

Network of Concerned Historians				NCH
Campaigns				
Year original	Year follow-up	Circular	Country	Names
2004		34	Turkmenistan	Rakhim Esenov, author of historical novel, a.o.
	2005			<i>follow-up 2</i>
	2004			<i>follow-up 1</i>

Announcement

The English Section of International PEN and the Network for Education and Academic Rights (NEAR) draw our attention once again to the case of writer Rakhim Esenov (78 years) in connection with his historical novel, *The Crowned Wanderer*, set during the period of the Mogul Empire (see NCH #34, #34ii). Below you find a NCH summary of the case followed by PEN's campaign for Rakhim Esenov. We hope that you can send the recommended urgent appeal immediately. Please remember to write in your professional capacity.

P.S.: For other NCH items about Turkmenistan, see NCH #23, 27, 32, 34, 37.

NCH SUMMARY

On 23 February 2004, Russian citizen **Rakhim Esenov** (?1926–), writer, historian and freelance correspondent for Radio Free Europe/Radio Liberty, in bad health, was detained by Security Service officers in the capital Ashgabat. He was believed to be at risk of torture. Esenov was accused of “smuggling” into Turkmenistan 800 copies of his historical novel *Ventsenosny Skitalets* (*The Crowned Wanderer*; written around 1994, banned from publication in Turkmenistan for about ten years, eventually published in Moscow in 2003). The novel was set in the sixteenth-century Mogul (Mughal) Empire (1526–1803 CE) and centered on Bayram Khan, a Turkmen poet, philosopher and army general who saved the empire from falling apart in 1556–60. In February 1997, President Saparmurad Niyazov publicly criticized Esenov's “historical errors” for the latter's (correct) portrayal of Bayram Khan as a Shia rather than a Sunni Muslim. Esenov refused to make the “corrections” the president demanded. He was charged with “inciting social, national and religious hatred”. On 9 March 2004, he was released after submitting a written undertaking to remain in Turkmenistan. The charges against him were not dropped. If convicted, he faces up to four years' imprisonment.

[Sources: Amnesty International, *Urgent Action* 90/04 (2 March 2004); idem, *Report 2005* (London 2005) 260; Human Rights Watch, *World Report 2005* (Washington) (2005) 436; *Index on Censorship*,

2/04: 146; International PEN, *Rapid Action Network* 06/04 (5 & 17 March 2004); idem, *Half-Yearly Caselist to 31 December 2004* (London 2005): 66; PEN Writers in Prison, *Historian's Investigation for Banned History Book Continues* (London 2 November 2005); S. Seidelin, & S. Hamilton, eds., *IFLA/FAIFE World Report 2005: Libraries, National Security, Freedom of Information Laws and Social Responsibilities* (Copenhagen 2005) 323.]

HISTORIAN'S INVESTIGATION FOR BANNED HISTORY BOOK CONTINUES

Turkmenistan – 2 November 2005

Source: English Section of International PEN Writers in Prison

(<http://www.englishpen.org/writersinprison/>)

Violation(s): Detention

Person(s) affected: Rakhim Esenov

The English Section of International PEN wishes to draw attention to the case of Rakhim Esenov, a novelist, historian and freelance correspondent for Radio Free Europe/Radio Liberty (RFE/RL). Esenov remains under investigation in Turkmenistan on the charge of “inciting social, national and religious hatred using the mass media” with his novel *Ventsenosny Skitalets (The Crowned Wanderer)*. If convicted, he faces up to four years’ imprisonment.

BACKGROUND INFORMATION:

The Crowned Wanderer is set in the 16th century Moghul Empire and centres on Bayram Khan, a poet, philosopher and army general who is said to have saved Turkmenistan from fragmentation. It had been banned from publication in Turkmenistan for 10 years by President Saparmurad Niyazov. Niyazov had publicly denounced it as “historically inaccurate” in 1997 and demanded that corrections be made – a demand that Esenov refused to meet. This is believed to be related to Esenov’s portrayal of Khan as a Shia rather than a Sunni Muslim. This offence carries a four-year prison sentence under Article 177 parts 1 and 2 of the Turkmen Criminal Code.

Rakhim Esenov was summoned to the Ministry of National Security (MNB) on 23 February 2004. He was reportedly accused of “smuggling” 800 copies of his novel into Turkmenistan. The book has been banned for 10 years from the publishing houses in Turkmenistan and Rakhim Esenov was only able to

get it published in Moscow, in 2003. The books were delivered to his apartment in the capital, Ashgabat, in January, but customs officers removed them after a few days, alleging that they had been imported illegally.

Esenov, 78, already in poor health following a heart attack only two days prior to his arrest, suffered a stroke during interrogation and was taken to hospital. Two days later he was interrogated again and was then transferred to the hospital's intensive care unit, under the strict control of the MNB. On 26 February 2004 Esenov was formally arrested and moved to an MNB prison.

Esenov was also accused of failing to report details of a telephone conversation with former Turkmen Minister of Foreign Affairs Avdy Kuliev to the authorities. Kuliev, a key opposition figure and a staunch critic of the Niyazov regime, is currently living in exile in Moscow following a crackdown on the opposition in November 2002 which began after gunmen fired on Niyazov's car in the capital, Ashgabat.

Esenov was finally released on 9 March 2004 after submitting a written undertaking to remain in Turkmenistan. However, the charges against him were not dropped, and the results of an investigation are still pending. He remains unable to leave the capital Ashgabat, has been ordered to cease working for RFE/RL and remains under surveillance. He is in dire need of medical attention that is not available in Turkmenistan, and is unable to travel to Moscow to receive the treatment he needs.

SUGGESTED ACTION:

Please send appeals:

Emphasising Turkmenistan's international legal obligations to ensure freedom of expression;

Expressing concern that Esenov has been targeted for the peaceful exercise of this right – both in the context of *The Crowned Wanderer* and for his work with RFE/RL;

Calling for all charges against him to be dropped and for the banning order against his book to be withdrawn;

Requesting that he be allowed to return to his profession as a journalist, and for the harassment of RFE/RL journalists in particular to come to an end;

Calling for the return of his right to freedom of movement, thus enabling him to receive essential medical treatment abroad.

APPEALS TO:

President Saparmurad Niyazov

744000 g. Ashgabat

Apparat Prezidenta

Prezidentu Turkmenistana Niyazovu S.A.

Turkmenistan

Fax: +993 12 35 51 12

[Salutation: Dear President]

To ensure that appeals are current and credible, please do not continue to write appeals on this case after 60 days from the date of the posting unless an update has been issued.