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Oral Statement
18 September 2013

Item 6 - Adoption of the outcome of the UPR of Turkmenistan

Human Rights Watch welcomes the Universal Periodic Review report on Turkmenistan and hopes that it will be used to bring about real improvement in one of the most closed, repressive countries in the world. Much depends on whether the government will take concrete steps to implement those recommendations that could lead to an end to its intolerance to criticism, the existing draconian restrictions on freedom of expression and association over which it presides, and the threats and harassment against those who question its policies.

In this regard, we were deeply disappointed to note that the government has opted to reject many of the recommendations that cut to the core of its repressive policies, and that it continues to deny the existence of a number of widely-recognized problems, raising serious questions about its commitment to much-needed reform.

Topping the list of such concerns in Turkmenistan is the government's longstanding use of imprisonment as a tool for political retaliation. While the government freed four political prisoners named in the previous UPR recommendations, three of them were released only because they had served out their prison terms, and unknown numbers of individuals continue to languish behind bars.

The very fact that human rights defenders cannot work openly in Turkmenistan and the utter lack of external human rights scrutiny have made it impossible to estimate the number of political prisoners in Turkmen prisons. Therefore, we deeply regret the government's rejection of recommendations that it release people imprisoned on what appear to be political grounds, including the political dissident Gulgeldy Annaniazov.

The Turkmen government should also swiftly act on the recommendations – made by no fewer than 19 governments – to issue invitations to UN special mechanisms. There are currently ten such pending requests by special procedures awaiting access to Turkmenistan.

The government accepted seven general recommendations in the area of freedom of expression. It is important to remember that in 2008 the government of Turkmenistan followed the same approach, by accepting certain general recommendations on freedom of expression, but then failed to act on them. It is regrettable that the government rejected specific recommendations that would have a real impact on freedom of expression, including ensuring protection from harassment for journalists and media workers. This is crucial because even if the government implements recommendations by adopting progressive laws, these laws will have no real meaning if people continue to fear harassment, intimidation, and worse for expressing their views. The two-week detention in May 2013 of one of the few people brave enough to work as a stringer with a foreign news service is but one case in point. The fact that almost no human rights defenders can work openly in the country without fear of retribution attests to the effectiveness of the chilling, intimidating atmosphere that the government fosters.

As a first step towards implementing recommendations pertaining to the use of the internet, the government should immediately end its practice of blocking websites that convey a plurality of views, such as Facebook, YouTube, and those of human rights organizations.

Finally, we also deeply regret the government's rejection of the recommendation to decriminalize sexual relations between consenting adults of the same sex, and urge it to reconsider its position.

In conclusion, in light of Turkmenistan's exceptionally poor rights record and status as one of the world's most closed countries to human rights scrutiny, the government's continued failure to genuinely address serious concerns voiced during the UPR should drive the Human Rights Council to set up a country-specific monitoring mechanism.