

PUBLIC

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Further Information on UA 174/07 (EUR 61/015/2007, 05 July 2007) – Prisoners of conscience

TURKMENISTAN

Bayram Ashirgeldiev (m), aged 20

Nuryagdy Gairov (m), aged 27

New name: Aleksandr Zuev (m), aged 27

Nuryagdy Gairov has been sentenced to 18 months' imprisonment. Bayram Ashirgeldiev and another Jehovah's Witness, Aleksandr Zuev, have received two-year suspended sentences. The men were punished for refusing to serve in the army on religious grounds. Amnesty International considers Nuryagdy Gairov to be a prisoner of conscience.

Nuryagdy Gairov was reportedly sentenced to 18 months' imprisonment on 18 July at a closed trial at Kopetdag district court in the capital, Ashgabat, for "evasion of call-up to military service". According to Jehovah's Witness sources, he did not have a lawyer and his family had not been informed of the trial. He had been arrested on 14 June, and was reportedly held incommunicado for over a month. His mother died on the night of 17 July, and shortly afterwards he received his first visitor, another Jehovah's Witness, who had been summoned by the police and asked to see Nuryagdy Gairov and tell him that his mother had died.

Bayram Ashirgeldiev received a two-year suspended sentence on 20 July from Kopetdag district court. His parents were reportedly not allowed to visit him in detention. Relatives told Forum 18, a web-based news service working on religious freedom issues: "The judge told Bayram after the trial that, in two years' time, he will again be called up. If he then refuses, he will then face three to five years in prison." They added that "Bayram ... is very thin, pale and weak after 35 days in isolation cell. It's as though he's just emerged from a concentration camp."

Aleksandr Zuev was charged on 28 June with "evasion of call-up to military service". On 18 July he was given a two-year suspended sentence by Azatlyk district court.

This is not the first time Nuryagdy Gairov and Aleksandr Zuev have been punished for refusing to perform military service on conscientious grounds. Nuryagdy Gairov was detained for one year in 1999-2000 and Aleksandr Zuev for 18 months in 2000-2001.

BACKGROUND INFORMATION

Amnesty International considers a conscientious objector to be any person who, for reasons of conscience or profound conviction, refuses to perform service in the armed forces or any other direct or indirect participation in wars or armed conflicts. This can include refusal to participate in a war because one disagrees with its aims or the manner in which it was being waged, even if one does not oppose taking part in all wars.

Furthermore Amnesty International considers anyone detained or imprisoned solely because they have been denied or refused their right to register an objection to military service, or to perform a genuinely civilian alternative service, to be a prisoner of conscience.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, Russian, Turkmen or your own language:

- stating that Amnesty International regards Jehovah's Witness conscientious objector Nuryagdy Gairov as a prisoner of conscience;
- stating that Amnesty International calls for Nuryagdy Gairov to be released immediately and unconditionally, and for the suspended sentences handed down to Bayram Ashirgeldiev and Aleksandr Zuev to be cancelled;
- expressing concern at allegations that Nuryagdy Gairov and Bayram Ashirgeldiev were held incommunicado for over a month and that Nuryagdy Gairov was sentenced in a closed court hearing without legal representation;
- calling on the authorities to introduce legislation to ensure that a civilian alternative of non-punitive length is available to all those whose conscientiously held beliefs preclude them from performing military service.

APPEALS TO:

Kurbanguly Berdymuhammedov
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Salutation: Dear President Berdymuhammedov

Rashid Meredov
Minister of Foreign Affairs
Magtymkuli ave., 85
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TURKMENISTAN

Fax: +993 12 39 28 50

Salutation: Dear Minister

COPIES TO:

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Director of the Turkmen National Institute of Democracy and Human Rights
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744000 Ashgabat
TURKMENISTAN

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PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 3 September 2007.