



**International Human Rights
Instruments**

Distr.: General
17 February 2021
English
Original: Russian

**Common core document forming part of the
reports of States parties**

Turkmenistan^{*}, ^{}**

[Date received: 8 January 2021]

* The present document is being issued without formal editing.

** The annexes to the present document may be accessed on the website of the Office of the United Nations High Commissioner for Human Rights.



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I. General information about Turkmenistan

A. Demographic, economic, social and cultural characteristics of Turkmenistan

1. Turkmenistan is a State of Central Asia, which acquired its independence on 27 October 1991.
2. Turkmenistan occupies 491,210 km², which makes it the fifty-first largest country in the world by area. The maximum distance from south to north is 1,100 kilometres. Turkmenistan borders Kazakhstan to the north, Uzbekistan to the east and north-east, Iran to the south and Afghanistan to the south-east. The west of the country has a coastline along the Caspian Sea stretching 600 kilometres.
3. Turkmenistan is divided into five provinces (*welaýatlar*). The capital city, Ashgabat, has the status of a province. As at 1 January 2020, Turkmenistan had 43 districts (*etraplar*), 6 urban districts, 51 cities, 62 settlements, 504 areas under local council jurisdiction (*geňeslikler*) and 1,719 villages.
4. In recent years, the level of urbanization has risen, with the proportion of persons living in urban areas increasing by 4.3 percentage points between 2007 and 2019. This has been facilitated by the initiative of the Government to establish district centres with the status of cities, to extend the surface area of Ashgabat and to create new cities and settlements.
5. As at 1 January 2020, the country's urban population accounted for 46.9 per cent of the total population and the rural population for 53.1 per cent. Women represented 50.2 per cent of the total population and men 49.8 per cent (annex 1).
6. Trends in the country's age structure indicate that the demographic situation is favourable and that the population is growing. Persons younger than working age make up 34.2 per cent of the population, persons of working age 57.8 per cent and persons of pensionable age 8.0 per cent.
7. According to a sample survey of households, in 2019 the average household size in Turkmenistan was 4.93 persons.
8. Average life expectancy for both men and women is increasing. In 2019, it stood at 74.1 years for women and 68.9 years for men. These factors have had a positive impact on population trends in Turkmenistan. The proportion of young people is high – 13.7 per cent of the total population is between the ages of 15 and 24, which ensures sustained growth in the labour force and in fertility.
9. The Turkmen economy has displayed consistently high rates of growth (annex 2). In 2019, gross domestic product (GDP) at constant prices rose by 6.3 per cent from its 2018 levels. Total GDP in 2019 was 158.3 billion manat.
10. Total industrial output was 67 billion manat in 2019, an increase of 6.4 per cent over the previous year. Of the overall growth in the major industrial sectors, 45.2 per cent was attributable to the extractive sector and 54.8 per cent to the manufacturing sector. Total industrial output was 67 billion manat in 2019, an increase of 6.3 per cent over the previous year. Of the overall growth in the major industrial sectors, 46.9 per cent was attributable to the extractive sector and 53.1 per cent to the manufacturing sector.
11. State budget revenues in Turkmenistan for the year 2019 amounted to 21.6 billion manat. State budget revenues and spending in 2019 exceeded 2018 levels by 8.7 and 9.6 per cent respectively. By comparison with 2018, allocations to the social sectors – education, health, pensions, social security, housing, public utilities and culture – grew by 15.7 per cent. All in all, they totalled 15.9 billion manat. In addition, wages, pensions, benefits and student grants increased by 10 per cent in 2019. Sizeable funds were set aside for the development of tourism and sport and to implement the National Presidential Programme for the Transformation of Social and Living Conditions in Villages, Settlements, Cities, Districts and District Centres for the period up to 2020 and for other social and economic programmes and investment projects.

12. Turkmenistan is vigorously developing its fuel and energy industry. The pace of oil and gas exploration, extraction, refining and transport to foreign markets is accelerating. In 2019, 70.2 billion m³ of gas was extracted, which was 1 per cent less than in the previous year. Gas exports for 2019 stood at 37.6 billion m³, down 0.6 per cent. Over the past year, 9,825,000 metric tons of oil were extracted and 6,154,000 metric tons were refined. Electricity production totalled 22.5 billion kWh, or 94.6 per cent of 2018 levels.

13. Thanks to its open-door policy and market reforms, the economy of Turkmenistan is growing rapidly. Over the period 2008–2019, the country's GDP at current prices increased by a factor of 3.4. In 2019, the GDP growth rate at constant prices was 6.3 per cent. These outcomes place Turkmenistan among the world's fastest developing economies.

14. Currently, the Turkmen economy is characterized by the fact that the bulk of the country's GDP is derived from the development of the industrial investment sector. In recent years, thousands of manufacturing, social, cultural and infrastructure facilities, buildings and housing units have been built and brought into use. In 2019, foreign investment accounted for 12.3 per cent of the total investment in the country.

15. In this regard, the planned construction of the 600 km "Turkmen Autobahn" between Ashgabat and Türkmenabat, focused on international haulage, is particularly significant. The new highway will open up an easy route for transit transport from Turkmenistan to Uzbekistan and beyond. Apart from the economic benefits to participating countries, this project is creating new opportunities to transform this "bridge" between the countries into an effective partnership, in line with the objectives of overall well-being and prosperity, along with friendship and good-neighbourly relations.

16. Turkmenistan attaches great importance to the development of state-of-the-art railway infrastructure. The total length of the Turkmen rail network is 3,932.1 km and three new railway lines have been laid in the last few years alone. In 2019, 524.8 million metric tons of freight were carried by all modes of transport, or 1.9 per cent more than in 2018. A total of 1,045.0 million passenger journeys were made, an increase of 1.6 per cent.

17. The textile sector is a new area in the country's industrial development. Thanks to the construction of new, specialized enterprises and large, integrated textile plants, large-scale manufacture of a variety of cotton products has been launched. In 2019, 320,900 metric tons of raw cotton were produced.

18. Private business entities are becoming actively involved in the development of the agricultural sector. In 2019, there were 517 smallholder (*dayhan*) associations engaged in agricultural production, along with 3,400 private farms and 1,056,600 family-owned plots. The number of tenant farmers engaged in crop farming is 389,600 and the number in livestock farming is 24,000. The total gross output of agriculture was 23.4 billion manat in 2019, an increase of 27.2 per cent from 2015.

19. In Turkmenistan, the improvement of household incomes remains a focus. The social orientation of the economy and the country's positive economic growth rate over the last few years have made it possible to guarantee an upward trend in wages in both nominal and real terms. Household incomes and average wages increased by a factor of 1.5 between 2015 and 2019, in line with the annual decrees issued by the President of Turkmenistan on increases in wages, pensions, State benefits and grants for students, trainees and course attendees.

20. Since 1 January 2015, the level of disability benefit has increased by an average of 57.7 per cent. The benefit paid to persons who have had disabilities from childhood increased by 56.9 per cent. Every year between 2015 and 2019, State benefits were increased by 10 per cent. When persons with category I or II disabilities have dependent minor children, a supplementary benefit is paid for each child, in addition to the pension or State benefit received by such persons. Persons with category I disabilities and persons with category II visual disabilities who live alone and have a medically certified need for constant care are entitled to a supplementary benefit, in addition to the pension or State benefit they receive.

21. The Act on State Support for Small and Medium-sized Enterprises was adopted to develop private enterprise in the country. Implementation is under way of the 2018–2024 State Programme for the Support of Small and Medium-sized Enterprises, under which it is

planned for private companies to construct more than a hundred different installations for various economic sectors.

22. The Union of Industrialists and Entrepreneurs provides help to entrepreneurs by organizing advice and training sessions, exercises and courses aimed at improving the skills of new entrepreneurs and by creating optimal conditions for the development of small and medium-sized enterprises.

23. To improve the social and living conditions of the country's population, including the provision of homes to persons with disabilities and others in particular need of social protection, four-storey apartment buildings specially adapted for persons with disabilities have been constructed in all the provinces and in Ashgabat.

24. The Social Protection Code provides for State guarantees of gender equality in the area of social protection taking the form of material benefits and social services and provided through pension payments, State benefits and welfare assistance and sets out social protection measures for veterans and persons with disabilities.

25. As soon as 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, including a package of organizational, legal, financial, economic, medical, public health and quarantine measures.

26. Turkmenistan has established close international cooperation, both in bilateral formats and through international organizations. First and foremost is the country's close engagement with the United Nations.

27. The Government has taken measures to mitigate the impact of the global pandemic on productive economic sectors, save jobs and protect the health of its citizens. Health-care spending has significantly increased owing to the introduction of quarantine and medical measures to combat the pandemic.

28. In July 2020, a revised version of the State budget and expenditure for 2020 that takes account of anti-pandemic measures was approved. The Government is working to reduce non-priority spending to maintain social expenditure at the planned level. Along with the existing fiscal and monetary measures to support small and medium-sized enterprises, additional means of boosting business are being considered, especially in the sectors most affected by the global pandemic, such as transport, tourism and commerce.

29. In the light of the global situation, in July 2020 a national programme was adopted to reduce the impact of the challenging global economic conditions on the national economy and the sustainable development of the national economy for the period 2020–2021.

30. The adoption at the State level of the Readiness and Response Plan for Acute Infectious Disease and the Plan of Urgent Socioeconomic Measures to Combat the Coronavirus Pandemic was an important step to protect the health of citizens and support individual economic sectors in dealing with the COVID-19 pandemic.

31. Turkmenistan pays great attention to global partnership and international cooperation. The country is developing its relations, both in bilateral formats and through international organizations such as the United Nations and the Organization for Security and Cooperation in Europe (OSCE).

32. Turkmenistan has diplomatic relations with 149 States and is a member of some fifty international organizations, a party to 161 international conventions and other multilateral instruments and a member of 11 United Nations councils, committees and commissions.

33. At the start of 2020, Turkmenistan was elected to two further United Nations bodies, under the Economic and Social Council: the Commission for Social Development, for the period 2021–2025, and the Commission on Science and Technology for Development, for the period 2021–2024.

34. Turkmenistan also actively participates in the activities of the United Nations Regional Centre for Preventive Diplomacy for Central Asia. The headquarters of the Regional Centre are located in Ashgabat.

35. In July 2020, Turkmenistan became an observer to the World Trade Organization.

B. Constitutional, political and legal structure of Turkmenistan

36. On 25 September 2019, a Constitutional Act amending the Constitution was adopted. Turkmenistan is a democratic, law-based, secular State governed as a presidential republic. Turkmenistan has the status of permanent neutrality, which is recognized by the global community and enshrined in law. The permanent neutrality of Turkmenistan is the basis of its domestic and foreign policy.

37. State power in Turkmenistan is divided between the legislative, executive and judicial branches of government, which act independently to balance one another. The rule of law is established in Turkmenistan.

38. The State and all its agencies and officials are bound by the legal and constitutional order.

39. Property is inviolable. Turkmenistan recognizes the right to private ownership of land, the means of production and other material and intellectual assets. These may also be owned by associations of citizens and by the State. The law sets out the assets owned exclusively by the State.

40. The State guarantees equal protection for all forms of ownership and creates a level playing field for their development.

41. Turkmenistan is divided into provinces, districts, cities and other administrative units. The procedure for establishing and altering administrative units is defined in law.

42. Supreme authority in Turkmenistan is exercised by the President, the Milli Geňeş (the national parliament), the Cabinet of Ministers and the Supreme Court.

43. The President of Turkmenistan is the Head of State and of the executive branch and the highest-ranking official in Turkmenistan. He or she safeguards the country's independence, permanently neutral status and territorial integrity and ensures respect for the Constitution and human and civil rights and freedoms and the fulfilment of international obligations.

44. In accordance with the new Constitution, the Milli Geňeş is a representative body exercising legislative power and consisting of two chambers, the Halk Maslahaty and the Mejlis.

45. The Constitution lays down the procedure for electing and constituting the parliament, its general structure, the requirements for Halk Maslahaty members and Mejlis deputies, and the length of their terms. Citizens over the age of 25 years may be elected to the Mejlis; members of the Halk Maslahaty must be at least 30 years old.

46. The Halk Maslahaty: approves or rejects the Constitution, constitutional acts and other laws adopted by the Mejlis; reviews the laws on the national budget adopted by the Mejlis; makes decisions on the holding of national referendums; calls elections to the Halk Maslahaty; at the proposal of the President of Turkmenistan, debates the appointment and dismissal of the Chief Justice of the Supreme Court, the Procurator General, the Minister of Internal Affairs and the Minister of Justice; confers official decorations and military and other State titles on the President; makes decisions on changes to the country's borders; considers issues relating to peace and security; and makes decisions on other matters on which the Halk Maslahaty is competent by virtue of the Constitution and other laws.

47. The Mejlis: considers and adopts draft Constitutions, constitutional acts and other bills submitted to the Milli Geňeş; oversees the application and interpretation of the laws adopted; approves the programme of work of the Cabinet of Ministers; approves the State budget and the budget implementation report; reviews the State's domestic and foreign policy priorities and the programme for the country's political, economic, social and cultural development; calls presidential elections and elections of deputies to the Mejlis and of members of provincial, district and municipal people's councils; at the proposal of the President, elects the Commissioner for Human Rights; establishes official honours; ratifies and denounces

international treaties; makes decisions on changes to the administrative units of Turkmenistan; determines whether laws and regulations issued by government authorities are compatible with the Constitution; and makes decisions on other matters on which the Mejlis is competent by virtue of the Constitution and other laws. The President, members of the Halk Maslahaty, deputies of the Mejlis, the Cabinet of Ministers and the Supreme Court all have the right to propose legislation.

48. The Cabinet of Ministers (Government) of Turkmenistan is both an executive and an administrative body. The President of Turkmenistan chairs the Cabinet of Ministers.

49. The Cabinet of Ministers: organizes the implementation of national laws and enactments of the President and the chambers of the Milli Geňeş; takes measures to realize and uphold citizens' rights and freedoms and protect property, public order and national security; drafts and submits to the Mejlis proposals regarding the State's domestic and foreign policy priorities and the programme for the country's political, economic, social and cultural development; administers economic, social and cultural development; ensures the rational use and conservation of natural wealth; takes measures to strengthen the monetary system; conducts foreign economic activities; promotes the development of cultural and other links with foreign States; directs the work of government agencies and State-run enterprises and organizations; is entitled to revoke ministerial, departmental and local government enactments; and makes other decisions.

50. Judicial power in Turkmenistan is vested solely in the courts. The function of the judiciary is to uphold citizens' rights and freedoms and State or public interests protected by law. The independence of judges is guaranteed by the Constitution. They are subject only to the Constitution and the law. Interference by any party in the work of the courts is prohibited and punishable by law.

51. The independence of judges is guaranteed by the Constitution. Judges are independent and subject only to the Constitution and the law. Interference by any party in the work of the courts is prohibited and punishable by law (Constitution, art. 98).

52. The Courts Act, based on the Constitution, contains guarantees of the independence of judges. The independence of judges is ensured through: the granting of material and social benefits in accordance with their high status; legally prescribed procedures for the administration of justice; the prohibition on interference in the administration of justice by any party on pain of criminal and administrative penalties; the established procedure for suspension and removal from office; the inviolability of judges; and the special State protection afforded judges' family members and property (Courts Act, art. 51). Any interference in the administration of justice is prosecuted under the laws of Turkmenistan.

53. Judges are not required to provide any explanations on the substance of cases they have tried or are in the process of trying or to make such explanations available to anyone for review except in the circumstances prescribed by law.

54. No criminal case may be brought against a judge, and a judge may not be arrested without the agreement of the President of Turkmenistan. The inviolability of judges applies to their person, assets, place of residence and work, official and personal transport and other property. These guarantees also apply to lay judges during the period of their service in court. It is not permitted to detain or summon professional judges or lay judges during the period of their service in court or to impose administrative penalties on them.

55. The Court Act provides that the Code of Judicial Ethics is an enactment of the Conference of Judges, based on generally accepted moral principles and standards of society and the State. The Code of Judicial Ethics establishes binding rules of conduct for all judges in the discharge of their professional duties regarding the administration of justice.

56. The Code was discussed and first adopted at the first Conference of Judges on 19 January 2019. The high status of judges obliges them to be professionally trained and promote high standards of legal awareness and legal behaviour so as to improve public confidence in the judicial system and the quality of justice, which is the basis for maintaining the dignity and high standing of judges as fair, independent and impartial authorities.

57. To further improve the administration of justice by courts, ensure judicial independence and fulfil the international obligations of Turkmenistan, the limit on judges' tenure was removed from the new version of the Constitution and a public policy framework on the enhancement of the judicial system for 2017–2021 was developed and adopted.

58. Taking into account the recommendations of the United Nations treaty bodies and the related norms of international law, this framework included proposals on the tenure of judges, the procedure for judicial appointments, and the rights and duties of judges and court officials.

59. Chapter 24 of the Criminal Code contains provisions on offences against justice, which constitute measures to ensure the independence of the judiciary. For example, criminal law prohibits actions such as obstruction of justice or of preliminary investigations (Code, art. 189), threats or violence against persons administering justice or conducting a preliminary investigation (Code, art. 189) and contempt of court (Code, art. 189).

60. The Supreme Court publishes commentary on the Criminal Code and Code of Criminal Procedure and guides to the courts' consideration of complex cases. Twice a year, the Court holds training courses and experienced judges hold regular workshops, involving experts on various topics, to explore different categories of case, the particularities of considering them and ways to ensure strict observance of the rights and legitimate interests of the participants in judicial proceedings.

II. General framework for the protection and promotion of human rights

A. Acceptance of international human rights norms

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

- Convention on the Rights of the Child (23 September 1994)
- International Convention on the Elimination of All Forms of Racial Discrimination (23 September 1994)
- Convention on the Elimination of All Forms of Discrimination against Women (20 December 1996)
- International Covenant on Economic, Social and Cultural Rights (20 December 1996)
- International Covenant on Civil and Political Rights (20 December 1996)
- Optional Protocol to the International Covenant on Civil and Political Rights (20 December 1996)
- Convention on the Political Rights of Women (15 September 1999)
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (28 December 1999)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (28 March 2005)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (28 March 2005)
- Convention on the Rights of Persons with Disabilities (15 July 2008)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (30 April 1999)
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (18 April 2009)
- Optional Protocol to the Convention on the Rights of Persons with Disabilities (25 September 2010)

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

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

63. Turkmenistan has ratified the following conventions of the International Labour Organization (ILO):

- ILO Minimum Age Convention, 1973 (No. 138) (20 December 1996)
- ILO Forced Labour Convention, 1930 (No. 29) (20 December 1996)
- ILO Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) (20 December 1996)
- ILO Right to Organise and Collective Bargaining Convention, 1949 (No. 98) (20 December 1996)
- ILO Equal Remuneration Convention, 1951 (No. 100) (20 December 1996)
- ILO Abolition of Forced Labour Convention, 1957 (No. 105) (20 December 1996)
- ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (20 December 1996)
- ILO Worst Forms of Child Labour Convention, 1999 (No. 182) (25 September 2010)

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

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

- International Convention against Doping in Sport (25 September 2010)
- Convention relating to the Status of Stateless Persons (4 August 2011)
- Convention on the Reduction of Statelessness (4 August 2012)
- World Health Organization (WHO) Framework Convention on Tobacco Control (26 March 2011)
- United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention for the Safeguarding of the Intangible Cultural Heritage (14 September 2011)
- Convention for the Protection of Cultural Property in the Event of Armed Conflict (1954) and the two Protocols thereto (1954 and 1999) (November 2017)
- Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, 2013 (22 August 2020)

65. Work is under way on the country's accession to the following UNESCO instruments: the Convention against Discrimination in Education, the Convention on the Protection and Promotion of the Diversity of Cultural Expressions and the Global Convention on the Recognition of Qualifications.

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

66. In the Constitution of 14 September 2016, the scope of human rights and freedoms was significantly expanded. Pursuant to the Constitution, human and civil rights and freedoms are recognized in Turkmenistan in accordance with the generally accepted norms of international law and are guaranteed by the Constitution and other laws. Turkmenistan recognizes the primacy of the generally accepted norms of international law.

67. In Turkmenistan, society and the State place the highest value on human beings. Protecting, supporting and serving them is the main task of the State authorities.

68. The State is accountable to every citizen. It creates conditions for the free development of the individual and protects life, honour, dignity, liberty, security of person and natural and inalienable rights. Turkmenistan is a State that ensures social protection for all.

69. Turkmenistan has its own nationality, which is acquired, maintained and terminated in accordance with the law. Turkmenistan does not recognize its citizens as nationals of other States. No one may be deprived of his or her nationality nor denied the right to change it. A citizen of Turkmenistan may not be extradited to another State, expelled from the country or have his or her right of return restricted. Citizens of Turkmenistan are guaranteed the defence and protection of the State, both within the country and abroad. Foreign nationals and stateless persons have the same rights, freedoms and duties as citizens of Turkmenistan, in accordance with national law and the international treaties to which Turkmenistan is a party. Turkmenistan, in accordance with the generally accepted norms of international law, grants asylum to foreign nationals and stateless persons under the procedure prescribed by law.

70. Political diversity and the multiparty system are recognized in Turkmenistan.

71. The State puts in place the necessary conditions for the development of civil society. Voluntary associations are equal before the law.

72. The State guarantees freedom of religion and worship and the equality of religions and beliefs before the law. Information on religious organizations in Turkmenistan is appended to the present report (annex 3).

73. Religious organizations are separate from the State and are not permitted to interfere in government affairs or perform State functions. The State education system is separate from religious organizations and is secular in nature.

74. No political party, religious organization, voluntary association or other organization may impose its ideology on citizens.

75. Human rights and freedoms in Turkmenistan are inviolable and inalienable. No one may restrict human rights and freedoms, except as provided for in the Constitution and the law. The enumeration of certain human and civil rights and freedoms in the Constitution and the law may not be used to deny or restrict other rights and freedoms.
76. Human and civil rights and freedoms are directly applicable. They determine the purpose, content and application of laws and the activities of the legislature, the executive and local government bodies and are upheld by the courts.
77. Turkmenistan guarantees equal human and civil rights and freedoms and equality before the law, irrespective of ethnicity, skin colour, sex, origin, property or official status, place of residence, language, attitude to religion, political beliefs or any other circumstances.
78. Men and women in Turkmenistan have equal rights and freedoms and equal opportunities to exercise them. The violation of equality on the basis of sex is punishable under the law.
79. Everyone has the right to protection of his or her honour and dignity. Nothing can justify the diminution of dignity.
80. Everyone has the right to life and the freedom to exercise that right. No one may be deprived of the right to life. The right of everyone to a free life is protected by the State on the basis of the law. The death penalty has been abolished in Turkmenistan.
81. No one may be convicted or punished except in strict accordance with the law. No one may be subjected to torture, violence or cruel, inhuman or degrading treatment or punishment, nor may anyone be subjected without his or her consent to medical, scientific or other experimentation.
82. In Turkmenistan, persons may be detained only on grounds clearly specified in law, on the basis of a court order or with the approval of a procurator. In urgent cases clearly specified in law, duly authorized State bodies are entitled to detain persons temporarily. Everyone is presumed innocent of committing an offence until proved guilty under the law and until an enforceable judgment to that effect has been handed down by a court. No one is obliged to prove his or her innocence. Any remaining doubt as to the guilt of an accused person must be resolved in his or her favour.
83. Under the new Constitution, everyone has the right to liberty and security of person. A person may be subjected to criminal punishment only if found guilty and convicted by a court under the procedure prescribed by law. No one may be prosecuted and convicted more than once for the same offence.
84. Everyone has the right 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. The collection, storage, use and dissemination of a person's private information without his or her consent is prohibited. Central and local government authorities and their officials are required to allow everyone to see documents and materials directly affecting their rights and freedoms, unless the law provides otherwise.
85. All citizens have the right to freedom of movement and choice of place of residence within the borders of Turkmenistan. Restrictions on entry into specific areas and movement within those areas may be imposed only in accordance with the law.
86. The family, maternity, paternity and childhood are all protected by the State. On reaching marriageable age, men and women have the right, by mutual consent, to enter into marriage and to found a family. Spouses enjoy equal rights in family relations. Parents and persons in loco parentis have the right and the duty to raise their children, to attend to their health, development and education, to prepare them for the world of work and to instil in them respect for the law and for historical and national traditions. It is the duty of adult offspring to provide care and assistance to their parents. The State creates conditions for the exercise of the rights and freedoms of young people and contributes to their all-around development.

87. Everyone may determine his or her own attitude to religion independently and has the right to profess any religion, individually or with others, or to profess no religion, to express and disseminate his or her religious beliefs and to take part in religious ceremonies.

88. The right to freedom of thought and expression is guaranteed for all. No one has the right to prohibit a person from freely expressing his or her opinions or to prevent their dissemination in accordance with the law. No one may be compelled to express or renounce his or her opinions or convictions. Everyone has the right to freely seek, receive and impart information by means not prohibited by law, except where it contains State secrets or other secrets protected by law.

89. Citizens are free to hold assemblies, rallies, demonstrations and other mass events under the procedure prescribed by law. Citizens have the right to form political parties and other voluntary associations operating within the limits established in the Constitution and the law. Information on political parties and voluntary associations in Turkmenistan is appended to the present report (annexes 4–5). There is a prohibition on the establishment and operation of political parties or other voluntary associations that aim to overthrow the constitutional order by force, engage in violent acts, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred or act in a manner detrimental to the health or morals of the people. The same is true for political parties formed on the basis of ethnic or religious criteria.

90. Citizens of Turkmenistan have the right to participate in managing the affairs of society and the State, both directly and through their freely elected representatives. They have the right to vote and to be elected to central and local government bodies. Citizens have an equal right to enter public service, according to their skills and professional training. Citizens have the right to take part in the administration of justice.

91. Everyone has the right to make free use of his or her abilities and assets for business or other economic activity not prohibited by law. The right of private ownership is protected by law. Everyone is entitled to own, possess, use and dispose of property, both individually and jointly with others. The right to inherit is guaranteed.

92. Everyone has the right to work, to freely choose a profession, occupation and place of work and to enjoy safe and healthy working conditions.

93. In May 2015, with the aim of broadening opportunities and creating conditions for the exercise of citizens' constitutional right to work, increasing the availability of decent work for the population and developing the country's productive capacity, the President of Turkmenistan issued a decision approving a programme to improve employment opportunities and create new jobs in Turkmenistan for the period 2015–2020, as well as an action plan for the programme's implementation (annex 6).

94. In 2019, 74,900 persons were registered with public employment agencies; in 2015, this figure was 80,300. In 2015 and 2019, 92.1 per cent of those registered with employment offices found work. In 2019, women accounted for 30.7 per cent of persons registered with public employment agencies, compared with 29 per cent in 2015. They constituted 29.6 per cent of all those who found work in 2019 and 28.1 per cent in 2015.

95. In accordance with the new Constitution, forced labour and the worst forms of child labour are prohibited. Employees have the right to remuneration commensurate with the quantity and quality of their work. This remuneration may not be less than the minimum wage set by the Government.

96. Everyone has the right to rest, which is given effect through limits on the length of the working week and the granting of paid annual leave and weekly rest days. The State creates favourable conditions for people's recreation and use of leisure time.

97. Every citizen has the right to housing and to State support to obtain or acquire a decent home or to build his or her own house. The home is inviolable. No one may enter or otherwise infringe the inviolability of a home against the will of the inhabitants or without a legal basis for so doing. Everyone has the right to protect his or her home from intrusion. No one may be deprived of his or her home except on the grounds established by law.

98. Everyone is entitled to health care, including free use of the services of public health-care facilities (annex 7). Private medical services and non-traditional health care are permitted on the basis and under the procedure established by law.
99. Everyone has the right to a safe and healthy environment, accurate information about the environmental situation and reparation for harm caused to his or her health and property by violations of environmental law or natural disasters.
100. The regulatory instruments governing the organization of medical and social assessment boards and the conduct of assessments were revised in 2012 so as to facilitate the procedure for certifying disability. New regulations on medical and social assessment boards are being developed.
101. The list of entitlements for persons with disabilities has been expanded to include joint replacements. A procedure is being developed with the Ministry of Labour and Social Protection and the Ministry of Finance and Economic Affairs to provide free cardiac surgery to children with disabilities who have heart defects. The maximum age at which an individual can be considered a child with a disability has been increased to 18 years pursuant to the Act of 18 June 2016 amending the Social Protection Code.
102. Work is continuing on the development of a biosocial model, with input from WHO experts and participation by representatives of the Ministry of Labour and Social Protection, trade unions and the Ministry of Justice.
103. A procedure has been developed for determining the level of compensation for persons who have acquired disabilities as a result of industrial injuries and occupational diseases.
104. The State Statistics Committee and the Ministry of Labour and Social Protection are jointly establishing a register of persons with disabilities.
105. The information centre of the Ministry of Health and the Medical Industry organizes events to promote healthy lifestyles and raise public awareness on these issues. The centre coordinates multidisciplinary interdepartmental work on public health education carried out in the country, under the approved plan. The public are kept informed regularly through the media. Newspapers, magazines and television and radio programmes carry items on healthy lifestyles, healthy diets, hygiene, exercise and sport.
106. The Red Crescent Society of Turkmenistan fulfils its health-care mandate through public information campaigns on disease prevention, including HIV prevention. Between 2016 and 2020, 273,824 persons were informed about the transmission routes, prevention and diagnosis of HIV. During the information campaigns, the audience was informed about the anonymous centres performing HIV diagnosis.
107. The Red Crescent Society of Turkmenistan works to teach the public, including persons with disabilities and older persons, about how to behave in emergency situations. Between 2016 and 2020, this training reached approximately 86,537 members of the public. The Society also provides first aid training to the public, including officers of the Police Traffic Supervision Department of the Ministry of Internal Affairs. Over the reporting period, approximately 9,133 persons received this training.
108. Citizens are entitled to social security on the basis of age and in the event of sickness, disability, loss of capacity to work, loss of breadwinner or unemployment and on other legal grounds. Young families, large families, children who have lost their parents, veterans and persons whose health has been impaired while protecting State or public interests are eligible for additional support and allowances from State and voluntary funds. In Turkmenistan, the provisions of the Social Protection Code and the State Pension Insurance Act are implemented.
109. As at 1 January 2020, 1,769,300 persons were covered by compulsory pension insurance and 1,315,300 economically active persons by voluntary pension insurance.
110. As at 1 January 2016, the equivalent figures were 1,505,400 and 1,212,300 persons.

111. Every year, the level of pensions and State benefits is increased by presidential decree. Over the period 2015–2019, the average increase was 10 per cent. Information on the recipients of pensions and State benefits is appended to the present report (annex 8).

112. Everyone has the right to education. General primary and secondary education are compulsory; everyone is entitled to receive such education free of charge in State schools. The State guarantees access to vocational education for everyone, according to their abilities.

113. Under the Education Act of 4 May 2013, as amended on 8 November 2014, 20 March 2017 and 22 August 2020, citizens are guaranteed the opportunity to receive an education irrespective of ethnicity, skin colour, sex, origin, property or official status, place of residence, language, attitude to religion, political beliefs or other circumstances, and also age and state of health.

114. The State upholds citizens' right to education by establishing an education system and the appropriate socioeconomic conditions for receiving an education. General primary and secondary education are compulsory for citizens of Turkmenistan and they are entitled to receive such education free of charge in State schools (annex 9).

115. The State ensures that citizens of Turkmenistan have access to vocational education according to their abilities.

116. To realize the right to education for citizens in need of social support, the State pays their living expenses while they are in education. The categories of citizen who are offered this type of support, the procedure for its allocation and its amount are established in law.

117. The State establishes conditions for citizens with disabilities to receive education in mainstream educational 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.

118. The State helps citizens with exceptional abilities to receive education, for instance through the payment of special State bursaries, including bursaries to study abroad.

119. To ensure that citizens' right to education is realized, the Act provides that the founders of educational establishments must do everything in their power to renovate and develop the facilities and ensure appropriate teaching and learning conditions, taking into account the increasing requirements with regard to the level and quality of education. To this end, educational establishments are provided with the necessary material resources and capital investment.

120. On the basis of this provision of the Act, the physical infrastructure and technical equipment of existing educational institutions are upgraded every year. The institutions are equipped with modern multimedia equipment, computers, language laboratories, laboratory and other equipment and modern furnishings. In addition, over the past five years, the country's educational establishments have been provided with 50 buses and 80 refrigerator trucks.

121. On 1 September every year since 2011, each child in grade 1 has received a personal computer as a gift. The number of computers procured for this purpose with funds from the State budget is increasing every year; thus, over the past five years: 123,061 computers were acquired in 2015, 140,016 in 2016, 142,819 in 2017, 146,873 in 2018 and 153,885 in 2019.

122. To uphold citizens' right to education, modern preschool establishments, primary and secondary schools, intermediate and higher vocational training institutions, children's health centres, sport schools, stadiums and other leisure and recreational facilities are under construction in the country.

123. In the past five years, the number of educational establishments in the country has increased:

<i>Educational establishments</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>2018</i>	<i>2019</i>
Preschool establishments	1 039	1 056	1 070	1 071	1 075
Primary/secondary day and boarding schools	1 832	1 852	1 860	1 864	1 868

<i>Educational establishments</i>	2015	2016	2017	2018	2019
Basic vocational schools	62	60	60	60	60
Intermediate vocational schools	42	42	42	42	42
Higher education institutions	24	24	25	25	25

124. In Turkmenistan, textbooks and teaching aids are provided free of charge in State educational establishments. In State intermediate and higher vocational training institutions, tuition is provided both on a paid-for basis and funded from the central budget, with grants paid to students.

125. Citizens are admitted to State vocational training institutions on a competitive basis, by application. The rules of the competition ensure that State guarantees for the right of citizens to education are respected and that the candidates enrolled are those most capable and best prepared for the vocational training programme in question.

126. Students at State educational institutions are provided with accommodation in dormitories and boarding schools, under the procedure prescribed by law, and benefit from other social support measures.

127. In Turkmenistan, the State supports student loans for citizens studying in vocational training programmes, both in the relevant national educational institutions and abroad.

128. Student loans may be used to pay for the cost of tuition in vocational training institutions in full or in part (basic student loan) and/or to pay for accommodation, food, course books and other day-to-day needs during the training period.

129. Everyone has the right to take part in cultural life and to creative freedom in the artistic, scientific and technical fields. Copyrights and other interests in scientific and technical creation and artistic, literary and cultural works are protected by law.

130. State cultural policy is being implemented primarily by expanding the range and improving the quality of cultural services and updating the repertoires of performance groups and the collections of museums and libraries. The country currently has 10 State theatres, 36 State museums, 230 libraries, 747 large and small cultural institutions and 3 higher education institutions, which are introducing new forms and methods in their work.

C. Mechanisms through which human rights are promoted at the national level

131. Among the main additions to the new Constitution were the provisions on the establishment of the position of Commissioner for Human Rights and the procedure for his or her election. The President submits a proposal for the election of a Commissioner for Human Rights to the Mejlis. The Ombudsman Act was adopted on 23 November 2016. The Act was drafted in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and provides the Ombudsman with guarantees of institutional independence and a broad mandate.

132. Under the Act, the Ombudsman is elected for a five-year term by the national parliament from three candidates nominated by the President of Turkmenistan. The election is conducted by secret ballot. The Ombudsman was elected on 20 March 2017 and the Office of the Ombudsman was established on 8 April 2017. To organize the Office's work, the Ombudsman issued an order on 20 March 2017 approving Regulations on the Office of the Ombudsman. The structure and number of the Office's staff were approved by a further order on 12 April 2017. The Act also provides for the possibility of establishing regional offices of the Ombudsman.

133. 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. In his or her work, the Ombudsman is guided by the Constitution, the Ombudsman Act, national law and the international treaties to which Turkmenistan is a party.

134. The Ombudsman Act regulates the principles and safeguards in respect of the Ombudsman's activities and his or her powers and main duties. The distinguishing feature of the institution is the Ombudsman's independence and autonomy from any government agency or official in the exercise of his or her mandate. Interference in the Ombudsman's work with the intention of influencing his or her decisions or actions and obstruction of the Ombudsman's work are offences under national law.

135. The activities of the Ombudsman and his or her Office are financed from the State budget. The Ombudsman develops and implements a cost plan independently. Additional funding for the work of the Ombudsman and the Office may be obtained from foreign States and international organizations on the basis of agreements concluded by Turkmenistan and from other sources not prohibited by national law.

136. The Act provides that the Ombudsman has broad powers: to visit and monitor the activities of central and local government bodies, enterprises, institutions and organizations irrespective of their organizational and legal forms and their forms of ownership, correctional and other specialized institutions, remand centres, other places of detention and the Armed Forces of Turkmenistan, freely and without prior notification; to request and receive from officials of central and local government bodies and of enterprises, institutions and organizations irrespective of their organizational and legal forms and their forms of ownership required documentation, case files and other information and clarifications; instruct the competent bodies to conduct expert studies on issues that arise; address proposals to the duly authorized government agencies or officials for the initiation of disciplinary, administrative or criminal proceedings against officials who have violated human rights and freedoms; and exercise other powers provided by law.

137. The main functions of the Ombudsman are to promote the observance of human and civil rights and freedoms, as well as the restoration of rights that have been violated, the ratification of relevant international treaties, the improvement of national legislation and of the legal knowledge of citizens regarding human and civil rights and freedoms and the forms and methods of their protection, cooperation among national government agencies in the protection of human and civil rights and freedoms, and the development and coordination of international cooperation in the area of human and civil rights and freedoms.

138. The Ombudsman submits an annual report to the President concerning his or her activities and the human rights situation in the country and presents the report to the Mejlis. Three reports have been prepared to date (2017, 2018 and 2019) and posted on news websites.¹

139. One of the main roles of the Ombudsman is to facilitate the development of international cooperation in the area of human and civil rights and freedoms. Since its establishment, the Office of the Ombudsman has actively cooperated with international organizations, including the Office of the United Nations High Commissioner for Human Rights (OHCHR) Regional Office for Central Asia, the United Nations Development Programme (UNDP) office in Turkmenistan, the United Nations Children's Fund (UNICEF) office in Turkmenistan and the Organization for Security and Cooperation in Europe (OSCE) Centre in Ashgabat.

140. In cooperation with UNDP, OHCHR and the Asia Pacific Forum of National Human Rights Institutions, the Office of the Ombudsman has begun a study of the process of applying for accreditation with the Global Alliance of National Human Rights Institutions.

141. Pursuant to article 21 of the Ombudsman Act, the Ombudsman considers complaints about and has the right to conduct inquiries into decisions, actions or omissions of central and local government bodies and their officials that violate the rights, freedoms or legitimate interests of citizens of Turkmenistan or foreign nationals or stateless persons in the territory of Turkmenistan.

142. 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

¹ <http://turkmenistan.gov.tm/?ombudsmen>, Report of the Commissioner for Human Rights in Turkmenistan 2019.

conduct inspections of their work, independently or jointly with competent State bodies, officials or civil servants.

143. In accordance with the Act, the complaints of persons held in remand and detention centres, correctional facilities and other specialized institutions are transmitted to the Ombudsman, without being subject to screening, within 24 hours.

144. The Ombudsman also visits children's homes, baby homes and homes for older persons and persons with disabilities located in different regions of the country.

145. Work to protect human rights against all forms of discrimination is a priority for the Office of the Ombudsman. The Act provides that the records of the Ombudsman are to be kept in the national language of Turkmenistan. It further stipulates, in article 23, that complainants have the right 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 provision establishes broad opportunities for persons of different ethnicities to submit complaints.

146. Pursuant to article 8 of the Administrative Procedures Act, all persons have the right to appeal to administrative bodies on matters directly related to their rights and legitimate interests, and to make requests and receive information from such bodies. The administrative body is obliged to make appropriate decisions on such appeals or provide information.

D. Process for the preparation at the national level of reports to international monitoring bodies

147. The Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law is responsible for preparing national reports on the implementation of international human rights treaties for submission to the United Nations treaty bodies. The reports fully reflect the practical measures taken by the Government of Turkmenistan in relation to the human dimension, the development of democratic processes and the dynamic reform of the entire sociopolitical system.

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

149. Between 2015 and 2020, the following reports were submitted to the treaty bodies and the Human Rights Council:

- (i) Common core document (2009, 2015, 2020);
- (ii) National report of Turkmenistan on implementation of the International Covenant on Economic, Social and Cultural Rights (2016);
- (iii) National report of Turkmenistan on implementation of the International Covenant on Civil and Political Rights (2015 and 2020);
- (iv) National report of Turkmenistan on implementation of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (2015 and 2020);
- (v) National report of Turkmenistan on implementation of the International Convention on the Elimination of All Forms of Racial Discrimination (2015 and 2019);
- (vi) National report of Turkmenistan on implementation of the Convention on the Elimination of All Forms of Discrimination against Women (2016);
- (vii) National report of Turkmenistan on the Convention on the Rights of the Child and the two Optional Protocols thereto: the Optional Protocol on the sale of children, child prostitution and child pornography and the Optional Protocol on the involvement of children in armed conflict (2020);

(viii) Initial report of Turkmenistan on implementation of the Convention on the Rights of Persons with Disabilities (2011);

(ix) Universal periodic review of the human rights situation in Turkmenistan (2018).

150. From 7 to 18 May 2018, at the thirtieth session of the Human Rights Council in Geneva, the delegation of Turkmenistan took part in the dialogue held as part of the country's reporting under the universal periodic review.

151. The delegation had a constructive dialogue with the representatives of the participating countries. During the meeting, the representatives of Turkmenistan provided extensive information on the country's unwavering fulfilment of its international obligations, including the implementation of treaty body recommendations, in law and in practice.

E. Other relevant information on human rights

152. In order to further improve the efforts of State bodies and civil society associations to realize human rights and freedoms and to incorporate the norms of international humanitarian law into the country's legislation and apply them in practice, the following were successfully implemented: 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; and the National Plan of Action to Combat Trafficking in Persons for the period 2016–2018.

153. The National Plan of Action to Combat Trafficking in Persons for the period 2020–2022 is currently being carried out, as is the National Plan of Action on Children's Rights for the period 2018–2022. On 4 December 2020, the National Plan of Action for Gender Equality for the period 2021–2022 was approved by presidential decision.

154. These plans include specific goals and targets, as well as steps for achieving them and indicators for assessing the progress made. The recommendations of the relevant United Nations Committees and the recommendations accepted by the country in the third cycle of the universal periodic review were considered and taken into account in the preparation of the plans.

155. Under the first National Plan of Action to Combat Trafficking in Persons, for the period 2016–2018, the following laws were adopted: the Trafficking in Persons Act (2016); the Employment Act (2016); the Act amending the Code of Administrative Offences (2016); the Act amending the Criminal Code (2016); and the Bar and Advocacy Act (2017).

156. Pursuant to a presidential decision of 25 January 2019, the National Plan of Action for the Elimination of Statelessness in Turkmenistan for the period 2019–2024 was approved. The Plan is intended to facilitate coordination and strengthen cooperation among government agencies, international organizations and civil society in resolving situations of statelessness and preventing new cases from arising by taking legislative and practical measures.

157. In December 2020, the President signed a decree on naturalization, pursuant to which 2,580 persons became citizens of Turkmenistan. A decision granting residence permits to 874 persons was also signed. Since 2011, some 26,000 persons have become naturalized citizens of Turkmenistan.

158. Turkmenistan has integrated sustainable development goals and targets into its national, sectoral and regional development programmes, strategies and plans and into the country's financial plans. In this connection, a national coordinating mechanism has been established: a working group consisting of deputy leaders of ministries, departments, civil society organizations and academic and research institutions, which coordinates the realization and monitoring of sustainable development goals. In September 2017, a Sustainable Development Goals Research and Methodology Centre was opened at the Institute of International Relations of the Ministry of Foreign Affairs to help achieve the 2030 Agenda for Sustainable Development.

159. In July 2019, Turkmenistan presented its first voluntary national review on the progress made in achieving the Sustainable Development Goals, focusing on efforts to

expand rights and opportunities and ensure comprehensive coverage and equality, as part of the high-level political forum under the auspices of the Economic and Social Council in New York.

160. 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. The purpose of the Joint Programme is to improve the existing system of social service 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 meet their special needs. Under the Joint Programme, it is planned to pilot several social services to be targeted at broader groups: women and girls, men and boys, persons with disabilities and other vulnerable groups.

III. Information on non-discrimination and equality and effective remedies

A. General information on the implementation by Turkmenistan of its obligations to guarantee equality before the law and on measures taken to eliminate discrimination

161. Turkmenistan guarantees the equality of women and men before the law in respect of the exercise of civil rights and their equal participation in the management of public and State affairs, the electoral process, health care, education, science, culture, labour and social protection, and other areas of State and public life. Owing to their high level of education and engagement, women take an active part in public and political life in Turkmenistan, on an equal footing with men. Women are widely represented in all branches of government and economic spheres. Women constitute 25.8 per cent of the 125 deputies of the 6th Mejlis, which is equivalent to the level in the world's developed countries. The Speaker of the parliament, one of the Deputy Chairs of the Cabinet of Ministers and the Commissioner for Human Rights (Ombudsman) are women.

162. Regarding legislation, the constitutional provisions on gender equality are reflected not only in the Act on State Guarantees of Equal Rights and Equal Opportunities for Women and Men, but also in the Civil Service Act (2016), the Refugees Act (2017), the Act amending the Family Code (2018), the Health Care Act (2015), the Medical Supplies Act (2016), the Breastfeeding Promotion and Support Act (2016), the Psychiatric Care Act (2016), the Employment Act (2016), the Refugees Act (2017), the Acts amending the Labour Code (2017 and 2019), the Act amending the Regulations governing the honorary title "Ene mähri" (2018), the Act amending the Criminal Code (2019), the Physical Culture and Sport Act (2020) and many other laws.

163. Turkmenistan has ratified the Convention on the Elimination of All Forms of Discrimination against Women and has adopted a programme to implement the Beijing Platform for Action. The development of women's potential in accordance with the Constitution and the provisions of international law remains a strategically important priority area of State policy. The State has a key role to play in upholding the constitutional principle of equal rights and freedoms and fulfilling the country's international obligations in the area of gender equality.

164. The National Plan of Action for Gender Equality for the period 2015–2020 was approved in 2015 and is now being implemented. In accordance with the Plan, the causes and consequences of all forms of violence against women, including domestic violence, are being analysed.

165. The Criminal Code establishes the offences of cruelly treating a woman known by the perpetrator to be pregnant; abducting a woman against her will for the purpose of entering into de facto marital relations; forcing a woman to enter into marriage or to continue living together in marriage or preventing a woman from entering into a marriage of her choice,

where accompanied by violence or the threat of violence; polygamy, i.e. cohabiting with two or more women in a common household; torturing a woman; and denying employment to or dismissing a pregnant woman without justification.

166. Under the Code, the commission of an offence against a woman known by the perpetrator to be pregnant or against a minor or other defenceless or helpless person or a person who is dependent on the perpetrator is an aggravating factor.

167. The Mejlis is working to prepare a new version of the Criminal Code. The working group established for that purpose is analysing the provisions of the Code with a view to making them more humane and bringing them into line with the international obligations of Turkmenistan.

168. Men and women in Turkmenistan have equal civil rights. Violations of equality of rights on grounds of sex are punishable by law. To ensure that internal affairs officers receive specialized training on gender equality and domestic violence, training sessions are organized on an ongoing basis to address specific questions related to those issues. Between 2018 and 2020, 1,438 such training sessions were conducted in the internal affairs agencies.

169. One of the objectives of the National Plan of Action for Gender Equality for the period 2015–2020 is the analysis of national legislation with a view to the possible adoption of a law on the prevention of gender-based violence, as well as the conduct of a survey on the prevalence, causes and consequences of all forms of violence against women, including domestic violence.

170. 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 subject to criminal prosecution under the Criminal Code.

171. In 2018, the parliament and the office of the United Nations Population Fund (UNFPA) in Turkmenistan conducted a joint analysis of national legislation for consistency with international legal instruments in the field of gender equality. A discussion on the results of the analysis was held in October of that year with the participation of deputies and experts from the parliament.

172. As part of a study on the prevention of gender-based violence, 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 were familiarized with the framework for inter-agency response to gender-based violence, with the participation of UNFPA in Turkmenistan.

173. The development of standard operating procedures for health-care workers, police officers and social service providers is well under way. With regard to research on domestic violence against women, the preparatory work has been carried out for the conduct of a survey on women's health and status in the family; the survey will include a review of legislation of foreign countries on domestic violence. A special expert working group has been set up 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.

174. As part of efforts to implement the National Plan of Action for Gender Equality for the period 2015–2020, work is continuing on the survey on women's health and status in the family. From 25 February to 1 April 2020, data-collection fieldwork was carried out in Ashgabat and in the five provinces. This work was coordinated by the survey working group with technical support from the UNFPA office in Turkmenistan. At present, the data obtained are being analysed and the analytical report is being drafted. The results of the survey will be used to establish the prevalence and identify the root causes of this social phenomenon and, depending on the findings, proposals will be made for refining national legislation.

175. In order to consolidate women's rights and protect their legitimate interests, strengthen the family and create favourable conditions for family relations, the plan for the

legislative activity of the parliament of Turkmenistan for the period 2018–2022 provides for the preparation of a bill on the prevention of family and domestic violence against women.

176. The use of torture or cruel treatment at the time of arrest or during custody or pretrial detention in order to obtain confessions is not permitted in Turkmen law. Thus, article 62 of the Constitution states that a person may not be forced to testify against himself or herself or his or her close relatives and that evidence obtained through psychological or physical coercion or other unlawful methods has no legal force. Under article 23 of the Code of Criminal Procedure, violence, threats and other unlawful means may not be used to obtain testimony from suspects, accused persons, defendants or other participants in legal proceedings.

177. Turkmenistan takes effective measures to prevent acts of torture and cruel treatment throughout the country. The approaches and methods used by the relevant units of specialized institutions to prevent persons serving sentences of deprivation of liberty from being subjected to torture or cruel treatment are being improved. First and foremost, the officials' obligation to comply with the established rules governing the serving of sentences has been reinforced, and the supervision of operational and educational activities conducted with prisoners has been strengthened.

178. Turkmen law establishes liability for the use of violence or emotional abuse by law enforcement officers against persons involved in criminal proceedings for the purpose of obtaining testimony. Thus, article 197 of the Criminal Code provides for penalties for any prosecutor, investigator or person conducting an initial inquiry who uses threats, blackmail or other unlawful acts to coerce a suspect, accused person, victim or witness into testifying or an expert into giving an opinion. Where such acts are accompanied by the use of violence or emotional abuse, this constitutes an aggravating factor.

179. In order to comply with national and international legal standards and the recommendations of United Nations treaty bodies on the prevention of torture and cruel treatment of prisoners and other persons, video cameras have been installed in police stations, remand centres and places of detention. For the same purpose, the Ministry of Internal Affairs is conducting systematic work to provide police stations, remand centres and penal institutions with the latest audiovisual equipment to record interrogations.

180. The country's legislation on the prevention of torture is based on the norms of international law in this area. Under the Constitution, no one may be subjected to torture, violence or cruel, inhuman or degrading treatment or punishment, nor may anyone be subjected without his or her consent to medical, scientific or other experimentation. A person may not be forced to testify against himself or herself or his or her close relatives. Evidence obtained through psychological or physical coercion or other unlawful methods has no legal force.

181. The definition of "torture" in the Criminal Code is fully aligned with that in article 1 of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. In accordance with article 182¹ of the Code, torture is the intentional infliction of severe pain or physical or mental suffering on a person for such purposes as obtaining from him or her, or a third person, information or a confession, punishing him or her for an act he or she, or a third person, has committed or is suspected of having committed, or intimidating or coercing him or her, or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by, or with the consent or acquiescence of, a public official or other person acting in an official capacity.

182. This provision of the Criminal Code is intended to provide a firm legal guarantee against the use of torture in Turkmenistan. The Code also criminalizes the intentional infliction of moderately severe bodily harm in a way that renders it tantamount to torture or cruel treatment.

183. The Ministry of Internal Affairs is conducting systematic work to provide police stations, remand centres and penal institutions with audiovisual equipment to record interrogations.

184. The government authorities oversee the activities of the penal system in their respective territories. Oversight commissions established under local administrations are

involved in the reform of convicted persons and in the monitoring by civil society of the activities of bodies responsible for the enforcement of penalties and other criminal law measures. The tasks of the commissions are to improve monitoring of compliance with the law by such bodies and to work with inmates and persons released on parole. Commissions on juvenile affairs established under local administrations help young offenders.

185. Under penalties enforcement law, the courts, as sentencing authorities, are obliged to supervise the execution of sentences. In the cases and under the procedure established by law, the courts consider complaints lodged by convicted persons regarding actions by the administrations of bodies responsible for the enforcement of penalties. The Procurator General of Turkmenistan and the procurators working under him or her carry out procuratorial supervision of compliance with the law in the enforcement of criminal penalties, as provided by law.

186. The Ombudsman has the right to inspect the work of correctional institutions and to consider complaints by inmates about violations of their rights by the staff and administrations of correctional institutions.

187. In accordance with the relevant law, the Ombudsman may visit correctional and other specialized institutions, remand centres and places of detention freely and without prior notice; conduct inspections of their work, independently or jointly with competent State bodies, officials or civil servants; and consider complaints by inmates about violations of their rights by the staff or administrations of correctional institutions.

188. Places of detention are subject to regular monitoring by the oversight commissions, which periodically visit inmates and look into their situation and their conditions of detention. The oversight commissions check that correctional institutions: comply with the law and with the procedures and conditions for the detention of convicted persons; provide adequate living and sanitary conditions; involve convicted persons in socially useful work; provide medical care; allow visits from relatives or other persons; respect the legislative provisions governing parole and substitution of milder forms of punishment for the unserved portion of sentences; and comply with the procedures for the receipt or dispatch by convicted persons of packages, parcels, remittances and correspondence.

189. The Bar and Advocacy Act stipulates that the bar is a professional association of lawyers, based on principles of self-governance, established for the purpose of the practice of law, as a legal institution of civil society that does not form part of the system of government and administrative bodies.

190. On the basis of the National Plan of Action on Human Rights for the period 2016–2020, the Bar Association approved a plan for the holding of training seminars on the protection of human rights, in accordance with which seminars on human rights protection mechanisms are held quarterly.

191. Between 2015 and 2020, lawyers in Turkmenistan delivered 4,151 lectures on human rights topics:

- In 2015, 708
- In 2016, 774
- In 2017, 787
- In 2018, 705
- In 2019, 699
- In 2020, 478

192. Over that period, free legal assistance was provided to more than 30,000 citizens.
