



**Convention against Torture
and Other Cruel, Inhuman
or Degrading Treatment
or Punishment**

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Committee against Torture

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

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* The present document is being issued without formal editing.



1. In accordance with paragraph 51 of the concluding observations of the Committee against Torture, Turkmenistan hereby submits additional information regarding paragraphs 10 (a), 14 (a) and (b) and 36 (a).

Follow-up information relating to paragraph 10 (a) of the concluding observations (CAT/C/TKM/CO/3)

2. In Turkmenistan, society and the State place the highest value on human beings. No one may be restricted in or deprived of his or her rights or be convicted or punished, except in strict compliance with the law. No one may be subjected to torture or cruel, inhuman or degrading treatment or punishment.

3. Turkmenistan maintains a consistent policy of zero tolerance towards any form of torture or ill-treatment.

4. In order to instil in law enforcement officers, including prison staff and military personnel, a firm and consistent rejection of all forms of torture and ill-treatment, large-scale advocacy and outreach campaigns and systematic training sessions are conducted on an ongoing basis in accordance with annually approved work plans. These activities involve raising awareness about the relevant provisions of the law, the Convention and Optional Protocol thereto and international human rights conventions and standards. Particular emphasis is placed on the prohibition of improper exercise of authority and strict liability for any human rights violations.

5. The official duties and training of law enforcement, military and medical personnel directly involved in the detention and interrogation of individuals include provisions and requirements that completely prohibit torture. These provisions are systematically updated.

6. Training materials on how to combat torture have been developed for law enforcement officers. Additional training is provided to staff in the penalties enforcement units of the internal affairs authorities to help them identify instances of torture in penal institutions and pretrial detention centres; this training is also provided at the Institute of the Ministry of Internal Affairs training centre.

7. Law enforcement authorities have developed training materials, including those focused on combating torture, for use by officers in the course of their duties. Furthermore, officials from the relevant authorities participate in training programmes organized by the Organization for Security and Cooperation in Europe, the United Nations Office on Drugs and Crime and the Office of the United Nations High Commissioner for Human Rights (OHCHR).

8. Article 3 (7) of the Criminal Code provides that punishment and other criminal law measures may not be intended to cause physical suffering or to demean a person.

9. Law enforcement officers may be held criminally liable under article 199 of the Criminal Code (Improper exercise of authority) for exceeding their powers in a manner that results in significant violations of citizens' rights.

10. Article 125 of the Code of Criminal Procedure provides that information obtained through the use of violence, threats, deception or other unlawful means is not admissible as evidence.

11. To ensure effective preventive measures against torture and ill-treatment, modern video surveillance and audiovisual recording systems for interrogations have been installed and are actively used in all investigative bodies, pretrial detention centres and penal institutions. The investigative authorities in Turkmenistan are systematically equipping all their units with modern technical equipment for recording procedural activities.

12. An internal investigation is conducted into every case involving internal affairs officers who exceed their authority. During the investigation, cases of improper exercise of authority come under close scrutiny and an opinion is rendered. Persons who commit acts that clearly exceed their authority or powers are subject to disciplinary or administrative liability under the regulations governing service in the internal affairs agencies.

13. Since article 201 (Torture) was introduced to the Criminal Code (as amended in 2022), no cases involving offences of this type have been examined by the courts.

14. In order to prevent violence and ill-treatment in places of deprivation of liberty, there must be a fully functioning system of prison inspection and monitoring by the procuratorial authorities and the Ombudsman's Office.

15. In accordance with a presidential decision of 31 March 2010 on improving monitoring of compliance with the law by the authorities responsible for enforcing penalties and on State measures in respect of convicted persons and persons released on parole, monitoring commissions have been set up under the Cabinet of Ministers and in the administrative offices of the provinces, Ashgabat, districts and districts with municipal status to work with convicted persons and persons on parole. The Central Monitoring Commission is striving to strengthen the legitimacy of the activities of penal institutions and works with persons serving sentences, persons who have been released and persons placed on a preventive register.

16. Voluntary associations may, on the basis of and in the manner prescribed by law, monitor the activities of institutions and bodies responsible for the enforcement of penalties. Pursuant to the Procurator's Office Act, the Procurator General and procurators reporting to the Procurator General monitor compliance with the law by the administration of institutions and bodies responsible for the enforcement of penalties.

17. Prison administrations must comply with the procurator's orders and proposals concerning compliance with the rules governing the serving of sentences, as laid down in the correctional labour legislation of Turkmenistan.

Follow-up information relating to paragraph 14 (a) and (b) of the concluding observations

18. Turkmenistan maintains a consistent policy of prohibiting incommunicado detention. Under current legislation, every person deprived of his or her liberty has the right to have access to a lawyer, to receive visits from family members and to have his or her relatives notified of the fact of detention and his or her whereabouts.

19. All persons whose sentences have expired must be unconditionally released within the time limits established by law. The administration of penal institutions is personally responsible for ensuring compliance with these requirements. The Office of the Procurator General continuously monitors compliance with the law regarding detention, including matters related to the timely release of detainees.

Follow-up information relating to paragraph 36 (a) of the concluding observations

20. In order to further strengthen the national mechanism for the prevention of torture, and in full accordance with the recommendations of the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions of October 2024 and the Paris Principles, the Ombudsman's Office is working towards improving its mandate, institutional independence and monitoring mechanisms.

21. The matter of amending the law to allow staff of the Ombudsman's Office to visit places of detention was also raised by the Global Alliance in its recommendations; accordingly, the Office is drawing up a road map that envisages the introduction of such an amendment.

22. In accordance with the Ombudsman Act, staff of the Ombudsman's Office provide legal, organizational and other support for the Ombudsman's activities, including regular visits to places of detention and other closed institutions. Under this provision, visits by the Ombudsman to places of detention and other closed institutions are conducted with the participation of a member of the Ombudsman's staff. Work is currently under way to improve national legislation in this area.

23. Current legislation does not impose any restrictions on the Ombudsman and the Ombudsman's Office carrying out regular visits, including unannounced visits (without prior notice), to correctional and other specialized institutions, pretrial detention facilities and detention centres; these visits include the opportunity to hold confidential interviews with inmates and other individuals.

24. Turkmenistan continues its constructive and fruitful cooperation with OHCHR and the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions to ensure the successful implementation of these measures.
