

**PRESSURE ON TURKMEN NATIONALS IN TURKEY MUST BE STOPPED.
THEIR RIGHTS AND FREEDOMS MUST BE SECURED.**

Statement by non-governmental organizations

02 November 2021

We, representatives of non-governmental organizations, would like to express our grave concern over the deteriorating situation for Turkmen migrants in Turkey – primarily those who criticize Turkmen government policies. Over the past few weeks many of them have been subjected to threats, presumably as a result of pressure from the Turkmen authorities on the law enforcement authorities of Turkey as well as physical attacks. We call on the Turkmen government to stop this harassment and call on the authorities of Turkey to uphold their international legal obligations and ensure the protection of rights and freedoms of Turkmen nationals residing in Turkey. We urge the international community to closely monitor this worrying situation and assist in resolving it.

Turkey is one of very few countries to which Turkmen citizens can travel without a visa and where they may apply and obtain a residence permit that is renewable on an annual basis. Similar languages and culture foster auspicious conditions for employment, education and successful integration into local communities. According to some sources, over a million Turkmen nationals reside in Turkey, including migrant workers, students, and their family members.

In recent years, officials in Turkmenistan's consulates abroad, in violation of Turkmen law, have refused to renew and replace Turkmen citizens' passports and force Turkmen residents to return to Turkmenistan in order to renew their Turkmen identity documents. As a result of this refusal, many Turkmen migrants cannot conform to migration laws of the countries where they reside, including Turkey. In the past eighteen months the situation has been exacerbated by the COVID-19 pandemic: due to travel restrictions the number of Turkmen nationals that are experiencing problems with their documents and are unable to return to their home country has considerably increased. As a result, thousands of Turkmen migrants with expired passports in Turkey cannot exercise their rights to employment, education, healthcare, and freedom of movement. They cannot register marriages, births, and other civic acts.

This appalling situation has forced Turkmen migrants in Turkey to organize a group of civil activists, who requested that the Consulate fulfill their obligations under the Turkmen and international law to renew passports. They also criticized the government's refusal to acknowledge the presence of Covid-19 infections in Turkmenistan, its inadequate response to the country's economic crisis, and the authorities' suppression of free speech. People started taking to the streets to participate in peaceful rallies and sharing their problems on social media. Many Turkmen nationals and human rights defenders have repeatedly urged the Turkmen authorities to assist migrants in legalizing their documents.

To the credit of the Turkish migration authorities, for a long time they had been sympathetic towards Turkmen migrants and had not penalized them because of expired passports. However, the situation recently changed: in the course of preparations for the meeting of the Cooperation Council of Turkic Speaking States, scheduled for 12 November in Istanbul, there has been an increasing number of

reports of arbitrary detention of Turkmen civil activists by the Turkish police, their placement in deportation facilities and threats of their immediate deportation to Turkmenistan. Experts¹ believe that the Turkish authorities are trying to convince Turkmenistan to join the Council and are making effort to ensure this happens during the upcoming session. Changes in the policy pursued by the Turkish authorities towards Turkey-based Turkmen activists have occurred, apparently, in response to requests by the Turkmen government, which seeks to put an end to its nationals' civic activities abroad.

Taking into account that Turkmenistan has a long record of severely punishing peaceful critics of its government, forcibly returning activists to Turkmenistan would place them at grave risk of persecution, including a high risk of arbitrary arrest, torture and even enforced disappearance in prisons.

A number of recent cases illustrate this dramatic situation. This is not a comprehensive list because not everyone is willing to disclose their situation out of concern for the safety of their families in Turkmenistan. Turkmen authorities are pressuring family members of Turkey-based activists because of their civic activism. *

When detaining Turkmen migrants, Turkish police reportedly refer to a list of 25 individuals, which was allegedly handed over to them by Turkmenistan's Consulate with a request for their detention and deportation. Neither the detained activists nor Turkish lawyers representing them have been able to see the list of 25 activists and learn about the legal grounds for their detention. Turkmen human rights defenders have on file a list of 13 individuals (№44/05-5490 dated 1 August), which the Turkmen Consulate sent to the Turkish police.

Despite statements of Turkmen activists and international human rights defenders, the Turkish authorities have continued to side with staff of the Turkmenistan's Consulate. The latter, in turn, are engaged in creating false and arbitrary complaints against their fellow countrymen, based on which the Turkish police arbitrarily and illegally detain Turkmen migrants and threaten to deport them.

In addition, there are numerous alarming reports that Turkmen nationals – supporters of Berdymukhammedov's government – regularly attack Turkmen civil activists in Turkey and threaten reprisals against them and their family members. The complaints that these activists have filed with Turkish law enforcement and judicial authorities did not result in effective investigations or prosecutions, which contributes to impunity and new assaults. **

There is also evidence that supporters of the Turkmen authorities have routinely threatened and harassed activists in Turkey, and regularly intimidate young activists on the phone and on the Internet. They intimidate activists and their relatives with serious threats, up to a murder, both in Turkey and Turkmenistan. Activists have repeatedly filed reports with the Turkish police presenting screenshots of the threats and giving names of perpetrators, but the police do not undertake any effective action.

¹ [What is behind the attacks on Turkmen activists in Istanbul? In Russian] Что стоит за нападениями на туркменских активистов в Стамбуле? Radio Azatlyk – Turkmen Service of Radio Liberty, 14.10.2021 <https://rus.azathabar.com/a/31508531.html>; [A Turkmen wheel in a Turkish cart. Ankara insists on Ashgabat's joining the Turkic Union. In Russian] Туркменское колесо в турецкой телеге. Анкара настаивает на вступлении Ашхабада в Тюркский союз. Serdar Aitakov, Nezavisimaya Gazeta, 03.10.2021 https://www.ng.ru/courier/2021-10-03/11_8267_turkmenia.html

These attacks and threats are egregious examples of foreign nationals persecuting Turkmen activists in Turkey. Inaction by the Turkish law enforcement authorities in connection with this criminal wrongdoing cannot be justified and contradicts Turkish and international law.

We call on the Turkish authorities:

- to halt any plans to deport detained Turkmen activists to Turkmenistan, ensure they have access to a lawyer and immediately release them from deportation custody and allow them to continue with their steps to regularize their status in Turkey;
- to promptly carry out an effective investigation of incidents of attacks on and intimidation of Turkmen activists in Turkey and hold those responsible accountable.

We hope that Turkey will abide by the rule of law and will not, in order to advance geopolitical interests, pressure Turkmen activists and cover up for those violating the law on its territory, at the behest of illegal demands of Turkmen authorities. The Turkish authorities must abide by its international obligations and the fundamental principle of non-refoulement which obliges states to ensure that they do not send anyone to a place where they face a real risk of torture or other ill-treatment. Turkey is bound by its obligations to protect fundamental rights and freedoms of people on its territory, ensure they are not persecuted and should not be complicit in gross violations of human rights.

We urge intergovernmental organizations and Turkey's international partners to draw their attention to this acute situation and call on Ankara to abide by its obligations under international law and prevent deportation of Turkmen civil activists to Turkmenistan, including those who are now in custody.

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3. Yuri Dzhibladze, Centre for the Development of Democracy and Human Rights (Russia)
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7. Timur Misrikhanov, Turkmenistan's Independent Lawyers Association (the Netherlands)
8. Kate Watters, Crude Accountability (USA)
9. Ivar Dale, Norwegian Helsinki Committee (Norway)
10. Olga Zakharova, Freedom Files (Poland)
11. Krassimir Kanev, Bulgarian Helsinki Committee (Bulgaria)
12. Valentin Gefter, expert with the Presidential Council for the Development of Civil Society and Human Rights under the President of the Russian Federation (Russia)
13. Rachel Denber, Human Rights Watch (international)
14. Alexander Cherkasov, Human Rights Centre "Memorial", included by the Ministry of Justice of Russia in the list stipulated by p. 10 art. 13.1 of the Federal Law "On NGOs" (Russia)
15. Gerald Staberok, OMCT (World Organisation Against Torture) (international)
16. Svetlana Gannushkina, Civic Assistance Committee (Russia), included by the Ministry of Justice of Russia in the list stipulated by p. 10 art. 13.1 of the Federal Law "On NGOs"
17. Oleksandra Matviichuk, Center for Civil Liberties (Ukraine)
18. Artur Sakunts, Helsinki Citizens Assembly – Vanadzor office (Armenia)
19. Tolekan Ismailova, Human Rights Movement "Bir Duino – Kyrgyzstan" (Kyrgyzstan)

20. Eldar Zeynalov, Human Rights Center of Azerbaijan (Azerbaijan)
21. Lenur Kerymov, Helsinki Foundation for Human Rights (Poland)
22. Natalia Taubina, Public Verdict Foundation, included by the Ministry of Justice of Russia in the list stipulated by p. 10 art. 13.1 of the Federal Law "On NGOs" (Russia)
23. Evgeny Zhovtis, Kazakhstan International Bureau for Human Rights and Rule of Law (Kazakhstan)
24. Anara Ibraeva, NGO "Kadyr-Kasiet" (Kazakhstan)
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26. Ucha Nanuashvili, Human Rights Center (Georgia)
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29. Giorgi Marjanishvili, Center for Participation and Development (Georgia)
30. Anders Bjurner, Swedish OSCE Network (Sweden)
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Examples of persecution of Turkmen activists in Turkey

** On 27 September a civic activist, Dursoltan Taganova, was detained and placed in a deportation centre, allegedly because the Migration Office did not have a document confirming that she holds temporary refugee status legalizing her stay in Turkey, despite the fact that the Migration Office had previously granted her this status. Only on 12 October, after publication of appeals by human rights defenders and the interference of a lawyer, Taganova was released under the pretext of "a misunderstanding". In mid October she was again summoned to the Migration Office, where officials tried to convince her to revoke her refugee application which guarantees that she will not be deported.*

In September, 2021 in the presence of witnesses, activist Aziz Mamedov submitted his passport to the Turkmen Consulate for extension. Since then he has visited the Consulate three times, but diplomats have not returned the document, claiming it has been lost. His lawyer is denied access to the Consulate. Furthermore, every time the activist appears at the Consulate, diplomats call the police.

On 18 October, 2021 47-year-old Akhmed Rakhmanov was sent to a deportation centre soon after he had visited the Migration Office in Antalya to extend his residence permit. Rakhmanov, the administrator of an online chat group for a Turkmen political opposition group-in-exile, Democratic Choice of Turkmenistan, has repeatedly criticized the Turkmen regime on YouTube and TikTok and gave comments to the Turkmen Service of Radio Liberty. He was kept in the Tuzla deportation facility, where he went on hunger strike on 22 October, 2021.

Later on 18 October, 35-year-old Kamil Abulov was taken from his apartment in Istanbul. Abulov's spouse was informed by law enforcement officers that the Turkish authorities have a list of 25 names of Turkmen activists in Turkey who are at risk of detention at the behest of the Turkmenistan's Consulate. Abulov was also placed in the Tuzla deportation centre. He is known to be one of the Turkmen activists who had previously been detained by the Turkish police after a failed rally attempt in front of Turkmenistan's Consulate in Istanbul on 1 August. On 26 and 27 October, 2021 after HRW's appeal and the lawyer's interference both were released.

Police officers were looking for three other Turkmen activists, including Merdan Badrov, at their registered place of residence in Istanbul on 20 October 2021 in order to detain them. Fortunately, they were not at home.

On 22 October, 2021 Bayram Allalyev was detained in Istanbul Migration Office to which he had been summoned to file for a renewal of his residence permit. While he was filling in the documents, law enforcement officers detained him. On 1 November, Allalyev was released from the Pendik deportation centre.

*** On 1 August 2021, with the collusion of employees of Turkmenistan's Consulate, a violent incident occurred when several activists were beaten in front of the Consulate by unidentified officials. Two of the victims had to seek medical help because one of them sustained an injury to his head with a heavy object. There are solid grounds to believe that the attackers are connected to Consulate staff because when asked to return a telephone confiscated from the beaten activist Aziz Mamedov, the attackers said that they could collect it in the Consulate. The victims recognized the assailant on dashboard camera footage. In addition, activist Farkhad Durdyev told human rights defenders that during the incident he was tricked into entering the Consulate area and was beaten. In connection with these attacks the activists are working with lawyers and intend to resolve this issue by legal means.*

On 11 October 2021, two activists and a visitor to the office of the Association of Oghuz Culture, Cooperation and Education in Istanbul, were attacked by unidentified individuals. This happened after activists had given an interview to a British journalist. A bag with a telephone and documents was stolen from the Chairperson of the Association of Oghuz Culture Nurmukhamed Annayev. Civic activist Aziz Mamedov was severely punched in the face. First aid was rendered to the assault's victims. The activists claim that one of the attackers resembles a person, who had assaulted Turkmen protesters in Istanbul on 1 August 2021. This time, according to them, he had "an implement which looked like a metal knuckle duster" in his hands. The activists believe that the assault is related to the planned trip of Nurmukhamed Annayev to the ODIHR/OSCE event scheduled to take place in Warsaw on 14-15 October, where he was going to give a speech criticizing the Turkmen regime.