



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### **Combined fifth and sixth reports submitted by Turkmenistan under article 44 of the Convention, due in 2020\* \*\***

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\* The present document is being issued without formal editing.  
\*\* The annexes to the present report may be accessed from the web page of the Committee.



## I. Introduction

1. Turkmenistan ratified the Convention on the Rights of the Child on 23 September 1994 and submitted its initial report in 2006 and its combined second, third and fourth reports in 2011.
2. The present report is the combined fifth and sixth periodic reports of Turkmenistan on the implementation of the Convention. The report was prepared pursuant to article 44 (1) (b) of the Convention, in accordance with the guidelines on the form and content of periodic reports to be submitted by States parties ([CRC/C/58](#)).
3. The report covers the period 2015–2020 and contains information on key legislative, judicial, administrative, practical and other measures taken during the reporting period that are of direct relevance to the provisions of the Convention. In addition to reflecting legal, structural and policy developments since the last report, the present report describes follow-up to the provisions of the Convention, including the concluding observations adopted by the Committee following its consideration of the combined second, third and fourth periodic report of Turkmenistan ([CRC/C/TKM/2-4](#)) at its 1935th and 1937th meetings (see [CRC/C/SR.1935](#) and [CRC/C/SR.1937](#)), held on 13 and 14 January 2015, and at its 1983rd meeting, held on 30 January 2015. Information on the implementation of the concluding observations under the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict has been included, in accordance with the Committee's guidelines.
4. The report was drawn up by the working group of the Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law.
5. The report was prepared on the basis of material and information provided by ministries and departments of Turkmenistan whose remit includes addressing issues relating to the situation of children and the safeguarding and upholding of their rights, and on the basis of State statistics, the results of special studies and information received from the country's voluntary associations.
6. The working group of the Interdepartmental Commission held a number of meetings and consultations with international experts from the United Nations Children's Fund (UNICEF) and the Office of the Ombudsman of Turkmenistan. In addition, various contests and workshops were organized with the children themselves, in which children's rights were explained in child-friendly language and children expressed their opinions and aspirations.
7. The draft report was discussed at two workshops with representatives of the Interdepartmental Commission working group and an international expert from UNICEF. The results of the discussions were taken into account when preparing the final version of the report.
8. On 25 September 2019, a new stage of constitutional reforms was launched in Turkmenistan, the main purpose of which is to extend people's representation in the highest bodies of State power, further democratize all aspects of social and political life, strengthen the foundations of the constitutional system, improve the democratic basis of State governance, widen the role and expand the powers of the parliament, the Halk Maslahaty (People's Council), and create a bicameral system for the country's lawmaking body, taking into account national achievements and global best practices.
9. On 25 September 2020, a national assembly took place – a meeting of the Halk Maslahaty – to hold a comprehensive discussion of a set of constitutional reforms attesting to the country's commitment to democratic values and to the international experience of parliamentarianism.
10. Thus, a new step was taken in the democratic process. By laying the constitutional foundations for the formation of a bicameral parliament, the Milli Gengesh – consisting of the Halk Maslahaty, the upper house, and the Mejlis, the lower house – Turkmenistan once again demonstrated its adherence to the principles of parliamentarianism and democracy. The

adoption of the Constitutional Act amending the Constitution of Turkmenistan is aimed at ensuring the well-being of the people.

11. On 19 February 2020, the Ministry of Foreign Affairs hosted a meeting of the Interdepartmental Commission, with the participation of representatives of international organizations. During the meeting, attention was drawn to the importance of the National Plan of Action for Gender Equality for the period 2015–2020, the National Plan of Action on Human Rights for the period 2016–2020, the National Plan of Action to Combat Trafficking in Persons for the period 2020–2022, the National Plan of Action on Children’s Rights for the period 2018–2022 and the National Early Childhood Development Strategy for the period 2020–2025.

12. The key parameters of the Sustainable Development Goals have been seamlessly integrated into the Programme for the Socioeconomic Development of Turkmenistan for the period 2019–2025. The implementation of the Sustainable Development Goals in Turkmenistan has a clear social orientation. In that connection, critical aspects include achieving food security and improved nutrition, promoting healthy lifestyles throughout the country, ensuring full gender equality and creating the conditions for inclusive and equitable quality education.

13. In 2017, the first assessment of the availability of child-related baseline indicators was conducted jointly with UNICEF. The evaluation noted that one of the country’s main priorities is to collect and analyse data on children, as Turkmenistan understands that it can attain most of the Sustainable Development Goals if the specific needs of children are monitored and addressed during the implementation of the 2030 Agenda for Sustainable Development. Turkmenistan was the first country in the region to use tablets to collect data on children, women and families as part of the 2015–2016 Multiple Indicator Cluster Survey. The country is also discussing the further strengthening of administrative data systems to ensure sustainable and systematic monitoring of the Sustainable Development Goals.

14. According to a rapid integrated assessment conducted with the United Nations Development Programme (UNDP) in 2018, 84 per cent of the Sustainable Development Goals have been integrated into national plans and strategies. When embarking on the implementation of national plans in the various sectors of the economy and the social sphere, Turkmenistan has undertaken a conscientious and rigorous examination of their consistency with the environmental component of the Sustainable Development Goals.<sup>1</sup>

15. In 2019, Turkmenistan presented the outcome of the first voluntary national review of progress made towards the Sustainable Development Goals, taking as its basis a book by the President of Turkmenistan entitled *Towards the Implementation of the Sustainable Development Goals*. The preparation of the first voluntary review involved not only governmental organizations, but also non-governmental organizations, the private sector and young people; this provided new insights into the measures being taken in Turkmenistan and facilitated identification of the next steps towards attainment of the Goals.

16. On 11 February 2020, the President of Turkmenistan held a meeting with the national contingent of parliamentary deputies to discuss constitutional reform, the upgrading of the country’s law on human rights and freedoms, the decriminalization of certain offences and the reclassification of certain types of criminal offence as administrative infractions. The need to humanize criminal law policy and the concomitant need to draft a new version of the Criminal Code aligned with the Constitution and the generally recognized rules of international law were emphasized. Special attention was given to issues related to the upgrading of social, civil and labour legislation and the law on administrative procedure.

<sup>1</sup> <https://www.mfa.gov.tm/ru/news/1520>.

## II. Basic information on the implementation of the Convention on the Rights of the Child and concluding observations (CRC/C/TKM/CO/5-6)

### Follow-up information relating to paragraph 5 of the concluding observations

17. The present section provides important information on the progress made in implementing the Convention on the Rights of the Child since 2015. Aside from the general obligation to implement the Convention on the Rights of the Child and the Optional Protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict, Turkmenistan takes a serious view of the recommendations of all treaty bodies under the Conventions to which it is a party, specifically those of the Committee on the Rights of the Child, and is working progressively to ensure their practical implementation. The following paragraphs provide information on achievements and also on factors that affect the implementation of the concluding recommendations of the respective treaty bodies.

### General measures for the implementation of concluding observations (arts. 4, 42 and 44 (6))

#### (a) Legislative measures

18. Over the period since the last national report to the Committee on the Rights of the Child, new laws have been adopted and some amendments and corrections have been made to existing laws: the Ombudsman Act, the Private Information and Its Protection Act, the Guardianship and Trusteeship Act, the Breastfeeding Promotion and Support Act, the Public Health Protection Act, the Education Act, the Equal Rights and Equal Opportunities for Women and Men (State Guarantees) Act, the Public Employment Act, the Trafficking in Persons Act, the HIV Infection (Measures to Control Its Spread) Act, the Freedom of Religion and Religious Organizations Act, the Voluntary Associations Act, the Victims, Witnesses and Other Participants in Criminal Proceedings (State Protection) Act, the Meetings, Rallies, Demonstrations and Other Mass Events (Organization and Conduct) Act, the Provision of Psychiatric Care Act, the Refugees Act, the Volunteering Act, the Administrative Procedures Act, the Physical Culture and Sport Act and the Young People's Right to Work (Guarantees) Act.

19. Turkmenistan recognizes the primacy of the universally accepted rules of international law. Virtually all Turkmen laws include a provision that, in the event that the provisions of an international treaty to which Turkmenistan is a party differ from the provisions of the Code, the provisions of the international treaty will take precedence.

20. In addition, Turkmenistan has been a State party to the 1965 Convention on the Law of Treaties since November 1995. This Convention, like the Turkmen International Treaties Act, allows the rules of an international treaty to be applied in the event of a discrepancy between the texts of national laws and international treaties.

21. In 2016, the National Plan of Action on Human Rights in Turkmenistan for 2016–2020 was approved, as part of which the rules of international human rights law are being progressively incorporated into the domestic legislation of Turkmenistan. Considering the importance of this task, new efforts have been identified and launched to further upgrade the country's law, with a view to ensuring full compliance with the international obligations of Turkmenistan and observance of the highest human rights standards.

22. The National Plan of Action on Children's Rights for the period 2018–2022) includes activities aimed at the further harmonization of legislation with the Convention on the Rights of the Child (para. 1.1.2), and these are currently being put into effect. The National Plan of Action is available at: <https://www.unicef.org/turkmenistan/reports/national-plan-action-realization-childrens-rights-turkmenistan-2018-2022>.

**(b) Administrative measures****Follow-up information relating to paragraphs 6 and 7 of the concluding observations**

23. On 22 June 2018, a presidential decree approved the National Plan of Action on Children's Rights for the period 2018–2022, developed in the light of the recommendations of the Committee on the Rights of the Child, with the participation of relevant ministries, departments, institutions and civil society organizations, together with the country office of UNICEF in Turkmenistan, in order to continue effective efforts to fulfil the country's obligations under the Convention on the Rights of the Child and other multilateral international human rights agreements and treaties, and to ensure the implementation of actions in the interests of children.

24. The National Plan of Action is based on the principles and provisions of the Constitution, the Rights of the Child (State Guarantees) Act, the Convention on the Rights of the Child and other international agreements on children to which Turkmenistan is a party.

25. The National Plan of Action contains the main priorities of State policy aimed at further improving the situation of children, upholding their rights and ensuring their well-being. It consists of a coordinated programme of measures and contains areas that require cooperation and holistic approaches by government agencies, voluntary associations and civil society in tackling childhood issues. Information on the individual components of the National Plan of Action may be found later in the present report.

26. The National Early Childhood Development Strategy for 2020–2025 was approved by a presidential decree of 6 December 2019, to ensure the implementation of actions on behalf of children. The strategy was developed within the framework of the plan of cooperation between the Government of Turkmenistan and UNICEF Turkmenistan.

27. The programme for improving the activities of preschool establishments in the area of early development and enhancing the preparation of children for school in Turkmenistan, for the period 2020–2025, was ratified by a presidential decision of 22 May 2020.

28. The Interdepartmental Commission monitors implementation of the aforementioned instruments. Progress in the practical implementation of the National Plan of Action is regularly discussed at meetings of the Interdepartmental Commission.

**(c) Measures to disseminate and raise awareness of the Convention on the Rights of the Child**

29. The text of the Convention has been published in the State language and disseminated in all regions of the country through the human rights resource centres, and also through school and university libraries. A child-friendly version of the Convention is currently being prepared for printing and will be published in 2021 and distributed to the public.

30. Regular programmes on the Convention on the Rights of the Child have been aired every year on television since 2018. Children participate in the programmes and express their ideas of what sort of future they would like to have.

31. Since 2015, the parliament of Turkmenistan has organized regular training seminars in schools and children's camps to raise awareness among children of the Convention and disseminate information on children's rights through games and interactive projects.

32. During the preparation of the report, with the assistance of UNICEF, a contest entitled "My Dream" was organized through social networks, in which all children and their parents could participate and express their aspirations for the future, along with their views on what is needed to achieve these aspirations.

33. The previous concluding observations were disseminated among the involved ministries, agencies and civil society organizations, through workshops and round tables.

34. During the celebration of the 30th anniversary of the Convention on the Rights of the Child, a number of activities were organized to raise awareness of the Convention. For example, at the football World Cup qualifying match on 19 November 2019 between Turkmenistan and Sri Lanka, for the first time, children, including children with disabilities,

accompanied the players on to the pitch and some 26,000 fans were made aware of the Convention on the Rights of the Child. On 20 November 2019, children took over the roles of adults in the media, specifically in the popular television show *For you, kids!* in which information on the Convention was also provided.

**(d) Coordination and monitoring**

**Follow-up information relating to paragraphs 8 and 9 of the concluding observations**

35. The Committee's recommendation to establish an effective body at the inter-agency level is under consideration.

36. At present, the Interdepartmental Commission, established in 2007, has a broad mandate to coordinate activities related to implementation of the provisions of the Convention on the Rights of the Child. The Ministry of Education, the Ministry of Health and the Medical Industry, the Ministry of Labour and Social Protection, the Ministry of Sport and Youth Policy, the Ministry of Internal Affairs, the Office of the Procurator-General and the Ombudsman all have specified competences in this area within the limits of their authority.

**(e) International cooperation**

37. The UNICEF Executive Board endorsed the country programme document for Turkmenistan for the period 2021–2025 at its second regular session this year, which was held from 8 to 11 September 2020.

38. The sixth programme of cooperation between UNICEF and Turkmenistan will support the Government in fulfilling its obligations to respect, protect and ensure children's rights, as stipulated in the Convention on the Rights of the Child and reaffirmed in the National Plan of Action on Children's Rights. The new country programme, with an indicative five-year budget of approximately \$7.5 million, aims to achieve results in four areas, namely: children-friendly governance; child health, nutrition and early development; child welfare and protection; education that is inclusive and of good quality.

39. International cooperation is undertaken directly for the application of specific measures to ensure the realization of rights. Information is provided in the present report under specific clusters.

**(f) Contributions from the children's rights budget**

**Follow-up information relating to paragraphs 10 and 11 of the concluding observations**

40. In Turkmenistan, more than 70 per cent of the State budget is allocated to the social sphere.

41. Expenditure on financing institutions for children's care and their general and specialized education increases every year.

42. Teachers' salaries, benefits and social support are also increased annually by a factor of 10 per cent.

43. As things stand, the country is fully funding the administering of vaccines under the Expanded Programme on Immunization (EPI) and associated costs in a fiscally sustainable manner. Five-year funding has been allocated by the Government of Turkmenistan under a memorandum of understanding with the Ministry of Health and Medical Industry of Turkmenistan for the supply of immunization supplies. The current agreement with the Ministry of Health for the supply of vaccines and cold chain equipment has a total budget of \$40 million for the five-year period 2016–2020. It was increased in 2019 with the introduction of new vaccines such as the pneumococcal conjugate vaccine (PCV), the rotavirus vaccine and the hepatitis A vaccine, to a total of \$280,187.<sup>2</sup> Today, immunization

<sup>2</sup> <https://turkmenistan.un.org/ru/10703-turkmenistan-udostoen-sertifikata-yunisef-za-podderzhanie-vysokikh-pokazateley-immunizacii>.

coverage for the major EPI antigens remains high, with 98 per cent coverage by the combined diphtheria, tetanus toxoid and pertussis (DPT3) vaccine. This was confirmed by independent data from multiple indicator cluster surveys.

44. In 2019, the Oxford Policy Management Group assisted the Government of Turkmenistan in analysing the State budget in the health and nutrition sector to support its implementation of the 2015 recommendations by the Committee on the Rights of the Child to Turkmenistan on the following issues:

- Establishing mechanisms to monitor and evaluate the effectiveness, adequacy and equity of resources allocated for implementation of the Convention on the Rights of the Child.
- Conducting a comprehensive assessment of the budget and resources needed to ensure children's rights.

45. This important activity is the basis for the development of a health financing strategy and affordable health care for the entire population, including vulnerable groups, and also forms an important part of the country's socioeconomic response plan.

46. Annexes 1 and 2 to the report provide information on State budget allocations for children's educational institutions, and also on State budget expenditure for the maintenance of the education system.

**(g) Data collection and analysis and formulation of indicators**

**Follow-up information relating to paragraphs 12 and 13 of the concluding observations**

47. Two rounds of the Multiple Indicator Cluster Survey were conducted between 2015 and 2020, the data from which served as the basis for the present report. In addition, a number of analytical papers were prepared jointly with UNICEF, which contributed greatly to the collection, analysis and development of indicators for the report. These include the following:

- Health and nutrition sector budget analysis, 2020.
- Assessment of the health and nutritional status of mothers and children under 5 years of age in the areas of Turkmenistan affected by the Aral Sea crisis, 2019.
- Evaluation of the early childhood development policy of the Government of Turkmenistan and the contribution by UNICEF to its development, implementation and monitoring, 2020.
- Rapid review of the situation of teenagers and young people in Turkmenistan, a joint initiative by United Nations agencies, 2018.
- Analysis of the situation of children's and women's rights in Turkmenistan, 2017.
- Multiple Indicator Cluster Surveys 5 and 6, 2016 and 2019.
- Evaluation of the comprehensive programme for the development of a juvenile justice system in Turkmenistan, 2017.
- Baseline assessment of child-related Sustainable Development Goal indicators in Turkmenistan, 2017.
- Children's rights survey, 2016.
- Survey of child-care practices, 2015.
- Survey of awareness and knowledge of children's rights among young people, with a focus on child participation in Turkmenistan, 2016.
- Study of skills and practices of parents and caregivers in the development of children under 6 years of age, 2016.
- Preschool operational plan, 2016.

- Evaluation of the nutrition programme, 2018.

**(h) Independent national human rights institutions**

**Follow-up information relating to paragraphs 14 and 15 of the concluding observations**

48. The position of Ombudsman was established in accordance with the Constitution in order to guarantee State protection for human and civil rights and freedoms and ensure that central and local government bodies and officials uphold and respect these rights and freedoms.

49. The Ombudsman Act was adopted on 23 November 2016. International organizations were involved in the process of drafting the Act and the best practices of foreign countries were duly taken into account. The Act was drafted in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles) and it furnishes the Ombudsman with guarantees of institutional independence and a broad mandate. Under the Ombudsman Act, the parliament elects the Ombudsman from among three candidates proposed by the President of Turkmenistan. The election is by secret ballot by a simple majority of votes of the established number of deputies for a five-year term.

50. One of the Ombudsman's priorities is the protection of children's rights. The annual plan approved by the Ombudsman includes a number of activities aimed at the realization of children's rights.

51. During the period of cooperation between the Office of the Ombudsman of Turkmenistan and UNICEF Turkmenistan, the work plan for 2018–2019 was carried out and the annual work plan for 2020 was signed in February 2019. According to these work plans, workshops are organized annually in all the country's provinces (velayats) to raise awareness of the rights of children and young people, to which representatives of State bodies whose job description includes work with children and young people are invited.

52. To strengthen capacity for the protection of children's rights, since 2018, UNICEF has been facilitating the engagement of national experts in the Office of the Ombudsman.

53. In addition to carrying out information activities, the Ombudsman visits children's homes and orphanages, including in the regions, in order to monitor compliance with children's rights and to gain familiarity with the internal regulations of the institutions and the children's living conditions. Visits are also made to institutions for convicted juveniles serving sentences. The 2018 and 2019 reports by the Ombudsman on the monitoring of penal institutions are available at <http://turkmenistan.gov.tm/obdusmen>.

54. No complaints have been received from minors themselves during the period of the Ombudsman's work. There have, however, been complaints from parents or persons acting in loco parentis regarding the rights of children. For example, in 2018, there were three complaints from parents of children with disabilities requesting assistance with their child's right to education. The Office assisted these parents in locating an appropriate school and placing their child in that school.

**(i) Cooperation with civil society organizations**

**Follow-up information relating to paragraphs 16 and 17 of the concluding observations**

55. The basic law of Turkmenistan guarantees the right of citizens to form political parties and other voluntary associations operating within the limits established in the Constitution and the law.

56. Under the Voluntary Associations Act (2014), citizens who have reached the age of 16 also have the right to found children's voluntary associations. A voluntary association of citizens who have reached the age of 14 shall be recognized as a youth association.



57. On 22 September 2020, the Mejlis adopted an Act amending and complementing the Voluntary Associations Act. This Act brings the provisions on restrictions on the establishment and activities of voluntary associations into line with the provisions of the Constitution. The rules of the Act setting out requirements for the number of founders of international voluntary associations, on the founders and members of such associations, on the registration procedure, and on the obligations and ownership of voluntary associations have also been upgraded. In addition, the age at which children may join children's voluntary associations has been lowered by the Act, from 8 to 7.

58. Annex 3 sets out a list of young people's voluntary associations in Turkmenistan.

59. Civil society organizations, including the Women's Union of Turkmenistan, the Magtymguly Youth Organization, the National Trade Union Centre and the National Red Crescent Society, participated in the elaboration of the National Plan of Action for Gender Equality in Turkmenistan for the period 2015–2020, the State Youth Policy Programme for the period 2015–2020, the National Plan of Action for Human Rights in Turkmenistan for the period 2016–2020, the National Plan of Action on Children's Rights in Turkmenistan for the period 2018–2022, the National Strategy for Preventing Violent Extremism and Countering Terrorism for the period 2020–2024, and the National Strategy for Early Childhood Development for the period 2020–2025, and are actively involved in their implementation.

60. The State Youth Policy Programme for the period 2015–2020 has been implemented. On 17 April 2020, an interdepartmental working group was established to draft a new State Youth Policy Programme for the period 2021–2025. In addition to representatives of State entities, the working group includes members of the voluntary associations of Turkmenistan.

61. The working group is coordinated by the Ministry of Sport and Youth Policy of Turkmenistan with technical support from the United Nations.

62. Children from the age of 14 can participate as volunteers in the activities of the National Red Crescent Society of Turkmenistan. The rights and duties of volunteers are defined by the regulations of the National Red Crescent Society of Turkmenistan, governing work with volunteers. The volunteer representative is a member of the Central Council of the National Red Crescent Society of Turkmenistan and has a vote on all matters considered by the Council.

63. In 2018, the Magtymguly Youth Organization of Turkmenistan, with support from the United Nations Population Fund (UNFPA) and the Ministry of Education of Turkmenistan, piloted the Leadership Academy and Innovation Lab as a platform for the broad participation of young people and children in decision-making. Over the course of five days, more than 220 school pupils, young professionals and college students learned the necessary skills to interact with decision-makers, discussed ideas for positive contributions to society and then proposed solutions to existing problems in their communities. Social innovation projects are taken into consideration in the formulation of the next State Youth Policy Programme and its action plan.

64. Two young people's peer education centres were opened in the capital and the city of Mary by the Youth Organization of Turkmenistan with support from UNFPA to promote healthy lifestyles among young people. Volunteers conduct sessions inside the centre, and also in schools and camps, and endeavour to strengthen access by their peers to reliable information and knowledge on reproductive health, gender equality and life skills. Volunteers at the young people's peer education centres form part of the Y-PEER international youth network, and for the last two years, thanks to its active and effective work, Y-PEER Turkmenistan has been ranked as one of the top two such international youth networks in the world.

65. Starting in 2019, United Nations agencies, the Sustainable Development Goals Training and Resource Centre, the Ministry of Finance and Economy and the Ministry of Foreign Affairs are organizing a competition among young people to give them the opportunity to submit ideas on how they can contribute to raising awareness of the Sustainable Development Goals at the national level. Young Sustainable Development Goal Ambassadors have the right to organize their own groups, prepare their own work plans and

carry out awareness-raising activities about the Goals, part of which includes raising awareness of children's rights.

### **Definition of “child” (art. 1)**

66. In Turkmen law, the definition of “child” tallies with that in article 1 of the Convention on the Rights of the Child. Under the Rights of the Child (State Guarantees) Act of 3 May 2017, a child is defined as a person who has not reached the age of 18 years (majority age).

### **General principles (arts. 2, 3, 6 and 12)**

#### **(a) Right to non-discrimination (art. 2)**

#### **Follow-up information relating to paragraphs 18 and 19 of the concluding observations**

67. Under the Rights of the Child (State Guarantees) Act of 3 May 2014, Turkmenistan guarantees the equality of rights and freedoms of every child living in Turkmenistan, irrespective of ethnic background, race, sex, origin, social or property status, place of residence of the child and of the child's parents, language, education, attitude towards religion, circumstances of birth, state of health or other circumstances. One of the thrusts of child-oriented State policy is the prevention of discrimination against children and the restoration of rights in the event of their violation. The State shall take the necessary measures to ensure that children are protected from all forms of discrimination. The law prohibits discrimination on the basis of disability and other circumstances, and also discrimination against a child with a disability. The State guarantees children with disabilities effective legal protection on an equal basis with other children from discrimination on any ground. Children with disabilities have the right to respect for their physical and mental integrity on an equal basis with other children. Persons who discriminate against them shall be held liable in accordance with the procedure established by the law of Turkmenistan.

68. Members of ethnic minorities are scattered throughout Turkmenistan. Each school, however, has its own assigned area. The staff of each school works with all the families living in the assigned area that have children of school and preschool age, including ethnic minorities. In order to ensure that all children have access to education, a census of children of school and preschool age is conducted in the assigned district, explanatory and advisory work is carried out among the parents and they are provided with the necessary assistance in matters related to the education and upbringing of their children, among other measures.

69. Children of members of ethnic minorities, like all other citizens residing in Turkmenistan, study in secondary schools chosen by their parents (or persons acting in loco parentis), taking into account their choice of language of instruction.

70. Orphans and children left without parental care or without persons acting in loco parentis are maintained and educated in educational establishments, including vocational establishments, on the basis of full State support until they reach the age of 24.

71. Work to protect human rights against all forms of discrimination is a priority for the Office of the Ombudsman.

72. The Ombudsman Act stipulates that the records of the Ombudsman should be maintained in the State language. The Act further guarantees the right of complainants to contact the Ombudsman in their native language or a language in which they are proficient. The response will be provided in the national language with a translation into a language spoken by the complainant. This rule provides ample opportunity for complainants of different nationalities to submit complaints in a language that they know or their native language, and that language is used in the responses subsequently sent to them.

73. In 2019, individuals of various ethnicities, including Armenians, Azerbaijanis, Kazakhs, Kurds, Russians, Turkmen, Ukrainians and Uzbeks, petitioned the Office of the Ombudsman. The breakdown of persons who made in-person applications in 2019 showed

that, among them, there were 315 Turkmen, 44 Russians, 18 Uzbeks, 10 Azerbaijanis, 5 Armenians, 2 Ukrainians, 2 Kurds and 2 Kazakhs; the other five citizens were of Baluchi, Lak, Lezgin, Roma and Tatar origin. An analysis of petitions by citizens shows that equal opportunities are available for all to realize their rights.

74. Over the years, the Ombudsman has had constructive meetings with the High Commissioner on National Minorities of the Organization for Security and Cooperation in Europe (OSCE), Lamberto Zannier, and with the Special Advisor for Religious Minorities in the Near East and South and Central Asia of the United States Department of State, Knox Thames, during which important issues regarding representatives of minorities were discussed.

75. Representatives of the Office of the Ombudsman regularly participate in national and international events related to minority rights.

**(b) Best interests of the child (art. 3)**

**Follow-up information relating to paragraphs 20 and 21 of the concluding observations**

76. Under the Rights of the Child (State Guarantees) Act, the priority of child-oriented State policy is to safeguard the best interests of children. Every child has the right to enjoy all the rights and freedoms granted to children. In the realization of the rights, freedoms and legitimate interests of the child, the best interests of the child shall be ensured. Parents shall have equal rights and duties in matters relating to their child. It is the primary concern and direct responsibility of parents to ensure the best interests of their child. In all actions concerning children with disabilities, the best interests of the child shall be a primary consideration. Orphaned children or children left without parental care shall, in their best interests, be placed with close relatives in a family for adoption.

77. The principle of “in the best interests of the child” is enshrined among the provisions of the Rights of the Child (State Guarantees) Act. This is highlighted in relation to the equality of rights and freedoms of the child (art. 4); in the State policy “in the interests of the child” (art. 6); in the right of the child to live and be brought up in a family (art. 13); in the child’s right to an appropriate upbringing (art. 19); in the protection of the rights of a child with a disability (art. 42); in the maintenance and upbringing of orphaned children and children left without parental care (art. 43).

78. In accordance with the Guardianship and Trusteeship Act of 3 June 2017, one of the main thrusts of State policy in the domain of guardianship and trusteeship is to ensure the best interests of children. The guardianship and trusteeship agencies shall consider the need for a minor child who has reached the age of 10 to give consent to his or her adoption, the consent of his or her parents, of the guardian, or of the spouse of the adopter, and shall submit to the local governor (häkim) the relevant documents necessary for the issuance of a ruling on the adoption of the child, provided that the adoption is not contrary to the child’s best interests. They shall also grant permission for minor children to travel outside Turkmenistan for the purpose of visiting their parents (or one of them) and close relatives or other relatives living outside Turkmenistan, provided that this is not contrary to the child’s best interests.

79. During the period in which a minor child is under guardianship or tutorship, the guardianship and tutorship authorities shall cooperate with law enforcement agencies, other State bodies, local authorities and voluntary associations on issues relating to the social and educational rehabilitation of the family and the return of the minor child to the family, provided that this is not contrary to the child’s best interests.

80. According to the Family Code of 10 January 2012, the court must take into account the best interests of the child when considering the dissolution of marriage. Children have the right to express their opinion in any matter affecting their best interests within the family and to be heard in any judicial or administrative proceeding. The opinion of a child who has reached the age of 10 shall be taken into account, unless it is contrary to the child’s best interests. In some cases, the guardianship and trusteeship authority or the court may only be able to make a decision if it has the consent of the child who has reached the age of 10. Parents who cause damage (harm) to a child’s best interests are liable in accordance with the

procedure established by the law of Turkmenistan. If there is no agreement, the dispute between the parents shall be resolved by the court, taking into account the best interests and opinion of the child.

**(c) Right to life, survival and development (art. 6)**

**Follow-up information relating to paragraphs 22 and 23 of the concluding observations**

81. On 23 November 2016, the Psychological Services Act was adopted to restore the psychological health and working capacity of the person receiving psychological services; the identification, prevention and resolution of psychological problems, support of the recipient of psychological services, assisting that person in adapting to changed living conditions.

82. The main objectives for the provision of psychological services shall be to ensure the availability and quality of psychological services; to protect the rights and legitimate interests of recipients of such services; to uphold guarantees of compliance of the rendered psychological service with the established requirements and standards; to provide the population with reliable information on types and forms of psychological services and qualifications of psychologists; to keep the population informed about the causes of psychological problems, and ways and means to prevent and resolve them.

83. Information confirming that a person has applied for psychological services and about the provision of such services, along with other information obtained during their provision, shall be confidential. Psychologists shall be obliged to inform parents or persons acting in loco parentis about the psychological problems of persons under the age of 18, and of persons recognized as legally incapable or with limited legal capacity, if there is a likelihood of their committing actions that pose a threat to their own life or health or the life and health of others around them and, if necessary, to refer them to specialists for psychiatric services. The provision of this information may not be deemed to be disclosure of confidential information.

84. A special role in the domain of rendering psychological services to members of the public is played by the helpline, which offers a means of emergency psychological assistance in crisis situations experienced by people in certain circumstances.

85. In accordance with the Act, the provision of psychological services is carried out on the basis of a voluntary application by a person in oral or written form, including with the use of information and telecommunications technologies. The provision of psychological services to persons under the age of 18 shall be made on the basis of an application by their parents or persons acting in loco parentis, or employees of the relevant children's institutions with responsibility for them.

86. The consent of parents or persons acting in loco parentis shall not be required for the provision of psychological services to a person under the age of 18, in cases where: there is attested evidence of the infliction on that person of cruel treatment or physical, mental or sexual violence; the said person has suffered as a result of an emergency situation or an accident; the said services are provided in the form of psychological preventive care and psychological awareness; the said person applied for the psychological services anonymously, including over the telephone helpline. Psychological services may also be provided to a person under the age of 18 without the consent of that person's parents or persons acting in loco parentis in other circumstances provided for by law.

87. Psychological services may be provided on a pro bono or reimbursable basis. Psychological services are provided free of charge to persons affected by emergencies or accidents, their family members and close relatives, victims of human trafficking and in other cases provided for by the law of Turkmenistan.

88. Non-State organizations active in the domain of psychological services may render psychological services free of charge in accordance with their charters and other constitutive documents. The provision of psychological services on a reimbursable basis shall be carried out on the basis of an agreement on the provision of such services concluded in writing, except for psychological services provided anonymously.

89. The National Programme for the Protection of the Mental Health of the Population in Turkmenistan for 2018–2022 and the action plan for its implementation were ratified by a presidential decision. Pursuant to that instrument, an intersectoral coordination commission for the implementation of the above programme was established and its membership approved.

90. On 8 April 2020, at a meeting of the Cabinet of Ministers, a decision was taken to introduce the post of educational psychologist in secondary schools where there are more than 300 pupils.

91. State and law enforcement agencies and voluntary organizations are actively working to prevent suicide among children and young persons, the scope of psychological counselling and support services has been increased, and active measures are being taken to tackle the root causes of such occurrences. Healthy lifestyles, including good moral standards, are actively promoted.

**(d) Respect for the views of the child (art. 12)**

92. Since 2016, UNICEF, together with the parliament of Turkmenistan, has been consulting with children about their perceptions of children's rights and the realization of those rights, which includes non-discrimination and the social inclusion of children with disabilities.

**Civil rights and freedoms (arts. 7, 8 and 13–17)**

**(a) Birth registration, name and nationality (art. 7)**

**Follow-up information relating to paragraphs 24 and 25 of the concluding observations**

93. The Family Code and the Civil Registration Act of 30 October 2019 regulate the procedure and time frames for registering the birth of a child. By law, parents or guardians are required to register the birth of a child within one month.

94. The State Statistics Committee of Turkmenistan, within the framework of the global Multiple Indicator Cluster Survey programme and with technical support from UNICEF, conducted rounds 5 and 6 of the survey in 2015 and 2016. One of the indicators of this survey is birth registration (MICS indicator 8.1). Almost 100 per cent of children under the age of 5 in Turkmenistan have had their births registered. Where birth registration is concerned, there are no differences by region, gender, age or education level of the mother.

95. On 25 January 2019, a national action plan for the elimination of statelessness in Turkmenistan for the period 2019–2024 was ratified by presidential decree.

96. The national action plan is intended to promote coordination and strengthen cooperation between authorized State bodies, international organizations and civil society in resolving situations of statelessness and preventing the emergence of new cases of statelessness by adopting legislative and practical measures.

97. The Citizenship of Turkmenistan Act of 22 June 2013, pursuant to which persons acquire Turkmen citizenship by birth, is also aimed at preventing cases of statelessness.

98. If the paternity of a child whose mother is stateless is established and the father is Turkmen, the child shall become a Turkmen citizen regardless of the place of birth.

99. A child residing in Turkmenistan whose parents are unknown shall be considered to have been born in Turkmenistan and to be a Turkmen citizen. If at least one of the parents, guardian or tutor of that child is found, the child's nationality may be changed in accordance with the Act.

100. The State guarantees stateless persons the right to housing, access to education, employment, medical services, access to identity documents and biometric travel documents of international standard, non-discriminatory access to the justice system, the right to a cultural identity, and the right to participate in national and international sporting events. A

declaration recognizing the valuable contribution of the Refugee Olympic Team to the strengthening of peace and human rights was adopted in Geneva, on the initiative of Turkmenistan, on 15 September 2017, at the thirty-sixth session of the Human Rights Council.

101. The country's achievements in addressing refugee and statelessness issues have been facilitated by the significant stepping up in recent years of its cooperation with such United Nations agencies as the Office of the United Nations High Commissioner for Refugees (UNHCR) and the International Organization for Migration (IOM), and also with the Organization for Security and Cooperation in Europe (OSCE).

102. As a permanent member of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, Turkmenistan actively supports the consolidation of international efforts to uphold and protect the rights of refugees and stateless persons.

103. Turkmenistan is working systematically to eradicate statelessness, and the relevant national action plan for 2019–2024 is being successfully put into effect. In July 2020, a webinar on procedures for the determination of statelessness and international best practices in that area was held with the participation of Yasuko Oda, Head of the UNHCR Regional Office for Central Asia, and representatives of voluntary associations.<sup>3</sup> The webinar was attended by representatives of the State Migration Service, the Mejlis, the Supreme Court, the Ministry of Foreign Affairs, the Ministry of Health and Medical Industry, the Ministry of Education, the Ministry of Justice and the State Statistics Committee of Turkmenistan.

104. At the webinar, participants exchanged views on the achievements and positive experiences of the international community in addressing important issues in the field of migration. In this regard, the positive experience and achievements of Turkmenistan in reducing statelessness were noted.

**(b) Freedom of expression and the right to seek, receive and impart information (art. 13)**

**Follow-up information relating to paragraphs 26 and 27 of the concluding observations**

105. Under article 16 of the Rights of the Child (State Guarantees) Act, the right of every child to freedom of conscience, religion and the free expression of his or her opinion and views is regulated by the Act, under which the child's opinion and wishes are taken into account in deciding any issues affecting his or her interests, taking into account his or her age and maturity. At the same time, the State shall promote and guarantee the right of the child to freedom of expression in the family, school and other institutions and organizations.

106. An analogous principle is enshrined in the Family Code of Turkmenistan, pursuant to which children have the right to express their opinion in any matter affecting their best interests within the family and to be heard in any judicial or administrative proceeding. The opinion of a child who has reached the age of 10 shall be taken into account, unless it is contrary to the child's best interests.

**(c) Access to information from a diversity of sources and protection from information and material injurious to the child's well-being (art. 17)**

**Follow-up information relating to paragraphs 28 and 29 of the concluding observations**

107. The Mass Media Act of Turkmenistan of 22 December 2012 enshrines the principles of State policy on mass media, according to which the mass media in Turkmenistan enjoy freedom of information.

108. The Information and Protection of Information Act regulates matters arising from exercise of the right to seek, collect, receive, transmit, produce, store, provide, disseminate

<sup>3</sup> <https://business.com.tm/ru/post/5802/turkmenistan-prinyal-uchastie-v-regionalnom-vebinare-uvkboon>.

and use information, and also the application of information technology and the protection of information.

109. Independent private news media covering world news and events in the political, economic and public life of Turkmenistan are actively operating in Turkmenistan, including such private media outlets as Turkmenportal (<http://turkmenportal.com>), Arzuw (<http://arzuw.tm>), Infoabad (<http://www.infoabad.com>), Turkmeninform (<http://www.turkmeninform.com>), Orient (<http://orient.tm>) and others. All these media outlets have their own information-seeking and information-discussion websites.

110. There are no restrictions on the use or creation of Internet sites in Turkmenistan, except for those prohibited by law, in particular for the propagation of terrorist and radical views. Strong impetus at government level has been given to internet blogging and website development. Thus, for the first five months of this year the number of registered resources has increased by 10 per cent and there are now more than 180 websites.

111. Undoubtedly, the rapid growth of these indicators is also related to the general dynamics of digitalization in the world in response to the spread of the novel coronavirus.

112. According to the UNICEF report “Children in a digital world” (2017), the number of Internet users in Turkmenistan is about 1 million, representing 15 per cent of the population, cell phone services are used by more than 4.4 million people, or 81 per cent of the population, and mobile social networks are used by more than 200,000 people.<sup>4</sup> If we compare the 2016 figures with those of the current year, it is worth noting that there are 24 per cent more Internet users (161,000 people); active social media users increased by 108 per cent (13,000 people); and mobile social media users by 74 per cent (6,000 people).

113. Users of laptops and notebooks increased by 35 per cent and now constitute 67 per cent of the population. Gadget users increased by 4 per cent to 24 per cent. More than 25,000 people are active Facebook users. In terms of percentage this is 60 per cent; 24 per cent use Facebook daily, 42 per cent of users are female and 58 per cent are male.

114. In addition, such social networks as Odnoklassniki and VKontakte are widely used in Turkmenistan. The entire population uses the mobile social network IMO. Young entrepreneurs of Turkmenistan have developed a social network BizBarde (“We are here”) to promote communication in the Turkmen language. The network has already been joined by more than 5,000 young people since its launch.

115. The young Sustainable Development Goal Ambassadors promote their ideas through Instagram, where they have already connected with their peers in other countries in pursuit of the world’s goals. The website and application Yashlyk.info, which was created with UNFPA support and is now supported by the Youth Organization of Turkmenistan, is very popular among young people and provides information on adolescent development and reproductive health.

116. Today, there are more than 2.5 million subscribers to mobile and fixed network Internet providers. As of 1 June 2020, there are more than 5.9 million mobile subscribers with broadband access to the 3G and 4G networks.

117. For the purpose of social protection in Turkmenistan, tariffs for some communication services are among the lowest and most affordable in the world: the monthly subscription fee for Internet Protocol and cable television is 10 manat (2.8 United States dollars), and for a home telephone, 1 manat (0.028 United States dollars).

118. The Cybersecurity Act of 2019 defines the organizational and legal framework for the protection of the national interests and human and civil rights and freedoms of Turkmenistan in cyberspace. According to the Act, one of the principles of cybersecurity in Turkmenistan is the rule of law, respect for human rights and freedoms, and their protection in accordance with the procedure established by law.

<sup>4</sup> <https://www.unicef.org/kazakhstan/media/292/file/%D0%B4%D0%BE%D0%BA%D0%BB%D0%B0%D0%B4%20.pdf>.

119. In order to prevent the dissemination of any information related to religious movements of a terrorist, extremist or anti-social nature that could have a negative impact on young people, the Ministry of Internal Affairs is conducting appropriate operational work on the Internet system and is working to identify, prevent and deter such movements.

120. There is one television channel for children and one children's magazine, which has the widest circulation in the country (10,000 copies). National partners supported the launch of the UNICEF report, *The State of the World's Children 2017: Children in a Digital World*, in late 2017, focusing on children's issues in the digital age and Internet access.<sup>5</sup> There is a heightened interest and commitment on the part of the Government to provide universal access to every citizen, including children.

**(d) Freedom of association and of peaceful assembly (art. 15)**

121. The Constitution guarantees the freedom of citizens to hold assemblies, rallies, demonstrations and other mass events under the procedure prescribed by law (art. 43).

122. In accordance with the Meetings, Assemblies, Rallies, Demonstrations and Other Mass Events (Organization and Conduct) Act of 2014, the conduct of a mass event is based on the principles of legality, voluntary participation and respect for and observance of human and civil rights and freedoms. Restrictions on the holding of a mass event in certain places are established to ensure the safety of the participants in such events and to protect human and civil rights and freedoms, law and order, public safety and the normal operation of vital infrastructure. Decisions and actions (or inaction) of State bodies, voluntary associations and officials that infringe the right of citizens to hold a mass event may be challenged in court in accordance with the procedure established by law.

**(e) Protection of privacy and protection of reputation (art. 16)**

123. The right of all persons to privacy, to keep private and family information confidential and to protection of such information from arbitrary interference and violations of secrecy of correspondence, telephone calls and other communications is guaranteed by the Constitution. The collection, storage, use and dissemination of a person's private information without that person's consent is prohibited.

124. This right is regulated by the Private Information and its Protection Act of 20 March 2017. According to the Act, all persons are guaranteed the right to protection of their personal information and the right to retrieve and clarify personal information relating to them.

**(f) Freedom of thought, conscience and religion (art. 14)**

125. The Rights of the Child (State Guarantees) Act provides for the right of every child to freedom of conscience, religion and the free expression of his or her opinion and views. The views and wishes of children shall be taken into account in any matters affecting their interests, with due consideration for their age and maturity.

**Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

**(a) Measures to prohibit and eliminate all forms of harmful practices, including but not limited to female circumcision and early and forced marriage (art. 24, para. 3)**

**Follow-up information relating to paragraphs 30 and 35 of the concluding observations**

126. This issue is not relevant to Turkmenistan, as the practice of female genital mutilation does not exist in Turkmen culture and national traditions. The health-care system in Turkmenistan does not apply the practice of female genital mutilation, which is harmful to the health and well-being of women and children.

<sup>5</sup> <https://www.unicef.org/kazakhstan/media/292/file/%D0%B4%D0%BE%D0%BA%D0%BB%D0%B0%D0%B4%20.pdf>.



127. Under article 15 of the Family Code, the minimum age of marriage is set at 18.

128. Under article 15 of the Family Code, the guardianship and tutorship authorities may, in exceptional cases, at the request of persons wishing to marry and if there are valid reasons, lower the age of marriage, but by no more than one year.

129. Annex 4 presents information on early marriages, according to the Multiple Indicator Cluster Survey.

**(b) Right not to be subjected to torture or other cruel inhuman or degrading treatment or punishment (arts. 28 (2) and 37 (a))**

130. The Government of Turkmenistan is taking all appropriate legislative, administrative and social measures to protect children from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parents, legal guardians or any other person who has the care of the child. Article 123 of the Criminal Code stipulates liability for the failure or improper performance of professional duties to protect the life and health of minors by an employee of a children's or adolescents' institution in whom such duties have been vested, or for a negligent or dishonest attitude towards such minors.

131. In accordance with the Ombudsman Act, the Ombudsman is entitled to visit remand centres, other places of detention and correctional and other specialized institutions freely and without prior notification and to conduct inspections of their work, independently or jointly with competent State bodies, officials or civil servants.

132. Complaints addressed to the Ombudsman by persons held in remand and detention centres, correctional facilities and other specialized institutions are not subject to screening and shall be forwarded to the Ombudsman within 24 hours.

133. Following the adoption of the Act, the Criminal Executive Code was amended and supplemented to add the Ombudsman to the list of persons authorized to visit penal institutions without special permission. The Ombudsman has visited a number of correctional institutions in the course of her work, in order to perform the duties set out in the Act. Special attention has been paid to upholding the rights of special groups of convicted persons, such as women and juveniles.

134. The first visit was organized to the MR-E/13 institution of the Police Department of Mary province, a facility for convicted juveniles.

135. During the inspection, the Ombudsman held meetings and discussions with inmates of the facility, both in groups and individually. An inspection of the maintenance of sanitation standards at their place of residence, health care and meals, the organization of cultural leisure and sports activities, and the necessary conditions for short and long-term visits by close relatives found that all the necessary conditions were in place. The facility has a copious library of 4,851 books and magazines, which are used by dozens of readers every day.

136. In accordance with the staff schedule, the school has teachers working at the standard rate of 18.5 hours per week, teaching various subjects, and also a psychologist conducting relevant work with inmates.

137. During the visit to the colony, interviews were held with the juvenile inmates and their relatives who had arrived that day for a visit, and no complaints or statements were received from them. During the reporting period, the Office of the Ombudsman received no complaints from prosecuted or convicted minors, their close relatives or legal representatives.

138. The report by the Ombudsman on the monitoring of penal institutions is available at <http://turkmenistan.gov.tm/obdusmen>.

139. The Ministry of Internal Affairs is working to protect children from any form of violence. Thus, each inspector of the Juvenile Affairs Inspectorate in police departments is assigned a specific territory, with responsibility for the minors living in that territory and for the educational, sports and other institutions located within it. The work of juvenile affairs units in police departments is not limited to the prevention of juvenile delinquency.

140. Inspectors of the Juvenile Affairs Inspectorate deal with violations of the rights of minors and offences committed against them, in response to which immediate action is taken. Evidence of bullying of a child may be detected by the inspectors themselves, on the basis of operational information available to them, or on the basis of information reported by education officials (from schools, preschool establishments and other educational institutions) to the internal affairs authorities, in particular to the assigned inspector from the Juvenile Affairs Inspectorate. The juvenile affairs inspector gathers evidence relating to the offence and, depending on the gravity of the act, passes it on to the investigating authorities. If the offence is of an administrative nature, the evidence is submitted to the Commission on Minors' Affairs under the hakimliks (local-level administrations), where measures are taken against the perpetrators in accordance with administrative law. Educationalists and psychologists are involved in working with the affected minors, and their parents are also consulted.

141. The Code of Administrative Offences stipulates penalties for inadequate fulfilment of obligations to protect the life and health of minors. Thus, the failure or improper performance of professional duties to protect the life and health of minors by an employee of a children's or adolescents' institution in whom such duties have been officially vested, due to a negligent or careless attitude to these duties, which has caused harm of medium severity to the health of a minor, shall entail the imposition of a fine or administrative detention.

142. Some work is being done by the Ministry of Internal Affairs, in cooperation with the relevant ministries and departments, to strengthen the capacity of schools to detect and respond in a timely fashion to bullying, to prevent and combat such practices and to ensure that children are informed of guarantees of their protection. Within the framework of their functional duties, juvenile affairs inspectors are obliged to have knowledge of the school environment (student attendance, discipline, detection of offences among and against minors). The inspectors maintain contact with the school administration. In accordance with the joint plan of educational measures to prevent juvenile and youth delinquency, on the initiative of the ministries of education and internal affairs, working groups of teachers and juvenile affairs inspectors have been set up in each school to resolve pressing problems on the prevention of delinquency, discipline, attendance and other student-related issues. These working groups organize meetings at least three times a month. On the initiative of the Ministry of Internal Affairs, on-site commissions for juvenile affairs are being introduced, which simplifies the procedure for reviewing cases.

## **Family environment and alternative care (arts. 5, 9–11, 18 (1) and (2), 20, 21, 25 and 27 (4))**

### **Follow-up information relating to paragraphs 36 and 37 of the concluding observations**

143. The procedure for registering a child's birth, establishing the child's name, patronymic and surname, including in the case of adopted children and children of refugees and asylum-seekers, and ensuring the child's right to know, to the fullest extent possible, his or her parents and the right to parental care are set out in family law.

144. Detailed information on this issue may be found in the initial report of Turkmenistan. There have been no changes in the country's law on this matter during the reporting period.

145. Under article 85 of the Family Code, raising a child in a family is recognized as the set-up that best ensures the rights and legitimate interests of the child and this arrangement may be terminated only on the grounds provided for by law.

146. A child left without parental care is provided by the State with upbringing in a family form – adoption, guardianship or tutorship – or is placed in an appropriate children's institution, social service facility or other establishment on full State support.

147. The State ensures that the child is protected from any form of unworthy treatment by his or her parents (or by one of them) or other persons responsible for the child's upbringing and care and exercises appropriate supervision over the proper conditions of guardianship (or tutorship).

148. On 3 June 2017, the Guardianship and Tutorship Act was adopted to regulate relations arising from the establishment, exercise or termination of guardianship or tutorship over persons in need of guardianship or tutorship and is aimed at the social protection of their rights, freedoms and lawful interests.

149. Under article 8 of the Act, the Cabinet of Ministers, guardianship and tutorship agencies and other State bodies are the bodies responsible for State regulation and control in the area of guardianship and tutorship.

150. In localities where there are no guardianship and tutorship agencies, the local authorities identify persons in need of guardianship or tutorship, appoint a guardian or tutor for them, prepare documents relating to adoption and submit them to the guardianship and tutorship bodies, and monitor application of the State guarantees established by law.

151. Diplomatic missions and consular offices of Turkmenistan abroad, in accordance with the procedure established by law, take measures to establish guardianship or tutorship over Turkmen citizens living abroad who are in need of guardianship or tutorship, and monitor the application of State guarantees.

152. Legal entities and individuals other than the guardianship and tutorship agencies are not allowed to take steps for the placement of persons in need of guardianship or tutorship.

153. Under article 105 of the Family Code, children left without parental care are placed with close relatives in a family for adoption or under guardianship (tutorship) or, failing such placement, in institutions for orphans or children left without parental care, social service institutions or other establishments.

154. The guardianship and tutorship agencies are obliged to examine the housing and material conditions of the person or persons seeking to raise such children and their observance of moral standards and other conditions, and to draw up a report of the examination, which may be taken into account in the placement of such children if it is not contrary to the best interests of the child. When a child is placed, consideration must be given to the child's ethnic origin, religious and cultural affiliations and native language, and to the possibility of ensuring continuity of upbringing and education.

155. Until such time as children without parental care are placed in families or institutions, the responsibilities of guardian (tutor) of the children are temporarily entrusted to the guardianship and tutorship authorities.

156. In order to ensure that issues relating to children without parental care are resolved, commissions on guardianship and tutorship, comprising representatives of the hakimliks, the Ministry of Health and the Medical Industry, the Ministry of Education, the Ministry of Labour and Social Protection, the Ministry of Internal Affairs, the Central Council of the Magtymguly Youth Organization and the Central Council of the Women's Union, have been set up and are functioning as part of a multidisciplinary team under the hakimliks. These commissions are authorized to deal with children who do not attend school, run away from home, are left without guardianship or tutorship, commit offences and so forth. According to reports, the Ashgabat Guardianship and Tutorship Commission handled 1,242 such cases in 2019 and 314 more cases in the first six months of 2020.

#### **Follow-up information relating to paragraphs 38 and 39 of the concluding observations**

157. Chapter 15 of the Family Code provides for the adoption of a child and the State registration of the adoption.

158. Adoption is a form of placement of a child in a family and is allowed only in respect of a minor child and in that child's best interests. In the event of adoption, the child has the right to know about his or her former parents.

159. In some cases, adoption may be performed even after a person has reached the age of majority, if it is established in court that there was already an effective parent-child relationship the adopter and the adopted person.

160. Article 204 of the Family Code provides for the adoption of a child who is a Turkmen citizen by Turkmen citizens permanently residing outside Turkmenistan, foreign citizens and stateless persons. Such adoption may be considered as an alternative way of caring for a child if, owing to external factors, the child cannot be adopted by the child's relatives, irrespective of their nationality and place of residence, or placed in the care of Turkmen citizens permanently residing in Turkmenistan, or placed in a family that could provide for the child's upbringing or adoption, or if it is not possible to provide any suitable care for the child in Turkmenistan.

161. Foreign citizens and stateless persons seeking to adopt a child have the right to personally choose the child and must be in direct contact with the child for at least one year. They must submit a written application to the guardianship and tutorship authorities expressing their desire to adopt a child, and also submit a certificate attesting to their financial solvency, marital status and state of health.

162. The guardianship and tutorship agencies are authorized, through the diplomatic missions or consular offices of Turkmenistan and through other channels recognized by international rules, to require the authorities and organizations of States whose citizens have adopted a child who is a Turkmen citizen, and also those of States in whose territory stateless persons who have adopted a child who is a Turkmen citizen reside, that the adopted child be provided with legal guarantees equal to those that the child would have enjoyed if he or she had been adopted in Turkmenistan, as well as regular information provided every six months until the child reaches the age of 16 on the living conditions and upbringing of the adopted child.

163. The diplomatic mission or consular office of Turkmenistan shall supervise the application in respect of an adopted child who is a Turkmen citizen and who resides outside Turkmenistan of guarantees and standards equal to those that the child would have enjoyed after adoption in Turkmenistan and shall also ensure that the law of that State guarantees the child rights no less extensive than those provided for by Turkmen law.

164. Over the period 2017–2020, the civil registry offices registered the following adoptions:

2,690 in 2017

2,589 in 2018

2,659 in 2019

1,180 over the first six months of 2020

165. No cases have been registered of the adoption by foreign nationals of children who are Turkmen citizens.

166. The issue of ratification of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption is being studied by the Interdepartmental Commission and the Ministry of Education.

167. In cooperation with UNICEF, awareness-raising and training activities on the right of children to know their origins and to have access to information on their past are organized for representatives of the Mejlis, the Ministry of Education, the guardianship and tutorship bodies under the hakimliks and members of the Interdepartmental Commission.

## **Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3), and 33)**

### **(a) Children with disabilities (art. 23)**

#### **Follow-up information relating to paragraphs 42 and 43 of the concluding observations**

168. Under article 4 of the Education Act, the State shall create conditions for citizens with functional limitations, in other words, with physical or mental developmental delays or disabilities, to receive education in general education establishments (inclusive education).

Special establishments are set up for children who, for health reasons, are unable to attend mainstream schools, with special teaching methods, treatment for developmental disorders and social adaptation measures.

169. In mainstream schools and preschool institutions, children with disabilities, along with other children, study and participate in all activities, including those of an intellectual, sporting, recreational and social nature, in accordance with their interests and wishes. An individualized and differentiated teaching approach is taken towards children with disabilities (children with minor lesions of the locomotor apparatus, hearing impaired, visually impaired, speech impaired children, and others) who are following the educational programmes of mainstream schools and preschool institutions of a general type.

170. Children who, for health reasons, cannot attend mainstream educational institutions are educated in special educational institutions. In these institutions, in accordance with curricula and programmes, children receive a basic education, an upbringing to equip them for life in society, the necessary improvements to their health, the elimination of developmental disorders (hearing, vision, speech, mental development, musculoskeletal disorders), and the restoration of lost skills and abilities. Pupils and residents in these institutions who have restored or improved their health are transferred to general-type educational institutions in accordance with the findings and recommendations of medical and pedagogical commissions.

171. For children undergoing long-term treatment in medical institutions, education (following a special curriculum, adapted programmes and lesson schedules) is organized at the place where they are staying (receiving treatment) by teachers from a nearby secondary school. Home education for children with disabilities is organized in the same manner.

172. In June 2016, the Social Protection Code was amended to extend the upper age limit of a child in the “children with disabilities” category from 16 to 18.

173. In accordance with the National Plan of Action for Human Rights in Turkmenistan for the period 2016–2022, the State Statistics Committee, in cooperation with the Ministry of Health and the Medical Industry and the Ministry of Labour and Social Protection, developed an electronic disability registration card and instructions for its completion, which was approved by the Committee by Order No. 10 of 7 February 2017.

174. Also in February 2017, an agreement on cooperation and interdepartmental information exchange on disability issues was signed between the State Statistics Committee of Turkmenistan, the Ministry of Health and Medical Industry, and the Ministry of Labour and Social Protection.

175. Over the period 2017–2018, with a view to setting up a State register of persons with disabilities, software was developed for the operation of the register’s database.

176. The following numbers of speech therapists have undergone training in the Dil Language Centre of the D. Azadi Turkmen National Institute of World Languages:

29 in 2016

24 in 2017

25 in 2018

24 in 2019

and 31 in the 2019/20 school year

177. The following numbers of special needs teachers have received training at the Rovach Training Centre of the S. Seidi Pedagogical Institute:

75 in the 2018/19 school year

83 in the 2019/20 school year

178. As of the 2018/19 school year, a training programme in social work has been introduced in the A. Kekilov Teachers’ Training College.

179. The Ministry of Education has not received any applications for the training of sign language interpreters.

180. There are two parent centres and early childhood development centres, in Kindergarten No. 138 in Ashgabat and Kindergarten No. 62 in Turkmenabat, and six working groups on early childhood development and early intervention (early childhood development and early intervention clinics) that form part of the educational and rehabilitation centres in various provinces and in Ashgabat, established in 2018 and 2019. Since their creation, these clinics have enrolled 389 children with their parents, including children with special needs, who are trained using specialized child and family developmental assessment tools.

181. Turkmenistan cooperates on issues related to children with disabilities with a number of United Nations agencies, including UNICEF, UNDP and the United Nations Educational, Scientific and Cultural Organization (UNESCO). Within the framework of partnership with international organizations and with the participation of international experts and consultants, systematic and methodical work is carried out, involving the exchange of information and work experience, in order to enhance the competence and skills of specialists and to upgrade services for children with disabilities. In this connection, such activities are organized in the form of short-term professional development training courses, workshops, seminars, study tours to foreign countries and joint partner trips around the country to monitor and study the situation on the ground. In addition, with the participation of the staff of the offices of international organizations in Turkmenistan and international experts and consultants, methodological manuals and materials are being developed to assist specialists and parents. Long-term cross-sectoral programmes and action plans for their implementation are being developed, incorporating activities to promote issues related to children with disabilities and inclusion.

182. All persons with disabilities, including children with disabilities up to the age of 18, are entitled to a State disability allowance and to the benefits provided for in current legislation. The right to social protection, including social services, as an important component of social protection, is guaranteed by the Constitution.

183. The existing system of State social services in Turkmenistan is largely focused on services provided by State specialized institutions. Certain alternative social services are provided by voluntary associations and civil society organizations: counselling services for vulnerable people and families, services for victims of violence and persons with disabilities, including children with disabilities, and other categories.

184. Improving the quality of social services is one of the main objectives of the Social and Economic Development Programme for the period 2019–2025. According to the Programme, the development of quality social services and implementation of international standards in social protection are key priorities in the social sector. Expansion of the range of social services, introduction of a social work strategy and the development of services at local level are identified as important prerequisites for the upgrading of the social protection system.

185. The need to develop inclusive, quality social services at local level has been identified as a priority area for cooperation under the current Development Partnership Framework for the period 2016–2020 and the new Sustainable Development Cooperation Framework between the Government of Turkmenistan and United Nations for 2021–2025, adopted on 14 March 2020.

186. On 16 December 2019, the Government of Turkmenistan and the United Nations signed the Joint Programme on Improving the System of Social Protection through the Introduction of Inclusive Quality Community-based Social Services, funded by the Joint Sustainable Development Goals Fund.

187. The purpose of the Joint Programme is to improve the existing system of social services provision in Turkmenistan and to reach the most needy and vulnerable groups, including orphans, children deprived of parental care, children at risk of separation from their parents and children with disabilities, and to meet their special needs.

188. The objective of the Joint Programme is to create a model of inclusive and high-quality social services at local level for the most needy groups of the population by introducing the post of social worker and creating specialized social services at local level.

The social services model will be developed and piloted to inform the further development of a national policy and regulatory framework for social services, and also for the development of training programmes and standards for the capacity-building of social services staff.

189. Under the Joint Programme, it is planned to pilot several social services to be targeted at broader groups, in particular women and girls, men and boys, persons with disabilities and other vulnerable groups.

190. On 22 August 2020, the Mejlis of Turkmenistan adopted a decision on accession to a number of international instruments, including the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.

**(b) Social security and childcare services and health-care facilities (arts. 18 (3) and 26)**

191. The main focus of the social support system is the realization of the constitutionally guaranteed right of citizens to social security on the basis of age and in the event of illness, disability, loss of capacity to work, loss of breadwinner and other legitimate grounds.

192. Social protection in Turkmenistan consists in the State system of material security and social services for persons incapable of working, elderly persons living alone, persons with disabilities, families with children and persons in other categories, which is implemented through the payment of pensions, State benefits and the provision of social services. The priority groups of children primarily in need of social protection include orphans, children left without parental care, children from large and single-parent families and children with disabilities.

193. In Turkmenistan, the following benefits are provided: pension upon the loss of a breadwinner; State disability allowance, including for children with disabilities up to the age of 18; and State maternity, childbirth and childcare allowances.

194. The Social Protection Code adopted on 19 October 2012 provides separate benefits for orphans and children left without parental care. Brief information sheets based on the Multiple Indicator Cluster Survey on early childhood development may be found on the Cluster's website.<sup>6</sup>

195. During the roll-out of the National Programme on Early Childhood Development and School Readiness for the period 2011–2015, systematic and methodical work was carried out to raise awareness, provide training, improve the skills and parenting skills of specialists, parents and persons acting in loco parentis and the public on early childhood development and school readiness, taking current trends into account. The Programme included measures to enhance the activities of the parents' education centres established with the assistance of UNICEF and working with children of preschool age who do not attend preschool institutions, together with their parents.

196. As part of the strengthening of the early childhood policy, the National Strategy for Early Childhood Development in Turkmenistan for the period 2020–2025 was developed with the joint participation of the Ministry of Health and the Medical Industry, the Ministry of Education, the Ministry of Labour and Social Protection and other ministries and departments, and also with the active support of UNICEF. The Strategy provides for the implementation of early childhood development issues in many significant areas, with close intersectoral participation and support.

197. An evaluation of the early childhood development policy was conducted jointly with UNICEF, which, among other issues, noted the need to improve the interministerial and intersectoral mechanism for the planning and implementation of early childhood development; to introduce new disciplines and improve human resource capacity to provide holistic and effective early childhood development services; to strengthen parental capacity for early childhood development; to introduce integrated social services at the local level; to improve the quality and monitoring of early development and early learning services; and to

<sup>6</sup> <https://mics.unicef.org/surveys>.

migrate from a medical to a social model of disability and to introduce the International Classification of Functioning, Disability and Health.

198. A plan for the implementation and monitoring of the National Early Childhood Development Strategy for the period 2020–2025 has now been developed jointly with UNICEF.

199. Efforts are being made to improve the activities of the early childhood development centres for children with disabilities and their families established jointly with the country office of UNICEF in Turkmenistan on the basis of existing general preschool establishments. The centres provide interdisciplinary support services for children with disabilities and their families in accordance with the social model of disability. These services are aimed at building the capacity of the child and the child's family for further transition of the child to mainstream education, creating an inclusive learning and support environment, and subsequent social inclusion of the child and family. Healthy children who are not attending kindergartens are also enrolled in these centres. The centres also provide services for the early development of children and their preparation for schooling, methodological and advisory assistance to parents in the development of children and their preparation for school at home, and services to improve parenting skills.

200. In 2017, Turkmenistan launched a national public awareness campaign on early childhood development as part of a global initiative entitled "The first 1000 days of a child's life – the basis for a happy future", which is held annually.

201. The initiative has launched and is systematically carrying out programmes on early childhood development on radio and television channels for parents, professionals, the general public and children themselves. The programmes are regularly developed jointly by health and education specialists, members of community organizations, parents, performing artists and others. In order to explain the importance of the participation in the upbringing and development of children not only of mothers, but also of fathers and other family members, and to promote the active participation of fathers in the early development, education and upbringing of their children, a public educational and musical event dedicated to Fathers' Day was organized under the title "Superdad".

202. A documentary film on early childhood development entitled *The Beginning of Life* was produced as part of the early childhood development information campaign as informational and educational material for students at the secondary and higher educational institutions of Turkmenistan in the teacher-training and medical fields.

**(c) Minimum necessary measures to maintain good health**

**Follow-up information relating to paragraphs 44 and 45 of the concluding observations**

203. In order to increase the number of family physicians, the activities of specialists providing primary health care to the population are being upgraded by optimizing their functional responsibilities and work standards. An enhanced role is being assigned to specialists with secondary medical education (nurses and midwives) with extended powers of responsibility, in order to develop maternal and child health-care, nursing and rehabilitation services.

204. In order to train highly qualified family physicians, educational programmes following a competency-based approach and professional standards are being introduced into the system of undergraduate and postgraduate training. Postgraduate training and advanced training programmes for family physicians are routinely revised to meet the needs of health care in new technologies, and training materials are regularly updated. The content of education is qualitatively changing; educational programmes are more practically oriented, with evidence-based medicine, modern standards of medical care, clinical recommendations and a strong focus on professional standards. The variety of educational technologies (distance learning, electronic, medical simulators, and so forth) and activities, methods of assessment and control of learning outcomes is expanding, all geared towards the improvement of practical skills. In order to maintain a level of training that meets the daily demands of practical health care and to systematically improve their knowledge and practical



skills, family physicians participate in professional training programmes. Work is under way to modernize the system of postgraduate medical education, transforming it into a qualitatively new system that ensures the continuous professional development of physicians and pharmacists (through an annual accumulation of hours) and their admission to professional activity.

205. Information technology is being introduced into the health-care industry. The Ministry of Health and the Medical Industry of Turkmenistan, together with UNFPA, the World Health Organization (WHO) and UNICEF, developed and adopted a cross-sectoral strategy for the development of the health information system in Turkmenistan for the period 2019–2025, which defines the objective, prospective tasks and areas of activity involved in ensuring information support for the protection and promotion of public health.

206. The strategy's legislative basis is formed by the Constitution of Turkmenistan, the Information and Protection of Information Act of 3 May 2014, the Public Health Protection Act of 23 May 2015, the presidential programme on the socioeconomic development of the country for the period 2019–2025, the State Health Programme for the period 2016–2025, the road map for the development of the digital economy of Turkmenistan over the period 2019–2025 and other statutory instruments of Turkmenistan which determine the areas for the application of information technologies in health care.

207. At the current time, in Turkmenistan, medical assistance can be provided with the use of telemedicine, in order to improve the speed of patient counselling. In Ashgabat and in five provinces, the e-VA inter-agency Internet network of the Ministry of Health and the Medical Industry has been established and is operating effectively. Turkmenistan participates in the international health information networks: the Central Asian Republics Information Network (CARINFONET) and the Evidence-informed Policy Network (EVIPNet). Evidence-based clinical guidelines, protocols and standards of care for practical application are being developed, and information links are in place to attract specialists, thereby helping to remedy staff shortages (annexes 5 and 6).

208. In Turkmenistan, WHO-approved vaccines and immunization products are purchased exclusively from the State budget. The Government of Turkmenistan fully finances the costs of routine immunization of children. At present, in accordance with the national vaccination calendar, children receive vaccines free of charge against 14 infections: whooping cough, diphtheria, tetanus, hepatitis B, haemophilus influenzae type b, measles, rubella, mumps, tuberculosis, poliomyelitis, human papillomavirus, pneumococcal and rotavirus infections and hepatitis A.

209. As part of the implementation of the National Immunoprophylaxis Programme for the period 2003–2020, many serious infectious diseases have been prevented in the country and a number of diseases have been eradicated (see annex 6). Turkmenistan maintains a high rate of immunization coverage (98 per cent and above). Widespread access to vaccines is one of the significant achievements of the health-care system over the entire period of its operation.

210. All the necessary conditions have been created for the reception, storage and transport of high-quality vaccine and immunobiological products imported into the country in full compliance with the cold chain requirements. Currently, immunization with all major vaccines recommended by WHO is carried out in accordance with the preventive vaccination schedule. Immunization of boys and girls aged 9 against human papillomavirus was introduced in 2016. In 2019, three vaccines – vaccine against rotavirus and pneumococcal infections, and against viral hepatitis A – have been introduced into the national preventive vaccination schedule. Rotavirus and pneumococcal vaccines are given to children up to 1 year of age and hepatitis A vaccine is given at 18 months of age.

**(d) Most common health challenges and efforts**

**Follow-up information relating to paragraphs 46 and 47 of the concluding observations**

211. To push forward work on the prevention of mother-to-child transmission of HIV/AIDS, legislative and practical measures have been taken to raise awareness and for prevention, early detection and treatment support for patients with HIV. The same applies to

breastfeeding; as a result, an increase in breastfeeding has been recorded in recent years (according to Multiple Indicator Cluster Survey data in 2019: 56.5 per cent).

212. In 2016, a new version of the Act on combating the spread of disease caused by the human immunodeficiency virus (HIV infection) was adopted. In order to counter the spread of HIV infection and to prevent the transmission of HIV/AIDS, especially from mother to child, the Act lists the cases in which a mandatory HIV test is required.

213. HIV medical examination of children under 18 years of age is carried out with the consent of their parents or persons acting in loco parentis, and HIV medical examination of persons recognized as legally incompetent is carried out with the consent of their legal representatives. Parents or persons acting in loco parentis and legal representatives have the right to be present during the examination and to be apprised of the results and are obliged to keep the results confidential.

214. The Act pays special attention to the protection of maternal and child health and in this connection the State guarantees the right of HIV-positive children to attend preschool institutions and to study in general education institutions. HIV-positive children under the age of 18 receive State disability allowance and are entitled to the benefits provided for by law. One of the child's parents or a person acting in loco parentis shall have the right to stay with the child in a hospital for the care of an HIV-infected child up to the age of 14. In addition, one of the child's parents or a person acting in loco parentis directly caring for the HIV-infected child in hospital shall be issued a certificate of incapacity for work in accordance with the procedure established by law. Artificial feeding of children born to HIV-infected mothers is provided free of charge. Other social protection measures may be established by law for HIV-positive children and their parents or persons acting in loco parentis.

215. Work to prevent mother-to-child transmission of HIV/AIDS is carried out in accordance with the orders in force issued by the Ministry of Health and the Medical Industry of Turkmenistan. This includes antibody blood tests, HIV prevention counselling provided at the provincial level and awareness-raising campaigns for the public and families.

#### **Follow-up information relating to paragraphs 48 and 49 of the concluding observations**

216. The most recent analysis of child nutrition and physical development assessments was conducted using data from the sixth round of the Multiple Indicator Cluster Survey, conducted by the State Statistics Committee of Turkmenistan and with technical support from UNICEF in 2019, providing a wide range of data on the situation of children and women. These indicators enable us to make an assessment of progress towards the Sustainable Development Goals and can also be used as baseline data for monitoring such progress.

217. The proportion of infants under 6 months of age on exclusive breastfeeding in Turkmenistan remains high, at 56.5 per cent (according to the sixth round of the Multiple Indicator Cluster Survey).

218. The proportion of infants aged 6 to 8 months receiving solid, semi-solid or soft foods was 90.9 per cent (sixth round of the Multiple Indicator Cluster Survey).

219. The results of the sixth round of the Multiple Indicator Cluster Survey showed a decrease in physical developmental delay. Thus, 3.1 per cent of children were underweight, while in 2006 the proportion was 11 per cent; the growth lag was 7.1 per cent, compared to 14.6 per cent; underweight for height was 4.1 per cent, compared to 6.2 per cent. The proportion of low birth weight infants is also showing a decreasing trend, at 3.3 per cent, compared to 4.2 per cent.

220. On 26 March 2016, a new version of the Breastfeeding Promotion and Support Act was adopted, which establishes State guarantees of maternal and child protection and is aimed at respecting one of the fundamental rights of the child: the right to breastfeeding, as a unique opportunity to shape the child's physical and mental health.

221. The breastfeeding promotion and support campaign is aimed at providing pregnant women and breastfeeding mothers with information on the importance, benefits and value of exclusive breastfeeding and on how to prepare complementary foods at home.

222. Breastfeeding promotion and support also include measures to protect pregnant women and breastfeeding mothers from the negative impact of factors that prevent breastfeeding and to promote family and community support for breastfeeding.

223. Rules have been enacted for the manufacturers of breast milk substitutes, to ensure that their packaging does not praise their product and offer it as beneficial and preferable to breastfeeding.

224. In order to create favourable conditions for pregnant women and nursing mothers in enterprises, regardless of their form of ownership, which make extensive use of women's labour, the State guarantees the organization of women's personal hygiene rooms, nursing rooms, nurseries, kindergartens and other types of childcare facilities. The State also guarantees protection of the rights of pregnant women and nursing mothers to:

- (1) Provision of State benefits for maternity, childbirth and childcare;
- (2) Preferential service in medical institutions and trade and public catering enterprises, regardless of their form of ownership and departmental affiliation;
- (3) Provision of additional breaks for feeding the child, in addition to the general rest and meal breaks;
- (4) Priority purchase of tickets for any means of transport;
- (5) Transport of infants and young children free of charge by air, rail, sea and public road transport.

225. The breastfeeding protection and support programme is being implemented as part of the "Saglyk" (Health) programme. National Breastfeeding Week is held in Turkmenistan every year from 1 to 7 September.

226. Currently, the fundamentals of successful breastfeeding are being applied in all obstetric institutions in the country and 87 per cent of these have been awarded the international status of "Baby-Friendly Hospital". Application of this programme has led to a change in the practices of maternity hospitals. These include the early, within the first half hour, feeding of the infant with the mother's milk, close, skin-to-skin, contact between mother and child, feeding on demand, rejection of the use of liquids, glucose or infant formula and the continuation of exclusive breastfeeding until 6 months of age, with the timely introduction of complementary feeding, while maintaining feeding with mother's milk for up to two years and longer. The Breastfeeding Promotion and Support Act and Order No. 220 of the Ministry of Health and the Medical Industry of 20 July 2017 on infant and young child feeding serve as guides to practice in this area.

**(e) Reproductive health and healthy teenagers**

227. The Reproductive Health Service was set up by the Ministry of Health in 1997, with the support of UNFPA. The Service works to address family issues and provide information, education and counselling on sexuality and reproductive health; to prevent unwanted pregnancies, lower the abortion rate and reduce complications during pregnancy, and also to provide prenatal care, safe delivery and postpartum care; to prevent and provide appropriate treatment for infertility, treatment of extragenital diseases and infections affecting the reproductive organs; and to ensure the prevention, care and treatment of sexually transmitted infections and HIV/AIDS.

228. The Reproductive Health Service provides services to women, men and teenagers. Family planning services are accessible to the entire population, facilitated by an established family reproductive health service infrastructure at all levels. Turkmenistan has 105 institutions offering family planning services (the national Reproductive Health Centre based at the Scientific and Clinical Centre for Maternal and Child Health, six provincial-level reproductive health centres based at maternal and child health hospitals, and 87 reproductive

health clinics at all district-level hospitals), along with 7 male reproductive health centres and 6 teenage reproductive health centres.

229. Since 2000, the Ministry of Health and the Medical Industry, with the assistance of UNFPA, has begun work on integrating reproductive health services into family medicine (Order No. 115 of the Ministry of Health and the Medical Industry). Family physicians and nursing staff are trained in basic reproductive health and antenatal care. Questions on reproductive health are integrated into the curriculum of medical universities, medical schools, and the postgraduate training of obstetricians, gynaecologists and family physicians.

230. Given the importance of reproductive health issues, the Government also provides contraceptives. Ten modern contraceptives are included in the country's list of essential medicines and are dispensed free of charge for women at risk (women with chronic diseases, women who have eight or more children; and teenage girls aged 15–19). For the first time, teenage girls aged 15–19 have been included in the list of women at risk, for the provision of subsidized contraceptives.

231. In order to improve the system of accounting, reporting, distribution and uninterrupted availability of contraceptives, since 2008, with the active support of UNFPA, a computerized contraceptive management information system, known as CHANNNEL, has been introduced in five provinces and in Ashgabat. The continuing active work of reproductive health offices on the promotion of women's health and the informed use of contraceptives has boosted the contraceptive coverage of at-risk women from 21 per cent (STEPS survey, 2013) to 71.4 per cent (STEPS survey, 2018).

232. To improve reproductive health services, with technical support from UNFPA international experts, orders have been prepared by the Ministry of Health and the Medical Industry, designed to improve reproductive health services for men, women and teenagers, which include the comprehensive prevention of reproductive disorders in men and women starting from childhood; and to enhance the delivery of reproductive health services to the male population.

233. The medical statistics system has been upgraded. In 2018, Order No. 212 of the Ministry of Health and the Medical Industry was adopted, introducing new reproductive health reporting forms for women, men and teenagers (forms 19.2A, 19.2E and 19.2Ý).

**(f) Protection from the use of psychotropic substances (art. 33)**

234. A comprehensive survey of tobacco use among teenagers aged 14–17 was conducted in 2014–2015, with support from WHO. According to the survey results, 0.3 per cent of young people use tobacco products of any kind (0.2 per cent of boys and 0.4 per cent of girls). In all, 94.3 per cent of students firmly believe that smoking by others is harmful to their health; 97.2 per cent of students support the ban on smoking in public places.

235. Thus, the behavioural standards of society, together with the efforts of the State, are largely preventing the influence of psychoactive substances on the teenage population of Turkmenistan.

236. Over the period 2018–2019, with technical support from WHO, a study on the prevalence of non-communicable disease risk factors (STEPS) was conducted (2018). A comparison of the two rounds of the STEPS survey (2013 and 2018) demonstrated the results achieved in reducing the prevalence of behavioural risk factors for non-communicable diseases. The survey found that only 3.4 per cent (STEPS, 2018) of the country's adult population smoked (STEPS, 2013: 8.3 per cent).

237. The results of the survey also showed a high level of public awareness of the harm of smoking on the part of the media. Among all respondents, the proportion of people who received information over the television about the harm of smoking cigarettes or information encouraging them to give up smoking was 96.1 per cent; from newspapers and magazines, 93.6 per cent; from the radio, 83.2 per cent; and from the Internet, 68.9 per cent.

238. In accordance with the requirements of the WHO Framework Convention on Tobacco Control, with the support of the WHO Regional Office, the national programme for the implementation of the provisions of the WHO Framework Convention on Tobacco Control

in Turkmenistan for the period 2017–2021 is being successfully implemented. Meetings have been held of the interdepartmental coordination committee on the national programme for the implementation of the WHO Framework Convention on Tobacco Control in Turkmenistan for the period 2017–2021. The committee includes representatives of 28 ministries and agencies.

239. Teaching in schools about the dangers of alcohol, naswar (dipping tobacco, or moist snuff), smoking and drugs is included in the syllabus of basic life skills.

240. Since 2015, graphic images on cigarette packets (pictograms) have been introduced to illustrate the health hazards of tobacco smoking.

241. All direct and indirect advertising and sponsorship of tobacco is prohibited in the country. The sale of tobacco products to persons under 18 years of age is prohibited under national law.

242. Public places including hospitals, workplaces, schools and public transport are 100 per cent smoke-free.

243. Counselling to overcome tobacco dependence is provided in nine “Ynam” (Trust) centres located in Ashgabat city and in all provincial capitals, which are equipped with special hotlines.

**(g) Impact of climate change on the rights of the child**

**Follow-up information relating to paragraphs 50 and 51 of the concluding observations**

244. At the 85th plenary meeting of the seventy-third session of the United Nations General Assembly, note was taken of the importance of developing regional programmes on environmental protection and rendering assistance to the Aral Sea basin countries in their effective implementation. Adoption of the programme on cooperation between the United Nations and the International Fund for Saving the Aral Sea was initiated by Turkmenistan, which served as Chair of the International Fund for Saving the Aral Sea over the period 2017–2019.

245. In 2019, the Government of Turkmenistan and UNICEF conducted an assessment of the health and nutritional status of mothers and children in areas affected by the Aral Sea crisis and environmental degradation, in particular in Daşoguz province. The desiccation of the Sea has led to significant environmental, socioeconomic and health problems in the region covering the territory of Turkmenistan, the autonomous Republic of Karakalpakstan within Uzbekistan and Kazakhstan.

246. The synthesis report presents the results of an analytical review of data and qualitative research, including key informant interviews with national and regional stakeholders and focus group discussions in Daşoguz province conducted between 12 and 22 May 2019. The report also includes an assessment of the findings of the analysis and shows gaps in the continuity of maternal and child health interventions in Daşoguz and suggests approaches designed to improve maternal and child well-being and care.

247. Demographic changes in response to climate change are catalysing demand for maternal and child health services. Data from the yearbook for 2016 shows that, currently, Daşoguz province has one of the highest proportions of young people in the country (37.7 per cent of the population under the age of 18), which should be reflected in higher spending on child health.

248. Together with UNICEF, an action plan was approved for an evaluation of the research project on the impact of the Aral Sea crisis and environmental degradation on the health and nutritional status of mothers and children in Turkmenistan for the period 2019–2022. A number of research projects are being carried out in the country on the impact of climate on the health of the population in the Aral Sea region, including on cancer rates.

249. As part of the cooperation between United Nations agencies and the Government of Turkmenistan to upgrade the legislative framework on ecology and environmental protection, a new version of the National Climate Change Strategy of Turkmenistan was adopted in 2019.

The updated Strategy reflects UNICEF recommendations related to the impact of climate change in Turkmenistan on children's lives and health.

250. A joint project between UNICEF, the Ministry of Education and the National Red Crescent Society of Turkmenistan on awareness-raising and empowering children to adapt to climate change was implemented from March 2018 to February 2020. Within the framework of the project, a curriculum on climate change, environment and energy was developed and tested at 17 pilot schools in Ahal and Daşoguz provinces. Then, in 2019, the pilot curriculum was integrated into primary and secondary education subjects such as natural history, biology, geography, environment and basic life skills.

251. The project trained and provided awareness-raising to more than 3,050 people, including school principals, teachers and pupils, National Red Crescent Society volunteers, local administrations and communities in the pilot regions. In addition, the adaptation and piloting of training materials was carried out with the active participation of representatives and volunteers of the National Red Crescent Society of Turkmenistan in the pilot regions. 1,853 National Red Crescent Society volunteers (schoolchildren) enhanced their awareness on climate change, environment and energy issues by participating in relevant training events. From among the trained National Red Crescent Society volunteers, working groups were formed with the main objective of educating their peers on environmental and ecological issues and raising awareness on climate change adaptation. Within the framework of cooperation between UNICEF, the Ministry of Education and the National Red Crescent Society of Turkmenistan, designed to raise awareness among administrative and teaching staff and pupils of pilot schools, and also community members of Ahal and Daşoguz provinces, the so-called "Green School" outline plan was developed, adapted and presented for further large-scale implementation.

**(h) Standard of living (art. 27 (1)–(3))**

**Follow-up information relating to paragraphs 52 and 53 of the concluding observations**

252. In order to achieve the objectives of improving access to drinking water and the proper health and epidemiological well-being of the population, a framework programme for the provision of clean drinking water to the population of Turkmenistan for the period 2011–2025 was adopted on 10 January 2011 and is being successfully implemented, including the construction of facilities in this crucial area.

253. As part of the implementation of the National Programme of the President of Turkmenistan on the transformation of the social and living conditions of the population of villages, settlements, towns and district centres for the period up to 2020, a large number of social and living facilities have been commissioned and are under construction, including water supply systems and small-scale power stations for small settlements.

254. In order to provide the population with clean drinking water and proper sanitation, modern water treatment facilities and sewage systems are being constructed in urban and rural areas, water supply and sewage disposal lines are being laid, and boreholes are being sunk to extract underground drinking water. In 2019, a system of water treatment facilities with a capacity of 30,000 cubic metres of drinking water per day was set in operation in the Kaka district of Ahal province. It is planned to construct two water treatment plants with a capacity of 150,000 and 250,000 cubic meters of drinking water per day in the Bagtyýarlyk district of Ashgabat and the Ak Bugdaý district of Ahal province.

255. Commissioned in 2016, the Centre for Public Health and Nutrition of the State Health and Epidemiological Service is an innovative enterprise whose activities are aimed at conducting a range of studies on the impact of social and biological factors on the health of the general population. In the Centre's laboratory divisions, research is carried out into the quality and safety indicators of various food products imported into the country, and also those produced by domestic entrepreneurs, the State registration and certification of food products and food raw materials, and the materials and products used for their packaging.

256. Since 2016, another innovative facility of the State Forensic Service has been in operation: the Centre for the Prevention of Extremely Dangerous Infections. This Centre has

subdivisions in each province of the country. The main objective of the Centre and its subdivisions is to carry out preventive measures and research relating to protection of the territory of Turkmenistan from the import and spread of especially dangerous quarantine infections.

## **Education, leisure and cultural activities (arts. 28–31)**

### **(a) Education, including vocational training (art. 28)**

#### **Follow-up information relating to paragraphs 54 and 55 of the concluding observations**

257. The State education policy of Turkmenistan is based, among other precepts, on the principle that general secondary education shall be compulsory for every citizen. The Education Act stipulates that children who have reached the age of 6 must be enrolled in a general education establishment at the beginning of the next school year. The standard period required to cover the syllabus of compulsory general education in mainstream educational institutions, comprising both primary and basic secondary education, is 12 years. Thus, by the end of compulsory schooling, a schoolchild will have attained the age of 18.

258. Taking into account the provisions of the ILO Minimum Age Convention, 1973 (No. 138), in June 2016 the Labour Code was amended to regulate the conclusion of an employment contract with a person who has reached the age of 18.

259. Under the Labour Code, an employment contract may also be concluded with a person under the age of 18. This is possible only with that person's consent and the consent of one of the person's parents (or guardian), and also with the permission of the guardianship and tutorship authorities, including in film-making organizations, theatres, theatrical and concert organizations, and circuses to the person's participation in the creation or performance of artistic works.

260. At the same time, the Labour Code stipulates that labour activity must not prevent children from continuing their studies at school or harm their health and moral development. The relevant amendments were made to the Social Protection Code, the Rights of the Child (State Guarantees) Act and the Young People's Right to Work (Guarantees) Act.

261. Following the change in the minimum age of employment from 16 to 18, the number of children under the age of 16 employed in the various economic sectors of Turkmenistan has been reduced to zero, according to labour and employment statistics. For example, of all those registered with the employment services in 2019, children under 18 years of age accounted for 19 individuals, or 0.02 per cent of those registered with the services (annex 7).

262. Annual statistical survey data show a decrease in the number of children under the age of 18 employed in the economy. For example, in 2019, a total of 36 people under the age of 18 were employed in industries, accounting for 0.005 per cent of all those employed in 2019.

263. Based on the principles of international conventions, special rules on working hours have been drawn up for persons under 18 years of age. Thus, for workers aged between 16 and 18, the duration of working time is set at a maximum of 36 hours per week and, for persons under 16, to no more than 24 hours per week. The wages of employees in this category under these working hours rules shall be paid in the same amount as those for employees in equivalent categories in full-time daily employment.

264. Employees in this category may not be assigned to do night work, overtime work, or to work on days off or holidays and memorial days, and may not be sent to travel on work-related assignments.

265. Under the Labour Code, persons under the age of 18 may only be hired after a preliminary medical examination and thereafter, until they reach the age of 18, shall be subject to an annual compulsory medical examination, the cost of which is borne by the employer.

266. Under the Young People's Employment Rights (Guarantees) Act, parents or persons acting in loco parentis are prohibited from employing children under the age of 18 in jobs involving permanent employment, in particular, jobs involving the separation of children from school.

267. Employers – legal entities, regardless of their organizational and legal status and form of ownership – and individuals may not employ workers under the age of 18 in harmful or hazardous, or especially harmful or hazardous, working conditions.

268. In July 2018, a list of jobs, professions and posts with harmful and hazardous (or especially harmful and especially hazardous) working conditions, in which the employment of persons under the age of 18 is prohibited, including in the agricultural sector, was ratified by order of the Ministry of Labour and Social Protection with the agreement of the Ministry of Health and the Medical Industry and the State Standards Inspectorate.

269. The list took account of the limits for manual lifting and moving of weights by persons under the age of 18, ratified by order of the Minister of Labour and Social Protection in consultation with the Ministry of Health and the Medical Industry and the State Standards Inspectorate in August 2016, and also of harmful and dangerous (chemical, physical and biological) production factors, and the severity and intensity of the work process.

270. Under article 40 of the Education Act, it is prohibited to engage students of educational establishments, without the consent of the students and their parents (or persons acting in loco parentis), in work not provided for in the syllabus.

271. Under the Rights of the Child (State Guarantees) Act, the State guarantees the protection of children from all forms of exploitation at work. Children may not be recruited during the school year to perform agricultural and other work that keeps them away from their studies. In all cases of child labour, it is stipulated that the labour activity shall not prevent children from continuing their studies in educational institutions.

272. Under the provisions of the State Youth Policy Act, schoolchildren and students may not be employed during their studies, with the exception of cases where such work corresponds with their chosen special subjects or occupations and is a form of practical internship, or cases of voluntary collective or individual work by schoolchildren and students during their free time.

273. Officials of educational institutions are responsible, in accordance with the law and the charter of the educational institution, for creating the necessary conditions for the study and recreation of their students. The use of child labour in educational institutions at any production facilities shall render the officials of those educational institutions liable to punitive labour and disciplinary measures.

274. In September 2016, the Constitution of Turkmenistan introduced a provision prohibiting forced labour and the worst forms of child labour (article 49).

275. Within the framework of the Sustainable Development Goals, Turkmenistan, together with specialized agencies of the United Nations in Turkmenistan, has developed targets and measures for the implementation, among other objectives, of Goal 8 "Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all", and specifically, target 8.7 "Take urgent and effective measures to eradicate forced labour, end modern slavery and human trafficking and ensure the prohibition and elimination of the worst forms of child labour, including recruitment and trafficking in persons". The activities and relevant indicators provide for, among other things, the adoption of preventive measures to prevent forced labour, modern slavery and human trafficking. Sustainable Development Goal targets and indicators are included in the national socioeconomic development programmes of Turkmenistan, and also in other national programmes, action plans and sectoral development programmes.

276. Turkmenistan is continuing its constructive dialogue with the subsidiary bodies of the ILO Committee on the Application of Standards, with due consideration for the Committee's recommendations. The Tripartite Commission for the Settlement of Social and Labour Issues Act was adopted in October 2018. The adoption of this Act demonstrates how Turkmenistan is applying the standards of ILO conventions in its national legislation.



277. On 8 June 2019, the Turkmen parliament adopted a decision on the accession of Turkmenistan to the ILO Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144).

**(b) Human rights education and civic education**

278. Within the framework of the project to facilitate implementation of the National Human Rights Action Plan for the period 2016–2020, a team of national human rights trainers was trained. To this end, a training-of-trainers module has been developed on interactive strategies for the teaching of human rights. Online and e-learning courses for the professional development of national experts in this field are organized on a continuous basis, with the participation of international experts. An online course on human rights is to be developed at the Academy of Civil Servants attached to the Office of the President.

279. Events on topical human rights issues are held at the Sustainable Development Goals Research and Methodological Centre of the Institute of International Relations of the Ministry of Foreign Affairs of Turkmenistan and at human rights information and resource centres in Ashgabat and in all provinces. In 2019, the libraries of the human rights information centres were supplemented and updated with literature, including publications of the Office of the United Nations High Commissioner for Human Rights, international conventions and treaties, national legal documents in the field of human rights, and theoretical scientific, methodological, reference and information materials.

280. In addition, information materials, booklets and thematic collections are being developed, printed and distributed, and international legal instruments to which Turkmenistan is a party, along with current national legislation in this important area, are published. Journals such as *Democracy and Law* and *Foreign Policy and Diplomacy of Turkmenistan*, published in three languages, the magazine *Bilim* (“Education”) and other publications cover human rights issues.

281. The Institute for State, Law and Democracy of Turkmenistan, together with UNDP and the Regional Office of OHCHR for Central Asia, held a national forum on 9 and 10 December 2019 to mark World Human Rights Day. The aim of the forum was to reaffirm the importance of the World Programme for Human Rights Education. It is planned to study and develop human rights education programmes in such areas as: primary and secondary education for children; higher education training courses; interactive and online professional development courses for civil servants.

**(c) Recreation, play, leisure, entertainment and participation in cultural life and the arts (art. 31)**

282. In Turkmenistan, the Palace of Children and Youth has various musical, singing, dancing and other groups which enable children to spend their leisure time in creative pursuits.

283. There are currently 71 music schools and 12 art schools in Turkmenistan and attendance at all of them is free of charge.

284. In addition to music and art schools, creative groups (260 in total) operate in the provinces of Turkmenistan, which include music, art and dance studios and clubs where children receive training in the relevant areas.

285. The Ministry of Culture, the Mukamlar Köşgi (Philharmonic Society) of the National Cultural Centre, the Maya Kulieva Turkmen National Conservatory, the Academy of Arts and children’s art schools and libraries organize annual creative contests and festivals in which children of various nationalities and ages take part.

286. The Garaşsyzlygyň Merjen Däneleri (Pearls of Independence) competition between young performers and gifted children is organized annually by presidential decree to encourage children’s creative endeavours.

287. There are currently 10 theatres and 36 museums in Turkmenistan. One of the main areas of the theatres’ repertoire policy is the organization of performances for children, to demonstrate the spiritual depth of the national character of the Turkmen people, and their tolerance and respect for the culture of other peoples.

288. Friendship weeks with peoples of other countries are regularly organized in Turkmenistan. In 2019, such weeks were dedicated to friendship with the Turkish, Chinese and other peoples. For example, from 15 to 26 April 2019, 20 children from the Ruhubelent Çagalar (“Spirited children”) dance group took part in an international children’s competition held in the cities of Samsun and Ankara, and from 26 April to 5 May, the twenty-third round of the Türk Dünyası (“Turkish World”) international children’s festival was held in the city of Istanbul, with the participation of 15 children from Turkmen artistic groups. From 9 to 19 August 2019, a cultural and creative forum for young people was held in Beijing, also attended by 15 representatives of creative groups from Turkmenistan.

289. The Libraries and Librarianship Act of 15 July 2000 guarantees all citizens, including children, the opportunity to use the country’s library resources, to borrow printed publications and to exercise their right to other types of library services.

290. Currently, 230 libraries operate in urban and rural areas of the country, with total holdings of more than 11 million books. Every year, over 235,000 people use the library collections. Attendance data for children’s libraries are set out in annex 8.

291. On 27 March 2015, a decision was adopted on the creation of a consolidated electronic library network in central libraries under the Ministry of Culture. This consolidated electronic library network, which is now in operation, brings together the country’s 76 central libraries. The large-scale roll-out of the consolidated electronic library network ensures the prompt and high-quality delivery of services to readers and provides a high-speed communication system for information exchange between libraries.

292. A special website, museum.tm, has been opened for the State Museum of the State Cultural Centre, on which information may be obtained about the museum’s holdings, festive celebrations and scientific conferences related to the work of the museum.

### **Special protection measures (arts. 22, 30, 32–36, 37 (b)–(d) and 38–40)**

#### **(a) Use of children in the illicit production of and trafficking in drugs and psychotropic substances (art. 33)**

##### **Follow-up information relating to paragraphs 56 and 57 of the concluding observations**

293. No cases of the involvement of children in trafficking in narcotic drugs, psychotropic substances and their precursors have been registered in Turkmenistan.

294. The spiritual and material values formed and accumulated by the Turkmen people over the centuries, the foundational principles governing their social relations, the strength of public opinion, noble family traditions, respect for elders, the honouring of parents, hospitality, decency and justice underpin the upbringing of young people.

295. Today, the need to safeguard the health of the citizens of Turkmenistan has rightly become one of the priorities of the State’s social strategy. The State has unequivocally affirmed the need for stepped up efforts to promote the principles of a healthy lifestyle in society, including through wider involvement of the country’s citizens in the physical culture and sports movement, with an emphasis on young people.

296. One of the main objectives of the Government’s policy is to improve preventive activities. Thanks to the combined efforts of law enforcement agencies, the relevant ministries, departments and public organizations of the country aimed at preventing the illicit use of drugs, tobacco and alcohol, the use of these substances within the country has been reduced to a fraction of previous levels.

297. In 2015, the country’s sixth work plan for the widespread adoption of healthy lifestyles and the safeguarding of a healthy society for the period 2016–2020 was approved and is currently being implemented, with positive results.

**(b) Sexual exploitation and sexual abuse (art. 34)**

298. Respect for the rights of the child has always been and remains the most important aspect of national legislation. Thus, in May 2014, the Rights of the Child (State Guarantees) Act was adopted, which implements the provisions of the United Nations Convention on the Rights of the Child and prohibits all forms of physical or psychological violence against children. Under article 6 of the Act, the State shall take measures to uphold by law and safeguard the rights, freedoms and lawful interests of the child, to protect the child's life and health, to prevent discrimination against the child, to restore rights in the event of their violation, and to protect the child's honour and dignity; and shall take legal, economic, social and other measures to ensure normal conditions for the child's life and development and a healthy and safe environment. Article 15 provides that a child's right to privacy shall not be infringed through forcible or unlawful interference injurious to the child's honour, dignity, attachments and good name. Article 45 of the Act affirms that the State shall take all necessary measures to prevent the abduction and trafficking of a child for any purpose or in any form. Article 38 of the above Act provides for the protection of the child from exploitation at work.

**(c) Sale, trafficking and abduction (art. 35)**

299. Pursuant to the Trafficking in Persons Act (15 October 2016), the Ministry of Internal Affairs works to combat human trafficking by preventing, detecting and suppressing offences in the area of human trafficking, systematizing data on such crimes, and identifying and intercepting the links between individuals and organized criminal groups involved in human trafficking and operating in Turkmenistan.

300. The work on prevention of human trafficking, child prostitution and child pornography carried out by internal affairs agencies may be divided into two parts: a precautionary approach to these offences; and their prevention and suppression.

301. Preventive work is carried out not only with potential offenders, but also with potential victims – people whose behaviour, lifestyle, marital status and occupation put them at increased risk of becoming victims of criminal encroachment. The aim is to minimize the number of criminogenic situations created by the victims themselves.

302. Within the internal affairs agencies, units of local police and juvenile affairs inspectorates are responsible for preventing trafficking in persons, child prostitution and child pornography. District police inspectors are assigned the task of identifying potential victims of human trafficking, child prostitution and child pornography, including persons engaged in or inclined to engage in prostitution or other sexual services; and conducting outreach work with them.

303. Given that, in a number of cases, the victims are children and young girls, a special role in the prevention of human trafficking is played by the juvenile affairs inspectorates, which are responsible for preventive work with both minors and dysfunctional families. For that reason, the aforementioned service of the Ministry of Internal Affairs is well equipped to identify potential victims of human trafficking, child prostitution and child pornography and conducting outreach work with them.

304. In order to prevent and suppress offences not only by minors but also against minors, representatives of the units of the Juvenile Affairs Inspectorate of the Ministry of Internal Affairs, in accordance with the annually approved joint plan of the relevant ministries, law enforcement agencies and voluntary organizations, periodically hold various events on child-raising and the prevention of juvenile delinquency. Thus, there were 21,889 such meetings, lectures and discussions in the senior classes of secondary schools and secondary special and higher education institutions in 2019, and 4,527 over the first six months of 2020.

305. The organized crime unit, which forms part of the internal affairs agencies, plays an important role in preventive work with persons likely to commit offences of this type. In order to prevent these offences, this unit is able to monitor the activities of outfits specializing in the employment or training of Turkmen citizens abroad, the provision of various types of entertainment services, and so on. When monitoring the economic activities of these outfits, it is possible to identify any "dirty" money, including the proceeds of human trafficking,

child prostitution and child pornography. As part of its efforts to prevent child pornography, the unit also monitors Internet websites hosting and promoting child pornography with a view to suppressing and preventing the further dissemination of such information and identifying Turkmen citizens involved in the creation of such sites.

306. The unit within the internal affairs agencies that takes the lead in preventing trafficking in persons, child prostitution and child pornography is the Criminal Investigation Department, whose tasks include the detection of such offences and the search for suspects and victims.

307. Given that human trafficking, child prostitution and child pornography may be transnational in nature, efforts to combat this crime depend for their success on cooperation with the International Criminal Police Organization (INTERPOL). The INTERPOL National Bureau in Turkmenistan has set as one of its main tasks in this area the promotion of enforcement by facilitating the exchange of information on the movement and activities of persons involved in trafficking in women and children, including the operation of international prostitution rings.

308. The internal affairs agencies of Turkmenistan cooperate closely with voluntary associations in preventing human trafficking and prostitution, in particular by reporting on the situation on the ground and fostering an appropriate public reaction to the problem.

309. The internal affairs agencies, in conjunction with State bodies and voluntary associations, work to prevent child neglect and carry out numerous operational and preventive measures to prevent prostitution among minors, including inspection raids and meetings with teaching staff, parents' committees and their representatives. Special attention is paid to minors from socially vulnerable families.

310. In order to identify and intercept links between individuals and organized criminal groups involved in human trafficking and prostitution, including of children, Ministry of Internal Affairs officers work closely with other law enforcement agencies in the country. Since many offences related to trafficking and kidnapping are committed by luring girls and women under false pretences out of Turkmenistan and forcing them into prostitution, the security services at Ashgabat international airport carry out certain undercover activities among persons travelling abroad and those arriving from abroad.

311. The internal affairs agencies, together with the standing commissions on juvenile affairs under the hakimliks, are actively involved in activities aimed at preventing juvenile delinquency. In this regard, special attention is being paid to upgrading the operations of the juvenile affairs units.

312. The Ministry of Internal Affairs attaches particular importance to the exchange of experience in combating human trafficking, child prostitution and child pornography. Ministry of Internal Affairs officers are sent on official business trips to other countries to exchange information, share experience and develop measures for cooperation in this area, with a view to the timely detection and suppression of offences of this nature and the identification and elimination of criminal groups involved in these criminal activities.

313. Police officers regularly participate in conferences, seminars, training courses and other events on combating human trafficking, child prostitution and child pornography organized by the offices of international organizations in Turkmenistan, such as IOM, OSCE, the United Nations Office on Drugs and Crime (UNODC) and others.

<i>Year</i>	<i>Number of events held in Turkmenistan</i>	<i>Number of participating employees</i>	<i>Number of events held abroad</i>	<i>Number of participating employees</i>
2017	13	25	1	4
2018	11	50	1	4
2019	4	24	2	4
<b>Total</b>	<b>28</b>	<b>99</b>	<b>4</b>	<b>4</b>

**(d) Other forms of exploitation (art. 36)**

314. Under its article 155, the Criminal Code also establishes liability for involving a minor in the commission of an offence, involving a minor in the regular use of alcoholic beverages or the illegal use of intoxicating substances (art. 156), abuse of guardianship rights (art. 158), malicious violation of the duty of care for the upbringing of a minor by a parent or a person acting in loco parentis, or by a teacher or other employee of an educational or training institution, if the act in question is associated with cruel treatment of a minor or has caused substantial harm to the minor's health (art. 159), or malicious violation of the rights of a person entrusted with the upbringing of a minor (art. 161).

**(e) Children in conflict with the law, child victims and witnesses of crime and juvenile justice**

315. The functions of coordination and monitoring the upbringing of children and protection of their rights are performed by the relevant ministries and departments, guardianship and trusteeship agencies, juvenile affairs commissions attached to the hakimliks of districts or towns with district status, juvenile affairs inspectorates of internal affairs agencies and voluntary associations.

316. At the two-week training courses held by the Supreme Court twice a year and regular seminars conducted by experienced judges with the involvement of experts on various topics, participants discuss such issues as the specific aspects of juvenile cases, the need to maximize respect for the rights and lawful interests of juvenile participants in criminal proceedings, to impose fair penalties, to strengthen the principles of sound juvenile justice and to improve observance of their rights and lawful interests, and to enhance the quality of juvenile justice.

317. In multi-jurisdictional courts, juvenile criminal cases are heard by judges with the greatest professional experience in handling cases in this category.

318. In addition, court assessors receive periodic training in the special aspects of the consideration of cases in this category.

319. Persons trained in education and psychology and with experience of working with minors are engaged as court assessors in criminal cases involving minors.

320. Under article 83 of the Criminal Code, in the sentencing of minors, due account is taken of their living conditions and upbringing, their degree of mental development and other personal characteristics, the motives for the crime and the influence on them of adults and other minors. The age of minors as a mitigating circumstance shall be taken into account in conjunction with other circumstances mitigating or aggravating liability. Courts, when imposing punishment on minors, adhere to these requirements of the law. In recent years, there has been a trend towards leniency in the sentencing of juveniles, with the imposition of a higher proportion of non-custodial sentences.

321. Under the State Programme for the Development of the Judicial System of Turkmenistan for the period 2017–2021 and the action plan for its implementation, the aim is to reinforce the principles of the benevolence of juvenile justice and to strengthen respect for the rights of minors, and also to create an information database on relevant cases.

322. Convicted juveniles in penal institutions shall receive care, protection and all necessary individual assistance – social, educational, vocational, psychological, medical and physical – that they may require because of their age, sex, and personality and in the interest of their full and healthy development. Convicted juveniles enjoy improved living conditions and increased nutritional standards.

323. For the purpose of reforming convicted juveniles and preparing them for independent life, they follow a standardized educational and training process designed to develop law-abiding behaviour and a conscientious attitude to work and study, and they receive compulsory general secondary and primary vocational education and training, to raise their educational and cultural level. Their educational diplomas or certificates contain no indication that the juvenile inmate received this education in a correctional facility.

324. On 13 December 2017, the Ministry of Internal Affairs organized a visit to MR-E/18, the country's only young offenders' institution, run by the police department of Mary

province, for UNICEF representatives to see for themselves the conditions of detention of minors, the safeguarding of their rights and freedoms, and the organized educational and correctional process. The representatives gave a positive assessment of the conditions of detention and the educational process organized for minors.

325. According to the country's criminal enforcement law, men and women, and juveniles and adults are held separately in correctional institutions.

326. In 2019, the Ombudsman of Turkmenistan visited the institution AN-E/1, a remand centre run by the Ministry of Internal Affairs police department of Ahal province. She conducted an inspection to determine that there was full compliance overall with health standards in the detainees' living quarters and the availability of health care, food, cultural and sporting activities, proper working conditions and opportunities for brief and extended meetings with close relatives.

327. At the time of the inspection, four juveniles were being held at the remand centre in a separate cell. The Ombudsman held individual conversations with them, during which the rules of the current legislation were explained. No complaints were made by the juveniles during the meeting.

328. Under article 127 of the Penalties Enforcement Code, convicted juveniles who have reached the age of 18 remain in the young offenders' institution until the end of their sentence, but not after they reach the age of 21.

329. In exceptional cases, the confinement in a young offenders' institution of convicted juveniles who have reached the age of 21 may be extended for up to one year on each occasion by a reasoned decision of the head of the institution, coordinated with the juvenile affairs commission at the place where it is located and authorized by the procurator.

**(f) Children deprived of liberty (art. 37 (b)–(d))**

330. Deprivation of liberty, namely, remand, detention or imprisonment, of a child is carried out in accordance with the law and is used only as a measure of last resort. Convicted juveniles in penal institutions shall receive care, protection and all the necessary individual assistance – social, educational, vocational, psychological, medical and physical – that they may require because of their age, sex, and personality and in the interest of their full and healthy development.

331. The administration of the young offenders' institution shall encourage and facilitate contacts between convicted juveniles and their close relatives, guardians and tutors, and also with persons acting in loco parentis, by creating and providing the convicted juveniles with the necessary conditions for this purpose. The administration of the institution shall, to the fullest extent possible, ensure that telephone conversations and visits of juvenile inmates are conducted in an atmosphere of respect for the child's privacy. Close relatives, guardians and tutors, and persons acting in loco parentis who are unable to travel to visit a juvenile inmate may be granted financial support by the correctional institution from the State budget, in order to ensure that the inmate's right to family contact is respected.

332. Convicted juveniles accompanied by a relative or other accompanying person shall be allowed to travel outside the correctional institution. Convicted juveniles enjoy improved living conditions and increased nutritional standards.

**(g) Sentencing of children, in particular the prohibition of capital punishment and life imprisonment (art. 37 (a))**

333. As stated in a presidential decree of 28 December 1999, "in sustained pursuit of the further democratization of State and public life, guided by the belief that human beings and their lives are the supreme value of society, based on the high ideals of benevolence, justice and humanism, and with a view to the practical realization of the natural and inalienable human right to life, I hereby decree:

1. That the death penalty shall be abolished in Turkmenistan.
2. That the introduction and use of the death penalty shall be prohibited in perpetuity in Turkmenistan".

334. Under article 32 of the Constitution, “All persons have the right to life and the freedom to exercise that right. No one may be deprived of the right to life. The right of all persons to a free life is protected by the State on the basis of the law. The death penalty has been abolished in Turkmenistan.”

**(h) Children in armed conflicts (art. 38), including physical and psychological recovery and social reintegration (art. 39)**

335. No cases of the involvement of children in armed conflict have been registered in Turkmenistan.

336. Within the system of internal affairs agencies, units of district police inspectors and juvenile affairs departments are responsible for preventing the involvement of children in armed conflict, and their duties include preventive work with both minors and dysfunctional families. The data services of the Ministry of Internal Affairs are well equipped to identify children prone to involvement in armed conflict and to conduct outreach work with them.

337. The organized crime unit, which forms part of the internal affairs agencies, plays an important role in preventive work with persons likely to commit offences of this type. In order to prevent offences of this kind, this unit is equipped to monitor the activities of business entities, the travel of Turkmen citizens abroad, and the economic activities of various private outfits in order to detect “dirty” money.

338. As a precautionary measure and to prevent the recruitment of children for participation in armed conflict, the unit monitors websites on the Internet that post and promote participation in armed clashes, with a view to suppressing and preventing the further dissemination of this information and identifying Turkmen nationals involved in the creation of these sites.

339. An important role is played by the Criminal Investigation Department, which is assigned the task of preventing the recruitment of children for armed conflict, detecting such offences and tracking down the suspects and victims.

340. The internal affairs agencies, in conjunction with State bodies and voluntary associations, work to prevent child neglect and carry out numerous operational and preventive measures to preclude the recruitment of minors, including inspection raids and meetings with teaching staff, parents’ committees and their representatives. Special attention is paid to minors from socially vulnerable families.

**(i) Children in emergency situations**

341. Turkmenistan is the first country in the Central Asian region to introduce disability issues in the topic of disaster risk reduction in the education sector, following an inclusive approach and awareness raising among children with disabilities. The topic of “disaster risk reduction and disability issues” is being introduced, with a view to its mainstreaming and institutionalization in the education sector and its subsequent widespread application in preschool establishments, schools and educational complexes with fitness centres, to build a strengthened culture of safety and resilience in line with the new global framework (Sendai Framework for Disaster Risk Reduction 2015–2030).

342. In July 2019, a memorandum of understanding on cooperation between the Government of Turkmenistan and the United Nations Office in Turkmenistan in coordinating emergency preparedness and response was signed between the United Nations Office and the Government of Turkmenistan. As part of the implementation of the memorandum of understanding, a joint action plan was developed on coordinating the preparedness and emergency response for 2020.

343. The Ministry of Education and the National Red Crescent Society of Turkmenistan conducted four training events for specialists of the Rehabilitation Centre for Children with Disabilities, in each of the five provinces and in Ashgabat: a total of 24 such training events. As a result, 720 trainers were trained, who each in turn conducted four training events in their own institutions.

344. Emergency evacuation preparation materials for the following modules: fire, earthquake, flood and drought, were developed and distributed.

345. All secondary school teachers have been trained and certified in professional development courses in basic life skills.

346. As part of the activities aimed at disaster risk reduction, UNICEF and the Ministry of Education of Turkmenistan conducted train-the-trainer sessions in 2019 for directors, heads and technical staff of schools and preschool establishments on the methodology for conducting self-assessments of the safety of schools and preschool establishments in the five regions of the country, including Ashgabat. Following this, a safety assessment of 240 schools and 240 preschool establishments was conducted and the results were analysed in the form of an electronic database.

347. As part of the implementation of the joint action plan for 2020, a train-the-trainers course was conducted in July 2020 by UNICEF and the Ministry of Education on a wide range of issues, including the conduct of school and preschool safety assessments, climate change and disaster risk reduction. Taking into account the pandemic, along with the new challenges and risks to children's health, UNICEF and the Ministry of Education have developed training materials on health and hygiene standards in emergency situations, including a focus on gender issues, based on WHO materials and UNICEF recommendations on prevention and the protection of children's health in pandemic conditions. These materials were also presented during the above-mentioned training events.

348. Specialists from the Ministry of Education, the General Directorate for Civil Defence and Rescue Work of the Ministry of Defence, the National Red Crescent Society of Turkmenistan and the Children's Fund under the Youth Organization of Turkmenistan received training in the above-mentioned topics. The Fire Safety Department of the Ministry of Internal Affairs regularly organizes joint activities and exercises. Thus, in 2018, 331 training events and 11 simulations were held for more than 13,000 employees of enterprises and organizations, school students and military personnel, aimed at preventing fires and teaching the rules of conduct and first aid for victims of emergencies and natural disasters.

349. From the moment that the coronavirus disease (COVID-19) pandemic began to spread across the world, Turkmenistan began taking the necessary measures to counter the threat. Effective protective action was taken promptly and a common national strategy to combat COVID-19 was developed, comprising a package of organizational, legal, financial, economic, medical, public health and quarantine measures.

350. At the same time, Turkmenistan has established close international cooperation links, both in bilateral formats and through international organizations. First and foremost among these is the country's close engagement with the United Nations.

351. A national preparedness plan for countering and responding to acute infectious diseases has been approved at the State level. A plan of operational socioeconomic measures to counteract the coronavirus pandemic was also developed and adopted.

352. To prevent the spread of infections and strengthen infection control in health-care facilities, staff from four major clinics in the country have been trained in infection control and hygiene requirements, and the training materials were adapted for use as an interactive training module for infection control assessment. Six infection control training videos for health workers and a number of additional videos and animated presentations have been prepared.

353. With the assistance of the UNFPA office in Turkmenistan, the operating procedures for the management of pregnant women and deliveries of women suffering from respiratory viral infections have been adapted and are being introduced in obstetric facilities.

354. To maintain the continuity of life-saving health services and improve their quality, training webinars on delivering quality maternal and child services during a pandemic, supported by the Liverpool School of Public Health, were conducted and the counselling of breastfeeding in a pandemic was also promoted.



355. With funding from UNICEF, 110 oxygen concentrators were procured, covering the needs of 1,100 patients for 6–12 months of intensive use.

356. Despite the disruption of transport and logistics links, with the assistance of UNICEF, the full supply of all vaccines required for the country's continuous immunization programme was secured up to the end of the first quarter of 2021.

357. In preparation for the start of the new school year, UNICEF, together with the Ministry of Health and Medical Industry and the Ministry of Education, prepared, printed and delivered 30,000 information posters to schools and health centres. The posters focused on the topics of respiratory etiquette, hand hygiene and adherence to basic rules of community hygiene.

358. Together with the Ministry of Education, a syllabus was devised to teach schoolchildren the basics of sanitation and hygiene. These lessons were supported by the aforementioned posters and educational videos and animated films on the following topics:

Videos:

1. *Öý tämizligi (Home cleanliness)* <https://turkmentv.gov.tm/getShow/201>
2. *Iýmit taýýýarlananda arassaçylyk (Cleanliness when preparing food)* <https://turkmentv.gov.tm/getShow/200>
3. *El ýuwmak (Handwashing)* <https://turkmentv.gov.tm/getShow/199>
4. *Üsgürmek (Coughing)* <https://turkmentv.gov.tm/getShow/198>
5. *Lukmana jan ediň (Call the doctor)* <https://turkmentv.gov.tm/getShow/203>

Animated films:

1. *Özüimizi goralyň! (Let's protect ourselves!)* <https://turkmentv.gov.tm/getShow/209>
2. *Sagdyn durmuş ýörelgeleri (Rules of healthy lifestyle)* WHO animated poster
3. *Sagdyn Nesil. 1-nji bölüm. El yuwmak barada. El ýuwmak (Handwashing)* <https://turkmentv.gov.tm/getShow/199>
4. *Sagdyn Nesil. 2-nji bölüm. Gök-önümleriň arassaçylygy barada (On vegetable/Fruit Cleanliness)* <https://turkmentv.gov.tm/getShow/207>
5. *Sagdyn Nesil. 3-nji bölüm. Şahsy tamizlik barada (On personal hygiene)* <https://turkmentv.gov.tm/getShow/210>
6. *Sagdyn Nesil. 4-nji bölüm. Asgyrmak we üsgürmek barada (On coughing and sneezing)* <https://turkmentv.gov.tm/getShow/216>
7. *Sagdyn Nesil. 5-nji bölüm. Ddüzgünleri jemleýän aýdym (A song that summarizes all the rules).*

359. All the above-mentioned video materials were distributed on DVDs (1,900 copies) and provided to the Ministry of Education of Turkmenistan for distribution to all schools in Turkmenistan.

360. Guidance materials entitled “Guidelines for reopening preschools and kindergartens after COVID-19” and an adapted version, entitled “UNICEF Europe and Central Asia: building resilient education systems after the COVID-19 pandemic – considerations for education decision makers at national, local and school levels” were provided as recommendations.

361. Since June 2020, UNICEF, in collaboration with the State Committee on Television, Radio Broadcasting and Cinematography, has been producing a series of videos and animated films, based on WHO recommendations, with essential messages for children on preventing the spread of infection. These videos have been broadcast on national television channels since June 2020.

**Follow-up information relating to paragraphs 58 and 59 of the concluding observations**

362. The question of accession by Turkmenistan to international treaties, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment is currently being comprehensively studied by the relevant bodies and national experts. For this purpose, the provisions of these international instruments are being analysed and national legislation monitored for harmonization with the provisions of the above-mentioned international treaties, along with the mechanisms for accession to them. In addition, an examination is being made of possible reservations that may be permitted when States accede to these instruments.

363. In cooperation with international organizations, awareness-raising seminars and consultations are being held for members of parliament and representatives of the relevant State agencies.

364. Appropriate decisions will be taken in the light of a comprehensive scrutiny of all elements of the national legal system, and the incorporation of these international standards into the national legal system and their harmonization with that system.

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