

This letter is submitted by a group of civil society activists living in Turkmenistan

Board of Directors
European Bank for Reconstruction and Development
One Exchange Square
London EC2A 2JN
United Kingdom

February 25, 2010

Dear Members of the Board:

We thank the European Bank for Reconstruction and Development for the invitation to civil society representatives of Turkmenistan to discuss the Bank's new draft strategy for Turkmenistan. We welcome the Bank's intention to assist Turkmenistan with the transformation of its economy. However, we consider it necessary to provide some comments on the draft of the EBRD strategy for Turkmenistan.

Taking into consideration discussions on the draft of the Bank's strategy, we would like to draw the Board of Directors' attention to a number of facts and circumstances that are directly tied with principles of the EBRD activity fundamentals, as well as with the current socio-political situation in Turkmenistan.

Even a brief review of Turkmenistan legislation conducted by Turkmen activists (available in annex 1) demonstrates that country authorities are committed to the constraint of reforms in the areas of democracy, human rights and economic freedom.

There are no laws on political party activity, trade/labour unions, legislation on public meetings and demonstrations in Turkmenistan. Legislation on public and religious associations¹ remains repressive and does not allow citizens of the country to exercise their rights. Absence of explicit guarantees for movement rights lead to mass violation of citizens' rights to exit the country. The Law on Mass Media was adopted in the Soviet period, and does not meet modern realities. Although the Constitution of Turkmenistan declares all these freedoms, the lack of particular laws creates a legislative vacuum that makes all these rights unimplemented and the proclaimed "reforms" simply declaratory.

The Constitution of Turkmenistan, which came into effect under the authority of President Berdymukhamedov does not contain any compulsory limit to the number of terms a president can serve. This opens the way for long-term usurpation. And a well-established cult of President Berdymukhamedov's personality means that such usurpation has, in fact, occurred, and for life. The order for power succession, which is provided by the Constitution, completely

¹ http://www.forum18.org/Archive.php?article_id=1408

removes society from any influence on executive power formation (sub verbo provided analysis, annex 1.)

We state that the Constitution of Turkmenistan does not comply with basic standards toward guarantees, or contain an observance of basic democratic norms and human rights. Furthermore, the new Constitution of Turkmenistan, which was adopted in 2007, does not comprise norms that existed in the previous edition of the country's constitution.

The "new" legislation, which provided for the protection of private entrepreneurship and defined a "favorable" regime for its activity and taxation is and will be absolutely meaningless and unrealistic without the adoption of an Anti-Corruption Law or similar legislation to fight corruption, as well as admission of government participation in corruption. Corruption and arbitrary racketeering by law enforcement agencies and public/state officers hinder the development of private entrepreneurship, the complete development of the institution of private property, and completely undermines the benefits of the "new" legislation. Meanwhile, according to information from Transparency International,² Turkmenistan is one of the countries with the highest level of corruption. The Heritage Foundation³ considers Turkmenistan⁴ to be among the countries with a repressive business environment. And we confirm that⁵.

Turkmenistan's authorities continue the practice of suppression of any dissent and any civic activity. In October 2009, the well-known ecologist and public figure **Andrey Zatoka** was arrested for the second time on a false charge, and was sentenced to 5 years⁶. Only after a vigorous international campaign in defense of Zatoka did the authorities take an unprecedented step. Mr. Zatoka's sentence was withdrawn virtually in exchange for renunciation of his Turkmenistan citizenship. After the second trial authorities insisted that Zatoka leave the country in the course of twenty-four hours. Similarly, in November-December 2009, due to strong pressure by authorities and threats to their freedom and personal security several civic activists were also forced to leave Turkmenistan. There are no independent public associations in Turkmenistan.

Pressure on other civil society activists also greatly increased. Many activists reported constant surveillance, telephone tapping and other preventive measures by authorities. Authorities repeatedly **barred activists from leaving their homes** during visits of delegations of foreign states and international organizations. The last time it happened was February 3-4, 2010 during the visit of a **U.S. State Department delegation**, when a minimum of 4 activists were "advised" by authorities to stay at home during this period in order to block these activists from meeting with members of the delegation.

² http://www.transparency.org/policy_research/surveys_indices/cpi/2009/cpi_2009_table

³ <http://www.heritage.org/index/ranking.aspx>

⁴ <http://www.heritage.org/index/Country/Turkmenistan>

⁵ <http://www.chrono-tm.org/en/?id=1077>

⁶ <http://www.azatoka.org/>

All mass media in Turkmenistan belong to the state. All press outlets are established by the president, and act as the government mass media propaganda, including ideological propaganda. Bringing in foreign newspapers and magazines to the country is prohibited and only a small number of state organizations have the right to get foreign press based on an "approved" list. There is strong censorship in the country⁷.

During the last year the situation with **free exit** abroad has worsened. There are many incidents in which exit from the country was forbidden not only for civic activists and convicted persons, but also for their family members. As recently as last year, these people were able freely travel outside of Turkmenistan. Many students studying in universities outside of Turkmenistan were forbidden from traveling abroad in July-August 2009.⁸ Although the problem has been partially resolved, violation of citizens' rights for free travel from the country was widespread during the last years, and several dozens of students are still prohibited from leaving the territory of Turkmenistan⁹.

It should be noted that the **cult of personality** of the new President Berdymukhamedov has already taken shape as a separate, independent phenomenon¹⁰. Besides visual attributes - portraits, full personification of the state and the state power with his persona-- which is not that frightening, people have begun to fully identify the President's opinion and actions with truth as the ultimate authority. This phenomenon results in violation of human rights and democratic norms by the authorities. By proclaiming the "genius" and "infallibility" of the President, authorities not only disclaim any pluralism, but also make taboo any public discussion of critical issues. Any doubts about soundness of decisions and actions made by the President are considered high treason.

As in President Niyazov's time, society is completely deprived of any influence on financial and economic policy of the government. Only the expenditure side of Turkmenistan's budget is publicized. There is no information publicized on receipt of money for marketed raw materials such as gas and oil, and such information is a state secret. This allows authorities to pursue an absolutely irresponsible economic policy, and to finance giant projects often tied with ideological propaganda, and that have no social or economic rationality¹¹.

Turkmenistan authorities facilitate a number of **environmentally dangerous projects** (annex 2). Therewith, authorities completely ignore all procedures set up by the **Aarhus Convention**, of which Turkmenistan is a member.

The fact that Turkmenistan has signed on to most conventions on human rights, declaration on the international law supremacy over the national legislation, as well as Turkmenistan's obligations as an OSCE member, does not have any

⁷ <http://www.chrono-tm.org/en/?id=1078>

⁸ <http://www.chrono-tm.org/en/?id=1275>

⁹ <http://www.chrono-tm.org/en/?id=1167>

¹⁰ <http://www.regnum.ru/news/1255726.html>

¹¹ <http://www.regnum.ru/news/1255723.html>

practical or legislative meaning; that is, they are not implemented in the country.

Turkmenistan authorities continue to sabotage cooperation with international organizations; this implies particularly to international agencies programs in the area of democracy and human rights.

Turkmenistan did not pass procedures to joint ODIHR OSCE mechanisms, which rules out full-value dialogue with Turkmenistan's authorities on democracy and human rights issues. The government still has not started a dialogue under the OSCE "Moscow mechanism" framework¹², which was applied to Turkmenistan in 2003 as the OSCE concerns with mass repressions in the country¹³. These repressions resulted in a tenfold increase in the number of political prisoners, whose fate is still unknown.

Authorities of Turkmenistan began a dialogue and did not provide reports based on obligations made under key human rights conventions. The process of dialogue in the framework of the UN Convention on the Elimination of All Forms of Racial Discrimination was not completed; authorities simply ignore the Secretariat's inquiries on facts and trends of violation of citizens' rights by race or ethnicity¹⁴. There is no significant progress achieved by Turkmenistan in developing a report for the Human Rights Universal Periodical Review.

In the end of 2009 the organization "**Medecins Sans Frontieres**" was forced to leave Turkmenistan. The underlying reason for its departure is the unbearable conditions created by Turkmen authorities, and practically abandonment of cooperation¹⁵. The last representative of **WWF** had to leave the country in 2009.

All international human rights, ecological and humanitarian NGOs are denied entry to Turkmenistan.

We are greatly concerned with initiatives for financing any projects related to hydrocarbon production in the Caspian Sea, and transportation across the Sea. The undetermined status of the Caspian Sea and implementation of energy projects without its legal regulation will lead to increased tension in the region, including military tensions, for which there is precedent. We have even more concerns with regard to the environmental risks associated with such projects, which can lead to large ecological catastrophe in the Caspian Sea.

Taking into consideration these significant concerns, we, members of civil society in Turkmenistan, do not believe that the country is in compliance with Article 1 of the Agreement Establishing the Bank, which restrict the EBRD's

¹² <http://www.osce.org/odihr/13483.html>

¹³ http://www.osce.org/documents/odihr/2003/03/1636_en.pdf

¹⁴ Ethnical minorities make more than 20% of Turkmenistan's population.

<http://www.untuk.org/content/view/63/91/>

¹⁵http://www.msf.org/msfinternational/Invoke.cfm?objectid=9B9B48C9-15C5-F00A-25C35A9CCBA3F28D&component=toolkit.pressrelease&method=full_html

involvement to those countries "committed to and applying the principles of multiparty democracy, pluralism and market economics."

Recommendations

We proceed from the fact that all investments (direct or indirect) in the economy of Turkmenistan mean definite support by investors of the repressive policies pursued by Turkmen authorities, and these investments will lead first and foremost to further strengthening of a totalitarian regime and Berdymukhamedov's cult of personality.

In this regard we recommend:

To revise the EBRD Strategy for Turkmenistan because such cooperation contradicts Article 1 of the EBRD's founding documents.

To urge the government of Turkmenistan to bring into compliance the country's legislation with international norms in the area of democracy and human rights, and with obligations made under OSCE, UN and international conventions.

All EBRD projects rigorously tie in with the Turkmenistan authority's implementation of **real and systematic** changes in the legislation toward democracy and human rights, and put into practice this legislation.

In EBRD assessments of the level of democracy and situation with human rights in Turkmenistan take into account information from international human rights organizations and the opinion of Turkmen civil society activists.

Urge Turkmen authorities to disclose to the Turkmen and international public information on all mechanisms of receipt of funding in the country and amounts of money received, most importantly, from selling energy resources – oil and gas.

While developing EBRD projects in Turkmenistan, give special attention to problems such as corruption to prevent the flow of EBRD money to corrupt structures.

To set conditions for mandatory preliminary environmental assessment of all possible EBRD projects in Turkmenistan, including obligatory application of the Aarhus convention mechanisms.

We urge EBRD to take into consideration a document prepared by Turkmen civil society activists titled "**Common Vision**" that states and describes all major violations of human rights in Turkmenistan (annex 3).

Commentaries on the draft of the EBRD Strategy in Turkmenistan

It is a brief analysis of "new" legislation adopted by new government, and some conclusions in this regard.

Although after Niyazov's death the government took steps to legislation modernization, all of those steps were forced in nature. Previous legislation in the area of state government was personified (tailored for Niyazov), quite differed from commonly accepted standards and Turkmenistan's obligations committed under international treaties and OSCE membership. New government adjusted legislation in accordance with a rough compliance with international norms, yet leaving considerable gaps, which contributed to retaining totalitarian regime in the country, and conditions for violation of democratic norms and standards. Thus, in 2007, revision of the Constitution of Turkmenistan had been accepted. Despite the fact that structure of the government system in outward appearance was approximate to democratic norms, there is the absence of many principal norms.

Thus, norm on maximum presidential term had been withdrawn from the text of the Constitution. There is no limitation for number of terms while being elected for one 5-year term presidential duties. Formally it means that the same individual can be elected for this post unlimited number of times. For Turkmenistan's conditions with lack of multi-party system (vide infra) and free media this factually means **accouchement (*usurpation*) by one person**.

If it is found impossible to discharge functions by president (in case of death, illness) the fate of government power succession in accordance with new Constitution will be determined by **non-constitutional body**, the State Security Council of Turkmenistan. Organization of this body is not determined by any law. This body is not elected and the country's parliament has no relation to its formation and its activity. Thus, supreme power of Turkmenistan factually created legislative basis for forming **junta** that posses all mechanism of usurpation and power succession, completely eliminating influence of society, and more widely, people's participation from composition and formation of state power.

In the revised Constitution of Turkmenistan the norm that guarantees a citizen of Turkmenistan free exit abroad does not exist. Effective Law "On Migration" (2005) that regulates citizens' exit abroad, contains a number of discriminative provisions, which give quite wide abilities to state authorities for violation of right of free exit abroad (examples with students and relatives of "people's enemies".)

Article 26 of the Constitution guarantees SOLELY right for freedom of movement and free choice of place of residence within the country, although, in practice, Turkmenistan holds residence permits by registration, that also is discriminative as other guaranteed rights by the Constitution such as right to work, right for

education, right for health care services strictly attached to particular place of residence determined by registration permits "propiska." It is practically impossible to change "propiska," freely move to another place of living (with the exception of one city or region.)

Article 30 of the Constitution of Turkmenistan declares the right to form **political parties** and "other public associations." However, so far there is not a separate law on political parties in Turkmenistan that would regulate (determine) an order of their establishment and activity. Thus, all political life and activeness of citizens still is a legal vacuum, practically impossible (i.e. political activity,) and in fact is forbidden. That is why all declarations by Turkmen government on commitments to pluralism and multi-party system are artificially suppressed, and there is no mechanism for implementation of these commitments. Therefore, elections for all levels of power in Turkmenistan, even on the legislative level, do not have ground and conditions for political adversary and competitiveness, and, as a matter of fact, turn into competition of expression of loyalty to supreme power.

There is no clear consolidation of **the right to freedom of mass media** in Turkmenistan's Constitution. Article 28 of the Constitution guarantees "the right to convictions and the free expression of those convictions." But in Turkmenistan's environment, where all media outlets with no exception belong to the state and are strictly controlled and censored by the state, the right to freedom of speech simply cannot be exercised. Law "On Mass Media" was adopted in 1991 and is hopelessly outdated. **There is no independent mass media in Turkmenistan.**

The same Article (28) of the Constitution guarantees **freedom of access to information**. But practice shows that in the situation of total control over mass media by the state this right cannot be implemented; it is regulated by government and, in fact, is absent. **Access to Internet** and electronic mail in Turkmenistan also are strictly controlled by state authorities. Most of the websites, which provide criticism about Turkmenistan authorities, are blocked and inaccessible from the territory of Turkmenistan and for its citizens. Such popular public sites as LiveJournal and YouTube are blocked.

Subscription to foreign newspapers and magazines for citizens of Turkmenistan is forbidden. It is allowed to get foreign press publications only by state institutions, and only by a government approved list and quantity, also determined by state authorities.

Article 39 of the Constitution of Turkmenistan guarantees "**the right to artistic, scientific and technical creation.**" However, in 2008 a special **State Commission** was established special that by its mandate censors all artistic works and publications in Turkmenistan, and authorizes permissions or prohibitions for their publications. This act introduced the **state censorship of all artistic works** in Turkmenistan. Television, radio, all newspapers, magazines, theaters, art galleries, and exhibition halls belong to the state. And without permission of this

commission free artistic work and its implementation are simply impossible in Turkmenistan.

Article 29 of the Constitution of Turkmenistan guarantees the right for "**freedom of assembly, meetings and demonstrations in statutory order.**" But there is no such statute/law in Turkmenistan. It means that there is no mechanism for implementation this fundamental right as well. All mass activities – demonstrations, meetings, assemblies and gatherings, etc., - are conducted exclusively by government initiative, by government organization, and by government strict control. All known attempts of spontaneous or organized meetings and demonstrations have been cruelly suppressed, and participants underwent cruel repressions.

The same situation emerges in area of guaranties of protection of collective rights of citizens. The Constitution (Articles 33, 34, 35) lists guarantees of workers' rights. The Labour Code repeatedly mentions **labour/trade unions**. However, there is no legislation/law on such unions, which makes their existence impossible. In turn, this all factually makes participation of Turkmenistan in many treaties (conventions) of International Labour Organization senseless.

The new Constitution of Turkmenistan placed a precedent of collision, when Article 46 states that "**Law that worsens a citizen's position/status has no retroactive effect.**" There was an agreement signed in 1993 between Turkmenistan and Russia on the possibility to have citizenship of both states. But Article 7 of the 2007 Constitution declares: "Citizen of Turkmenistan disclaimed citizenship of other state." It is an obvious contradiction - Article 7 clearly contradicts Article 46 – there is obvious injury of citizens' rights, and on the level of the constitutional right norm.

Phrases in the text of the strategy draft:

Significant efforts are being made to bringing Turkmen legislation into line with its international treaty obligations.

In September 2008 Turkmenistan has revised the Constitution, which accords supremacy of international treaties over national legislation. The principle of separation of powers between the executive, legislative and judiciary is now embedded in the text of the new basic law.

This does not make sense!

In all major laws of Turkmenistan issued in the Niyazov's period norm of supremacy of international documents and agreements over Turkmenistan'

legislation existed. But it didn't prevent Niyazov from pursuing a repressive policy, as it was said in the beginning of the draft text of the strategy.

International norms are not introduced (not implemented) into the national legislation, and have no particular mechanisms of their realization. On the contrary, many laws (and constitution in first place!) contain elements and norms that directly contradict international obligations of Turkmenistan, including OSCE standard.

Even the most brief analysis of the **Constitution** of Turkmenistan points that the country's government is not interested in real democratic changes and abidance and respect of most important human rights.

Most of the changes in the Constitution and other laws have declarative nature and are aimed at concealing (disguising) government intentions to prevent people of the country from exercising their rights.

Proposal to EBRD

For objective and competent evaluation of the "new" legislation of Turkmenistan, including new revision of the Constitution of Turkmenistan, it is necessary to apply to the European Commission for Democracy through Right, i.e. Venice Commission of Council of Europe.

If European Union, Council of Europe and other EU bodies consider Turkmenistan as potential partner and state that Turkmenistan implements reforms, including in the national legislation area, they are advised to apply to the Venice Commission of Council of Europe with a request for a conformance evaluation of the new text of Turkmenistan's Constitution and the Council of Europe's democratic norms and standards.

http://www.venice.coe.int/site/main/Presentation_E.asp

Venice Commission is a consulting body, but capable to examine legislation in order of providing evaluation. In its turn, making-decisions politicians should proceed from the fact of evaluation and results of examination while developing decisions on cooperation with a country that adopted such legislation.

Violation of context of the Aarhus Convention.

There are three cases (facts) of direct violation (failures to comply with) provisions/norms of the Aarhus Convention in large-scale industrial and agricultural constructions in Turkmenistan.

1. "Golden Age" Lake.

This object is a large irrigation and melioration structure system: network of canals of 500 – 1500 km each, and a "lake" itself. As project designers planned by this system accumulated drainage waters transport from the north, east and south of Turkmenistan to the lake, i.e. discharged waters and waters used for washing (cleaning) of soil from excess of salt must be discharged to the "Golden Age" Lake.

Violation of the Aarhus Convention is that the project of the whole "Golden Age" lake infrastructure construction did not pass through state environmental impact assessment procedures, or through all procedures and activities provided for by norms of the Aarhus Convention. Particularly, no agreement with public had been reached, i.e. agreements with residents of a big number of local communities, residential territories of which impacted by the infrastructure.

As a result of underground waters increase water in wells in many places of traditional habitation of local communities was spoiled – it was the only source of water that functioned for ages for people and animals. All in all, these communities were left without sources of water, and had to leave places of their traditional life and work. Change in the way of life, forced migration entailed dramatic decline in living standards and disappearance of a big amount of multicultural diversity.

As a result of the numerous canals construction and its impact on the environment, the nature object, Karakum Desert, lost occurrence as a single biological and geographical region. Development of the "Golden Age" Lake construction irreversibly damaged biological and landscape diversity, and traditional areas of residency of local communities.

Turkmenistan government announced the cost of all works for development of "Golden Age" Lake infrastructure in amount of 6-8 bln of US dollars.

2. Cement plant

In late of 90-s the Turkmenement Corporation's cement plant was relocated from the satellite to Ashgabat town Bezmein to the west of the country, on the border between Akhal and Balkan velayats. In two kilometers from the new plant there is village Durun, which is almost in smoke due to the cement plant pollutions. No environmental impact assessment of this plant's construction and

its operation, as well as all procedures within the Aarhus process had been conducted. Moreover, government considers this plant a strategic facility that supplies cement to many construction sites around the country, and in this regard all data on the plant's operation, including data on volumes and composition of emissions are considered secret information, and are not a subject to disclosure.

3. Polypropylene production plant

It is a part of conglomerate of Turkmenbashy oil refinery, located on the Caspian seaside in Turkmenbashy city. Production of polypropylene is tied with the use of high-pressure potentially explosive substances – components of natural gas, and is highly dangerous for environment. World practice in location of such productions demands its location as far as possible from residential areas. In this case the production facility is located directly in the middle of urban area, between city buildings. There was no agreement with the local population of location and construction of this plant conducted. Environmental impact (ecological) assessment of construction and functioning of this plant is **inaccessible for community (if such assessment was conducted at all)**, and there is no reliable data available.

A Common Vision for the Advancement of Human Rights in Turkmenistan

This Common Vision is the unique product of the thorough work of 24 Turkmen citizens supported by several international NGOs. We, citizens of Turkmenistan, wish to present the most appalling human rights violations in Turkmenistan under Berdymuhamedov today and introduce concrete recommendations for the international community, which is now actively involved in this formerly closed country.

We are pleased to see the start of intensive contact between the countries of the West and the government of Turkmenistan. We believe that new possibilities are being presented at this time; possibilities that can, on the one hand, lead to the economic and political inclusion of Turkmenistan in global processes, and on the other hand, begin to correct the monstrous legacy of the previous totalitarian regime.

We believe that contact between western governments and the leadership of Turkmenistan can and must play a role in both processes. At the same time, however, we ask you to remember the connections between the cost of economic contacts with Turkmenistan and the value of human rights, human life and the dignity of Turkmenistan's citizens.

We draw to your attention the fact that human rights violations are numerous and widespread, systemic in character, and **purposefully supported by the authorities in Turkmenistan**.

- There is **no pluralism** in the country. There are no political parties. All political and social activity is strictly controlled by the authorities. It is impossible for NGOs to work legally. All civic activists are under constant control of the secret police, undergo psychological pressure, and are subject to physical threats made against them and their relatives.
- There is absolutely **no freedom of speech** in the country. All news media is affiliated with and strictly controlled by the government. Any public expression of differing opinions is impossible. Repression includes interviews and publication in foreign mass media. Access to the Internet continues to be censored.
- The practice of **collective punishment** (as it is called) is widespread. This is when the arrest and conviction of a person leads to the arrest (or other repression or disenfranchisement of the rights) of his/her closest relatives. This form of punishment was used widely during the Niyazov regime, and continues today. It serves to more fully aggravate the official punishment and causes even crueler psychological suffering. This practice has no justification and deserves unequivocal condemnation.

- Information received from the prisons in Turkmenistan indicates that its **penal system** is among the worst in the world. Especially troubling are the unhealthy conditions in which women prisoners are forced to work.
- The rights of **national minorities** continue to be violated in many ways. Although national minorities comprise over twenty percent of the population, not one minority has the all inclusive conditions it deserves in which to preserve its cultural norms and identity, including the opportunity to study its own language and customs. This is particularly true for young people, who do not have access to cultural centers, museums and press in their national languages. Over thirty thousand Beludzhi have been forced to assimilate because of these conditions.
- **Religious activity** remains under tight government control. Religious communities that are allowed to gain state registration have to report regularly to the government, cannot freely build or open places of worship, and cannot freely publish or import religious literature. Islam remains under tight state control: the state authorities name all imams, control the only officially-approved education for imams and decide when and where new mosques will be built. Many religious minority communities have been denied legal status and the possibility to function openly. Police intermittently harass religious communities. Some active religious believers are on the exit blacklist and cannot leave the country. Five Jehovah's Witnesses are serving sentences for refusing compulsory military service.
- The Constitution of Turkmenistan does not include **the right to freely leave the country**. As a result, citizens are frequently denied the freedom to leave the country or are pressured and manipulated when applying for the right to leave Turkmenistan. Journalists, civil society activists, and the relatives of those in prison are forbidden from leaving the country.
- **The economic system** of Turkmenistan remains paternalistic, lacking in transparency, corrupt and in many ways archaic; it lacks the most basic market mechanisms. The social fabric of the country is also totally corrupted. The Turkmen public is completely isolated from any information about the colossal resources from the sale of gas and from any possibility to influence the financial politics of the authorities.

The human rights concerns listed above illustrate well the systemic character of the human rights violations in Turkmenistan, and create a sufficient basis for the start of an objective conversation with the Turkmen authorities about the absolute need to surmount these violations and the **essential conditions** for the development of long-term political and economic relationships.

We understand the concerns of western countries regarding energy security for Europe, concerns that have led to such intense interest in Turkmenistan's energy potential. However, **we do not understand** why the standards for evaluating human rights conditions in the country have been severely diluted, and the

unwillingness of the international community to condemn fundamental human rights abuses publicly when they arise.

We appeal to all interested parties—the European Parliament, the United States Congress and Senate, national European parliaments, and governments and governmental bodies—to acknowledge the existing human rights problems in Turkmenistan.

We appeal to you to give the highest priority to motivating the government of Turkmenistan to rapidly dismantle the existing **systematic** repressive system.

We appeal to all western financial institutions, including the World Bank, International Finance Corporation, European Bank for Reconstruction and Development, and European Investment Bank, to make planning and realization of their programs in Turkmenistan and connected to Turkmenistan (for example, the Nabucco pipeline, Southern Energy Corridor and others), dependent on the readiness of the Turkmen authorities, not only to discuss human rights issues, but also to take concrete steps toward concrete results.

We make the following initial recommendations to the government of Turkmenistan as necessary conditions for the development of political and economic relationships:

- Stop the practice of collective punishment, and unconditionally release the family members of imprisoned individuals.
- Stop the practice of recruiting prisoners to coercive labor that is dangerous to their health, and provide medical assistance to those who are already suffering.
- Create all the conditions for the harmonious development of the culture and tradition of all national minorities, with no exceptions.
- Create all the conditions for the formation and development of independent mass media and outlaw state censorship.
- Guarantee the possibility for the creation and independent operation of public organizations, including the transformation of the existing NGO law.
- Reject the practice of suppressing dissent, and stop the persecution of dissidents and civic activists.
- Completely ban the practice of forbidding free entrance into and exit from the country.
- Create standards to guarantee economic transparency, in particular ensuring public access to information on the return of finances from the sale of energy resources and the creation of mechanisms through which to influence the use of this revenue.

As a gesture of good will and as a first step toward the resolution of these problems, we appeal to the government of Turkmenistan to provide independent, international observers with **ongoing** access to the country-- first and foremost to its prisons.

In total, twenty-four citizens of Turkmenistan, permanently living in the country, have signed this document.*

We, representatives of international civil society organizations, have read this letter and support its contents fully.

On 10 November 2009 signed by:

Said Yakhyoev, **Bank Information Center**, USA

Huub Scheele, **BothENDS**, Netherlands

Mark Fyodor, **CEE Bankwatch Network**, Czech Republic

Sonia Zilberman, **CIVICUS: World Alliance for Citizen Participation**, South Africa

Robert Hårdh, **Civil Rights Defenders**, Sweden

Nicholas Hildyard, **the Cornerhouse**, United Kingdom

Antonio Tricarico, **CRBM (Campagna per la riforma della Banca mondiale)**, Italy

Kate Watters, **Crude Accountability**, USA

Jonas Christoffersen, **the Danish Institute for Human Rights**, Denmark

Sebastien Godinot, **Friends of the Earth**, France

Gavin Hayman, **Global Witness**, United Kingdom

Manana Kochladze, **Green Alternative**, Georgia

Martin Kryl, **Hnuti DUHA (Friends of the Earth)**, Czech Republic

Holly Cartner, **Human Rights Watch**, USA

Vitalyy Ponomarev, **Memorial Human Rights Centre**, Russian Federation

Ludmilla Alexeeva, **Moscow Helsinki Group**, Russian Federation

Bjorn Engesland, **Norwegian Helsinki Committee**, Norway

Masha S. Feiguinova, **Turkmenistan Project, Open Society Institute**, USA

Farid Tukhbatullin, **Turkmen Initiative for Human Rights**, Austria

We ask that any comments or view points to the common vision are addressed to: Advisor Ivar Dale, Norwegian Helsinki Committee, Kirkegata 5, 0153 Oslo, Norway E-mail: dale@nhc.no

*These individuals cannot sign this letter in fear of their own safety and that of their families.