

HRC 39th Session
Adoption of the Outcome of the UPR of Turkmenistan
Item 6

For the first time ever, Turkmenistan has accepted many of the recommendations made by almost 20 states during its Universal Periodic Review, including those related to enforced disappearances, a persistent and grave violation in the country. Human Rights Watch and the Prove They Are Alive campaign welcome this development.

However, Turkmenistan also replied to recommendations made during the UPR that because the persons considered disappeared had been sentenced by a court, their imprisonment could not be considered an enforced disappearance. This is wholly incorrect. The families of more than 100 persons have no official information about the fate or whereabouts of their loved ones since their deprivation of liberty either at the time of arrest or following the trial. This is the essence of an enforced disappearance. Turkmenistan's false assertion of what constitutes an enforced disappearance raises serious concerns about the government's apparent willingness to engage on the issue.

There are also at least 8 among those disappeared whose prison term has already ended or is due to expire before the end of this year, and 7 others before 2020. The authorities should release them immediately.

The government also said the individuals in question had regular contact with their family members. Indeed, a small group of people previously disappeared have had family visits this year. But the families of more than a hundred others continue to have no contact and no information, including on whether their loved ones are dead or alive-- in some cases for 16 years. The government could dispel such concerns if it would, for example, tell the family of Batyr Berdyev, last seen in 2003, where he is and allow them to visit him. No amount of dialogue with UN and other mechanisms -- while welcome-- could possibly substitute for these simple steps.

We welcome recommendations to grant visits to UN Special Procedures without further delay, including to the Special Rapporteur on Torture and the Working Group on Enforced and Involuntary Disappearances. We will be closely watching that this happens as soon as possible.

We regret the rejection of recommendation 116.54 regarding access to prisoners, including Ovadan-Depe and Seydi, for independent inspectors and other visitors consistent with their mandates and note that the government did not explain its rejection.

There is no media freedom in Turkmenistan, and the government often retaliates against people who express their views or report for foreign media outlets, and strictly controls information online and offline. It is therefore disappointing that the government rejected recommendations to end harassment of journalists and eliminate censorship. During its UPR, the delegation explained that Turkmen law guarantees freedom of expression and the media. If that is the case, the government should explain why reporter Soltan Achilova has been attacked so many times, why police threatened her relatives, and why so many web sites continue to be blocked.

Commented [LS1]: Could we add a title for coding, maybe something like: "Turkmenistan Should Immediately End Practice of Enforced Disappearances"

Commented [LS2]: Not sure this really sounds correct?