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Turkmenistan*

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I. Land and people

A. Geography

1. Turkmenistan is situated in Central Asia, north of the Kopet Dag Mountains, between the Caspian Sea in the west and the Amudarya River in the east. The territory of Turkmenistan stretches for 1,100 kilometres from east to west and 650 kilometres from north to south, comprising 491,200 square kilometres. Turkmenistan shares a border with Kazakhstan in the north, Uzbekistan in the east, the Islamic Republic of Iran in the south and Afghanistan in the south-east. The country is made up of 5 provinces (*welayat*), the capital city Ashgabat, equal in status to a province, 25 cities, 50 districts (*etrap*), and communities and villages (*aul*). Most of the country is desert.

2. Turkmenistan has huge reserves of hydrocarbon resources. The gas and oil industries are leading the country's economic development. Turkmenistan's energy reserves are currently estimated at more than 45 billion tons of oil equivalent, or one fifth of the whole world's reserves of natural gas and oil. Today in Turkmenistan, more than 10 million tons of oil and more than 70 billion cubic metres of gas are extracted per year.

3. The territory of Turkmenistan is situated in the heart of the Eurasian continent, in an area far from the ocean's moderating and equalizing effects. Turkmenistan's location at latitudes lying within an extra-tropical desert zone makes it very susceptible to climate change. With the exception of the coastal zone of the Caspian Sea and the mountains, Turkmenistan has an extreme continental climate characterized by dry, hot summers and freezing winters. The average annual temperature throughout the territory is positive and, in the flat part of the country, ranges from 12–17° C in the north to 15–18° C in the south-east. January is the coldest month. The average temperature for the hottest month, July, is 27–30° C. The absolute maximum temperature reaches 48–50° C in the central and south-eastern Garagum desert and is somewhat lower in the north of Turkmenistan, the Caspian seaboard and the mountain regions. Precipitation is greatest in the mountains and foothills, averaging up to 398 millimetres (Koine-Kesir), and lowest in the Kara-Bogaz-Gol bay (95 millimetres) and north-east Turkmenistan (105 millimetres).

B. Population

4. The population of Turkmenistan stood at more than 6.2 million at the end of 2007. A total of 46.5 per cent of the population lives in cities and 53.5 per cent in rural areas. Women constitute 50.1 per cent of the population and men 49.9 per cent.

5. Trends in the national age structure indicate that the demographic situation is favourable and that the population is increasing. Persons younger than working age make up roughly 34.8 per cent of the population; the working-age population accounts for 59.5 per cent and persons of pensionable age 5.7 per cent. According to the 1995 census, the average family in Turkmenistan consists of 5.6 persons. At the same time, 31 per cent of families are made up of seven or more persons. Following the adoption of the Social Security Code, all citizens of pensionable age are entitled to social benefits. According to data on actual recipients of pensions, social benefits and allowances paid to widows of Great Patriotic War veterans, the share of persons of pensionable age in the population at large is 4.8 per cent (as at 1 January 2008).

6. Meanwhile, in the 1990s, there was a reduction in the natural growth of the population (birth rate) owing to the difficulties of the transitional period in the country's development and a government gender policy that has enabled women to fulfil both

reproductive and community roles in a market economy. Changes in the birth rate largely hinge on the social attitudes of women of reproductive age, now that the scope of their interests transcends the family circle. Despite a small reduction in the birth rate, the Turkmen population has continued to grow rapidly in recent years. Health-care reform and improvements in housing and public health have contributed significantly to population growth. All this has also played a positive role in reducing death rates and increasing life expectancy.

7. The overall death rate in 2007 was 5.6 per 1,000 population, whereas in 1995 it had been 7 per 1,000. Between 1995 and 2007, according to Ministry of Health and Medical Industry figures, maternal mortality fell by a factor of 5.

Maternal mortality rate in Turkmenistan (per 100,000 live births)

1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
99.5	105.0	71.6	64.5	41.2	52.0	48.2	35.9	16.4	16.8	15.5	15.6

Infant mortality rate in Turkmenistan (per 1,000 live births)

1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
42.2	39.6	37.5	32.9	26.4	21.3	20.1	17.7	16.4	14.0	12.1	12.1

Incidence per 100,000 population

Name	ICD-10 code	2000	2001	2003	2004	2005	2006	2007	2008
Certain infectious and parasitic diseases	A00-B99	1 693.4	1 349.9	1 208.1	1 173.8	1 069.4	963.4	806.8	702.8
Non-communicable diseases	C00-R99	30 605.1	27 403.7	26 001.7	23 173.7	22 304.6	20 989.5	20 060.9	19 169.9

Prevalence per 100,000 population

Name	ICD-10 code	2000	2001	2002	2003	2004	2005	2006	2007
Certain infectious and parasitic diseases	A00-B99	2 620.4	2 202.1	1 995.7	1 880.3	1 786.9	1 823.2	1 419.7	1 261.7
Non-communicable diseases	C00-R99	48 193.8	44 299.9	43 591.6	40 299.7	39 203.1	37 254.5	35 286.8	33 192.8

Morbidity from vaccine-preventable infections in Turkmenistan for the period 2000–2007

(Rate per 100,000 population)

	2000	2001	2002	2003	2004	2005	2006	2007
Respiratory tuberculosis	45.4	52.5	51.5	68.7	62.1	57.2	57.0	67.6
Poliomyelitis	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Diphtheria	0.6	0.1	0.02	0.04	0.04	0.04	0.1	0.1
Pertussis	0.2	0.2	1.0	0.0	0.1	0.0	0.0	0.0
Measles	2.3	0.2	0.2	0.02	0.02	0.0	0.96	1.2
Mumps	22.6	14.0	33.8	22.0	16.0	9.4	10.7	11.1

	2000	2001	2002	2003	2004	2005	2006	2007
Tetanus	0.02	0.0	0.02	0.0	0.0	0.0	0.0	0.0
Hepatitis B	13.3	11.8	10.0	7.7	5.4	4.2	2.4	2.5
Rubella	2.7	0.7	0.6	0.4	0.5	9.9	1.9	0.3

Medical terminations of pregnancy as a percentage of live births

	2000	2001	2002	2003	2004	2005	2006	2007
	0.8	0.7	0.5	0.5	0.3	0.2	0.2	0.2

8. Average life expectancy for both men and women is increasing. In 2007, it stood at 73.1 years for women and 66.7 years for men.

9. These indicators have had a positive impact on population trends in Turkmenistan. The proportion of young people is high — 54.5 per cent of the total population is under 25 — which ensures sustained growth in the workforce and the fertility of the population. New kinds of State benefits, introduced on 1 July 2007, will help to improve the demographic situation further. The Social Security Code has introduced a lump sum childbirth allowance and a monthly childcare allowance until the child reaches 1.5 years of age.

10. The fact that education is free and generally accessible ensures a high level of education and literacy in Turkmenistan. According to data from the 1995 population census, 98.8 per cent of the population aged 15 years or over is literate. Of every 1,000 persons 15 years or older, 92 have higher education, 9 have incomplete higher education, 166 have specialized secondary education, 477 have general secondary education, 183 have incomplete secondary education and 48 have primary education. The main objectives of the new education policy are to establish a better system for training the national labour force, to provide education that meets international standards and to satisfy the growing needs of the country's economy for highly qualified professionals capable of participating in reforms covering all aspects of political and social life.

11. Ten years of mandatory general secondary education was introduced at the beginning of the 2007/08 academic year, which will provide a solid educational foundation and give citizens the opportunity to assimilate in depth the knowledge necessary to meet modern needs. New subjects have been included in the curriculum: the study of the laws governing the development of society and the foundations of legal, moral, economic, political and environmental culture.

12. Fundamental changes have occurred in the educational process of institutions of higher learning. Among the main areas of improvement in the higher education system is the increase in the number of students and transition to five- and six-year periods of study. General secondary school graduates have received the right to enter institutions of higher learning immediately after completing their studies. The period of theoretical training of students has been increased, while the length of their work practice has been reduced.

C. Social and economic indicators

13. Following independence, Turkmenistan started its development in extremely adverse economic and social conditions. While part of the Soviet Union, the country's economy was geared towards raw materials and based on the extensive exploitation of natural resources. Extractive industries predominated, together with primary processing of agricultural produce, and there was excessive dependence on various imported goods that

could have been (and now are being) successfully produced in Turkmenistan. In 1990–1991, for example, 59 per cent of light industrial goods and 36 per cent of foodstuffs were imported, whereas 90 per cent of the cotton harvest was exported to other regions for processing into finished products. At the same time, the country had to address the very complex problems of preventing a sharp decline in the standard of living of the population and rebuilding the economy on a fundamentally new basis. In just 17 years Turkmenistan has made significant headway towards these objectives. The economic and social transformations taking place in the country have made it possible to establish new sectors of the economy, principally involving processing. These changes, along with the forming of market relations and the development of the private sector of the economy, have helped to ensure a decent standard of living.

14. From the very first years of implementing the national programme entitled “Strategy for social and economic change in Turkmenistan for the period up to 2010”, rates of economic development — both in the country as a whole and in the leading sectors of the economy — have far outstripped those provided for in the programme. The steady growth of economic indicators is evidenced by the evolution of Turkmenistan’s real gross domestic product (GDP). This has established the prerequisites for further, more dynamic economic development. The national programme entitled “Strategy for the economic, political and cultural development of Turkmenistan for the period up to 2020” was approved at a meeting of the People’s Council of Turkmenistan in August 2002. The national programme sets out three priority objectives: (a) reaching the same level as developing countries, maintaining economic independence and security through high rates of economic growth, introducing new technologies and industries and increasing labour productivity; (b) steady per capita GDP growth; and (c) strong investment activity and increased construction of production facilities. The strategic goal of the national programme is to turn Turkmenistan into a rapidly developing, strong State with superior world-level social and economic indicators and high living standards.

15. The development of Turkmenistan’s private sector, above all small- and medium-sized businesses, is aimed at the full-scale development of private property as the basis for economic growth and employment, while maintaining a policy of providing social guarantees and ensuring the stability of society. Fundamental improvement of the business climate in Turkmenistan is considered to be a major objective, failing which economic growth will be difficult. The prerequisites for massive investment in the private sector will be established. Incentives will be offered for private investment in the development of manufactured goods and goods for export, construction and services.

16. Turkmenistan is carrying out a robust investment policy whose main aim is to forge a national economy and effect structural changes to ensure stable economic growth. Turkmenistan’s investment policy following independence was aimed at establishing a favourable investment climate for cooperation, including with foreign partners on a parity basis, i.e. on equal and mutually beneficial terms; unfailing observance of national interests; and fulfilment of the obligations undertaken. The major provisions of State investment policy are laid down in the following domestic laws: the Civil Code, the Investment Activity Act, the Foreign Investment in Turkmenistan Act, the Tax Act, the Property Act, the Business Act, the Stock Company Act, the Foreign Concessions Act and other laws and regulations. They specify the rights, duties and responsibility of the participants in the investment process and the relationship with the central and local authorities. The Tourism Act, the Free Enterprise Economic Area Act, the Land Act (October 2007), the Foreign Investment in Turkmenistan Act and the Tax Code (March 2008) have been amended to liberalize the investment climate and stimulate business partnerships.

17. These measures have helped to increase the share of private sector and foreign investment, which accounted for 29.7 and 18.8 per cent, respectively, of the total volume of investment in 2007.

18. Large-scale investment projects continued to be carried out in 2007, including in the oil and gas sector (construction of new and reconstruction of existing (inter-State) gas pipelines, allowing for the export of more hydrocarbons), and in the transport sector (construction of railways and motorways), and the development of the Avaza national tourist area and other manufacturing and non-manufacturing facilities. To promote its investment policy, the Government has begun to monitor current laws and regulations and draft new ones to establish an investment environment favourable to increasing foreign investment flows into the economy.

19. The Turkmen economy has displayed consistently high rates of growth. GDP at constant prices rose in 2007 by 11.6 per cent compared with 2006. Total GDP in 2007 was 124.8 trillion manat. GDP in 2009 is projected to be 110.7 per cent of that in 2008 and the level of inflation 7–8 per cent.

20. The value of total industrial output was 71.9 trillion manat in 2007, an increase of 23.5 per cent over the previous year. Joint Turkmen/foreign ventures and public sector enterprises maintained a leading position in terms of the rate of increase in industrial output (138 and 137.8 per cent, respectively). The extractive sector accounts for 39.1 per cent and the manufacturing sector for 60.9 per cent of the overall growth of core industry.

21. Turkmenistan is intensively developing its fuel and energy industry. The discovery, extraction, refinement and transport to external markets of oil and gas are being carried out at accelerating growth rates, and Turkmenistan has confirmed its status as a strategic provider of hydrocarbons to its traditional markets in the Russian Federation. Natural gas is being supplied to the Islamic Republic of Iran. In 2007, the amount of gas extracted was 70.4 billion cubic metres or 8.8 per cent more than the previous year. Furthermore, the export of gas in 2007 was 50.7 billion cubic metres and represented an increase of 9.5 per cent. In the past year, the amount of oil extracted was 19,741,000 tons and the amount of oil produced 6,970,200 tons. Electricity production totalled 14.77 billion kilowatt hours, or 6.4 per cent more than in 2006. Most of the oil recovered goes to refineries in Turkmenistan, boosting output of high quality oil products. In 2006, 7 million tons of crude oil were refined into secondary energy carriers and lubricating oils. The production of diesel fuel rose to 102.1 per cent and lubricating oil to 103.5 per cent.

A programme of oil and gas industry development for the period up to 2030 was adopted at the seventeenth session of the People's Council, on 25 October 2006. It provides for a range of geological exploration and deep drilling projects with the use of new technologies and methods, an increase in the volume of production and processing of hydrocarbons and their export for sale on the international market for the benefit of the population and global energy security.

22. Textiles are a new sector in Turkmenistan's industrial development. With the construction of new, specialized enterprises and large, integrated textile plants, various cotton-fibre products are being produced on a large scale. A total of 273,500 tons of cotton fibre was produced in 2007; 62 per cent of cotton-fibre products are exported. The textile industry accounts for 21.1 per cent of Turkmenistan's output of finished goods.

23. The agrarian sector of the economy has been thoroughly reorganized. All collective and State farms were abolished in mid-1995. The agrarian reform was intended to transfer land to private ownership and long-term rental arrangements and to expand personal plots. Individual private (*daikhan*) farms and peasants' associations comprising several households have become widespread.

24. The Government has taken steps to stimulate agricultural producers in the private sector. Soft loans at yearly interest rates of 1 per cent and tax breaks have been extended to agricultural producers, and half of peasant farmers' technical service costs are defrayed by the State. The population is exempt from tax on the upkeep of livestock and poultry and on plots of land and buildings adjoining farmhouses.

25. These and other measures have helped to boost agriculture and increase the volume of output from this sector. In 2007, there were 588 peasant associations engaged in agricultural production, 1,700 private farms and 714,600 family-owned smallholdings. A total of 88.4 per cent of all irrigated arable land has been leased out. There are 443,900 and 23,300 tenants in the crop and livestock farming sectors respectively. In 2007, gross agricultural product amounted to 31.9 trillion manat, an increase of 19 per cent over the previous year.

26. The People's Council at its twentieth session developed a strategy to bring about sweeping changes in agriculture, given the particular urgency and significance of reform to raise that important sector to an advanced level. The economic, legal and structural framework for agribusiness reform was set out, and the Private Farm Associations Act, Private Farms Act and Local Council Chairmen Act were revised to improve production relations in rural areas and the system of mutual settlement of accounts between the State and agricultural producers.

27. A wide-ranging State programme to ensure a high level of social and living conditions in villages, communities, towns and district centres was directed at building modern social and economic infrastructure in rural areas. There are comprehensive plans for social and economic development for practically every district within the framework of this programme, and a list has been drawn up of top priority social, cultural and communal facilities that must be built or restored in towns and villages, including the most remote ones. The programme's main objective is to ensure rural inhabitants a high quality of life and decent working conditions that are as close as possible to those in urban areas. To reach these goals, the State has set aside \$4 billion for the implementation of new, major modern housing, utilities and communications projects in rural areas, including roads, water lines, sewerage systems and gas and electric supplies. As a result, comfortable housing, modern schools, medical facilities with the latest equipment, splendid Palaces of Culture, stadiums and other recreational centres will appear in the districts in the near and distant future.

28. Turkmenistan attaches great importance to the development of state-of-the-art rail transport infrastructure. The current total length of the Turkmen rail network is 3,074 km. Two new railway lines have been built in the last few years alone and a third line, which will connect Uzen, Gyzylgaya, Bereket, Etrek and Gorgān, is under construction. The Tedzhen-Saragt-Meshkhed main line was constructed and put into service in 1997. The length of the line is 308 kilometres, of which 132 kilometres are in Turkmenistan. With the new line in operation, Turkmenistan is now a key link in the Trans-Asian Railway network, an international transport system that recreates in steel the ancient Silk Road along the route Istanbul-Tehran-Meshkhed-Saragt-Türkmenabat-Tashkent-Almaty-Druzhba-Urumqi-Beijing, thus connecting Turkmenistan with all the countries of Europe and Asia and promoting its social and economic development. This land-based transport corridor extending over 10,800 kilometres is the second longest railway line in the world.

29. The capacity of sea and river transport is increasing. The Turkmen seaport Turkmenbashi has been upgraded. As a result, the port terminals are able to handle ships of all types and classes; capacity has doubled and is continuing to increase. The growth in freight traffic has been fostered not least by the new vessels of the national fleet. Turkmen freighters, tankers and ferries are regularly chartered by foreign companies to transport freight to the ports of Caspian Sea States.

30. In 2007, 624,500 million tons of freight were carried by all modes of transport, or 7.3 per cent more than in 2006. A total of 1,067,100,000 passenger journeys were made, an increase of 7.8 per cent.

31. In 2007, Turkmenistan's foreign trade turnover increased by 33.6 per cent compared with 2006, amounting to \$13,374.1 million. Of this amount, exports accounted for \$8,932.1 million (32.8 per cent increase) and imports \$4,442 million (35 per cent increase). The foreign trade surplus was \$4,490.1 million. Between 2000 and 2007, the value of deliveries of natural gas increased by 3.9 times, crude oil 2.4 times, oil products 3.7 times, textile products 3.1 times and electrical energy 3.1 times. The breakdown of the major commodity exports in 2007 was as follows: natural gas (54.6 per cent), oil products (21.4 per cent), oil (6.6 per cent) and textile goods (4.8 per cent).

32. Turkmenistan is a socially oriented State. Domestic policies aim to provide the people with a decent standard of living, security, rights and liberties and to ensure that social life is based on solid legal foundations. Throughout the transitional period, the Government has guaranteed the welfare of the population. Basic food products were sold to the people at a discount up to the mid-1990s, with State funds offsetting the difference in prices. Since 1993, Turkmenistan has provided its citizens, without charge, with gas, electricity, water, table salt, medical care and educational opportunities. The provision of natural gas, electricity, drinking water and salt to citizens free of charge has been extended until 2030, in accordance with a decision of the People's Council of 25 October 2006. There are nominal charges for housing, telephone service and public transport.

33. Wages, grants, pensions and benefits are increased almost every year. For example, these disbursements increased by a factor of 1.5 in 2005.

34. Working people in Turkmenistan are entitled to 24 calendar days of paid leave a year. Maternity benefits are paid to women through their place of work. Citizens are given paid leave from work to attend weddings and funerals. The State provides full support for the care of orphaned children.

35. An extensive programme of housing construction is under way. Individuals may acquire ownership of very comfortable homes of superior design on beneficial terms (30-year loans); a portion of the cost of acquiring a home is borne by the future homeowner's employer.

36. The State provides welfare benefits to large families and low-income families, disabled persons and single elderly people. The involvement of the private sector in the provision of social services, health care, education and culture is being expanded, and the scale and variety of paid services available to the public has increased.

37. The Social Security Code was adopted in March 2007, with a view to improving the country's social security system. The measures it envisages seek further increases in living standards for pensioners, benefit recipients and other categories of the population in need of social protection.

38. The Code prescribes a one-off benefit payment on the birth of a child and a monthly childcare allowance until the child is 18 months old, as a means of providing welfare support for families with newborn children and encouraging families to have more children.

39. The Code has expanded social security entitlements, granting social benefits to citizens of pensionable age not entitled to a pension. The Code has thus allowed for social security coverage of all citizens of pensionable age. The Code has established a minimum occupational pension. There are provisions for the introduction of a publicly funded merit pension for Turkmen citizens who have rendered special services to the State. The prerequisites will be established for the creation of a national pension fund in 2012 as the

financial market develops for the effective investment of voluntary retirement savings and the introduction of a notional defined contribution pension system.

40. Turkmenistan's 2009 State budget amounted to 294.5 trillion manat (58.9 billion redenominated manat). The level of State budget revenue and spending will be 39.5 per cent higher than in 2008. Social investment — in education, social security and health care — will grow by 13 per cent compared with 2008 levels, totalling 18.1 trillion manat. Furthermore, the 2009 budget provides for a 10 per cent increase in wages, pensions, benefits and student grants. Sizeable funds have been set aside for the development of tourism and sports and the implementation of the presidential national programme for the transformation of social and living conditions in villages, communities, towns and district centres for the period up to 2020 and for other social and economic programmes and investment projects.

41. More than 19 trillion manat (or 42.8 per cent more than in 2008) will be allocated to the development of various sectors of the economy in 2009. The largest budget expenditures are related to centralized capital investments, which will be increased by 37.1 per cent and total 16.6 trillion manat.

42. A stabilization fund has been established by a presidential decision of 22 September 2008 aimed at promoting steady economic development, making effective use of the central budget surplus and further increasing the well-being of the people. The stabilization fund will help to reduce the country's economic dependence on the fuel and energy industry and the effects of adverse external factors. The fund's resources will be directed at social and economic development in the form of transfers made for the implementation of every possible budget programme and the introduction of the latest technologies and equipment. Some of the stabilization fund assets, namely the so-called resources for future generations, will be invested at minimum risk in high-yield, long-term financial instruments and ventures.

43. Labour relations in Turkmenistan are currently governed by the Labour Code, ratified by the Act of 28 June 1972, as amended on 1 October 1993. In addition to the Code, there are numerous laws and regulations on employment and social issues, some of which were adopted during the period of the former Soviet Union. The parliament (*Mejlis*) has drafted a new labour code in the light of the need for fundamentally new strategic approaches to social and economic development that give priority to increasing the standard of living and quality of life of the Turkmen people. The new draft is based on the Constitution, the current Labour Code, the basic principles and norms of labour law as set forth by the International Labour Organization (ILO), which Turkmenistan joined in 1993, and international practice in regulating labour relations and the norms of international law.

II. Constitutional foundations and general political structure

A. Brief historical overview

44. Turkmenistan became an independent sovereign State in 1991 following a referendum in which the Turkmen people unanimously expressed their wish for the creation of an independent national State. On 27 October 1991, the Supreme Soviet of the Republic of Turkmenistan, the highest legislative body in the country, put the people's will into effect by adopting the Constitutional Act on Independence and the Principles of the State Structure of Turkmenistan. This law proclaimed an independent democratic State, Turkmenistan, within the borders of the former Turkmen Soviet Socialist Republic.

B. State structure

1. System of government in Turkmenistan

45. Independence brought with it fundamental changes in the political, economic and social life of Turkmenistan; new State machinery was built. The political structure of the Turkmen State derives from the Constitution of Turkmenistan adopted on 18 May 1992 (revised on 26 September 2008). Turkmenistan is a democratic, law-based, secular State governed as a presidential republic. State power is based on the following principles: sovereignty of the people, from whom all power emanates and in whom all power resides; recognition of the human being as the most valuable asset of society and the State; responsibility of the State towards the people, including protection of the life, honour, dignity, freedom, personal inviolability and natural and inalienable rights of citizens; separation of State power into legislative, executive and judicial branches; and delimitation of the functions and powers of central authorities and local self-governance bodies.

46. The adoption by the General Assembly on 12 December 1995 of a resolution concerning the permanent neutrality of Turkmenistan was an important historic event in the life of the Turkmen State. The Constitutional Act on the Permanent Neutrality of Turkmenistan was adopted on 27 December 1995. In line with the Constitution of Turkmenistan, this Act defines the political, economic and humanitarian principles underpinning the country's permanent neutrality, as recognized and upheld by the international community in the above-mentioned General Assembly resolution. Turkmenistan's permanent neutrality is the foundation for the country's domestic and foreign policy, both of which are geared towards strengthening social stability and cohesion and developing friendly and mutually advantageous relations with other States in the region and the rest of the world.

47. The highest representative power is constituted by the parliament, Turkmenistan's legislative authority. Local representative authorities comprise people's councils (*khalk maslakhat*) in the provinces, districts and cities, and local councils (*gengesh*) in the towns, communities and other areas under local council jurisdiction (*gengeshlik*). These councils and local public authorities together form a system of local self-governance.

48. Civil society institutions play a significant role in Turkmenistan's political system. Non-governmental organizations, voluntary associations, trade unions and creative unions take an active part in determining national economic, social and cultural policy. The law provides for the most important voluntary associations in Turkmenistan to be represented in all national elective bodies. (These associations include: the Democratic Party, Gurbansoltan-eje Women's Union, Makhtumkuli Youth Organization, Atamurat Niyazov Council of Veterans, World Turkmen Humanitarian Association, trade unions and other non-governmental organizations.) Members of these voluntary associations are elected to the parliament and to local self-governance bodies, allowing for their direct participation in the formulation of social, economic and cultural development programmes for the country as a whole and for individual regions.

2. Head of State

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

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

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

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

3. The parliament (*Mejlis*) of Turkmenistan

51. The parliament is the highest representative body exercising legislative authority. It comprises 125 deputies elected by Turkmen citizens for a five-year term by universal, equal and direct suffrage. Voting in elections is by secret ballot.

52. The parliament is competent, inter alia, to: enact legislation; make amendments and additions to the Constitution and laws of Turkmenistan; monitor implementation and interpretation of both; approve the programme of work of the Cabinet of Ministers; consider the State budget and the budget implementation report for approval; consider the main thrusts of programmes for the country's political, economic and social development; decide questions in respect of the holding of national referendums; call presidential elections, elections of deputies to the parliament and of members of provincial, district and municipal representative bodies and local councils; consider, at the President's request, questions related to the appointment or dismissal of the Chief Justice of the Supreme Court, Procurator-General, Minister of the Interior and Minister of Justice; determine the conformity or otherwise with the Constitution of laws and regulations issued by government authorities; ratify and denounce international agreements; resolve questions related to any modification of the State border or the administrative partitioning of Turkmenistan; and review peace and security issues. The parliament also decides other matters falling within the scope of its authority under the Constitution and laws of Turkmenistan. A Chairman directs the work of the parliament, elected in a secret ballot by deputies from among their own number. The activities of the parliament are regulated by the Parliament Act of 16 March 1995 (amended on 25 October 2005) and the Parliamentary Deputies (Election) Act of 10 December 1998 (amended on 10 October 2008).

4. Local representative authorities

(a) *Local representative authorities*

53. Consistent with article 78 of the Constitution, each province, city with province status, district and town with district status has its own representative authority, a people's council. Members are elected for a four-year term by the citizens of the territorial unit in question. The people's councils, within the scope of their authority, are active in deciding the economic, social and cultural development of the area under their jurisdiction. The functions and powers of these councils and of their members, their modus operandi and relations with other Turkmen authorities are laid out in the Provincial People's Councils Act of 25 October 2005, and the District and Municipal People's Councils Act of the same date.

(b) *Local self-governance bodies*

54. Pursuant to article 84 of the Constitution, the system of local self-governance comprises local councils and local public authorities. A local council is a representative body of popular power located in a town, community or other area under local council jurisdiction. Members of these councils are directly elected by citizens for a three-year term. The local councils determine the main thrusts of the economic, social and cultural development of the territory under their jurisdiction; prepare and approve the budget and the report on its implementation, set local taxes and determine the procedure for their collection; and elect a chairman (*archyn*) from among their members. The latter steers the work of the council and is accountable to it. These councils are also responsible for dealing with other questions relating to the economic, social and cultural development of the territory under their jurisdiction. The procedure for the establishment of local self-governance bodies and their powers and activities are regulated by the Local Councils Act of 25 November 1997 (amended on 25 October 2005).

5. Executive authority

55. The Cabinet of Ministers (Government) of Turkmenistan is both an executive and administrative body. The President acts as Chairman of the Cabinet of Ministers. The Cabinet is made up of Deputy Chairmen and Ministers. The President may appoint other persons in charge of central executive authorities to serve on it. The Cabinet is responsible for: overseeing implementation of national legislation, including acts promulgated by the President and the parliament; taking measures for the safeguarding and protection of citizens' rights and freedoms, and the protection of property, public order and national security; drafting and submitting to the parliament for its consideration proposals on the main thrusts of domestic and foreign policy, and economic and social development programmes; providing State management of economic and social development; organizing the management of State-run enterprises, agencies and organizations; ensuring the rational use and conservation of natural resources; taking measures to strengthen monetary and credit systems; as necessary, establishing committees, central administrations and other departments under the Cabinet of Ministers; conducting foreign economic activities; promoting the development of cultural and other links with foreign States; and directing the work of government agencies, State-run enterprises and organizations. The Cabinet is also empowered to revoke legal acts promulgated by ministries, departments and local executive authorities; and is responsible for resolving other matters assigned to it by the Constitution, laws or regulations of Turkmenistan. The Cabinet also issues binding decisions and orders within the scope of its authority. The Cabinet of Ministers Act of 24 November 1995 regulates the organization of work of the Government.

56. Executive authority in the provinces, cities and districts is exercised by local chief executive officers (*khyakim*) who serve as the President's representatives at the local level. The President appoints and dismisses these officers, who are accountable to him. The local chief executive officers: direct the activities of the local authorities; and ensure implementation of the Constitution and of laws, presidential and Cabinet acts, and decisions of the parliament. Within the scope of their authority, the local chief executive officers issue decisions that are binding in the territory under their jurisdiction. The Local Chief Executive Officers Act of 24 November 1995 sets out the functions and scope of authority of these officers, as well as procedures governing their activities and relations with other authorities.

57. Executive power in areas under the jurisdiction of a local council is exercised by the council chairman. This officer is elected from among the members of the local council; he directs its activities and is accountable to it. The council chairman also: organizes implementation of decisions of the local council and higher State authorities; prepares and submits for the council's consideration draft general guidelines for economic, social and cultural development of the area, as well as a draft local budget, and organizes its implementation; directs the development of the industrial, agricultural and social infrastructure of the area; ensures protection of citizens' rights and interests; and resolves other local issues. The functions and scope of authority of these officers is regulated by the Local Councils Act of 25 November 1997 (amended on 25 October 2005) and the Local Council Chairmen, Act of 30 March 2007.

6. Judicial authority

58. Judicial authority in Turkmenistan is exercised by the courts of law. The judges are independent, subject only to the law and guided by their inner conviction. Interference in the work of the judges from any quarter is prohibited and is a punishable offence. Judicial inviolability is guaranteed by law. The President appoints all judges in Turkmen courts of law, the procedure for appointing and dismissing judges being prescribed by law. The Chief

Justice of the Supreme Court of Turkmenistan is appointed and dismissed by the President with the consent of the parliament.

III. General legal framework for the protection of human rights

A. Authorities with jurisdiction in the field of human rights

1. Legislative authorities

59. The parliament furthers respect for fundamental human and civil rights and freedoms by:

- Enacting legislation, introducing amendments and additions to the Constitution and laws of Turkmenistan, and monitoring their implementation and interpretation
- Considering programmes for the country's political, economic and social development, and main policy thrusts in those areas
- Resolving issues relating to the holding of national referendums
- Calling presidential elections, as well as elections of parliamentary deputies and members of provincial, district and municipal representative bodies and local councils
- Determining the degree of conformity with the Constitution of laws and regulations issued by government authorities

60. The Committee for the Protection of Human Rights and Freedoms is one of the parliament's core committees. It is competent to: monitor the conformity of existing legislation on human rights with the international agreements to which Turkmenistan is a party; prepare new draft legislation in this domain; and participate in seminars, conferences and training events on the issue of raising human rights awareness.

2. Executive authorities and local self-governance bodies

61. The Cabinet of Ministers is responsible for: overseeing implementation of national legislation, including acts promulgated by the President and the parliament; and taking measures for the safeguarding and protection of citizens' rights and freedoms, and the protection of property, public order and national security. The Cabinet also has the right to revoke legal acts promulgated by ministries, departments and local executive authorities.

62. Local chief executive officers direct the activities of local authorities and ensure implementation of the Constitution and of laws, presidential and Cabinet acts and decisions of the parliament. These officers are personally answerable for: the supply of provisions and consumer goods to the population; the health, education and social welfare situation; legality and law and order; the supply of water, gas, electricity and other public services; public transport performance; the redevelopment of towns, settlements and other populated areas; and the state of affairs in other domains in the territory under their jurisdiction.

63. Local council chairmen ensure implementation of local council decisions and acts issued by government authorities. The main tasks of local council chairmen in protecting and defending human rights are: arranging implementation of national legislation, acts of the President, parliament and Cabinet of Ministers and of the respective provincial, district or municipal people's council, decisions of the local council, and orders issued within the scope of his authority by the provincial, district or municipal chief executive officer; overseeing the fight against crime and narcotic drugs, the preservation of public order and the safeguarding of the rights, freedoms and legitimate interests of citizens.

3. The judiciary

64. The judiciary's function is to uphold citizens' rights and freedoms and State or public interests protected by law. Judicial power is exercised by the Supreme Court and other courts provided for by law. The establishment of special courts or other structures invested with judicial authority is not authorized. The Chief Justice of the Supreme Court reports to the President on the activities of the judicial system. The administration of justice in Turkmenistan is based on equality of the parties, irrespective of their origin, social, official or property status, race, ethnicity, sex, education, language, political views, attitude towards religion, type or nature of occupation, place of residence or other circumstances, and on the adversarial principle. Citizens are entitled to legal protection against wrongdoing on the part of government authorities or officials, and against any attacks on their honour or dignity, life or health, personal freedom or property, and other rights and freedoms provided for in the Constitution. Other arrangements for protecting citizens' rights and legitimate interests may only be established by law. Foreign nationals and stateless persons in Turkmen territory are entitled to legal protection on an equal basis with citizens. Judges and lay judges are independent and subject only to the law. Civil and criminal affairs are examined by a bench, except in cases prescribed by law. In specific cases prescribed by law, cases may be examined by a judge sitting alone. The proceedings in all courts are public. Closed hearings are only allowed in cases prescribed by law. Court decisions and judgements are always delivered in public. A citizen is presumed innocent until proved guilty under the procedure provided for by law, in a court judgement that has become final. Suspects, accused persons, defendants, convicted and acquitted persons are entitled to a defence. Lawyers and other individuals and organizations provide legal assistance in civil, commercial and criminal cases and in cases involving administrative offences.

4. National human rights institutions

65. The National Institute for Democracy and Human Rights, established in the Office of the President on 23 October 1996, is responsible, inter alia, for the development of democratic processes and the protection of human rights. The establishment of the Institute was the natural result of the strengthening of Turkmenistan's independence, the progressive democratization of all social and public spheres and unswerving compliance by Turkmenistan with its international human rights obligations. The Institute works to: translate programmes for the democratic transformation of Turkmenistan from concept to reality; further strengthen Turkmen statehood; enhance the legal system; and ensure protection of citizens' rights and the development of civil society.

66. A State Commission for the consideration of citizens' complaints concerning activities of law-enforcement agencies was established by a presidential decree of 19 February 2007 for the purposes of realizing individual rights and freedoms enshrined in the Constitution and ensuring compliance with international standards on human rights and freedoms. A large number of pardons are being granted in Turkmenistan at the President's initiative. Thanks to the efforts of the above-mentioned Commission, 11 persons were pardoned by a presidential decree of 9 August 2007; 9,013, including 158 foreign nationals, by a decree of 29 September 2007; 1,269 persons, including foreign nationals, by a decree of 13 February 2008 and more than 900 persons, including foreign nationals, by a decree of 6 May 2008.

67. An Interdepartmental Commission on compliance with Turkmenistan's international human rights obligations was established for the purposes of achieving effective realization at the national level of international standards and their incorporation in Turkmen law, as well as the preparation of national reports on implementation of relevant United Nations human rights instruments. This Commission is a consultative, interdepartmental standing body established to coordinate fulfilment of Turkmenistan's international human rights

obligations by the various ministries, State committees, departments, local executive authorities, enterprises, institutions and organizations. The Commission's primary responsibilities include: preparing national reports and submitting them to the appropriate United Nations bodies; facilitating Turkmenistan's accession to international human rights instruments; monitoring; and drafting proposals to bring existing Turkmen legislation into line with international standards. The Commission holds regular seminars for its members and working group, with the participation of international experts. As part of efforts to implement the yearly workplan, off-site information seminars were held for local authorities in the country's five provinces on human rights issues and the preparation of reports for United Nations treaty bodies and to assess their level of knowledge of human rights and their needs in this area.

68. On 28 November 2007, a State Commission was established to bring Turkmen law into line with international legal standards, operating on a standing basis.

69. In April 2008, a Constitutional Commission was created to draft proposals for revising the Constitution. As a result of this Commission's activities, a revised version of the Constitution was adopted on 26 September 2008 at the twenty-first session of the People's Council of Turkmenistan. The new constitutional provisions are intended to reflect current realities in social and political life and to facilitate the country's progressive reform process. Every Turkmen citizen is guaranteed the full panoply of democratic rights and freedoms in accordance with universally recognized international standards.

B. Legal remedies available to individuals claiming violation of their rights

70. Article 40 of the Constitution guarantees judicial protection of honour and dignity, and of individual and political rights and freedoms, both human and civil. Citizens are entitled to request compensation before the courts for material or moral damage incurred as a result of unlawful acts on the part of State bodies or other organizations, their employees and private individuals. The Judicial System and Status of Judges Act of 29 May 1991 provides that judicial protection must be afforded to citizens irrespective of their origin, social, official or property status, race or ethnic background. Civil law also provides for the right to petition the courts for a retraction of information prejudicial to citizens' rights and legally protected interests, and to seek compensation for material or moral damage (Civil Code, art. 16).

71. An act of 6 February 1998 makes it possible to challenge in court actions of State bodies, public associations, local self-governance bodies and officials that violate citizens' constitutional rights and freedoms. This provides an effective means of preventing the commission of any acts violating constitutional rights and freedoms and serves to reaffirm the principle of equality of ordinary citizens and officials in respect of activities of State bodies and institutions, both national and local.

72. The Complaints by Citizens and Procedure for Their Consideration Act was adopted on 14 January 1999, obliging State and other bodies, enterprises and organizations, irrespective of their form of ownership, to receive and examine according to prescribed deadlines applications, complaints and other representations from citizens in respect of violations or infringements of their rights or impediments to the realization thereof.

73. A ministry, department, enterprise or institution examines applications and complaints from citizens. The National Institute for Democracy and Human Rights is also responsible for receiving, examining and analysing citizens' representations.

74. Turkmenistan has acceded to the Optional Protocol to the International Covenant on Civil and Political Rights, under which individuals subject to Turkmenistan's jurisdiction who claim that any of their rights enumerated in the Covenant have been violated and who

have exhausted all available domestic remedies may submit a written communication to the Human Rights Committee.

C. Basic human rights and freedoms and the Constitution

75. Section II of the Constitution of Turkmenistan contains provisions relating to human and civil rights, freedoms and duties. Under the Constitution, human rights and freedoms are inviolable and inalienable. No one may deprive individuals of any of their rights or freedoms or restrict their rights except as provided for in the Constitution and laws. The enumeration of certain human rights and freedoms in the Constitution and laws may not be used to deny or restrict other rights and freedoms. As stated in article 19, Turkmenistan guarantees equal rights and freedoms to individuals and citizens and the equality of individuals and citizens before the law irrespective of ethnicity, race, sex, origin, property or official status, place of residence, language, attitude towards religion, political convictions, party affiliation or lack thereof. Under article 20, men and women in Turkmenistan enjoy equal civil rights, and violation of gender equality is punishable by law. Article 21 provides that the exercise of rights and freedoms must not violate the rights and freedoms of others or prejudice the requirements of morality, law, public order and national security. Pursuant to article 22, every person has the right to life and the freedom to lead his or her life. No one may be deprived of the right to life. The right of every person to a free life is protected by the State on the basis of the law. This article also enshrines the abolition of the death penalty in Turkmenistan. Article 23 stipulates that no one may have his or her rights restricted or be deprived of his or her rights, sentenced or punished except in strict accordance with the law. No one may be subjected to torture or cruel, inhuman or degrading treatment or punishment, or, against his or her will, to medical (involving treatment with drugs or by a physician) or other experiments. A citizen may only be detained by court order or with a procurator's consent on grounds specified by law. The appropriate public authorities may temporarily detain a citizen in urgent cases clearly prescribed by law. Article 24 provides that every citizen has the right to State support to obtain or acquire a decent home or to build his or her own home. A person's home is inviolable. No one has the right unlawfully to enter or otherwise breach the inviolability of a home against the will of the inhabitants. Protection of one's home against unlawful intrusion is both a human and civil right. No one may be deprived of his or her home except on grounds established by law. Under article 25, every person is entitled to protection against arbitrary interference in his or her private life, against violations of the confidentiality of correspondence, telephone conversations and other forms of communication, and against attacks on his or her honour and reputation. Article 26 provides that all citizens have the right to freedom of movement and choice of place of residence within the borders of Turkmenistan. Entry into or on movement within specific areas may only be curtailed by law. Under article 27, men and women on reaching marriageable age are entitled, by mutual consent, to enter into marriage and found a family. Spouses enjoy equal rights in family relations. It is the right and duty of parents or guardians to raise their children, 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. Article 28 provides that citizens enjoy the right of freedom of opinion and expression, and the right to obtain information provided it is not a State or other legally protected secret. Article 29 guarantees citizens freedom to assemble, hold meetings and demonstrations in accordance with the procedure prescribed by law. Article 30 provides that citizens have the right to form political parties and other public associations operating within the framework of the Constitution and laws of Turkmenistan. The same article prohibits the establishment and activity of any political parties or other public or paramilitary associations that: aim to change the constitutional order by force; authorize violence; are opposed to the civil rights

and freedoms enshrined in the Constitution; advocate war, racial, ethnic or religious hatred; or infringe public health or morality. In addition, no political party may be established on ethnic or religious grounds. Under article 31, every citizen has the right to participate in social and political decision-making, either directly or through freely elected representatives. Under article 32, citizens have the right to elect representatives or to be elected to government bodies. Under the same article, citizens have an equal right to enter public service, according to their skills and professional training. Article 33 provides that citizens have the right to employment, free choice of profession, occupation and place of work, as well as healthy and safe working conditions. Employees have the right to remuneration reflecting the quantity and quality of their work. This remuneration may not be less than the minimum wage set by the State. Article 34 stipulates that citizens have a right to rest, to be realized through restrictions on the length of the work week and granting of paid annual leave and weekly rest days. The State must create favourable conditions for recreation and the use of leisure time. Under article 35, citizens are entitled to health care, including free use of the public health system. Private medical services, including non-traditional health care, are permitted by law, in accordance with the legally established procedure. Article 36 provides that everyone has the right to a favourable environment. The State supervises the rational use of natural resources in order to protect and improve living conditions and ensure environmental protection and ecological renewal. Under article 37, 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 the family breadwinner, or unemployment. Large families, orphans, veterans and persons who have injured their health protecting State or public interests are eligible for additional support and allowances from State and voluntary funds. Under article 38, every citizen has the right to education. General secondary education is compulsory; everyone is entitled to receive it free of charge in State schools. The State guarantees access to vocational, specialized secondary and higher education for everyone, according to their abilities. By law, and in accordance with the legally established procedure, governmental and non-governmental organizations and citizens are entitled to engage in remunerated educational activities. The State establishes educational standards with which all educational institutions must comply. Article 39 provides that citizens enjoy artistic, scientific and technical creative freedom. Copyrights and interests of citizens in the scientific, technical, artistic, literary and cultural fields are protected by law. The State promotes the development of science, culture, the arts, folk culture, sports and tourism. Under article 40, the exercise of rights and freedoms is inseparable from the fulfilment by individuals and citizens of their duties towards society and the State. Everyone, whether permanently resident or temporarily staying in Turkmen territory, must comply with the Constitution and laws of Turkmenistan and show respect for national traditions. Article 41 provides that every citizen has a sacred duty to defend Turkmenistan. Military service is compulsory for all male citizens. Under article 42, everyone is obliged to pay State taxes and make other payments according to the procedure and in the amounts stipulated by law. Article 43 guarantees citizens judicial protection of their honour and dignity and their individual and political, human and civil rights and freedoms as provided for in the Constitution and laws of Turkmenistan. Citizens may challenge before a court of law the decisions and actions of State bodies, public associations and officials. Under article 44, citizens are entitled to seek compensation before a court of law for material or moral damage caused to them by unlawful actions on the part of State bodies or other organizations, their employees or private individuals. Article 45 stipulates that persons cannot be forced to make statements or provide explanations that might incriminate themselves or their close relatives. Evidence obtained through psychological or physical coercion or other unlawful methods has no legal force. Under article 46, a law that worsens a citizen's situation does not have retroactive effect. Under the same article, no one may be held liable for actions that were not categorized as an offence at the time of their commission. Article 47 provides that the exercise of citizens'

rights and freedoms as provided for in the Constitution may be temporarily suspended only in a state of emergency or martial law according to the procedure and within the limits established by the Constitution and laws of Turkmenistan.

D. Legislation for the protection and observance of basic human rights

76. In Turkmenistan, the following significant laws and regulations have been enacted in accordance with the provisions of the Constitution for the protection and observance of human rights and freedoms:

- Press and Other Media Act of 10 January 1991
- Act on Challenging in Court Actions of State Bodies, Public Associations, Local Self-Governance Bodies and Officials That Violate Citizens' Constitutional Rights and Freedoms of 6 February 1998
- Complaints by Citizens and Procedure for Their Consideration Act of 14 January 1999
- Electoral Rights Guarantees Act of 22 April 1999
- Act on Annual Amnesty and Pardons in Honour of the Gadyr gizhesi (Night of the Almighty) holiday of 29 December 1999
- Institution of Criminal Proceedings Act of 12 May 2000
- Prohibition of House Searches of Residents of Turkmenistan Act of 12 May 2000
- Rights of the Child Guarantees Act of 5 July 2002
- Counter-Terrorism Act of 15 August 2003
- Freedom of Religion and Religious Organizations Act of 21 October 2003 (as amended on 16 March 2004)
- Voluntary Associations Act of 21 October 2003
- Foodstuffs Quality and Safety Act of 30 November 2003
- Young People's Right to Work Guarantees Act of 1 February 2005
- Citizens' Health Protection Act of 25 October 2005
- Migration Act of 6 December 2005
- Act amending the Education Act of 15 February 2007
- Act approving and enacting the Social Security Code of 17 March 2007
- Act against Human Trafficking of 14 December 2007
- Women's Equality (State Guarantees) Act of 14 December 2007

E. International human rights conventions to which Turkmenistan has acceded

77. Turkmenistan acknowledges the primacy of universally recognized standards of international law and has acceded to or ratified the following core human rights instruments:

- Convention on the Rights of the Child of 1989 (date of ratification: 23 September 1994)

- International Convention on the Elimination of All Forms of Racial Discrimination of 1965 (date of ratification: 23 September 1994)
- Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region of 1979 (date of accession: 24 May 1996)
- Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific of 1983 (date of accession: 24 May 1996)
- International Labour Organization (ILO) Conventions concerning Minimum Age for Admission to Employment (No. 138) of 1973 (date of accession: 20 December 1996), Forced Labour (No. 29) of 1930 (date of accession: 20 December 1996), Freedom of Association and Protection of the Right to Organise (No. 87) of 1948 (date of accession: 20 December 1996), the Right to Organise and Collective Bargaining (No. 98) of 1949 (date of accession: 20 December 1996), Equal Remuneration for Men and Women Workers for Work of Equal Value (No. 100) of 1951 (date of accession: 20 December 1996), the Abolition of Forced Labour (No. 105) of 1957 (date of accession: 20 December 1996), and Discrimination in Respect of Employment and Occupation (No. 111) of 1958 (date of accession: 20 December 1996)
- Convention on the Elimination of All Forms of Discrimination against Women of 1979 (date of accession: 20 December 1996)
- International Covenant on Economic, Social and Cultural Rights of 1966 (date of accession: 20 December 1996)
- International Covenant on Civil and Political Rights of 1966 (date of accession: 20 December 1996)
- Optional Protocol to the International Covenant on Civil and Political Rights of 1966 (date of accession: 20 December 1996)
- Convention relating to the Status of Refugees of 1951 (date of accession: 10 July 1997)
- Protocol relating to the Status of Refugees of 1967 (date of accession: 10 July 1997)
- Hague Convention on the Civil Aspects of International Child Abduction of 25 October 1980 (date of accession: 25 November 1997)
- Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters of 1998 (date of accession: 30 April 1999)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment of 1984 (date of accession: 30 April 1999)
- Convention on the Political Rights of Women of 1952 (date of accession: 15 September 1999)
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty of 1989 (date of accession: 28 December 1999)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict of 2000 (date of accession: 28 March 2005)

- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography of 25 May 2000 (date of accession: 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 of 2000 (date of accession: 28 March 2005)
- Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime of 2000 (date of accession: 28 March 2005)
- Convention on the Rights of Persons with Disabilities of 13 December 2006 (date of accession: 4 September 2008)

Accession to the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women is currently under consideration.

IV. Information and awareness-raising

A. Raising awareness of the population and public authorities

78. Turkmenistan makes great efforts to disseminate information on international human rights instruments. Long-term humanitarian programmes are being implemented to increase public knowledge of the core human rights instruments, jointly with offices of international organizations and foreign embassies accredited in Turkmenistan. The texts of human rights conventions and agreements are given a large print-run in the country's official language, and explanations of their content provided regularly in the mass media, with special radio and television programmes devoted to the issue, as well as articles and reviews in newspapers and magazines.

79. Volumes of international instruments and national legislation in the field of citizens' rights and freedoms are published, and joint seminars, round tables, conferences and presentations organized in the capital and all the country's provinces by the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Culture and Television and Radio Broadcasting, the Ministry of Education, the State Statistics Committee, the Higher Science and Technology Council, the National Institute for Democracy and Human Rights, higher education institutions and voluntary associations with support from the United Nations country offices of the United Nations Children's Fund (UNICEF), United Nations Development Programme (UNDP), Office of the United Nations High Commissioner for Refugees (UNHCR) and United Nations Population Fund (UNFPA), as well as the Organization for Security and Cooperation in Europe (OSCE), International Organization for Migration (IOM) and several other international organizations in Turkmenistan.

80. The National Institute for Democracy and Human Rights regularly issues the magazine, *Demokratiya i pravo* (Democracy and Law) in three languages (Turkmen, Russian and English). The Institute has also issued 18 compilations in cooperation with various ministries and government departments and United Nations specialized agencies in Turkmenistan. These include: "International human rights instruments", "Human rights and the administration of justice in Turkmenistan", "Women's rights in Turkmenistan", "The rights of refugees in Turkmenistan", "The rights and duties of foreign nationals in Turkmenistan", and "Protection of individual rights and freedoms in Turkmenistan".

81. Conferences and seminars for representatives of State bodies have been held to raise awareness among the population and their representative in such bodies. In 2008, these included the following human rights-related events:

- A round table on support for legal and judicial reform in countries of Central Asia on 31 January, organized by the National Institute for Democracy and Human Rights and Deutsche Gesellschaft für Technische Zusammenarbeit (GTZ) (Germany)
- A seminar on methodology for preparing for the universal periodic review on 14 March, organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights, the Interdepartmental Commission on compliance with international human rights obligations and UNDP
- A round table for a preliminary discussion of the draft early childhood development policy on 25 March, organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and the UNICEF office in Turkmenistan
- A seminar on the theme “Early childhood development and the administration of juvenile justice” on 28 March, organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and the UNICEF office in Turkmenistan
- A seminar on enhancing legislation on voluntary organizations, held from 3 to 4 April and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights, the United States Agency for International Development (USAID) and the International Center for Not-for-Profit Law (ICNL)
- Under the European Union’s European Democracy and Human Rights Initiative, an information seminar on the Rome Statute of the International Criminal Court (ICC), held on 7 April and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and the Gustav Stresemann Institute (Bonn, Germany)
- A presentation of the compilation entitled “Legal reform: international arbitration law in Turkmenistan” held from 25 to 26 April and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and the European Union Tacis programme
- A seminar devoted to preparation of the Plan for introducing the early childhood development initiative, held from 5 to 7 May and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and UNICEF
- A seminar entitled “Development strategy, impact assessment, legislative mechanism”, held from 14 to 15 May and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and the OSCE Centre in Ashgabat
- A National Children’s Forum, held from 31 May to 1 June and organized by the Ministry of Foreign Affairs, the Ministry of Education, the National Institute for Democracy and Human Rights, the Central Bureau of the Makhtumkuli Youth Organization and UNICEF
- A seminar on the role of lawyers in the administration of justice held from 25 to 26 June and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and GTZ
- A round table devoted to preparation of the United Nations Development Assistance Framework (UNDAF) for 2010–2014, held on 18 June 2008 and organized by the

Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and UNDP

- A seminar on the theme “General principles for the administration of civil proceedings”, held from 13 to 15 August and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and GTZ
- A round table on “Preparation of the United Nations Development Assistance Framework (UNDAF) for 2010–2014”, held on 9 September and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and UNDP
- An international conference on the main areas for development of international law, held from 11 to 12 September and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and GTZ
- A conference on enhancement of Turkmenistan’s electoral system on 19 September organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and UNDP
- An international conference devoted to the sixtieth anniversary of the Universal Declaration of Human Rights, held on 29 November and organized by the Ministry of Foreign Affairs, the National Institute for Democracy and Human Rights and United Nations agencies

B. State institutions responsible for the submission of national reports

82. By a presidential decision of 24 August 2007, the Interdepartmental Commission on compliance with international human rights obligations was made responsible for preparing national reports on implementation of international human rights instruments for submission to United Nations treaty bodies. The National Institute for Democracy and Human Rights in the Office of the President coordinates the Commission’s activities.

83. The Interdepartmental Commission’s membership comprises representatives of the parliament, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Economics and Development, the Ministry of Education, the Ministry of Health and the Medical Industry, the Ministry of Social Welfare, the Ministry of Culture and Television and Radio Broadcasting, the Religious Affairs Council under the President of Turkmenistan, the State Statistics Committee, the National Institute for Democracy and Human Rights, the National Trade-Union Centre, the Gurbansoltan-eje Women’s Union and the Makhtumkuli Youth Organization.

84. Efforts to familiarize the general public with the content of this report began at the drafting stage. The Interdepartmental Commission held several interdepartmental meetings and consultations with international experts invited by United Nations agencies. The draft report was circulated to ministries, State committees and departments, local authorities and voluntary organizations, and their comments and wishes were taken into account in the preparation of the final draft.