

# Turkmenistan

by Annette Bohr

*Capital:* Aşgabat  
*Population:* 5.2 million  
*GDP/capita, PPP:* US\$12,920

Source: The data above are drawn from the World Bank's *World Development Indicators 2014*.

## Nations in Transit Ratings and Averaged Scores

	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
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
National Democratic Governance	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Local Democratic Governance	7.00	7.00	7.00	6.75	6.75	6.75	6.75	6.75	6.75	6.75
Judicial Framework and Independence	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Corruption	6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75
<b>Democracy Score</b>	<b>6.93</b>	<b>6.96</b>	<b>6.96</b>	<b>6.93</b>	<b>6.93</b>	<b>6.93</b>	<b>6.93</b>	<b>6.93</b>	<b>6.93</b>	<b>6.93</b>

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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Since the collapse of the Soviet Union in 1991, Turkmenistan has been widely regarded as one of the 21<sup>st</sup> century's most repressive regimes. Although a change of regime took place following the 2006 death of the country's first president, Saparmurat Niyazov, independent Turkmenistan has not experienced a regime transition under the rule of its second president, Gurbanguly Berdimuhamedow. The leadership is able to sustain its brand of authoritarian, personalistic rule through the sale of its vast hydrocarbon resources that it uses to finance extensive security services and patronage networks. The acute shortage of qualified personnel and the relatively small size of Turkmenistan's intelligentsia limit opportunities for reform.

In 2013, Turkmenistan held its first multiparty parliamentary elections, but that body nonetheless looked set to firmly retain its rubber stamp character. The omnipresent leadership cult was entrenched even more firmly through its extension to some of Berdimuhamedow's family members and forebears, and the regime's opponents remained confined for the most part in the country's prisons or in emigration. A new media law officially forbidding censorship did not lead to any meaningful increase in freedom of information. Nevertheless, some positive changes were made in the sphere of education, such as the abolition of the teaching of Niyazov's quasi-spiritual guidebook for the nation, *The Ruhnama* (Book of the Soul), in schools, and the move to a 12-year schooling system. The issue of the rights of dual Turkmen-Russian passport holders was partially addressed.

**National Democratic Governance.** Decision-making power is concentrated in the hands of the executive branch, with the parliament acting as a presidential appendage. Internal security and law enforcement agencies ensure that the regime remains in power through tight control of society and by discouraging dissent. Almost all opposition groups are based abroad, and their leaders fear arrest if they return to Turkmenistan. In 2013, President Berdimuhamedow continued to appoint relatives and people from his home region in the western part of Ahal Province to senior government posts. Under his rule, officials have been replaced or rotated less frequently than in the Niyazov era, allowing them greater possibilities to establish their own power bases. *Turkmenistan's rating for national governance remains unchanged at 7.00.*

**Electoral Process.** Parliamentary elections in December 2013 were heralded as Turkmenistan's first multiparty elections, insofar as two registered parties were allowed to field candidates. A few months before the election, President Berdimuhamedow stepped down as chairman of the government-sponsored Democratic Party of Turkmenistan (DPT) and announced he would withdraw his

membership while in office, ostensibly so as not to give an advantage to any single party. Despite these changes, the elections were fundamentally noncompetitive as all candidates were progovernment and previously vetted by government leadership. As usual, the Central Electoral Commission reported voter turnout of over 90 percent. Pending evidence that changes in Turkmenistan's electoral process are more than symbolic, *Turkmenistan's rating for electoral process remains unchanged at 7.00.*

**Civil Society.** Domestic and foreign nongovernmental actors (NGOs) remain strictly monitored, and the government continues to introduce constraints against their work. Unregistered NGO activity is punishable by a fine, short-term detention, and confiscation of property. All political parties, public associations, and religious congregations are required to register with the Ministry of Fairness to gain legal status. A resolution adopted in January 2013 required all foreign funding for registered public associations to undergo approval by at least five government bodies. In addition to the jailing of prisoners of conscience, systematic rights violations under President Berdimuhamedow include state control of religious leaders and communities, severe restrictions on religious education, raids on both registered and unregistered groups, and restrictions on places of worship. *Turkmenistan's rating for civil society remains unchanged at 7.00.*

**Independent Media.** The authorities maintain near-total control over Turkmenistan's traditional media, whose primary function is to describe and praise the activities of the president. Extremely low internet penetration limits access to other sources of information, and the government continues to block websites critical of state policy. Text-message filtering and surveillance are common. Turkmenistan's first media law, which claims to forbid censorship and "interference in the activities of the media," entered into force in January 2013. *Turkmenistan's rating for independent media remains unchanged at 7.00.*

**Local Democratic Governance.** Turkmenistan's governors (*hakims*) are directly appointed by the president. In 2013, President Berdimuhamedow abolished the study of *The Ruhnama* as a mandatory subject and instituted a 12-year system in general secondary schools, set to begin in the 2013–14 academic year. Since coming to power, the president has made a number of infrastructural improvements to Turkmenistan's decaying education system, but there remains a chronic shortage of qualified teachers, bribes are regularly accepted for places in higher education institutes, textbooks are laden with ideology, and young people are required to miss significant school hours in order to participate in state events. *Turkmenistan's rating for local democratic governance remains unchanged at 6.75.*

**Judicial Framework and Independence.** Of the 183 recommendations it received from the United Nations Human Rights Council in May 2013, Turkmenistan's government rejected 16 outright, including the release of political prisoners and the decriminalization of sexual relations between consenting adults of the same

gender. Turkmenistan's imprisonment rate is reported to be among the highest in the world, which has led to serious overcrowding and the spread of disease in the prison system. In February, two Turkmen civil society activists who had been convicted on politically motivated charges in 2006 finished their prison sentences and were released. After years in legislative limbo and following a series of high-level diplomatic negotiations, approximately 43,000 Turkmen residents who also hold Russian citizenship were promised new biometric Turkmen passports in July. Previously, the authorities had insisted that dual passport holders must renounce their Russian citizenship before receiving replacements for their no-longer-valid Turkmen travel documents. The Law on Citizenship was altered accordingly, allowing dual citizenship in certain cases, despite its prohibition in the 2008 Constitution. *Turkmenistan's rating for judicial framework and independence remains unchanged at 7.00.*

**Corruption.** Turkmenistan ranks among the world's worst performers in several annual indices measuring corruption and economic freedom. There is a notable lack of transparency with regard to economic figures, including government income, spending, and extra-budgetary accounts. Berdimuhamedow presides over a system that enables him to legally appropriate and use the revenues from hydrocarbons sales at his own discretion. Government contracts for the construction of large physical assets such as ministry buildings, hotels, and airports are a preferred means of providing elites with opportunities to pocket allocated funds. For the first time since independence, in August 2013, Turkmenistan entrusted local construction firms with a major development project, possibly heralding a move towards increased use of local labor. *Turkmenistan's rating for corruption remains unchanged at 6.75.*

**Outlook for 2014.** Liberalization in Turkmenistan is unlikely until a collection of social and cultural changes occur. Particularly essential would be higher levels of education and a concomitant growth in the number of intellectual elites, increased levels of occupational specialization and urbanization, and a freer media environment. The presidential cult will most likely develop and entrench itself further, while some governors and relatives of the president can be expected to continue establishing their own power bases. Some improvements to the educational system are also expected.

# MAIN REPORT

## National Democratic Governance

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

While formal governing institutions have evolved over time in Turkmenistan, they have been manipulated by the leadership to provide a veneer of legitimacy and have no power to influence the decision-making process. The parliament (*Mejlis*), a unicameral body comprising deputies elected in single-mandate constituencies for five-year terms, acts as a presidential appendage. In addition to his role as head of the executive branch of power, President Gurbanguly Berdimuhamedow serves, inter alia, as chairman of the Council of Ministers (prime minister), supreme commander-in-chief of the National Armed Forces, chairman of the Council of Elders, head of the Council for Religious Affairs, and chairman of the Higher Council of Science and Technology. The president appoints the members of government and the Central Election Commission as well as high-ranking judges. Under the revised 2008 constitution, he was granted the power to directly appoint the country's governors at all levels.

In order to maintain power, the regime suppresses dissent and tightly controls independent activity, employing extensive internal security and law enforcement agencies overseen by the Ministry of National Security (MNS), independent Turkmenistan's equivalent to the Soviet-era Committee for State Security (KGB). The Ministry of Internal Affairs (MIA) directs the criminal police, who work closely with the MNS on matters of national security. Both ministries systematically abuse individuals' rights in order to enforce the government's policy of preempting regime threats. The armed forces in Turkmenistan have been stripped of any real security functions, leaving the MNS, rather than the Ministry of Defense, responsible for military counterintelligence. For years, the MNS, the MIA, the armed forces, and the Prosecutor General's Office have been engaged in a battle for the expansion of their respective spheres of influence, engaging in mutual espionage and prompting regular purges of their own ranks.

Turkmenistan's presidential personality cult, an integral element of the regime's nationbuilding strategy, was developed under former leader Separmurat Niyazov and continues, with some modifications, under Berdimuhamedow. Niyazov's honorific title was *Turkmenbashi* ("Head of All Turkmen"), and since 2011 Berdimuhamedow has been known as *Arkadag* ("Protector" or "Protective Mountain"). Particularly lavish or innovative ways of praising the president can result in promotion and access to scarce resources. Consequently, the cult is not simply promulgated "from the top" but also sustained "from below" as an accepted and familiar social mobility vehicle for civil servants. Berdimuhamedow, who began his career as a dentist, has

accumulated a plethora of honorific titles, degrees, awards, and prizes, including doctorates in economics and medicine, the rank of Army General, membership in the Academy of Sciences, a black belt in karate (awarded for his contribution to the development of the sport), and, in 2013, the title of “Distinguished Architect of Turkmenistan.”<sup>1</sup>

Portraits of the president adorn both the inside and outside of government buildings, and his activities are the primary focus of state media. Turkmen media make visible efforts to present Berdimuhamedow as a youthful, energetic, and versatile reformer. Since 2009, he has been seen on state media riding a bicycle, behind the steering wheel of a race car, in the cabin of a fighter jet, dancing (somewhat awkwardly) at a circus performance, playing guitar, singing popular music, and performing surgery in a newly equipped clinic. After finishing first in an equestrian race in May 2013, the president was thrown to the ground when his horse stumbled after crossing the finish line. Footage of the accident was carefully edited out of all broadcasts, and no word of the fall appeared in Turkmenistan’s official media; however, a video clip of the incident that made its way onto an American website was reported to have received over 500,000 hits.<sup>2</sup> Apart from school textbooks, most newly published books in Turkmenistan are either tributes to Berdimuhamedow or works allegedly written by the president himself. The latter category includes books on topics ranging from Ahalteke horses to the art of carpet weaving and the use of medicinal plants. Six volumes of the *Arkadag’s* selected works, titled *Towards the New Heights of Progress*, had been published by mid-2013. The president also published a book about his father’s childhood entitled *The Bird of Happiness*.<sup>3</sup> A statue of Berdimuhamedow the elder, who is still living, was unveiled in the president’s hometown in 2012.

Most political appointments are based on loyalty and subservience to the president rather than merit. In the past, fear of potential challengers has led the leadership to carry out widespread, regular purges of officials. However, after initial large-scale purges in 2007–08, officials have been replaced or rotated much less frequently, allowing them more opportunity to establish their own power bases. Whereas during the final years of Niyazov’s rule *hakims* (governors) typically served less than a year, more recently it has not been uncommon for regional hakims to serve 30 months or longer. When hakims are replaced, it is usually by a native of the region in question.<sup>4</sup>

In contrast to Niyazov, who steered clear of kinship or region-based networks, Berdimuhamedow often appoints his relatives and persons from his home region in the western Ahal Province (dominated by the Ahalteke tribe) to senior posts. The disproportionate number of Ahalteke tribe members in central government is also partly due to the fact that the capital city, Ashgabat, is itself located in Ahal Province. Like his predecessor, the president has also cultivated a close circle of non-Turkmen cronies who are “above clan politics,” comprising a handful of ethnic Jews, Russians, and Armenians in addition to selected Turkish, French, and German businessmen.

## Electoral Process

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

For the first time in independent Turkmenistan's history, two registered parties were permitted to field candidates for parliamentary elections held in December 2013. The country's first "opposition" party, the Party of Industrialists and Entrepreneurs, was launched in August 2012, ostensibly to bring together representatives of small- and medium-sized businesses. In August 2013, President Berdimuhamedow made another gesture in the name of electoral competitiveness, officially stepping down as chairman of the government-sponsored Democratic Party of Turkmenistan (DPT) and withdrawing his membership while serving as president.<sup>5</sup>

By making the *pro forma* shift to multiparty politics, the leadership is able to claim that it meets one of the criteria set by some international organizations, governments, and financial institutions as a benchmark for further investment and cooperation.<sup>6</sup> Turkmenistan's new veneer of political pluralism also enables it to keep pace with its Central Asian neighbors: Uzbekistan has long had artificially created "pocket parties" in parliament, while Kazakhstan finally allowed two additional parties—both of which are loyal to the regime—to enter parliament in January 2012.

As in previous elections, all candidates running in December 2013 were progovernment and previously vetted. At least one—Maisa Yazmuhamedowa, the former deputy chairperson responsible for ideology—was declared as having secured a seat before the preliminary results were announced.<sup>7</sup> According to the official election results, 283 candidates vied for 125 seats, 47 of which went to the DPT, 14 to the Party of Industrialists and Entrepreneurs, 33 to the trade unions, 16 to women's groups, 8 to the Magtulguly Youth Organization, and 7 to other citizens' groups.<sup>8</sup> As usual, the Central Electoral Commission (CEC) reported voter turnout of over 90 percent. At the first session of the newly elected parliament, Akja Nurberdieva was reelected chairperson, a position she has held since December 2006.<sup>9</sup>

Following an official invitation from the Ministry of Foreign Affairs of Turkmenistan, the Organization for Security and Cooperation in Europe/Office for Democratic Institutions and Human Rights (OSCE/ODIHR) deployed an Election Assessment Mission to observe the elections. Consisting of 15 international experts, the mission looked into issues such as the legal framework and media coverage of the campaign, but it did not carry out systematic observation of voting, counting, or tabulation. A final report was to be issued only in February 2014. The OSCE/ODIHR had not previously observed or assessed elections in Turkmenistan, although it had sent election support teams to the presidential elections in 2007 and 2012, the parliamentary elections of 2008, and the local elections of 2010.<sup>10</sup>

Unrelenting harassment by the authorities has driven the relatively small unofficial opposition either underground or into exile, primarily in Russia and

some Western European countries. The opposition-in-exile remains weak and prone to internal division, although some independent human rights activists from Turkmenistan operating abroad publish regular reports on the country's domestic and foreign politics.

#### Civil Society

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

The 2003 Law on Public Associations requires all nongovernmental organizations (NGOs) to register with the Ministry of Fairness (*Adalat*), which also approves their internal governance structures. In addition to other restrictions, the law requires a high number of founding members for registration and a limited territory of operation. The authorities are free to suspend registration altogether after two written reprimands.<sup>11</sup> A resolution adopted in January 2013 required all foreign funding to registered public associations to undergo approval by at least five government bodies. While in 2000, there were approximately 200–300 registered and unregistered NGOs operating in Turkmenistan, the International Center for Not-for-Profit Law estimates that by August 2013, only 100 or so were registered.<sup>12</sup> The vast majority of these support the government or receive direct government funding. The government-controlled Association of Trade Unions of Turkmenistan is the only central trade union permitted. Workers are barred by law from bargaining collectively or staging strikes.

Groups without official sanction wishing to register as NGOs have their applications turned down or dragged out for years. Because the prospects for securing official registration are considered so remote, many groups have chosen either to register as business societies or to forego the bureaucratic process and operate covertly, although the penalties for unregistered activity can be severe: unregistered NGO activity is punishable by a fine, short-term detention, and confiscation of property. In 2013, Turkmen officials continued to protest the participation of representatives of unofficial Turkmen NGOs operating abroad at annual OSCE human rights review meetings.<sup>13</sup>

In order to prevent the emergence of Islam as a locus of oppositional activity, the Turkmen leadership has thoroughly infiltrated the official religious establishment. Religious matters are administered by the Council on Religious Affairs (CRA) set up by Niyazov in 1994, whose members are appointed by the government and report to the president. The CRA controls the hiring, promotion, and firing of Sunni Muslim and Russian Orthodox clergy, who are required to report regularly to the CRA.

As with political parties and public associations, all religious congregations are required to register with the Ministry of Fairness to gain legal status. In 2012, Turkmenistan's government reported that 128 religious communities had state registration, among which 104 were Muslim (Sunni and Shia), 13 were Russian

Orthodox, and 11 were of other faiths, including Protestant groups, the Baha'i, Roman Catholics, and the Hare Krishna community.<sup>14</sup> Many minority religious groups, including the Lutheran, Jehovah's Witness, Armenian Apostolic, and Jewish communities, have faced repeated registration refusals.

At the end of December 2013, the religious freedom watchdog Forum 18 reported that there were 11 known prisoners of conscience jailed for exercising freedom of religion or belief in Turkmenistan. Seven of these had lodged applications to the UN Human Rights Committee protesting against their imprisonment and maltreatment.<sup>15</sup> In addition to the jailing of prisoners of conscience, systematic rights violations under President Berdimuhamedow include state control of religious leaders and communities, severe restrictions on religious education, raids on both registered and unregistered groups, and restrictions on place of worship.

Little is known about the existence of radical Islamist groups in Turkmenistan beyond a few allusions in unofficial media. Despite reports that the Islamist group Hizb-ut-Tahrir has won converts in Turkmenistan's labor camps and prisons, a significant presence in the country has yet to be established. A well-known Turkmen blogger and journalist operating under the pen name Annasoltan wrote in 2011 that pockets of followers of Hizb ut-Tahrir, Tablighi Jamaat, Atageldi aga, and Myrat aga "play a much more significant role in Turkmenistan's underground political life than the government has ever admitted," although the evidence is circumstantial. According to Annasoltan, rather than advocating jihad, "hidden Islamists" are using the internet "to directly propagandize regular Turkmen."<sup>16</sup>

#### Independent Media

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

Indices measuring media freedom around the world, including Freedom House's Press Freedom survey, rank Turkmenistan's media environment among the most repressive in the world, alongside North Korea and Eritrea. Virtually all newspapers, magazines, television stations, and radio stations in Turkmenistan are owned and controlled by the government. The only news agency in the country is the government's Turkmendovlethabarlary (TDH). The state employs a number of techniques to censor information, from information blackouts in state media to internet and text-message filtering, cyber-attacks, and surveillance.

Turkmenistan's first media law, which claims to forbid censorship and "interference in the activities of the media," entered into force in January 2013. Having been drafted with the assistance of the OSCE, the law conforms to international standards but is highly unlikely to serve any practical effect in liberalizing the country's carefully controlled media. To accommodate a provision of the new law banning press monopolies, President Berdimuhamedow officially relinquished his ownership of all the country's major newspapers, only to transfer

them to the Cabinet of Ministers, of which the president is the head, and other government offices under his direct control. These offices will now be credited as the “founders” of various publications formerly “founded” by Berdimuhamedow and will be officially responsible for them.<sup>17</sup>

Turkmenistan regularly denies visas to foreign correspondents; the few correspondents who obtain permission to enter the country are accompanied by “minders” from the security services who severely restrict their movements and choice of interviewees. Some Ashgabat-based correspondents working for the American-funded Radio Free Europe/Radio Liberty (RFE/RL), which has neither a bureau nor accredited journalists in Turkmenistan, noted in 2013 that much of the interference in their work now comes from mid- and low-level officials rather than directly from the central government and security services.<sup>18</sup> One of the journalists commented that there had been fewer interruptions to phone service and less obvious surveillance of late.

Ordinary citizens are still unable to subscribe to any foreign periodicals at their home addresses, and foreign print matter remains generally inaccessible.<sup>19</sup> Aside from the radio broadcasts of the Turkmen Service of RFE/RL (“Azatlyk”) and the German Deutsche Welle in Russian, both of which are specifically targeted at Turkmen listeners, satellite television—widely viewed in the capital as well as in other cities—provides the most popular as well as only source of alternative media in Turkmenistan for those without access to the internet.

In 2011, Turkmenistan founded a National Space Agency, a major goal of which is to launch a commercial satellite to develop the country’s telecommunications systems and provide services to a larger market.<sup>20</sup> The artificial satellite will also be employed to monitor agricultural areas and conduct research for the needs of the oil and gas industry.<sup>21</sup> The Turkmen satellite, scheduled for launch in late 2014, should end Turkmen dependence on the Russian JSC Gazprom Space Systems satellite for the provision of digital television and the broadcast of Russian and Turkish television programs.

Turkmenistan has one of the world’s lowest official internet penetration rates—about 5 percent in 2012, compared with 45 percent in Kazakhstan and 30.2 percent in Uzbekistan.<sup>22</sup> State-owned Turkmen Telekom began connecting private citizens to the internet as recently as June 2008, and long waits and administrative requirements for getting connected—including a signature from the local police station—continue to hinder access. Dial-up access rates are prohibitively expensive for the average citizen and service is unreliable and slow; neighboring Afghanistan’s average download speed is more than twice as fast.<sup>23</sup>

The percentage of citizens who access the internet through mobile phones is higher, estimated at 14 percent of the population, of which 6 percent had 3G service.<sup>24</sup> Mobile phones, which are much cheaper than fixed lines, are estimated to be used by over 60 percent of the population.<sup>25</sup> In November 2013, it was reported that the government had blocked the mobile messaging services Wechat and Line, having blocked the popular applications Whatsapp and Viber the previous year.<sup>26</sup>

Websites critical of official government policy, independent news sites, and other undesirable online content are blocked by the authorities through the use of new filtering technologies, although patterns of censorship are inconsistent. It is not always a straightforward process to determine which websites have been selected for censorship, since some bandwidth that is purchased from Uzbekistan and Iran has already been subject to filtering by authorities in those countries.<sup>27</sup> YouTube, Facebook, and Twitter are either blocked or impossible to open due to slow connectivity, prompting increasing numbers of Turkmen to try popular chat forums such as VKontakte.ru and Odnoklassniki.ru. Electronic mail is monitored, although there are reports that communications between Gmail account users can be more difficult for authorities to intercept.<sup>28</sup>

Unlike in other closed societies, such as China and Iran, circumvention tools used to bypass internet blocking systems are relatively unknown in Turkmenistan, while many Internet users who are aware of them are fearful of using them.<sup>29</sup> However, some hacked versions of mobile browsers have appeared with built-in proxying, enabling amateurs to use them without having to code.<sup>30</sup> In April 2012, there were over 80,000 page views of a popular Turkmen news service that Psiphon, an open source web proxy, uses as its landing page.<sup>31</sup>

#### Local Democratic Governance

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
7.00	7.00	7.00	6.75	6.75	6.75	6.75	6.75	6.75	6.75

Tribal identities, which play an important role in Turkmen society and informal local politics, manifest 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. There are some 30 tribes, comprising more than 5,000 clans. The state flag contains five carpet guls (a design used in producing rugs), each of which is associated with a different tribe. Applicants for some public sector jobs must provide their prospective employers with a three-generation family genealogy (the so-called “third generation test”) in order to avoid a concentration of people from the same clan or family.

State power in Turkmenistan’s five regions (*welayatlar*), its districts (*etraplar*), and its cities is vested in the largely decorative people’s councils (*balk maslahatlary*). Villages have legislative councils (*gengeşler*), whose members are directly elected for five-year terms. The more than 600 *gengeşlar* are administered by councilors (*arçinlar*), who are elected from among their respective memberships. The *gengeşlar* are responsible for confirming local budgets, accounting for the rational use of natural resources, protecting the environment, overseeing sanitation and water-supply sources, and organizing moral and patriotic education among youth.<sup>32</sup> In reality, however, they follow the instructions of the hakims, who are directly appointed by the president.

Berdimuhamedow has made a number of changes to Turkmenistan's decaying education infrastructure, which was virtually dismantled during the last seven years of Niyazov's rule. General secondary schools switched to a 12-year education system starting from the 2013/2014 academic year. High school students are no longer required to undergo two years of practical work before applying to universities. Foreign degrees are once again recognized. New areas of study have been introduced or reintroduced (e.g., physical education and the social sciences), and post-graduate and doctoral studies have been reestablished at certain universities. The Academy of Sciences, which had been the mainstay of the scientific and academic community before its closure in 1993, was reopened in 2007.

Universities and institutes have already been permitted to remove Niyazov's quasi-spiritual guidebook for the Turkmen nation, *The Rubnama* (Book of the Soul), from their curricula. As of September 2013, it is no longer a mandatory subject in primary and secondary schools, either. However, an exam on the book's content is still an entry requirements for university applicants.<sup>33</sup>

In practice, many of Berdimuhamedow's educational reforms lack substance. The tenth year's curriculum reportedly repeats that of the ninth year and textbooks for most years and subjects are outdated, ideologized and in short supply. Despite the flurry of new schools being built, there is a chronic shortage of qualified teaching personnel. Furthermore, unofficial reports indicate that the long-standing practice of paying large bribes to procure a place in universities, institutes, and even some secondary schools has not abated, and bribes required to enter the most prestigious institutions can reach \$40,000–\$70,000. University students have become subject to greater restrictions on their personal lives, including dress codes and curfews. As of 2013, students are required to sign an oath that they will not drive an automobile or travel with another student driving an automobile until they have finished their studies, under threat of expulsion.<sup>34</sup> They are also forbidden to frequent discotheques and bars.

In 2013, the president asked his cabinet to consider setting up a new English language university in Ashgabat, not unlike like Nazarbaev University in neighboring Kazakhstan. In 2013, the number of students in higher education in Turkmenistan was nearly 24,000, in addition to the approximately 10,000-15,000 students studying abroad. (This is comparable to the late Soviet period, when the number of students in higher education in the Turkmen Soviet Socialist Republic was over 40,000).<sup>35</sup> Many Turkmenistani students go to Belarus for their studies—6,514 in 2013, compared to only 67 students in 2006—owing to the long-standing friendly relations between the two authoritarian states, the relatively high standards of education in Belarus, and the favorable conditions offered to foreign students, including accommodation, reasonable tuition rates, and the possibility to study in Russian.<sup>36</sup>

Unlike his predecessor, Berdimuhamedow has invested heavily in the country's healthcare infrastructure, building sanatoria and diagnostic and specialist centers in regional capitals, including the International Center for Head and Neck Diseases and the Oncology Center in Aşgabat, which has eight stories and a gold façade. Turkmen media estimate the cost of constructing such facilities over the past

decade at more than \$1.5 billion. From 2012 to 2016, the government plans to allocate another \$500 million for pharmaceutical factories, five emergency centers in regional capitals, and the purchase of modern medical equipment.<sup>37</sup> The regime has also liaised with international organizations to introduce maternity and immunization programs.

Despite this investment, most new facilities—many of which contain state-of-the-art equipment—are neither accessible to the vast majority of the population nor staffed with qualified medical personnel. Statistical data is notoriously unreliable, medical education is substandard, hospital staff are discouraged from reporting malpractice, and infant mortality rates are among the highest in the world—approximately 45 deaths per 1,000 live births, more than twice the rates of Kazakhstan and Kyrgyzstan.<sup>38</sup> The existence of certain communicable diseases is neither acknowledged nor addressed. The multi-drug resistant form of tuberculosis in particular poses a high risk of creating a serious health crisis.<sup>39</sup>

Many parts of the country still lack sanitation systems and unified gas supply systems, despite the country's abundance of hydrocarbons. Dozens of villages lack steady supplies of electricity, and clean water supplies are often unavailable, requiring rural residents to use well or surface water that often contains residues from pesticides, fertilizers, and animal wastes. In 2013, there were reports of shortages of fresh water, particularly in the western regions of the country. In the city of Turkmenbashi, moreover, there was an absence of heating in the majority of schools and kindergartens as well as in the city hospital.<sup>40</sup>

#### Judicial Framework and Independence

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

Unchanged since the Soviet era, the court system in Turkmenistan consists of a Supreme Court, six regional courts, and approximately 60 district and city courts. The Supreme Economic Court hears all commercial disputes and cases involving conflicts between state enterprises and ministries. There is no constitutional court, and the president appoints all judges for five-year terms without legislative review. Judges and lawyers, however, play a marginal role in the legal system compared to the prosecutor general, a political appointee whose primary function is repression rather than oversight. Convictions are often based on confessions extracted by force, including the use of torture and psychotropic substances.

Under the proceedings of the Universal Periodic Review held in Geneva in May 2013, the UN Human Rights Council delivered 183 recommendations to Turkmenistan, of which the government ultimately fully accepted 166, partially accepted 1 and rejected 16.<sup>41</sup> While the government accepted the recommendation to investigate the use of torture, requests for visits from nine Special Procedures of the UN Human Rights Council remained pending in 2013, including the request

from the Special Rapporteur on Torture, who had already been received by all other Central Asian states.<sup>42</sup>

The Turkmen government rejected the recommendation to decriminalize sexual relations between consenting adults of the same sex, arguing that it was in contradiction to the mentality and culture of Turkmen society. Also rejected was the recommendation to release political prisoners, since, according to the Director of Turkmenistan's National Institute for Democracy and Human Rights, there are no such prisoners in the country.<sup>43</sup> One notorious aspect of Turkmenistan's prison system is that a number of persons have disappeared into it without a trace, including some 50 prisoners convicted in connection to the 2002 attempted coup. On a positive note, in February, 2013, two Turkmen civil society activists who had been convicted on politically motivated charges in 2006 were released from prison, although only after serving out their seven-year terms. The two activists together with a third, Ogulsapar Muradowa, who subsequently died in prison, had been arrested after helping a French journalist make a documentary on the state of human rights in Turkmenistan. Numerous appeals for the prisoners' release were made by international bodies, including the European Parliament, over the course of their internment. No reliable investigation has ever been made into the circumstances surrounding Muradowa's death.

The authorities restrict freedom of movement by confiscating passports and maintaining an extensive "blacklist" of citizens prohibited from leaving the country. According to the Vienna-based Turkmen Initiative for Human Rights, on a given day in January 2013, 48 Turkmen citizens were barred—with no official explanation—from boarding flights destined for Istanbul, Dubai, and Moscow.<sup>44</sup> For internal travel, Berdimuhamedow's government eased restrictions early in his rule by reducing the number of roadside checks and inspections between cities. However, the influx of migrants to Ashgabat's outskirts from the country's various provinces reportedly led to an increase in crime and other social problems there in 2013, with the result that migrants are reported to be detained by police, interrogated, and occasionally forcibly returned to their place of official residence.<sup>45</sup>

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. Many jobs in the public sector were effectively closed to non-Turkmen, particularly in the judicial system, law enforcement, security agencies, and financial and military organizations. In 2000, Turkmen was introduced as the language of instruction in all the country's schools, including in regions where ethnic Uzbeks or Kazakhs are preponderant. There are only a few schools in the country that offer classes with Russian as the language of instruction (approximately 30 classes in 2011), and these are mainly intended for members of ethnic minorities.<sup>46</sup> On the other hand, English has become a compulsory subject from the first through the twelfth year.

In June 2013, a series of phone calls between Turkmen and Russian heads of state was required to make headway on the vexed issue of rights for the approximately 43,000 residents of Turkmenistan holding both Turkmen and Russian passports,<sup>47</sup>

in violation of a 2008 constitutional provision against dual citizenship. From July, new biometric passports were to become mandatory for travel outside the country, although Russian passport-holders were reportedly denied their new-style Turkmen documents unless they surrendered their existing Russian ones. With only one month to go before the July deadline, Turkmenistan's Foreign Affairs Ministry announced that the Migration Service would begin immediately issuing biometric passports to the citizens of Turkmenistan holding Russian citizenship, thus averting a potential diplomatic crisis.<sup>48</sup> Though the constitutional ban on dual citizenship remains, the Law on Citizenship was subsequently revamped, allowing Turkmen citizens who had received Russian passports under a 1993 agreement between Russia and Turkmenistan—but not those who received them after it was unilaterally rescinded by Turkmenistan in 2003—to retain them.

### Corruption

2005	2006	2007	2008	2009	2010	2011	2012	2013	2014
6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75	6.75

Turkmenistan's president presides over a system that enables him to control and use at his own discretion the revenues from hydrocarbons sales, which form the country's primary source of income. The government is able to sustain its rule through the receipt of these export revenues, which it uses to finance pervasive security services and vanity construction projects as well as to secure the support of patronage networks.

Turkmenistan does not publish its national budget in full, contributing to a widespread lack of transparency in economic figures. Those figures that are published are often compiled from local economic reports that have been inflated to show growth. No information has been released regarding export revenues held by former president Niyazov in foreign banks, and it remains unclear what share of export revenues are currently being diverted by the Berdimuhamedow leadership to off-budget accounts. The overall amount of export revenues remains a closely guarded secret. In 2013, reports continued alleging cronyism among the president's relatives, who were reported to hold lucrative positions in various economic sectors, particularly trade, where they amass personal fortunes.<sup>49</sup>

Political elites in the country have traditionally built up local power bases by allocating key posts and opportunities to their loyalists. A limited number of patronage networks commanded by Berdimuhamedow 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. Turkmenistan ranks among the world's worst performers in several annual indices measuring corruption and economic freedom, including the

*Wall Street Journal's* Index of Economic Freedom and Transparency International's Corruption Perceptions Index.

Inconsistent regulatory practices, feeble rule of law, and the absence of international business norms remain major disincentives to foreign investment.<sup>50</sup> Under both Niyazov and Berdimuhamedow, Turkmenistan's government has cancelled licenses and contracts with foreign firms and had their assets seized, as was the case with MobileTeleSystems (MTS), Russia's largest mobile phone operator, in 2010. Forging a personal relationship with the president or, alternatively, working through established foreign businessmen or high-ranking foreign officials remain the best ways to penetrate the country's market.

Because of the nontransparency of capital expenditures, the awarding of contracts for the construction of large physical assets such as ministry buildings, hotels, or airports is a preferred means of providing elites with opportunities to pocket some of the allocated funds. U.S. diplomatic cables obtained by the antisecrecy organization WikiLeaks identified construction as the most corrupt industry in Turkmenistan, with contractors inflating costs by up to 30 percent to cover bribe payments.<sup>51</sup> Foreign contractors, such as the Turkish Polimex and French Bouygues, regularly pay kickbacks to Turkmen officials.

Traditionally, Turkish companies have been contracted to build the lion's share of Turkmenistan's landmark public works. In August 2013, however, Turkmenistan entrusted a local construction firm with a major development project for a new district in the capital city. The government's unprecedented hiring of a Turkmen construction firm for such a project may herald a very gradual move towards the greater employment of local labor, which would be politically popular, given extant complaints over the use of Chinese laborers in the gas industry.

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