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**Turkmenistan<sup>\*</sup>, <sup>\*\*</sup>**

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## I. General information on Turkmenistan

### A. Demographic, economic, social and cultural description of Turkmenistan

#### Principal features of Turkmenistan

1. Turkmenistan is a State of Central Asia and acquired its independence on 27 October 1991. The adoption by the General Assembly on 12 December 1995 of resolution 50/80A on the permanent neutrality of Turkmenistan was a major event in the history of that State. The Constitutional Act on the Permanent Neutrality of Turkmenistan was adopted on 27 December 1995. In line with the Constitution of Turkmenistan, this Act defines the political, economic and humanitarian principles underpinning the country's permanent neutrality, as recognized and upheld by the international community in the above-mentioned General Assembly resolution. The permanent neutrality of Turkmenistan is the foundation of the country's domestic and foreign policy, both of which are geared towards strengthening social stability and cohesion and developing friendly and mutually advantageous relations with other States in the region and the world at large. On 3 June 2015, at its sixty-ninth session, the General Assembly adopted a resolution on the permanent neutrality of Turkmenistan, which once again reaffirmed the country's universally recognized neutral status. To mark the twentieth anniversary of permanent neutrality in Turkmenistan, 2015 has been declared the Year of Neutrality and Peace. The neutrality of Turkmenistan has become a new historical landmark, serving not only as the mainspring of the country's peaceful foreign policy, but also as a firm basis for the building of inter-State relations and constructive partnerships for peace and harmony. This unusual legal status, which is fully consonant with the ancient traditions and national mindset of the Turkmen people, has opened up opportunities for the sustained implementation of the peaceful foreign policy pursued by President Gurbanguly Berdimuhamedov and is in the best interests not only of our people, but of all humankind. On 12 December 2015, the capital of Turkmenistan – Ashgabat – played host to the international conference on the theme "Policy of neutrality: international cooperation for peace, security and development", bringing together Heads of State and Government, leading personalities in global politics, representatives of prominent international and regional organizations, and the diplomatic community. The conference was also attended by the country's national leadership, and the heads of diplomatic missions of Turkmenistan accredited in other countries.

2. The total area of Turkmenistan is 491,210 square kilometres, making it the 51th largest country in the world by area. The maximum distance from south to north is 1,100 kilometres. To the north Turkmenistan has a border with Kazakhstan, to the east and north-east with Uzbekistan, to the south with the Islamic Republic of Iran, and to the south-east with Afghanistan. The west of the country has a coastline along the Caspian Sea stretching over 600 kilometres.

3. Turkmenistan is divided into five provinces (*welaýatlar*). The capital city, Ashgabat, has the status of a *welaýat*. As at 1 January 2015, 50 districts (*etraplar*), 11 urban districts, 24 cities, 77 towns, 552 rural settlements (*geňeşlikler*) and 1,902 villages were registered in Turkmenistan.

4. Urbanization has been on the increase in recent years. This is facilitated by the initiative of the President of Turkmenistan to establish district centres with the status of the cities, to extend the surface area of Ashgabat, and to create new towns and cities.

5. As at 1 January 2015, the country's urban population as a share of the total population was 52.3 per cent, and the rural population – 47.7 per cent. Women represented 50.2 per cent of the total population and men 49.8 per cent.

6. Trends in the country's national age structure indicate that the demographic situation is favourable and that the population is growing. Persons younger than the working age make up some 29.6 per cent of the population; the working-age population accounts for 64.0 per cent and persons of pensionable age 6.4 per cent.

7. According to a sample survey on household budgets in 2014, the average household size in Turkmenistan is 4.95 persons. At the same time, approximately 20 per cent of households number seven or more persons.

8. Average life expectancy for both men and women is increasing. In 2014, it stood at 74.6 years for women and 68.5 years for men.

9. These indicators have had a positive impact on population trends in Turkmenistan. The proportion of young people is high – 18.9 per cent of the total population is between the ages of 15 and 24, which ensures sustained growth in the workforce and the fertility of the population. New forms of State benefits, introduced on 1 July 2007, have helped to improve the welfare of the population. These include an allowance on the birth of a child and a monthly allowance for the care of the child until the child reaches the age of 18 months. Since 1 July 2009, the period during which benefits are paid for the care of a child have been lengthened until the child reaches the age of three.

### **Economic model of Turkmenistan**

10. The economic model of Turkmenistan is based on the gradual development of the economy, in the overall context of a modernized market system. In this process, particular attention is paid to providing social protection, improving housing and social amenities, and fostering the emergence of a middle class with a sufficient income and satisfactory housing and living conditions. Under existing standards, salt, water, gas and electricity are provided free to the population, State subsidies ensure that utility costs are kept low (including rents, charges for sanitation and heating, line rentals for telephones), and urban public transport is also available at very affordable rates. By following this strategy for a phased transition to a market economy with a strong social orientation Turkmenistan is able to carry out the necessary economic reforms and to diversify its many economic vectors. It also enables the country to take greater advantage of its resources and its industrial, labour and intellectual potential.

11. The Turkmen economy has displayed consistently high rates of growth. In 2014, gross domestic product (GDP) calculated at comparable prices rose by 10.3 per cent from its 2013 levels. Total GDP in 2014 was 123.9 billion manat.

12. Total industrial output was 73.7 billion manat in 2014, an increase of 11.6 per cent over the previous year.

- Of the overall growth in the major industrial sectors, 59.6 per cent was accounted for by the extractive sector and 40.4 per cent by the manufacturing sector.
- Of the overall growth in the major industrial sectors, 63.0 per cent was accounted for by the extractive sector and 37.0 per cent by the manufacturing sector.

13. In 2014, the foreign trade turnover of Turkmenistan increased by 4.2 per cent compared with 2013, totalling \$36,419.6 million. Of this total, exports accounted for \$19,781.9 million (4.9 per cent increase) and imports \$16,637.7 million (3.4 per cent increase). The foreign trade surplus was \$3,144.2 million. In 2014, compared with 2013, the value of exports of natural gas increased by 8.1 per cent; of crude oil by 8.2 per cent; of electricity by 3.6 per cent; and of cotton fibre by 23.8 per cent. The breakdown of the major commodity exports in 2014 was as follows: natural gas – 68.7 per cent; petroleum products – 12.0 per cent; oil – 11.7 per cent; and cotton fibre – 2.8 per cent.

14. State budget revenues in Turkmenistan for the year 2014 amounted to 22.2 billion manat. State budget revenue and spending in 2014 exceeded 2013 levels by 8 and 11.9 per cent respectively. By comparison with 2013, allocations to the social sectors – education, health, pensions, social security, housing, public utilities and culture – grew by 14.9 per cent. All in all, they totalled 15.9 billion manat. In addition, the 2014 budget provides for a 10 per cent increase in wages, pensions, benefits and student grants. Sizeable funds have been set aside for the development of tourism and sport and to roll out the presidential national programme for the transformation of social and living conditions in villages, communities, towns and district centres for the period up to 2020 and for other social and economic programmes and investment projects.

15. More than 1.8 billion manat (or 32.6 per cent more than in 2013) was allocated from the State budget to the development of various sectors of the economy in 2014.

16. Turkmenistan is vigorously developing its fuel and energy industry. There is a rapid increase in the volumes of oil and gas being discovered, extracted, refined and delivered to foreign markets and Turkmenistan has now established its position as a strategic provider of hydrocarbons to markets in Asia. Gas is being supplied to China and the Islamic Republic of Iran. Over the course of 2014, a total of 76.2 billion cubic metres of gas was extracted, or 110.1 per cent of the level of the previous year. Gas exports in 2014 totalled 45.3 billion cubic metres, an increase of 11.3 per cent. Over the previous year, 11,589,000 tons of oil were extracted and 7,324,100 tons of oil refined. Electricity production totalled 23.08 billion kilowatt hours, or 109.8 per cent of 2013 production levels. Most of the oil extracted goes to refineries in Turkmenistan and this has boosted the output of high quality petroleum products. The production of diesel fuel has risen to 101.2 per cent and that of lubricating oil to 108.6 per cent of previous levels. A programme for the development of the country's oil and gas industry for the period up to 2030 was adopted on 25 October 2006. It provides for a range of geological prospecting and deep drilling projects with the use of new technologies and methods, an increase in the volume of hydrocarbon production and processing and export to the international market, thus benefiting the people of Turkmenistan and boosting global energy security.

#### **Growth of gross domestic product (GDP)**

17. Thanks to its open-door policy and market reforms, the economy of Turkmenistan is growing rapidly. Over the period 2008–2014, the country's GDP in current prices increased by a factor of 2.5. In 2014, the GDP growth rate was 110.3 per cent at comparable prices. These outcomes place Turkmenistan among the world's fastest developing economies.

#### **GDP breakdown by sector**

18. Currently, the Turkmen economy has a distinctive feature: the bulk of the country's GDP is derived from the development of the industrial investment sector. In the long term, this creates an opportunity for innovative changes. In 2014, the total value-added share of industrial investment sectors in GDP was 63.2 per cent, of which 47.3 per cent came from industry and 15.9 per cent from construction. At the same time, in agriculture this indicator measured 8.5 per cent of GDP; in transport and communication, 5.6 per cent; in trade and community services, 7.1 per cent; and in other sectors, 15.6 per cent.

19. Economic and social development in Turkmenistan is pursued with a focus on results. Currently, more than 70 programmes are making good progress in our country, including the national programme for the social and economic development of Turkmenistan for the period 2011–2030; the national presidential programme to upgrade social and living conditions in villages, settlements, towns and district centres for the period until 2020; the presidential programme for the country's social and economic development over the period 2012–2016; plans for the social and economic development of the provinces over the period 2012–2016; and other sector-based development programmes.

20. Large-scale projects are currently under way on the construction of major manufacturing plants oriented towards the export market. Thus, building work has started on factories producing polypropylene, polyethylene, nitrogen (urea) and potassium fertilizers, liquid fuel from natural gas, and other products. The full-scale operation of these enterprises and the resulting exports of finished products to foreign countries are expected to ensure a steady inflow of considerable sums of foreign currency. At the same time, by developing such sectors as the chemical and light industries, engineering, construction materials, agro-industry and pharmaceuticals industry, it will be possible to carry out successful import-substitution manufacturing projects targeting export markets.

21. The urea and ammonia plant in Mary is making a significant contribution to development of the country's chemical industry and boosting its export potential. The plant has a production capacity of 640,000 tons of urea and 400,000 tons of ammonia per year. Currently, in the town of Karabogaz in Balkan province, the foundations are being laid for a

plant with an annual production capacity of 1,155,000 tons of urea and 600,000 tons of ammonia.

22. A major construction project is also under way in the Köýtendag district of Lebap province, on a potassium fertilizer plant, producing potassium chloride and sulfate fertilizer. According to expert studies, economically viable potassium deposits are relatively scarce in the world. The largest such deposits are found in Belarus, Canada, the Russian Federation and the United States of America. Turkmenistan has extensive deposits of potassium salts. Geological projections have established that the Garlyk potash deposits have a potential yield of more than 1.5 billion tons. Work is currently under way to determine the extent of the Garabil deposits. It is planned to produce 1.4 million tons in the first phase of the facility's construction.

### **Investment activities**

23. An active investment policy is required to sustain this fast pace of economic development. Thanks to the successful implementation of internationally important initiatives of the President of Turkmenistan and national human welfare programmes, the country has been able to achieve high rates of investment for development. These measures have helped to increase the share of private sector investment, which, in 2014, constituted 32.8 per cent of total investment, with foreign investment accounting for 19.8 per cent of the total. In 2014, the share of investment in fixed capital was 3.5 greater than that in 2008. The ratio of investment to GDP stands at 44.4 per cent.

24. Everything possible has been done in Turkmenistan to attract foreign capital, with the result that some 20 per cent of total investment comes from abroad. In the World Investment Report 2012, the United Nations Conference on Trade and Development (UNCTAD) placed Turkmenistan among the top ten countries in its foreign direct investment (FDI) index.

25. Over the past few years, thousands of production, social, cultural, infrastructure and housing units have been built, commissioned and handed over. On the initiative of our distinguished President, considerable strides have been made in attracting foreign direct investment in Turkmenistan. In 2014, foreign investment accounted for 19.8 per cent of the total investment in the country.

26. Particular importance in this regard attaches to the future Turkmenistan-Afghanistan-Pakistan-India gas pipeline. Apart from the economic benefits to participating countries, this project is opening up new opportunities for transforming this bridge between the countries into an effective partnership, in line with the objectives of overall well-being and prosperity, along with friendship and good neighbourly relations.

27. In order to diversify the export destinations of our energy resources, work is under way in Turkmenistan on the construction of the East-West gas pipeline. Work is continuing on a large-scale project work to harvest hydrocarbon resources in the shallow waters of the Turkmen coastline on the Caspian Sea.

28. A range of different sectors are involved in the construction materials industry in Turkmenistan, which is developing at a rapid pace. On the initiative of the President, large-scale projects have been launched to diversify and further develop this industry. The cement production capacity of Turkmenistan, which forms part of the country's construction materials sector, is sufficient to meet not only domestic demand for these products, but also to create reserves which can be made available for export abroad.

29. The textiles sector is a new addition to the country's industrial development. Thanks to the construction of new, specialized enterprises and large, integrated textile plants, the large-scale production has been launched of a variety of cotton products. In 2014, 363,100 tons of cotton were produced.

30. The development of the textile industry is not only of economic importance, it also brings social benefits to the country, including by providing employment, in particular for women, which helps to boost the cash incomes of entire households. Looking ahead, it is planned to build new plants in the textiles sector, equipped with modern technology and

machines, giving Turkmenistan an innovative edge and enabling it to compete on world markets.

31. Another major undertaking is the establishment and development of a sound basis for the country's self-sufficiency in food. In all parts of the country, enterprises are being set up and launched for the processing of agricultural produce and manufacture of a variety of food products. Business entities in the private sector are actively involved in the development of this sector.

32. Thanks to all these and other measures, it has been possible to boost agriculture and to increase the volumes of output from this sector. In 2014, there were 529 smallholder (dehkan) associations engaged in agricultural production, along with 2,200 private farms and 884,100 family-owned smallholdings. A total of 84.8 per cent of the country's irrigated arable land has been leased out. There are 470,700 and 23,700 tenant farmers in the crop and livestock farming sectors respectively. In 2014, gross agricultural product totalled 14.2 billion manat, an increase of 10.7 per cent over the previous year.

### **Major transport and communications projects**

33. Turkmenistan attaches great importance to the development of state-of-the-art railway infrastructure. Sustained international and regional investment projects are being pursued in the country and extensive work carried out to upgrade its entire road transport infrastructure. This, in turn, is helping to enhance trade and economic relations not only in the region but also globally.

34. As things stand, the Turkmen rail network has a total length of 3,835.7 km, and three new railway lines have been laid over the last three years alone. In 1997, a main line was laid and put into service along the route Tecen-Sarabs-Meshkhed, measuring 308 km in length, 132 kilometres of which are in Turkmen territory. With the new line in operation, Turkmenistan is now a key link in the trans-Asian railway network, an international rail transport system that follows the route of the ancient Silk Road from Istanbul to Beijing via Tehran, Meshkhed, Sarabs, Türkmenabat, Tashkent, Almaty, Druzhba and Urumqi, thus connecting Turkmenistan with all the countries of Europe and Asia and promoting its social and economic development. This land-based transport corridor stretching over 10,800 kilometres is the second longest railway line in the world. In 2014, the Uzen-Gyzylgaya-Bereket-Etrek-Gorgan railway line was put into service. The line is 912.5 kilometres long, of which 700.5 kilometres are in Turkmenistan.

35. In 2014, 480.7 million tons of freight were carried by all modes of transport, or 6.4 per cent more than in 2013. A total of 951.0 million passenger journeys were made, an increase of 3.2 per cent.

36. The commissioning of a rail transport corridor along the route Kazakhstan-Turkmenistan-Iran and the construction of rail and road bridges across the Amu Darya river in the city of Atamyrat have opened up new possibilities for the expansion of trade and economic relations with neighbouring States. Currently, construction work has started on a railway line linking Atamyrat, Ymamnazar and Aqina, offering a route into Tajikistan.

37. Over the past few years new roads have been built over a total length of 1,700 kilometres. Work has also been launched on the construction of an expressway between Ashgabat and Türkmenbaşy. Together, these roads will make it possible to create a major freight transit centre in our country and facilitate the carriage of goods and provision of other transport services through the country and to other destinations.

38. On the initiative of the President, on 19 December 2014 the United Nations General Assembly unanimously adopted a resolution on the role of transport and transit corridors in ensuring international cooperation for sustainable development.

### **Avaza national tourism area**

39. The Avaza national tourism area, stretching 16 kilometres along the Caspian Sea coastline, represents a fundamentally new approach to the harnessing of the country's enormous natural and economic potential, through massive foreign investment in the tourism and recreation business. A comprehensive programme of work is under way to

develop the area, with a view to creating a facility at the highest international standard for cultural recreation and for health care and rehabilitation. An array of well-appointed hotels, holiday resorts and private villas, health and wellness spas, children's health resorts, and a wide variety of major sporting and recreational facilities have sprung up along the coast of the Caspian Sea. These facilities can accommodate some 27,000 tourists in the course of a single season. Foreign investors are able to make investments on preferential terms in the tourism area.

#### **State support for small and medium-sized enterprises**

40. The promotion of this sector of the economy has been formally recognized as one of the key priorities of the State social and economic policy and has been enshrined in law. An Act on State support for small and medium-sized enterprises has been passed into law in Turkmenistan. The most favourable legal, economic, financial and social conditions are being set in place in the country. In order to stimulate business enterprises, tax rates are being kept low, the procedure for the registration and licensing of businesses is very simple, concessional loans are available to businesses and they enjoy customs and other benefits. To promote the establishment and operation of this sector of the economy, the corresponding institutional infrastructure has been set in place, comprising the State Commission for the Support of Small and Medium-sized Enterprises, the Union of Industrialists and Entrepreneurs, the Rysgal commercial bank and the Industrialists and Entrepreneurs Party. In support of those reforms, a number of medium-term programmes have been devised adopted and are being implemented at the national level. These include the State programme to support small and medium enterprises in Turkmenistan for 2011–2015, and the State programme for the privatization of State-owned businesses and facilities in Turkmenistan over the period 2013–2016.

#### **Development of social sectors**

41. Close attention is being given in Turkmenistan to social policies designed to raise the standard of living and quality of life of the people and to create conditions favourable to human development by enhancing the functioning of the country's health systems, education, culture and other service-related activities. Substantial investments are being made in the development of these sectors.

42. Work is continuing of the development of the country's own national health-care system, with the promotion of healthy nutrition, rejection of harmful habits, harmonious combination of work and rest, and engagement in various types of sport. A wide range of measures are being put into effect to reform the health-care system and to prevent diseases, including through scientific cooperation with leading global research centres. In 2015, the new government health programme was launched, together with a national plan for its implementation over the period 2015–2017.

43. The following facilities have been opened: the scientific research centre of the Ministry of Health and Medicine, the International Centre of Cardiology, a 670-bed maternal and child health clinical research centre, an accident and emergency centre and also a modern storage centre for the Central Pharmaceutical Consortium. Work has been initiated on the construction of an international centre for surgery and endocrinology. A modern 120-bed specialized rehabilitation centre for alcohol and drug dependency treatment has been opened in the city of Tejen. Accident and emergency centres have been put into service in the Balkan, Daşoguz, Lebap and Mary provinces, and the Daşoguz health spa has been opened in Daşoguz province.

44. Continuous reforms are being carried out to modernize the country's educational system, in line with the best global models in this domain, as part of the constant drive to improve and upgrade this sector. The physical infrastructure and technical equipment of educational institutions are being upgraded.

45. Under the presidential national programme for the transformation of social and living conditions in villages, settlements, towns and district centres for the period until 2020, 216 kindergartens, 172 general education schools, 53 hospitals, 97 health centres and

nursing homes, 48 cultural centres, 109 sports schools and 68 sports facilities – a total of 763 buildings and facilities – were put into service between 2008 and 2014.

46. In addition, in the Balkan, Daşoguz, Lebap and Mary provinces, work has finished on the construction of multifunctional shopping malls and, the cities of Daşoguz and Mary, hotels have been built, together with dozens of other community facilities and installations.

47. Work is continuing on the comprehensive modernization of the country's public utility systems. Considerable progress was made under the national programme for the period 2008–2014 on the construction of public utilities. Over that period, the following utilities were constructed and put in operation: 8,000 kilometres of water pipes, 12,300 kilometres of gas pipelines, 10,500 kilometres of electricity cables, 4,500 kilometres of roads, 1,500 kilometres of sewage lines and 540 wells. Where telecommunications are concerned, over 15,600 kilometres of telephone cables were laid, 385,500 new telephone lines were put in service and 2.7 million telephones handsets were made available. In addition, two new drinking water and four new wastewater treatment plants were built and set in operation, and 4.9 million square metres of housing was constructed.

### **Income**

48. In Turkmenistan, close attention has been given to improving household incomes. The social orientation of the economy and the country's positive economic growth over the last few years have made it possible to guarantee an upward trend in wages in both nominal and real terms. In fulfilment of the annual decrees issued by the President of Turkmenistan on increases in wages, pensions, State benefits and scholarships for students, trainees and course attendees, over the period 2008–2014 household incomes, and also the average wage, have increased by a factor of 1.9.

### **Social and economic indicators**

49. Wages and salaries, pensions and State benefits are increased every year pursuant to the presidential decrees. Since 1 July 2007, disability benefits have been raised by an average of 50 per cent; since 1 January 2009 by 10 per cent; and since 1 July 2009 by an average of 28 per cent. In that process, benefits paid to persons disabled since childhood were raised by a factor of 1.5. Every year between 2010 and 2015, State benefits were increased by 10 per cent. In 2011, the country's law on social security was amended with effect from 1 January 2012, to further increase the level of disability benefits by an average of 80 per cent, with an 88 per cent increase for persons disabled since childhood. On average, loss of breadwinner allowances have been increased by 30 per cent, including for orphans. As a consequence, compared with their 2007 levels, State disability grants have increased more than fivefold.

50. Where persons with group I and II disabilities have dependent minor children, a supplementary benefit is allocated for each child, in addition to the pension or State benefit. Persons with group I disabilities and single persons with group II visual disabilities who have a medically certified need for constant care are entitled to a supplementary benefit, in addition to the pension or State benefit, for such care.

51. Drugs and medicines, wheelchairs for disabled persons, and prosthetic, orthopaedic and other such appliances are provided free of charge or on preferential terms.

52. All orphaned children are under the full care of the State.

53. Working people in Turkmenistan are entitled to 30 calendar days of paid leave per year. Additional paid leave of 10 calendar days is granted in the event of marriage and for the performance of funeral rites and memorial services. While women are on maternity leave they receive the corresponding State benefit.

54. In order to improve the standard of living and ensure effective social protection for the most vulnerable sectors – the elderly, persons with disabilities and children – a new Social Protection Code was adopted on 19 October 2012, providing for a contingent benefit pension scheme – a system for the provision of State pensions based on mandatory pension insurance and the maintenance of beneficiary-specific records of pension contributions and the initial contingent pension capital of insured persons, and a funded pension system – a

public pension based on voluntary retirement insurance and the maintenance of beneficiary-specific records of pension contributions and the pension capital of the beneficiaries. This means that all citizens of pensionable age are entitled to social benefits.

55. The Code provides for the award of several types of pension: retirement pensions, long-service pensions, occupational pensions, disability pensions, pensions for loss of breadwinner and cumulative pensions. Previously, disability payouts and payouts awarded on the loss of a breadwinner were categorized as benefits.

56. Under the new Code, the period of employment required for pensionable retirement has been reduced for women, who, previously, had to have 20 years of pensionable service. Under the new Code, this requirement has been reduced to between 15 and 18 years, depending on how many children they have.

57. In addition, the Code has introduced changes to the way in which pensions and State benefits are assessed, awarded and paid. Pensions and State benefits are paid both from the funds accumulated in the pension fund established in February 2012 and from the State budget of Turkmenistan.

58. One of the instruments used to put the Code into effect is the Turkmen State Pension Insurance Act, which, with effect from 1 January 2013, introduced a completely new system of mandatory pension insurance, designed to increase coverage of the population, thereby ensuring decent old-age insurance and benefits for partial or complete disability and for loss of breadwinner.

59. Pursuant to the State Pension Insurance Act, pension insurance includes three types of insurance: mandatory pension insurance, mandatory occupational pension insurance, and voluntary pension insurance on the basis of a voluntary pension insurance agreement between the individual and the Pension Fund of Turkmenistan.

## **B. Constitutional, political and legal structure of Turkmenistan**

60. Independence brought with it fundamental changes in the political, economic and social fabric of Turkmenistan. The political structure of the Turkmen State is underpinned by the Constitution of Turkmenistan, adopted on 18 May 1992, and revised on 26 September 2008.

61. Turkmenistan is a democratic, rule of law-based and secular State administered as a presidential republic. State power is based on the following principles: sovereignty of the people, from whom all power emanates and in whom all power resides; recognition of the human being as the most valuable asset of society and the State; responsibility of the State towards the people, including protection of the life, honour, dignity, freedom, personal inviolability and natural and inalienable rights of citizens; separation of State power into legislative, executive and judicial branches; and delimitation of the functions and powers of central authorities and local self-governance bodies.

62. The highest representative power is constituted by the Mejlis, or parliament, the legislative authority of Turkmenistan.

63. Local representative authorities comprise people's councils (*halk maslahatlary*) in the provinces, districts and cities, and local councils (*gengeşlar*) in the district towns, settlements and other areas under local council jurisdiction (*gengeşlikler*).

64. Civil society institutions play a significant role in the political system of Turkmenistan. Public associations, trade unions and creative arts unions play an active role in determining the country's economic, social and cultural policy. The largest public associations in Turkmenistan (Democratic Party of Turkmenistan, Entrepreneurs and Industrialists Party of Turkmenistan, Agrarian Party of Turkmenistan, trade unions of Turkmenistan, Women's Union of Turkmenistan, Makhtumkuli Youth Union, World Turkmen Humanitarian Association, trade unions and other public associations) are represented, in accordance with the law, in all the country's elected bodies. Members of these public associations are elected to the Mejlis (Parliament) of Turkmenistan, to local elected authorities and to local government bodies, thus enabling them to participate

directly in the formulation of the country's social, economic and cultural development programmes and those of its individual regions.

### **Head of State**

65. The President of Turkmenistan is the Head of State and of executive power, the highest-ranking official in Turkmenistan; he is the guarantor of the country's independence, neutral status and territorial integrity, of respect for the Constitution and of compliance with international agreements, as provided for in the President of Turkmenistan Act. The President is directly elected by the people of Turkmenistan in a secret ballot, on the basis of universal, equal and direct suffrage.

66. Under article 53 of the Constitution, which defines the President's powers, the President:

- Gives effect to the Constitution and laws of Turkmenistan;
- Directs the implementation of foreign policy; represents Turkmenistan in its dealings with other countries; appoints and recalls ambassadors and other diplomatic representatives of Turkmenistan to foreign States and to inter-State and international organizations; receives credentials and letters of recall of diplomatic representatives of foreign States;
- Serves as Supreme Commander of the Armed Forces of Turkmenistan; issues orders for general or partial mobilization, use and combat deployment of the Armed Forces and appoints the Armed Forces High Command;
- Establishes and presides over the State Security Council, the status of which is determined by law;
- Approves programmes for the country's political, economic and social development, and also the main thrusts of these programmes;
- Presents the State budget and the report on its implementation for the consideration and approval of the Mejlis;
- Approves laws, and enjoys the right, within a two-week period, to exercise a suspensive veto, namely, to send draft legislation back to the Mejlis, along with any objections, for a second reading and vote. If a two-thirds majority of the prescribed parliamentary quorum confirms its earlier decision, the President approves the law. The President's suspensive veto does not apply to amendments or additions to the Constitution;
- Establishes the Central Commission for Elections and Referendums, and adjusts its composition;
- Sets the date of referendums and is empowered to convene an early session of the Mejlis;
- Decides issues of conferring or withdrawing citizenship and granting asylum;
- Confers honours and other State awards, and grants military and other special State titles and distinctions;
- With the consent of the Mejlis, appoints and dismisses the Chief Justice of the Supreme Court, the Procurator-General, the Minister of Internal Affairs and the Minister of Justice;
- Grants pardons and amnesties;
- May declare a state of emergency throughout the territory or in specific localities in Turkmenistan in the interests of ensuring public safety. Arrangements for such a state of emergency are governed by law;
- Decides other issues falling within the scope of his authority under the Constitution and the laws of Turkmenistan.

67. In accordance with article 54 of the Constitution, the President issues decrees, decisions and orders that are binding throughout Turkmen territory.

#### **Mejlis of Turkmenistan (Parliament)**

68. The Mejlis of Turkmenistan is the highest representative body exercising legislative authority. The Mejlis is composed of 125 deputies, elected from geographical constituencies with approximately equal numbers of voters for a period of five years.

69. The Mejlis is competent, among other powers, to enact legislation; to make amendments and additions to the Constitution and laws of Turkmenistan; to monitor their implementation and interpretation; to debate issues relating to approval of the programme of work of the Cabinet of Ministers; to ratify the government proposal approving the programme of work of the Cabinet of Ministers; to debate issues relating to approval of the State budget and the budget implementation report; to debate the main thrusts of the country's political, economic and social development programme; to decide on the question of the holding of national referendums; to call presidential elections and elections of deputies to the Mejlis and of members of provincial, district and municipal representative bodies and local councils; upon the proposal of the President of Turkmenistan, to debate the appointment and dismissal of the Chief Justice of the Supreme Court, the Procurator-General, the Minister of Internal Affairs and the Minister of Justice; to determine the conformity or lack of conformity with the Constitution of laws and regulations issued by government executive and administrative authorities; to ratify and denounce international treaties; to resolve issues relating to changing the State frontier; and to review peace and security issues. The Mejlis also decides other issues placed under its authority by the Constitution and the laws of Turkmenistan.

70. The work of the Mejlis is overseen by its Chair, who is elected in a secret ballot by deputies from among its members. The Mejlis's activities are regulated by the Mejlis Acts of 9 January 2009, amended and supplemented by the Acts of 18 December 2013 and 23 May 2015 and the Electoral Code of 4 May 2013.

#### **Local representative authorities**

##### *Local representative authorities*

71. As laid down in article 78 of the Constitution, each province, city with province status, district and town with district status has its own representative authority, a people's council, or halk maslahaty. Under Turkmen law, members are elected for a four-year term by the citizens of the respective territorial unit.

72. The people's councils, within the limits of their authority, are involved in the resolution of issues relating to the economic, social and cultural development of their own areas. The functions and powers of the councils and of their members, their modus operandi and their relations with other authorities are laid down by the Local Representative Authorities Act of 1 October 2011, amended by an Act of 23 May 2015.

##### *Local government bodies*

73. Pursuant to article 84 of the Constitution, the system of local self-governance comprises local councils (*gengeşlar*) and local public authorities.

74. The local council is a representative body of popular power located in a town, community or other area under local council jurisdiction. Members of the local councils are directly elected by citizens for a three-year term.

75. The local council determines the main thrusts of the economic, social and cultural development of the territory under its jurisdiction; prepares and approves the budget and the report on its implementation; sets local taxes and the procedure for their collection; and elects a chair (*arçın*) from among its members, who is responsible for overseeing the work of the local council and is accountable to it. The local council is also responsible for dealing with other questions relating to the economic, social and cultural development of the territory under its jurisdiction. The formation, powers and activities of local government

bodies are stipulated by the Local Council Act of 15 January 2003 (revised on 25 October 2005) (as amended and supplemented by the Acts of 28 June 2007, 23 October 2008 and 23 May 2015).

### **Executive**

76. The Cabinet of Ministers (Government) of Turkmenistan is both an executive and administrative body. The highest-ranking officer of the Cabinet is the President of Turkmenistan. The Cabinet is made up of deputy chairs and ministers. The President may second other persons in charge of central executive bodies to the Cabinet of Ministers. The Cabinet is responsible for overseeing observance of the laws of Turkmenistan, including acts promulgated by the President and the Mejlis; taking measures to safeguard and protect citizens' rights and freedoms and to protect property, public order and national security; drafting and submitting to the Mejlis for its consideration proposals on the main thrusts of domestic and foreign policy, and economic and social development programmes; exercising State management of economic and social development; organizing the management of State-run enterprises, agencies and organizations; ensuring the sound use and conservation of natural resources; taking measures to strengthen monetary and credit systems; as necessary, establishing committees, central administrations and other departments under the Cabinet of Ministers; conducting foreign economic activities; promoting the development of cultural and other links with foreign States; and directing the work of government agencies, State-run enterprises and organizations. The Cabinet is also empowered to revoke legal acts promulgated by ministries, departments and local executive authorities and it decides other issues assigned to its responsibility by the Constitution, laws and other statutory instruments of Turkmenistan. The Cabinet of Ministers is responsible for taking decisions and issuing binding orders.

77. The Government's work is organized and regulated by the Cabinet of Ministers Act of 24 November 1995 (amended and supplemented by Acts of 15 June 2000 and 26 March 2011).

78. Executive authority in the provinces, cities and districts is exercised by a local governor, known as *häkim*, who serve as the President's representatives at the local level. Governors are appointed and dismissed by the President and are directly accountable to him. The governors direct the activities of local authorities and ensure observance of the Constitution and of laws, presidential and Cabinet acts and decisions of the Mejlis.

79. Within their authority, the governors issue decisions that are binding in the territory under their jurisdiction. The functions and powers of the governors, their modus operandi and their relations with other executive and administrative authorities are laid down by the Local Executive Authority Act of 10 May 2010, as supplemented and amended by Acts of 10 January 2012, 3 May 2014 and 23 May 2015.

80. The chair of the local council is its chief officer. This officer is elected from among the members of the local council, directs its activities and is accountable to it. The council chairs ensure that the decisions of the council and statutory instruments issued by government executive and administrative authorities are carried out. They prepare and submit for consideration by the local council draft general guidelines for the economic, social and cultural development of the area, together with the local budget, and organizes its implementation. They ensure protection of citizens' rights and interests and resolve other issues relating to the livelihood of their local area.

81. The powers of the local council chairs are determined by the Constitution of Turkmenistan and the Local Council Act of 15 January 2003, as revised on 25 October 2005, and amended and supplemented by acts of 28 June 2007, 23 October 2008 and 23 May 2015, and by the Local Council Chairs Act of 30 March 2007.

### **Judiciary**

82. Judicial authority in Turkmenistan is exercised by the courts of law. The judges are independent, subject only to the law and guided by their inner conviction. Interference in the work of the judges from any quarter is prohibited and punishable under law. Judicial inviolability is guaranteed by law.

83. The President appoints all judges in the courts of Turkmenistan and the procedure for their appointment and dismissal is laid down by law. The Chief Justice of the Supreme Court of Turkmenistan is appointed and dismissed by the President with the consent of the Mejlis.

84. The powers of judges are determined by the Constitution of Turkmenistan and the Courts Act of 15 August 2009, revised on 8 November 2014, as amended and supplemented by an Act of 28 February 2015.

85. All citizens have the right to participate in managing the affairs of society and the State, both directly and through their freely elected representatives (Constitution, art. 31).

86. Pursuant to article 32 of the Constitution, citizens have the right to vote in elections to bodies of State power and to be elected to such bodies. Citizens have an equal right to enter public service, according to their skills and vocational training.

87. The Constitution of Turkmenistan and the country's electoral legislation ensure that all citizens shall have the genuine opportunity to vote in elections for and to be elected to all public authorities of their country, and guarantee universal, equal and direct suffrage by secret ballot, thereby further enlarging their opportunities to participate directly in the formulation of development strategies and policies in all aspects of government activity and the life of society.

88. On 4 May 2013, the Mejlis adopted the Electoral Code of Turkmenistan Ratification and Enactment Act. The Code was developed in line with best international and national experience accumulated over the last few years, and experience in the conduct of national electoral campaigns, and also in accordance with international rules and standards in this area. The Code regulates matters relating to the preparation and conduct of presidential elections in Turkmenistan, the elections of deputies to the Mejlis of Turkmenistan, members of provincial, district and municipal people's councils, and referendums, and also establishes safeguards to ensure the free expression of the will of the citizens of Turkmenistan.

89. The Electoral Code of Turkmenistan is underpinned by the principles, forms and procedure for democratic electoral systems universally accepted in the conduct of international affairs: universal and equal access to the formation of representative authorities; direct and free expression of the will of the electors; the submission of alternative candidates for election; transparency and openness; freedom to campaign; the granting of equal opportunities to all candidates in the conduct of electoral campaigns; and the broad participation of representatives of public associations, of assemblies of voters, of proxy candidates, and of observers and media representatives in elections. All these have created an effective mechanism for giving effect to electoral rights and ensuring their legal protection.

90. On 15 December 2013, elections were held for deputies of the Mejlis of Turkmenistan for its fifth convocation, with the involvement of two parties: the Democratic Party of Turkmenistan and the Industrialists and Entrepreneurs of Turkmenistan Party. Voters were able to nominate the representatives whom they considered best suited to posts in the country's legislature.

91. In all 125 constituencies, there were two or more candidates for each seat. By the deadline set by the Electoral Code, 283 candidates were registered for 125 parliamentary seats. There were 99 candidates from the Democratic Party, 21 for the Industrialists and Entrepreneurs Party, 89 from trade unions, 37 from the Women's Union, 22 from the Makhtumkuli-22 Youth Organization and 15 from civic interest groups. Women account for 26.4 per cent of the 125 deputies in the Mejlis. The Chair of the Mejlis, and the Deputy chair of one of its committees are women.

92. During the electoral campaign, in accordance with the law, all applicants were given equal opportunities, including free access to media outlets.

93. Among the elected deputies of the Mejlis, 47 are members of the Democratic Party of Turkmenistan, 14 of the Industrialists and Entrepreneurs of Turkmenistan Party, 33 of

trade union organizations, 16 of the Women's Union of Turkmenistan, 8 of the Turkmenistan Makhtumkuli Youth Organization, and 7 of civic interest groups.

94. All phases of the electoral campaign were monitored by some 2,500 national observers, including representatives of political parties, civil society organizations and public associations.

95. All stages of the electoral process were overseen by 99 foreign observers and experts – representatives of the observer mission from the Commonwealth of Independent States, from the United Nations Department of Political Affairs, and members of the delegation of the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe (OSCE) and of the OSCE Parliamentary Assembly.

96. On 23 November 2014, elections were held, with a broad range of candidates, for members of the provincial, district and municipal people's councils, marking another important step towards consolidation of the democratic foundations of Turkmen society. All in all, across the country, 240 members of provincial people's councils and 1,480 of those at district and municipal levels were elected from among 3,524 registered candidates. In all constituencies, there were two or more candidates for each seat. All stages of the electoral process were comprehensively monitored on the ground by national observers, who provided an objective assessment of the elections as they were held. The elections were characterized by the availability of a broad range of candidates, their full transparency and their public nature.

97. On 16 August 2015, elections of members of the local councils (*gengeşlar*) and of parliamentary deputies were held in two constituencies in Turkmenistan. The elections were conducted on the basis of the availability of a wide choice of candidates, and in an atmosphere of openness and transparency. In all, 6,041 representatives of local authorities were elected from among 13,528 candidates. These included 973 representatives to the local councils in Ahal province, 413 in Balkan province, 1,416 in Lebap province and 1,790 in Mary province. The fact that two or more candidates competed for each seat in the various representative authorities clearly demonstrates the highly democratic nature and wide choice of candidates in the elections. The electoral process in all constituencies was monitored by national observers.

98. As part of the country's democratic reform process, on 10 January 2012, the Mejlis adopted the Political Parties Act, drafted in accordance with the Constitution and the universally recognized standards of international law. The Political Parties Act of 10 January 2012 (as amended on 16 August 2014) governs matters relating to the exercise by citizens of their constitutional right to form political parties and to specific aspects of the founding, operating, reorganizing and dissolution of political parties.

99. The Act guarantees the right of the citizens of Turkmenistan to form political parties. They shall be accorded equal rights and enjoy equal opportunities to establish political parties and freely to participate in their activities. Citizens of Turkmenistan have the right, acting on a voluntary basis and in line with their political opinions, to form political parties, freely to join such parties in the prescribed manner or to elect not to join them, to take part in their activities and freely to withdraw from their membership.

100. The new Act, designed further to strengthen the legal foundations of society, to strengthen the truly democratic traditions within society and to uphold the political, economic, social and cultural rights of individuals, was a tangible manifestation of the manner in which international human rights standards are put into effect. The Political Parties Act sets out the legal framework for the establishment of political parties, their rights and obligations and safeguards of their activities, and regulates the relations between political parties, public authorities and other organizations.

101. The State gives an undertaking to protect the rights and legitimate interests of political parties and creates equal legal opportunities for their activities. Interference either by the State or local government authorities or officials in the activities of political parties, or by political parties in the activities of the above-mentioned authorities and officials is prohibited.

102. According to the new Act, there is a clear and rule-based procedure for the establishment of political parties. Under the Act, political parties which have undergone State registration are accorded the right to disseminate information on their activities, and to propagate their views, goals and objectives. They may submit proposals to central and local government authorities on the formulation of policies, participate in elections in accordance with the law, establish media outlets and conduct publishing activities, use the public media, protect the rights and legitimate interests of their members in connection with their political activities, and represent their interests in central and local government bodies.

103. Adoption of the Act has opened the path to significant steps towards the formation of a multiparty system. On the basis of the Act, new parties have been formed, marking a development of the pluralistic processes under way in society and further guaranteeing freedom of expression. Thus, on 21 August 2012, the Industrialists and Entrepreneurs of Turkmenistan Party was founded, followed on 28 September 2014 by the Agrarian Party of Turkmenistan, a number of whose members have taken seats in the Parliament of Turkmenistan in its fifth convocation. Thus, in terms of its political structure, Turkmenistan has become a country with a multiparty system.

104. Under the new version of the Public Associations Act of Turkmenistan, the right of citizens to establish public associations is given effect either directly through the formation of associations of individuals or through legal entities, in the form of public associations.

105. In cases provided for by the Act, foreign national and persons without citizenship who are residing in Turkmenistan may, alongside citizens of Turkmenistan, become founders of public associations.

106. The right of association includes the right to form public associations for the protection of common interests and the pursuit of common goals, the right to join existing public associations or to elect not to join them, and the right freely to withdraw from public associations. Citizens have the right to establish public associations as they choose, without the need for prior permission from the State or local government authorities, and also the right to join such associations, subject to compliance with the provisions of their charters.

107. In Turkmenistan, international and foreign public associations may form and operate subsidiary bodies, in the form of organizations, branches (affiliates) and representative offices. The activities of the subsidiary bodies – organizations, branches (affiliates) and representative offices – of international and foreign public associations shall be governed by the statutes of the latter, provided that they do not run counter to the law of Turkmenistan and international treaties to which Turkmenistan is a party.

108. Article 7 of the Act prohibits the formation and operation of public associations which are aimed at the forcible change of the constitutional order and the infliction of harm on the security of the State; which tolerate the use of violence in their activities, which act against the constitutional rights and freedoms of citizens, which advocate war, racial, national or religious hatred injurious to the health and morality of the citizenry, and which are engaged in extremist activities.

109. As at 1 October 2015, 119 organizations had been entered in the public associations register, of which 86 were nationwide; 27 were local; 3 were regional; and 3 were international (World Turkmen Humanitarian Association, World Association of Handmade Carpet Connoisseurs and the International Ahal-Teke Horse-Breeding Association).

110. The activities of the registered public associations fall into the following categories:

- Sports – 49;
- Creative – 12;
- Disabilities – 10;
- Youth – 7;
- Women's – 1;
- Others – 98.

111. As at 1 October 2015, 130 organizations had been entered in the register of religious organizations, including:

- Those propagating Islam –106, of which Sunni – 101; Shiite – 5;
- Shiite religious communities;
- Imam Riza religious community in Ashgabat;
- Shikhalov religious community in Bagyr village, Ruhabat district, Ahal province;
- Hezreti Ali religious community in the city of Türkmenbaşy, Balkan province;
- Huseini religious community in the city of Türkmenabat, Lebap province;
- Muhamed Resulalla religious community in Ýolöten district, Mary province;
- Those propagating Christianity: Orthodox – 13;
- Other religious denominations – 11:
- Seventh Day Adventist religious group;
- Bahai religious organization;
- Church of Evangelical Christian Baptists religious organization;
- Society of Krishna Consciousness religious group;
- Church of Christ religious group;
- Great Grace Evangelical Christian religious organization;
- Light of the East Evangelical Christian Church religious group;
- Full Gospel Christian Church religious group;
- New Apostolic Church religious group;
- Source of Life Evangelical Christian Church religious group;
- Transfiguration of the Lord Roman Catholic centre.

#### **Indicators on crime and the administration of justice**

112. Under Turkmen law, a consolidated record shall be kept of all offences detected in the territory of Turkmenistan. This consolidated record-keeping of offences takes the form of the initial logging and registration of the identified offences and their perpetrators. The rules on the consolidated recording of offences were approved by a joint order of the Ministry of National Security, the Ministry of Internal Affairs, the Supreme Court of Turkmenistan, the Office of the Prosecutor General of Turkmenistan and the Turkmenistan State Service for the Safeguarding of a Healthy Society, dated 1 May 2015.

113. The system of maintaining a consolidated record of offences and their perpetrators, which has been in operation since 1961, takes the form of the logging of offences from the moment that criminal proceedings are instituted and of their perpetrators from the moment that the procurator approves the indictment, and of the further adjustment of these details in the light of the ensuing investigations and judicial proceedings.

114. The rules on the consolidated record of offences also apply to the procuratorial authorities, the internal affairs agencies and the offices of the State Service for the Safeguarding of a Healthy Society (including all correctional facilities and the special rehabilitation centre for persons suffering from alcoholism and drug addiction).

115. The internal affairs agencies are responsible for the registration of criminal cases involving offences and perpetrators which have been entered in the consolidated record and for the maintenance of statistical records of criminality.

116. The offices of the State Service for the Safeguarding of a Healthy Society are responsible for registering criminal cases, the offences which they involve, where these concern illicit trafficking in narcotic drugs and psychotropic substances, and the names of

their perpetrators, and also for maintaining statistical records of these categories of offences.

117. In Turkmenistan, in recent years, there has been a decrease in the crime rate.

Table 1  
**Total reported crimes**

2009	2010	+,- %	2011	+,- %	2012	+,- %	2013	+,- %	2014	+,- %
13 087	9 645	-26.3	9 157	-5.1	8 880	-3.0	8 746	-1.5	8 574	-2.0

#### **Binding nature of the preliminary investigation in criminal cases**

118. Under article 223 of the Criminal Procedure Code, in all cases, except those relating to the offences covered by articles 111 (Intentional infliction of light bodily injury), 132, part 1 (Defamation), 138 (Prostitution), 160 (Wilful evasion of payment of maintenance for children or physically disabled parents) and certain other articles of the Criminal Code of Turkmenistan, the performance of a preliminary investigation shall be mandatory. A preliminary investigation shall be performed in criminal cases brought under these articles if the suspected perpetrator is unknown or if they have been committed by minors or by persons who, by virtue of a physical or mental incapacity, are unable to exercise their right to defend themselves, and also if the procurator and the court order the mandatory conduct of a preliminary investigation. In cases where a preliminary investigation is deemed mandatory for any part of the criminal proceedings, the entire case shall be taken up by the investigators within the scope of their authority.

119. Jurisdiction over offences is defined in article 224 of the Criminal Procedure Code of Turkmenistan.

120. Under article 158, paragraph 1, of the Code of Criminal Procedure, the maximum and average periods of remand in custody during the investigation of criminal offences may not exceed two months. If there are no grounds for revising or revoking the preventive measure, this period may be extended for up to six months from the date of remand in custody by order of procurators of a province or a city with province status or their deputy. A further extension is possible only if the case is particularly complex. Such extension, for a maximum period of one year from the date of remand in custody (Criminal Procedure Code, art. 158, part 2), must be granted by the Procurator-General of Turkmenistan or his or her deputy. Pursuant to part 3 of the said article, extension of remand in custody for more than one year may be allowed in exceptional circumstances, only if the person concerned is accused of a serious or an especially serious offence. Such extension may be granted by the Procurator-General – for up to one and a half years (this period is the maximum duration of pretrial detention).

121. Under Turkmen law, all facilities in which persons are detained during the preliminary investigation in criminal cases and are held following their conviction by a court and all correctional institutions fall under the jurisdiction of the Ministry of Internal Affairs.

122. In accordance with the Penalties Enforcement Code, remand facilities are segregated in Turkmenistan: men and women, minors and adults are held separately. Persons sentenced for the first time to a custodial sentence are separated from those who have previously served sentences of deprivation of liberty. Women sentenced for the first time to deprivation of liberty may be held in the same correctional institution as, but separately from, those who have previously served such sentences. Persons convicted of particularly dangerous repeat offences are held in isolation from other convicted persons.

123. Former court officials, law-enforcement personnel and military servicemen and servicewomen convicted of offences are held in special correctional facilities.

Table 2  
**Number of convicted women, by length of sentence, held in the DZ-K/8 correctional facility of the Daşoguz provincial police headquarters (the only institution in the country for women prisoners)**

<i>Total women</i>	
Up to 1 year inclusive	2
1–2 years inclusive	5
2–3 years inclusive	18
3–5 years inclusive	53
5–8 years inclusive	96
8–10 years inclusive	161
10–15 years inclusive	662
15–25 years inclusive	1 193
Life imprisonment	
<b>Grand total</b>	<b>2 190</b>

Table 3  
**Number of juveniles sentenced to deprivation of liberty, by length of sentence, in the MR-K/18 correctional colony of the Mary provincial police headquarters (the only facility in the country for convicted male juveniles)**

<i>Total underage boys</i>	
Up to 1 year inclusive	
1–2 years inclusive	
2–3 years inclusive	1
3–5 years inclusive	12
5–8 years inclusive	18
8–10 years inclusive	8
10–15 years inclusive	7
<b>Grand total</b>	<b>46</b>

### **Custodial conditions**

124. In accordance with the requirements of the public health authorities, the management of all correctional institutions in Turkmenistan shall provide their inmates with meals at proper times. The food provided in these facilities fully complies in terms of quality and quantity with the established nutritional standards and modern hygiene requirements, taking due account of the age and health conditions of prisoners. Prisoners in correctional facilities have access to drinking water.

125. Prisoners are provided with seasonally appropriate clothing, footwear and bedding, paid for by the State.

126. Convicted persons are provided with the necessary living conditions. Accommodation provided for the use of convicted persons meets all sanitary and hygienic requirements, taking into account the climate conditions of Turkmenistan. To maintain their health, inmates are provided with sufficient living space and adequate access to air and light. Under Turkmen law, the minimum living space per convicted person is 4 square metres in correctional colonies, 3 square metres in prisons and 5 square metres in women's colonies, young offenders' institutions and secure hospitals.

127. The institutions are equipped with medical units. The medical services in these facilities are able to provide regular outpatient consultation and emergency medical attention. The medical units are staffed by qualified medical personnel and equipped with

hospital-type wards and beds. Secure hospitals are also in operation. Convicted persons who require specialist services are transferred to these secure hospitals.

128. Mandatory general secondary education is arranged in correctional institutions and opportunities are provided for convicted persons under the age of 30 to pursue courses of further education. The authorities in charge of correctional facilities encourage convicted persons to pursue educational courses and these are taken into consideration when deciding whether or not to commute the unserved part of a sentence to a lighter sentence and conditional early release. The teaching staff of general educational establishments assist the management of correctional facility with the provision of educational services. The procedure for the provision of general secondary education for convicted persons and for the establishment, reorganization and closure of these educational facilities within correctional institutions is laid down by the regulations on State general education institutions, approved by presidential decision of 21 February 2014. In accordance with the Criminal Code and under the rules of the Penalties Enforcement Code, a general education school set up within a correctional institution is allocated a serial number of the same kind as those allocated to mainstream schools operating in the same region and it may issue educational certificates of the standard State format without any indication that the school was located within a correctional institution.

129. Pensions and State benefits are allocated and disbursed to convicted persons. The payment of these pensions and State benefits is the responsibility of the social welfare authorities in the locality where the correctional facility is situated. The payments are made by bank transfer to the personal accounts of the convicted persons.

130. In April 2011, the country's new Penalties Enforcement Code was adopted, assigning a special role to the inspection of places of detention and confinement.

131. According to the Penalties Enforcement Code, the local executive authority (*häkimlik*) monitors the activities of the bodies responsible for the enforcement of sentences situated within its area. Correctional work with convicted persons and public monitoring of the activities of the bodies responsible for the enforcement of sentences and other criminal law measures are carried out with the involvement of the supervisory commissions under the local executive authority, with view to ensuring stricter monitoring of compliance with the law in the work of the bodies responsible for the enforcement of sentences and to the conduct of work with persons serving custodial sentences and those released on probation.

132. The regulations on oversight commissions were approved by a presidential decision of 31 March 2010. Between April 2010 and 2014, 57 visits were arranged to correctional facilities, remand centres and the special rehabilitation centre for persons suffering from alcoholism and drug dependency.

133. Under the provisions of the Penalties Enforcement Code of Turkmenistan, representatives of the diplomatic and consular offices of foreign States and international organizations are able to visit convicted persons held in custodial facilities, subject to the issuance of an authorization in accordance with the established procedure.

134. The Ministry of Internal Affairs cooperates closely with the International Committee of the Red Cross (ICRC) and OSCE on issues relating to access for representatives of international organizations to all places of detention. An action plan has been jointly adopted by the Government of Turkmenistan and the ICRC Regional Delegation in Central Asia as part of multilateral cooperation in the area of the correctional system and the action plan is renewed annually. Under this plan, since 2011, visits by ICRC representatives to various correctional facilities have been taking place since 2011.

135. Over the period from 2011 to 1 October 2015, representatives of the diplomatic and consular offices of foreign States and international organizations have been able to make six visits to facilities of the correctional system.

136. Representatives of ICRC made the following visits:

- On 16 July 2011, the AN-M/4 special rehabilitation centre of the Ahal provincial police headquarters;

- On 7 April 2012, the MR-K/18 correctional colony of the Mary provincial police headquarters, for the detention of juvenile males;
- On 10 December 2012, the specialized unit of the MR-K/16 correctional facility of the Ahal provincial police headquarters in the city of Tejen;
- On 17 July 2014, the DZ-K/8 women's colony of the Daşoguz provincial police headquarters.

137. On 19 August 2014, the head of the OSCE office in Ashgabat visited the DZ-K/8 women's colony of the Daşoguz provincial police headquarters.

138. On 28 September 2015, the heads of the diplomatic missions of France, Germany, the United Kingdom of Great Britain and Northern Ireland and the United States of America in Turkmenistan, the chief officers of the United Nations Development Programme (UNDP) office in Turkmenistan and the European Union office in Ashgabat visited the DZ-K/8 correctional institution of the Daşoguz provincial police headquarters.

139. Work is currently under way on the development of a memorandum of understanding between the Government of Turkmenistan and ICRC on cooperation and humanitarian action for persons deprived of their liberty, which would serve as a legal basis for humanitarian visits by ICRC.

#### **Information concerning the prohibition of torture**

140. As stated in article 23 of the Constitution, no person may be subjected to torture or cruel, inhuman or degrading treatment or punishment. The Criminal Code stipulates the penalties for such offences against life and health.

141. An Act supplementing the Criminal Code was adopted on 4 August 2012. In particular, a new article 1821 was added to the Code, establishing the separate criminal offence of torture. The definition of torture in the article corresponds exactly to that used in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, adopted by the General Assembly on 10 December 1984.

142. In accordance with article 224 of the Criminal Procedure Code of Turkmenistan, preliminary investigations of offences in this category are carried out by the procuratorial authorities.

143. There are articles in the Penalties Enforcement Code which include provisions prohibiting the use of torture against prisoners. Thus, article 1 of the Code stipulates that the application of the penalties enforcement law in Turkmenistan is based on the universally accepted rules and principles of international law relating to the enforcement of criminal penalties and the treatment of convicted persons, including strict observance of the guarantees of protection from torture, violence and other cruel, inhuman or degrading treatment or punishment. Under article 8 of this Code, convicted persons are entitled to be treated by the facility staff in a manner that is courteous and designed to instil in them a sense of personal dignity and responsibility. They have the right not to be subjected to torture or to cruel, inhuman or degrading treatment. Article 88 of the Code includes prohibitions relating to the use of certain disciplinary measures on convicted persons, including prohibition of the use of torture. Similar prohibitions may be found in article 125 of the above-mentioned statutory instrument, which lays down the procedure for the use of disciplinary measures on juvenile offenders.

144. Article 12 of the Code of Criminal Procedure stipulates that the harm caused to a person as a result of unlawful actions of the bodies conducting the criminal proceedings shall be subject to compensation in the manner prescribed by law. Article 13 of the Code indicates that the harm caused to a person as a result of illegal deprivation of liberty, detention in conditions injurious to life or health, or cruel treatment shall be subject to compensation in accordance with the Code. The Code includes a chapter 4 directly regulating such matters as rehabilitation and reparation for injury caused by unlawful acts of the body conducting the criminal proceedings. The provisions of articles 35–43 provide detailed regulations on those matters.

145. Between 2012 and 2014, no cases were reported of the use by investigators of unlawful detention, arbitrary arrest, torture or the ill-treatment of detainees, including minors, either at the time of arrest or in the course of pretrial detention for the purpose of obtaining confessions.

#### **Information on anti-corruption measures**

146. Turkmenistan acceded to the United Nations Convention against Corruption on 28 March 2005. The accession by Turkmenistan to this Convention, along with a number of other United Nations conventions on combating criminality, demonstrated the country's keen interest in participating in anti-corruption efforts.

147. Furthermore, the Anti-Corruption Act, adopted by the Mejlis in 2014, sets out the basic principles and the legal and organizational basis for efforts to combat and prevent corruption, to eradicate its underlying causes and the conditions conducive to the commission of such offences and to eliminate their consequences.

148. The campaign against corruption is aimed at preventing, detecting, suppressing and uncovering corruption-related offences, eliminating their consequences and bringing the perpetrators to justice. It also aims to ensure protection of the rights and freedoms of citizens from the threats posed by corrupt practices, to uphold the national security of Turkmenistan, the effective functioning of State bodies and of persons performing tasks in the public service and persons of equivalent status. The Procurator-General of Turkmenistan and his or her subordinate procurators, within the limits of their authority, coordinate the work of internal affairs, national security, customs and other law-enforcement agencies to combat corruption and perform other functions related to countering corruption established by the laws and regulations of Turkmenistan.

149. In the Ministry of Internal Affairs of Turkmenistan, the prevention of corruption and counter-corruption efforts are the responsibility of the Office for Combating Economic Offences. The staff of this Office attach great importance to the collection, analysis and processing of information used for detective work and for the prevention of crime. One representative of this Office is a member of the inter-agency working group set up in the Ministry of Finance by presidential order No. 11536 of 25 February 2011, to combat the laundering of the proceeds of crime and the financing of terrorism. This inter-agency group was set up to ensure the implementation by Turkmenistan of international law and in accordance with the country's law on combating the laundering of the proceeds of crime and the financing of terrorism.

150. Turkmenistan is cooperating closely with the team developing financial measures to combat the laundering of the proceeds of crime, and also the Eurasian Group on Combating Money Laundering and Financing of Terrorism. In 2010, Turkmenistan became a member of the said Eurasian Group.

151. In order to prevent corruption in the internal affairs system of Turkmenistan, limitations related to service in internal affairs bodies have been imposed by the Internal Affairs Agencies Act. Thus, staff of internal affairs bodies are prohibited from engaging in other paid work, except teaching, scientific and creative activity (art. 24). Violation of these requirements shall entail dismissal of the offender from office or other liability as prescribed by law.

152. In order to prevent corruption, work is carried out among all personnel in the Ministry of Internal Affairs on the moral, spiritual and professional image of internal affairs officers. Work is also under way to bar the employment of family relations in the same unit or service (Internal Affairs Agencies Act, art. 28, para. 4.3).

153. Sustained efforts are being made to improve the material facilities and financial support provided for staff members of the internal affairs agencies, with a view to enhancing their social welfare and financial security. Internal security officers in the Ministry of Internal Affairs are working to prevent corruption and the use of official position for gainful purposes, and also to protect Ministry staff from unlawful encroachments on the performance of their duties, such as in the Police Road Safety Service.

154. In order to prevent corruption in investigative and other units of the internal affairs agencies, the strict and uniform implementation of the laws of Turkmenistan, enactments of the President of Turkmenistan and the Cabinet of Ministers and orders of the Mejlis are rigorously monitored by the Procurator-General and the subordinate procurators (Internal Affairs Agencies Act, art. 39).

155. Information is circulated among the units of the internal affairs agencies to clarify issues relating to the establishment of an effective system for monitoring the rights, freedoms and lawful interests of citizens, which will avert the possibility of off-hand, harsh and tactless treatment of citizens, and to explain the consequences of corrupt actions by staff members.

156. In order to counter corruption, the Ministry of Internal Affairs routinely interacts with the procuratorial, tax and other law-enforcement agencies, and also with the financial authorities of Turkmenistan.

### **Implementation of the gender policy**

157. As a committed member of the community of nations, Turkmenistan has acceded to the principal international human rights treaties. It has confirmed its strong commitment to gender equality and the empowerment of women by acceding to the United Nations Convention on the Elimination of All Forms of Discrimination against Women in 1996 and to the Optional Protocol thereto in 2009. A review of the main indicators relating to the status of women and to gender differences in the development of women reveals a certain measure of progress in various areas, and work is continuing on the rolling out of the country's gender policy.

158. Particular importance is attached to strengthening and deepening international cooperation in this field, in particular through cooperation with the United Nations and other international organizations, which contributes to the development of further strategies for the application of gender policy in the region and to the improvement of national legislation, the expansion of the rights and the empowerment of women and the general protection of their interests.

159. In strict compliance with its obligations arising from the international agreements that it has ratified, Turkmenistan has steadily introduced into its national legislation and practice universally recognized international legal rules and provisions, including those relating to the creation of equal opportunities for women and men. The Act on State Guarantees for Equal Rights and Equal Opportunities for Women and Men, adopted on 18 August 2015, lays down State guarantees of equal rights and equal opportunities for women and men in all spheres of State and public life.

160. The national plan of action for gender equality in Turkmenistan for 2015–2020 was ratified by the President, Gurbanguly Berdimuhamedov, on 22 January 2015.

161. The plan of action outlines the overall strategy and sets the priorities of State policy with regard to gender equality, providing for the implementation of a comprehensive set of measures to inculcate the principles of gender equality in all spheres of life in Turkmenistan. Based on the Constitution of Turkmenistan, the national plan of action is consistent with the basic provisions of the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the United Nations Convention on the Elimination of All Forms of Discrimination against Women, the Convention on the Political Rights of Women and the outcome documents of the Fourth World Conference on Women (Beijing Declaration and Platform of Action, adopted in Beijing in 1995, instruments of the 20-year review of the implementation of the Beijing Declaration and Platform for Action), the Millennium Development Goals, and also with the instruments of the World Health Organization (WHO), the International Labour Organization (ILO), the United Nations Children's Fund (UNICEF) and other international organizations.

162. The recommendations made by the Committee on the Elimination of All Forms of Discrimination against Women during the dialogue at its fifty-third session in October 2012 were duly taken into account in the elaboration of the national plan of action.

### **Survey of domestic violence**

163. One of the tasks set in the national plan of action is the definition of priorities in combating all forms of violence against women. To that end, various actions have been undertaken, including the conduct of studies and surveys of the extent of violence against women, and also of the forms and root causes of such violence. Consultations have been organized among the appropriate parties on the need to prepare a bill aimed at the formation and development of a system to prevent domestic violence that would cover all forms of violence against women. Events have been organized to raise public awareness of the zero-tolerance policy of Turkmenistan with regard to violence against women.

164. Over the period 2014–2015, with the involvement of international experts, workshops were held to define the methodology for conducting the studies, along with workshops examining the law of other countries on domestic violence and practical experience in the application of that law. A draft questionnaire has been developed and is now under discussion. Plans have been made to pilot the questionnaire. In addition, it is planned to hold training sessions for those conducting the interviews in the first quarter of 2016. Based on the results of the study, proposals will be prepared for amendments and additions to the existing national law, and consideration will be given to the feasibility of drafting a bill on domestic violence.

## **II. Overall system for the protection and promotion of human rights**

### **A. Acceptance of international human rights standards**

165. Turkmenistan is a party to the following fundamental human rights conventions and protocols:

- United Nations Convention on the Rights of the Child (23 September 1994);
- International Convention on the Elimination of All Forms of Racial Discrimination (23 September 1994);
- Convention on the Elimination of All Forms of Discrimination against Women (20 December 1996);
- International Covenant on Economic, Social and Cultural Rights (20 December 1996);
- International Covenant on Civil and Political Rights (20 December 1996);
- Optional Protocol to the International Covenant on Civil and Political Rights (20 December 1996);
- Convention on the Political Rights of Women (15 September 1999);
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (28 December 1999);
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (28 March 2005);
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (28 March 2005);
- Convention on the Rights of Persons with Disabilities (15 July 2008);
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (30 April 1999);
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (18 April 2009);

- Optional Protocol to the Convention on the Rights of Persons with Disabilities (25 September 2010).

166. Turkmenistan has ratified the following core conventions and protocols in the field of international humanitarian law:

- Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (Convention I), 1949 (10 April 1992);
- Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Convention II), 1949 (10 April 1992);
- Geneva Convention relative to the Treatment of Prisoners of War (Convention III), 1949 (10 April 1992);
- Geneva Convention relative to the Protection of Civilian Persons in Time of War (Convention IV), 1949, (10 April 1992);
- Protocol Additional to the Geneva Conventions of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol I), 1977 (10 April 1992);
- Protocol Additional to the Geneva Conventions of 12 August 1949, relating to the Protection of Victims of International Armed Conflicts (Protocol II), 1977 (10 April 1992).

167. Turkmenistan has ratified the following conventions adopted under ILO:

- ILO Convention concerning Minimum Age for Admission to Employment (20 December 1996);
- ILO Forced Labour Convention (20 December 1996);
- ILO Freedom of Association and Protection of the Right to Organise Convention (20 December 1996);
- ILO Right to Organise and Collective Bargaining Convention (20 December 1996);
- ILO Equal Remuneration Convention (20 December 1996);
- ILO Abolition of Forced Labour Convention (20 December 1996);
- ILO Discrimination (Employment and Occupation) Convention (20 December 1996);
- ILO Worst Forms of Child Labour Convention (25 September 2010).

168. Turkmenistan has also ratified a number of other United Nations treaties and instruments on human rights:

- Convention relating to the Status of Refugees (10 July 1997);
- Protocol to the Convention relating to the Status of Refugees (10 July 1997);
- Convention on the Civil Aspects of Child Abduction (25 November 1997);
- Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (30 April 1999);
- United Nations Convention against Transnational Organized Crime (28 March 2005);
- Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (28 March 2005);
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime (28 March 2005);

- Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime (28 March 2008);
- United Nations Convention against Corruption (28 March 2005);
- International Convention against Doping in Sport (25 September 2010);
- Convention relating to the Status of Stateless Persons (4 August 2011);
- Convention on the Reduction of Statelessness (4 August 2012);
- WHO Framework Convention on Tobacco Control (26 March 2011);
- United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention for the Safeguarding of the Intangible Cultural Heritage (14 September 2011) and others.

169. The membership of Turkmenistan in a number of authoritative organizations demonstrates recognition of its international efforts to make a substantial contribution to global development. Thus, Turkmenistan has been elected to membership of the following bodies:

- Commission on Population and Development, for the period 2012–2015;
- Commission on Narcotic Drugs, for the period 2012–2015;
- Executive Board of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), for the period 2016–2018;
- Executive Committee of the Programme of the United Nations High Commissioner for Refugees, on a continuing basis;
- Turkmenistan was elected for the first time as a member of the Executive Board of UNESCO from 2013 to 2017 and, with unanimous support from 151 States parties, as a full member of the International Organization for Migration;
- At the sixth-seventh session of the United Nations General Assembly, Turkmenistan was elected as a member of the Economic and Social Council for the period 2013–2015.

170. Work is being concluded on the successful implementation in Turkmenistan of the United Nations Development Assistance Framework for the period 2010–2015.

171. Agreement has been reached on the new United Nations Development Partnership Framework for 2016–2020, designed to ensure sustained economic growth and thereby to create an environment conducive to the increased life expectancy and improved health and well-being of the people of Turkmenistan. The expected final outcomes of shared efforts under the Development Partnership Framework have been jointly identified by the Government of Turkmenistan, the United Nations and partners from civil society. They are in line with the priorities of the national programme for the social and economic development of Turkmenistan for the period 2011–2030 and the Sustainable Development Goals and include maximizing use of the expertise and resources of United Nations agencies. It is anticipated that results will be achieved in the following areas: qualitative data and the monitoring of progress; high quality and inclusive social services; environmental sustainability and energy efficiency; employment; diversification of the economy and trade; governance and the rule of law.

## **B. Legal framework for the protection of human rights at the national level**

172. A wide range of fundamental rights and freedoms are enshrined in the Constitution of Turkmenistan:

- Turkmenistan guarantees equal rights and freedoms to individuals and citizens and the equality of individuals and citizens before the law irrespective of ethnic

background, race, sex, origin, property or official status, place of residence, language, attitude towards religion, political convictions and party affiliation or lack thereof.

- Men and women in Turkmenistan have equal civil rights. Any encroachment on the equality of rights on the grounds of sex is punishable by law.
- Every person has the right to life and the freedom to exercise that right. No person may be deprived of the right to life. The right of every person to a free life is protected by the State on the basis of the law. The death penalty has been abolished in Turkmenistan.
- No persons may have their rights restricted or be deprived of those rights, sentenced or subjected to punishment except in strict accordance with the law.
- No persons may be subjected to torture or cruel, inhuman or degrading treatment or punishment, or, against their will, to medical (involving treatment with drugs or by a physician) or other experiments. Citizens may be detained only on grounds clearly specified by law, on the basis of a court order or with the approval of a procurator. In urgent cases specified in law, duly authorized State bodies are entitled temporarily to detain citizens.
- All citizens have the right to State support in being granted or obtaining a decent home or in building their own home. A person's home is inviolable. No one has the right to enter or otherwise breach the inviolability of a home against the will of the inhabitants or without legal grounds. Protection of a person's home against unlawful intrusion is both a human and a civil right. No persons may be deprived of their home except on grounds established by law.
- Every person is entitled to protection against arbitrary interference in his or her private life, against violations of the confidentiality of correspondence, telephone conversations and other forms of communication, and against encroachments on his or her honour and reputation.
- All citizens have the right to freedom of movement and choice of place of residence within the borders of Turkmenistan. Restrictions on entry into specific territories and movement within those territories may be imposed only in accordance with the law.
- On reaching marriageable age, men and women are entitled, by mutual consent, to enter into marriage and to start a family. Spouses enjoy equal rights in family relations.
- Citizens of Turkmenistan enjoy the right to freedom of opinion and expression, and the right to obtain information provided that it is not a State secret or other secret protected by law.
- Article 29 guarantees citizens the freedom to assemble and to hold meetings and demonstrations in accordance with the procedure prescribed by law.
- Citizens have the right to form political parties and other public associations operating within the framework of the Constitution and laws of Turkmenistan.
- All citizens have the right to participate in managing the affairs of society and the State, both directly and through their freely elected representatives.
- Citizens have the right to employment and to free choice of profession, occupation and place of work, and also to healthy and safe working conditions. Persons employed for pay have the right to remuneration commensurate with the quantity and quality of their work. This remuneration may not be less than the minimum wage set by the State.
- Citizens have the right to rest, which is given effect through limits on the length of the work week and the granting of paid annual leave and weekly rest days. The State shall create favourable conditions for recreation and the use of leisure time.

- Citizens are entitled to health care, including free use of the system of public health facilities. Private medical services, including non-traditional health care, are permitted by law, in accordance with the legally established procedure.
- Everyone has the right to a favourable environment. The State monitors the sound use of natural resources in order to protect and improve living conditions, and to ensure protection and restoration of the environment.
- Citizens are entitled to social security on the basis of age and in the event of sickness, disability, loss of capacity to work, loss of breadwinner, or unemployment. Large families, orphans, veterans and persons whose health has been impaired through the protection of State or public interests are eligible for additional support and allowances from State and public funds.
- Every citizen has the right to education. General education following the 12-year cycle, referred to in Turkmenistan as “secondary education”, is compulsory; everyone is entitled to receive such education free of charge in State schools. The State guarantees access to vocational education for everyone, according to their abilities.
- Citizens have the right to artistic, scientific and technical creative freedom. Copyrights and the interests of citizens in the scientific, technical, artistic, literary and cultural fields are protected by law. The State promotes the development of science, culture, the arts, folk culture, sport and tourism.
- Citizens are guaranteed judicial protection of their honour and dignity and their individual and political, human and civil rights and freedoms as provided for in the Constitution and laws of Turkmenistan. Citizens may challenge the decisions and actions of government authorities, public associations and officials in a court of law.
- Citizens are entitled to request compensation before the courts for material or moral damage incurred as a result of unlawful acts on the part of State bodies or other organizations, their employees and private individuals.
- No persons may be compelled to give evidence or testimony against themselves or against close relatives. Evidence obtained through psychological or physical coercion or by other unlawful methods has no legal force.
- A law that worsens the situation of citizens shall not have retroactive effect. No person may be held liable for actions that were not categorized as an offence at the time of their commission.
- The function of the judiciary is to uphold citizens’ rights and freedoms and State or public interests protected by law.
- The proceedings in all courts are public. Closed hearings are allowed only in cases prescribed by law and in accordance with the rules of legal proceedings.
- Legal proceedings are conducted in the State language. Parties to the proceedings who are not proficient in the language in which the proceedings are being conducted have the right to be fully apprised of the case, to participate in the proceedings through an interpreter and to address the court in their native language.
- Judicial proceedings are conducted on the basis of the equality of the parties and according to the adversarial principle.
- The parties shall have the right to appeal against decisions, sentences and other rulings of courts in Turkmenistan.
- The right to professional legal assistance is guaranteed at every stage of legal proceedings.
- Such assistance is provided to citizens and organizations by lawyers and by other individuals and organizations.

173. In accordance with article 47 of the Constitution, the enjoyment by citizens of their rights and freedoms may be suspended only during the imposition of a state of emergency

or martial law, in the manner and within the limits established by the Constitution and the law.

174. The country's legal framework is being extensively updated, as evidenced by the adoption of important statutory instruments, such as the Social Protection Code of Turkmenistan, the Labour Code, Acts on State guarantees for equal rights and equal opportunities for women and men, on combating trafficking, on the courts system (new version) and others.

175. These instruments include appropriate provisions governing the protection of human rights and freedoms. In particular, the new version of the Courts Act includes provisions entrenching the independence of the judiciary, its subordination to the law and to its inner convictions and enshrining the principles of the independence of judges in the administration of justice. In the administration of justice, the courts uphold the rights and freedoms of citizens and State and public interests protected by law.

176. The legal foundations for the work of lawyers, other entities and individuals engaged in the provision of legal assistance to citizens and organizations in court proceedings for the resolution of civil and arbitration cases, administrative offences and criminal cases is set out in the Bar and Legal Profession in Turkmenistan Act, adopted on 10 May 2010. This Act sets out the procedure for the provision of legal assistance and the rights and obligations of representatives and defenders participating in court proceedings.

177. The new Code of Criminal Procedure was approved by an Act of 18 April 2009 and entered into force on 1 July 2009. The adoption of the new Code was prompted above all by progressive changes in the social and political make-up of the country and is intended to ensure the effective protection of civil rights and freedoms and to help in creating the necessary conditions for further enhancing the rules of criminal procedure on the basis of democratic values.

178. In 1998, an Act was adopted in Turkmenistan on challenges in court to the actions of government authorities, public associations, local government bodies and officials that violate constitutional civil rights and liberties, which laid down the legal framework for complaints brought by citizens in the courts against the actions or decisions of government authorities, public associations, local government bodies and officials violating the constitutional rights and freedoms of citizens, and also the modalities for the consideration by the courts of such complaints.

179. Under article 1 of the Act, any citizen whose constitutional rights or freedoms have been violated or impaired by actions or decisions of government authorities, public associations, local government bodies or officials may file a complaint in court.

180. The Complaints by Citizens and Procedure for their Consideration Act, of 14 January 1999, sets out arrangements by which Turkmen citizens can exercise their right to file complaints against State, public and other bodies, enterprises, organizations and establishments of any type of ownership, and regulates the procedure for considering such complaints.

181. In order further to develop the democratic underpinnings of public and social life in Turkmenistan, to protect individual rights and freedoms enshrined in the Constitution, to ensure better consideration of citizens' complaints concerning the activities of law-enforcement agencies, the State Commission for the consideration of citizens' complaints concerning activities of law-enforcement agencies was established by a presidential decree of 19 February 2007.

182. A new version of the State Constitution – the Constitution of Turkmenistan – is currently being drafted in the Mejlis. It is planned, in the course of its development, to take due account of positive international experience in the protection of human rights and freedoms. In addition, work is under way in the Mejlis on the drafting of a bill directly related to the protection of human rights and freedoms: on the office of a plenipotentiary commissioner for human rights in Turkmenistan. All of this demonstrates that Turkmenistan is focusing on the implementation of the main provisions of international conventions and national legislation relating to the protection of human rights and freedoms.

### C. Mechanisms through which human rights are promoted

183. Matters relating to the development of democratic processes and to the promotion and protection of human rights fall within the remit of the National Institute for Democracy and Human Rights, which was established under the responsibility of the President on 23 October 1996. As a centre conducting theoretical and practical research work in the areas of democracy, rights and freedoms of the individual, the functioning of government and public institutions, the Institute is concerned in particular with scientific and applied research in those areas, in relation to the development of democratic institutions of the State and society and the preparation of proposals for the further democratization of State and public affairs. One important area of the Institute's work is the consideration and analysis of reports, complaints and communications from citizens, and the periodic submission of proposals to the President of Turkmenistan.

184. Another activity performed by the Institute is the organization of legal awareness-raising measures for the population.

185. The journal *Democracy and Law*, published in three languages, English, Turkmen and Russian, was founded by the Institute.

186. An interdepartmental commission on compliance by Turkmenistan with its international human rights obligations was established by a presidential decision of 24 August 2007 to ensure that Turkmenistan met its international obligations in the area of human rights, to facilitate its preparation of national reports on the implementation of international human rights treaties, and to coordinate the activities of ministries, State committees, departments, local authorities, enterprises, institutions and organizations geared towards the country's implementation of its international human rights obligations in that area.

187. By a presidential order of 12 August 2011, the scope of the interdepartmental commission (hereinafter referred to as the "Interdepartmental Commission") was extended to include, besides performance of the country's international human rights obligations, compliance with international humanitarian law.

188. The members of the Interdepartmental Commission include representatives of the Mejlis of Turkmenistan, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Internal Affairs, the Office of the Procurator-General, the Supreme Court, the Ministry of Defence, the Ministry of Economy and Development, the Ministry of Education, the Ministry of Health and the Medical Industry, the Ministry of Labour and Social Protection, the Ministry of Culture, the State Statistics Committee, the Turkmen National Institute for Democracy and Human Rights, the Institute of State and Law in the Office of the President of Turkmenistan, the National Trade Union Centre of Turkmenistan, the National Red Crescent Society of Turkmenistan, the Union of Women of Turkmenistan, and the Makhtumkuli Youth Organization.

189. The National Institute for Democracy and Human Rights has the responsibility of coordinating the activities of the Interdepartmental Commission relating to the country's performance of its international human rights obligations and compliance with international humanitarian law.

190. Over the reporting period, a set of measures has been put into effect with the aim of further strengthening the legal foundations of Turkmen society and upholding the political, economic, social and cultural rights of its citizens.

191. Among important areas of the Interdepartmental Commission's activity are the monitoring of national human rights law and the continuous preparation of proposals on the application of international human rights standards in the legal reform process launched on the initiative of the President of Turkmenistan.

192. Pursuant to the basic goals and tasks of the Interdepartmental Commission, continued efforts are being made to prepare proposals and recommendations to improve national legislation in line with the principles underpinning international human rights standards.

193. Following its drafting by the Interdepartmental Commission, the Executive Code of Turkmenistan was adopted by the Mejlis on 25 March and entered into force on 1 July 2011.

194. The Interdepartmental Commission is engaged in a permanent and active dialogue with the regional representatives of the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNDP, UNICEF, the United Nations Population Fund (UNFPA), the Office of the United Nations High Commissioner for Refugees (UNHCR) and other United Nations agencies and international organizations on issues of human rights, the preparation of national reports, the implementation of the recommendations of the United Nations treaty bodies and the conduct of joint activities.

195. An important role in the activities of the Interdepartmental Commission is played by the practice of holding seminars, consultations and working meetings with the participation of authoritative international organizations, and the study of international best practices in the protection of human rights and freedoms.

#### **D. Reporting process at the national level**

196. The Interdepartmental Commission is preparing national reports on the status of implementation of international human rights instruments for submission to the United Nations treaty bodies. The reports comprehensively review the practical measures taken by the Government of Turkmenistan in terms of the country's human dimension, the development of democratic processes, and the dynamic reform of the sociopolitical system.

197. As a result of the work of the Interdepartmental Commission over the reporting period, national reports on the implementation of human rights conventions ratified by Turkmenistan are being prepared and submitted to the United Nations treaty bodies and the Human Rights Council on a systematic basis and in line with the prescribed schedule.

198. During this period, the following national reports have been prepared and transmitted to the United Nations treaty bodies and the Human Rights Council:

- Common core document (2009);
- National report of Turkmenistan on implementation of the International Covenant on Economic, Social and Cultural Rights (2008);
- National reports of Turkmenistan on implementation of the International Covenant on Civil and Political Rights (2009 and 2015);
- National reports of Turkmenistan on implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2010 and 2015);
- National reports of Turkmenistan on implementation of the Convention on the Elimination of All Forms of Racial Discrimination (2010 and 2015);
- National report of Turkmenistan on implementation of the Convention on the Elimination of All Forms of Discrimination against Women (2010);
- National report of Turkmenistan on implementation of the Convention on the Rights of the Child (2011);
- Initial report of Turkmenistan on implementation of the Convention on the Rights of Persons with Disabilities (2011);
- Initial report of Turkmenistan on the Optional Protocols to the Convention on the Rights of the Child: the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict (2011).

199. From 21 to 28 April 2013, a dialogue was held with the Turkmen delegation in Geneva at the sixteenth session of the United Nations Human Rights Council during the country's report to the Council under the universal periodic review. The Turkmen

delegation held a constructive dialogue with the representatives of the participating countries. During the meeting, the representatives of Turkmenistan provided extensive information on the unwavering implementation of its international commitments, including the implementation of United Nations treaty body recommendations, at the legislative and practical levels.

## **E. Other relevant information on human rights**

200. The Interdepartmental Commission is developing draft national plans and programmes.

201. In order to create the necessary conditions for the enhanced participation of women on equal terms with men in all spheres of social, political, economic, social and cultural life, the President passed an order on 22 January 2015 approving the national action plan on gender equality in Turkmenistan for the period 2015–2020. The national action plan sets out the priority areas of public policy relating to gender equality. The plan includes a range of activities designed to promote gender equality in all spheres of life in Turkmenistan.

202. On 10 April 2015, Turkmenistan was elected to the Executive Board of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) for the period 2016–2018. That election further demonstrated the country's determination to promote gender equality and to cooperate closely with the United Nations in that regard.

203. A draft national action plan for human rights for the period 2016–2021 has been prepared in Turkmenistan and is planned to be adopted before the end of the year. The plan includes specific measures that aim to promote and protect human rights. In developing the Plan, due account was taken of the recommendations of the relevant United Nations Committees and the recommendations adopted by the country in the context of the universal periodic review in 2013.

204. Turkmenistan is engaged in international cooperation on the protection of the rights and lawful interests of children, the protection of motherhood and childhood and is working to ensure compliance with its international obligations in that regard. In Turkmenistan, caring for children as the future generation is one of the priorities of public policy. All the progressive reforms carried out in Turkmenistan are intended to benefit the younger generation. The key provisions of the conventions ratified by Turkmenistan and the laws adopted by the country relating to children's rights are reflected in its national social and economic development programmes.

205. The Convention on the Rights of the Child and other fundamental international instruments in the area of the protection of the rights and legitimate interests of children and young persons have been implemented through the drafting and approval by presidential decision of the 2011–2015 national programme for the early development and pre-school preparation of children. At a meeting of the Interdepartmental Commission a working group was set up to monitor implementation of the programme and prepare proposals for its improvement.

206. On 1 June 2012, the President adopted a decision approving the general programme on the development of the juvenile justice system for the period 2012–2016, with the aim of improving ways and means of protecting children's rights. In addition, to monitor the implementation of the country's general programme to develop the juvenile justice system, a working group has been set up comprising representatives of relevant entities that make up the Interdepartmental Commission, which regularly reports on progress in implementing the programme.

207. Currently, work is under way with UNICEF on a draft national plan of action for children. The draft national action plan for children sets out the main areas of government policy for children, based on the provisions of the Constitution and the principles of the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and other international treaties on children to which Turkmenistan is a party. Work on the draft action plan is still in progress.

208. On 14 December 2007, the Trafficking in Persons Act was adopted. In accordance with the Act, a consolidated State policy has been adopted to combat people trafficking, with a view to protecting individuals and society, improving legislation, regulating matters arising in the process of combating, preventing, detecting and suppressing such trafficking, creating favourable conditions for the physical, psychological and social rehabilitation of trafficked persons, and implementing the international obligations of Turkmenistan to combat people trafficking.

209. Implementation of State policy to combat trafficking is based on the following principles: respect for the rule of law, the ineluctable incurrence of responsibility, non-discrimination against victims of trafficking, ensuring their safe and fair treatment, the combined use of legal, medical, socioeconomic, preventive and awareness-raising measures, cooperation with public associations and international organizations.

210. Counter-trafficking activities in Turkmenistan are exercised by the Office of the Procurator-General of Turkmenistan, the Ministry of Internal Affairs, the Ministry of National Security, the State Border Service, the State Migration Service and the Ministry of Foreign Affairs. The Office of the Prosecutor-General of Turkmenistan is responsible for coordinating efforts to combat people trafficking, while the investigation of criminal cases of this nature is the responsibility of the procuratorial authorities of Turkmenistan.

211. In the interests of ensuring the security of citizens and given the international nature of people trafficking, Turkmenistan prosecutes persons on its territory who are involved in such practices, including in cases where the trafficking or its component stages are conducted outside Turkmenistan and have caused harm to Turkmen citizens and (or) foreign nationals.

212. On 10 May 2018, a new version of the Criminal Code was adopted, which entered into force on 1 July 2010, with the addition of a new article 129<sup>1</sup> (People trafficking). Offences of this nature incur a criminal penalty of deprivation of liberty for period of between four and twenty-five years.

213. In addition, under the Criminal Code, criminal liability is incurred for so-called "associated" offences, such as kidnapping, rape, the satisfaction of sexual needs in perverse forms, forcing a person into sexual intercourse, engaging in prostitution, enticement to engage in prostitution, setting up or maintaining premises for debauchery or prostitution, procurement, pimping, sexual intercourse with a person under 16 and illegal crossing of the State border.

214. As part of its efforts to combat people trafficking, Turkmenistan is cooperating with the competent bodies of foreign States and international organizations engaged in the campaign against such trafficking and working to protect the rights and lawful interests of the victims of trafficking.

215. Under the Code of Criminal Procedure (18 April 2009), which entered into force on 1 July 2009, and the international agreements to which Turkmenistan is a party, the country's law-enforcement agencies submit requests to and, within the scope of their authority, respond to requests from the competent authorities of foreign States for legal assistance in criminal matters and they also carry out extraditions. Where extradition of a requested person is refused because the person in question is a Turkmen national, criminal proceedings may be brought against that person once an appropriate application has been lodged by the competent authority of a foreign State.

216. With a view to promoting and strengthening international cooperation in criminal matters, Turkmenistan has acceded to the Convention on Legal Assistance and Legal Relations in Civil, Family and Criminal Matters (Minsk, 22 January 1993); and has concluded bilateral agreements on legal assistance with Armenia, Georgia, the Islamic Republic of Iran, Turkey and Uzbekistan.

217. In pursuit of the goal to prevent and combat people trafficking, Turkmenistan has acceded to such basic international instruments as the United Nations Convention against Transnational Organized Crime; the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; the United Nations Convention on Slavery; the

Supplementary Convention on the Abolition of Slavery, the Slave Trade, and Institutions and Practices Similar to Slavery; the Protocol amending the Slavery Convention, approved by General Assembly resolution 794 (VIII); and the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

218. Currently, working together with the office of the International Organization for Migration (IOM) in Turkmenistan, the country's authorities have drafted the national plan of action to combat people trafficking for the period 2016–2018.

219. A working group has been set up, comprising representatives of relevant government agencies and civil-society organizations. A number of workshops, training sessions and meetings have been held for the members of the working group. Work is continuing on the national action plan to combat people trafficking for the period 2016–2018.

220. On 13 and 14 May 2015, the IOM office in Turkmenistan, working in cooperation with the Government of Turkmenistan and with the support of the Bureau of International Narcotics and Law Enforcement Affairs of the United States Department of State, organized a regional workshop for law-enforcement agencies on the identification of victims of human trafficking and on arrangements for their reintegration in society. The regional workshop was attended by law-enforcement officers and other public officials, experts and representatives of public and international organizations from Turkmenistan, Austria, Azerbaijan, Kazakhstan, the Russian Federation and Turkey.

221. Over the period January 2012–May 2015, in conjunction with representatives of IOM, 34 different activities were carried out in Turkmenistan, including seminars, training sessions and meetings. During this period, two international conferences were held and two familiarization trips were organized for law-enforcement officials and representatives of public associations, to exchange experience in combating people trafficking. On 17 and 18 June 2015, a regional forum was held in Ashgabat on international cooperation in relation to migration and emergency preparedness.

222. With a view to further enhancing the constructive dialogue on human rights, a joint project of the European Commission, OHCHR and UNDP on strengthening the national capacity of Turkmenistan to promote and protect human rights for the period 2009–2013, initiated by the Government of Turkmenistan, has been launched at the Turkmen National Institute for Democracy and Human Rights. This long-term project began its work in September 2009 and was extended until June 2013.

223. Through this cooperative venture, the following results were achieved:

- Under the project, a continuous constructive dialogue was conducted between State institutions and international organizations on human rights issues. Over the period 2009–2012, several workshops were held, with the participation of international experts, on the methodology for the preparation of national reports, and on the work needed to implement the recommendations of United Nations treaty bodies. In addition, over the reporting period, workshops, round tables and briefings have been held for employees of government entities and representatives of law-enforcement agencies, local administrative authorities and public associations on international standards and systems for protecting human rights, including the rights of women, and on gender equality.
- Workshops and training courses have been run for members of the Mejlis, teachers, trainers and researchers on how to teach human rights.
- One output of the project was the publication of a compilation of international human rights treaties in the Turkmen and Russian languages.
- Over the period 2009–2013, workshops on human rights were organized in Ashgabat and all the provinces for law-enforcement officials, representatives of government agencies, local authorities and public associations. The workshops were held with the participation of international experts from other countries, specializing in the field of human rights protection.

224. On 2 May 2011, as part of the joint project, the Human Rights Information Centre was opened in the National Institute for Democracy and Human Rights. These centres are being set up with the aim of promoting human rights through the provision and dissemination of information about human rights, thereby raising public awareness. To this end, a library has been set up for visitors to the centre, which includes publications by OHCHR, theoretical material, teaching aids, reference literature in this area, Internet resources and other materials.

225. Work is under way in the information centre on a project for the establishment and management of a database in the field of human rights to ensure the availability of the necessary information for visitors; steps are also being taken to encourage use of the human rights library and the law database and to organize round tables, lectures and briefings on human rights issues for the public. The centre regularly hosts public discussions, meetings and round tables on issues relating to the shaping of the State legal system, the exercise of civil rights and freedoms and the further development of civil society, with the participation of government officials and community leaders, members of the academic community and international organizations and researchers from the National Institute for Democracy and Human Rights.

226. The resource centres carry out their activities with the aim of promoting human rights by providing and disseminating information on national legislation and international human rights standards. Thus, round tables and seminars have been organized over the years in all the centres, covering such matters as the country's implementation of its international human rights obligations, the process of upgrading national legislation, the constitutional reform exercise, the drafting of a bill on the office of human rights commissioner and other pressing issues of legal reform.

227. Comparable human rights resource centres have been set up at a number of the country's leading higher education institutions, such as the State Energy Institute of Turkmenistan in Mary, the S. Seidi Turkmen State Pedagogical Institute in Türkmenabat, the Turkmen Agricultural Institute in Daşoguz and the subsidiary campus of the Turkmen State Oil and Gas Institute in Balkanabat.

228. The primary objective of the Government's health policy is to create conditions enabling citizens to exercise their right to health care to the full. The Government of Turkmenistan is funding the following programmes aimed at protecting and strengthening the health of citizens and developing the health-care system:

- State health programme of Turkmenistan (2015);
- State programme for the development of the health sector in Turkmenistan for the period 2012–2016;
- State programme for the development of the medical industry of Turkmenistan for the period 2011–2015;
- National programme for the development of the health spa network of Turkmenistan;
- Immunization campaign over the period until 2020;
- National programme for healthy nutrition in Turkmenistan for the period 2013–2017;
- National programme for early childhood development and school preparedness for the period 2011–2015;
- National programme to combat HIV infection for the period 2012–2016;
- National reproductive health strategy in Turkmenistan for the period 2011–2015;
- National strategy and plan of action for protection of the health of mothers, newborn infants, children and teenagers in Turkmenistan over the period 2015–2019;
- National programme to improve perinatal care in Turkmenistan for the period 2014–2018;

- Strategy to combat malignant tumours of the breast and cervical cancer in Turkmenistan;
- National strategy for the prevention and control of tuberculosis in Turkmenistan for the period 2008–2015;
- National breastfeeding protection and support programme;
- Primary resuscitation and neonatal care programme;
- Integrated management of childhood illness programme;
- Anaemia prevention and control programme;
- National programme for the prevention of measles and congenital rubella infection in Turkmenistan;
- National plan for the prevention of relapsing malaria for the period 2010–2015;
- National plan of action on gender-based violence for the period 2012–2016;
- National strategy for the implementation of the Ashgabat Declaration on the prevention and control of non-communicable diseases in Turkmenistan for the period 2014–2020.

229. To safeguard the health of the population, large-scale public interventions are actively being carried out in Turkmenistan with support from UNICEF in such areas as salt iodization, flour fortification with iron and folic acid.

230. Turkmenistan is the fourth country in the world and first in the Commonwealth of Independent States to have attained the target of universal salt iodization. After receiving the international certificate under the Universal Salt Iodization programme, regular biological monitoring was carried out, confirming that 100 per cent of the country's businesses use iodized salt. It should be noted that the flour currently used by the population of Turkmenistan is fully fortified with folic acid and iron.

231. Over the period 2009–2014, Turkmenistan received the following international certificates and awards:

- Based on an assessment of the malaria situation in Turkmenistan, conducted in 2009 and 2010 by research teams from WHO, a follow-up expert review by WHO and the final recommendation by the Chair of the twentieth meeting of the WHO Expert Committee on Malaria, WHO decided to include Turkmenistan in the list of countries where malaria has been eliminated (2010);
- The State Medical University of Turkmenistan received the European Quality Award (2011). The granting of this award attests to the high standard of the existing education system, which is on a par with the best examples of the provision of educational services by comparable institutions in Europe, and serves as recognition of the professionalism of the teaching staff, the quality of research and development, and the formulation and conduct of international programmes;
- Award for excellence in the fortification of wheat flour produced in Turkmenistan with iron and folic acid (2011);
- Confirmation that there were no cases of measles and rubella in Turkmenistan (2012);
- Inclusion of the State Medical University of Turkmenistan in the Avicenna Directory of academic institutions of the medical health professions (now the World Directory of Medical Schools) (2012);
- Award to the President of Turkmenistan of the WHO Director-General's Special Recognition certificate for contributions to global tobacco control (2014).

232. Turkmen citizens are guaranteed the right to free medical care in State health-care institutions under the programme of State guarantees for the provision to citizens of free medical care (Cabinet of Ministers decision No. 6515 of 29 December 2003, Ministry of Health and the Medical Industry orders No. 33 of 2004 and No. 43 of 2005).

233. Primary health care is the main type of medical care available to every citizen. It is provided free of charge by the treatment and prevention facilities of the public health system and it includes:

- Treatment of the most common diseases and injuries;
- Organization of outreach activities on immunization and protection against certain infectious diseases;
- Conduct of public awareness-raising on health issues, how to address them and how to prevent disease;
- Conduct of mother-and-child health programmes, including reproductive health issues.

234. With resources from the State budget, the Government funds a number of targeted programmes and services, including psychiatric care and cancer, tuberculosis and drug treatment.

235. Targeted efforts are under way in Turkmenistan to achieve and maintain high levels of immunization coverage under the national immunization programme. The high level of vaccination coverage of the population has led to a significant reduction in the incidence of vaccine-preventable infections and even to the total elimination of some of them. Thus, in 2014, the level of immunization coverage among children was above 98 per cent and, among persons over the age of 18, above 99 per cent, higher than the 95 per cent level recommended by WHO. Immunization kits are paid for by the Government of Turkmenistan.

236. Turkmenistan has made some progress in the area of health-related targets for mothers and children; steps are being taken to ensure the systematic application of specific approaches and interventions successfully tested around the world.

237. The application in Turkmenistan, in 2007, of the WHO criteria on live births and stillbirths led to a steady increase over the following three years in the recorded infant mortality rate, reaching its highest level in 2010 (with an increase in infant mortality per 1,000 live births to 15.8 from 11.2 in 2006). Since 2011, however, there has been a steady, moderate decline and, in 2014, the rate measured 11.9.

<i>Indicators/years</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Under-five mortality rate (per 1,000 live births)	19.5	19.2	18.0	16.9	15.8	14.6
Infant mortality rate (per 1,000 live births)	15.3	15.8	15.1	13.4	12.9	11.9
Percentage of children aged 1 who have been vaccinated against measles	99.4	99.3	99.3	98.8	99.0	99.3

*Source:* Figures from the Ministry of Health and the Medical Industry of Turkmenistan.

238. An assessment of trends in infant and child mortality over the period 2009–2014 demonstrates a steady downward movement in these indicators. The decline in infant mortality (by 25 per cent) and in child mortality (by 23 per cent) is proof of the effectiveness of the country's health-care programmes.

239. Programmes to protect the health of mothers and children are integrated into the primary health-care system and included in the curricula of the medical university and medical colleges.

240. Early antenatal care coverage for pregnant women has reached the level of 96 per cent.

241. The network of Ene Mähri (“Mother’s love”) centres has been set up in Ashgabat and all regions in response to the need to provide services of the highest quality, using modern equipment and the latest technologies. The centres are kitted out with state-of-the-art equipment and essential medicine for the care of underweight children from 500 grams. The prospects of survival are considerably increased for newborn infants through the use of these technologies and, with them, the possibilities for women to enjoy motherhood.

Specialists at the centres carry out screening tests for anaemia, metabolism, intrauterine condition of the fetus, screening for viral infections, HIV/AIDS, examinations to determine group and rhesus incompatibility and its treatment.

242. Screening tests make possible the early diagnosis of cervical cancer and breast cancer in women.

243. The Ene Mähri centre in Ashgabat is equipped with a laboratory for assisted reproductive technologies (in vitro fertilization), through which women and their spouses are able to exercise their reproductive rights. The centre's genetics laboratory is fitted with the latest equipment for the early diagnosis of hereditary diseases. Thanks to the biomaterials bank maintained by the centre, men and women with forms of cancer will be able more effectively to exercise their reproductive rights and not to feel subject to discrimination in this regard.

Indicators/years	2009	2010	2011	2012	2013	2014
Maternal mortality rate per 100,000 live births	11.5	6.9	5.9	3.8	3.1	3.0
Proportion of births attended by skilled health personnel, per cent	99.9	99.9	99.9	99.9	99.9	99.9

*Source:* Figures from the Ministry of Health and the Medical Industry of Turkmenistan.

244. Maternal mortality and morbidity rates are perceptibly dropping as social and economic conditions in the country improve, the rights of women are further advanced, their social status rises and the quality of services in maternity facilities grows better and better. Over the period 2009–2014, maternal mortality has decreased by a factor of 3.5, dropping from 11.5 to 3 cases per 100,000 live births.

245. Only a small proportion of all births – 0.1 per cent – take place at home, meaning that, over the past decade, 99.9 per cent of births took place in health facilities with trained medical staff. In 2014, the number of deliveries by caesarean section as a backup to reduce perinatal and maternal mortality was 8.4 per cent of the total, below the level recommended by WHO (15 per cent).

246. Evaluations of the national safe motherhood programme for the period 2007–2011, conducted by the Ministry of Health and the Medical Industry (2009, 2011, 2012) with the support of UNFPA, UNICEF and WHO, demonstrated a steady and uninterrupted provision of antenatal care throughout the pregnancy and postpartum period. The evaluations also showed the high coverage (99 per cent) of early antenatal visits (up to 12 weeks).

247. To ensure universal access to reproductive health services, and also in pursuit of Millennium Development Goal 5, target B, a gender-sensitive system of reproductive health services has been created in the country. The system operates on the basis of a network of reproductive health centres for women, men and adolescents established throughout the country. Services are provided at three levels: by family doctors, by reproductive health clinics (105 clinics), and by six regional centres and the national centre for reproductive health through its scientific and clinical centre for maternal and child health care.

248. The reproductive health service ensures the availability to the population of all family planning services, including free consultations on sexual and reproductive health issues. Contraceptives are distributed free of charge through reproductive health centres and clinics, and counselling and information materials are made available. Given the importance of reproductive health issues, the State ensures the supply of contraceptives by including them in the list of essential medicines (10 types of contraceptives). The establishment of a reproductive health service in Turkmenistan, along with the abortion-prevention work being carried out, has made it possible to reduce the level of abortions, to increase the interval between pregnancies to an average of 2.5 years and to reduce the morbidity rate among women of childbearing age.

249. In 2009, the coverage of women of childbearing age with various types of contraception was 32.5 per cent; and, in 2014, 25 per cent. The drop in the level of this indicator is attributable to the active work of the reproductive health clinics and a sounder

approach to the use of contraceptives for the purpose of improving women's health and increasing the birth rate.

Indicators/years	2009	2010	2011	2012	2013	2014
Proportion of population using contraceptives, percentage	32.5	31.6	32.6	29.3	27.0	25.0

*Source:* Figures from the Ministry of Health and the Medical Industry of Turkmenistan.

250. A new system for assessing the quality of family planning services and identifying risk groups was introduced in 2013, designed to improve the health of expectant mothers in a targeted manner. Under this approach, the quality of services provided to women of childbearing age can be monitored by the reproductive health clinics, with a view to upholding the principles of safe motherhood.

#### **Incidence of disease in Turkmenistan over the period 2009–2014 (per 100,000 inhabitants)**

	2009	2010	2011	2012	2013	2014
Incidence of disease	18 448.0	18 270.8	18 085.4	17 932.6	17 790.8	17 690.7
Infectious and parasite diseases	677.7	581.3	538.5	413.1	372.2	343.8
Non-communicable diseases	13 409.9	13 111.0	12 619.2	12 539.9	12 531.0	12 470.2

*Source:* Figures from the Ministry of Health and the Medical Industry of Turkmenistan.

251. Over the period 2009–2014, the incidence of disease for the population as a whole declined by 4 per cent, with the incidence of certain infectious and parasitic diseases being halved and that of non-communicable diseases declining by 6 per cent.

#### **Prevalence of disease in Turkmenistan over the period 2009–2014 (per 100,000 inhabitants)**

	2009	2010	2011	2012	2013	2014
Prevalence	32 478.4	31 958.8	30 959.7	29 282.7	28 793.9	28 513.0
Infectious and parasite diseases	1 119.4	979.3	950.4	699.0	636.9	572.1
Non-communicable diseases	25 225.0	24 890.2	23 979.2	22 524.8	22 176.5	21 893.8

*Source:* Figures from the Ministry of Health and the Medical Industry of Turkmenistan.

252. Over the period 2009–2014 the prevalence of disease in the population as a whole declined by 12 per cent, with that of certain infectious and parasitic diseases being halved and of certain non-communicable diseases dropping by 13 per cent.

253. Turkmenistan has been very active in combating smoking. The Parliament of Turkmenistan ratified the WHO Framework Convention on Tobacco Control in May 2011 and acceded to the Protocol to Eliminate Illicit Trade in Tobacco Products in August 2014.

254. The Act of December 2013 on protecting the health of citizens from exposure to tobacco smoke and the consequences of tobacco consumption placed restrictions on the consumption of tobacco in public places. Taxes on the import of tobacco products have been increased, new prohibitions have been imposed and requirements and new standards introduced (2011) for the packaging and labelling of tobacco products. Since 2015, the packaging must carry graphic images (pictograms) illustrating harm to health. The ban on all direct advertising came into force in 2011. It is prohibited to sell or give tobacco products to persons under the age of 18 years.

255. Under the Code of Administrative Offences (2013), fines are imposed for smoking in public spaces, including in the street. Under the rules of the road, drivers are not allowed to smoke in their vehicles.

256. As required under the Framework Convention on Tobacco Control, a national action plan on tobacco control for 2012–2016 has been drafted and is being implemented jointly with the WHO Regional Office. Tobacco dependency treatment is one of the key actions in the action plan. These services are provided by nine confidential support centres located in Ashgabat and all the provincial centres, which operate special helplines for anonymous tobacco control counselling.

257. In order to assess the baseline situation for the prevalence of major risk factors for non-communicable diseases and to improve the planning of prevention and control activities, a survey using the WHO STEPS methodology was conducted in 2013. As confirmed by the findings of the STEPS survey, Turkmenistan is the country with the lowest tobacco use rate in the European region – 8 per cent.

258. A study of the health behaviour of school-age children, following WHO methodology, was carried out in 2011 among 15-year-olds and in 2013 among 13 and 17-year-olds, with support from UNFPA. When asked if they had “ever used” cigarettes, tobacco, pipes or shishas, 0.7 per cent of boys and girls in the 13-year-old category answered positively; the corresponding rates among 15-year-olds were 5.9 and 1.0 per cent respectively; and, among 17-year-olds, 6.9 and 1.2 per cent.

259. In addition to tobacco-control efforts at the national level, Turkmenistan has been actively supporting and promoting regional initiatives in this area. Thus, in July 2015, at the International Medical Forum in Ashgabat, a project jointly prepared with the WHO Europe Office was submitted on implementing the Ashgabat Declaration for a tobacco-free Europe.

260. Turkmenistan has been supporting the WHO strategic plan for the European region on the move from malaria control to elimination by 2015. A national programme and national strategic plans for the elimination of malaria and for the prevention of the return of malaria have been adopted for the period 2005–2010 and are being put into effect.

261. Positive results have been achieved through the application of well-organized antimalarial measures and continuous epidemiological surveillance. In 2010, based on their assessment of the malaria situation in the country, WHO experts added Turkmenistan to the list of countries which had succeeded in eradicating malaria. At the current time, efforts are continuing to maintain the country’s malaria-free status.

262. The epidemiological situation with regard to tuberculosis is the focus of close attention by the Government of Turkmenistan and the Ministry of Health and the Medical Industry. The current national strategy for the prevention and control of tuberculosis in Turkmenistan for the period 2008–2015 is based on the WHO Stop TB strategy and the international Stop TB Partnership. Pursuant to an order of the Ministry of Health and the Medical Industry and in accordance with the WHO programme, following a diagnosis of bacillary tuberculosis, patients are treated with short courses of chemotherapy under the direct observation of a doctor (DOTS programme).

263. Tuberculosis-related issues are included in the postgraduate syllabus of the State Medical University for all health professionals, including those from the prisons sector of the Ministry of Internal Affairs and medical officers under the Ministry of Defence.

264. Under an agreement with WHO, Turkmenistan submits annual data on the epidemiological situation in the country. These include such matters as prevalence of disease, morbidity, mortality, the number of new cases with smear-positive pulmonary tuberculosis, the number of patients undergoing treatment and the effectiveness of treatment. The data are published in the annual WHO report *Global Tuberculosis Control: Surveillance, Planning, Financing*.

265. In 2010, the Infectious Diseases Centre was opened, with a 16-bed unit for the prevention and treatment of tuberculosis. Staff and patients from the tuberculosis control institute have been transferred to this unit. This centre is equipped with state-of-the-art European X-ray and fluoroscopic machines.

266. Since 2008, the laboratory at the tuberculosis prevention and treatment unit has been sponsored by the supranational reference laboratory in Bilthoven, Netherlands, and in 2009 received its certification from that laboratory. Under the guidance of the supranational

laboratory, a molecular genetic diagnostic method has been introduced, using Hain-test technology, at the central and provincial levels, supported by specialist training.

267. Since 2014, external quality control of the laboratory diagnosis of tuberculosis is performed under a contract concluded between the Institute of Microbiology and a medical laboratory in Germany.

268. Work has been launched on the introduction of new organizational models for the assistance of tuberculosis patients (outpatient treatment) and the upgrading of existing inpatient facilities. Tuberculosis control services have been integrated into the primary health-care system.

269. Joint work is increasingly being carried out with other ministries and government departments involved in implementing the national tuberculosis control programme, with a view to conducting and encouraging social campaigns to prevent the spread of tuberculosis and, ultimately, to eliminate tuberculosis as a public health problem.

270. A computer-based register of tuberculosis patients is being developed and the software programme e-TB Manager is being piloted in the province of Mary. The number of new cases of tuberculosis is declining annually, and the incidence of tuberculosis declined by 31 per cent over the period 2009–2014 (from 61.5 to 42.6); prevalence of the disease was cut by 42 per cent (from 211.1 to 121.6) and mortality by 47 per cent (from 6.5 to 4.1). Treatment efficiency indicators remain high.

<i>Indicators/years</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>
Tuberculosis incidence rate (per 100,000 inhabitants)	61.5	56.0	51.0	48.0	48.6	42.6
Tuberculosis prevalence rate (per 100,000 inhabitants)	211.1	187.5	174.2	156.8	143.6	121.6
Tuberculosis mortality rate (per 100,000 inhabitants)	6.5	5.7	5.3	4.4	4.5	4.1
Number of cases of tuberculosis diagnosed and treated by the DOTS method	1 370	1 153	1 137	1 147	1 220	1 116

*Source:* Figures from the Ministry of Health and the Medical Industry of Turkmenistan.

271. A wide range of measures are being carried out in Turkmenistan for the prevention and control of viral hepatitis. All patients with viral hepatitis A and E are systematically registered, and the incidence of the disease is regularly analysed. In addition, hepatitis A vaccination programmes are conducted among vulnerable groups in potentially epidemic-prone areas. Between 2009 and 2014, the incidence of hepatitis A decreased by 38 per cent and that of dysentery by a factor of seven.

272. Full-course vaccination of newborns against hepatitis B (three doses) began in 2001, and additional campaigns were carried out in 2013 and 2014 to vaccinate adolescents aged 13–17. The full-course vaccination of newborn infants against hepatitis B (three doses) was launched in 2001. Additional campaigns were conducted in 2013 and 2014 to vaccinate adolescents between the ages of 13 and 17. All health workers at high risk of contracting viral hepatitis and those from at-risk groups handling medical waste receive mandatory vaccination against hepatitis B, free of charge.

273. Efforts to prevent HIV/AIDS are led by the National AIDS Prevention Centre, five regional AIDS prevention centres and 36 specialized diagnostic laboratories. AIDS prevention services include public awareness-raising, preventive measures, pre- and post-HIV-test counselling, testing for HIV infection, and preparing and producing age-appropriate and target group-specific information materials.

274. The national programme focuses on the response and prevention of risk factors, such as hospital-acquired HIV transmission, by ensuring safe blood donation and medical procedures; mother-to-child, needle-sharing and sexual transmission of HIV; prevention of HIV transmission in the prison system.

275. Cost-free and mandatory HIV tests are administered in Turkmenistan for blood donors and recipients, pregnant women, medical staff who have contact with body fluids,

patients undergoing surgery and those with cancer, tuberculosis, hepatitis B and C, herpes and other infectious diseases. HIV diagnosis is also carried out in anonymous counselling and testing units in AIDS prevention centres. In addition to HIV testing, specialists at the centres provide pre- and post-test counselling. By use of the centre's helpline, members of the public, including those from high risk groups, can obtain the information that they need without restriction and free of charge.

276. In 2010 a back-up stock of antiretroviral medication was established, and this is replenished annually.

277. Regular courses are run to build the capacity of health workers to diagnose and treat HIV/AIDS. The staff of specialized diagnostic laboratories have been trained in all the latest HIV diagnosis techniques by Turkmen instructors who have received training abroad, in such countries as Austria, the Russian Federation, Ukraine and others. The test kits are purchased with funds from the State budget, through UNICEF, under a special memorandum.

278. An information resource centre for women placed at risk by their behaviour has been in operation since 2007, jointly run by UNFPA. The centre is part of the National AIDS Prevention Centre and is financially supported by UNDP.

279. In a joint effort with international experts, national guidance manuals and clinical protocols on HIV infection have been prepared in two languages (Turkmen and Russian).

280. Since 2008, a subject entitled "Basics of life safety" has been introduced in schools, in which schoolchildren and teenagers are taught about HIV/AIDS prevention, reproductive health and healthy lifestyles. Workshops on HIV/AIDS and sexually transmitted infections are held in different regions for teachers taking classes in basic life safety.

281. Awareness-raising activities on HIV/AIDS-related issues are carried out on an extensive scale, including for teenagers and young children, providing information on how the virus is transmitted and how to protect against it. Young people are able to obtain free advice from a psychologist and gynaecologist by calling the helpline of the information centre of the Ministry of Health.

282. With support from UNFPA, two youth centres have been opened in the cities of Ashgabat and Mary at which peer-to-peer awareness-raising events are held for young people on HIV/AIDS prevention issues.

283. Labour relations in Turkmenistan are currently governed by the Labour Code, ratified by an Act of 18 April 2009. The Code was drafted on the basis of the Constitution, which establishes the rules and principles of labour law as enshrined in the instruments of ILO, of which Turkmenistan has been a member since 1993, and the standards of international law. Since July 2009, a number of standard-setting legal instruments have been developed and approved in fulfilment of the provisions of the Labour Code regulating labour and related relations.

284. The transition to market relations has led to fundamental changes in the domain of work, relating to employment, labour relations, wages, labour protection and other matters. Efforts to resolve labour problems in Turkmenistan at the current stage also involve the formation of a single, cross-territory labour market and the introduction of international labour standards, taking into account the specific features of the country's economy and the mentality of its people. The stepping up of market reforms required the formation of a consolidated State policy covering all components of labour activities and arrangements for its implementation. In these conditions, there was an obvious need to create a specialized management body which would ensure the implementation of the State policy in the labour market, the regulation of labour relations and of people's incomes, social support for young people, the disabled and other socially vulnerable categories of the population, and other functions. This body is the Ministry of Labour and Social Protection, established by presidential decree in April 2011.

285. The newly created Ministry of Labour and Social Protection has taken over the functions exercised by the self-financing labour exchanges of the local executive authorities of the provinces and the city of Ashgabat, and labour and employment offices and units

have been formed on their basis. The main tasks and functions of the above-mentioned bodies consist in the creation of jobs, the registration of job-seekers, the provision of accurate, comprehensive and up-to-date information on employment opportunities, prompt assistance in finding work, an effective response to changes in the labour market, the provision to enterprises, organizations and institutions of intelligence about the labour market and assistance with the recruitment of workers when needed, and the creation of databases on labour supply and demand.

286. The principal functions of the labour and employment offices and units also include providing vocational guidance, training and retraining unemployed citizens to meet the growing needs of the market for workers with the necessary skills.

287. On 2 May 2015, with the aim of raising the social and living standards of the population, creating ample opportunities and conditions for the exercise of citizens' constitutional right to work, increasing the availability of jobs for the population and developing the country's productive capacity, the President of Turkmenistan issued a decision approving a programme for the period 2015–2020 to enhance the employment sector and create new jobs in Turkmenistan, together with an action plan for the programme's implementation. Ministries, industry bodies, local executive authorities of the provinces and the city of Ashgabat are responsible for ensuring that the action plan is put into effect, with due account for the development prospects of the economy of Turkmenistan, in accordance with its national programmes.

288. Currently, Turkmenistan is successfully implementing a number of ambitious programmes and projects aimed at achieving sustainable economic growth and improving the standard of living and quality of life of the people. Among the country's priorities is the creation of industrial and innovative production facilities whose output can compete on the world market. In the area of social development, the country faces the task of boosting real incomes for the Turkmen population by ensuring maximum employment for the labour force.

289. In this connection, growing importance attaches to the sound use of available labour resources, the creation of an integrated and modern system to provide trained professionals to economic and services sectors, and measures to improve the operation of the labour market, while respecting the constitutional right of all persons to work and freely to choose their occupation.

290. It is planned to enhance the quality of the country's human resources by upgrading the system of staff training, retraining, in-service training and advanced training; to provide job-finding assistance, in particular for young people graduating from vocational colleges; to promote entrepreneurship, including through the creation of additional jobs in small and medium-sized enterprises; and to ensure the necessary conditions on the labour market for citizens with low competitiveness.

291. Work will continue to improve the provision of information on the state of the labour market. To this end, extensive use has been made over the past few years of media outlets, and information on job vacancies is published every month in all provincial newspapers and in the capital, in the newspaper *Ashgabat*. In addition, job fairs are held on a regular basis. Another task on the agenda is the remote provision of assistance in finding employment.

292. The priority tasks include improving the system of education, in-service training and retraining in line with the needs of different branches of the economy, necessitating the building of professional knowledge and skills, the updating of professional competences in the light of modern advances in science and technology and of international practice, the acquisition of new professions, occupations and skills. The in-service training and retraining of staff (blue-collar workers, white-collar workers and professionals) may be provided on both a State-funded and a contractual basis in educational establishments of all types, in scientific organizations and in companies and other organizations duly licensed to conduct educational and training activities, and shall be provided in the manner prescribed by the in-service training and retraining programmes.

293. The plan also provides for the development of promotional activities aimed at ensuring appropriate working conditions for young professionals in the field, including in remote areas, and improved procedures for determining the specialist areas and directions for the training of professional personnel abroad. All activities in this areas are coordinated by the Ministry of Labour and Social Protection. Implementation of the programme and the action plan is helping to keep the situation in the domestic labour market stable, predictable and manageable during the planned period.

294. One of the priority aims of the reforms under way in the country is to ensure the continuity of education and its comprehensive improvement to a world-class level. The country's education reforms cover almost all levels of the national education system, including preschool education, and are aimed at providing the younger generation with quality education in line with international standards. The time frame and content of preschool, school, university and postgraduate training have been radically revised.

295. Under the current Education Act, Turkmen citizens are guaranteed access to education, regardless of their ethnic affiliation, race, sex, origin, property and employment status, place of residence, language, attitude towards religion, political views, party affiliation or lack thereof, and age and health condition.

296. The State guarantees citizens general and cost-free access to education in public schools, and access, on a competitive basis, to free vocational education in State educational institutions, provided the citizen concerned is receiving this vocational education for the first time, in the manner prescribed by the current Act (art. 4).

297. The State programme for the development of the education system of Turkmenistan for the period 2012–2016, approved by presidential decree, provides for a wide range of measures for the fundamental transformation of the country's education system in all its areas.

298. On 1 March 2013, a new page was opened in the history of the reform of the educational system. The presidential decree on upgrading the education system in Turkmenistan and the resolution on the provision of general education in Turkmenistan, which approved the programme for the transition to the 12-year general education cycle in Turkmenistan, referred to as "secondary education", gave powerful impetus to the new round of reforms in this critical area. The new version of the Education Act was adopted in May 2013 and the regulations on the State children's preschools, the regulations on State general education institutions, the regulations on initial-level State vocational education institutions, the regulations on intermediate-level State vocational education institutions, and the regulations on State higher vocational education institutions were all approved by a presidential resolution of 2014. In 2015, the State standard for pre-school education was approved by order of the Ministry of Education.

299. In accordance with the relevant instruments, the transition to the 12-year general education cycle commenced with the 2013/14 school year. Children are admitted to the first grade from the age of 6.

300. According to the approved programme for the transition to the 12-year general secondary education cycle in Turkmenistan, general secondary education is to be structured as follows:

- Primary education (grades 1–4);
- Basic secondary education (grades 5–10);
- General secondary education (grades 11 and 12).

301. The principal purpose of the third educational level is to provide the necessary conditions for specialized courses, which represent the final stage of general secondary education. Under the programme for the transition to a 12-year cycle, a number of new subjects have been introduced in the curriculum of secondary schools, such as basic economics, environmental studies, the cultural heritage of Turkmenistan, world culture, social conduct, information and communications technology and technological innovation, mathematical modelling and graphics. There is a network of specialized secondary schools, growing year by year, offering the intensive study of foreign languages.

302. The transition programme also defines the basic professional requirements of teaching staff and the competences which should be fully possessed by the modern teacher. To this end, it is planned to perfect and update the teaching methods, to introduce new and modern technologies and interactive educational methods and approaches and to promote full proficiency in this area.

303. New curricula and programmes have been developed and approved and, on their basis, textbooks and manuals have been prepared for preschool institutions, general education secondary schools and intermediate vocational and higher education establishments, drawing on the best national and international experience.

304. According to the Education Act, preschool education meets the needs of raising and educating children in early childhood, laying the groundwork for the physical and intellectual development of individual children, exposing them to national and universal spiritual and cultural values, and making possible the identification of their abilities and talents. To assist families, Turkmenistan has a network of preschool institutions for the upbringing and education of children of pre-school age. The preparation of pre-school age children for entry into the primary educational programme is an integral part of preschool education, which is compulsory and is carried out in the family, or in preschool or other educational institutions. In line with the programme for the transition to the 12-year general secondary education cycle and the existing regulations on State preschool establishments, children are brought up and educated in them from the ages of 1 to 6.

305. A national programme for early childhood development and school preparedness for the period 2011–2015, approved by presidential decree, is being implemented in Turkmenistan. A cross-sectoral approach is being followed in implementing the programme, which was developed with the involvement of a number of ministries and departments and the support of the UNICEF Office in Turkmenistan. The national programme includes activities relating to the early development of all children, including those with special needs, to ensure their preparedness for school and to improve parenting skills.

306. In line with the national programme for early childhood development and school preparedness, a new subject – “Preschool education” – has been added to the curriculum of intermediate-level teacher training colleges. The subject includes a module on early childhood development, which now forms part of the practical training of preschool teachers in these institutions.

307. Since the 2014/15 academic year, a specialized course in preschool education and upbringing has been offered at the S. Seidi Turkmen State Pedagogical Institute. For this specialized course, 26 subject curricula were developed and approved in accordance with the national programme and standards for early childhood development and school preparedness.

308. In addition to studying the age-related, physiological and psychological characteristics of pre-school age children, students at teacher training colleges and the Pedagogical Institute learn about early childhood development, ways of working together with families, the work of preschool principals and teachers, and the role of families in this important stage of life. During their internships in established preschool establishments, the students put into practice the theoretical knowledge that they have acquired and develop and hone skills in working with children and their parents, take part in exercises to monitor the progress, skills and preparedness of children in the older groups (preparatory classes) of such schools, learn how to apply the current rules for the preparation of children for school and the standards of preschool education.

309. Under the programme, the Ministry of Education of Turkmenistan and the UNICEF Office in Turkmenistan jointly opened pilot centres for early childhood development, including for children with special needs who are home-schooled and do not attend children’s preschool establishments. At these centres, specialists in this field give classes (following the inclusive education approach) and conduct other developmental and educational activities to prepare these children for school and attention is also given to improving their health. Classes are held at these centres for parents, who receive theoretical

and practical guidance in the education and upbringing of their children and for work in the home to prepare them for school.

310. On 1 September 2014, a speech therapy centre was opened at Kindergarten No. 6 in Ashgabat. The centre is open every Saturday at set hours and is run on a voluntary basis. Specialists at this kindergarten run regularly scheduled sessions at which they work on the speech impairments of children of preschool and primary school age, who are brought by their parents to the speech therapy clinic (about 500 children per year).

311. The network of parent education centres in the country, which were initially set up as pilot centres with the UNICEF Office in Turkmenistan, has been expanded. At the current time, the network of parent education centres includes branches in each district, located at existing kindergartens and schools. In line with the national programme for early childhood development and school preparedness and in compliance with present-day preschool education requirements, new regulations have been compiled and approved on parent educational centres, new training programmes have been developed on the education (preparation for school) of children of preschool age, including those with special needs, and on classes for parents of such children with a view to providing theoretical and practical guidance and advisory support in preparing their children for school, their development and their home-schooling. In these centres, in addition to regular classes, counselling is available for all those seeking such assistance.

312. With a view to strengthening pre-primary education and the provision of educational services for preschool children, their parents and their families, questionnaires have been developed in cooperation with an international consultant and these were used in February 2015 in Lebap province in a survey of preschool establishments. Interviews were held with teachers and parents of preschool children who attend classes at the parent education centres on questions relating to early childhood development, the preparation of children for school, the honing of parenting skills and the capacity of preschool establishments and the parent education centres to provide such services. Based on the results of the surveys conducted by the international consultant, methodological recommendations and advice were prepared by the specialists at the pilot parent education centres in Lebap province and put to the test in their practical activities.

313. In connection with the transition in March 2015 to the 12-year general secondary education cycle, the National Institute conducted a sample survey of pupils in the first grade of schools in the provinces and the city of Ashgabat, using specially designed questionnaires and tests to study the extent to which six-year-old children are adapted to a school environment, the effectiveness and productivity of educational work carried out with them in the school, the development of curricula and the level of knowledge, understanding and skills in specific subjects (mathematics, writing, reading and foreign languages).

314. Annual exercises are carried out to monitor the degree of readiness of all children in the older groups (preparatory classes) at kindergartens to proceed to school, the level of their knowledge, skills and competences in accordance with the current programmes, standards and requirements of preschool education. Based on an analysis of the results for each child, an assessment is drawn up for submission to the school when the child enters the first grade. These assessments are an important source of information for primary school teachers.

315. The national programme for early childhood development and school preparedness is yielding positive results. Thus, over the past two years (2014 and 2015) more than 90 per cent of children of preschool age have undergone some form of preparation for school.

316. Another area where joint activities are being conducted with UNICEF is the introduction into the country's education system of the international child-friendly schools initiative, aimed at giving effect to the right of every child to good quality education. The child-friendly schools initiative is based on a multidimensional approach to quality, by and large covering the following aspects: schooling should be actively inclusive and child-oriented; effective for each child in terms of teaching; gender-sensitive; provide a healthy, safe and protecting environment; work in close partnership with parents and the community, and be supported by strong leadership and management practices.

317. With technical support from UNICEF, Turkmen specialists have developed their own model child-friendly school (CFS) certification package, based on the core CFS criteria, including the effectiveness of the educational process, active and joint participation of teachers, parents and the entire community in the lives of the schoolchildren, who must be at the centre of their benevolent attention.

318. Standards, indicators and assessment tools for raising schools to the status of child-friendly schools have been developed and tested. Following its successful validation at the national level, with the involvement of all stakeholders and also international experts, the certification package has now been finalized with a view to its submission in application for CFS certification for the schools of Turkmenistan. The package meets the benchmark for a high-quality learning environment in accordance with international standards. Work is under way on the pilot implementation of the certification package.

319. Prior to 2014, the number of schools with CFS status in Turkmenistan was limited to 26 pilot schools, but thanks to the effectiveness of the approach itself and national support for the promotion of good quality education, there are currently some 80 schools in operation in the country which have been granted international CFS status.

320. As part of the CFS project, particular importance was attached to component of disaster risk reduction in education and, in 2012, piloting started of a project on disaster risk reduction in the education system. An inter-agency working group on disaster risk reduction has been set up, comprising representatives from the Ministry of Education, the Ministry of Defence, the Ministry of Construction, the S. Seidi Turkmen State Pedagogical Institute, the Institute of Seismology, the National Institute of Education and the national Red Crescent Society.

321. In 2013, six schools selected as pilot schools for the disaster risk reduction project were kitted out with the recommended equipment (emergency survival kits, stretchers, medicines, loudhailers and other items) and teaching aids, which were placed in specially designed disaster risk reduction rooms and corners.

322. In 2014, among the pilot schools for the disaster risk reduction project two model schools were identified which had facilities equipped for training sessions with the necessary training and educational materials developed by national experts. More than 300 teachers from pilot schools attended the training courses on disaster risk reduction.

323. Since 2007, the syllabus of general secondary schools in Turkmenistan has included the subject of "Life skills", which is taught from the first to the tenth grade. The curriculum for this subject includes aspects of disaster risk reduction. Teachers of life skills attend refresher courses held at the State Pedagogical Institute, the National Institute of Education and the educational support centres under the education authorities in the provinces and the city of Ashgabat. Many school principals and teachers who teach life skills have received certificates on disaster risk reduction by attending workshops on that topic and on first aid.

324. Special courses on disaster risk reduction have been developed for the S. Seidi Turkmen State Pedagogical Institute and the National Institute of Education and are currently being piloted. Game-based educational programmes on some of the basic life skills topics, including disaster risk reduction, have been developed by national experts and uploaded on computers for pupils in the youngest classes.

325. In the design and construction of modern educational institutions due account is taken of the official building codes and regulations, which set out standards for seismic resistance and structural and non-structural safety. The country's educational establishments are kitted out with modern equipment.

326. Teachers and tenth grade pupils in the pilot schools are tested on their knowledge of disaster risk reduction issues. Special disaster risk reduction weeks are held in the model pilot schools, during which the pupils themselves think up emergencies and other situations for the application of disaster risk reduction.

327. School plans for emergency preparedness and disaster risk reduction are drawn up in accordance with the safety requirements for pupils, teachers and other staff. These school plans are developed in cooperation with representatives of the Ministry for Emergencies,

the fire service, the ambulance service, the local executive authority and the education office and authorities. The plans include not only a list of emergency tasks, but also procedures drawn up in consultation with other units of the schools civil defence office.

328. Following the proposed methodology for assessing safety in educational institutions (based on the disaster risk reduction programme in the education system), in August 2015, an assessment of two model pilot schools was carried out with the participation of officials from the Ministry of Construction, the Institute of Seismology, the Ministry of Defence, the Ministry of Education and representatives of the province's executive authorities and education departments. The schools in question were school No. 29 in Türkmenabat and school No. 21 in Balkanabat. The results of the assessment will be used to guide further measures to reinforce seismic safety in all schools.

329. Electronic guidelines for teachers and for pupils on disaster risk reduction have been prepared and disseminated. Every month, joint evacuation exercises are held in schools in various provinces with the participation of the Ministry of Emergency Situations and the fire and emergency services. An evacuation plan is displayed in every school and every classroom. Competitive simulation drills are held in the pilot schools, to test knowledge and skills in disaster risk reduction. Pupils and teachers of the above-mentioned schools, UNICEF officials, employees of the Ministry of Defence, the Ministry of Education, the fire and ambulance services and representatives of the local education authority have taken part in these events.

330. Turkmenistan has consistently reaffirmed its commitment to the fundamental principles of the Education for All initiative. The Government is devoting considerable attention to the development of the education system, also covering inclusive education, as reaffirmed by the relevant articles of the Education Act, which stipulate that the State shall create conditions for citizens with special needs, namely, those with physical or mental disabilities or both, to receive their education in ordinary educational establishments (inclusive education). Special establishments are being set up for children who, for health reasons, are unable to participate in mainstream education, with special teaching methods, treatment for developmental disorders and social integration measures (Constitution, art. 4).

331. In order to develop and promote aspects of inclusiveness, arrangements are being set in place in every province and district to carry this work forward, in particular, through the creation of the respective working groups. The membership of these working groups at all levels includes not only representatives of the education sector, but also specialists working on disability issues, along with representatives of all existing civic organizations and public associations, local authorities and government institutions and, most important, children themselves and their parents. This makes it possible to push ahead with an integrated approach involving all stakeholders.

332. Working in consultation with international experts from UNICEF, Turkmen experts have formulated a road map for inclusive education in Turkmenistan. This road map was officially launched at an international conference on inclusive education, jointly organized with the UNICEF Office in Turkmenistan and held on 12 and 13 November 2014 in Ashgabat in the framework of the international conference on education, sport and tourism in the era of State power and prosperity, held from 11 to 13 November 2014.

333. In 2014, with the advisory support of international experts from UNICEF, questionnaires were prepared on the state of inclusive education in the country, for a survey which was carried out by the national working group. The UNICEF international experts highly commended the results of the survey.

334. Turkmenistan has a network of after-school institutions offering free-of-charge classes to develop the creative potential of the country's younger generation.

335. As part of the reform of the initial, intermediate and higher vocational educational system, a new regulatory framework has been developed, comprising regulations on State higher vocational educational institutions (2014), on State intermediate vocational educational institutions (2014), and on State initial-level vocational educational institutions (2014).

336. In the 2014/15 academic year, a two-stage tertiary education system (bachelor's degree and master's degree) was launched at the International University of the Humanities and Development Studies, the International Turkmen-Turkish University and the International Oil and Gas University. It is planned to introduce this system in a gradual manner in the country's other higher education institutions.

337. In line with the specific course followed by the State's economic development, new higher education institutions have been opened, including the English-medium International University of Humanities and Development Studies, built on a new campus, and a number of intermediate and initial-level vocational colleges. New specialized courses in various fields are now being offered in the existing higher and intermediate vocational colleges.

338. A significant milestone in the development of higher education is marked by the opening of new areas of specialist training, along with an increase in the number of annual admissions of students to the country's higher and secondary vocational colleges. Thus, in 2015, the number of students admitted to secondary vocational colleges increased by a factor of 5.3 compared to the 2007 total, and the number of students admitted to higher educational institutions increased by a factor of 1.8.

339. In accordance with the decision adopted by the Head of State in 2010 on the make-up of higher educational institutions in Turkmenistan, the system of higher educational institutions has been supplemented with 7 new faculties and 48 new departments.

340. Currently, specialists with higher education are being trained in 44 areas of expertise, including more than 400 professional disciplines. Over the period 2009–2015, tertiary educational institutions have launched the training of specialists in many areas to meet the staffing needs of different sectors of the economy, in response to proposals by organizations seeking trained professionals and to projected future talent requirements.

341. In addition, the training of qualified professionals for various sectors of the economy of Turkmenistan is modelled on that provided by leading educational institutions of foreign countries, such as Belarus, China, Malaysia, Romania, the Russian Federation and others.

342. Work has been carried out on the drafting of State higher education standards, which will help to improve the quality of teaching. State specifications for special skills in initial-level, intermediate and higher vocational education have also been developed and approved.

343. Higher educational institutions are giving special attention to the computerization of education, taking inspiration from global achievements in science and technology. Educational and practical materials have been published in the State language, including on electronic media. Conditions have been created to ensure that every student has access both to information systems within the country and to the global computer networks that are the gateway to the world's leading scientific and educational institutions and companies in the manufacturing and service sectors.

344. Networked e-libraries have been created in the country's institutions of higher education. Work is also under way to develop an e-library resource base (lecture and laboratory materials, textbooks and materials for the study of global theoretical and practical experience in specific areas of specialization) accessible to any user.

345. With a view to the development of higher education and postgraduate professional training, postgraduate departments have been set up at universities, in which postgraduate, doctoral and clinical residencies are organized in the relevant scientific fields. Where research activities in the higher education system are concerned, emphasis is placed on engaging students and teachers in research work to tackle the challenges identified in the country's social and economic development programmes. Conferences and workshops on scientific theory and practice are held in all the educational institutions of Turkmenistan, at which participants discuss problems and potential solutions in various sectors of the economy, issues of technological change, culture and the arts, among others. An annual contest of scientific papers is held among young scientists and students of Turkmenistan.

346. Specialists with intermediate-level vocational education are also playing an important role in the vigorous development of various sectors of the country's economy.

These specialists receive their training at secondary vocational colleges. Specialists are released from their jobs to undergo training in intermediate vocational colleges. Intermediate vocational colleges are distributed in accordance with their areas of specialization. The number of these institutions and the number of their graduates are increasing.

347. Between 2010 and 2015, 23 intermediate vocational colleges were opened. Of these, 15 were opened on the premises of former initial-level vocational colleges.

348. Between 2011 and 2014, 10 new initial-level vocational colleges were opened. In 2009, there were 17,240 graduates from these educational institutions and, in 2014, that figure rose to 26,670.

349. To meet the need for starter-level skilled workers, new specialized courses are being taught in initial-level vocational colleges. In 2009, some 80 specialized courses were taught in such colleges and, in 2015, the number of specialized courses reached 120.

350. Special attention is paid to the professional development of teaching staff, which is carried out at the National Institute of Education. In addition, professional development faculties have been opened at higher educational institutions specializing in teacher training, and centres for the professional development of teachers, counsellors and other teaching staff of educational institutions have been opened at the main educational facilities in Ashgabat and the provinces.

351. Teachers in our country also attend professional development courses and serve internships, and students at higher educational institutions receive language instruction and undergo practical training in their special field and in foreign countries.

352. In 2015, the State standard for the professional development of education specialists was approved by order of the Ministry of Education of Turkmenistan.

353. Hundreds of modern kindergartens, secondary schools, higher and intermediate vocational colleges, and children's health centres equipped with state-of-the-art facilities have been built and put into service. For example, between 2000 and 2014, 251 preschools and 219 secondary schools were built and brought into operation. In the first 10 months of 2015 alone, 31 secondary schools, 15 preschool institutions, a campus of the A. Kekilov Ashgabat Teacher Training College, and a children's health and entertainment centre were opened. The construction of social and cultural facilities is continuing at a rapid rate.

354. The material and technical facilities of the country's existing educational institutions are being strengthened and upgraded. They are furnished with modern multimedia equipment, computers, language laboratories, laboratory equipment and other installations.

355. Every year since 2011, the President of Turkmenistan has presented all first-graders with personal computers loaded with software as a gift before the beginning of the school year.

356. Close attention is paid to the publication of textbooks and other theoretical and practical educational materials. Thus, between 2014 and 2007 the volume of published textbooks and teaching aids increased more than twofold.

357. In Turkmenistan, students and schoolchildren receive free tuition, textbooks and course materials and hostel accommodation in State educational institutions, and students at higher and secondary vocational colleges are granted State bursaries.

358. In educational establishments, the accommodation and education of orphans and children deprived of parental care (or the care of persons in loco parentis) are fully funded by the State. Orphans and children deprived of parental care, children with special needs and children from large families are able to enjoy free holidays in children's health resorts and other recreation facilities.

359. The State provides free and regular medical examinations and requisite vaccinations for all children.

360. In addition to UNICEF, the Ministry of Education cooperates closely with other United Nations agencies and also with other international organizations.

361. Cooperation is under way with UNFPA to promote healthy lifestyles among young people and to imbue in them a proactive sense of citizenship. As part of their life-skills classes in secondary schools, schoolchildren study issues that promote healthy lifestyles, develop coping strategies and learn about gender awareness and reproductive health. In a collaborative venture with UNFPA officials, standards have been developed for reproductive health and gender education and for teacher competences and a professional development programme on these issues has been prepared.

362. Between 2011 and 2013, the Ministry of Education of Turkmenistan engaged in cooperation with the European Training Foundation of the European Union in the framework of a project on the further improvement of the quality and relevance of the vocational education system in Turkmenistan. The project covered the following main areas: construction, agriculture and tourism. Ten pilot primary and secondary vocational colleges were selected to participate in the project. The project was successfully rolled out.

363. The President of Turkmenistan pays a great deal of attention to the question of promoting and inculcating a healthy lifestyle and, by his own example – by exercising regularly, playing a variety of sports, declaring health months throughout the country and personally participating in them, and taking part in mass tree-planting and greening campaigns – encourages the participation of the country's entire population, including its young people, in these excellent and useful activities.

364. A multitude of social and cultural facilities, including physical education and sports facilities and sports schools boasting the latest modern equipment and sports apparatus, are being constructed in all parts of the country and there is a growing network of sports clubs to which large numbers of children and young people belong.

365. To strengthen the health of the younger generation and to promote mass physical education and sports activities, every Sunday walks are organized along the so-called "Health trail" for students of higher and secondary vocational colleges and competitions in various sports. As part of the annual health month activities held in Turkmenistan in April every year, sports and athletic contests for students and schoolchildren are held in a range of sports and their results are compiled at the end of the month. During the health month, numerous and varied sporting events are also held among children from preschool and out-of-school establishments.

366. At present, enthusiastic preparations are under way in the capital, Ashgabat, for the fifth Asian Indoor and Martial Arts Games, to be hosted by Turkmenistan in 2017. These 2017 Asian Games are being hosted in Turkmenistan on the initiative of the country's President. Such sports as ice hockey, figure skating, ice dancing, cycling and others have been introduced, promoted and popularized among children and young people in the country.

367. Turkmenistan is becoming extensively involved in international educational activities, with positive results. In recent years, the country has undertaken to host a number of international events, including those of an educational nature (academic skills contests, competitions, festivals, conferences, symposiums, student exchanges of students, and others), with a positive impact on the development and quality of education in the country. For example, the annual International Exhibition and Conference on Education and the "Avaza – Land of Friendship" international children's festival, which is held in the Avaza national tourist zone, have become traditional events. Every year on National Independence Day, in accordance with a presidential decision, a national creativity competition for young people is held, entitled "Garaşsyzlygyň merjen däneleri" ("Pearls of independence"), with the participation of some 1,000 talented girls and boys from all over the country.

368. It is now an established tradition for children's and students' performance groups to participate and win prizes in international creative festivals and contests. Turkmen schoolchildren and students participate every year in international academic skills competitions at different levels, including over the Internet, with impressive results, garnering more and more awards and at ever higher levels every year. For example, at the 2009 worldwide annual competitions in various areas of science, known as the International Science Olympiads, Turkmen schoolchildren won 43 medals of various denominations and, at the 2014 Olympiads, 139 medals, of which 23 were gold, 34 silver and 82 bronze. Over

the first 10 months of 2015, they have brought home 132 medals, comprising 45 gold, 50 silver and 37 bronze, along with 60 diplomas awarded to prize-winners at online Olympiads in various school subjects. In 2014, Turkmen students at the International Science Olympiads won 68 medals: 18 gold, 18 silver and 32 bronze. Over the first 10 months of 2015, students of Turkmen universities and colleges, participating in international competitions and online tournaments, have amassed a haul of 114 medals: 20 gold, 47 silver and 47 bronze, together with 19 diplomas and 8 certificates.

369. The development of culture in Turkmen society is one of the State's principal undertakings. To this end, a national programme has been launched for the economic, political and cultural development of Turkmenistan for the period to 2030.

370. Turkmenistan is currently undergoing an extensive process of change across the State system, with special emphasis on the realization of the rights of Turkmen citizens to participate in the cultural life of the country and the further enhancement of the role played in society by creative artists and cultural practitioners.

371. The legislative framework regulating the rights and freedoms of citizens in the domain of culture includes international legal instruments and national law. Turkmenistan, which has acceded to more than 130 international legal instruments, including the International Covenant on Economic, Social and Cultural Rights, has a well-developed legal framework for the protection of human rights in the cultural domain.

372. Article 36 of the Constitution guarantees every member of society the right to freedom of artistic, scientific and technical creativity. Copyrights and the lawful interests of citizens in the scientific, technical, artistic, literary and cultural fields are protected by law. In addition, according to the Constitution of Turkmenistan (art. 11), the State is responsible for the preservation of the national historical and cultural heritage and the environment and for ensuring equality among social and ethnic communities, encourages scientific and artistic creation and the dissemination of its results, and promotes the development of international relations in the fields of science, culture, education, sport and tourism.

373. In Turkmenistan, a number of laws have been adopted to foster science, culture, the arts, folk culture, sport and tourism: these include the Conservation of Historical and Cultural Monuments of Turkmenistan Act (19 February 1992), the Protection, Export and Import of Movable Cultural Assets Act (15 September 1998), the Museums and Museum Work Act (20 December 1996), the Libraries and Librarianship Act (15 July 2000), the Folk Arts and Crafts Act (19 December 2000), the Culture Act (12 March 2010), the Protection of the National Historical Cultural Heritage Act (19 October 2012), the Theatre and Theatrical Activity Act (8 November 2014), and the Intangible National Cultural Heritage Safeguards Act (28 February 2015).

374. In August 2014, the Department for Intangible Cultural Heritage was established within the Ministry of Culture of Turkmenistan. The Department's activities are focused on the wide-ranging analysis, promotion and preservation of the intangible cultural assets of the Turkmen people.

375. Every year, Turkmenistan celebrates the Day of Creative Artists and Cultural Practitioners. This occupational holiday for artistic workers was established by decree of the President of Turkmenistan of 21 July 2008.

376. In 2012, the first issue of the journal *Kultura* was published. The journal was established pursuant to the decision of the President of Turkmenistan to upgrade cultural and media activities in the country, to promote the successful achievements by Turkmen citizens in culture and the arts and in bringing about the spiritual rebirth of the nation, and to expand the cultural outlook of young people.

377. The present-day progress achieved in the domain of culture is exemplified in the construction and refurbishment of a number of new social and cultural facilities in all regions of the country, the strengthening of the material and technical infrastructure of cultural institutions, the revival and promotion of various forms of artistic expression, the improvement of publishing and the work of the media, and the forging of wide-ranging international cultural and educational links.

378. Currently, there are three higher education institutions, eight specialized intermediate-level vocational colleges and 92 children's schools for creative and performing arts.

379. There are 230 libraries in Turkmenistan. These include the State Library, the B. Amonov Children's Public Library, the library for the blind and deaf, 9 provincial libraries (5 for adults and 4 for children), 15 urban central libraries, 36 urban branch libraries, 50 district central libraries and 117 district branch libraries (in the villages).

380. The country's 35 museums, which employ more than 900 people and store more than 300,000 valuable artefacts, play a huge role in familiarizing the citizens of Turkmenistan and its visitors with the historical and cultural heritage of both the country and the world. In recent years, contacts between the museums, archives and libraries of Turkmenistan and those of other countries have expanded significantly, with a view to promoting the exchange of information materials and copies of documents, and also the use of museum and library collections for research purposes.

381. Currently, there are ten theatres and one circus, the Turkmen State Circus, operating in Turkmenistan.

382. Among the country's State-gazetted reserves and monuments, there are 1,380 immovable historical and cultural monuments (archaeological sites and ancient architectural structures) and 8 historical and cultural reserves. The Ancient Merv State Historical and Cultural Park, Kunya Urgench and the Parthian fortresses of Nisa are included in the UNESCO World Heritage List.

383. Admission to museums costs 3 manat for all citizens of Turkmenistan, regardless of sex, race or ethnic background, and 1 manat for adults, 1 manat for students, 40 tenge for children and persons with disabilities, veterans and military personnel enter free of charge.

384. In order to encourage the creative activity of cultural and arts practitioners in Turkmenistan, a competition called "Türkmeniň Altyn asyry" ("Golden age of the Turkmen") is held annually by presidential decree for persons working in the fields of culture, art and literature, young performers and gifted children.

385. Considerable attention is paid in Turkmenistan to the country's information policy. Work is being carried out to set in place the country's own information and telecommunications infrastructure and the legal, organizational, financial and educational conditions are being established for the development of an information society. Internet services ensure that information is accessible for all the citizens of our multi-ethnic country. The country's educational establishments are now set up with modern multimedia and computer equipment and make use of interactive teaching methods. This enables young people to receive a world-class education, to enrich their own lives, broaden their horizons and familiarize themselves with scientific achievements. All those studying at the country's educational institutions, including secondary schools, specialized secondary establishments and institutions of higher education, make use of online library services and have access to the global services of the Internet. Internet cafés have opened up for use by the public in the country's capital and in the provinces. Year on year, the number of people using Internet services increases significantly. Internet services are regulated by the Communications Act of 12 March 2010.

### **III. Information on non-discrimination, equality and effective remedies**

#### **General information on compliance by Turkmenistan with its obligations to guarantee equality before the law and measures taken to eradicate discrimination**

386. Since the submission to the United Nations treaty bodies in 2009 of the country's common core document, the Mejlis of Turkmenistan has adopted a number of codes and

laws guaranteeing and safeguarding human rights and freedoms in Turkmenistan. These include:

- Criminal Code of Turkmenistan (25 March 2011)
- Family Code of Turkmenistan (10 January 2012)
- Social Protection Code of Turkmenistan (19 October 2012)
- Housing Code of Turkmenistan (2 March 2012)
- Code of Administrative Offences of Turkmenistan (29 August 2013)
- New version of the Act on the legal status of foreign nationals in Turkmenistan (26 March 2011)
- Bar and Legal Profession in Turkmenistan Act (10 May 2010)
- Political Parties Act (10 January 2012)
- New version of the Migration Act of Turkmenistan (31 March 2012)
- Act on the National Red Crescent Society of Turkmenistan (22 December 2012)
- New version of the Education Act of Turkmenistan (34 May 2013)
- New version of the Public Associations Act of Turkmenistan (3 May 2014)
- New version of the Courts Act of Turkmenistan (8 November 2014)
- New version of the State Guarantees of the Rights of the Child Act (3 May 2014)
- New version of the State Guarantees of Equal Rights and Equal Opportunities for Women and Men Act (18 August 2015)
- All these Acts incorporate the rules of international human rights treaties, including those prohibiting discrimination of any kind.

387. National laws have been adopted to eradicate discrimination against specific individuals and groups. Examples of these are listed below.

388. In 2008, a new version of the Constitution of Turkmenistan was adopted. As stated in article 4 of the Constitution, the individual person is the most valuable asset of society and the State. The State is accountable to all citizens; it ensures the necessary conditions for the free development of their personality and protects the life, honour, dignity, liberty, personal inviolability and natural and inalienable rights of citizens. Every citizen is accountable to the State for the performance of responsibilities entrusted to him or her by the Constitution and the laws. State power is based on the principle of separation of powers between the legislative, executive and judicial branches of government, which act independently and in a balanced manner. Turkmenistan recognizes the primacy of the universally accepted standards of international law. Should an international agreement entered into by Turkmenistan establish rules other than those provided for by a law of Turkmenistan, the rules of the international agreement shall prevail (art. 6). Citizens are guaranteed judicial protection of their honour and dignity and their individual and political, human and civil rights and freedoms, as provided for in the Constitution and laws of Turkmenistan. Citizens may challenge the decisions and actions of government authorities, public associations and officials in a court of law. Judicial power in Turkmenistan is only vested in the courts. The function of the judiciary is to uphold citizens' rights and freedoms and State or public interests protected by law. Judicial proceedings are conducted on the basis of the equality of the parties and according to the adversarial principle. The parties shall have the right to appeal against decisions, sentences and other rulings of courts in Turkmenistan.

389. The Bar and Legal Profession in Turkmenistan Act stipulates that the bar is a professional association of lawyers, based on the principles of personal autonomy, established for the purpose of the practice of law, as a legal institution of civil society that does not form part of the system of State executive and administrative bodies. Under article 4 of the Act, the State guarantees the provision to everyone of the necessary professional legal assistance. The State guarantees the equal right of all individuals and legal entities on

the territory of Turkmenistan to receive legal assistance, information about its nature and the procedure for its obtention. The State guarantees free legal assistance and protection of the rights of individuals in circumstances specified by the law of Turkmenistan. In Turkmenistan, the legal profession may be exercised by Turkmen citizens resident in Turkmenistan, holding a university-level legal education and vested with the status of legal practitioner. Lawyers act as independent advisers in matters of law.

390. The new version of the Courts Act provides for the independence of the judiciary, which acts independently of the legislature and the executive. In the administration of justice, the courts uphold the rights and freedoms of individuals and legal entities and defend State and public interests protected by law. All court activity aims to ensure legality and the rule of law, the protection of the rights and freedoms, honour and dignity of citizens and the eradication of causes and conditions conducive to the commission of offences. The judges are independent, subject only to the law and guided by their inner conviction. Judges are accountable to no one when performing their functions in the administration of justice. Citizens of Turkmenistan are entitled to legal protection against unlawful acts on the part of government authorities, public associations or officials, and encroachments on their honour or dignity, life or health, personal and political rights and freedoms as individuals and citizens, as provided for in the Constitution. Foreign nationals and stateless persons have the right to a defence in court on the same footing as Turkmen citizens in accordance with the law of Turkmenistan and the international treaties to which it is party. Any interference in the work of judges for the administration of justice shall be prosecuted under the laws of Turkmenistan. Where non-discrimination is concerned, as already noted, each of the statutes listed above includes a provision prohibiting discrimination of any kind.

391. On 1 July 2011, the Penalties Enforcement Code came into force, pursuant to which the purpose of criminal enforcement law is the correction of convicted person and prevention of the commission of further offences by them and other persons. The objectives of the enforcement law of Turkmenistan is to regulate the procedures and conditions for the enforcement and serving of criminal sentences, to stipulate the means by which the objectives of the punishment are to be achieved through the process of its implementation, to protect the rights, freedoms and lawful interests of convicted persons, and to render assistance in ensuring their social adaptation. By its article 3, paragraph 3, the Penalties Enforcement Code prohibits discrimination against convicted persons serving a criminal sentence on the grounds of ethnic background, race, sex, origin, property or official status, place of residence, language, attitude to religion, political convictions and party affiliation or lack thereof.

392. The Family Code of Turkmenistan came into force on 1 April 2012. Under the Code, the goal of the family law of Turkmenistan is to establish a legal framework for the State policy on the protection and preservation of the family and the provision of care for the family by creating the conditions for the economic independence and improved welfare of all of its members. The Code also seeks to ensure the payment of government benefits to families, to organize the protection of their health, to create conditions making it possible for parents to reconcile their work with their family responsibilities, to develop domestic infrastructure, and also to carry out the State policy for the protection and protection of the family, motherhood, fatherhood and childhood. As stated in article 14 of the Code, men and women of marriageable age have the right to marry and to start a family, regardless of race, ethnic background or religious persuasion. They enjoy identical rights when entering into marriage, during marriage and upon its dissolution.

393. Article 5 of the Turkmen Code of Administrative Offences also enshrines the principle of equality before the law:

Persons who have committed administrative offences are equal before the law. Individuals incur administrative liability irrespective of ethnic background, race, sex, origin, property or official status, place of residence, language, attitude to religion, political convictions and party affiliation or lack thereof.

394. The Legal Status of Foreign Nationals in Turkmenistan Act stipulates the principles determining the legal status of foreign nationals in Turkmenistan:

Foreign nationals in Turkmenistan enjoy the same rights and freedoms and have the same obligations as Turkmen citizens, except as otherwise provided by the Constitution of Turkmenistan, the present Act and other statutory instruments of Turkmenistan.

Foreign nationals in Turkmenistan are equal before the law irrespective of their origin, property and official status, racial and ethnic background, sex, education, place of residence, language, attitude to religion or other circumstances.

395. In the first part of article 8, the Political Parties Act prohibits the establishment and activities of political parties that aim to overthrow the constitutional order by violence, permit violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred or act in a manner detrimental to the health or moral standards of the people, and of political parties formed on the basis of ethnic or religious criteria. A total of three political parties are registered in Turkmenistan:

- Democratic Party of Turkmenistan;
- Agrarian Party of Turkmenistan;
- Industrialists and Entrepreneurs of Turkmenistan Party.

396. The underlying principles for the regulation of migration processes in Turkmenistan are reflected in article 3, paragraph 2, of the Migration Act, which states that the regulation of migration processes in Turkmenistan is based on the principles of the inadmissibility of any infringement of individual rights and freedoms on the grounds of ethnic background, race, sex, origin, property or official status, place of residence, language, attitude to religion, political views, party affiliation or lack of affiliation to any political party or on any other grounds.

397. The National Red Crescent Society of Turkmenistan Act defines the legal framework, along with the principles, objectives, rights and responsibilities, of the National Red Crescent Society of Turkmenistan. Article 5 of the Act prohibits discrimination against persons who wish to become members of the Society:

Except as otherwise provided for by the law of Turkmenistan, citizens of Turkmenistan supporting the highest goals of the Red Cross and Red Crescent may, irrespective of their ethnic background, race, sex, origin, wealth, official status, place of residence, language, attitude to religion, political views, party affiliation or lack of affiliation to any party, be members of the Society. This right shall be exercised freely, without the need for any form of prior authorization.

398. A new version of the Education Act provides State guarantees of the rights of citizens of Turkmenistan in respect of education. Thus, paragraph 1 of article 4 of the Act reads as follows:

Turkmen citizens are guaranteed the opportunity to receive an education regardless of ethnic background, race, sex, origin, wealth, official status, place of residence, language, attitude to religion, political views, party affiliation or lack of affiliation to any party, and also age and state of health.

399. The State Guarantees of the Rights of the Child Act sets out the legal, social, economic and organizational pillars of the State policy on the protection of the rights, freedoms and lawful interests of children, defines the legal status of children as independent subjects of law and has as its aim ensuring the full development of children, shaping in them the highest moral qualities, bringing them up in a spirit of patriotism and civic awareness on the basis of historical and national traditions, universal spiritual, moral, cultural and social values, social principles, rules and standards of moral conduct and respect for social and State interests. Under article 4, paragraphs 1 and 4, of the Act, Turkmenistan guarantees the equality of rights and freedoms of all children residing in the territory of Turkmenistan, regardless of ethnic background, race, sex, origin, social and property status, place of residence of the children themselves and of their parents, language, education, attitude to religion, circumstances of birth, state of health or other circumstances. Any violation of the equality of children on the grounds of sex, race, ethnic background, origin, social and property status, place of residence of the children and of their parents,

language, education, attitude to religion, circumstances of birth, state of health or other distinctive features is punishable under law.

400. The State Guarantees of Equal Rights and Equal Opportunities for Women and Men Act lays down State guarantees of equal rights and equal opportunities for women and men in all domains of State and public life. Under the Act, Turkmenistan guarantees equal rights and equal opportunities to women and men (hereinafter referred to as gender equality) in all domains of State and public life, and also equality before the law irrespective of ethnic background, race, sex, origin, property, official or family status, place of residence, language, attitude to religion, political convictions and party affiliation or lack thereof.

401. The Labour Code, which entered into force on 1 July 2009, regulates the employment relations of individuals working for enterprises, organizations and institutions, regardless of their organizational and legal status and form of ownership, with specific individuals on the basis of an employment contract. The Code stipulates that discrimination shall be prohibited in labour relations. This, under article 7 of the Code, labour rights may not be restricted nor may any advantage be accorded in their exercise on the basis of ethnic background, race, sex, origin, property and official status, place of residence, language, age, attitude to religion, political views, party affiliation or lack of affiliation with any party, or other circumstances unrelated to the occupational skills of workers or the results of their work. Distinctions in the area of employment necessitated by the requirements of a specific job or the State's special concern for persons in need of heightened social and legal protection (women, minors, persons with disabilities and others), as determined by law, shall not constitute discrimination. Persons who consider that they have been subjected to discrimination at work are entitled to file a complaint in court.

402. In June 2013, the Labour Code of Turkmenistan was amended, following which the new version of paragraph 5 of the first part 1 of article 13 reads as follows:

The employee has the right to equal remuneration for equal work, without discrimination of any kind, to be paid on time and in full in accordance with their occupation, qualifications, the complexity of the job, and the quantity and quality of work performed, and not to be lower than the minimum wage established by law.

403. On 9 November 2013, amendments were made to article 145 (Violation of the equality of citizens) of the Criminal Code, pursuant to which the direct or indirect violation or restriction of human and civil rights and freedoms on the basis of ethnic background, race, sex, origin, property or official status, place of residence, language, attitude towards religion, political views, party affiliation or lack of affiliation to any political party, if these acts entail serious consequences, shall be punishable by punitive deduction of earnings for a period of up to two years, or by deprivation of liberty for a term of up to two years.

404. On 28 February 2015, the Mejlis adopted the Organization and Holding of Assemblies, Rallies, Demonstrations and Other Mass Events Act, aimed at ensuring the exercise of the constitutional right of citizens to peaceful assembly, to hold assemblies, rallies, demonstrations and other mass events, and to ensure the safety of these events.

405. In accordance with article 3 of the Act, the following principles apply to such mass events:

- (a) Legality, in particular, observance of the provisions of the Constitution, the Act itself and other laws and regulations of Turkmenistan;
- (b) The voluntary nature of participation in the mass event;
- (c) Respect for and observance of human and civil rights and freedoms.