



TURKMENISTAN

ASYLUM

Several LGBT people left* the country this year and applied for asylum in Europe. Many turned to various NGOs working abroad, asking for information on asylum processes. Most cited discrimination and police brutality as the reason for leaving.

BIAS-MOTIVATED VIOLENCE

Hate crimes against LGBTQI people were common this year and primarily committed by the police. In most cases, police officers pretended to be LGBTQI people on social media, lured people on a fake date, blackmailed them and detained them if they failed to pay. In some cases, the victims were also physically assaulted. Between August and September, 25 LGBTQI people were detained in such targeted attacks. Due to criminalisation, the victims were not able to report the cases.

On 22 October, the Turkmen Bureau of the Radio Free Europe/ Radio Liberty (RFE/RL) shared the story of Kasymberdy Garaev, a gay man who was lured on a fake date by police officers and was later detained, beaten and tortured. Thanks to his connections, the man was soon released. Soon after the article was published, the man shared a video with RFE/RL saying he feared he would disappear. He was ordered to appear at the police station and was detained. His parents and siblings also disappeared. On 1 November, Human Rights Watch called on the government to give detailed information about Garaev and his family's whereabouts. On 6 November, Garaev claimed in a video message that he was not gay and that the video was sent to RFE by mistake. According to local LGBT activists, after Garaev was forced to publicly recant everything, he was sent back to prison. The Alternative News of Turkmenistan also released an article claiming that Garaev had disappeared again. His friends have not been able to contact him after his final call with RFE/RL on 6 November.

DATA COLLECTION

The first needs assessment in the LGBT community was carried out by Kyrgyz Indigo NGO this year, to learn more about the human rights situation. As part of this work, ILGA-Europe spoke to individuals on a dating site, who shared examples of persecution (see under **Equality and non-discrimination**).

EQUALITY AND NON-DISCRIMINATION

LGBT people are not protected from violence or discrimination in any legislation or policy. Quite the contrary, Article 135 of the Penal Code criminalises consensual same-sex relations between men ("lying with men"), punishable with up to two years of imprisonment or placement in a psychiatric institution for two-to-five years. The aim of treatment is to "cure" the individual of homosexuality, which is considered a psychiatric disorder. The law has been rarely cited when used against MSM, allegedly so the government can claim that there are no LGBT people in the country.

There is very little information about the situation of LB women. Although "homosexuality" among women is not explicitly criminalises, LB women suffer the same stigma and discrimination and multiple layers of oppression because of their gender.

There are very few stories of LGBT people in the country. Those gathered as part of this year's research (see under **Data collection**), were stories of police abuse including threats, blackmail, verbal and physical harassment, and unlawful detention.

FREEDOM OF ASSOCIATION

Human rights organisations cannot freely operate in the country. Some small initiatives have been carried out by Kyrgyz Indigo, keeping in mind the safety risks involved.

HEALTH

In 2016, the Turkmen Government adopted the "Law on Combating the Spread of Diseases as a result of HIV", which sets out that citizens, foreigners and stateless persons have the right to free antiretroviral therapy. However, the law also includes a specific clause, which states that "relevant healthcare authorities will decide who receives treatment depending on the seriousness of the HIV infection". In fear of exclusion, LGBT people do not disclose their identity. The government and medical institutions have been reported to ignore HIV and provide information on prevention and treatment.



POLICE AND LAW ENFORCEMENT

Authorities do not proactively 'hunt' for MSM as long as they keep a low profile.* However, police have used blackmail and extortion against MSM, threatening victims with imprisonment or placement in a psychiatric institution (see under **Bias-motivated violence and Equality and non-discrimination**). In some cases, victims were unable to pay the police and were put behind bars or outed to relatives. Fearing persecution, the victims do not report these cases.

**Some of the information about Turkmenistan was shared with ILGA-Europe by activists who for safety reasons need to stay anonymous.*