

# Turkmenistan

by Annette Bohr

*Capital:* Ashgabat  
*Population:* 5.0 million  
*GDP/capita:* n/a

The data above was provided by The World Bank, *World Bank Indicators 2009*.

## Nations in Transit Ratings and Averaged Scores

	1999-2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
Electoral Process	7.00	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	7.00
Independent Media	7.00	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	n/a
National Democratic Governance	n/a	n/a	n/a	n/a	n/a	7.00	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	6.75
Judicial Framework and Independence	6.75	7.00	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	6.75
<b>Democracy Score</b>	<b>6.75</b>	<b>6.83</b>	<b>6.83</b>	<b>6.83</b>	<b>6.88</b>	<b>6.93</b>	<b>6.96</b>	<b>6.96</b>	<b>6.93</b>	<b>6.93</b>

\* Starting 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

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President Gurbanguly Berdimuhamedov ended the second year of his presidency having done little to reform the structure of government created by independent Turkmenistan's first president, Saparmurat Niyazov, although he had adopted a number of measures reversing some of his predecessor's most destructive and isolationist policies in order to curry international legitimacy and attract foreign investment. In 2008, Turkmenistan under Berdimuhamedov retained many of the distinguishing features of the Niyazov era, including the frequent purging of senior officials, a one-party system, tight control of the state-run mass media, and severe restrictions on civil liberties. There was no revival of civil society under the new president, some religious communities continued to experience various forms of harassment, and the vast majority of political prisoners remained behind bars. Significantly, the new leadership did not increase budget transparency and persisted in using state revenue to fund a number of vanity construction projects. Although the December elections to a revamped parliament did not herald genuine reform, they were accompanied by great official fanfare and served as Berdimuhamedov's chief vehicle for demonstrating to the international community that the process of democratization in Turkmenistan was proceeding apace.

Nonetheless, certain key reforms undertaken by the new regime to restore the beleaguered social sector, to improve rural infrastructure, and to reform the banking system indicated a clear, albeit partial, break with the former regime. Considerable progress was made in 2008 in phasing out the dual cults of former President Niyazov and his quasi-spiritual guide, the *Ruhnama*. Changes were made to investment law, and a commercial rate was introduced in order to bridge the massive gap between the black market and official exchange rates. Some superficial but symbolically important reforms included the restoration of the circus and the old Gregorian calendar names for the months of the year and the days of the week, and the abolition of the pseudo-representative body—the national-level *Halk Maslakhaty*.

**National Democratic Governance.** 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. A new constitution was formally adopted in Turkmenistan in September 2008, which introduced a number of chiefly cosmetic reforms. After approving the new constitution, Turkmenistan's highest representative body, the 2,500-member Halk Maslakhaty (People's Council), dissolved itself, delegating its powers to an expanded 125-member parliament. In abolishing the Halk Maslakhaty, the government reverted to having only one legislative body rather

than two, although the change did not effect a more equal balance of power among the executive, legislative and judicial branches, since the revamped parliament remains a presidential appendage. The dismantling of Niyazov's personality cult received a considerable impetus during 2008 as the former president's portraits were steadily removed and replaced with those of President Berdimuhamedov in government and public buildings. The gradual process of phasing out the cult of Niyazov's quasi-spiritual guidebook for the nation, the *Ruhnama (Book of the Soul)*, which had been accorded the *de facto* status of a holy book on a par with the Koran, was also begun in earnest in 2008. *Turkmenistan's rating for national democratic governance remains unchanged at 7.00.*

**Electoral Process.** In December 2008, Turkmenistan held elections to fill an enlarged, 125-member parliament under the revised constitution. Although the leadership presented the elections as the centerpiece of its political reform program, Berdimuhamedov in fact chose to eliminate the People's Council and hold new elections to a revamped Mejlis rather than undertake any concrete steps towards the introduction of a multi-party system, such as adopting a law on political parties. According to official government reports, 287 candidates ran for 125 seats, the majority of which represented the Democratic Party of Turkmenistan (DTP) and the Galkynysh social movement, while 79 candidates were put forward by citizens' initiative groups. The Central Election Commission registered only officially vetted, 'independent' candidates, and the authorities rejected applications from at least two Turkmen dissidents. In contrast to the presidential elections of February 2007, pre-election campaigning was not broadly advertised and did not generate even a modest debate on issues regarded as taboo under Niyazov, such as the state of healthcare and education. Reports by opposition groups noted low voter turnout, and voting irregularities, such as block or 'family' voting and voting without proof of identity. At the end of 2008, no opposition parties or movements were officially registered in Turkmenistan. *While multi-candidate, the December elections to the revamped parliament could not be deemed free and fair, given that the minimal media coverage was state-controlled and candidates who were not officially vetted by the government were barred from participation. Turkmenistan's rating for electoral process remains unchanged at 7.00.*

**Civil Society.** In 2008, there was no rebirth of civil society under Berdimuhamedov's rule. Although civil society has never thrived in Turkmenistan, steady repression by government authorities, from 2002 in particular, forced those independent non-governmental organizations (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. No new NGOs were registered in Turkmenistan from 2005 until July 2008, at which time the government reported that it had registered 11 new civic organizations. Although 10 of the 11 newly registered groups were reported to be sponsored by the government, the first community-based NGO in the country, the Ak Bugday

Gardener's Association, was also registered. In 2008, Turkmenistan's leadership began to hold a large number of high-profile seminars and workshops in conjunction with international organizations and individual western governments on a variety of democracy and state-building themes, although, as a rule, only vetted ministers, parliamentarians and officials from presidentially controlled institutes were allowed to participate. In the sphere of religious freedom, no fundamental changes have taken place since Berdimuhamedov's ascent to power, and religious activity remains tightly controlled by the state. *Turkmenistan's rating for civil society remains unchanged at 7.00.*

**Independent Media.** In 2008, Turkmenistan's media organizations continued to uphold the ideological line of the state, which maintains its control over all forms of state-run mass media through the retention of a single information agency (TDH). President Berdimuhamedov formally lifted the ban on the importation and circulation of all foreign print media, which had been introduced by Niyazov in 2005, but ordinary citizens are still unable to subscribe to foreign newspapers and magazines, and foreign print matter remains generally inaccessible. Internet access increased modestly in 2008, and government-owned Turkmentelecom remained the main provider to the general population. In an important development, in June 2008 Russia's largest mobile phone operator, Mobile TeleSystems, introduced high-speed wireless internet access and WAP services on mobile phones in Turkmenistan, which offered the possibility of a significant expansion of internet access throughout the country and signaled the end to the monopoly held by Turkmentelecom for much of the independence period. Modest improvements in Internet provision were offset by the continued harassment of independent journalists and the inability of foreign journalists to access the country other than for 'showcase' events, such as international gas conferences. *Despite modest improvements in Internet access, 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. Turkmenistan's rating for independent media remains unchanged at 7.00.*

**Local Democratic Governance.** After coming to power, the Berdimuhamedov leadership announced that it would undertake a US\$4 billion plan to develop the country's rural infrastructure. At the end of 2008 most of the money allocated for the program had not been used and the majority of planned construction projects remained unimplemented, partly owing to a reported absence of directed management. Of the reforms undertaken by Berdimuhamedov since he assumed the presidency, those intended to rejuvenate the country's decaying educational system have been perhaps the most significant and far-reaching. In June 2008, the Minister of Education reported that universities would widen their intake by 10 percent in order to generate more professional and specialist workers. Eighteen new areas of study were introduced at universities and institutes in 2008. Additionally, over 2,000 students from Turkmenistan were reported to be studying abroad, primarily in Russia, Turkey, Malaysia and China, and another 7,000 were studying

in Kyrgyzstan. While, as of late 2008, the *Rubnama* had not been eliminated from the educational curriculum, much less time was devoted to its study. *Turkmenistan's rating for local democratic governance remains unchanged at 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 remain a widespread practice in Turkmenistan, despite laws prohibiting such actions. Authorities have consistently refused to grant the International Committee of the Red Cross unaccompanied access to prisons. In addition to the mass pardoning of prisoners that takes place annually each October, President Berdimuhamedov pledged to release a number of convicts on certain state holidays. However, of the thousands of prisoners amnestied by President Berdimuhamedov since coming to power, less than two dozen were considered political prisoners by international human rights groups. In prisoner amnesties throughout 2008, only one of the country's many known prisoners of conscience was released. Non-Turkmen ethnic minority leaders continue to complain of discrimination, particularly as regards a lack of professional mobility and the *de facto* ban on all ethnic cultural centers and non-Turkmen media sources (with the exception of two print publications in the Russian language). *Turkmenistan's rating for judicial framework and independence remains unchanged at 7.00.*

**Corruption.** As is the case with some other resource-rich countries, the leadership of Turkmenistan is able to sustain its rule through the receipt of hydrocarbon export revenues, which it uses to finance pervasive security services, vanity projects and to secure the support of patronage networks as needed. All major expenditures from the state budget and the conclusion of production-sharing agreements in the oil and gas sector are made by the president and his close circle of advisors. The existence of patronage networks as the basis of power has inevitably given rise to a political culture of bribery, nepotism, and embezzlement. Bribe-taking is particularly prevalent among customs, licensing and social service agencies. In spite of 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 by the allocation of funds towards social programs. In 2008 President Berdimuhamedov retained Niyazov's practice of purging officials at regular intervals rather than embarking on structural reform of the political system. Public reprimands, sackings and six-month probation periods, which created a general atmosphere of paralysis, deterred officials from implementing reform. *Despite limited evidence that more state funds have been directed to social programs, there is still no budget transparency and it remains unclear whether steps have been taken by the new 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 unchanged at 6.75.*

**Outlook for 2009.** Under its new leadership, Turkmenistan has been in the process of ending its self-imposed isolation by, *inter alia*, gradually improving Internet access and increasing the number of students studying abroad. Progress is very slow, however, and, at present rates of reform, a decade or more will be required to see substantial changes to the political and cultural fabric of society.

# MAIN REPORT

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## National Democratic Governance

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
n/a	n/a	n/a	n/a	n/a	7.00	7.00	7.00	7.00	7.00

Since his formal election in February 2007, 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. In similar fashion to Niyazov, Berdimuhamedov holds the posts of president of the Republic, 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). As was the case throughout Niyazov’s rule, under the new Turkmenistani leadership only the executive branch exercises any real power in practice, despite constitutional stipulations regarding the formal existence of executive, legislative, and judicial branches.

A new constitution was formally adopted in Turkmenistan in September 2008, which introduced a number of chiefly cosmetic reforms. After approving the new constitution, Turkmenistan’s highest representative body, the 2,500-member *Halk Maslahaty* (People’s Council), dissolved itself, delegating its powers to an expanded 125-member parliament. Niyazov had created the *Halk Maslahaty* in 1992 to recall the Turkmen “national tradition” of holding tribal assemblies in order to solve society’s most pressing problems. An 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.

In abolishing the *Halk Maslahaty*, the government reverted to having only one legislative body rather than two, although the change did not effect a more equal balance of power among the executive, legislative and judicial branches. Despite having been given the formal powers to, *inter alia*, adopt and amend the constitution, take decisions on the holding of referenda and elections, and ratify and cancel international agreements, the expanded parliament remains a presidential appendage. The president retains the ability to rule by decree and appoint the members of government and the Central Election Commission as well as high-ranking judges. The president was also granted the power under the revised constitution to directly appoint the country’s governors at all levels, although, ironically, Niyazov had changed the system to allow for local gubernatorial elections

only a year before his death. The revised constitution retained the changes adopted in the immediate aftermath of Niyazov's death granting greater authority to the State Security Council, a body that includes leading defense and security officials. As such, according to Article 58, it is the Security Council rather than the parliament that is empowered to choose a deputy prime minister to serve as acting president in the event that the president is no longer able to perform his duties.

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. The Presidential Guard, consisting of some 2,000 to 3,000 former security agents whose loyalty has been tested over time, is not subordinated to any security service and carries out a wide range of functions on the personal orders of the president.

Other than the government-sponsored Democratic Party of Turkmenistan and the Galkynysh National Revival Movement, no parties or movements are legally registered in the country. While the revised constitution allows political parties in theory, the document is not self-executing and, as such, requires implementing legislation prescribing the necessary details to allow political parties to register and carry out activity. The constitution proscribes the formation of parties with a religious or nationalist orientation (Article 31). However, since the government has prevented all parties other than the DPT from registering and functioning, this ban is of little relevance.

The dismantling of Niyazov's personality cult received a considerable impetus during 2008 as the former president's portraits were steadily removed from government and public buildings and dozens of his monuments were taken down in towns and villages. In May it was announced that the Neutrality Arch—a hallmark of Niyazov's rule featuring a revolving, gold-plated figure of Turkmenistan's first president at the top—was to be removed from the centre of Ashgabat to the city's outskirts. Many residential areas named after Niyazov and his relatives were being gradually renamed, and the former president's birthday was eliminated from the country's official holiday list. When Turkmenistani officials redenominated the national currency in January 2009, Niyazov's portrait was replaced by ancient Turkmen heroes and rulers on all but the highest-value banknote, a 500-manat bill. At the same time, portraits of the new president began to replace those of Niyazov inside and outside government buildings, he was widely quoted on television, his speeches were recommended to the public, books about his parents and other relatives were promoted and his portrait was minted on a new coin in honor of his fiftieth birthday.

Also begun in earnest in 2008 was the gradual process of phasing out the cult of Niyazov's quasi-spiritual guidebook for the nation, the *Rubnama* (*Book of the Soul*), which had been accorded the *de facto* status of a holy book on a par with the Koran. Billboards containing the book's excerpts began to be removed, recitals of the *Rubnama* on radio and television were phased out, and *Rubnama* propaganda centers in towns and villages stood empty. By September, the new leadership had abolished the study of the *Rubnama* as a separate, compulsory subject in universities, although it remained a part of the educational system.

As a replacement for the dual cults of Niyazov and the *Rubnama*, in January 2008 President Berdimuhamedov announced that a New Era of Revival was to serve as the new national ideology and 'ensure Turkmenistan's rapid advancement to the heights of progress, humanism and creativity'.<sup>1</sup> Yet, the only manifest evidence of this new ideology was a chain of planned, grandiose construction projects intended 'to serve as man-made symbols for the New Era of Revival,' including a US\$70 million monument to the Turkmenistani constitution, a sports complex, a cultural and entertainment centre, a five-star hotel and a US\$168 million building for the oil and gas industry.

#### Electoral Process

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

In December 2008 Turkmenistan held elections to fill an enlarged, 125-member parliament under a revised constitution. Although the leadership presented the elections as the centerpiece of its political reform program, Berdimuhamedov in fact chose the easier option of eliminating the behemoth People's Council and holding new elections to a revamped Mejlis rather than undertaking any concrete steps towards the introduction of a multi-party system, such as adopting a law on political parties.

According to official government reports, 287 candidates ran for 125 seats, the majority of which represented the DPT and the Galkynysh social movement, while 79 candidates were put forward by citizens' initiative groups. According to the Law on Elections of Deputies to the Mejlis of Turkmenistan, citizens' initiative groups as well as political parties and public associations are empowered to nominate independent candidates for election to parliament. However, a minimum of 200 citizens must be present at the meeting formalizing the nomination of an independent candidate, all of whom must provide the authorities with their full name, date of birth and place of residence. By way of contrast, the committees of the DPT and the Galkynysh Movement are allowed to nominate candidates at regular meetings of their central or rural organs without regard to the number of participants.

The Central Election Commission registered only officially vetted, ‘independent’ candidates, and the applications of at least two Turkmen dissidents were rejected by the authorities. In contrast to the presidential elections of February 2007, pre-election campaigning by candidates for the Mejlis was not broadly advertised and did not generate even a modest debate on issues regarded as taboo under Niyazov, such as the state of healthcare and education. Reports by opposition groups noted voting irregularities, such as block or ‘family’ voting and voting without proof of identity. They also observed a low voter turnout, despite official claims of a 93.87 participation rate.<sup>2</sup> 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.

Although the media gave great fanfare to the presence of foreign observers at the elections, the Organization for Cooperation and Security in Europe’s (OSCE) Office of Democratic Institutions and Human Rights sent only a small expert delegation rather than an election-monitoring mission, stating that the country’s laws did not provide for genuine competition. The United Nations sent three observers, although they did not formally monitor the elections. The United States refused to send observers, stating that elections in Turkmenistan do not meet international standards. Observers from the CIS, on the other hand, gave glowing reports regarding all aspects of the elections, from the nomination and campaigning processes to vote-counting procedures, noting the “openness and transparency” of the work of the district election commissions.<sup>3</sup> Among national observers of the elections were members of the Institute for Democracy and Human Rights (controlled by the president) as well as members of the DPT and approved social organizations.

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. No opposition parties or movements are officially registered in Turkmenistan. Unrelenting harassment by the authorities has driven the relatively small opposition either underground or into exile. The opposition-in-exile remains weak, poor, and prone to internal division. In 2008, authorities sought to prevent the participation of some Turkmenistani opposition leaders and independent NGOs in OSCE-sponsored conferences abroad by lodging protests with that organization against the inclusion in the lists of participants of “criminals at the international level” who have committed “terrorist” acts in Turkmenistan.<sup>4</sup>

## Civil Society

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

There has not been a rebirth of civil society under President Berdimuhamedov's rule. Although civil society has never thrived in Turkmenistan, steady repression by government authorities, from 2002 in particular, forced those independent NGOs that had managed to gain a foothold in the newly independent country to dissolve, re-designate themselves as commercial enterprises, or merge with pro-government public associations. While in 2000 there were approximately 200 to 300 registered and unregistered NGOs in Turkmenistan,<sup>5</sup> by 2005 that number had dwindled to 88, the vast majority of which either supported the government or received direct government support.<sup>6</sup>

No new NGOs were registered from 2005 until July 2008, at which time the government reported that it had registered 11 new civic organizations. Although 10 of the 11 newly registered groups were sponsored by the government, the first community-based NGO in the country, the Ak Bugday Gardener's Association, was also registered. The government de-registered 11 NGOs during 2008 as well.<sup>7</sup> The Turkmenistani government remains suspicious of NGOs while continuing to control and monitor their activity. 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, the journalists union and the women's union.

In 2008, Turkmenistan's leadership began to hold a large number of high-profile seminars and workshops in conjunction with international organizations and individual western governments on a variety of democracy and state-building themes, such as the rule of law, NGO registration, international accounting standards, and countering the financing of terrorism. However, as a rule, only the same coterie of vetted ministers, parliamentarians and officials from presidentially controlled institutes, e.g. the National Institute for Democracy and Human Rights, were allowed to participate in these events, thereby removing any filter-down effect to independent, grassroots organizations.

In the sphere of religious freedom, no fundamental changes have taken place since Berdimuhamedov's ascent to power, and religious activity remains tightly controlled by the state. 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 religious institutions that had managed to register successfully represented 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 managed to gain registration in 2004–2005. Despite this minimal progress, many

minority religious groups remain unregistered, such as the Catholic, Lutheran, Jehovah's Witness, Armenian Apostolic, Shia Muslim and Jewish communities.

In September 2008, the United Nations Special Rapporteur on Freedom of Religion or Belief was allowed to make her first official visit to Turkmenistan, concluding that the situation has improved since 2007 as regards the freedom of groups to operate in Ashgabat, although "individuals and religious communities still face a number of difficulties."<sup>8</sup> 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. As the religious freedom watchdog Forum 18 News Service reported, registration can lead to greater state control and does not facilitate finding of a legal venue for worship services, which continues to be a major problem for minority religious groups in particular.<sup>9</sup> No religious literature may be published in Turkmenistan or imported into the country without permission from the Committee for Religious Affairs.

As no alternative civilian service is offered, conscientious objectors to military conscription are regularly given suspended jail sentences.

#### Independent Media

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

In 2008, Turkmenistan's media organizations continued to uphold the ideological line of the state, which maintains its control over all forms of state-run mass media through the retention of a single information agency (TDH). While the president has criticized the state broadcast and print media as 'lacking creativity,' all journalists of the official mass media are still required to approve their materials with TDH or designated ministry or agency officials.<sup>10</sup>

Despite some improvements in internet access, a substantive improvement in information liberalization is unlikely without changes in the *de facto* censorship policy and the establishment of a rigorous system for the training of journalists.

In addition to 24 newspapers and 15 journals, the 5 state television channels<sup>11</sup> and 4 state radio stations function as mouthpieces for government propaganda. Aside from the programs of the Turkmen Service of Radio Liberty and the German Deutsche Welle in Russian, which are specifically targeted at Turkmenistani listeners, satellite television—which is widely viewed throughout Ashgabat as well as in other cities—provides the only source of alternative information in Turkmenistan. In 2008, President Berdimuhamedov formally lifted the ban on the importation and circulation of all foreign print media, which had been introduced by Niyazov in 2005, but ordinary citizens are still unable to subscribe to foreign

newspapers and magazines, and foreign print matter remains generally inaccessible. Although Turkmenistan's Ministry of Communications contracted with the Russian Federal Agency for the Press and Mass Communications to receive selected Russian periodicals, the primary recipients of these publications are central government ministries and departments.

Internet access increased modestly in 2008, and government-owned Turkmen-telecom remained the main provider to the general population. According to the Internet World Stats directory, Turkmenistan had only an estimated 70,000 internet users as of March 2008,<sup>12</sup> up from 64,800 in August 2007. In an important development, in June 2008 Russia's largest mobile phone operator, Mobile TeleSystems (MTS), introduced high-speed wireless internet access as well as WAP services on mobile phones in Turkmenistan, which offered the possibility of a significant expansion of internet access throughout the country and signaled the end to the Turkmentelecom monopoly on the internet. Mobile telephone use has expanded rapidly in Turkmenistan. As of November 2008, MTS, which provided mobile phone services in over two dozen Turkmenistani cities, reported more than 800,000 subscribers in Turkmenistan,<sup>13</sup> representing a nearly 400 per cent increase over 2007 figures. Leading the mobile market in Turkmenistan, MTS has placed base stations in all areas where the population exceeds 2,000.

Turkmentelecom undertook to connect private citizens to the internet for the first time in years in June 2008, although administrative requirements for getting connected, including a signature from the local police station, continued to hinder access. Additionally, dial-up access rates were expensive for the average citizen, and the government monitored e-mail and internet usage. Not least, Turkmentelecom was not able to keep pace with the demand for home internet connections, as its outdated hardware reportedly allowed only some 20,000 computers to be connected to the internet system at any one time. In order to rectify this situation, in 2008 the government contracted with British and Lithuanian firms to set up high-speed internet connection systems.

In 2008, approximately 15 state-run internet cafes in Ashgabat and regional capitals had been set up. Usage of the cafes is not high, primarily owing to the relatively expensive charges as well as concerns that internet use could be monitored by the authorities. Resource centers sponsored by some Western embassies, international organizations and NGOs offering free internet access to the general public proved much more popular. Most internet Web sites critical of official government policy remained blocked by the authorities, although several major foreign news sites were accessible—a distinct change from the Niyazov era.

Modest improvements in internet provision were offset by the continued harassment of independent journalists and the inability of foreign journalists to access the country other than for 'showcase' events, such as international gas conferences. The government required all foreign journalists to apply for accreditation, although there were no defined criteria for either receiving or withdrawing it. According to the US Department of State, as many as 13 correspondents representing foreign media services operated without accreditation.

The closed nature of society under the new Turkmenistani leadership was highlighted by an unexpectedly fierce two-day battle that broke out in a northern suburb of Ashgabat in September 2008. Official reports on the clashes provided little information, which served to fuel speculation in foreign media sources.<sup>14</sup> State-run media stated tersely that ‘criminal groups involved in the illegal drugs trade and armed with firearms and grenades’ clashed with police, leading to an unspecified number of casualties, while some Western wire services and Russian media asserted that the violence was instigated by Islamist extremists. One opposition Web site speculated that the violence was the result of infighting between different clans within Turkmenistan’s security services, while another claimed that radical oppositionists took forceful action in order to restore the constitutional system in Turkmenistan. Observers noted that reports of violent clashes in a normally tranquil Ashgabat, whatever their cause, brought to the fore the dearth of available information regarding the state of Turkmenistan’s internal security and potential sources of instability.

#### Local Democratic Governance

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
n/a	n/a	n/a	n/a	n/a	7.00	7.00	7.00	6.75	6.75

State power in Turkmenistan’s five *velayats* (regions) and in the city of Ashgabat is formally vested in the largely decorative *Halk Maslahaty* (People’s Councils), elected in December 2007, following elections for district and city people’s councils in December 2006. The country’s governors are directly appointed by the president at all levels. 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.

Tribal identities remain strong in Turkmenistan and continue to play an important role in Turkmen society and informal local politics. 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, although this is at least in part owing to the fact that the capital of Ashgabat is located in the Ahal Region, where Ahal Tekkes predominate.

After coming to power, the Berdimuhamedov leadership announced that it would undertake a US\$4 billion plan to develop the country’s rural infrastructure and grant urban status to certain large villages with populations ranging from

8,000-32,000. Under the scheme, these ‘overgrown’ villages are to be transformed into small towns with adequate infrastructure, including new schools, health care and community centers, fiber-optic communications, gas pipelines, and water supply and sewage systems. Despite the massive funding officially allocated to the project, the leadership has faced a number of daunting obstacles in carrying it out, not least the absence of running water, working sewage systems, electricity and even gas in many rural areas. At the end of 2008 most of the money earmarked for the program had not been used, while the majority of planned construction projects remained unimplemented.

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. The reforms undertaken by Berdimuhamedov since 2007 to rejuvenate the country’s decaying educational system have been perhaps the most significant and far-reaching. A 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. Not least, in June 2007 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.

In a move that should help to reverse the effects of the ‘brain drain’ that took place during the Niyazov years, in June 2008 the Minister of Education reported that universities would widen their intake by 10 percent in order to generate more professional and specialist workers. Additionally, over 2,000 students from Turkmenistan were reported to be studying abroad, primarily in Russia, Turkey, Malaysia and China.<sup>15</sup> Approximately another 7,000 students from Turkmenistan were reported to have gone to Kyrgyzstan to receive a higher education.<sup>16</sup> Also in 2008 the US government opened five interactive multi-media learning centers in Turkmenistan under the auspices of the International Research and Exchanges Board for the purposes of training Turkmenistani educators at all levels to use computer-based technologies and interactive methods in the classroom.<sup>17</sup>

Marking a significant departure from the Niyazov era, eighteen new areas of study were introduced at universities and institutes in 2008, including Italian and Chinese languages and literatures, agro-chemistry and soil science, land reclamation mechanization, circus and variety arts, and international law, economics and journalism. While as of late 2008, the *Ruhnama* had not been eliminated from the educational curriculum, much less time was devoted to its study (1–2 hours a week in grades one through ten as well as in all higher educational establishments).

In addition to the education sector, health care services in Turkmenistan were systematically undermined by Niyazov. By late 2006 most rural district hospitals were reported to have closed, although some hospitals in district and regional centers, which offered some specialist care, continued to operate. Turkmenistani media reported that ‘hundreds of millions of dollars’ had been allocated in 2008 for the construction and equipping of modern health care clinics with state-of-the-art equipment in both Ashgabat and the regions,<sup>18</sup> although manifest evidence of improvements in the healthcare sector was scant and inconsistent. A notable exception was a hospital in Serdar, located in the western Balkan Province, which was reported to have been renovated and fitted with modern equipment and instruments.

#### Judicial Framework and Independence

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
6.75	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

Turkmenistan’s constitution, which was adopted in May 1992 and amended on several occasions thereafter, guarantees in theory the protection of basic rights and liberties, equality under the law, and the separation of religion and state.

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. 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. The president appoints all judges for five-year terms without legislative review. 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. There is no constitutional court, and the Prosecutor General remains a political appointee whose primary function is repression rather than oversight. 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. Authorities have consistently refused 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 between 250,000 and 275,000. 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 addition to the mass pardoning that takes place annually on Gadyr Gijesi, President Berdimuhamedov pledged to release a number of convicts on certain state holidays: Flag Day (February 19), Constitution Day (May 18), Independence Day (October 27) and Neutrality Day (December 9). However, of the thousands of prisoners amnestied by President Berdimuhamedov since coming to power in 2007, less than two dozen were considered political prisoners by international human rights groups. 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 in 2007 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. In 2008, only one known prisoner of conscience was released, on Neutrality Day in December.<sup>19</sup>

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 drawing up an extensive “blacklist” of citizens prohibited from leaving the country and the arbitrary confiscation of passports. Although the blacklist is alleged to have been reduced in number since Berdimuhamedov came to power, it was still in existence in 2008. The new leadership has enacted meaningful reforms easing internal travel restrictions, which in practice meant a reduction in the number of roadside document checks and inspections between cities. Significantly, 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. 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 and its removal to another location. Berdimuhamedov's rule, however, has brought some reduction in discrimination towards non-Turkmen ethnic minorities, insofar as foreign languages, particularly Russian, have been re-introduced into school curricula and public life. However, minority leaders continue to complain of discrimination, particularly as regards a lack of professional mobility and the

continued unofficial ban on all ethnic cultural centers and non-Turkmen media sources (with the exception of two print publications in the Russian language).

#### Corruption

1999–2000	2001	2002	2003	2004	2005	2006	2007	2008	2009
6.00	6.25	6.25	6.25	6.25	6.50	6.75	6.75	6.75	6.75

As is the case with some other resource-rich countries, the leadership of Turkmenistan is able to sustain its rule through the receipt of hydrocarbon export revenues, which it uses to finance pervasive security services and vanity projects as well as to secure the support of patronage networks as needed. All major expenditures from the state budget and the conclusion of production-sharing agreements in the oil and gas sector are made by the president and his close circle of advisors. There is still a notable lack of transparency with regard to true economic figures, since budget data and statistics are not accessible to the public.

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. A limited number of patronage networks commanded by Berdimuhamedov control the country’s economy, which is divided into spheres of influence dominated by a close circle of the president’s appointees.

The existence of patronage networks as the basis of power has inevitably given rise to a political culture of bribery, nepotism, and embezzlement. Bribe-taking is particularly prevalent among customs, licensing and social service agencies. Large amounts of government revenue are spent on flamboyant construction projects carried out primarily by Turkish and French firms. According to Transparency International’s Corruption Perceptions Index for 2008, Turkmenistan ranked as one of the most corrupt countries in the world with a score of 1.8 (with 10 “highly clean” and 0 “highly corrupt”), putting it on a par with Uzbekistan, Kyrgyzstan, Cambodia and Zimbabwe. Additionally, the UK Financial Task Force put Turkmenistan on a list of countries that it claimed were at risk of money-laundering and terrorist financing owing to the lack of formal mechanisms to combat them.

President Berdimuhamedov retained Niyazov’s practice of purging officials at regular intervals rather than embarking on structural reform of the political system. By the end of 2008, the new President had sacked most of the key figures who had engineered his rise to power, and only a handful of Niyazov appointees continued to hold posts in the Cabinet of Ministers. Some officials were replaced in order to promote change, while others were either too visibly associated with the *ancien régime* or were removed in order to prevent the formation of alternative power

centers. Public reprimands, sackings, and six-month probation periods created a general atmosphere of fear and paralysis and deterred officials from implementing reforms.

During the final years of Niyazov's rule, drastic cuts in pensions, 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 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.<sup>20</sup> 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.<sup>21</sup> However, according to the European Bank for Reconstruction and Development, the Turkmenistani government accounts managed by Deutsche Bank were under the "discretionary control of the president without proper regulation and transparency."<sup>22</sup> Global Witness has stated that no information has been forthcoming from the new Turkmenistani leadership regarding the vast amounts of export revenues concealed by Niyazov in foreign banks, and it remains unclear whether any of the off-budget funds have been introduced into formal accounting mechanisms, despite repeated queries in both 2007 and 2008.

In spite of 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, the allocation of funds towards rural development as well as the introduction of payments for the socially vulnerable. 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. The budget for these vanity projects lacks transparency and appears inflated, e.g. the reconstruction of a cinema in the capital at the cost of US\$12 million and a luxury hotel to be built by the French company Bougyues at a cost of US\$270 million.

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. 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,



- Turkmenistan News Brief*, September 5–11, 2008, Turkmenistan Project, available at [http://www.soros.org/initiatives/turkmenistan/articles\\_publications/listing?type=Publication](http://www.soros.org/initiatives/turkmenistan/articles_publications/listing?type=Publication).
- <sup>9</sup> Felix Corley, “Turkmenistan: Religious Freedom Survey,” *Forum 18 News Service*, August 2008, [http://www.forum18.org/Archive.php?article\\_id=1167](http://www.forum18.org/Archive.php?article_id=1167).
- <sup>10</sup> On the State of Freedom of the Mass Media, the Right to Freedom of Speech and Free Access to Information in Turkmenistan, Turkmen Initiative for Human Rights, September 2008, p. 8.
- <sup>11</sup> Turkmenistan’s fourth television channel, the multilingual satellite television service TV-4 Turkmenistan, which was created in 2004 at an estimated cost of US\$12 million, was a major propaganda effort undertaken to improve Turkmenistan’s international image. It broadcasts programs in Turkmen and in six foreign languages: English, Chinese, Russian, French, Arabic, and Persian. A newly created fifth television channel is devoted almost exclusively to Turkmen culture.
- <sup>12</sup> Available at <http://www.internetworldstats.com/asia.htm>.
- <sup>13</sup> Ayan, Business and Corporate Travel Management website, <http://www.turkmenistan-business.com/en/203-mts-plans-to-construct-3g-mobile.html>.
- <sup>14</sup> For an excellent, detailed analysis of both the international and domestic media reports on the September clashes, see Vitaliy Ponomarev, *Sobytiia v Ashkhabade 10–13 Sentiabria 2000g* [Events in Ashkhabad September 10–13, 2008], Memorial Human Rights Center, Moscow, November 5, 2008.
- <sup>15</sup> “The Best Universities of the World for Education,” July 2, 2008, <http://www.turkmenistan.gov.tm/?idr=9&cid=080702b>; “Na obuchenie v zarubezhnie vuzy napraviatsia bolee 2200 turkmenskikh studentov” [More than 2200 Turkmen students will be sent to study at foreign higher educational establishments], July 3, 2008, [http://www.turkmenistan.ru/?page\\_id=3&lang\\_id=ru&elem\\_id=13151&ctype=event&sort-date\\_desc](http://www.turkmenistan.ru/?page_id=3&lang_id=ru&elem_id=13151&ctype=event&sort-date_desc).
- <sup>16</sup> “Turkmenistan: reforma sistemy obrazovaniia” [Turkmenistan: reform of the educational system], Turkmen Initiative for Human Rights, Vienna, January 2009, p. 20.
- <sup>17</sup> “The United States and Turkmenistan Open an Internet Center at the Supreme Council on Science and Technology,” US Embassy, Ashgabat, October 15, 2008, available at <http://turkmenistan.usembassy.gov/pr20081015.html>.
- <sup>18</sup> “Infrastructure of Health,” January 13, 2009, <http://www.turkmenistan.gov.tm/?idr=7&cid=090113a>.
- <sup>19</sup> “Turkmenistan: Rights Activist Freed,” Human Rights Watch, December 9, 2008, <http://www.hrw.org/en/news/2008/12/09/turkmenistan-rights-activist-freed>.
- <sup>20</sup> “Funny Business in the Turkmen-Ukraine Gas Trade,” *Global Witness*, April 2006; Annette Bohr, “Independent Turkmenistan: From Post-Communism to Sultanism,” in Sally N. Cummings, *Oil, Transition and Security in Central Asia* (London: RoutledgeCurzon, 2003), p. 15.
- <sup>21</sup> “Deutsche Bank denies it helped prop up ‘Turkmenbashi the Great,’ *Bloomberg News*, May 10, 2007, available at <http://www.bloomberg.com/apps/news?pid=newsarchive&sid=agYViKnuF4bI>.
- <sup>22</sup> “Turkmen Exiles Demand Deutsche Probe,” *Financial Times*, December 23, 2006.

