have engaged widely in irregular procedures, such as stuffing ballot boxes and making door-to-door home visits during which voters were urged to cast their ballots. Pressure is exerted on all civil servants to vote, and failure to do so can lead to reprisals.⁷

The most recent elections of people's representatives—one from each of the country's 60 districts—to the national-level *Halk Maslahaty* (People's Council) were held in April 2003 amid a near total absence of information about the candidates or their platforms. Electoral officials claimed a 99.8 percent voter turnout. The next such elections are scheduled for December 2008. The country's third parliamentary elections in December 2004 were widely regarded as a purely ceremonial exercise, in line with previous elections to that body. Although 131 candidates vied for 50 seats, all had been approved by governmental authorities prior to the elections and were members of the DPT. The next elections to parliament are scheduled for December 2008. In July 2006, 5,320 deputies from a field of 12,200 contenders were elected to the village and town councils (*gengesbes*), which represented the lowest level of government. Despite multiple candidacies and the use of transparent ballot boxes for the first time, there was minimal pre-election campaigning, and all candidates still represented Niyazov's DPT.

In October 2005, the People's Council amended the Constitution to provide for the holding of direct elections to district, city, and regional people's councils (*halk maslahaty*). In December 2006, elections to 40-member district and city people's councils were held for the first time since independence, with 6,142 candidates vying for 2,640 seats.⁸ As is standard practice in Turkmenistan, electoral officials accompanied by policemen made door-to-door visits urging voters to go to the polls. Voter turnout was officially reported at 96.9 percent. Candidates underwent the usual dual screening process by local governmental officials and officials from the MNB, according to the Institute for War and Peace Reporting.⁹ Elections to people's councils in Turkmenistan's five regions and in the city of Ashgabat were

held in December 2007. As in the days of President Niyazov, Turkmen state media reported a 98.8 percent voter turnout, declaring that domestic observers had characterized the elections as ‘completely transparent’.¹⁰

Civil Society

1999	2001	2002	2003	2004	2005	2006	2007	2008
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

The state of civil society has changed little on the ground under the new Turkmen leadership. Nonetheless, during a visit to New York in September 2007, President Berdimuhamedov asserted that the state imposes no restrictions on either foreign or domestic non-governmental organisations (NGOs), which, he claimed, face no obstacles in either registering or carrying out activity.¹¹

Although civil society has never thrived in Turkmenistan, steady repression by government authorities, since 2002 in particular, has forced those independent NGOs that had managed to gain a foothold in the newly independent country either to dissolve, re-designate themselves as commercial enterprises, or merge with pro-government public associations. According to the U.S. NGO Counterpart Consortium, in 2000 there were approximately 200 to 300 registered and unregistered NGOs in Turkmenistan.¹² By August 2006, that number had dwindled to fewer than 90,¹³ the vast majority of which either supported the government or received funding from the government. There are no independent trade unions, and the successor to the Soviet-era Federation of Trade Unions remains linked to the government. Other government-organized NGOs include the veterans association, the youth association, and the journalists union. The women’s union, which is dedicated to the memory of former president Niyazov’s mother, is the only officially registered women’s NGO.

As with political parties and public associations, all religious congregations are required to register with the Ministry of Fairness to gain legal status. Before 2004, the only religions that had managed to register successfully were Sunni Islam and Russian Orthodox Christianity, although they were still subject to tight government controls. In March 2004, President Niyazov issued a decree pledging to register all religious groups regardless of creed or number. As a result of these changes, a handful of minority religious groups have managed to gain registration since 2004.¹⁴ Despite this minimal progress, many minority religious groups remain unregistered, such as the Catholic, Lutheran, Jehovah’s Witness, Armenian Apostolic, and Jewish communities. More important, registration has not brought the promised benefits, as registered and unregistered groups alike continue to experience police raids, detentions, fines, and other forms of harassment. Especially outside Ashgabat, some minority religious groups have been prohibited from meeting, throwing into question the very purpose of the registration process.¹⁵

According to the religious freedom watchdog Forum 18 News Service, under Berdimuhamedov, state officials have increased pressures on religious communities—especially Protestant congregations—“with threats, intermittent raids and fines, travel bans on prominent religious activists, denial of legal status and censorship of all religious literature”.¹⁶ In 2007 two Baptist pastors were imprisoned, released and deported to Russia, while five Jehovah’s Witnesses served suspended sentences for refusing compulsory military service (three of whom were amnestied in October). During a trip to Turkmenistan in August 2007, a team from the U.S. Commission on International Religious Freedom reported that, despite encouraging reports from the government on plans for reform, harassment of both registered and unregistered religious groups was still in evidence.¹⁷

Independent Media

1999	2001	2002	2003	2004	2005	2006	2007	2008
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

In 2007, Turkmenistan’s media organizations continued to uphold the ideological line of the state, which maintains its control over all forms of mass media. Despite modest improvements in Internet access and mobile telephony, a substantive improvement in information liberalization is unlikely without changes in censorship policy and the establishment of a rigorous system for the training of journalists.

In addition to 23 newspapers and 17 journals, the four state television channels¹⁸ and four state radio stations function as mouthpieces for government propaganda. There is a single information agency (TDH), which has a monopoly on the information provided to Turkmenistan’s mass media. Foreign journalists are rarely allowed to enter the country, and those who do gain entry are closely monitored by the State Service for the Registration of Foreigners. Only the Russian news agency ITAR-TASS has its own accredited foreign correspondent in Ashgabat, while all other news agencies were required to rely on the services of freelance, unregistered stringers.

Aside from the programs of the Turkmen Service of Radio Liberty and the German Deutsche Welle in Russian, which are specifically targeted at Turkmen listeners, satellite television—in very widespread use throughout Ashgabat as well as in other cities—provides the only source of alternative information in Turkmenistan. However, in December 2007 the government announced that the mushrooming of satellite antennae was uglifying Ashgabat’s landscape, proposing that the numerous antennae present on most apartment blocks be replaced by a “single powerful dish”. Despite the leadership’s claim of an aesthetic rationale, it is not yet clear to what extent this change might limit the population’s viewing choices.¹⁹

Although Turkmen television began to rebroadcast some news and entertainment programs from Russian’s Channel One TV in January, the content of

the tapes are reportedly cleared by MNB officials beforehand. While foreign printed matter remained generally unavailable, in December President Berdimuhamedov announced that the ban on the importation and circulation of all foreign print media—introduced in 2005 by Niyazov—might soon be lifted to allow selected print publications from abroad to become available in the country.²⁰

Despite the new president's pledge to make 'both the Internet and all other advanced communication technologies available for every citizen of Turkmenistan',²¹ access to the Internet is still strictly controlled by the country's sole Internet provider, TurkmenTelekom. TurkmenTelekom has still not undertaken to connect private citizens to the Internet, with the consequence that only state agencies, embassies, international organizations, large foreign firms and some NGOs in the country's major cities have unhindered access to the Internet. According to the Internet World Stats directory, Turkmenistan had only an estimated 64,800 Internet users, or .91 percent of the population, as of August 2007. While a small number, this represented nearly a 100% increase over 2006 figures.²²

As of late 2007, approximately a dozen state-run Internet cafes in Ashgabat and regional capitals had been set up. The cafes were reported to be virtually empty of users, primarily owing to high charges as well as concerns that Internet use could be monitored by the authorities. While from two to four thousand users were reported to have visited the state-run Internet cafes during the first half of 2007, the same number of users were registered in a two-week period at the resource centers sponsored by some Western embassies and international organizations, which offer free Internet access to the general public.²³ Most Internet websites critical of official government policy remain blocked by the authorities, although several major foreign news sites, such as the BBC or CNN, are accessible—a distinct change from the Niyazov era. In an apparent move towards greater freedom in public discourse, in October Turkmen authorities initiated a readers' comments feature on the official government website, but removed this feedback option only two days later after one posted comment called on the president to release all political prisoners.

In 2007, inexpensive Chinese-made receivers are reported to have flooded the Turkmen market as people sought news about developments in their country, and mobile phones became more accessible than the Internet for the average Turkmen citizen. In mid-2007, Turkmenistan's local company Altyn Asyr GSM was serving 43,000 customers, while Russia's MTS reported 240,000 subscribers, representing an increase of 96 percent over 2006 figures.²⁴

Local Democratic Governance

1999	2001	2002	2003	2004	2005	2006	2007	2008
n/a	n/a	n/a	n/a	n/a	7.00	7.00	7.00	6.75

State power in Turkmenistan's five *velayats* (regions) and in the city of Ashgabat is formally vested in the largely decorative 40-member people's councils (*halk*

maslahaty), which were elected in December 2007, following district and city people's councils contests in December 2006. In the villages, the 1992 Constitution provided for the replacement of local soviets by councils (*gengeshes*), whose members are directly elected for five-year terms. The more than 600 *gengeshes* are administered by *archins*, who are elected from among their respective memberships for three-year terms.

Perhaps more significant than the creation of new regional, district and city people's councils under the October 2005 constitutional amendment was the transfer of the right to appoint governors (*bakims*) at all levels from the president to the respective councils, which elect the *bakims* from among their memberships in an open ballot, by a simple majority vote, as was already the practice for village councils. Although in a less authoritarian state this transfer of power might have been hailed as a major step toward the devolution of authority from the center to local organs of government, in Turkmenistan all candidates for election to official posts are carefully vetted in a pre-election screening process designed to weed out any potentially disloyal deputies. In fact, according to the law "On Hakims", revised under President Berdimuhamedov, the hakims of regions, districts and cities are elected by their respective people's councils after being proposed as candidates by the president of Turkmenistan, who also subsequently confirms their election to the post. Similarly, the hakim of a region or the city of Ashgabat is removed from his/her post by a simple majority vote of the corresponding people's council at the proposal of the president of Turkmenistan, who also subsequently confirms the council's decision.²⁵

Tribal identities remain strong in Turkmenistan and continue to play an important role in Turkmen society and informal local politics. The largest tribes are the Tekke in south-central Turkmenistan (Ahal Tekke and Mary Tekke), the Ersary near the Turkmenistan-Afghanistan border, the Yomud in western and northeastern Turkmenistan, and the Saryks in the southernmost corner of the country. In Turkmenistan tribalism manifests itself primarily in social practices, such as the maintenance of preferential networks, endogamy, and the persistence of dialects. Virtually all Turkmen have at least a minimal knowledge of their own tribal affiliation, which is still a relatively reliable indicator of birthplace. A disproportionate number of influential positions in central government tend to go to members of Niyazov's and Berdimuhamedov's own tribe, the Ahal Tekke.

From approximately 2000, Niyazov's government engaged in the systematic dismantling of key areas of the public sector, notably education, health care, and social security, with serious repercussions for the rural population in particular. In many rural schools, it was estimated that up to one-half of classroom time was allocated to the study of the *Rubnama*. Class sizes increased and facilities deteriorated as state funds earmarked for education diminished.²⁶ In addition to other changes, the number of student places in institutes of higher education was cut by nearly 75 percent, and compulsory education was reduced from 11 to 9 years (a circumstance that complicated the entry of Turkmen students into foreign universities). The steady dismantling of the education system put in doubt the ability of the next generation of Turkmen to compete successfully in the global market.

Consequently, of the reforms undertaken by Berdimuhamedov in 2007, those concerning the sphere of education have been perhaps the most significant and far-reaching, despite the retention of the *Ruhnama* as a part of school curricula. Measures taken by the new government only months after coming to power to rejuvenate Turkmenistan's decaying educational system were widely hailed, both domestically and internationally. A March presidential decree restored the tenth year of compulsory education and extended the period of higher education from two to five years beginning in September 2007. High school students are no longer required to undergo two years' of practical work experience before applying to universities, foreign degrees are once again recognized and the university admission system is reported to have been made fairer.²⁷ Not least, in June Berdimuhamedov announced the re-opening of the defunct Academy of Sciences, which, before its closure in 1993, had acted as the mainstay of the scientific and academic community. He also decreed the establishment of a new presidential Higher Council on Science and Technology to coordinate the state's scientific and academic policy, and ordered the introduction of post-graduate and doctoral studies in certain higher educational establishments and scientific organizations.²⁸ Physical education, social sciences, art and foreign languages were restored to the national curriculum, the workload of teachers was reduced and limits placed on classroom size. More than 20,000 teachers, many of whom had lost their jobs under Niyazov, were expected to return to work in 2007. However, while teachers were granted a forty percent wage increase in theory, in practice the money reportedly was either not being paid or was manifested as a cut in hours.²⁹

In addition to the education sector, health care services in Turkmenistan were systematically undermined under Niyazov. Despite a large cut in the number of state-employed health care workers in 2001,³⁰ 15,000 skilled health care workers (including doctors, nurses, midwives, and medical attendants) were dismissed in March 2004 and, in some cases, replaced by untrained military conscripts. In addition, the March "reforms" introduced fees for specialist services that had previously been free of charge, making treatment unaffordable for many patients.³¹ In February 2005 President Niyazov announced a plan to close all hospitals outside Ashgabat, claiming that regional hospitals were "not needed." Under Niyazov's proposals, citizens in the country's regions were to visit medical diagnostic centers—which required payment for services—to obtain prescriptions and general advice, while those in need of hospitalization or specialist care were to be compelled to travel to Ashgabat. By late 2006 most rural district hospitals were reported to have closed, although hospitals in district and regional centers, which offered some specialist care, continued to operate.³² With the exception of a large-scale vaccination program undertaken in cooperation with international bodies, there were no significant improvements in the area of healthcare in 2007, although the new government announced longer-term plans to construct a number of hospitals.

Judicial Framework and Independence

1999	2001	2002	2003	2004	2005	2006	2007	2008
6.75	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

On May 18, 1992, Turkmenistan's Parliament adopted a new Constitution—the first Central Asian state to enact such a document after the dissolution of the U.S.S.R.. The Constitution guarantees in theory the protection of basic rights and liberties, equality under the law, and the separation of religion and state.

Unchanged since the Soviet era, the court system in Turkmenistan consists of a Supreme Court, 6 regional courts (including 1 for the city of Ashgabat), and, at the lowest level, 61 district and city courts. In addition, the Supreme Economic Court hears all commercial disputes and cases involving conflicts between state enterprises and ministries. Because all military courts were abolished in 1997, criminal offences committed by military personnel are tried in civilian courts under the authority of the Office of the Prosecutor General. Although formally independent, the court system has no impact on the observance of human rights but rather acts as an important instrument of repression for the regime. The president appoints all judges for five-year terms without legislative review. The Office of the Prosecutor General dominates a legal system in which judges and lawyers play a marginal role. As in the former Soviet Union, convictions are generally based on confessions that are sometimes extracted by forcible means, including the use of torture and psychotropic substances.

Arbitrary arrest and detention remains a widespread practice in Turkmenistan, despite laws prohibiting it. Prison riots are a relatively common occurrence, apparently provoked by inhumane conditions, and human rights organizations have reported that inmates are routinely beaten and tortured. Turkmen authorities have refused consistently to grant the International Committee of the Red Cross unaccompanied access to prisons. Under an annual amnesty mandated by a 1999 law and presidential decree, the government releases thousands of inmates each year on the eve of the Muslim feast Gadyr Gijesi (Night of Forgiveness) in October, primarily to relieve overcrowding. The number of persons amnestied since 1999 totals more than 250,000.³³ Although individuals convicted of serious crimes are theoretically ineligible for amnesty, those who can pay bribes—excluding political prisoners—are generally freed, regardless of the type of crime for which they were imprisoned.

In a clear effort to promote its image internationally before President Berdimuhamedov's trip to the U.S. in September, in August the Turkmen government pardoned 11 political prisoners held at the Ovan-Depe high-security prison, some of whom were convicted in connection with the failed 2002 coup against President Niyazov. The prisoners reportedly were required to admit their guilt in the presence of relatives before being released.³⁴ The most well-known among the prisoners was Nasrullah ibn Ibadullah, who had served as Turkmenistan's

chief religious leader from 1996–2003 before being sentenced in 2004 to 22 years in prison on treason charges. Upon his release Ibadullah thanked the President and accepted a post as adviser at the President’s State Council for Religious Affairs, thus remaining under the close supervision of administration officials. Although human rights organizations and other observers held out hope that some of the remaining prisoners convicted in connection with the coup attempt would be freed under the annual October amnesty, when the government published the names of the more than 9,000 prisoners to be amnestied, the list contained no names of prominent political prisoners.

In January 2004 the exit visa regime, which required citizens of Turkmenistan to obtain visas—often at considerable expense—to travel to foreign states, was abolished, although in its stead the government implemented a number of unofficial measures to prevent free travel, such as the drawing up of an extensive “blacklist” of citizens who were prohibited from leaving the country and the arbitrary confiscation of passports. Under Niyazov’s government, impediments also existed to travel within Turkmenistan owing to frequent roadblocks, checkpoints, and document checks throughout the country. A meaningful reform enacted by the new Turkmen leadership was the easing of internal travel restrictions, which in practice meant a reduction in the number of roadside document checks and inspections between cities. Significantly, in July the president signed a decree abolishing the requirement to obtain a special permit in order to travel to the country’s sensitive border regions.

In line with other post-Soviet states, with the advent of independence Turkmenistan accorded a *de facto* higher status to its titular population, ethnic Turkmen, and legitimized the adoption of policies and practices that promoted their specific interests. (According to 2003 statistics, ethnic Turkmen constituted 85 percent of Turkmenistan’s population, ethnic Uzbeks 5 percent, ethnic Russians 4 percent, and other ethnic minorities the remaining 6 percent.)³⁵ In 2000, Turkmen was introduced as the language of instruction in all the country’s schools, including in regions where ethnic Uzbeks or Kazakhs were preponderant. Higher education and jobs in the public sector were effectively closed to non-Turkmen, and senior state officials needed to demonstrate ethnic purity by tracing their Turkmen ancestry back several generations. These discriminatory practices affected, among other minorities, the non-Turkmen Russian-speaking population, who witnessed a virtual ban on Russian-language publications and education as well as the bulldozing of the historic Pushkin Russian Dramatic Theater.

Berdimuhamedov’s rule has seen a perceptible reduction in discrimination towards non-Turkmen ethnic minorities, as evidenced by the re-introduction of foreign languages, particularly Russian, into school curricula and public life. A newly created fourth radio station is to offer news and entertainment in Russian and English as well as Turkmen, marking the return of Russian to Turkmen radio airwaves for the first time since the suspension of transmission by Turkmen authorities in July 2004 of the highly popular Russian radio station “Mayak”.³⁶ In March 2007 a Russian book fair was held in Ashgabat, which, according to the Open Society

Institute's Turkmenistan Project, "signalled a sea change in the government's policy of intolerance for Russian culture that had been the hallmark of President Niyazov's policy of promoting 'pure' ethnic Turkmen culture".³⁷ Additionally, the Russian government has agreed to participate in the construction of a branch of Moscow State University in the new Ruhnama University in Ashgabat.³⁸

Corruption

1999	2001	2002	2003	2004	2005	2006	2007	2008
6.00	6.25	6.25	6.25	6.25	6.50	6.75	6.75	6.75

According to its Corruption Perceptions Index for 2007, Transparency International ranked Turkmenistan as one of the most corrupt countries in the world, giving it a score of only 2.0 (with 10 "highly clean" and 0 "highly corrupt"). Out of all Eastern European/Central Asian countries, only one was perceived as more corrupt than Turkmenistan: Uzbekistan.³⁹ In Turkmenistan, political elites have traditionally built up local power bases by allocating key posts and opportunities to their loyalists. These informal networks, which have survived the demise of the Soviet system, are frequently referred to as "clans," although they are based on patron-client relationships, often with links to extended families, rather than on actual blood ties. The existence of patronage networks as the basis of power has inevitably given rise to a political culture of bribery, nepotism, and embezzlement.

During the final years of Niyazov's rule, drastic cuts in pensions,⁴⁰ massive redundancies in government jobs, the introduction of fees for medical services, the closure of hospitals, the dismantling of the educational system and the use of military conscripts as a source of free labor in various sectors of the economy all indicated that the state was having difficulty funding its huge public sector, despite official reports of record foreign trade surpluses. Although President Niyazov sought to pin the blame for budget shortfalls on his subordinates by accusing them of mass embezzlement, a more likely explanation was the continued diversion by Niyazov of billions of dollars from gas, oil, and cotton revenues to off-budget accounts under his de facto personal control, which were located in European (primarily German) and other bank accounts. The London-based international watchdog Global Witness estimated that as much as 75 percent of government spending did not form part of the state budget.⁴¹ In the aftermath of Niyazov's death, the German Deutsche Bank admitted holding accounts for Turkmenistan's Central Bank, although it denied holding any personal accounts for Niyazov.⁴² However, according to the European Bank for Reconstruction and Development, the Turkmen government accounts managed by Deutsche Bank were under the "discretionary control of the president without proper regulation and transparency."⁴³ Global Witness has stated that no information has been forthcoming from the new Turkmen leadership regarding the vast amounts of export revenues concealed by Niyazov in foreign banks,⁴⁴ and

it remains unclear whether any of the off-budget funds have been introduced into formal accounting mechanisms.

In June 2007 Berdimuhamedov signed a resolution ordering the liquidation and auditing of the Saparmurat Niyazov International Fund,⁴⁵ although no clarification was provided as to the whereabouts, purpose or size of this fund. To add to the confusion, according to both Deutsche Bank and Global Witness, the International Fund does not necessarily bear any relation to the off-budget accounts managed by the German bank and might well be located within Turkmenistan itself.⁴⁶ Whatever the case, if an audit of the fund has in fact been carried out, the results have not been made public. Similarly, in August the State News Agency of Turkmenistan declared that accounts of budgetary expenditures would henceforth be published in the mass media, although this does not appear to have happened in practice.⁴⁷

Despite a continued lack of budget transparency under the new leadership, there does appear to be a certain easing of the fiscal budget under Berdimuhamedov, as evidenced primarily by the reinstatement of pension rights for approximately 100,000 citizens as well as the introduction of payments for the socially vulnerable. Additionally, in November Turkmen media announced a plan to allocate US\$4 billion for the implementation of a national program to improve the country's infrastructure through the construction of hundreds of schools, hospitals, cultural and sports facilities and houses.⁴⁸ Limited evidence that more state funds are being directed to social programs is a possible indicator that fewer export revenues are being diverted to off-budget accounts, which could ultimately lead to a decrease in corruption levels. On a more pessimistic note, Berdimuhamedov has continued his predecessor's practice of using state revenue to fund grandiose construction projects, such as the transformation of the Caspian sea town of Turkmenbashi into a free economic zone and world-class resort—complete with an artificial river, a yacht club and an oceanographic centre—at the cost of US\$1 billion. Similarly, in July 2007 the government awarded the French company Bouygues a US\$85 million contract to construct an officers' club and apartment buildings for employees of the much feared National Security Ministry.

Turkmenistan continues to act as an important trans-shipment point for illicit drugs from Afghanistan to Western Europe. Under Niyazov, the narcotics trade provided a significant source of unofficial income for a number of government officials, including employees of the security agencies and the border service.⁴⁹ Niyazov's departure has allowed for an improvement in Turkmenistan's drug related problems in two notable ways: first, in direct contrast to the former president, who denied outright the existence of a drug problem in Turkmenistan, President Berdimuhamedov has officially acknowledged problems related to narcotics trafficking and drug use in Turkmenistan, even declaring a 'large-scale war against this destructive threat';⁵⁰ and, second, he has engaged the help of outside agencies to aid in the public destruction and disposal of drugs. Furthermore, in March the Turkmen government signed an agreement with UNAIDS on the launching of a program to prevent the spread of HIV, which is to include an educational campaign to fight drug use. However, despite this sea change in relation to drugs-related

issues, the bumper opium harvest in Afghanistan, with which Turkmenistan shares a 700 km border, appears to have offset any progress that might have been made in 2007 in combating the illicit drugs trade.⁵¹

■ AUTHOR: ANNETTE BOHR

Annette Bohr is an associate fellow of the Russian and Eurasia Programme at the Institute of International Affairs in London (Chatham House). She is the author or coauthor of two monographs and numerous articles on Central Asian politics, contemporary history, and ethnic and language policies.

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