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SUBMISSION TO THE UN HUMAN RIGHTS COMMITTEE: TURKMENISTAN - 134th SESSION (Feb-March 2022)

The Norwegian Helsinki Committee (NHC) is grateful for the opportunity to submit updated information to the UN Human Rights Committee ahead of its review of Turkmenistan, during the Committee's 134th session.

In the following, the NHC will focus on recent, serious developments in one particular case concerning political prisoner Gulgeldy Annaniyazov (born 22.08.1960). The NHC is a member of the Prove They Are Alive! campaign on enforced disappearances in Turkmenistan, and refer to information provided by our colleagues Human Rights Watch on similar cases in their submission to this review dated 17.01.2022.

The NHC met Gulgeldy Annaniyazov in 2008, ahead of his return to Turkmenistan. Annaniyazov was encouraged by signals from newly inaugurated President Gurbanguly Berdymuhamedov about democratic reforms in Turkmenistan and hoped to contribute to positive developments in his homeland.

Annaniyazov left his wife and sons in Trondheim, Norway, where the family enjoys political asylum and entered by the Kazakh-Turkmen land border. Upon his arrival, he was arrested for «illegal border crossing» in spite of being a Turkmen citizen and sentenced to 11 years in prison.

Gulgeldy Annaniyazov was sentenced in a closed court in 2008, without the presence of diplomats, journalists or an independent lawyer. For years, his family had absolutely no information about his whereabouts or health condition, and believed for some time that he was no longer alive.

The absurdity of the sentence speaks for itself, but it is worth mentioning that a former Turkmen UN representative in Geneva in conversation with the NHC likened the reaction to Annaniyazov's border crossing with an incident when he was himself hindered from crossing the Swiss-French border at Ferney-Voltaire when going shopping at Carrefour, having forgotten his passport at home.

This lack of appreciation of the extreme implications of Gulgeldy Annaniyazov's imprisonment was evident when Turkmen authorities, after Annaniyazov had completed the sentence of 11 years' imprisonment, sentenced him to «additional punishment» in the form of 5 years' captivity in the remote town of Bekdash. He is forced to stay and work for the municipality in this location without freedom of movement outside the settlement.

In the time while he has been in prison, the case has been raised with Turkmen authorities in near every possible platform, including the Universal Periodic Review (UPR) at the Human Rights Council and through the UN Working Group on Enforced and Involuntary Disappearances (WGEID), as well as

in the context of the OSCE Human Dimensions Implementation Meeting (HDIM).

International human rights organizations have raised the case repeatedly. In particular, the NHC has raised it with the Norwegian Ministry of Foreign Affairs, which, in turn, has raised the matter with Turkmen authorities during bilateral meetings.

Ahead of Annaniyazov's expected release in 2019, Norway issued an emergency travel document (*laissez-passer*), which he would be able to use in order to travel home to his family in Norway.

The last in a series of requests by Norway to Turkmenistan to release Gulgeldy Annaniyazov was made by the Norwegian Ambassador to Turkmenistan, H.E. Mr. John Mikal Kvistad in December 2022, during a meeting in Ashgabat with the Deputy Minister of Foreign Affairs of Turkmenistan, H.E. Mr. Vepa Hajiyev.

The Norwegian Ambassador asked directly for Annaniyazov to be released, upon which Mr. Hajiyev promised to return with a response to the request before the Norwegian Ambassador's planned departure a few days later. However, no response was received before, or indeed after, his departure, orally or in writing.

Annaniyazov was 47 years old at the time of his arrest for «illegal border crossing» into the country of which he is a citizen. He is now 63. The average male life expectancy outside prison in Turkmenistan is 68.

On this background, and particularly bearing in mind the lack of response to repeat requests to release Annaniyazov, the Norwegian Helsinki Committee believes there is reason to fear that Turkmen authorities intend *to keep Annaniyazov confined until such a time as he is dead*.

We echo the recommendation from Human Rights Watch to request an explanation why Annaniyazov was not released in 2019, in light of the 2010 criminal code amendments.

We encourage the esteemed Committee members to insist on a solution to Gulgeldy Annaniyazov's situation.