

# Turkmenistan

by Annette Bohr

*Capital:* Ashgabat  
*Population:* 5 million  
*GDP/capita, PPP:* US\$7,490

Source: The data above were provided by The World Bank, *World Development Indicators 2012*.

## Nations in Transit Ratings and Averaged Scores

	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
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 Governance*	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
National Democratic Governance	6.75	7.00	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Local Democratic Governance	n/a	n/a	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Judicial Framework and Independence	n/a	n/a	7.00	7.00	7.00	6.75	6.75	6.75	6.75	6.75
Corruption	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00
Democracy Score	6.25	6.25	6.50	6.75	6.75	6.75	6.75	6.75	6.75	6.75
	<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>	<b>6.93</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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On 27 October 2011, Turkmenistan marked its twentieth anniversary as an independent state amid great pomp and fanfare. The festivities celebrated the country's economic and cultural achievements while glossing over the regime's failure to implement democratic change over the course of the last two decades. As recent popular uprisings in the Middle East and North Africa exposed the vulnerability of that region's entrenched, authoritarian regimes, little news of these momentous events reached Turkmenistan, which remains unreformed and isolated under the authoritarian rule of President Gurbanguly Berdimuhamedow.

In virtually all areas targeted for reform by Berdimuhamedow's regime, the government has given priority to appearance over substance. The acute shortage of qualified personnel and small size of Turkmenistan's intelligentsia relative to other, more industrialized, post-Soviet states also diminish potential for reform. Liberal-minded members of the Soviet-era educated classes who served in official positions were steadily rooted out under the leadership of Turkmenistan's first president, Saparmurat Niyazov, while the current generation is constrained by serious deficiencies in the educational system.

The December 2010 suspension of operations by MobileTeleSystems (MTS), Russia's largest mobile phone operator, left approximately half the population without mobile phone communications and access to the internet. Nevertheless, new media technologies are penetrating Turkmenistan, albeit on a very small scale. In July 2011, a small band of citizen journalists used smartphones and the internet to capture and circulate information on the explosion of an arms depot outside the capital, derailing government efforts to censor the story and highlighting the vulnerability of state-controlled media censorship to new communications technologies.

**National Democratic Governance.** The construction of a leadership cult surrounding President Berdimuhamedow continued in 2011, as the country's Council of Elders bestowed on the president the new honorific title of *Arkedag*, meaning "protector" or "protective mountain." Turkmenistan's leader was widely quoted on television; his activities were the primary focus of state media; and the majority of newly published works in 2011 were either attributed to him, or filled with praise for his accomplishments. As under the previous regime, only the executive branch exercises any real power in government. The state-sponsored Democratic Party of Turkmenistan (DPT) and the Galkynyş National Revival Movement are the only legally registered political parties in the country. Rather than working towards the establishment of a meritocracy, the regime still operates

on the Soviet-style central command system, whereby officials are expected to fulfill state-dictated quotas, regardless of feasibility. Internal security agencies and law enforcement continue to carefully monitor all citizens' activities. *Turkmenistan's rating for national democratic governance remains unchanged at 7.00.*

**Electoral Process.** Presidential elections scheduled for February 2012 will mark the first time in Turkmenistan's history that an incumbent president, who is already the object of his own personality cult, runs in a multicandidate election. President Berdimuhamedow is expected to win the vote by a large margin. A new, more restrictive election law was passed in June, effectively barring members of the opposition-in-exile from running for the presidency. A long-awaited law on political parties is expected to pass in January 2012—too late to field candidates from alternative parties for the February vote. *Turkmenistan's rating for electoral process remains unchanged at 7.00.*

**Civil Society.** Groups without government preapproval continue to be stymied in their attempts to register as nongovernmental organizations (NGOs); applications are routinely turned down or dragged out for years. Meanwhile, unregistered civil society activity is punishable by fines, short-term detention, and confiscation of property. The environment for officially sanctioned NGOs improved somewhat in 2011 and legal rights associations offering advice on employment, housing, and other issues grew in number, presumably facilitated by a new Law on Associations of Advocates, which redefines bar associations as elements of civil society, rather than government. For the first time, a group of registered NGOs joined forces to submit a draft Law on State Social Order that would provide a mechanism for state institutions to enter into contractual relations with public associations. *Turkmenistan's rating for civil society remains unchanged at 7.00.*

**Independent Media.** Turkmenistan's media organizations uphold the ideological line of the state, which maintains firm control over all forms of state-run mass media through the retention of a single information agency. In 2011, following the suspension of the operations of Russia's MTS, huge lines formed at the offices of Turkmenistan's sole remaining telecommunications provider, Altyn Asyr, requiring officials to call in Interior Ministry troops to maintain order. A new presidential order to remove private satellite dishes was issued in August; if enforced, this will deprive Turkmenistan's population of its main source of alternative information. The popular chat forum Teswirler.com was shut down, ostensibly owing to pressure by the government to monitor comments, especially those of a political nature. In July, the explosion of an arms depot in the city of Abadan exposed the vulnerability of state-controlled media censorship to new communications technologies as a small group of web users with access via mobile phones managed to report on the event to the outside world. *Turkmenistan's rating for independent media remains unchanged at 7.00.*

**Local Democratic Governance.** State power in Turkmenistan's five regions (*welayatlar*), districts (*etraplar*), and cities is vested in the largely decorative people's councils (*halk maslahatlary*). Village councils (*gengeşlar*), whose members are directly elected for five-year terms, follow the instructions of the local governors (*hakims*), directly appointed by the president at all levels. Tribal identities remain strong in Turkmenistan and continue to play an important role in Turkmen society and informal local politics. In September, the country's State Migration Service barred some 870 non-state sponsored students enrolled at universities in Tajikistan from leaving Turkmenistan to resume their studies. In August, Turkmen-Turkish schools in the cities of Turkmenbashi, Nebitdag, and Turkmenabat were closed, ostensibly owing to concerns about the influence of the Turkish Islamic movement Nurchilar, which had supported the schools since their inception. In March, the Global Fund to Fight AIDS, Tuberculosis, and Malaria announced that it will give US\$20 million to combat tuberculosis through 2015. *Turkmenistan's rating for local democratic governance remains unchanged at 6.75.*

**Judicial Framework and Independence.** The Office of the Prosecutor General, whose primary function is repression rather than oversight, dominates a legal system in which judges and lawyers play a marginal role. In May, Turkmenistan presented its first-ever report to the United Nations Committee Against Torture (UNCAT), which UN rapporteurs subsequently described as devoid of basic information, empirical data, and a basic definition of torture. After years of rebuffed requests, in July the International Committee for the Red Cross was granted permission to visit a prison in Turkmenistan for the first time. Turkmenistan's imprisonment rate is reported to be among the highest in the world, resulting in serious overcrowding and the spread of disease. Authorities have used unofficial measures to prevent free travel, including "blacklists" and arbitrary confiscation of passports. *Turkmenistan's rating for judicial framework and independence remains unchanged at 7.00.*

**Corruption.** Turkmenistan's president presides over a system that enables him to control and use at his own discretion revenues from hydrocarbons sales, which form the country's primary source of income. There is still a notable lack of transparency with regard to true economic figures, with no national budget published in full. The country's patronage networks have given rise to a political culture of bribery, nepotism, and embezzlement. In 2011, President Berdimuhamedow continued to use public funds to pay for the construction of ostentatious architectural works, the budgets for which lacked transparency and appeared inflated. Turkmen authorities selectively clamp down on corruption, despite retaining corruption as a fundamental part of the informal political system. *Turkmenistan's rating for corruption remains unchanged at 6.75.*

**Outlook for 2012.** While a second political party is slated for creation, its membership is virtually guaranteed to be hand-picked by the government for the purpose of creating a veneer of multiparty politics. Investment in the country's

infrastructure—including the construction of expensive vanity projects—will be maintained, while strict political controls and a lack of qualified specialists will continue to impede the implementation of reforms. New communications technologies are expected to make it increasingly difficult for authorities to suppress information on events taking place inside the country.

# MAIN REPORT

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## National Democratic Governance

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
n/a	n/a	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

The creation of a leadership cult surrounding President Gurbanguly Berdimuhamedow continued in 2011, increasingly resembling that of Turkmenistan's first president, Saparmurat Niyazov, who ruled Soviet and then independent Turkmenistan from 1990 until his death in 2006. Throughout the year, President Berdimuhamedow was widely quoted on television, his activities were the primary focus of state media, and his ever-expanding collected works were intensively promoted. Apart from school textbooks, the majority of new works published in 2011 either exalted Turkmenistan's leader or were said to be authored by him, including works on topics as diverse as *Ahal-Teke* horses and the use of medicinal plants.

Like his predecessor, President Berdimuhamedow 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 (*Galkynys*) as well as a number of honorific titles and degrees. Just as then president Niyazov was dubbed *Turkmenbashi* ("head of the Turkmen"), President Berdimuhamedow is increasingly referred to by a new, honorific title of *Arkedag*, meaning "protector" or "protective mountain." On the occasion of the twentieth anniversary of Turkmenistan's independence, the president was publicly implored to accept the country's highest civilian honor of "Hero of Turkmenistan," amid cries of "Long live Arkedag!" and "The Turkmen people are a happy people!" By law, the recipient of the title receives a medal, a US\$25,000 prize, and a fifty percent increase in salary.

Throughout Turkmenistan's history as an independent state, only the executive branch has exercised any real power, despite the formal existence of executive, legislative, and judicial branches. The parliament (*Mejlis*) operates as a presidential appendage, and presidential decree is the usual mode of legislation. Although the constitution allows parliamentarians to elect a speaker and form committees, President Berdimuhamedow usurped this prerogative at the first session of Turkmenistan's new *Mejlis* in January 2009 by selecting a presidential stalwart, Akjy Nurberdieva, to serve as parliamentary speaker, "recommending" the five committees to be formed, and even nominating specific members of parliament to head them.

The president appoints the members of government and the Central Election Commission as well as high-ranking judges. The revised 2008 constitution also grants him the power to directly appoint the country's governors at all levels, reversing a decision made by the late president Niyazov just one year before his death to allow for local gubernatorial elections. The 2008 constitution retains a number of changes adopted in the immediate aftermath of President Niyazov's demise, granting greater authority to the State Security Council, a body that includes leading defense and security officials. For example, Article 58 empowers the State Security Council, rather than the parliament, to select a deputy prime minister to serve as acting president in the event that the president is no longer able to perform his duties.

Rather than working towards the establishment of a meritocracy, the regime still operates on the Soviet-style central command system, whereby officials are expected to fulfill state-dictated quotas, regardless of feasibility. If targets are not met, civil servants are reprimanded or sacked. In November 2011, the head of the Hydro-meteorology Committee in the Cabinet of Ministers was "strongly reprimanded" for "failing to ensure the accuracy of weather forecast information."<sup>1</sup> The fate of the minister of national security, Charymurad Amanow, who was replaced at the beginning of April by Minister of Defense Yaylym Berdyew, illustrated the regime's chaotic and unpredictable approach towards high-ranking civil servants, who are kept in a perpetual state of fear and uncertainty. Amanow, who had been appointed security chief when President Berdimuhamedow came to power in 2007, was promoted to major-general in 2008, reprimanded in 2009, and awarded a state decoration in 2010 before being fired in 2011 for "insufficiencies" following an investigation by the prosecutor general.

Citizens' activities are carefully monitored by internal security and law enforcement agencies and by the president's private militia, whose members receive comparatively high salaries and privileged accommodation. The Ministry of National Security (MNS) has the responsibilities held by the Committee for State Security during the Soviet period—namely, ensuring the regime remains in power by tightly controlling society and discouraging dissent. The Ministry of Internal Affairs directs the criminal police, who work closely with the MNS on matters of national security. Both ministries abuse the rights of individuals and enforce the government's policy of repressing any political opposition.

Unrelenting harassment by the authorities has driven the relatively small opposition underground or into exile, primarily in Russia and a few 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.

## Electoral Process

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

In August 2011 authorities announced that Turkmenistan's next presidential elections would be held in February 2012. President Berdimuhamedow is expected to win the vote by a wide margin. The Organization for Security and Cooperation in Europe (OSCE) announced that it will not send observers to the election in February, arguing that even a limited mission would not "add value at this point in time."<sup>2</sup>

The 2012 election will mark the first time in Turkmenistan's history that an incumbent president—already the object of his own personality cult and nominated by the country's only legal political party—will run in a multicandidate election for the presidency (President Niyazov had a lifelong tenure in the post and Berdimuhamedow was interim president at the time of the 2007 presidential election). In the second half of 2011, the authorities solved the problem of finding candidates to run against the exalted Arkedag by hand-selecting more than a dozen candidates through orchestrated nominations by citizens' initiative groups comprised of public sector employees.<sup>3</sup> The 14 presidential candidates come from all regions of the country and represent a variety of branches of industry and professions, thereby diluting the influence of any single opponent while giving the contest the necessary appearance of multicandidacy.

In a surprise move directly following the explosion of a munitions warehouse in the city of Abadan, President Berdimuhamedow announced in July that representatives of the opposition-in-exile were welcome to come to Turkmenistan to take part in the 2012 presidential elections, and gave his guarantee that equal conditions and opportunities would be created for their participation. This unlikely invitation, which was never repeated or elaborated upon, came just one month after the passage of a new, stricter law indirectly barring members of the opposition-in-exile from running for the presidency. The law, passed in June 2011, stipulates that candidates must have lived in Turkmenistan and worked in the public sector for the last 15 years, whereas previous legislation stipulated just 10 years of recent public sector experience and residency; candidates must also be between 40 and 70 years of age, have no prior convictions, a good command of the Turkmen language, and at least 50,000 signatures in support of their nomination. As if to underscore that President Berdimuhamedow's invitation to the opposition had been a bluff or possibly a diversionary tactic in the aftermath of the Abadan tragedy, Turkmenistan's Foreign Ministry concurrently engaged in a protest against the participation of the opposition in the OSCE's annual human rights review meetings.<sup>4</sup>

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 critical of its policies. Other than the government-sponsored DPT and the Galkynyş National Revival Movement,<sup>5</sup> no parties or movements are legally registered in the country. While the revised 2008

constitution allows other political parties to exist in theory, the document is not self-executing and requires enabling legislation defining the legal foundations for the formation of such parties. Consequently, even the DPT was formed without a legal basis, although it is legally registered. Article 31 of the constitution proscribes the formation of parties with a religious or nationalist orientation. However, since the government has prevented all parties other than the DPT from registering and functioning, this ban is largely irrelevant.

President Berdimuhamedow announced during a February 2010 cabinet meeting that he would welcome the creation of a second political party, offering the suggestion of an agrarian-based farmers' party. He repeated the call again in May at a meeting of the Council of Elders, but neither legislation on political parties nor a second political party materialized during the year. In an address to parliament in January 2011, the president once again called on deputies to expedite work on a law on political parties, claiming that "the right to form political parties is one of the major political rights of ... citizens."<sup>6</sup> No visible progress was made on the legislation in 2011, though it was expected that parliament would pass the long-awaited law in early 2012—just too late to field candidates from alternative parties for the February presidential elections. Analysts expect that government leadership will take strategic advantage of the new law to create the illusion of democratic development through the formation of state-sponsored "pocket parties," like those in neighbouring Uzbekistan.

#### Civil Society

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

The state of civil society has changed very little under the leadership of President Berdimuhamedow. Amendments to the 2003 Law on Public Associations were still in progress at the end of 2011. The law requires all nongovernmental organizations (NGOs) to register with the Ministry of Fairness, which also approves their internal governance structures. All foreign assistance must be registered with the Ministry of Fairness and coordinated with both the Ministry of Economics and Development and the Ministry of Foreign Affairs.

Although civil society was never robust in Turkmenistan, steady repression by government authorities since 2002 has forced the country's few, active, independent NGOs to dissolve, re-designate themselves as commercial enterprises, or merge with progovernment public associations. While in 2000 there were approximately 200 to 300 registered and unregistered NGOs in Turkmenistan, by 2010 that number had dwindled to 99, the vast majority of which either supported the government or received direct government support.<sup>7</sup> Sports and government-organized NGOs reportedly account for more than three-quarters of registered public associations. In December 2010, the government registered an NGO called the Society of Guitarists—the first independent public association to be registered since 2008.<sup>8</sup>

Groups without official sanction wishing to register as NGOs continue to be stymied as their applications are either turned down or dragged out for years. Since the prospects for securing official registration are considered so remote, many groups have chosen to forego the bureaucratic process and operate covertly, despite the severe penalties for unregistered activity. Unregistered NGO activity is punishable by a fine, short-term detention, and confiscation of property.

The environment for officially sanctioned NGOs saw certain improvements in 2010–11. Legal rights associations offering advice on employment, housing, and other issues grew in number,<sup>9</sup> presumably aided by the new Law on Associations of Advocates that defines bar associations as elements of civil society, rather than government. Additionally, for the first time a coalition of NGOs joined forces to submit the draft Law on State Social Order to parliament in order to provide a mechanism for state institutions to enter into contractual relations with public associations.<sup>10</sup> Still, interaction between government and NGOs remains weak, and even registered NGOs must obtain permission from the Ministry of Foreign Affairs in order to have a government official present at a meeting.

The activities of religious organizations remain tightly controlled by the state. In an attempt to prevent the emergence of Islam as a locus of oppositional activity, the state has continued its perestroika-era practice of coopting and infiltrating the official religious establishment. Religious matters are administered by the Council on Religious Affairs (CRA) set up by President 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.

Like political parties and public associations, religious congregations are required to register with the Ministry of Fairness to gain legal status. In a report to the United Nations in January 2010, Turkmenistan's government stated that only 123 religious communities had state registration, including 100 Muslim communities (Sunni and Shi'a), 13 Russian Orthodox ones, and 10 communities of other faiths, such as Protestants, the Baha'i, and the Hare Krishna.<sup>11</sup> Many minority religious groups remain unregistered.

Registered and unregistered groups alike continue to experience police raids or check-up visits, fines, and other forms of harassment. The religious freedom watchdog Forum 18 has reported that registration can actually lead to even greater state control and does not facilitate finding a legal venue for worship services, a major problem for many religious groups.<sup>12</sup> Meeting in private homes or unapproved areas is prohibited, and the construction of places of worship is strictly regulated by the state.

Conscientious objectors to military conscription are regularly given suspended jail sentences, and several have been jailed. Two more conscientious objectors—Jehovah's Witnesses Mahmud Hudaybergenov and Ashirgelder Taganov—were sentenced to hard labor for refusing military service in 2011. Taganov was amnestied in August, but Hudaybergenov remained imprisoned at year's end, along

with eight other prisoners of conscience, among them seven Jehovah's Witnesses and one Protestant pastor.<sup>13</sup>

As in previous years, Turkmenistani authorities permitted just one planeload of its citizens (188 persons) to perform a pilgrimage to Mecca—a minute percentage of the quota reportedly allocated to Turkmenistan by the Saudi government. Muslims are not allowed to travel abroad for religious education, and the Magtymguly Turkmen State University remains the only university-level institution permitted by the government to train a small number of men as imams.

### Independent Media

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

Turkmenistan's media organizations uphold the ideological line of the state, which maintains its control over all forms of state-run mass media through the State Information Agency of Turkmenistan (TDH). The output of TDH continues to be overwhelmingly concerned with praising the president and tracking his daily movements. In addition to 25 newspapers and 15 journals, the seven state television channels (including two new channels, Sport and Aşgabat, established in 2011) and four state radio stations function as mouthpieces for government propaganda. At the opening of a new, state-of-the-art television tower in the south of Aşgabat in October 2011, President Berdimuhamedow urged Turkmen Broadcasting Center personnel to create productions that “glorify the outstanding achievements our Motherland has gained during the years of independence.”

In a partial lift of the 2005 ban imposed by President Niyazov on the importation and circulation of all foreign print media, in 2008 President Berdimuhamedow allowed certain official departments, research institutes, and the Russian-language Pushkin School in Aşgabat to subscribe to specific scientific journals in order to give them access to international research. In June 2011, President Berdimuhamedow authorized the Ministry of Communications to resume subscriptions to periodicals issued by the Russian agencies *Rospechat* and *Informnauka*, reportedly allocating 5 million rubles to the endeavor.<sup>14</sup> However, ordinary citizens are still unable to subscribe to any foreign periodicals at their home addresses and foreign print matter remains generally inaccessible.<sup>15</sup>

Turkmenistan regularly denies visas to foreign correspondents; the few correspondents who manage to gain permission to enter the country are accompanied by “minders” from the security services who severely restrict their movements and choice of interview partners. According to the Russian newspaper *Argumenty i Fakty* (Arguments and Facts), foreign journalists in Turkmenistan who meet with unauthorized persons are subject to fines and/or a 14-day jail sentence and expulsion from the country.<sup>16</sup> The Paris-based media watchdog Reporters without Borders named Berdimuhamedov among its Predators of Press Freedom

in 2011, a list of political leaders hostile to civil liberties and direct organizers of violent campaigns against journalists.<sup>17</sup>

Aside from the U.S.-funded *Radio Free Europe/Radio Liberty's* Turkmen service and the German Deutsche Welle's Russian service, satellite television provides the only source of alternative information in Turkmenistan. A presidential order to remove private satellite dishes was issued in August 2011, and is likely to be enforced with greater vigor once Turkmenistan launches its own satellite (planned for 2014) and creates a cable network, thereby enabling the authorities to control the selection of both domestic and foreign channels available to the country's viewers.

Arguably, the expansion of mobile telephone services has been the greatest improvement to personal freedom under the Berdimuhamedow regime. However, this progress experienced a severe setback at the end of 2010, when Turkmenistan's Ministry of Communications abruptly suspended the operations of Russia's largest mobile phone operator, Mobile TeleSystems (MTS), instantly cutting off nearly half of the population's mobile phone access and drastically reducing internet usage. In August 2010, MTS had two million subscribers in Turkmenistan, covering more than 85 percent of the country's territory and operating in 14 cities.<sup>18</sup> MTS's main competitor, Altyn Asyr, a subsidiary of Turkmen Telekom, was reported to have only 400,000 subscribers as of November 2010.<sup>19</sup> While the ostensible reason for the suspension was that MTS's five-year contract to operate in Turkmenistan had expired, the move was widely viewed as an attempt on the part of Turkmenistan's government to halt MTS's rapid takeover of Turkmenistan's market. Authorities had also allegedly been dissatisfied with their ownership stake in MTS as well as with their dwindling ability to monitor the internet access via mobile services provided by MTS.

Following the suspension of MTS's operations, huge lines formed at the offices of Altyn Asyr, requiring officials to call in Interior Ministry troops to maintain order. In April 2011, the president announced that Huawei Technologies (based in the People's Republic of China) and the Finnish-German company Nokia Siemens Networks would act jointly with Turkmen Telekom to improve the national mobile phone system and increase capacity.<sup>20</sup> However, at the end of 2011, the majority of former MTS subscribers still remained without any regular replacement service.

Internet service in Turkmenistan remains slow and unreliable; dial-up access rates are expensive for the average citizen. Websites critical of official government policy and many independent news sites are blocked by the authorities. As of June 2010, Turkmenistan had one of the world's lowest internet penetration rates at 1.6 percent with an estimated 80,400 users.<sup>21</sup> Although no updated statistics are available from the International Telecommunications Union, penetration rates presumably fell in 2011 owing to the departure of MTS. Facebook, YouTube, Twitter, LiveJournal and the popular social networking site Odnoklassniki.ru are often blocked or very slow to open. In 2011, the popular chat forum Teswirler.com closed owing to pressure by the government to monitor comments, especially those of a political nature.<sup>22</sup>

The explosion of an arms depot near the town of Abadan on 7 July 2011 showcased a typical state media response to unfavourable news. Authorities initially maintained a total news blackout until midnight on 8 July, when the state news agency noted that “pyrotechnical matter intended for fireworks” had ignited, causing no casualties or particular destruction. However, citizen journalists used smartphones to upload photographs and videos of the wreckage to the internet, capturing blazing buildings, clouds of smoke, large-scale evacuations, and many wounded and dead. Other eyewitnesses managed to send messages about the incident to friends abroad, who then posted reports on social networking sites.<sup>23</sup> Possibly as a result of the unofficial flow of information via new media, three days after the initial blasts officials finally acknowledged that munitions had exploded and casualties had occurred.

At the same time, security officials reportedly began tracking down those responsible for leaking information about the incident. A correspondent for Radio Free Europe/Radio Liberty was sentenced to a five-year jail term in October, most likely in connection with his outspoken coverage of the explosions at Abadan. He was subsequently amnestied after four United States senators sent letters of complaint to Turkmenistan’s ambassador in Washington protesting his imprisonment. The website of the Austria-based Turkmen Initiative for Human Rights (TIHR), which published a series of stories on the explosions featuring witness accounts and videos, was hacked on 18 July and information about website users was made publicly accessible.<sup>24</sup>

#### Local Democratic Governance

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
n/a	n/a	7.00	7.00	7.00	6.75	6.75	6.75	6.75	6.75

State power in Turkmenistan’s five regions (*welayatlar*), its districts (*etraplar*), and cities is vested in the largely decorative people’s councils (*halk maslahatlary*). In the villages, the 1992 constitution provided for the replacement of local soviets by legislative councils (*gengeşlar*), whose members are directly elected for five-year terms. The more than 600 *gengeşlar* are administered by *arçınlar*, who are elected from among their respective memberships. The *gengeşlar* were formally granted greater powers in 2008, but in reality they follow the instructions of the local governors (*hakims*). The country’s *hakims* are directly appointed by the president at all levels.

Tribal identities continue to play an important role in Turkmen society and informal local politics. Tribalism manifests 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 and Berdimuhamedow’s own tribe, the Ahalteke, although this is in large part owing to the fact that the capital of Aşgabat is located in the Ahal region, where Ahaltekes predominate.

Around the year 2000, the Niyazov government began systematically dismantling key areas of the public sector in all regions of the country, most notably education, healthcare, and social security. Since coming to power in 2007, President Berdimuhamedow has made a number of changes to the country's decaying educational system, including restoring the tenth year of compulsory education and extending the period of higher education from two to five years. In practice, however, many of the educational reforms lack substance: the tenth year's curriculum is reported to be the same as that of the ninth year; textbooks for most years and subjects are outdated and in short supply; and there is a severe shortage of qualified personnel to teach the newly introduced areas of study. In September 2011, 100,000 children starting school were supplied with laptops—a gift from China's Lenovo company—that included an electronic library with information selectively uploaded by Turkmenistani state educators. It was not clear whether the laptops were internet-enabled.<sup>25</sup> Participation in state-sponsored events, such as greetings for high-ranking visitors and cultural festivals, continue to be compulsory for teachers and students, reducing instruction time by up to 80 days a year. Primary school students are still required to take a separate course on the *Rubnama*, the quasi-spiritual guidebook for the Turkmen nation, penned by former president Niyazov. State universities and institutes have been allowed to remove the *Rubnama* from their curricula, but the book remains part of all entrance exams for higher educational institutions. Turkmen-Turkish schools in the cities of Turkmenbashi, Nebitdag, and Turkmenabat were closed in August 2011, ostensibly owing to concerns about the influence of the Turkish-Islamic movement, Nurchilar, which had supported the schools since their inception.<sup>26</sup>

Universities and professional academies have widened their intake, although the demand for places still far exceeds supply. 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, with bribe prices to enter the most prestigious institutions rising to thousands of dollars. The government sponsors some students each year to study abroad on official programs, although a far greater number arrange to study abroad privately,<sup>27</sup> particularly in the Central Asian states of Kyrgyzstan and Tajikistan, where tuition fees are relatively low. In early September, Turkmenistan's State Migration Service barred some 870 Turkmenistani students enrolled at universities in Tajikistan from returning to resume their studies. In October, some students in their final year of study were finally granted permission to cross the Turkmenistan-Uzbekistan border in order to return to Tajikistan.

In contrast to the previous government, President Berdimuhamedow's regime has invested heavily in the country's healthcare infrastructure, constructing a number of sanatoria and diagnostic and specialist centers in regional capitals. However, most of these 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 are notoriously unreliable, medical education is substandard, hospital staff are discouraged from reporting malpractice, and

infant mortality rates are among the highest in the world. The existence of certain communicable diseases, such as HIV and multi-drug resistant forms of tuberculosis, is neither acknowledged nor addressed.<sup>28</sup> In March 2011, the Global Fund Against AIDS, Tuberculosis, and Malaria announced that it will give US\$20 million to combat tuberculosis through 2015.<sup>29</sup>

#### Judicial Framework and Independence

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00	7.00

The Office of the Prosecutor General dominates a legal system in which judges and lawyers play a marginal role. The prosecutor general is a political appointee whose primary function is repression rather than oversight. As in the former Soviet Union, convictions are generally based on confessions that are sometimes extracted by force, including the use of torture and psychotropic substances. Additionally, the prosecutor general is unofficially charged with the task of collecting compromising materials on other officials in the event the leadership chooses to dismiss or demote them.

Unchanged since the Soviet era, the court system in Turkmenistan consists of a Supreme Court, 6 regional courts (including 1 for the city of Aşgabat), 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. There is no Constitutional Court. The president appoints all judges for five-year terms without legislative review.

According to a report on Turkmenistan's penitentiary facilities released in February 2010 by the TIHR, the country's imprisonment rate is among the highest in the world—534 per 100,000 inhabitants, compared to 348 in Kazakhstan and 80–90 in European countries—which has led to serious overcrowding and the spread of disease.<sup>30</sup> Under an annual amnesty mandated by a 1999 law and presidential decree, the government releases thousands of prison inmates each year on certain state holidays, primarily to relieve overcrowding. Although individuals convicted of serious crimes are theoretically ineligible for amnesty, those who can pay bribes—excluding political prisoners—are generally freed. Of the thousands of prisoners amnestied by President Berdimuhamedow since 2007, less than two dozen were considered political prisoners by international human rights groups.

After years of rebuffed requests, in July 2011 the International Committee for the Red Cross was granted permission to visit a prison in Turkmenistan for the first time. Details of the visit were not made available to the public, however, apparently in keeping with the usual principles of confidentiality. In May, Turkmenistan presented its first-ever report to the United Nations Committee Against Torture (UNCAT), which UN rapporteurs subsequently described as devoid of basic information, empirical data, and a basic definition of torture.<sup>31</sup> One notorious

aspect of Turkmenistan's prison system mentioned by the rapporteurs is that a number of persons have disappeared into it without a trace. These include former foreign minister Boris Shikhmuradov, who was sentenced to life imprisonment in 2002 as a "traitor to the Motherland," two members of the Turkmenistan Helsinki Foundation, and the former chairman of parliament, who was designated by the constitution to succeed Niyazov as interim president.

President Berdimuhamedow's government has enacted some reforms easing internal travel restrictions, including a reduction in the number of roadside document checks and inspections between cities. Significantly, the president also signed a decree abolishing the special permit needed to travel to the country's sensitive border regions. At the same time, the authorities have maintained 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.

The new constitution adopted in 2008 formally enshrined Turkmenistan's non-recognition of dual citizenship (Article 7). This circumstance—in conjunction with the issuing of new, biometric passports in the summer of 2008—reportedly exerted further pressure on residents of Turkmenistan holding both Turkmenistani and Russian passports under a 1993 agreement. According to reports received by human rights organizations, an unofficial policy has gone into effect requiring holders of both Russian and Turkmenistani passports to give up their Russian citizenship in order to receive the new, biometric passports, which will become mandatory in 2013 for travel outside the country.<sup>32</sup> In practice, this means that some Russian passport-holders will likely feel compelled to leave Turkmenistan permanently in order to avoid relinquishing their Russian citizenship before their old-style Turkmenistani passports expire.

As in most 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. Most 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. President Berdimuhamedow's leadership has continued his predecessor's nation-building program through its efforts to make the country's society and culture even more homogeneous, and the state has maintained its policy of promoting only those media and performing arts productions that feature "national" culture. A *de facto* ban exists on all ethnic cultural centers and non-Turkmen media sources (with the exception of two print publications in the Russian language).

#### Corruption

2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
6.25	6.25	6.50	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.<sup>33</sup> As is the case with some other resource-rich countries, the leadership of Turkmenistan 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.<sup>34</sup> While authorities have stated that foreign exchange revenues are being transferred to the new Stabilization Fund, there is no public documentation to show that the fund exists.

Political elites in the country 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 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. According to Transparency International’s Corruption Perceptions Index for 2011, Turkmenistan ranked as one of the most corrupt countries in the world.<sup>35</sup>

Large amounts of government revenue are spent on ostentatious construction projects, carried out primarily by Turkish and French firms. Recent examples include an Olympic village in Aşgabat planned at a cost of US\$1.9 billion, and the transformation of the Caspian sea town of Turkmenbashi into a free economic zone and world-class resort—complete with an artificial river, yacht club, and an oceanographic center—at an estimated cost of US\$5 billion. U.S. diplomatic cables obtained by the whistleblower website WikiLeaks identified construction as the most corrupt industry in Turkmenistan, with contractors inflating costs by up to 30 percent in order to cover bribe payments. Three new buildings were unveiled in April 2011: the Ministry of Foreign Affairs, which features a giant globe; the Ministry of Communications—built in the shape of a telephone; and the Ministry of Education, which is designed to resemble a book. In December, the authorities marked the sixteenth anniversary of the country’s declaration of neutrality at the United Nations in 1995 by officially unveiling a Neutrality Monument in the southern part of the capital city. The 95-meter monument contains a Museum of Neutrality and is topped by the 12-meter, gold-covered sculpture of President Niyazov that used to crown the Arc of Neutrality in central Aşgabat.

Efforts to clamp down on corruption are erratic, selective, and unpredictable. In May 2011, twenty-one officials and staff from the lucrative cotton industry

received prison sentences after being found guilty of embezzling funds and defrauding customers with regard to the quality of cotton.<sup>36</sup> In July, President Berdimuhamedow ordered a crackdown on corruption in Turkmenistan's banking system, citing "grave deficiencies," as a result of which ten senior central bank officials were convicted of bribery and sentenced to lengthy jail terms.<sup>37</sup>

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