The lives of LGBT people in Turkmenistan, the most closed-off country in Eastern Europe and Central Asia

article, non-discrimination, non-discrimination

One of the two post-Soviet countries where “sodomy” is criminalised, Turkmenistan is the most closed-off authoritarian and repressive country in Eastern Europe and Central Asia. In 2023, the Freedom in the World report defined Turkmenistan as “not free”.

Freedom of expression and human rights

In Turkmenistan, print and digital information sources are controlled by the State. The Internet is restricted and strictly monitored by the authorities and journalists who share information online can be arrested in a trumped-up case for exercising their human right to free expression.

Human rights activities are controlled and restricted. For example:

- International human rights defenders are not allowed into the country
- Unregistered organisations are prohibited by law
- Registration of human rights organisations is extremely difficult.

Political leadership in Turkmenistan

In 2022, there was a change of power in Turkmenistan. The former President Gurbanguly Berdimuhamedov, who ruled for 15 years, passed power to his son Serdar Berdimuhamedov. Elections were irregular and officials were forced to vote for Serdar Berdimuhamedov. When the young politician came to power, women’s social rights deteriorated.

Oppression of women

Despite the absence of official bans the police intimidate women in beauty salons who may undergo cosmetic procedures and they monitor and fine for so-called “immoral behaviour”. Women are banned from driving cars and sitting in the front seat. At the same time, legislative changes have been made that practically prohibit abortion.

LGBT people in Turkmenistan

Turkmenistan still criminalises consensual sex between adult men of legal capacity. The Criminal Code contains Article 133 “Sodomy”: “sodomy”, i.e. sexual intercourse between two men, is punishable by imprisonment for up to two years with or without the obligation to reside in a certain area for one to three years.

In a report to the UN Human Rights Committee in 2020, Turkmenistan stated that it intended to explore decriminalising the “sodomy” article.

However, in April 2022 a new version of the Criminal Code was published. The “sodomy” article was not only retained but the law was strengthened. Both the severity and scope of the punishment were increased compared to the previous version of the law.

Men continue to be arrested and jailed, based on the “sodomy” law. In 2021, around 30 men were held in a police detention centre in Turkmenabad on suspicion of same-sex sexual practices. The men were mentally and physically tortured by police officers.

Uzbekistan is the only other Central Asian country that has a law prohibiting “sodomy”. The country is currently updating its penal code and is seeking to update its law on “sodomy”, in line with international recommendations.

Data and services for LGBT people

There are no NGOs working with LGBT communities in Turkmenistan. This leads to the following issues:

- A lack of information about the communities
- A lack of capacity to protect rights and to draw specific attention of international bodies to ongoing discrimination and harassment of LGBT people
- Hinders the development of capacity and visibility of the communities.

There is no state data on LGBT people. No independent research bodies are looking into taboo social topics, including LGBT people, to collect national data. It is not possible to get any statistical or other data from state structures. The very topic of same-sex/gender relations is extremely taboo. Therefore, it is not covered in the local press and is not mentioned in the educational programmes of secondary schools and higher education institutions.

There is no official data from the state on discrimination against LGBT persons, except for data from isolated sources. We assume that the possibility of LGBT communities making complaints to the Ombudswoman is highly unlikely, given the existing legislation and realities. In addition, when filing a complaint, a person must provide their name, place of residence and signature. This is an insurmountable barrier for LGBT people who fear disclosure of their sexual orientation and gender identity and harassment by the state, which prevents them from obtaining justice within the institution.

There are known isolated **cases of conversion therapy,** turning to religious workers or psychologists for treatment and changing sexual orientation. Forced marriage, a form of cultural violence, is used in an attempt to change sexual orientation.

Police repression of LGBT people in Turkmenistan

There is only one study covering cis LGB respondents from Turkmenistan. Published in 2019, the qualitative study had just nine respondents. Data on transgender people are not available due to the inability to reach them.

The study says that the LGBT community is particularly monitored by law enforcement agencies. Sometimes when homophobic groups or police officers want to “make a buck,” they go “hunting” through dating sites. Once they catch victims, they extort money from them.

Police officers reach out to them through fake dates and force them to “cooperate”, i.e. to provide information on other men. According to interviews, those who agreed to “cooperate” with law enforcement are later put in jail with the framed person, and a “rectal test” is used to prove a violation of the “sodomy” article. In an interview, a man shared that “gay men in prison are usually kept separately and they all **come out of there HIV positive**“. When detained, gay and bisexual men were beaten and extorted for large sums of money. Show trials and cases where families, upon learning the reason for a relative’s detention, abandon them are common. According to

respondents, the following needs are the most urgent for the community:

- Support from international human rights organisations
- Asylum
- Acquaintances and friends
- Lawyers and advocates.

Turkmenistan has **no legally** approved **procedure for medical or legal transition for trans people.**

Kasymberdy Garayev's case

In 2019, Kasymberdy Garayev, a cardiologist in Ashgabat, came out publicly as gay in an anonymous article. Immediately after Garayev came out, the national security services started looking for him. Garayev's relatives used various measures against him including:

- Physical and psychological violence
- Death threats
- Conversion therapy
- Attempting to force him to marry a woman.

Garayev left his job at the clinic and his colleagues were forced to take STD tests. He disappeared several times and reappeared online, posting videos about his situation. In one of the videos he denied being gay and having come out, and in others Garayev asked others to continue to speak out about him publicly. To this day, there is no clear understanding of what is happening to Kasymberdy, where he is and whether he is in good physical and mental health.

Recommendations to Turkmen authorities

- Remove article 133 "sodomy" from the Criminal Code of Turkmenistan or impose an indefinite moratorium on the "sodomy" article.
- Ensure human rights, including freedom of expression.
- Ensure gender equality and commit to removing all practices that restrict women's rights and freedoms.

If you would like to discuss possible actions to support the human rights of LGBT people in Turkmenistan, please contact Daniyar Orsekov, EECA senior programme officer, at daniyar@tgeu.org