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MOTION FOR A RESOLUTION

tabled for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 50 of the Rules of Procedure

by Ole Andreasen

on behalf of the ELDR Group

on human rights abuses in Turkmenistan

PE 337.874

Resolution on human rights abuses in Turkmenistan

The European parliament

- having regard to its previous resolutions on Turkmenistan
 - having regard to its report on the Human Rights situation in the World 2003;
 - having regards to Turkmenistan's obligations under the ICCPR, the ICESCR, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, and other major human rights treaties;
- A. whereas the already appalling human rights situation in Turkmenistan deteriorated dramatically recently and there is evidence that this Central Asian state has become one of the worst totalitarian systems in the world;
- B. whereas Turkmenistan has consistently ignored its obligations under major human rights treaties, it is a party to, and it has systematically failed to implement, recommendations contained in the March 2003 report by the OSCE's Special Rapporteur on Turkmenistan and the April 2003 resolution by the UN Commission on Human Rights;
- C. whereas Turkmenistan remains a one-party state dominated by President-for-life Saparmurat Niyazov, where civil and political rights, including freedoms of expression, religion, association and assembly are severely limited and ethnic minorities face large-scale discrimination;
- D. whereas under the Law on Freedom of Conscience and Religious Organisations, religious congregations are required to register with the government, and since re-registration of religious organisations was made compulsory in early 1997, only two groups – the Russian Orthodox Church and Sunni Muslims – obtained registration, while all the others face heavy discriminations;
- E. whereas, following an alleged coup d'état in November 2002, the authorities have proceeded to carry out mass arrests and there have been credible allegations of torture and ill-treatment against government critics and their relatives;
- F. whereas the persecution of relatives has included house evictions, confiscation of property and dismissals from jobs;
- G. whereas several opponents of the regime have been sentenced to terms of up to life imprisonment in grossly unfair and farcical trials with no access to independent observers and some of them are reported to have died in custody;

- H. whereas the Halk Maslakhaty (People's Council) has issued a decree declaring all criticism of the President and his policies to be state treason punishable by up to life imprisonment;
- I. whereas the government has declared Rukhnama, a "holy" book written by the President, to be the new spiritual guide, the study of which has become mandatory in the country's schools, universities, and state bodies;
1. Condemns all human rights abuses in Turkmenistan and urges the Turkmenistan authorities and President Niyazov in particular to engage in a constructive dialogue with the United Nations, the European Union and OSCE, so as to implement the recommendations listed in the resolution adopted in April 2003 at the 59th session of the United Nations Commission on Human Rights, as well as the recommendations made by the OSCE;
 2. Considers essential that those convicted for their opinions are granted a new trial based on procedures which meet international standards of fairness and with the participation of independent observers;
 3. Calls in particular the Turkmenistan authorities:
 - to stop the use of torture and to give explanations about several detainees who have died in custody;
 - to grant access to political prisoners, including those convicted for alleged involvement in the November 2002 alleged coup d'état, by their relatives and the International Committee of the Red Cross;
 - to ensure freedom of religion without threat of imprisonment or harassment and to repeal the presidential ruling that restricts registration of religious groups;
 - to ensure that non-governmental organisations and civil society activists are able to carry out their peaceful activities free from persecution and be allowed to register and operate freely;
 - to allow access to free flow of information, including unimpeded use of the internet and restoration of subscription to foreign periodicals;
 4. Calls on the Council to upgrade its policy on Turkmenistan, by freezing personal bank accounts and banning visas to the high dignitaries of the regime and to co-ordinate its position with the OSCE and Russia;
 5. Instructs its President to forward this resolution to the President and the Parliament of Turkmenistan, the United Nations, the United Nations High Commissioner for Human Rights, the government of Russia and the Secretary General of the OSCE.