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Country:

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Year:

2018

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

7

Aggregate Score:

4

Freedom Rating:

7.0

Overview:

Turkmenistan is a repressive authoritarian state where political rights and civil liberties are almost completely denied in practice. Elections are tightly controlled, ensuring nearly unanimous victories for the president and his party. The economy is dominated by the state, corruption is systemic, religious groups are persecuted, and political dissent is not tolerated.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 0 / 40

A. ELECTORAL PROCESS: 0 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4

The president is directly elected for an unlimited number of seven-year terms, extended from five years under a 2016 constitutional revision. Berdimuhamedov, the incumbent, was reelected for a third term in February 2017 with 97.69 percent of the vote amid turnout of more than 97 percent, according to official results. His eight token opponents

were either nominees of state-backed parties or members of the ruling Democratic Party of Turkmenistan (DPT) who ran as independents. The Organization for Security and Co-operation in Europe (OSCE) criticized the election process for failing to present voters with a genuine choice and noted that it took place in a strictly controlled political and media environment.

A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4

The unicameral Mejlis is composed of 125 members elected from individual districts to serve five-year terms. Parliamentary elections are tightly controlled by the state and feature no genuine competition from opposition candidates. All parties and public associations allowed to participate are effectively subordinate to the DPT. In the 2013 elections, the DPT took 47 seats, followed by the Federation of Trade Unions with 33, the Women's Union with 16, the Party of Industrialists and Entrepreneurs with 14, and a youth organization and other "citizen groups" with 8 and 7, respectively.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4

The legal framework for elections is neither fair nor impartially implemented. The Central Election Commission (CEC) is appointed by the president and operates with little transparency. The law allows virtually no opportunity for independent fund-raising or campaigning. In the 2017 presidential election, the CEC organized and funded campaign activities and produced all campaign materials, according to international monitors.

The constitution and electoral code were amended in 2016 to remove the upper age limit of 70 for presidential candidates, extend the presidential term from five to seven years, and eliminate the right of public associations to nominate presidential candidates.

B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4

The party system is dominated by the ruling DPT and controlled by the executive branch. The 2012 law on political parties specified the legal basis for citizens to form independent parties, but barred parties formed on professional, regional, or religious lines, and those created by government officials. Nevertheless, Berdimuhamedov subsequently announced plans to form two new groups—the Party of Entrepreneurs and Industrialists and the Agrarian Party. Both were then openly organized by sitting members of the DPT and formally registered in 2012 and 2014, respectively. These parties, plus the DPT, were the only groups to nominate presidential candidates in 2017.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4

Turkmenistan has never experienced a peaceful transfer of power between rival parties through elections. Berdimuhamedov had served in the government of his late

predecessor, Saparmurat Niyazov, who in turn had ruled the country since before its independence from the Soviet Union. The Soviet-era Communist Party became the DPT in 1991 and remains in power to date. All genuine opposition groups operate either illegally or in exile.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4

The authoritarian political system offers voters no meaningful alternatives to the ruling party. At an informal level, politics within the regime are thought to be influenced by regional patronage networks, or "clans," that control different parts of the state and economy.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4

Members of the ethnic Turkmen majority and the president's tribal subdivision in particular are favored for leadership positions. While women and ethnic or religious minorities formally have full political rights, no segment of the country's population enjoys the practical ability to engage in independent political activity. Women hold about 25 percent of the seats in the Mejlis.

C. FUNCTIONING OF GOVERNMENT: 0 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4

The president, who is not freely elected, has ultimate decision-making authority. The executive branch determines laws and policies with no meaningful input or oversight from the rubber-stamp legislature. In October 2017, Berdimuhamedov announced that the Council of Elders, an advisory body of village leaders, would be replaced by a revived People's Council, a formally more powerful entity that had been abolished in 2008. The People's Council, headed and convened by the president, would be considered the top representative body, further diminishing the parliament's role.

C2. Are safeguards against official corruption strong and effective? 0 / 4

There are no independent institutions tasked with combating corruption, which is widespread in Turkmenistan. Checks on nepotism and conflicts of interest are also lacking; the president's son, a possible successor, has held a number of positions, including in the Foreign Ministry and the Mejlis. Crackdowns on corruption are typically selective and related to conflicts within the ruling elite. Several high-ranking officials were fired over corruption allegations during 2017. In May, for example, Prosecutor General Amanmurad Hallyyev and at least nine other prosecutors were fired and subsequently arrested on corruption charges. Radio Free Europe/Radio Liberty (RFE/RL) reported that the prosecutors had been tasked with extracting funds for the upcoming AIMAG from officials and businessmen, and had either failed to collect enough or were accused of keeping some for themselves. In June the president created the State Service for

Combating Economic Crimes, tasked with preventing and investigating corruption-related offenses, though analysts said the service could be used to extort more revenue from wealthy targets.

C3. Does the government operate with openness and transparency? 0 / 4

Decisions on monetary policy, large-scale contracts with foreign companies, and the allocation of state profits from hydrocarbon exports are largely opaque and ultimately controlled by the president, without effective legal limits or independent oversight. Government officials and state-owned companies are not required to disclose their basic financial information to the public.

CIVIL LIBERTIES: 4 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 1 / 16

D1. Are there free and independent media? 0 / 4

Press freedom is severely restricted in Turkmenistan. The state controls nearly all broadcast and print media. Independent journalists, particularly those who work with RFE/RL, are subject to harassment, detention, physical abuse, and prosecution on trumped-up charges. In 2017, the authorities revoked accreditations for a number of British journalists who had planned to come to the country to cover the AIMAG. The state-run internet service provider blocks websites that carry independent news coverage or opposition-oriented content.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 0 / 4

Legal restrictions, state monitoring and harassment, and the risk of penalties including fines and imprisonment have virtually extinguished the ability of individuals to freely practice religion. A 2016 law on religion maintained existing bans on religious activity outside state control, imposed a higher membership threshold for the registration of religious groups, and required all registered groups to reapply for registration. Senior Muslim clerics are appointed by the government, and Muslims who do not follow the officially approved interpretation of Islam are subject to persecution, including lengthy prison terms. Members of unregistered religious minority groups continue to face raids, beatings, and other forms of harassment. There have been numerous reports of Muslims and Jehovah's Witnesses being fired from state jobs for exercising their beliefs.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 0 / 4

The government places significant restrictions on academic freedom, limiting research on politically sensitive topics and imposing onerous obstacles to the recognition of degrees from foreign institutions. In February 2017, a group of 18 men received harsh prison sentences for their alleged links to schools affiliated with the exiled Turkish preacher Fethullah Gülen, and another 40 men were reportedly sentenced on similar charges in July.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4

Private discussion and the expression of personal views are highly restricted due to intrusive supervision by state security services, including physical surveillance, monitoring of telephone and electronic communications, and the use of informers. Social media users who post critical comments about the government are subject to intimidation and imprisonment.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12**E1. Is there freedom of assembly? 0 / 4**

The constitution guarantees freedom of assembly, and the 2015 Law on Assemblies defines the right of individuals and groups to hold peaceful gatherings with prior authorization. However, the law grants officials broad discretion to block assemblies, and in practice the authorities do not allow antigovernment demonstrations.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4

Onerous registration and regulatory requirements effectively prevent most independent nongovernmental organizations (NGOs) from operating legally or receiving foreign funding, and activities by unregistered groups can draw fines, detention, and other penalties. Individual activists face intimidation and harassment, as do the family members of human rights activists working in exile. In 2017, animal rights activist Galina Kucherenko, who had criticized the authorities' extermination of stray dogs and cats ahead of the AIMAG, was threatened and temporarily detained, and her internet service was disrupted.

One of the president's sisters controls the National Red Crescent Society of Turkmenistan and has been accused of using the organization for personal enrichment.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Workers have a legal right to join trade unions, but there are no protections against antiunion discrimination, and strikes are prohibited. The government-controlled Association of Trade Unions of Turkmenistan is the only union organization permitted to operate.

F. RULE OF LAW: 0 / 16**F1. Is there an independent judiciary? 0 / 4**

The judicial system is subservient to the president, who appoints and dismisses judges unilaterally. In practice, the courts are commonly used to punish dissent and remove potential threats to the president's political dominance.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Arbitrary arrests and detentions are common, particularly for dissidents, members of unapproved religious groups, activists, and journalists who work with foreign organizations. The authorities frequently deny defendants' basic rights of due process, including public trials and access to defense attorneys.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 0 / 4

Security forces routinely use torture to extract confessions or punish inmates. The lack of transparency surrounding many detentions amounts to enforced disappearance. Prison conditions are extremely harsh, and the deaths in custody of several disappeared detainees and prisoners convicted on religious extremism charges were reported during 2017.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 0 / 4

Employment and educational opportunities for ethnic minorities are limited by the government's promotion of Turkmen national identity, and activists who advocate for minority rights have faced persecution. Traditional social and religious norms help to restrict women's access to education and economic opportunity; there are no legal protections against sexual harassment in the workplace. The law does not protect LGBT (lesbian, gay, bisexual, and transgender) people from discrimination, and sexual activity between men can be punished with up to two years in prison.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 3 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 1 / 4

Freedom of movement is restricted, with a reported blacklist preventing some individuals from traveling abroad. Internal passports and a system of residency permits obstruct travel within the country. The government imposed special border controls and travel restrictions in the run-up to the AIMAG in 2017; schools and universities in the capital were closed for the duration of the games.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

The constitution establishes the right to property ownership, but the deeply flawed judiciary provides little protection to businesses and individuals, and the president's relatives monopolize key sectors of the economy that are not directly state controlled. Arbitrary evictions and confiscation of property are common. Thousands of people were forcibly evicted to make way for the construction of AIMAG venues and related urban beautification projects. Those displaced were left with either no housing or inadequate alternatives.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Domestic violence is reportedly common, but few victims file complaints with the authorities, and the government has not made significant efforts to monitor, prevent, or combat the problem. Reporting and prosecution of rape is similarly limited.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 0 / 4

The government forces thousands of students, public employees, and other citizens to participate in the annual cotton harvest without pay. Public employees are also compelled to work on other projects without compensation, including services surrounding the AIMAG in 2017. Impoverished residents of rural areas are especially vulnerable to trafficking abroad for forced labor or sexual exploitation, and the government does little to address the problem.

In October 2017, the president issued a decree to begin raising water fees as part of a broader plan to phase out subsidies for utilities and ease pressure on the state budget amid a faltering economy. Persistently low oil and gas prices have driven down vital export revenues in recent years, leading to reports of unpaid wages and shortages of basic goods. To raise funds, the government has increased various fees and pressured officials, businesspeople, and ordinary workers to make “voluntary” contributions.

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