

The Parliamentary Election in Turkmenistan

Ashgabat, Turkmenistan

December 11, 1994



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**A Report Prepared by the Staff of the
Commission on Security and Cooperation in Europe**

ABOUT THE ORGANIZATION (OSCE)

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At the same time, the Commission contributes its views to the general formulation of U.S. policy on the OSCE and takes part in its execution, including through Member and staff participation on U.S. Delegations to OSCE meetings as well as on certain OSCE bodies. Members of the Commission have regular contact with parliamentarians, government officials, representatives of non-governmental organizations, and private individuals from OSCE participating States.

**THE PARLIAMENTARY ELECTION IN TURKMENISTAN,
DECEMBER 11, 1994
Ashgabat, Turkmenistan**

This report is based on a Helsinki Commission staff delegation to Ashgabat, December 6–13, 1994. Commission staff interviewed local government officials, Foreign Ministry officials, journalists, leaders of the Democratic Party, and representatives of the embassies of Turkey, Russia, Armenia, Germany and China. Subsequently, Commission staff met with a leader of Turkmenistan's opposition movement in Moscow. The Helsinki Commission would like to thank Ambassador Joseph Hulings and the staff of the U.S. Embassy in Ashgabat, and Ambassador Thomas Pickering and the staff of the U.S. Embassy in Moscow, for their consultations and assistance during the staff delegation.

EXECUTIVE SUMMARY

- On December 11, 1994, Turkmenistan held elections to a new 50-seat parliament (Mejlis). According to the Central Election Commission, turnout was 99.8 percent. The races were uncontested, so the composition of the legislature was known well in advance. Practically all of the 50 parliamentarians are members of the Democratic Party—formerly the Communist Party—which is the only registered political party in Turkmenistan, and is headed by President Sapamurad Niyazov.
- Official Turkmenistani sources portrayed the election as a testament to the country's democratization. But the election, given the absence of alternative parties and candidates, and the government's control of the media and nominating process, fell far short of OSCE standards for democratic elections.
- Officials claim the election will improve parliamentary representation and legislation, since the deputies are now experts and professionals, as opposed to Communist Party functionaries. Whatever the qualifications of its members, the parliament actually has very little power or initiative. Turkmenistan is ruled by President Niyazov, usually referred to as “Turkmenbashi,” or Leader of the Turkmens. He has not allowed alternative leaders or competing centers of power and authority, such as political parties or movements, to emerge. Turkmenistan's communist-era political system has evolved into more personalized forms, transcending party rule, and characterized by a full-fledged cult of personality and Soviet-style controls on the populace.
- Forced into exile, many opposition activists have moved to Moscow. The suppression of political opposition, a largely unpoliticized populace, and relatively muted ethnic tensions have kept Turkmenistan quiet and stable so far, compared to Tajikistan, Georgia, or even hardline Uzbekistan. Nevertheless, Turkmenistan's government has felt it necessary to act against political opponents, even those located outside the country. In November, Turkmenistan's security forces brought two Turkmen dissidents from Uzbekistan to Ashgabat. In a case that aroused far greater outcry and concern, the Russian Counter-Intelligence Service detained two oppositionists in December at the request of Turkmenistan's authorities. They were subsequently released, but the incident demonstrated the level of Ashgabat's unease about opposition activity, however distant and weak, as well as the willingness in some circles of Russia's government to cooperate with Turkmenistan's security services. Niyazov appears intent on continuing his campaign against the opposition and determined to prevent the open expression of dissent.

- Economic reform has made little headway. State subsidies of basic goods and services continue, many prices remain regulated, and privatization has only just begun. Nevertheless, inflation has struck at people's living standards. The government seems to be hoping that profits from the sale of Turkmenistan's vast natural gas deposits to Europe and Asia will obviate, or at least alleviate, the hardship of economic reform, thus maintaining political stability. Blocking these plans is the absence of a pipeline independent of the Russian-controlled grid to Europe, to which Moscow has cut Turkmenistan's access. Ashgabat has therefore undertaken with Teheran and Ankara to construct another pipeline through Iran to Turkey, and thence to Western Europe. Niyazov also hopes to build other pipelines through Afghanistan towards markets in the East, such as Pakistan, India, China and Japan.
- Russia is a member of the inter-state council on the Iran-Turkey-Europe pipeline, but Moscow's good-faith involvement is open to question, considering its consistent efforts to keep its energy-rich neighbors dependent on Russian pipelines. To head off open Russian interference and pressure, and to assuage Moscow's general concerns about Russians in the "Near Abroad," Niyazov has agreed to introduce dual citizenship with Russia, making his country the only former Soviet republic to have done so.
- Blessed with vast natural wealth but caught between Russia and Iran, Turkmenistan's geo-political strategy aims at playing one off against the other, while not becoming too dependent on either, in order to maintain its independence and leeway. Turkmenistan's government hopes the United States will support its independence by providing a counter to these regional powers.
- From Washington's perspective, Turkmenistan has displayed no willingness to democratize its political system, despite repeated U.S. representations on human rights. Yet Turkmenistan's attempt to establish its own pipeline could bolster its sovereignty, spur other resource-rich former Soviet republics to become independent of Russian pipelines, and facilitate the supply of gas to strategically crucial Ukraine. Still, under current conditions, Iran's participation in the proposed pipeline deal means the United States cannot support it.

BACKGROUND

Population and Demography: The population of Turkmenistan is about four million. Over 70 percent are Turkmens, about 9.5 percent are Russians, another nine percent Uzbeks, 2.5 percent Kazakhs, and the rest are mixed. Uzbeks and Kazakhs live mostly in rural regions bordering Uzbekistan and Kazakhstan, which, under an agreement with Turkmenistan's government, subsidize their educational institutions and provide textbooks. For more on the Russians, see below.

The Turkmens are a traditionally nomadic people, among whom the Tekke, Yomuts and Ersary are particularly influential tribes. Tribal divisions and rivalries remain an important focus of Turkmen politics and self-identification. Turkmens are Sunni Muslim, but religion has not played a particularly powerful role in their life or politics, especially after 70 years of Soviet rule. President Niyazov and his entire Cabinet of Ministers have made a pilgrimage to Islam's holy sites, and the number of mosques in the country has grown dramatically. But the regime has acted to keep religion under tight control, essentially subordinating the Kaziate, the institution of Islamic authority, to the Ministry of Justice, and the government's Council for Religious Affairs is the deciding voice in religious matters. Believers are supposed to "wholly support and approve the domestic and foreign policy" of President Saparmurad Turkmenbashy," as well as his policies on religion.

Government Structure: The May 1992 constitution calls Turkmenistan a “Presidential Republic,” which formally observes the separation of powers among the executive, legislative and judicial branches. In addition to a parliament, or Mejlis, the constitution created a new, and apparently unique, government structure: the People's Council, or Halk Maslakhaty. Composed of the President, parliamentary deputies, members of the Cabinet of Ministers, 60 “peoples' representatives,” Supreme Court judges, and local officials, the Council advises on constitutional issues, makes recommendations on economic, political and social issues, ratifies treaties, and can declare war.

Harking back to pre-Soviet Turkmen practice, the constitution also established a Council of Elders, to whom the president is supposed to report. The council, which Niyazov chairs, institutionalizes traditional Turkmen respect for elders and clan leaders. Another country-wide institution is the National Revival Movement, founded in January 1994. Ostensibly intended to promote the cultural revitalization of Turkmen, it embraces virtually all the country's public and political organizations, as well as religious groups. Turkmenbashi heads the Movement's council.

All the key institutions of modern governance, as well as positions reflecting the Turkmen's historically developed symbols of authority, are thus in the hands of Turkmenbashi, who concentrates in his person both state power and national legitimacy.

Economy: Turkmenistan's vast reserves of natural gas are estimated at 20 trillion cubic meters. There are also significant oil deposits, of which, according to President Niyazov, only some 20 percent is exploited. Turkmenistan's other main product is cotton, to which most agriculturally usable land is devoted. With a small population in an area about the size of California, Turkmenistan has elicited comparisons with Kuwait, and observers see the country's long-term prospects as potentially quite promising.

Niyazov has a 10-year economic reform program, and he cites the following accomplishments to date: the introduction in November 1993 of a national currency (the manat); the transfer to private use (not ownership) of 70,000 hectares of land; and the privatization of over 700 restaurants, cafes and stores, as well as over 5 million square meters of housing. There are over 100 joint ventures with foreign firms. Most important, claims Turkmenbashi, the decline in production has been halted. On the other hand, he concedes, social stratification is taking place, and meat distribution is rationed to two kilos a month. Gas, water, electricity, and salt are supplied free.

Politics: Central Asian Communist Party leaderships did not welcome glasnost and perestroika in the mid-1980s, and of all the former Soviet republics, Turkmenistan is the least changed from the communist era. While the rest of the USSR, even Uzbekistan, was undergoing turmoil, the Communist Party of Turkmenistan, led by Saparmurad Niyazov since 1985, never faced or permitted any threat to its dominance. Niyazov was also ambivalent about the breakup of the Soviet Union, holding a referendum on independence only in October 1991. He was elected president in uncontested races in October 1990 and in June 1992. In January 1994, Turkmenistan held a referendum which extended Niyazov's presidency until 2002, cancelling the 1997 elections. In all these elections and referendums, Turkmenistan routinely produced communist-era turnouts and percentages in the high 90s, voting as the leadership saw fit. Turkmenbashi's portraits are everywhere to be seen, including on the new currency.

The Communist Party disbanded itself in December 1991, renamed itself the Democratic Party, and, under the leadership of Turkmenbashy, is still the only registered political party in the country. Unlike Uzbekistan's leadership, which experimented until 1992 with controlled democracy, President Niyazov has displayed unrelenting determination to maintain power and suppress any dissent, especially in organized form. Opposition movements, such as Agzybirlik [Unity] and others, have been constrained to cease their activity, their adherents either forced into exile, underground, or out of politics entirely.

President Niyazov has denied that the media are censored, claiming that only anti-Russian or anti-Semitic articles are cut. But all media are, in fact, censored; newspapers glorify Turkmenbashy, whose policies are always described as wise and far-sighted. Newspapers also feature a sort of oath on the front page, which reads, inter alia: "Turkmenistan, beloved homeland...for the slightest harm I cause you, may my hand fall off; for the slightest calumny about you, may my tongue become powerless; at the moment of treason to your holy banner, may my breath be cut off."

Relations with Russia: Turkmenistan joined the Commonwealth of Independent States (CIS) in December 1991, but President Niyazov has consistently sought to safeguard Turkmenistan's economic prerogatives and sovereignty. He argues that the CIS is largely a framework mechanism which should promote good relations among equal members. Turkmenistan is not a member of the CIS treaty on collective security, and at the December 1993 CIS Summit Meeting in Ashgabat, entered the CIS Economic Union as an associate member. Niyazov has opposed many of Russia's integrationist initiatives, and has resisted federative or confederative tendencies, including the Eurasian Union proposed by Kazakhstan's President Nursultan Nazarbaev. The guiding principle of Turkmenistan's foreign policy is "positive neutrality," which appears to mean openness to East and West, while according preference to neighboring states.

Turkmenistan has signed a treaty of friendship and cooperation with Russia, as well as a December 1993 accord on joint border protection. Since then, according to Turkmenistani officials, the two countries have agreed on joint command of the border troops, who are now Turkmens but are trained by Russian officers serving on a contract basis. Russia also undertook to help Turkmenistan create its armed forces, and Russian officers are training regular army troops as well.

Moscow has not accused Turkmenistan of violating the human rights of Turkmenistan's Russian population, even though Turkmen is the state language, and Russians have complained of language-based discrimination in employment. Turkmenistan's citizenship law gave citizenship to all permanent residents when the legislation was passed. Of all the former Soviet republics, only Turkmenistan has agreed to introduce dual citizenship with Russia. By interesting contrast, even Tajikistan, which is totally dependent on Moscow for political, military and economic aid, has thus far resisted.

Perhaps because Turkmenistan has been quiet and stable, unlike Georgia, Azerbaijan or Tajikistan, and did not, like Uzbekistan, strike violently against opposition leaders who had already managed to join the political process, the country has attracted relatively little attention in the Western press. That changed in November 1994, however, when Turkmenistan's security agents, acting together with their Uzbek colleagues, seized two Turkmen dissidents in Tashkent and took them to Ashgabat, where they were subsequently charged with plotting to assassinate Turkmenbashy. In December, Turkmenistan earned far more headlines when Russia's Federal Counter-Intelligence Service arrested another two Turkmen dissidents living in Moscow, at the request of the government of Turkmenistan. Human rights organizations in Mos-

cow held a press conference to protest the arrests and official Russian involvement, while chronicling the campaign of suppression of any opposition activity in Turkmenistan. It was against that immediate backdrop of negative publicity that the December 11, 1994 parliamentary election took place.

ELECTION LAW

The election law called for 50 single-mandate territorial districts to send one representative each to the Mejlis. The 23-member Central Election Commission ran the election, aided by regional, district, and local election commissions. These bodies were staffed by people selected at meetings of local organs of political parties, social associations, and meetings of at least 30 citizens of the electoral district. District election commissions registered the candidates and saw to the printing of posters. Local commissions compiled the voters lists and administered the actual balloting and counting.

All citizens at least 18 years old could vote; candidates had to be at least 25 years old. Registered political parties, social associations and organizations could nominate candidates, as could groups of at least 200 voters.

The election law required nominees already occupying official positions to inform the authorities of their intention to give up their post and run for parliament. This provision indicated a desire on Niyazov's part to professionalize the legislature, and/or to keep well-ensconced regional officials and party/government functionaries from developing another base of support in the Mejlis.

PARTY PROGRAM

The Democratic Party is the sole registered party in Turkmenistan. Its program calls for political and economic reforms leading towards a law-governed state and a market economy, humanism, the revitalization of Turkmen traditions, and respect and equal rights for all, regardless of national origin or religion.

Helsinki Commission staff interviewed the Democratic Party leadership, which reported that its current membership is 60,000 and growing. The party's chairman spoke in the most glowing, adoring terms of Turkmenbashy, whom he called "my leader" [moi vozhd']. He has also been shown on television kissing President Niyazov's hand. At one point, he offered assurances that a multi-party system would eventually come to Turkmenistan, although he could not say whether it would be "in five years or fifteen years." For now, he contended, "the people don't want it." In 1992, he elaborated, there was an attempt to organize another party, the Peasant Party, which Turkmenbashy himself publicly sanctioned. Interestingly enough, considering the sponsor, the effort fizzled. According to the Democratic Party leaders, "only 750 people came to the organizing meeting." Turkmenistan's law requires 1,000 signatures to register a political party, so the organizing committee dissolved itself.

THE CANDIDATES AND THE CAMPAIGN

Of the 50 candidates, 45 were Turkmen, two were Russian and three were Uzbek. Their average age was between 30 and 40. The Central Election Commission, at state expense, printed and distributed posters in Turkmen and Russian of the candidates, with a picture, biographical information and party

affiliation, if any. There were several television call-in shows with candidates, who also had meetings with voters, arranged by the local election commission. Newspapers reported on these meetings, always praising the nominees' qualifications and emphasizing the unanimous support they enjoyed among constituents.

Despite the controlled nature of the election, local sources reported that in two districts, individuals tried to contest the race. In one case, the local election commission refused to register the would-be candidate; in the other, he withdrew before the voting.

OBSERVERS

The OSCE's Warsaw-based Office for Democratic Institutions and Human Rights (ODIHR) made inquiries with Turkmenistan's officials about observing the election. According to an ODIHR spokesperson, no response was ever received, and ODIHR did not monitor the election.

VOTING

On election day, polls were open from 8 a.m. to 6 p.m. Helsinki Commission staff freely visited polling stations in various sections of Ashgabat and observed the voting. There were six uncontested candidates in the capital, one for each of the city's electoral districts.

The ballots, in Turkmen and Russian, contained information on the candidates, including their position, place of work, and address. Voters could cross out the name or leave it untouched, indicating support.

Commission staff saw people voting for family members, as often happens in elections in former Soviet republics. Vechernii Ashgabat's article on the balloting (December 12) made no mention of such technical violations, but did list all the commodities that were available for purchase at the polling stations, including food, national costumes and jewelry. The buffets seen by Commission staff were not so elaborate. More interesting, there were strikingly few people casting ballots. When queried, polling station officials explained that people had already voted, would be voting later, or were at lunch. Other observers, however, including those from the U.S. Embassy, also noted the sparse turnout. In casual conversation, residents of Ashgabat scorned the idea of voting, since the authorities would subsequently proclaim a virtual 100 percent turnout anyway. If worst came to worst, they said, an agitator might come to their apartment, and some member of their family might have to go and vote for all of them. In this context, no rigging of voting procedures or vote counts was necessary.

RESULTS

The Central Election Commission announced that turnout was 99.8 percent. As races were uncontested, the results, of course, were known in advance. Turkmenskaya Iskra on December 12 printed the names of the new legislators, as well as their profession and work experience. There are five jurists, 10 economists, six engineers, eight agricultural workers and two journalists. The rest, a plurality, held positions in the governmental apparatus.

CONCLUSIONS AND PROJECTIONS

Official sources portrayed the election of a new Mejlis as a testament to Turkmenistan's democratization and unity, as well as support for Turkmenbashy's policies. But considering the absence of any alternative parties or movements, the uncontested races, and the government's control of the media and nomination process—official claims to the contrary notwithstanding—Turkmenistan's parliamentary election fell far short of OSCE standards for democratic elections. The 1990 Copenhagen Document stipulates that signatories “recognize the importance of pluralism with regard to political organizations” and will permit contested elections to legislatures.

The putative professionalism of the new deputies may facilitate the passage of legislation. But there is no reason to believe that the election will in any way affect the actual balance of power between the executive and legislative branches: Turkmenbashy remains the unquestioned ruler of Turkmenistan; the new parliament will do his bidding. Follow-through, however, remains another matter, to judge by Turkmenbashy's criticism of regional leaders (Turkmenskaya Iskra, December 13): “The unconditional implementation of decrees and decisions of the President of Turkmenistan should become law for [them]....And they should not limit themselves to giving instructions to carry out these orders, but should see to their implementation.” Poor execution is apparently a chronic problem: in November 1994, President Niyazov established a Control Commission to ensure the realization of government programs.

On December 26, the Mejlis held its first session. Sakhat Myradov of the Ashgabat region, Chairman of the previous Mejlis, was reelected to that position.

Relations with Russia: Niyazov often calls Russia Turkmenistan's most important partner, but complains that Russia has lagged in entering Turkmenistan's market, especially in oil and gas. He also blames Russia for the decline in trade between the two countries: Russia insists on buying cotton, for example, at less than the world price, which Iran and Turkey are prepared to pay.

Since the government's economic-political strategy hinges on profits from the sale of energy, a key issue in Turkmenistan's relations with Russia is Ashgabat's project for a new gas pipeline. In November 1993, Moscow cut Turkmenistan's access to a Russian pipeline to Europe, and redirected the gas to Ukraine and Transcaucasian states. Turkmenistan's problems in collecting payment from those cash-strapped countries, and Moscow's show of control, spurred the acceleration of a program to construct a pipeline from Turkmenistan through Iran to Turkey and thence to Western Europe.

The pipeline project is coordinated by an inter-state council including Turkmenistan, Russia, Turkey, Iran and Kazakhstan. Financing, however, is problematic: Turkmenistan is supposed to cover its own expenses, with Turkey and Iran paying for part of the sections passing through their respective territories. But the project's costs are estimated at \$7 billion, and outside funding is in doubt. Iran's involvement would induce the United States to oppose loans by international financial institutions, and general pipeline security problems in Turkey make any other prospective lender, private or governmental, leery.

Nevertheless, Niyazov is forging ahead, contracting in December 1994 with Austrian firms for piping. He has often said that Turkmenistan's developing relations with European and Asian countries will not affect the interests of Russia, Turkmenistan's main partner. But Russia also wants to earn hard currency by selling natural gas to Europe, and has, in fact, agreed on a new pipeline through Poland to bypass Ukraine, which Moscow has accused of siphoning off Russian gas. Moreover, Moscow has consistently tried to

keep Kazakhstan and Azerbaijan from developing their own pipelines to transport oil to Europe. Turkmenistan's successful construction of a gas pipeline outside the Russian grid would be a dangerous example from Moscow's perspective, especially since neighboring Kazakhstan and Uzbekistan might be able to make use of Turkmenistan's new outlets, lessening their dependence on Russia.

Turkmenistani officials claim that Russia will also benefit economically from the pipeline and wants it to succeed. But more likely, Russian involvement will give Moscow an opportunity to control, or at least influence, Turkmenistan's vital natural gas sector. More cynical analysts believe Moscow joined the interstate council on the assumption that the project would fail, because of insuperable problems with financing and pipeline security in turbulent Turkish regions, so Russia had nothing to lose by its involvement, while posing as Turkmenistan's well-meaning partner. On the other hand, some Turkmen officials point out, there are different points of view struggling for dominance in Moscow about permitting Russia's energy-rich neighbors to develop their resources. Ashgabat hopes that economics will prevail over imperial politics, and that those institutions favoring such development, as long as they get a satisfactory share of the profits, will outweigh those urging continued Russian control of these countries' assets.

On December 27, 1994, Turkmenistan signed an agreement with Russia to supply gas directly to Russian regions in exchange for Russian arms. The deal, however, is barter-based, and does not offer Turkmenistan any prospect of earning hard currency. Ashgabat must still seek paying customers outside the former Soviet Union to finance its development and stability, and to consolidate its independence.

Russians in Turkmenistan: Moscow has often pressured former Soviet republics by accusing their governments of discriminating against the Russian and Russian-speaking population. This is more difficult in Turkmenistan, where a September 1992 law accorded citizenship to all permanent residents. Ethnic relations have been relatively calm, although President Niyazov acknowledged to Rossiiskaya Gazeta that “inter-ethnic pogroms” have taken place in Ashgabat and Nebitdag, when Turkmens evidently “rallied to defend the exclusive right of the national language.” The government has sought to prevent recurrences of this 1989 incident: the constitution forbids discrimination because of ethnic origin or religion, and a separate law criminalized the infringement of anyone's rights on the basis of ethnic origin.

The main grievance among Russians is the designation of Turkmen, which few Russians know, as the country's official language. Though the constitution grants ethnic minorities the right to continue using their own languages, non-Turkmen speakers have complained of discrimination on linguistic grounds. President Niyazov told Turkmenkaya Iskra (December 8) that about 3,000 people are emigrating every month; according to Moscow's ambassador in Ashgabat, the number of emigres from Turkmenistan is far lower than from other former republics. He added that “Russians here are somewhat better off than even our compatriots in the majority of Russia's regions.”

Niyazov has tried to deprive Moscow of the “Russian card” by making a special concession. At the December 1993 CIS Summit Meeting—after Russia's December 1993 parliamentary elections, when Vladimir Zhirinovskiy's Liberal Democratic Party scored stunning gains—Niyazov agreed to introduce dual citizenship. According to Russian figures, some 4,000 people in Turkmenistan registered for dual citizenship during the first seven months of 1994; 3,000 have registered in each month afterwards. Russia's ambassador to Turkmenistan explained to Vechernii Ashgabat (December 12) that the accord allows

Russians in Turkmenistan to educate their children in Russia and to use Russia's health care system, not as foreigners, but as Russian citizens. He estimated that over 95 percent of those who have registered have decided to go to Russia, but advised those who have settled in Turkmenistan to remain there.

President Niyazov, like other Central Asian presidents, has been publicly concerned about the emigration of badly needed technical specialists. The dual citizenship agreement, apart from heading off Moscow's criticism of Ashgabat's nationality policies, or exploitation of this issue for other purposes, may also help stem the outflow of Russians from Turkmenistan. Still, Turkmens are increasingly receiving preference in employment, so Russians will have to consider their long-term prospects, relative to other options.

There are no Russian troops stationed in Turkmenistan, except for those officers serving on a contract basis to train border troops and regular army soldiers. In January 1995, President Niyazov annulled his earlier decree permitting alternative service, presumably to increase the number of native troops available for military duty. But it seems likely that Russian soldiers will be engaged in training Turkmenistan's soldiers for the foreseeable future.

On December 23, 1994, Turkmenistan signed an agreement on cooperation between Russia's Foreign Intelligence Service and Turkmenistan's National Security Committee. The 5-year accord calls for collaboration in state security and protecting the countries' political, economic and technological interests, as well as fighting the drug trade and international crime. Turkmenistan is one of 10 CIS countries to sign this agreement with Russia. Of greater interest, perhaps, is the collaboration between the two countries' security services against political dissidents (see below).

Caspian Sea Controversy: Azerbaijan's plans to develop its oil reserves with a Western consortium evoked deep displeasure in some Moscow circles. In April 1994, Russia's Foreign Ministry sent a diplomatic note to Britain, warning that Azerbaijan is not authorized to extract oil and gas from its section of the Caspian. Moscow claims the Caspian is a single, closed water reservoir with its own energy system, and its natural resources should be exploited jointly by all five countries bordering the Caspian—Russia, Kazakhstan, Turkmenistan, Azerbaijan and Iran. Russia has also challenged the legal status of the Caspian: if it is a lake, as Moscow argues, the states bordering it must reach agreements jointly. If it is a sea, every country would have its own coastal sector. In October 1994, Russia's mission to the United Nations announced that unilateral actions by any state concerning the Caspian are illegal and would be “resisted.”

Some analysts believe Iran supports the Russian approach, since most of the proven deposits are in the Azerbaijani, Kazakhstani and Turkmenistani sectors, and Teheran has reportedly put forward the idea of joint exploitation of the Caspian's riches. Turkmenistan's position tries to straddle both sides: Ashgabat contends that the Caspian littoral states should jointly make arrangements about biological resources, such as fishing, so as to protect the environment. But with respect to natural resources, such as oil or gas, Turkmenistan assumes that the countries involved can do as they wish within their own sectors. Ashgabat has taken no position on the legal status of the Caspian, arguing that this dispute will last for years, and should not delay resolving important decisions in the interim.

Moscow, of course, would like support in this controversy, and might try to offer or withhold support for Ashgabat's gas pipeline projects to gain Turkmenistan's backing against Azerbaijan and Kazakhstan. But Niyazov cannot make concessions on the Caspian without undercutting his own plans to develop and sell Turkmenistan's gas and oil.

Relations with CIS Members: Turkmenistan is a major gas supplier to Ukraine and the Transcaucasian countries, but has periodically cut them off for non-payment. The biggest debtor is Ukraine, which owes Turkmenistan about one billion dollars. In November 1994, a senior U.S. State Department official persuaded Niyazov to continue providing gas to Ukraine, whose debt was restructured as a loan at 8 percent annually for seven years. But Ukraine has unevenly carried out its end of the deal, and negotiations, complaints and promises continued into January. In December 1994, Turkmenistan agreed to resume the flow of gas to Georgia, Armenia and Azerbaijan, which had been cut off in November. All these ongoing problems in collecting payment from CIS states will only induce Turkmenistan to look more determinedly outside the former USSR for economic partners. Apart from Turkey, three interested parties and potential consumers of natural gas are Romania, Austria and Slovakia, all of which Niyazov visited in December.

Relations with Iran, Turkey, Afghanistan, Pakistan: Other partners are located to Turkmenistan's south, where President Niyazov is resurrecting historic trading ties after decades of Soviet-enforced isolation. There are about one million Turkmens in northeastern Iran, and cross-border trade ties have flourished. Niyazov has visited Iran several times; in October 1993, President Rafsanjani went to Ashgabat, where 17 agreements were signed, including a Declaration on Friendship and Cooperation, as well as a memorandum on the construction of the pipeline.

Iran offers Turkmenistan a way out of dependency on the Russian pipeline grid, and a chance to control its own natural resources. But Iran also represents Islamic fundamentalism, which the secular government in Ashgabat sees as a threat. Moreover, Iran wants to sell its own natural gas to Europe, and Iran is likely anxious about the growing rapprochement among the Turkic states of the region—a concern Moscow shares.

Turkey offers Turkmenistan a more attractive, secular model, as well as a market. Ankara's ambassador in Ashgabat told Helsinki Commission staff that Turkey, by the year 2020, might need as much as 40 billion cubic meters annually. Turkey has been the largest investor in Turkmenistan, with an estimated \$1.4 billion and some 80 projects. Turkish officers are also training Turkmenistan's fledgling army.

In October 1994, Azerbaijani President Aliiev, Turkish President Demirel, Iranian President Rafsanjani and Pakistani Prime Minister Bhutto came to Ashgabat to mark the third anniversary of Turkmenistan's independence (President Yeltsin evidently was either not invited or could not attend). They signed agreements on trade and economic cooperation, and endorsed plans to develop links via northern Afghanistan to Pakistan, which would buy Turkmenistan's gas, and serve as transit for gas sales to the Far East.

An estimated one-two million Turkmens live across the border in northwest Afghanistan, and Turkmenistan has opened two consulates, one in Mazari Sharif, the other in Herat. President Niyazov has several times received General Dostam, commander of the northern grouping in Afghanistan, and invited him—along with General Khan, commander of the northwest grouping—to attend the 1994 anniversary

celebrations. Turkmenistan is already supplying northern Afghanistan with electricity. Niyazov has declared the Turkmenistan-Afghanistan border a zone of peace and friendship, and General Dostam has promised that the 600 kilometers of the border under his control will remain quiet.

Niyazov has thus tried to ensure Turkmenistan's security against imponderables in war-torn Afghanistan; whatever happens, including the possible breakup of the country, he will have achieved working relations with the local warlords. In the best-case scenario, the groundwork could also be laid for the construction of a pipeline across safe, or friendly, territory to huge Eastern markets.

Theoretically, Turkmenistan could also build a gas pipeline under the Caspian Sea, reaching across to Azerbaijan, and bypassing Iran and Afghanistan. But pipelines under bodies of water are very expensive, which raises familiar financing problems. Russia could also raise objections, arguing, as it has done with Azerbaijan, that the Caspian's delicate ecological balance must be protected, and threatening to scotch any deals with Western partners. Even with a pipeline to Azerbaijan, tough decisions would still have to be made about how to get the gas to Europe.

Pipelines are not the only planned links between Turkmenistan and its southern neighbors. A railway linking Turkmenistan and the Iranian city of Mashhad is under construction. Its completion (scheduled for March 1996) will let freight trains run from Iran to the capitals of Turkmenistan, Uzbekistan and Kazakhstan.

President Niyazov is banking heavily on the fruits of these pipeline and transportation projects. He will likely continue his outreach to the south, while steadfastly claiming in public that Russia remains Turkmenistan's most important partner.

Economic Reform: The 1995 budget approved on December 28, 1994 by the People's Council has a surplus: 63.8 billion manats in revenues, 63.1 billion manats in expenditures. About 60 percent of the budget is slated for social support and raising the population's prosperity. About one-sixth of the budget, 10.8 billion manats, is mandated for maintaining low prices on goods and services, with another 3.1 billion manats for pensions and benefits, and 3.1 billion for health care and physical culture. Clearly, President Niyazov has no intention in the foreseeable future of cutting back subsidies or freeing prices. He has promised to maintain the free provision of gas, electricity, salt and water.

Niyazov's economic reform plan does not envision the de-statization of key industries, specifically energy, and the government intends to privatize only 10 percent of enterprises. There are no provisions for large-scale privatization of land. However, privatization of small consumer enterprises, especially restaurants and cafes, continues. Factories that produce autos, construction materials, and refine agricultural produce are now headed for the auction block. But the budget tasked the State Tax Inspectorate with fining enterprises that fail to pay the required taxes, and to "pay particular attention to enterprises in the non-state sector of the economy." In other words, private enterprises will not get a break from the government in 1995.

Meanwhile, consumer goods remain in short supply. Turkmenistan's newspapers published a list of 34 items which could not be taken out of the country in December, including cement, bricks, woolen scarfs, toys, furniture, bed linens, suitcases, and mens' and childrens' socks.

Human Rights: When Helsinki Commission staff visited Ashgabat in October 1991, it was still possible to meet with local dissidents, despite strong government displeasure. In December 1994, however, finding and meeting such people in Turkmenistan proved impossible, and Commission staff interviewed Abdy Kuliev, Turkmenistan's former Foreign Minister, in Russia's capital. Kuliev left his post in July 1992 and went to Moscow, where he has become president of the Turkmenistan Fund and is, or is considered by Niyazov, the leader of the opposition forces. Turkmenistan's authorities have accused Kuliev of criminal activity and according to Kuliev, have asked Moscow for his extradition.

Deputy Prime Minister Shikmuradov told *Literaturnaya Gazeta* that Kuliev was guilty of extortion, and linked him to preparations for a terrorist act. He said President Niyazov on November 12, 1994 had ordered law enforcement authorities to investigate Kuliev and others: "People committing criminal offenses and passing themselves off as civil rights advocates and dissidents must be punished," said Shikmuradov. He noted that the special services of Russia and Uzbekistan were cooperating with Turkmenistan's authorities.

Kuliev is not the only of the target of Turkmenistan's authorities. On October 29, the security services of Turkmenistan and Uzbekistan arrested Muhammad Aimuradov and Khoshali Garaev in Tashkent and extradited them to Ashgabat. They were charged with the attempted assassination of Turkmenbashy, and face the death penalty. In late November, Russian authorities arrested Murad Esenov and Khalmurad Soyunov, the General Director of Turkmenistan Foundation and a former member of Turkmenistan's parliament, respectively. Both were regular contributors of information about Turkmenistan to Radio Liberty.

Kuliev told Commission staff that an opposition movement still exists in Turkmenistan, but is under constant surveillance and severe repression, or threat of repression. Opposition activists also labor under similar constraints in Moscow, he reported, where they face intimidation by Turkmenistan's embassy. In early October, Esenov was beaten up so badly that he required hospitalization.

On December 21, Russian authorities released Esenov and Soyunov. Russian Foreign Ministry officials explained to Helsinki Commission staff that the Russian Counter-Intelligence Service had based its action on a January 1993 convention on legal aid and legal relations on civil, family and criminal matters. In fact, it turned out that Turkmenistan had never signed the convention, while Russia had signed it only on December 10, i.e., after the arrests took place.

As of February 1995, there is no sign that Turkmenbashy will back off his campaign against real or imagined oppositionists. Officials dutifully claim there are no political prisoners in the country, so the use of criminal charges against dissidents is likely to continue. On November 30, for example, the *Washington Post* reported on claims by Turkmenistan's embassy in Moscow that Soyunov was wanted on a rape charge. It is also relevant that Russia's constitution permits extradition only for criminal activity, not political dissent.

Esenov and Suyunov are no longer in prison, but they are not necessarily safe in Moscow. Moreover, Turkmenistan's campaign against distant dissidents indicates official concern about the activities of the opposition, highlighting the regime's sense of vulnerability. Observers in Ashgabat attributed the crackdown in November and December to a worsening economic situation and the attendant need for scapegoats. This might be a rational, if unsavory, explanation. But the crackdown also raises questions about the

stability of a regime which maintains extremely tight controls on a largely quiescent populace, yet feels threatened by a small group of dissidents, most of whom live outside the country, and who have virtually no chance of challenging the powers that be.

With respect to overall stability, Turkmenistan is obviously more stable than those CIS states wracked by war and swamped by refugees. Nor has Niyazov faced challenges from parliament (as in Kyrgyzstan) or chronic ethnic tension (as in Kazakhstan). Still, political institutions—parliaments, parties, social movements—are, in general, weakly developed in all CIS states, and relations among the branches of power are unclear or in dispute. Any regime in which power and authority are vested in one individual, as opposed to established institutions, is inherently unstable. In Turkmenistan, where the ruler has become synonymous with state and nation, and the entire political process revolves around him, the instability of the regime is correspondingly greater. Nor are there any formal mechanisms for succession or an obvious successor to a president who has required treatment in Western hospitals for various ailments.

Turkmenistan's officials argue the country's political system corresponds to Turkmen traditions of consensus, eschewing open competition for political leadership, and respect for leaders. They also stress the desire to avoid the turmoil other former Soviet republics have endured, which they blame on political liberalization. In published interviews, Turkmenbashi has explained the cult of personality as necessary for a people deprived of ideology, faith or any other stable central focus, i.e., a deliberately constructed instrument of governance, adapted for Turkmenistan's objective conditions and psychology. He also presents himself as an authority figure and symbol of Turkmen and Turkmenistan that supercedes the strong clan divisions and rivalries that still characterize Turkmen's sense of identity and politics. Of course, Niyazov may simply crave the ego gratification of being the object of adoration. In any case, opposition activists strongly deny that the country's current political system and the orchestrated worship of Niyazov accord with national traditions, which, they claim, have deep democratic roots. Interestingly, the regime's credo of stability above all has drawn the quiet approval of various Russian journalists, who compare Turkmenistan's orderliness favorably to the lack of elementary physical safety in Russia.

Were Niyazov unable to continue in power, analysts in Ashgabat often mention as possible contenders for power Kurban Orazov, head of the Mary Oblast administration and Chairman of the Central Election Commission; and former Agriculture Minister Payzygeldy Meredov, who headed the ministry for years, and, through his control of cotton, is thought to have become one of the richest men in Turkmenistan. In July, 1994, however, Meredov resigned (or was forced out).

Implications for the United States: Kazakhstan, located between Russia and China, looks to the United States to provide a counter to both powers and help safeguard the country's independence. The same applies to Turkmenistan, with Russia to the north and Iran to the south. Though Niyazov always speaks of Turkmenistan's debt to Russia and the abiding good relations between their states and peoples, he, like the leaders of most former Soviet republics, fears Russian domination and attempts to control Turkmenistan's natural resources and access to the outside world. Turkmenistan joined Partnership for Peace in May 1994, a signal of its desire for contacts with the West.

From Washington's perspective, Turkmenistan is still a repressive country which ignores the basic human rights commitments of OSCE states. The regime has demonstrated no willingness to open its political system, despite repeated representations by U.S. officials to Turkmenistan's authorities about human rights. At the same time, Turkmenistan is trying to safeguard its independence and develop alternative

pipeline routes to transport essential natural resources to the outside world. These pipelines could protect Turkmenistan against Russian arbitrariness and pressure, while providing critical natural gas to Turkey. Turkmenistan's success could spur other resource-rich CIS countries, such as Azerbaijan and Kazakhstan, to persevere with their own pipeline projects. In addition, Washington hopes that Turkmenistani gas will supply critically important Ukraine with the energy necessary to maintain its own independence and get on with economic reforms.

Still, under current conditions, a Turkmenistan-Turkey pipeline through Iran is too hard for Washington to swallow. Washington sees Iran as a destabilizing force that propagates Islamic fundamentalism, sponsors terrorism and seeks to disrupt the Middle-East peace process. U.S. law forbids U.S. Government financing of any project in Iran, through EXIM Bank or OPIC, for instance, and also requires the United States to oppose financing by international financial institutions, such as the World Bank. In January 1995, Secretary of State Christopher restated the warning that Iran is engaged in a crash program to develop nuclear weapons, and said that countries aiding Iran economically are abetting terror. Revenues from transit fees on Turkmenistan's pipeline and from the sale of its own gas to Europe could prop up an unreformed government in Teheran.

Washington might not oppose such a project only in one of two scenarios: substantive change in Iran's regime and/or policies; or, a determination that it is strategically more important for the United States to secure the independence of Turkmenistan (and other Soviet republics) from Russia than it is to contain Iran. In the short term, both of these are improbable.

