

Dear Mr Rousso,

We are writing to inform you about the case of Mr. Andrey Zatoka, an environmentalist who was recently imprisoned in Turkmenistan. He was released from prison on Friday 6th November on the condition that he give up his Turkmen citizenship and leave the country permanently. While we are pleased that Mr. Zatoka is no longer sitting in a prison cell, we are concerned about his arrest and sentencing—which were based on fabricated charges—and the terms of his release. In addition to the unjust nature of Mr. Zatoka's imprisonment, this recent activity marks a chilling continuation of Turkmenistan's systematic violation of human rights, which we believe will be of interest to the EBRD in the context of the development of its new Country Strategy for Turkmenistan.

Mr. Zatoka was arrested on October 20, 2009 on fabricated charges and sentenced to five years in prison for allegedly assaulting an unfamiliar man—known widely as Alesha the Drug Addict—in the marketplace. In fact, Mr. Zatoka assaulted no-one: he himself was attacked and when he attempted to protect himself from the attacker, he was arrested by the police.

Mr. Zatoka's trial took place in one day on October 29th, and by all accounts was a miscarriage of justice. The judge allowed no witnesses for the defense, and did not allow Mr. Zatoka's wife to be present in the courtroom during the proceedings. Mr. Zatoka's appeal was held on November 6, during which his five-year sentence was commuted to a fine of approximately \$350. However, Mr. Zatoka's freedom was also contingent upon his immediate departure from Turkmenistan and renouncing his Turkmen citizenship. (For a full account of the October 29 trial, please see: http://www.crudeaccountability.org/en/uploads/File/E_%20Zatoka%20letter.pdf)

Mr. Zatoka had lived in Turkmenistan since 1982, when he and his wife moved there from Russia to work in the nature reserve system. Mr. Zatoka graduated from Ural State University and is a herpetologist. He was one of the few remaining environmental specialists in Turkmenistan, and his departure has left a huge hole in the country's intellectual community.

As the EBRD reviews its country strategy for Turkmenistan, we request that you bear in mind this recent miscarriage of justice and absolute disregard for human rights. Mr. Zatoka, for no reason, has been denied his citizenship, evicted from his home and community, and forced to emigrate to Russia in order to stay out of prison. The incident was clearly a set-up and was the culmination of over three years of harassment of Mr. Zatoka by the Turkmen government. Mr. Zatoka was arrested in December 2006, also on falsified charges, and was released in January 2007 after international outcry over his detainment.

Mr. Zatoka was not the only political prisoner in Turkmenistan. Many others continue to sit in Turkmen prisons without strong advocates to protect them.

The international community strongly protested Mr. Zatoka's arrest and imprisonment, sending letters to the Turkmen government, engaging the US and Russian governments and the OSCE, and holding protests in the US, Europe and Russia. We believe that international attention to this case was instrumental in gaining Mr. Zatoka's release.

We urge the EBRD to maintain a strong position on human rights in Turkmenistan—as it has in Uzbekistan and Belarus—and refrain from financing projects involving the government or hydrocarbon sectors, including transportation and infrastructure projects that would support the export of oil and gas.

Further to commitments made during this year's EBRD annual meeting by President Mirow that Turkmen civil society would be consulted throughout the development of the new country strategy,

we would also like to ask what is the EBRD doing in order to ensure that this takes place and that Turkmen activists are able to give input with minimal risks to their personal safety?

Sincerely,

Mark Fodor
Executive Director
CEE Bankwatch Network
Na Rozcesti 1434/6
190 00 Praha 9 – Liben
Czech Republic
Email: mark.fodor@bankwatch.org
Web: www.bankwatch.org

Kate Watters
Executive Director
Crude Accountability
P.O. Box 2345
Alexandria, VA 22301
Tel/Fax: 703-299-0854
Email: kate@crudeaccountability.org
Web: <http://www.crudeaccountability.org>

Bjorn Engesland
Secretary General
Norwegian Helsinki Committee
Kirkegata 5
0153 Oslo, Norway
Email: engesland@nhc.no
Web: www.nhc.no