LIFE OF LGBT PERSONS IN TURKMENISTAN
LIFE OF LGBT PERSONS IN TURKMENISTAN

“It is both hard and dangerous to be gay in Turkmenistan. I’d like it to be at least just hard.

Murod, 35 (name changed)
This peer research was initiated, developed and conducted by Kyrgyz Indigo Public Union in 2019 with the support of ILGA-Europe. It focuses on the lives of LGBT persons in Turkmenistan filling the information gaps in the area of rights and opportunities of LGBT persons as well as general community health and sexuality awareness.

About Kyrgyz Indigo

Kyrgyz Indigo is one of the largest human rights organisations in Central Asia making comprehensive efforts to achieve equality and improve the quality of life for LGBTIQ persons. We find new partners among organisations and initiative groups and increase the visibility of LGBTIQ persons in organisations and state institutions, making positive and long-term impact on the quality of life of LGBTIQ persons.

Our organisation works in the following strategic directions:

- Capacity building for LGBTIQA communities in different countries,
- Lobbying for legislative changes in different countries,
- Raising awareness on and enhancing visibility of LGBT persons,
- Disseminating information about healthy lifestyles,
- Creating safe spaces,
- Collecting and analysing information.

About ILGA-Europe

ILGA-Europe are an independent, international non-governmental umbrella organisation bringing together over 600 organisations from 54 countries in Europe and Central Asia. Established in 1996, ILGA-Europe are part of the wider international ILGA organisation and support its members and partners in promoting and advocating for LGBTI rights in Europe and Central Asia.
This research was conducted by Kyrgyz Indigo Public Union with the support of ILGA-Europe as part of project on Strengthening the human rights of LGBTI people in Central Asia through enhancing regional cooperation.

This study is the result of extensive work on Turkmenistan-based data collection and analysis. A fruitful contribution was made by each member of the working group. The researcher wishes to thank Aydina Edileva and Shirin Tumenbayeva for technical support and assistance in data collection and report preparation.

The hypotheses presented in this publication belong to the researcher and are based on the interaction with respondents and data collected. For security reasons, respondents’ and researcher’s details have been changed or initials have been used.

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Research Assistant     Lola Sadykova
Interviewers      Members of the LGBT community
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** TERMS AND ABBREVIATIONS **

**ART** – antiretroviral therapy.

**Bisexual** – a person who can be physically, sexually, emotionally, and/or romantically attracted to persons of both their own and opposite gender and acknowledges/accepts/identifies themselves as bisexual.

**Cisgender** – a term denoting persons whose gender identity corresponds with their biological sex.

**Gay** – a man who can be physically, sexually, emotionally, and/or romantically attracted to other men and acknowledges/accepts/identifies himself as gay.

**Heterosexual** – a person who can be physically, sexually, emotionally, and/or romantically attracted to the opposite gender.

**HIV/AIDS** – human immunodeficiency virus/ acquired immunodeficiency syndrome.

**Intersex** – persons who are born with variations in sex characteristics (genitals, hormonal structure and/or levels, and/or chromosome patterns) that does not fit stereotypical anatomy of men or women.

**Lesbian** – a woman who can be physically, sexually, emotionally, and/or romantically attracted to other women and acknowledges/accepts/identifies herself as lesbian.

**LGBT** – lesbian, gay, bisexual, and trans people.

**Monogamy** – a form of marriage, relationship, and family, in which a person has only one partner at a certain point of their life.

**Outing** – public disclosure of information about a person’s sexual orientation or gender identity without that person’s consent.

**Polyamory** – a system of ethical views that allows for the possibility of loving relationships with multiple persons at the same time with the consent and approval of all parties to the relationship.

**Snowball method** – sociological sampling technique involving respondents being nominated by persons who have already taken part in a certain research or based on specific characteristics.

**SOGI** – sexual orientation and gender identity.

**SRH** – sexual and reproductive health.

**STIs** – sexually transmitted infections.

**SWs** – sex workers.
...In 2002, I was enlisted into the army. I suppressed my desire for men believing that it was a great sin and against nature. I thought I was the only one like that in the whole world, given that there was no information available on what I felt, neither on TV nor in magazines, and not everyone had the internet. In 2003, after my discharge, I got a job as a security guard at a mall, where I met many people, many attractive guys during the year. It was very difficult for me to accept my homosexuality at the time, and it drove me crazy, even led me to suicide attempts: 40 Dimedrol pills seemed to me to be a release from these torments...

Dangatar, 41 (name changed, cisgender man, gay)

Turkmenistan is one of the most closed countries in the world with an authoritarian regime of government. Over the past 30 years, the country has been ruled by dictators and an entire generation has grown up without understanding what democracy, freedom of speech, freedom of expression, and human rights are. There are no democratic institutions in Turkmenistan, most non-governmental organisations are controlled by the authorities and all state organisations are controlled by the President and his entourage. The parliament is also de facto subordinate to the President's Office. There is no independent judiciary and the mass media are under the control of the authorities. Independent news-covering media, alternative to the state ones, are registered and operate from outside Turkmenistan. The country is known for numerous human rights violations and disappearances of human rights defenders and undesirable politicians and officials. ¹ Although Turkmenistan is officially a member of the UN and has signed its fundamental conventions, the country continues to ignore them as well as the recommendations of UN partner countries on the implementation of its international obligations.

The LGBT community in Turkmenistan and Central Asia in general retains a taboo status, where members of the community are subject to structural and systemic discrimination by various state institutions. ² However, other Central Asian countries including Tajikistan, Uzbekistan, Kyrgyzstan, and Kazakhstan have organisations and groups supporting LGBT persons, while Turkmenistan still lacks favourable social and political conditions for the activities of LGBT groups and organisations. The situation of the LGBT community and its needs are unknown due to the lack of reliable information from primary sources. The LGBT community is heavily controlled by law enforcement agencies.


Often, the fact that a person’s phone number is in the address book of someone suspected of sodomy is enough to have police call that person in for questioning. Threats, humiliation, and torture by law enforcement agencies are commonplace, both during investigations and in detention centers.

Legislative Analysis Related to LGBT Rights and HIV in Turkmenistan prepared by Eurasian Coalition on Male Health (ECOM)

Under oppressive conditions, members of the community are forced to live in secrecy and in constant danger, which prevents them from community mobilising and capacity-building. Thus, this report on the life of the LGBT community in Turkmenistan is unique in that it is one of the first documents giving some idea of a community whose very existence is denied by the authorities.

The lack of information, research, and publications about the Turkmen LGBT community has created difficulties in understanding the LGBT people’s living conditions, which can only be judged from indirect sources. For example, in 2017 the United Nations Population Fund conducted a study entitled Migration and HIV/AIDS, according to which in 2017, with a population of 5.2 million people, 0% of the population had positive HIV status. Despite the fact that Turkmenistan insists on the absence of HIV-infected citizens in the country, it adopted the Law of 26 March 2016 No. 372-V on combating the spread of disease caused by human immunodeficiency virus. According to official statistics, only 2 cases of HIV infection have been registered in Turkmenistan since 1989. This low morbidity rate is presented as a result of the preventive work carried out in the country.

Representatives of the GB community have to hide, primarily because of Article 135 of the Criminal Code of Turkmenistan – the so-called “Sodomy article.”

*Sexual intercourse of a man with a man shall be punishable by imprisonment for up to two years.*

In 2019, Turkmenistan was ranked last of 180 in the press freedom ranking published by Reporters Without Borders. This report describes the living conditions and challenges faced by the Turkmen LGBT community, outlines its main needs in the areas of sexuality, health and social and legal fields.

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Turkmenistan is one of the most closed countries in the world, limiting access to information about the real socio-economic and political situation in the country. This further impedes access to information on the lives of LGBT persons, especially when voluntary sexual relations between persons of the same sex are prohibited by law and tradition. However, as in other countries in the region, LGBT citizens have developed their own ways of survival, precisely because their sexual orientations and gender identities are not only stigmatised, but often criminalised. Due to the lack of first-hand data on the life of LGBT persons in Turkmenistan, this study is unique and opens up opportunities for further research on issues related to LGBT rights in this closed country.

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9 Citizens of Turkmenistan are often forbidden to leave the country, it is extremely difficult for foreign nationals to enter the country, and there are certain limitations on the use of the internet, censorship, human rights restrictions, etc.
METHODOLOGY

Goal and objectives

Given the realities of Turkmenistan, researchers were faced with the task of collecting basic data, on the basis of which in the future, under more favourable conditions, knowledge about the situation of LGBT persons in this country could be expanded. The research focused on LGBT persons’ life in Turkmenistan, a country with an underdeveloped civil society and democratic institutions, and widespread human rights violations. In addition, the researchers wanted to know how well the respondents are informed about their rights and are aware of sexuality.

DESIGN

Given the goals of the study and the complexity of collecting sociological data in Turkmenistan, the original design of the study was based on a qualitative method of collecting data using semi-structured questionnaires with the possibility of clarifying individual questions where interviewers would record audio of the respondents’ answers. In reality, however, this approach proved to be unfeasible due to respondents’ fear for their safety. Thus, a quantitative method with a structured questionnaire was used to collect data. Particular emphasis was placed on flexibility in interviewing – if respondents did not want to answer, they could skip individual questions, which reduced the number of untruthful and/or biased answers. At the beginning of the interview, the interviewer read out general information about the research, its purpose and the confidentiality of the data obtained. The respondents then gave their informed consent to participate in the survey. Further on, all materials were handed over to the project coordinator. It should be noted that the high level of homophobia and closedness of the LGBT community in Turkmenistan led to some respondents refusing to record the interview. In such cases, the interviewers made detailed notes. A motivational package was provided to encourage respondents to take part in the interview.

Initially, over 40 respondents were expected to participate. As a result, only nine people were interviewed. The researchers were unable to find transgender people, and the abbreviation LGBT is used as an umbrella term without assuming that transgender people are covered.

The subject of the study were representatives of the LGBT community in Turkmenistan over the age of 18. The geography of the research was not limited to specific regions of the country, as it was initially obvious that a small number of respondents would be interviewed. The researcher team invited all LGBT persons from their immediate safe environment to participate. The main geographical criterion was permanent residence in Turkmenistan at the time of the interview. All respondents who classified their SOGI as LGBT during the interview were considered by the interviewer.
As the researchers adhered to the principle “nothing about us without us”, it was necessary to find and train interviewers from the LGBT community in Turkmenistan. Since compliance with ethical standards was important, the researchers spent a long time looking for LGBT persons who would agree to conduct interviews among the LGBT community in Turkmenistan. As a result of the outreach work, one person became interested in cooperation with the research organisers. He visited Kyrgyzstan and received basic training on human rights, protection of LGBT persons’ rights, as well as training on conducting interviews among LGBT respondents in the context of high stigma and danger for respondents. During the field work, one of the respondents became interested in cooperation and later on helped in working with the LGBT community in Ashgabat.

Before the interview, the respondents were fully informed about the goals and objectives of the survey and had the opportunity to opt out of the interview or individual questions, take a pause or discontinue the interview at any time.

**Respondents’ background characteristics**

Due to the limited access to the LGBT community in Turkmenistan and taking into account the political realities in the country, nine people took part in this study, and owing to the small number of respondents, data analysis is presented in the form of statistical tables.

Out of nine respondents, four identified themselves as cisgender women at the time of the interview. Out of four women who took part in the interview, three identified themselves as bisexual. The 2011 report, released by the Williams Institute at UCLA School of Law, which analysed the sexual orientations and gender identities of US adults, showed that women more readily identify as bisexual than men. The report stated that 66% of women who identified with the LGBT community defined themselves as bisexual, while only 38% of men from the LGBT community claimed they were bisexual.\(^{10}\)

In terms of age, the respondents were mostly over 30 years old (eight respondents), while according to general statistics, about 68% of Turkmenistan’s population are of working age (15 to 65 years old). At the time of the interview, all the respondents were living in Ashgabat. Six of them are natives of Ashgabat, three of them are natives of Türkmenbaşy (population: 73’000\(^{11}\)), Daşoguz (275’000\(^{12}\)), and Türkmenabat (571’000\(^{13}\)).

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<table>
<thead>
<tr>
<th>Gender identity at the time of survey</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cisgender man</td>
<td>5</td>
</tr>
<tr>
<td>Cisgender woman</td>
<td>4</td>
</tr>
<tr>
<td>Transgender man</td>
<td>0</td>
</tr>
<tr>
<td>Transgender woman</td>
<td>0</td>
</tr>
<tr>
<td>Nonbinary person</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Sexual orientation at the time of survey</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lesbian</td>
<td>1</td>
</tr>
<tr>
<td>Gay</td>
<td>4</td>
</tr>
<tr>
<td>Bisexual</td>
<td>4</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Respondent’s age at the time of survey</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>18–25</td>
<td>0</td>
</tr>
<tr>
<td>26–30</td>
<td>1</td>
</tr>
<tr>
<td>31–35</td>
<td>4</td>
</tr>
<tr>
<td>36–40</td>
<td>3</td>
</tr>
<tr>
<td>41 or older</td>
<td>1</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Respondent’s city of origin</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ashgabat</td>
<td>6</td>
</tr>
<tr>
<td>Türkmenbaşy</td>
<td>1</td>
</tr>
<tr>
<td>Daşoguz</td>
<td>1</td>
</tr>
<tr>
<td>Türkmenabat</td>
<td>1</td>
</tr>
</tbody>
</table>

It can be assumed that many Turkmen LGBT persons are heteronormatively married, as in other Central Asian countries. Two respondents who replied that they were in a registered heterosexual marriage indicated that they had extramarital homosexual affairs.

<table>
<thead>
<tr>
<th>Marital status</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Heteronormative marriage</td>
<td>2</td>
</tr>
<tr>
<td>Civil union</td>
<td>1</td>
</tr>
<tr>
<td>Divorced</td>
<td>1</td>
</tr>
<tr>
<td>Widow/widower</td>
<td>0</td>
</tr>
<tr>
<td>Not married/not in a civil union</td>
<td>5</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Type of relationship</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Having a permanent partner</td>
<td>4</td>
</tr>
<tr>
<td>Single</td>
<td>1</td>
</tr>
<tr>
<td>Polygamy</td>
<td>1</td>
</tr>
</tbody>
</table>
Looking for a partner
Not specified

With regard to religious identity, five out of nine respondents indicated Islam and three chose Christianity. According to available data, 93% of the population of Turkmenistan consider themselves to be Muslims, while 6.5% are Christians and 0.5% are atheists.14

<table>
<thead>
<tr>
<th>Religion</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Islam</td>
<td>5</td>
</tr>
<tr>
<td>Christianity</td>
<td>3</td>
</tr>
<tr>
<td>Other</td>
<td>1</td>
</tr>
</tbody>
</table>

In terms of health, particularly mental health, the difficult situation in the country, where it is impossible to freely express one’s identity and practice sex, led to six out of nine respondents seeking psychological help at least once in their lives. They said that they did not experience any difficulties in seeing a psychologist, but it should be noted that the state often abused the health care system by using psychiatric clinics to pressure or restrict the freedom of “unwanted” citizens.15 Psychological counselling and seeing psychologists in Turkmenistan is highly stigmatised.

<table>
<thead>
<tr>
<th>Difficulties in getting psychological help</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>No difficulties</td>
<td>6</td>
</tr>
<tr>
<td>I didn’t seek psychological help</td>
<td>3</td>
</tr>
</tbody>
</table>

The closedness of society, its conservative views on sexuality, the high stigmatisation of LGBT identities, the existence of criminal penalties for voluntary homosexual relations are not conducive to the acceptance of one’s own LGBT identity, and it is difficult for people to overcome their internal homo-, bi-, and transphobia. However, despite all the difficulties, several studies provide examples of overcoming internal homo-, bi- and transphobia in societies with high LGBT stigma. In such cases, LGBT persons are often surrounded by small ‘trust groups’ in which they feel comfortable, and their members are seen as so-called ‘confidants’ to whom they are willing to reveal their LGBT identity, that is to come out.16 Because the respondents were selected through the LGBT interviewers and not by random sampling, it is natural that the study reached those LGBT people who have accepted their identity. All nine respondents answered that they are aware of and accept their LGBT identity, six of them said that there are heterosexual people in their immediate circles who know about their LGBT identity. It can be assumed that it is in these limited groups that respondents most often spend their free time and find friendships, whether at ‘flat parties’ or in cafes/bars and other public places.

Discovery of one’s sexual orientation  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Before the age of 17</td>
<td>3</td>
</tr>
<tr>
<td>Between 18 and 30</td>
<td>6</td>
</tr>
</tbody>
</table>

Discussing sexual orientation issues  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>With heterosexual and homosexual friends</td>
<td>2</td>
</tr>
<tr>
<td>With homosexual friends only</td>
<td>7</td>
</tr>
</tbody>
</table>

Having heterosexual friends who are aware of SOGI issues  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>6</td>
</tr>
<tr>
<td>No</td>
<td>3</td>
</tr>
</tbody>
</table>

Number of LGBT friends and acquaintances  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Between 0 and 3</td>
<td>1</td>
</tr>
<tr>
<td>Between 4 and 6</td>
<td>3</td>
</tr>
<tr>
<td>Between 7 and 10</td>
<td>1</td>
</tr>
<tr>
<td>11 or more</td>
<td>3</td>
</tr>
<tr>
<td>No answer</td>
<td>1</td>
</tr>
</tbody>
</table>

As mentioned earlier, consensual homosexual relations between men remain a criminal offence with up to two years in prison. The LGBT community is still subject to discrimination, including physical abuse, detentions, and arrests. In the civic engagement section of the questionnaire, four respondents talked about active participation, which means taking actions aimed at achieving changes in their country on their own initiative, regardless of the position of the state authorities.

It is noteworthy that seven people answered the question “How do you express your civic position, engagement, participation in social life?” with the option “I don’t/None of the above,” while two people omitted the question altogether. From the answers received, we can assume that due to increased government control, the very concept of civic activism is not quite clear to respondents. Possibly, respondents’ misunderstanding of this question and/or uncertain position indicates a general low involvement of citizens in the processes taking place in the country.

Willing to help the LGBT community in Turkmenistan  
<table>
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<tr>
<th></th>
<th>Number</th>
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</thead>
<tbody>
<tr>
<td>Yes</td>
<td>3</td>
</tr>
<tr>
<td>No</td>
<td>6</td>
</tr>
</tbody>
</table>

Do you consider yourself to be an actively engaged citizen?  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>4</td>
</tr>
<tr>
<td>No</td>
<td>5</td>
</tr>
</tbody>
</table>

All nine respondents belong to the same category by level of education, socio-economic status, and financial situation. All of them have either secondary or vocational education and were all employed at the time of the interview. According to the Chronicles of Turkmenistan Information Agency, the average salary of the capital's residents is 1000–1200 AZN (286–342 USD at the state rate). Based on these figures, taking into account the lack of higher education, it is worth noting the relatively high salaries of respondents. With a minimum salary of $185.7 and an average salary of $314, respondents on average earn between $200 and $1,000. Due to the fact that access to LGBT persons in Turkmenistan is very difficult and interviewers conducted the research among their peers, the profile of respondents matches that of the interviewer. Most of the survey participants work in the service sector.

In terms of safety, the research highlighted three of the most important areas out of five. These are international human rights organisations, assistance in obtaining asylum, acquaintances/friendly lawyers/counsel. The topic of security of LGBT persons in Turkmenistan, as well as in countries with a similar situation with the rights and freedoms of LGBT persons, can be considered in two ways: security in the relationship between the citizen and the state, when the danger often comes directly from the authorities, and individual safety in everyday life. In the latter case, as mentioned above, LGBT persons in Turkmenistan ensure their own safety by surrounding themselves with small groups of friends/confidents. As for relations with the state, two respondents said that if their health and life were in danger, they would seek asylum, four would seek protection from international organisations and one would try to find help in all instances. The rest of the respondents did not answer this question.

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Have you always received the medical care you needed?  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>2</td>
</tr>
<tr>
<td>Yes</td>
<td>3</td>
</tr>
<tr>
<td>I didn’t seek such help</td>
<td>1</td>
</tr>
<tr>
<td>I don’t remember/don’t know</td>
<td>3</td>
</tr>
</tbody>
</table>

What medical services have you needed in the last 12 months?  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>I did not need any medical services</td>
<td>9</td>
</tr>
</tbody>
</table>

Difficulties in getting medical help  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>I didn’t seek such help</td>
<td>3</td>
</tr>
<tr>
<td>Low quality of services</td>
<td>1</td>
</tr>
<tr>
<td>High cost of services</td>
<td>2</td>
</tr>
<tr>
<td>Fear that the visit will not be confidential</td>
<td>1</td>
</tr>
<tr>
<td>No answer</td>
<td>2</td>
</tr>
</tbody>
</table>

Have you always received the health care you need?  
<table>
<thead>
<tr>
<th></th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>2</td>
</tr>
<tr>
<td>Yes</td>
<td>3</td>
</tr>
<tr>
<td>I don’t remember/I didn’t seek such help</td>
<td>4</td>
</tr>
</tbody>
</table>

The health section of the questionnaire revealed that out of nine respondents, no one had asked for medical services in the last 12 months, and the same applies to psychological assistance. However, when asked “Have you always received the health care you need?” two respondents answered “No,” three received medical assistance, one did not seek it and three respondents answered “I don’t remember/know.” One respondent is afraid that a visit to a doctor will not be confidential, two do not use the services of medical specialists at all due to the high cost of services, and three encountered poor-quality services before, which is why they do not use medical services anymore.

**DISCUSSION**

The research highlighted the need for international human rights assistance, assistance in obtaining asylum, lawyers, and attorneys. Three respondents were prosecuted under Article 135 of the Criminal Code of the Republic of Turkmenistan, the so-called “Sodomy article.”

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21 Based on the example of Kyrgyzstan, residents of Central Asian countries often resort to home treatment, see [http://vestnik.krsu.edu.kg/en/article/download/1182](http://vestnik.krsu.edu.kg/en/article/download/1182).
(1) Sodomy, i.e. sexual intercourse of a man with a man, shall be punishable by imprisonment for up to two years with or without the imposition of the obligation to reside in a specific area for a period of two to five years.

(2) Sodomy with the use of physical violence, the threat of its use or the use of the helpless condition of the victim shall be punished by imprisonment for a term of three to six years with or without the imposition of the obligation to reside in a specific area for a term of two to five years.

(3) The act provided for in paragraph two of this Article, a) if committed repeatedly; b) by two or more persons without prior conspiracy or by a group of persons by prior conspiracy; c) against a person known to be a minor; d) if caused the victim to become infected with a sexually transmitted disease, shall be punished by imprisonment for a term of five to ten years with or without the imposition of the obligation to reside in a specific area for a term of two to five years.

(4) The act provided for in paragraphs two or three of this Article, a) if committed against a person known to have not attained the age of fourteen years; b) if caused the victim’s death by negligence or serious harm to the victim’s health or if caused the victim to have contracted AIDS, shall be punished by imprisonment for a term of ten to twenty years with or without the imposition of the obligation to reside in a specific area for a term of two to five years.

Given the general political situation in Turkmenistan and based on various human rights publications and studies, it can be confirmed that discrimination against LGBT persons is widespread. In addition to Article 135 of the Criminal Code, HIV status and its transmission are also criminalised. Thanks to such laws, law enforcement agencies have a legal basis for detaining and further blackmailing LGBT persons:

In 2012, everything changed. My friends and acquaintances from the community started disappearing one after the other. Parents lost contact with their children and discovered their whereabouts only when all relatives got subpoenas and their children were publicly tried and humiliated under Article 135 Part 1 (sodomy). People were detained in their workplaces or had their flats raided. Everyone was afraid, and no one could help anyone. Two months after the first detentions, they came after me where I was working, and fortunately I was not at my workplace. My manager called to warn me. She called me to say that they were calling me to the investigator. People close to me found out about my orientation, about my troubles and helped me escape the court penalty by paying the authorities 9000 USD for my freedom. It was probably hard for my parents to accept this, I don’t know for sure. We never discussed it, they never blamed me. My sister told me: “It’s your life and we love you; the most important thing is for you to be happy.”

Dangatar, 41 (name changed)


In autumn 2019, the media wrote about a gay man from Turkmenistan who had come out publicly, which subsequently led to his disappearance. Before he disappeared, he managed to record a video and send it to the journalists of the Turkmen bureau of Radio Liberty, where he apologized to his family and warned them that he might be kidnapped. The video, together with the related publications, provoked outrage among the international human rights community, and as a result, the young man suddenly returned home, as reported by Radio Liberty. Journalists confirmed that they had spoken to him by video link in the presence of his father; during the conversation, the man said that the first article had not been about him and that the video had not been about homosexuality. Despite the fact that he denied being homosexual, journalists at Turkmen.News published another article in which they expressed concern over the young man’s fate, noting that his friends could not reach him. In a later article, it was reported that he had asked to write about him and his situation, even though he had retracted his initial confessions on a video recorded under his family’s control. The information published by the media about the young man was also confirmed by the respondents who took part in the research, saying that at the moment the location of the man remains unknown. Most importantly, his story describes standard operating schemes of the Turkmen police when dealing with the LGBT community.

He had already been to the police once, when he met a young man online, but law enforcement officials showed up for the date instead of the guy. Then Kasym Garayev managed to escape punishment – his uncle, who worked in the presidential guard, took him from the police. Turkmen.News, 5 September 2020

Article 135 of the Criminal Code, the “Sodomy article”, according to respondents, plays a significant role in the life of the LGBT community, but at the moment there is no data on the overall number of persons who have been convicted under this article. Often those accused of sodomy serve their sentences under other articles of the Criminal Code. In the words of the respondents, the official position of the authorities is that there are no homosexual people in Turkmenistan, which is similar to the HIV situation.
There is even less information about offences against lesbians and bisexual women than there is about gay and bisexual men. Despite the fact that four women took part in the study, none of them shared their stories. This may be explained by many factors, in particular the cultural and patriarchal characteristics of Turkmen society, where women are less able to tell about themselves than men, they have a narrower social circle, which makes their stories less visible.

Coming back to the law enforcement agencies, the police often reach LGBT persons through informers/informants – people from the community who, for one reason or another, cooperate with the agencies, which certainly affects the trust that the members of the community have in each other. At the moment, it is known that LGBT community members often suddenly disappear. For instance, in August-September 2019, we were informed about the detention of more than 20 men in Ashgabat alone. It is reported that only relatives are informed of the whereabouts of the people missing, but if relatives, upon learning of their children’s homosexuality, disown them, any further information about the person becomes unavailable.

**It is both hard and dangerous to be gay in Turkmenistan. I’d like it to be at least just hard.**

Murod, 35 (name changed)

Murod (name changed) is a bisexual man living in Turkmenistan, married with children, but dating gays. He reached out in spring 2019 through a dating site and confirmed the facts of gross human rights violations against gay men in Turkmenistan. Murod spoke about a twenty-five-year-old gay man who was arrested on charges of sodomy. The young man was lured to a ‘trap flat’ through a dating site with the help of another gay man who had been forced to cooperate by law enforcement agencies. When the victim entered the flat of his new acquaintance, he was immediately detained. According to Murod, in such cases they put both of them in jail: the one who cooperated and the one who was caught. In this case, only the victim was detained and convicted. He got out of prison as HIV-positive. “Gays in prison are usually kept separately and all of them get out of prison HIV-positive,” says Murod.

*I spoke to one guy, he was 20–25 years old. He was a handsome, normal lad. But as it is common around here, at one of his dates the flat turned out to be a trap. Of course, even though he helped the police to catch others, he was also locked up. And this kid went to prison, with a ‘gay ward,’ there were 300 people there, kept separately. Then eventually he found out that he had AIDS. Yes, he got it after he wound up in prison. Not only has his career and life been ruined by the criminal charges, he’s also been infected with AIDS in prison... In short, they crushed him. It’s a miracle that he didn’t kill himself. After getting out of prison, he is now being treated under the AIDS programme. He is in pain...**

Murod, 35 (name changed)

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29 Personal information presented in this report was obtained through community representatives in Turkmenistan through internet platforms.

30 Stories and information of personal nature provided in this report have been obtained online by contacting gay men through dating websites popular in Turkmenistan. ILGA-Europe cannot verify authenticity of the information provided online nor the accuracy as to whether the respondents on the “other side” were indeed genuine and honest in sharing the information.
Murod gave other examples of gay rights violations by law enforcement agencies. For example, Rashid (name changed) was given up to the police by the wife of his boyfriend, telling them that he was gay. He was held for 10 hours at the police station, continuously interrogated, his mobile phone examined and every time someone called him, they watched who was calling. Rashid was careful and never kept any correspondence on his phone, so the police found no evidence and could not charge him. Either Rashid did not have any money, or the police were not very interested in ‘bringing the case to an end’ and he was released. If the law enforcement agencies need to charge someone for being a sodomite, it is often the practice to obtain evidence through a ‘rectal test.’ In Rashid’s case, the police did not want to refer him for a medical examination.

According to Murod, law enforcement agencies ‘do not hunt’ gay men proactively if they are ‘careful.’ In some cases, when homophobic groups or police officers want to ‘make money’, they go ‘hunting’ through dating sites. Once they have caught the victims, they blackmail and extort money. Extortionists are not prosecuted, as victims would not dare to report them because homosexuality is a criminal offence.

And as usual, gays are the society’s scapegoats. If they catch you, you can either pay a lot of money to placate them or you lose your place in society or even go to prison. I cannot say that the authorities are actively pursuing gays. No, they turn a blind eye to gay websites and ads... But when someone becomes visible, gets ‘on their radar,’ then the authorities take action. The problem is in the opportunists who blackmail or cops who decide to make money. Who benefits from this?

Murod, 35 (name changed)

Turkmenistan has been struggling with a complex socio-economic situation in recent years. According to various experts, the crisis in the country has been caused by poor management of the country’s carbon resources. There are various reports about food shortages, hunger, mass negativity and the fact that more and more people are trying to leave the country every day.31

Those who managed have left the country. Those who have served their time also left the country upon release. But not everyone can go away, leave their family. They have to stay and hide, living in fear.

Sakhy, 34 (name changed)

The desire of LGBT persons to emigrate may be caused by economic factors as well as lack of freedom and fear of criminal prosecution. By August 2018, for example, the Government of Turkmenistan refused to allow more than 30,000 citizens to leave the country,32 in the same year, “The migration service staff said that an order had been issued from above according to


which no one under the age of 40 is allowed to leave now. When asked about the reason for the ban, they said that there was no one left in the velayat/province who could work. They said: if you all go away, who will work?"33 This statement was later rebutted.34 However, Human Rights Watch’s World Report 2019 states that “According to TIHR, in August, the number of people whom the Turkmen authorities banned from leaving the country for foreign travel reached at least 30,874. The government arbitrarily bans from foreign travel families of dissidents and prisoners whom it considers disloyal. For example, the Ruzimakov family, relatives of a government official in exile, remained banned from traveling abroad."35

The level of medical care and the attitudes of medical staff towards people with HIV are extremely poor. The knowledge of doctors about HIV infection and transmission is extremely low. Because of this, the level of stigma towards people with HIV is high.

From the ECOM report36

Despite the existence of conditions for the care and treatment of HIV-positive people in various documents37,38 respondents in this study are not aware of the programmes available. Moreover, some respondents noted that they are not aware of the work of the Republican AIDS Centre due to the “absence” of HIV-infected patients. Condoms and other forms of protection are not distributed free of charge to key risk groups and are only available in pharmacies or shops. The lack of official data makes it impossible to see an adequate overview of the situation with HIV infection in Turkmenistan, thus creating a favourable environment for its spread.

As in other Central Asian countries, members of the LGBT community in Turkmenistan are not allowed to freely express their non-heterosexual orientation and non-cisgender identity.

People can be aggressive, but they rarely use physical violence. Respondents said that despite the high level of homophobia, people often do not dare to physically harm the LGBT persons for fear of responsibility. Parents who learn of their children’s homosexuality may throw them out of their homes. There are rare cases where, upon learning about the homosexuality of a family member, relatives continue to communicate with them, pretending that the person is heterosexual, ignoring their own awareness.

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33 «Из Туркменистана не выпускают граждан моложе 40 лет» [Turkmen citizens under 40 are not allowed to leave the country], Radio Azatlyk, 28 June 2018, https://rus.azathabar.com/a/29323179.html.
34 «Миграционная служба Туркменистана опровергла запрет для жителей на выезд» [The Migration Service of Turkmenistan refuted the travel ban for residents], RBC, 28 June 2018, https://www.rbc.ru/rbcfreenews/5b34b6219a794758c7bb5245 .
It was hard for my parents to accept this. We never discussed it, they never blamed me. Only my sister told me: “It’s your life and we love you; the most important thing is for you to be happy.”

Dangatar, 41 (name changed)

This attitude negatively affects the LGBT community and undermines socialisation opportunities. Non-cisgender men try to control their behaviour and suppress their feminine gender expression. If a person fails to hide ‘feminine manners,’ people around them respond in a stigmatising way, which leads to stress and depression among community members.

People around me laughed at me, calling me a girl. In high school, it was even harder when I heard them calling me gay and learnt what that meant. For me, it meant, a gay is a man who loves a man, it’s bad, it’s shameful, it’s devil’s temptation. I’ve wept so many tears, I have so many resentments, for this life and for this fate...

Dangatar, 41 (name changed)

Relations within the LGBT community are also tense. Numerous cases of outing and denunciations to law enforcement agencies have led to a high level of covert behaviour among the community members and their segmentation into small groups that accept new members with great discretion. Community members often discover the existence of other LGBT persons quite accidentally due to the lack of any information on the ‘official’ internet. It must be assumed that people who have never found out about the existence of other LGBT persons live by stigmatizing themselves and suppressing their desires.

In 2008, I happened to hear two colleagues talking, they were discussing gays, laughing, chatting about the places where gays were gathering in the park. This was my first information about it. That’s when I got up the courage and went to see if it was true. Yes! This was my salvation, this was a different world, with different rules, and different attitude. Thanks to the LGBT community, I made friends, partners, I finally wanted to live!

Sakhy, 34 (name changed)

Confronted with domestic violence, LGBT people in Turkmenistan often cannot find help from either the law enforcement agencies or their relatives. By ignoring the community, the state condones domestic violence and impunity for aggressors.

In 2015, totally by chance, I met the love of my life. It was heaven on earth, I thought it was forever! A year into our relationship, love began to cross the line – jealousy, possessiveness, breakup anxiety, fear of going crazy...

His jealousy to my work, to my friends and acquaintances made it unbearable to live and be together. And when he was around, it was also hard, my senses failed, my brain stopped working, my body went into survival mode. I had to get rid of such love, and I made the decision. The consequences were terrible: he followed me, beat me up, tried ruining my life, threatened to damage my face. In the end, the doctors performed several operations on me. My boyfriend told me at the beating, “I’ll be the last person you see,” and I was scared for my life.

Dangatar, 41 (name changed)
Few cases of physical violence motivated by hatred towards LGBT are known. However, LGBT persons’ partners as well as representatives of law enforcement agencies often threaten them and cause physical, moral, and financial harm. LGBT persons are caught in a vicious circle of total hatred, they are not protected either within their family or from their parents or intimate partners.

In everyday life, community members meet and rest in rented flats or spend time in public places. In cafes or restaurants, they have to control their behaviour and conversations.

According to respondents, in 2011 there was an incident which attracted public attention. Videos of intimate nature were published on the internet, where public persons were found to have sexual relations with young men. This led to increased interest in LGBT persons from the authorities, complications in the life of the community, increased control, blackmail, and outings.
There is a problem of inaccessibility of the LGBT community in the country, only nine out of 40 LGBT persons known to researchers have agreed to participate in the study, which can be explained by legal barriers: homophobia has been institutionalised.

The research respondents were LGBT persons aged between 24 and 44 with secondary or vocational education, with a fixed income, employed mainly in the service sector. Participants noted the lack of sexual education not only in the school curriculum, but also in the information field in general, which also affects awareness of the diversity of gender identities and sexual orientations.

Over the last year, the vast majority of respondents did not seek medical, social, or legal services due to discrimination, stigmatisation, or simply the lack of certain services. Upon learning about the involvement of some LGBT community members in the study, many potential respondents received this initiative with a high level of distrust, some of them completely interrupted communication with the interviewer and demanded that their contacts be removed.

Given the negative attitude towards homosexuality, the LGBT community is segmented into small groups, as the environment of bisexual or homosexual people is perceived as the safest. However, the level of violence against the LGBT community in Turkmenistan is relatively low among ordinary citizens, but there is a high level of discrimination by law enforcement agencies. According to some respondents, they were beaten and extorted large sums of money when detained. The risk of criminal liability or violence on the part of law enforcement authorities is the reason why the LGBT community is closed and it is impossible to receive legal and/or medical assistance. Numerous detentions of homosexual and bisexual men by law enforcement authorities have been reported to date.
KEY RECOMMENDATIONS

To the international community:
- to involve human rights organisations and UN agencies in decriminalization of same-sex sexual relationships in Turkmenistan;
- to expedite the process of granting political asylum to Turkmens and review the strict visa requirements;

To the international human rights organisations:
- to be actively involved in processes aimed at eradication of discriminatory legislation in Turkmenistan, including Article 135;
- to oppose the position of Turkmenistan on HIV and to enhance the awareness of the HIV transmission routes and prevention methods;

To the international agencies:
- to build the capacity and interest of experts to conduct research in Turkmenistan in response to the lack of strategic information on violence and discrimination;

To Turkmenistan:
- to raise the level of knowledge and awareness of civil society instruments among the entire population of Turkmenistan;
- to ensure free access to the country by independent NGOs and allow the relevant UN mechanisms to freely conduct human rights monitoring;
- to increase transparency and publish materials on the situation in Turkmenistan to raise the visibility of gaps and stigmatization based on homophobia/transphobia;
- to provide quality sexual and reproductive health services and education, taking into account the fact that more than half of the respondents engage in unprotected sex.

LIMITATIONS

- There are no young people (18 to 24 years old) among the respondents. It can be assumed that the majority of respondents belonged to the 26-44 age group due to the ‘snowball’ method of accessing the community.
- Questionnaire survey does not allow for an in-depth description of the life of LGBT persons: not all respondents shared personal/quality information in the descriptive part of the needs’ assessment;
- While the male respondents agreed to share their stories in writing, the female participants limited themselves to completing quantitative questionnaires;
- Due to discriminatory laws and government control, many potential respondents refused to participate in the research out of fear for their safety.


14. «В Туркмении после вызова в полицию пропал гей, который первым лично обратился в СМИ» [First gay man to personally address the media in Turkmenistan disappeared after being summoned by the police]. Radio Svoboda, 31 October 2019, https://www.svoboda.org/a/30246872.html.


22. Berdiyeva, A. «В Туркменистане СПИДа по-прежнему “нет”» [There is still no AIDS in Turkmenistan]. Deutsche Welle, 30 November 2008, http://web.archive.org/web/20180129141953/https://www.dw.com/ru/%D0%B2-%D1%82%D1%83%D1%80%D0%BA%D0%BC%D0%B5%D0%BD%D0%B8%D1%81%D1%82%D0%B0%D0%B2%D0%B5%D0%BD%D0%B0%BD-%D1%82-%D1%81-%D0%B0%D0%BF%D0%B8%D0%B2-%D0%B8-%D0%BE-%D1%80-%D0%B5%D0%BC%D1%83-%D0%BD%D0%B5%1%82/a-3837410.


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