



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

**Information received from Turkmenistan on follow-up to
the concluding observations on its fifth periodic report***

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* The present document is being issued without formal editing.



1. In accordance with paragraph 59 of the Concluding Observations of the Committee on the Elimination of Discrimination against Women, the following information is being provided on the steps taken to implement the recommendations contained in paragraphs 23 (a) and (c), 29 (a) and 35 (a) within the past two years.

Paragraph 23. The Committee draws the attention of the State party to its immediate obligation to pursue, by all appropriate means and without delay, a policy of eliminating discrimination against women, including gender-based violence. With reference to its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) Conclude, without delay, a survey on the prevalence of gender-based violence against women and ensure that it covers rural women, women with disabilities, older women, women belonging to minority groups and women in polygamous or de facto unions;

(c) Develop a comprehensive strategy to eliminate all forms of gender-based violence against women, on the basis of the results of the above-mentioned survey and with the participation of women, including a victim-centred approach that acknowledges women as rights holders, promotes their agency and autonomy and takes into account the particular situation of women affected by intersecting forms of discrimination.

2. One of the objectives of the National Programme of Action for Ensuring Gender Equality in Turkmenistan for 2015–2020 is to conduct a study of national laws in view of the possible adoption of laws that would criminalize gender-based violence and a survey on the prevalence, causes and consequences of all forms of violence against women, including domestic violence.

3. Under the Act on State Guarantees of Equal Rights and Equal Opportunities for Women and Men, the State guarantees the equal right of women and men to protection from sexual assault, abduction and trafficking. The perpetrators of such acts are criminally liable under the Criminal Code.

4. The Act serves as the basis for implementing international norms relating to the aforementioned issues and for further legislative work aimed at preventing violence against women in all its forms.

5. Unlawful acts committed in the domestic sphere are criminalized under the Criminal Code. Relevant legal provisions provide for liability for unlawful acts intended to violate the honour and dignity of the person, cruel treatment and various types of bodily injury, including acts committed against women.

6. In 2018, the Parliament and the United Nations Population Fund (UNFPA) conducted a joint review of national laws in respect of their compliance with international legal instruments in the area of gender equality. The findings were discussed with deputies and subject experts in October 2018. One of the main outcomes of the review was the recommendation that laws relating to gender-based violence be improved.

7. The Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law and its working group, together with the office of UNFPA in Turkmenistan, reviewed the interdepartmental plan for addressing gender-based violence. Standard operating procedures for health, police and social services workers are currently being developed. These procedures ensure that women and girls who are victims of domestic violence receive services that are based on respect for human rights, the interests of victims, confidentiality and ethical standards.

8. As part of examining the issue of domestic violence against women, an extensive preparatory survey was conducted of women's health and the role of women in the family as well as a review of the laws of other countries in the field of domestic violence. A special working group of experts was established to conduct the survey, consisting of representatives of the Ministry of Health and the Medical Industry, the Ministry of Internal Affairs, the Ministry of Labour and Social Protection, the State Statistics Committee, the Institute for State, Law and Democracy and the Women's Union of Turkmenistan. In addition to conducting the survey, the working group was tasked with carrying out all national actions relating to the issue of gender-based violence perpetrated against women. In particular, the aforementioned standard operating procedures are subject to expert evaluation by the group. Once the survey is completed, the working group will serve as the main national mechanism for coordinating, initiating and implementing measures aimed at combating and preventing gender-based violence against women. To ensure the group's long-term effectiveness, the members of the working group have taken part in capacity-building activities, including subject-area workshops, seminars and visits to other countries to share experiences.

9. As part of the National Programme of Action for Ensuring Gender Equality in Turkmenistan for 2015–2020, work is continuing on the survey of women's health and the role of women in the family. Data collection in the field was carried out in Ashgabat and five *welayats* (provinces) from 25 February to 1 April 2020. The effort was led, coordinated and monitored by the working group tasked with conducting the survey with technical support from UNFPA in Turkmenistan. The collected data was entered into a computer program based on SPSS Statistics, version 25, which was then used to process the microdata. Thematic output tables were prepared, taking into account international recommendations on producing statistics on violence against women. Work to analyze the obtained data and prepare a report on it will begin soon. This work will be carried out by the aforementioned working group with technical support from UNFPA. According to the survey road map, the report on the survey is to be completed in October 2020; the results will then be presented to the members of the Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law.

10. The study's findings will assist in identifying the prevalence and the root causes of this social phenomenon. Depending on the findings, the group will either propose amendments and additions to existing national laws or assess the feasibility of drafting new laws on domestic violence.

11. In accordance with its legislative activity plan for 2018–2022, the Parliament will prepare a draft act on the prevention of violence against women in family and domestic settings with a view to strengthening women's rights, protecting the legitimate interests of women, strengthening families and creating favourable conditions for family relations.

Paragraph 29. The Committee draws attention to the important role of independent civil society organizations in promoting, monitoring and advancing women's rights in the State party and recommends that the State party:

(a) Simplify registration requirements for civil society organizations and ensure that there are no disproportionate restrictions on their activities;

12. The Constitution of Turkmenistan guarantees the right of citizens to establish political parties and other voluntary associations operating in accordance with the Constitution and the law.

13. The constitutional right of citizens to establish voluntary associations is regulated by the Voluntary Associations Act (2014). Under the Act, citizens have the right to establish voluntary associations of their choosing without the need for prior permission from the State or local government authorities and also the right to join such associations, provided that they abide by the associations' charters. A decision to refuse to register a voluntary association may be appealed before a court of law. The Act guarantees the right of voluntary associations to freely disseminate information about their activities; hold assemblies, rallies and demonstrations in the manner prescribed by law; establish media outlets and engage in publishing activity in accordance with the law; and to represent and defend their rights and the rights and legitimate interests of their members and participants before State and local government bodies.

14. The norms of international law are consistently implemented in national law such that national legal reform objectives can be achieved while ensuring full compliance with international obligations and international human rights standards. The Mejlis, the legislature of Turkmenistan, has elaborated a draft act on amendments and additions to the Voluntary Associations Act. The draft act brings the wording of the provisions relating to the restrictions on the establishment and operation of voluntary associations in line with the Constitution. Changes have also been made to update the requirements relating to the number of founders of international voluntary associations, their founders and members, registration procedures, duties and property of voluntary associations. The project, which is currently under review by the expert advisory department of the Mejlis, is on the agenda of the next session of the Mejlis.

Paragraph 35. The Committee recommends that the State party:

(a) Undertake a study to assess the impact of education reforms on eliminating occupational segregation and achieving the substantive equality of women and men in the labour market, with a view to identifying the specific and fundamental factors preventing women from taking full advantage of the free education system to acquire the necessary skills, from choosing non-traditional career paths and from gaining access to formal employment, including in higher-paying, male-dominated sectors;

15. In accordance with the Education Act and the standard regulations governing general education institutions and professional education and training institutions, all citizens have the right to education regardless of gender.

16. A systematic effort is being made in the education system of Turkmenistan, beginning in school, to cultivate equal interest in all professions among boys and girls. Materials aimed at eliminating stereotypes and emphasizing that girls and boys have access to the same career opportunities, with examples of women who have excelled in complex technical professions and occupations and men who have excelled in the humanities, have been incorporated into curriculums, textbooks and other educational literature.

17. Girls and boys enjoy equal rights during their studies in educational institutions and have access to the same education in accordance with the State educational standards and to supplementary education according to their interests. They also have equal access to free textbooks and educational literature and enjoy the same social protections, scholarships and accommodations in student dormitories and residence halls.

18. Individuals who, for whatever reason, do not complete the general secondary education programme can do so through an external studies system established by a

regulation revised in 2015. Admission to the external studies system is open to all citizens regardless of gender.

19. As part of implementing the programme to improve the range of employment opportunities and create new jobs in Turkmenistan for 2015–2020, approved by presidential decision, the Minister of Labour and Social Protection has issued an order approving a system for providing professional training, retraining and continuing education to job seekers on the job market with a view to enhancing their competitiveness. In accordance with the order, job seekers are sent by provincial labour and employment departments and the city of Ashgabat to appropriate professional education and training institutions in line with the needs of enterprises, organizations and institutions. Citizens are referred for training at these educational institutions at their request and regardless of gender.

20. Professional education and training in Turkmenistan is provided by primary, secondary and higher professional education and training institutions. Many sectors of the modern economy, such as the restaurant and hosteling industries, the service sector, drivers and auto repair, do not require highly skilled experts with a university education, but they do require certain professional skills. Workers in these sectors undergo training at primary professional education and training institutions, which are managed by the relevant ministries and agencies, which determine the scope of the training needed to meet the needs of enterprises in each sector.

21. Male students account for the majority of students in primary professional education and training institutions, which provide training in a wide range of blue-collar occupations for which the young men are trained. In 2019, young women accounted for 17.5 per cent of the total number of students enrolled in such institutions; in 2015, that figure was 20.5 per cent.

22. The situation is different in secondary professional education and training institutions, where female students make up more than 60 per cent of students. By contrast, in 2015 that figure was about 55 per cent.

23. The imbalance between men and women has also been reduced in higher professional education and training institutions. In 2019, young women accounted for 42.4 per cent of the total number students enrolled in such institutions, as compared to 34.9 per cent in 2015.

24. Every year, primary, secondary and higher professional education and training institutions hold open doors events and highlight the right of young people, whether boys or girls, to pursue any specialization or profession they choose.

25. All professional education and training institutions offer equal access to the study of scientific and technical disciplines to people of both sexes. Educational institutions fully support and encourage interest on the part of young people of either sex in science and technology and sports. Young men and young women take part in various competitions, contests and other intellectual events in both technical and humanities-related fields of study. News stories about accomplishments at such events can help steer young women towards certain areas of study.

26. Girls are increasingly seeking to acquire skills in emerging and promising fields, including engineering, physics, mathematics and digital technologies.

27. Steps have been taken to attract more male teachers to general education institutions (schools). For example, in accordance with the Military Duty and Military Service Act and the Education Act, male citizens with a degree in education who have been assigned by a State agency to teach at general education institutions in rural areas have the right to defer military service for the duration of their employment at such institutions.

28. The extent to which women participate in the labour market reflects their engagement in economic activity.
29. Women accounted for 30.7 per cent of the total number of people registered with public employment agencies in 2019 and 29 per cent in 2015. Of all women registered in 2019, 88.7 per cent were employed.
30. In 2019, women made up 43.4 per cent of the economically active population and 45.8 per cent of the total number of people actually employed.
31. In 2015, these figures were 42.6 per cent and 44.9 per cent, respectively.
32. Pursuant to article 49 of the Constitution of Turkmenistan, employees are entitled to remuneration commensurate with the quantity and quality of their work. This remuneration may not be less than the national minimum wage.
33. Under the Act on State Guarantees of Equal Rights and Equal Opportunities for Women and Men, women and men are entitled to equal pay for work of equal value, as well as equal treatment in the assessment of the quality of their work in accordance with the labour laws of Turkmenistan.
34. Under the Labour Code, employers, irrespective of their financial situation, are obliged to pay employees for work performed in accordance with the established terms and conditions and to ensure that employees receive equal pay for work of equal value.
35. The wage guaranteed by the employer may not be lower than the minimum wage established by law. The minimum wage, which is the benchmark used to set wages and salaries, is approved by presidential decree each year.
36. The principle of equal pay for work of equal value is not a formal rule but is applied in social and legal practice. At the same time, the amount and types of remuneration for work are determined not on the basis of an employee's sex, but on the basis of an objective assessment of the work performed. Practical measures aimed at ensuring that this principle is observed include a system for rating different types of work and determining remuneration based on objective assessments; the use of different types of pay, incentives, bonuses and other supplementary payments or benefits to be provided for in collective agreements; and ensuring that work of equal value is not subject to a different system of remuneration.
37. The wages of women in Turkmenistan are rather high. On the whole, in 2019, women were paid 13.7 per cent less than men.
38. However, as in other countries, there are some differences in the average income of men and women in certain sectors of the economy. That is largely attributable to the amount of time worked and to restrictions on work performed under special working conditions.
39. The largest proportion of working women is employed in manufacturing (light industry, food industry), health and social services, education, art, entertainment and recreation. Meantime, men are more commonly employed by mining and quarrying enterprises; electricity, gas, steam and air conditioning companies; and in construction and transportation industries, all of which involve round-the-clock operations and special working conditions, qualifying employees for different types of compensation and salary supplements.
40. Under the national labour laws, employees may be hired to perform overtime work and to work on weekends, non-working holidays and commemorative days, but only with their consent. Women tend to exercise their right to refuse such work more often than men. However, where women perform work of equal value to that performed by men, the principle of equal pay for work of equal value applies.