

**OPINION No. 2/2005 (TURKMENISTAN)**

**Communication addressed to the Government on 9 December 2004.**

**Concerning Mr. Vepa Tuvakov and Mr. Mansur Masharipov.**

**The State has ratified the International Covenant on Civil and Political Rights.**

1. (Same text as paragraph 1 of opinion No. 20/2004.)
2. The Working Group conveys its appreciation to the Government for having provided the requested information.
3. (Same text as paragraph 3 of opinion No. 20/2004.)
4. In the light of the allegations made, the Working Group welcomes the cooperation of the Government. The Working Group transmitted the reply provided by the Government to the source, which did not make comments on it. The Working Group believes that it is in a position to render an opinion on the facts and circumstances of the case, in the context of the allegations made and the response of the Government thereto.
5. According to the information submitted by the source, Mr. Vepa Tuvakov and Mr. Mansur Masharipov, both citizens of Turkmenistan and members of the Jehovah's Witnesses, were arrested in May 2004 and charged with refusing to perform military service on religious grounds. Both were sentenced to 18 months' imprisonment. The source submitted that there are no civilian alternatives to armed military service in Turkmenistan.
6. The allegations of the source have been brought to the attention of the Government. In a statement made on 18 April 2005 the Government informed the Working Group that the President of Turkmenistan, guided by the humane tradition of the Turkmen people and by the principles of justice and humanity, had granted pardons to Mr. Tuvakov and Mr. Masharipov on 16 April 2005. On 4 May 2005, the Working Group forwarded this information to the source for comments.
7. Since the source did not rebut the statement of the Government, the Working Group, on the basis of paragraph 17 (a) of its revised methods of work, decided to file the case.

Adopted on 24 May 2005