



DEPRIVED OF HOMES, DEPRIVED OF RIGHTS:

UNCOVERING EVIDENCE
OF MASS FORCED
EVICTIONS AND HOUSE
DEMOLITIONS IN
TURKMENISTAN

AMNESTY
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Cover photo:
(Top) Satellite image of a neighborhood in Choganly, Turkmenistan on March 15, 2014.
(Bottom) Satellite image of the same neighbourhood on April 28, 2015.

© All satellite imagery courtesy of DigitalGlobe

Amnesty International is a global movement of more than 7 million supporters, members and activists in more than 150 countries and territories who campaign to end grave abuses of human rights.

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DEPRIVED OF HOMES, DEPRIVED OF RIGHTS: UNCOVERING EVIDENCE OF MASS FORCED EVICTIONS IN TURKMENISTAN

BACKGROUND

In 2012, the President of Turkmenistan Gurbanguly Berdimukhamedov stated that the country's third decade of independence would be an "Era of Might and Happiness" shaped by economic and social reforms under the motto "State – for the people". Such a proclamation verges on the preposterous when viewed in light of Turkmenistan's extremely poor record not only on civil and political rights, but also, increasingly, on economic, social and cultural rights.



The authorities in Turkmenistan control nearly all aspects of the lives of its residents, from their movement to their access to information. Thus, thousands of people are blacklisted from leaving the country. Access to the Internet is restricted, while satellite TV dishes are forcibly removed from private houses. Individuals suspected of holding dissenting views are placed under physical and digital surveillance. Those rare free voices who still dare to express their discontent about the regime and its practices risk losing their own freedom and exposing their relatives to pressure and harassment. Recent examples include Mansur Mingelov and Saparmamed Nepeskuliev, who both put themselves in harm's way by exposing negative practices in the country, such as torture or corruption. Mansur Mingelov was sentenced in an unfair trial in 2012 to 22 years in prison on charges of production and distribution of pornography, drugs and contraband. Saparmamed Nepeskuliev was forcibly disappeared on 7 July 2015 and his fate and whereabouts have not been disclosed by the authorities. There may be others like them – not known to the outside world, but serving as a chilling example to discourage anyone else from speaking out or hoping to influence government policies.

The authorities have intimidated people living in the country and even in exile into silence about the living conditions in Turkmenistan, and denied access to independent monitors. It is rare when reliable information becomes available outside, and the country faces little or no criticism from international partners who often ignore its dire human rights record and are typically more interested in its oil and gas riches than in the plight of its ordinary people.

Under this veil of secrecy and impunity, nothing can stop the authorities from committing further abuses. This extends to economic and social rights, as is exemplified by the decision

to destroy privately built houses and uproot their dwellers, forcibly evicting and making homeless thousands of people, to make way for further 'beautification' of the capital Ashgabat and its surroundings in preparation for the 5th Asian Indoor and Martial Arts Games in 2017.

Due to the use of high-resolution satellite imagery and information corroborated from a range of sources, this publication provides a rare reliable insight into Turkmenistan which for years has been a closed, inaccessible country for human rights monitors. It is intended to lift the veil of secrecy which the Turkmenistani authorities have cast over the living conditions in the country whose residents do not have access to effective remedies and who have been forced to keep silent about the abuses they have been suffering for years.

METHODOLOGY

Due to the continued denial of access to international human rights organizations, Amnesty International representatives have been unable to travel to Turkmenistan to document and directly and independently verify human rights violations and other abuses being committed in the country.

This publication is based on the analysis of high-resolution satellite imagery, as well as a thorough review of range of materials, including those provided by the Alternative News of Turkmenistan and the Turkmen Service of Radio Free Europe / Radio Liberty. The initial information collated by Amnesty International has been further corroborated by means of phone interviews and other confidential sources on which the organization has relied in the past for its research on Turkmenistan.

The satellite images used in this report were purchased by Amnesty International from commercial provider DigitalGlobe. Analysis of the imagery was carried out in August 2015 by an independent consultant.

FORCED EVICTIONS AND ILLEGAL HOUSING DEMOLITIONS

“Provision of Turkmenistanis with comfortable housing is one of the priorities of Turkmenistan’s policy, the essence of which is reflected in the key principle ‘State – for the people!’”

President Gurbanguly Berdimukhamedov, during a helicopter inspection of Ashgabat development in October 2012

One of the first instances of mass forced evictions in Turkmenistan, reported in the media and dating back to July 2004, related to a settlement of approximately one hundred houses in Keshi district. Media reported that residents were not given any compensation and those who protested were forced to sign a statement undertaking not to express their opinions publicly. At the time, several women and one man were reportedly detained by police, allegedly for approaching the United Nations staff in Turkmenistan for help; it is not clear what happened to them after their arrest. There have been further, regular reports about mass forced evictions in the capital city of Ashgabat since President Gurbanguly Berdimukhamedov came to power in 2007, following the death of his predecessor Saparmurat Niyazov. However, the scale of 2015 evictions appears to exceed all previous instances.

These latest evictions, which experts on Turkmenistan have linked to the construction of facilities for the forthcoming 5th Asian Indoor and Martial Arts Games in 2017, constitute mass violations of the right to adequate housing and other human rights, including the right to livelihood, guaranteed under the International Covenant on Economic, Social and Cultural Rights and the rights to family and private life guaranteed under the International Covenant on Civil and Political Rights, both of which Turkmenistan has agreed to be bound by.

These evictions are part of the ongoing city development project personally supervised by President Gurbanguly Berdimukhamedov through frequent helicopter tours over the city and its surroundings. The government of Turkmenistan is reported to have allocated US\$ 5 billion to the construction of the Olympic Village in Ashgabat.

In April 2015, Amnesty International received reports of mass forced evictions and illegal housing demolitions contrary to international law being conducted by the authorities of Turkmenistan in and around Ashgabat. Thousands of families in and around northern Ashgabat were affected, with the Choganly neighborhood – a 12.75 square kilometre area approximately eight kilometres north of the capital – being among the worst affected by the campaign to speed up the city’s development. Nominally an area designated for ‘dachas’ (countryside or holiday houses), according to information available to Amnesty International, many if not the majority of houses there were homes to thousands of people, their principal or only place of residence.

Forced evictions commenced in Choganly in March, followed by Shor, another ‘dacha’ neighborhood, in May. The authorities then proceeded to carry out forced evictions and illegal housing demolitions in several other locations inside the capital, such as Gaja, where evictions were still taking place in September.

Under international law, everyone has the right to adequate housing and to be protected against forced evictions, regardless of their legal housing status or situation, including rights of occupancy. However, according to Amnesty International’s research, the authorities of Turkmenistan have been carrying out thousands of evictions whilst failing to genuinely consult with the affected families as required by international law and standards on the right to adequate housing. They have also failed to adequately inform those evicted about the grounds of evictions and give them sufficient advance notice and ensure that residents can

challenge the eviction without facing reprisals. The vast majority of residents of demolished buildings have not been provided with alternative accommodation and/or compensation.

CLOSER LOOK AT MASS FORCED EVICTIONS IN CHOGANLY

“But how can they do that? Dispossessioning people of their homes at once?”

A resident in Choganly, in an interview with Amnesty International, August 2015

So far, Choganly neighborhood has been the largest settlement affected by forced evictions. The total number of plots affected reached 14,000, including at least 10,000 structures. Residents and other sources claimed each plot housed a residential building and a family of around six people. A local observer who visited the site following the start of demolitions estimated that at least 20,000 people had been affected and many residents were still living in ‘ruins’.

Amnesty International’s research indicates that most people were only given a few days’ notice to demolish their properties and relocate. Throughout March and April 2015 groups of residents in Choganly were told by government officials that unless they demolished their houses themselves, leaving trees intact, the authorities would do so anyway. Official information was often unclear, vague or contradictory, and there were no effective mechanisms for challenging the authorities’ decision.

Residents learned that on 10 March the authorities had decided to incorporate this neighborhood into the administrative border of Ashgabat. The gardening cooperative, established in 1994 to distribute around 1,005 hectares of land in the neighborhood for ‘public gardening’, was disestablished on 18 March following an official order to do so. By end of the month the supplies of water, gas and electricity to Choganly were turned off making several essential services inaccessible to residents and thereby impacting their rights to water, sanitation and heating.

On 26 March representatives of the local authorities (hyakimlik) told some residents that all of Choganly would be demolished by 20 June 2015 purportedly due to the neighborhood’s high crime rate, the distance that children had to travel to school, and non-compliance of many houses with housing regulations. However, there was no attempt by the authorities to consult with the community on feasible alternatives to eviction as they are obliged to do under international law.

Some residents complied with the warning and removed their belongings, pulled down the roofs and buildings themselves. Others tried to protest against the demolitions, sending appeals to the relevant officials, international organizations, or even standing between the bulldozers and their houses as human shields.

Only on 10 April, the residents were handed down copies of the letter from the Deputy Chair of the Cabinet of Ministers of Turkmenistan Shamukammed Durdyliev to the mayor of Ashgabat city, which shed light on the official grounds for the forced evictions. The letter ordered the mayor to demolish illegally built houses and structures in Choganly by 1 June 2015 in order to “fully implement the efforts of the esteemed President to place our capital among the modern and beautiful cities”. The author specified that the construction of unauthorized housing since 1994 had led to the creation of an illegal residential complex without adequate living conditions and expressed concern that migrants from outside Ashgabat lived in unsuitable conditions and that children had to travel to schools elsewhere.

Residents were given insufficient advance notice about the forthcoming demolition of their houses and were neither consulted about alternatives to eviction nor provided with alternate or temporary accommodation: the authorities effectively issued them with a firm, uncompromising ultimatum. The government claimed that because some houses in Choganly were 'dachas' while other houses had been built illegally, their owners or occupiers were not entitled to compensation, alternative accommodation or land. According to information available to Amnesty International, some people who had relatives or friends in Ashgabat city had to move to stay with them, often in overcrowded conditions. Some continued to live in the ruins long after their houses had been demolished. Only one man received any form of alternative accommodation or compensation. In June, the man in question reportedly defended his house with a knife – telling the local authorities and police officers that he was not scared neither by them nor by prison – until he was allocated a place in a dormitory and helped with relocation, with some of his belongings.

Testimonies available indicate that the majority of families affected by the forced evictions had been using the houses as their main or only place of residence. Reportedly some of the affected families had been forcibly evicted in previous waves of urban development and, at the time, compensated with empty plots of land and plastic tents in Choganly. They then built new houses and cultivated crops and reared animals there. Others at the time of the eviction were renting the houses, among the cheapest in Ashgabat, after moving from other provinces in search of employment opportunities.

Nadia¹, a woman in her fifties, was born and raised in Turkmenistan. She owns a flat in a block of flats in the city but due to her age, found the stairs difficult to use and hence she acquired a plot in Choganly neighborhood in 2004 and moved here permanently in 2008.

According to Nadia, she acquired her 6 sotkas (600 square metres) plot of land in 2004, with a rental agreement of 99 years and the legal right to build a house and bring in soil to garden the land. She told Amnesty International that the plots in Choganly were initially given out in 1994 for 'dachas' but many, if not most, families had the houses built there as their only place of residence. Nadia told Amnesty International that previously, Choganly had been "sand and desert, which we turned into a garden."

She was given a written notification about the forthcoming demolition in late March, on account of the structure being "illegal" and the gardening cooperative being no longer in existence. She was given 10 days to remove her belongings and demolish her home herself which she refused to do.

Nadia was told that she was not entitled to any compensation as the land belonged to the state, despite having on her hands the official rental agreement and having invested a lot into cultivating the land, building the house, as well as investing in local infrastructure.

Eventually, in June, after being assaulted by men who had arrived to carry out the eviction whilst trying to prevent a house in the same neighborhood from being demolished, she started to remove the slates from the roof of her house. In early August, she said she was staying near her plot, hoping someone would buy her furniture. She travelled daily to Ashgabat to buy water and food for herself and for pet animals abandoned by the evicted residents.

¹ Name changed to avoid reprisals against this person.

Nadia wants the government to provide those evicted with land and compensation, clear legal guarantees regarding any future residence rights and construction, as well as help to build new houses.

According to media reports, on 27 March 2015, a group of women protested against the demolitions during a visit by government officials. During the protest, one of the women felt unwell and lost consciousness. By the time the ambulance arrived, she was reportedly already dead.

An analysis of high-resolution satellite imagery confirms that nearly half of the houses and other residential structures in Choganly had been demolished by 28 April 2015. The images corroborate the timeline of events in Choganly and the extent of housing demolitions as they have been reported to Amnesty International.

In July, the demolitions were completed in Choganly and Shor neighborhoods and moved to other districts and streets within Ashgabat. According to media reports, demolitions were fully under way in Gaja district in September. Residents said they had received warnings about upcoming demolitions in December 2014, but that only those who had registered their property officially and had met a number of additional official requirements may be given flats in a different area. Many were still not clear about what compensation they were entitled to. Also, as the flats that had been promised had not been built yet, the officials told the residents to find temporary accommodation with relatives or rent privately.

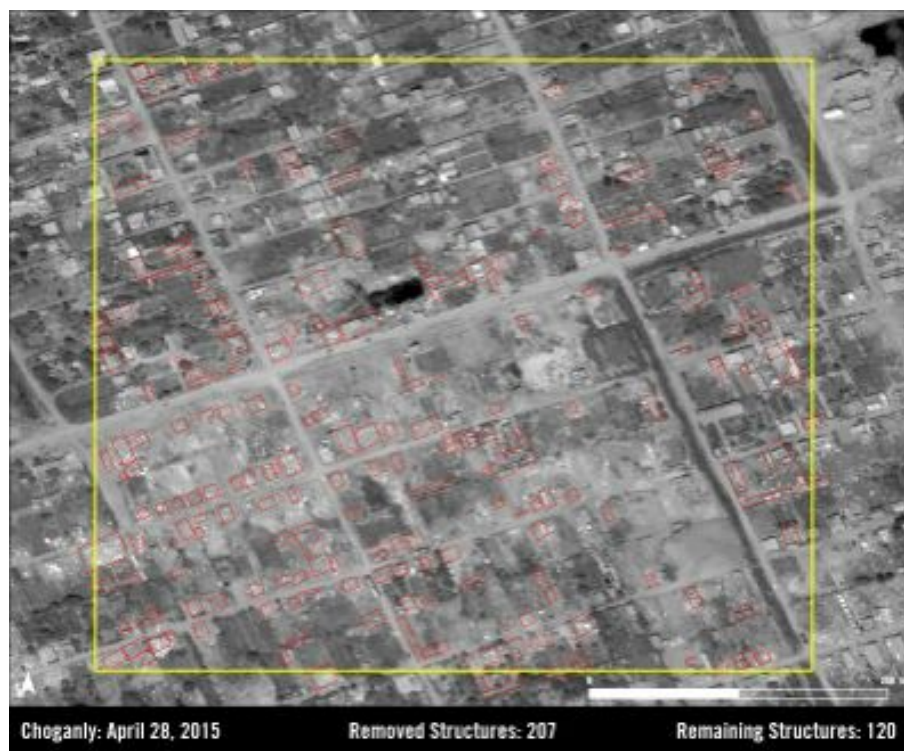
SATELLITE IMAGES

FIGURE 1: Overview of Choganly neighbourhood. "The structure count from the 2014 image of Choganly neighbourhood yielded a total of 10,052 structures. In 2015, only 5,604 appeared to still be standing, with 4,898 structures that appeared to have been demolished within the previous 13 months – a total of nearly 475,000 square metres of homes and other residential structures. The biggest changes to Choganly neighbourhood appeared east of the main highway to Ashgabat – with nearly all of the houses lining the highway demolished between 2014 and 2015"



DigitalGlobe Panchromatic Imagery, 38.071°, 58.39°

FIGURE 2: A 0.25 square kilometre area within Choganly neighbourhood. In the March 2014 image, 327 structures can be seen, outlined in green below. In the April 2015 image, 207 structures appear to have been demolished (outlined in red) and only 120 of the previous structures remain.



DigitalGlobe Panchromatic Imagery, 38.06°, 58.404°

FIGURE 3: On April 28, 2015, large trucks resembling dump trucks or flatbeds typically used for construction are seen gathered in and around the main roads to and from Choganly neighbourhood.



DigitalGlobe Panchromatic Imagery, 38.071°, 58.39°

Forced evictions are prohibited under international law and are contrary to Turkmenistan's obligations under international law. As a party to several international human rights instruments, Turkmenistan must respect, protect and fulfil the rights to adequate housing, livelihood, privacy and family life. The authorities of Turkmenistan must refrain from carrying out or facilitating forced evictions.

RECOMMENDATIONS

To the authorities of Turkmenistan:

- Ensure that all those forcibly evicted are provided with effective remedies including adequate alternative housing and compensation as a matter of urgency. Remedies should include guarantees of non-repetition of human rights violations;
- Immediately halt any further planned forced evictions of residents and demolition of houses in areas in and around Ashgabat, as well as elsewhere where these may be taking place in Turkmenistan, until a proper consultation with affected communities is carried out in accordance with international law and standards on adequate housing;
- Implement immediately a moratorium on all mass evictions until all necessary and sufficient safeguards are put in place and introduce legislation prohibiting forced evictions;
- Ensure that any evictions that take place subsequently are implemented as a last resort and are carried out in a reasonable manner and in full compliance with international human rights standards;
- Ensure that those objecting to evictions are able to challenge the process by exercising their right to effective remedy unimpeded whilst also being able to freely express their opposition without being subjected to coercion, intimidation, threats, and harassment;
- Respect, protect and fulfil all human rights as enshrined in international human rights law.

To the international community:

- Ensure that any international cooperation and assistance in Turkmenistan does not result in, or contribute to, human rights violations;
- Take every effort necessary to apply human rights due diligence to any programmes of cooperation, assistance or business facilitation in Turkmenistan, including seeking assurances from the government that no violations of human rights would occur as a result;
- Raise concerns regarding human rights violations in Turkmenistan at every opportunity in bilateral and multilateral forums, monitor the human rights situation in the country and report on the findings.

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