



Convention on the Elimination of All Forms of Discrimination against Women

Distr.: General
13 February 2024

Original: English

Committee on the Elimination of Discrimination against Women Eighty-seventh session

Summary record of the 2038th meeting

Held at the Palais des Nations, Geneva, on Friday, 2 February 2024, at 3 p.m.

Chair: Ms. Eghobamien-Mshelia (Vice-Chair)

Contents

Consideration of reports submitted by States parties under article 18 of the Convention
(continued)

Sixth periodic report of Turkmenistan (continued)

This record is subject to correction. Corrections should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of the present record to the Documents Management Section (DMS-DCM@un.org).

Any corrected records of the public meetings of the Committee at this session will be reissued for technical reasons after the end of the session.



In the absence of Ms. Peláez Narváez, Ms. Eghobamien-Mshelia (Vice-Chair) took the Chair.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Sixth periodic report of Turkmenistan (continued) (CEDAW/C/TKM/6; CEDAW/C/TKM/Q/6; CEDAW/C/TKM/RQ/6)

1. *At the invitation of the Chair, the delegation of Turkmenistan joined the meeting.*
2. **The Chair** invited the Committee members to resume their consideration of the sixth periodic report of Turkmenistan (CEDAW/C/TKM/6).

Articles 10–14

3. **Ms. Akizuki** said that, although the Committee welcomed the steps taken to address the issues of women's employment, it was concerned that, as a result of cultural bias, patriarchal attitudes and deep-rooted stereotypes, a significant proportion of economically active women remained underemployed or unemployed because of the burden of unpaid care and domestic work. She would like to know what measures had been taken to address the underlying cultural and societal factors limiting women's opportunities in the workforce. She would be interested to know whether there were any programmes to raise awareness among men and women regarding the equal sharing of care responsibilities and other unpaid work. She asked when the State party would adopt legislation on paid paternity leave to ensure that such tasks were equally shared and what measures were envisaged to provide a gender-sensitive social protection system that would relieve the burden of unpaid work on women. Were there any plans to increase child, elderly and disability care services in order to reduce that burden?

4. She would like to know if there were any plans to adopt and implement targeted, time-bound measures, including temporary special measures, to create more opportunities for women to enter the formal labour market.

5. Given that the ratio of women to men in traditionally male-dominated professions was very low and that women were still subject to legal constraints in their choice of work, she would like to know how the State party addressed gender inequalities in the workplace, in particular differences in pay and in employment opportunities. She asked what measures had been taken to encourage women to choose traditionally male-dominated and higher-paid work and whether there were any incentives for public and private sector employers in traditionally male-dominated areas to recruit women. Were there any plans to amend the Labour Code to remove provisions discriminating against women?

6. She enquired whether gender-disaggregated data was collected regularly in order to obtain a full picture of women and girls in society, whether the State party regularly reviewed wages in sectors in which women were concentrated and what measures had been taken to close the gender pay gap.

7. Noting that an absence of allegations of sexual harassment in the workplace did not necessarily mean an absence of sexual harassment but might reflect a lack of awareness or of effective reporting channels, she asked whether effective mechanisms were in place for filing complaints relating to sexual harassment and sex-based discrimination in the workplace. If not, how did the State party ensure that victims had access to protection and remedies? Did the State party plan to adopt legislation to define and criminalize sexual harassment in the workplace and set appropriate penalties for perpetrators?

8. **A representative of Turkmenistan** said that men and women had freedom of choice in employment. Official figures showed that women were well represented in the State sector and in large and medium-sized enterprises. More than 48 per cent of the total economically active population were women and in large and medium-sized enterprises women accounted for 44 per cent of those employed. Those figures represented an increase on the situation five years previously and could be attributed to a rise in educational standards and in women's qualifications, which gave them free access to the labour market.

9. Turkmenistan had moved far beyond the notion of male and female professions. Labour legislation had changed considerably since the Committee's consideration of the State party's previous report. There were no longer any restrictions on women working in dangerous occupations, but women wishing to enter such employment were warned of any particular features or conditions, including overtime, night shifts and work during public holidays, which might not suit all women. In the past, women with very young children had been barred from taking such jobs but now they were free to do so provided they gave written consent accepting the conditions.

10. A woman could choose any job that enabled her to combine her professional and family obligations. In addition, preschool was organized in such a way that working women could easily find childcare, with groups starting early in the morning or staying later in the evening to cover mothers' different shifts.

11. Women who worked as housewives rather than taking up employment outside the home also received full support, in the form of childbirth and childcare benefits, which were not dependent on any form of employment insurance. Under recent legislation, such benefits were now progressively indexed to the number of children, which was extremely helpful to women with large families. Further protection was guaranteed in the event that the family's breadwinner died, since the survivor, whether the mother or the father, would receive the loss of breadwinner benefit, which was also calculated in accordance with the number of dependents in the household.

12. Under the new Social Services Act, social workers assessed families to establish whether State social support was needed.

13. **A representative of Turkmenistan** said that wages varied depending on the value of work done. However, on average the difference between men's and women's wages was 12 per cent. In the mining or quarrying sector, where men engaged in dangerous work far outnumbered women, the difference was 23 per cent. Similarly, pay was higher in sectors where working conditions were arduous and where men were predominant, such as construction and transport. There were also many men in highly paid jobs such as public administration and defence. However, in sectors such as education, health and social services, where there were more women, the tendency was reversed and the wage difference was 6.8 percentage points.

14. **A representative of Turkmenistan** said that, in line with the Committee's recommendations, the Criminal Code had been amended to cover workplace sexual harassment and provide for criminal liability for such offences.

15. **A representative of Turkmenistan** said that a temporary special measure was in place to help parents of large families or single parents, in the form of a quota of up to 5 per cent of posts in employment that were set aside for men or women in that position. In addition, while there was no paternity leave, fathers had the right to childcare leave. Where a woman was in a place of detention or had been deprived of her parental rights, the childcare benefit was paid to the father; if there was no father then it was paid to the responsible relative or other caregiver.

16. **Ms. Akizuki** said that she very much appreciated the delegation's detailed answers and the figures provided. While she understood that the State party provided a good deal of protection for women, she would nevertheless like to know what it was doing to overcome men's and women's unconscious bias and address stereotypes.

17. **Ms. Bashimova** (Turkmenistan) said that challenging stereotypes depended also on individuals, who needed to want to change their mentality. However, work was needed on that front and her delegation would take account of the Committee's recommendation.

18. **Ms. Haidar** said that the Committee was very concerned at the legislative amendments that had brought down the time limit for abortion on request from 12 weeks of pregnancy to 5, a change that failed to take account of World Health Organization (WHO) guidelines. It would welcome an explanation of the reasoning behind the amendments. She asked whether the State party intended to reverse those changes and extend the time limit for abortion on request to at least 12 weeks and whether it might extend the grounds for legal abortion, which already included rape and incest, to cover severe malformation of the foetus

and risk to the health of the mother. Given the negative effects of criminalization of abortion and of restrictive abortion laws in general, she wondered whether the State party had any plans to fully decriminalize abortion in all cases. How did it protect doctors performing abortions from harassment and ensure the safety of those seeking and providing abortions?

19. It was unclear whether parental consent for abortion was required where the person concerned was under 18 years of age and, if so, whether the State party intended to remove that requirement.

20. Given the vital importance of age-appropriate sex education and access to contraception, as well as accessible, affordable and high quality health-care services in guarding against unsafe abortion and reducing maternal mortality, she would like to know more about the State party's health services: the Committee had heard reports that certain services were not free and that the charges imposed were not always transparent. She would also welcome information on the health-care infrastructure available to women, especially women in rural areas and women with disabilities.

21. She would be interested to know how the State party guaranteed the accessibility and quality of reproductive health-care facilities, and whether adequate training was provided on sexual and reproductive health and rights.

22. A major concern was the lack of statistics on health issues in general and on abortion, on HIV/AIDS and on women with disabilities, as well as information on sexual and reproductive health. She would like to know how the State party communicated with the public on its strategies, policies and statistics. Was such information publicly available or published online? She wondered how the State party ensured that women had access to comprehensive, age-appropriate, unbiased, non-judgmental sex education.

23. Given the lack of information on government websites regarding HIV/AIDS, she would like to know whether there were any plans to report on that issue. Noting that the rate of early pregnancy had decreased somewhat, she said that she would appreciate information on any research that had been done into the root causes of early pregnancy and on how data was gathered and analysed. It was not clear whether the requirement for adolescent girls to obtain parental consent in order to have access to contraceptives and reproductive and sexual health services had been removed.

24. The Committee welcomed the fact that gynaecological examinations to determine virginity had been abolished and that such examinations were used only in cases of rape and in criminal investigations. However, alternative reports claimed that virginity testing still persisted. What measures did the State party intend to take to effectively abolish that practice?

25. **A representative of Turkmenistan** said that, by law, all women in Turkmenistan had the right to abortion. The five-week limit had been set in accordance with WHO standards, as the physiologically safest term for abortion without harm or complications to the mother. However, situations were addressed on an individual basis and an abortion was still permitted if a woman missed the five-week term. Abortions were carried out in health centres and in hospital gynaecological units.

26. Pregnant women were given three screening tests, at 11 to 12, 19 to 21 and 27 to 29 weeks of gestation, and abortion was possible where a fetal impairment was found. Abortions could be carried out for social or medical reasons for a gestational period of up to 22 weeks. After that period, abortions could also be performed on medical grounds. Such procedures were performed on the basis of a medical board's decision.

27. There were no forced or mandatory virginity tests or pregnancy tests. A pregnancy test was carried out at the woman's request.

28. Parental consent was required for contraception for a girl aged under 16 because the parents of a minor had the right to know about medical interventions concerning their child.

29. Some health-care services were free of charge, others were not. During pregnancy, once gynaecological consultations had begun after 12 weeks, all laboratory testing and prescribed medicines were free of charge. Cervical cancer screening had been available nationwide since 2022 and currently 99 per cent of girls and boys from the age of 9 received

the human papilloma virus vaccination. Her Government provided free vaccinations against 14 vaccine-preventable diseases, as recommended by WHO, and had earmarked US\$ 83 million for that purpose for the period 2021–2025.

30. There was an extensive network of reproductive health clinics and hospital units, making for a total of 95 of such centres throughout the country. Women were provided with consultations and anyone at particular risk, notably women with serious chronic diseases, women with more than eight children and girls between the ages of 15 and 19, received contraception free of charge. In addition, with a doctor's prescription women could freely purchase contraceptives from pharmacies throughout the country.

31. The Multiple Indicator Cluster Survey conducted in 2019 had shown that 70 per cent of women aged 15 to 49 were satisfied by the services they received.

32. Thanks to the consolidation of maternal, reproductive, infant, child and adolescent health services under the national strategy on mother's and children's health, maternal mortality was on the decline nationwide. In addition, under the newly regionalized reproductive health system, there was a three-tier service for pregnant women, depending whether they were healthy throughout their pregnancy, showed some abnormalities or exhibited serious health impairments. Staffing levels and resource allocation varied by tier in order to optimize the health of the women, infants and children. The improvement in maternal mortality was also attributable to the introduction, between 2018 and 2020, of 32 clinical protocols that followed the WHO recommendations on obstetrics.

33. An awareness-raising campaign for young people was conducted annually on the topic of HIV prevention, including film showings and poster competitions. Anonymous consultations for HIV were available via hotlines at six prevention centres. Mandatory tests were carried out on pregnant women, blood donors, medical staff exposed to bodily fluids and others.

34. **Ms. Haidar** said that while abortions in the State party were legal up to 5 weeks of pregnancy, WHO in fact considered 12 weeks to be the maximum term for safe abortion. She would like to know who was on the medical advisory boards that made decisions about abortions carried out beyond those 5 weeks, what criteria were used to make such decisions and what remedies were available for women to appeal against rejected abortion requests.

35. **A representative of Turkmenistan** said that the Government would take into consideration the Committee's recommendations on the maximum term for legal abortions.

36. **Ms. Bethel**, speaking on behalf of Ms. Reddock, said that she would like to know whether any mechanisms existed to ensure the full implementation of the Act on State Guarantees of Equal Rights and Equal Opportunities for Women and Men. She wondered whether there were any plans to implement measures to ensure the equal sharing of domestic responsibilities between women and men; and to promote the value and use of parental leave through awareness-raising campaigns for both men and women. Recognizing that unpaid care responsibilities often affected women's ability to engage in economic activity, she would appreciate information on the number of childcare and elderly care facilities in urban and rural communities.

37. She wished to know whether there were any plans to remove restrictions on women's movement, such as driving or being a passenger in a car or taxi driven by a male to whom they were not related, as well as other forms of public surveillance and harassment. She would welcome information on the factors accounting for the large gender disparity in the allocation of land plots and wondered whether there were any plans to ensure more equitable access to women in that regard. She would like to know whether any mechanisms were in place to support women industrialists and entrepreneurs and how success in that context was measured and evaluated. She asked whether any data were available on women's access to bank credit and bank cards.

38. It would be interesting to learn whether there were any factors preventing the publication of and access to gender-related data and statistics, especially with respect to women's economic empowerment, including the gender wage gap and the implementation of the Sustainable Development Goals.

39. **A representative of Turkmenistan** said that 4 per cent of the recipients of childcare benefits were men, who could take paternity leave if they were the sole carer for their children. Older women were provided for in care homes on equal terms with older men. The Government was gradually changing the structure of the social system, including the establishment of inpatient centres for children who needed support. Childcare was provided to parents who wished to work and did not have access to regular preschool facilities.

40. **A representative of Turkmenistan** said that the traffic police had been monitoring female drivers more closely because some women had been driving without a licence. Between 2018 and 2023, over 9,000 driving licences had been issued to women.

41. **A representative of Turkmenistan** said that the share of women entrepreneurs had increased to nearly 35 per cent of all entrepreneurs in Turkmenistan in recent years. Credits were issued to female and male entrepreneurs on equal terms, and while the total amount of those given had increased in 2022, the share of women receiving them had decreased. The number of loans granted to female entrepreneurs had increased by a factor of four.

42. A restructuring of the agricultural industry had facilitated women's access to agricultural production and land. There were over 1,100 registered private (*dayhan*) farms for which land was allocated on a long-term lease. The number of women working on such farms had increased by 5 per cent between 2000 and 2002. The share of women who headed such private farms had increased from more than 10 per cent in 2000 to nearly 14 per cent in 2022. Women enjoyed the same rights as men to preferential loans for agricultural activities.

43. Women and men participated in sports on equal terms. Women and girls decided which sports they would like to engage in. Female athletes had played at nearly 150 national and international events and had won more than 100 medals for various sports, including those that had previously been exclusively for men. There had been an elevenfold increase in women's participation in national sports competitions, and a twofold increase for international competitions.

44. **Mr. Safarov** said that he would appreciate the delegation's comments on the fact that during the coronavirus disease (COVID-19) pandemic, a number of adults with disabilities had lost their jobs. He would also welcome the delegation's comments on the reasons why, in rural areas, women accounted for most unpaid farm work and shouldered an unfair burden of household chores and other domestic responsibilities.

45. He would like to know whether refugee and asylum-seeking women and girls enjoyed access to free State services, such as educational, health and social services. He wondered what measures were in place to protect lesbian, bisexual and transgender women and intersex persons and ensure their access to State services.

46. He would welcome information about interethnic marriages in Turkmenistan, including between non-national or Jewish women and men with Turkmen nationality. He would like to know how many interethnic marriages there were in the country and whether such couples faced any discrimination.

47. It would be helpful to have an account of the level of access of women and girls with disabilities to State services and measures taken to promote their social inclusion and inclusive education. He would welcome statistics on access to education for women and girls with disabilities and the number of women and girls with disabilities who had been victims to violence, including domestic and sexual violence. How did the State party support women and girls living in desert areas where agriculture was difficult?

48. **A representative of Turkmenistan** said that all persons were equally protected under law against violence, blackmail and similar acts, regardless of their sexual orientation, including lesbian, gay, bisexual, transgender and intersex persons.

49. **A representative of Turkmenistan** said that certain measures, including shortening the working day, had been introduced during the COVID-19 pandemic to prevent the spread of the disease. Although such measures had affected incomes, they could not be classed as discriminatory because they had applied to all workplaces, regardless of whether employees were men, women or persons with disabilities. Those unable to return to Turkmenistan when the borders had closed had kept their jobs and continued to receive their salaries.

50. Following a household survey of both rural and urban areas in 2021 that had identified gaps in the provision of quality inclusive social services for persons with disabilities, a law on social services had been adopted and was now being expanded.

51. **Mr. Hajiye** (Turkmenistan) said that Afghan women refugees had access to legal and social services. In the previous four years, 12 residence permits had been issued to Afghan women, with 11 of them receiving Turkmen citizenship. Stateless persons with permanent residence in Turkmenistan had the same rights as Turkmen citizens except for the rights to vote and be elected. In 2024, the Government planned to grant citizenship to the country's approximately 400 stateless persons with a view to ending statelessness.

52. **A representative of Turkmenistan** said that statistics on those involved in unpaid work, such as caring for children and relatives, would become available after a study with the United Nations Population Fund had been carried out. Between 2020 and 2022, there had been a slight increase in the number of interethnic marriages.

Articles 15 and 16

53. **Ms. de Silva de Alwis** said that she would like to know whether men's clothing was subject to the same strict scrutiny as women's. Equality of women and men before the law called for the right to freedom of expression, assembly, association and movement. One example of the denial of such rights was the case of the female journalist Soltan Achilova, who had been prevented from travelling to Switzerland for a meeting honouring human rights defenders. She would be grateful if the delegation could comment on her case and those of other human rights defenders who were reported to be unlawfully detained or under surveillance.

54. The Committee was concerned that, despite the rights guaranteed by the legal system, family relations in Turkmenistan were governed by an unwritten code in which women were stereotyped as mothers and housewives. She would be interested to know how the State party addressed such stereotypes in education, in the media and in law.

55. As it appeared that, despite the formal prohibition of polygamy, the informal practice of taking a second wife persisted, she wondered whether those who engaged in the practice could be prosecuted for sexual assault or indeed statutory rape, if the second wife was under the age of 18 years. She would also be interested to know how the State guaranteed the economic and property rights of second wives in the event of abandonment or separation, and how it addressed the problem of sexual violence against them.

56. Noting that women were usually granted custody of their children in the event of a divorce, she asked whether the informed consent of the mother was sought in custody disputes and whether granting mothers custody automatically might reinforce the stereotype of women as mothers and caregivers. It would also be useful to know whether legal support was available to women who were subjected to sexual violence within marriage.

57. The Committee was also concerned that the impact of the prohibition of child marriage was diminished by the clause that allowed child marriage in exceptional cases. She wished to know whether the criminal prosecutions were brought against those who forced early marriage upon pregnant girls, and what penalties were imposed.

58. **Ms. Bashimova** (Turkmenistan) said that, in relation to the case of Ms. Achilova, she wished to point out that rights were accompanied by responsibilities and the duty to obey the law of the land.

59. **Mr. Hajiye** (Turkmenistan) said that, according to information from the State Migration Service of Turkmenistan, Ms. Achilova had been stopped at passport control because her passport had been in such poor condition that it had been unreadable and, if she had travelled, she would not have been permitted to enter the country of destination. Like any other citizen, Ms. Achilova had the right to apply for a new passport and to travel wherever she wished. Passport owners were responsible for keeping their passports safe and protecting them from damage.

60. **A representative of Turkmenistan** said that internal affairs agencies conducted a yearly analysis of the crime of exploitation of prostitution. The number of such offences had fallen from 89 in 2019 to 47 in 2023.

61. Polygamy was considered an offence against the family and morals and an attack on the spiritual values of society. The practice was outlawed under article 161 of the Criminal Code, which provided for penalties against men who committed the offence. The law thus upheld the right of women to have a traditional family in which their honour and dignity were respected.

62. **A representative of Turkmenistan** said that, in respect of stereotypes, it should be noted that Turkmen families themselves decided who was the head of the household. According to the results of the 2022 census, over a quarter of households were headed by women.

63. **A representative of Turkmenistan** said that the road map for the implementation of the recommendations that had emerged from the 2022 survey on the health and status of women in the family included measures to overcome stereotypes. In that regard, the Government was taking robust action aimed at boys and young men in schools, universities, sports clubs and military establishments. The Institute for State, Law and Democracy, the Ministry of Justice and the United Nations Population Fund worked together to provide young couples with information and help them to overcome difficulties.

64. The Family Code, which previously had stated only that spouses had equal rights during marriage, had been amended to state that they remained equal when they divorced. Video clips on family relations and non-violence were being developed under the National Action Plan on Gender Equality.

65. **A representative of Turkmenistan** said that, in recent years, the Women's Union had organized many activities on gender, including outreach activities, festivals, round tables and competitions. The Central Council of the Women's Union provided assistance on employment, housing and family issues and legal advice. The Women's Union also had a centre for businesswomen. In 2022 and 2023, the Women's Union had provided employment assistance to over 2,000 women, including 6 women with disabilities.

66. **A representative of Turkmenistan** said that the Government's response to the COVID-19 pandemic had included social protection and assistance for all those who needed it and the allocation of human and financial resources to support businesses that had been forced to shorten their working days. In late 2020, the State Statistics Committee had carried out a study, supported by UNICEF and the International Labour Organization, on the social and economic impact of the pandemic on households. According to the findings, only 1.3 per cent of female respondents had said that their working time had been shortened. It was therefore clear that adaptation measures had contributed to keeping people in work during the pandemic.

67. The State Statistics Committee was currently working with partners on the seventh round of the Multiple Indicator Cluster Survey, which included a module on violence against women. All data and findings would be published on the UNICEF website.

68. **A representative of Turkmenistan** said that the results of the 2022 survey on the health and status of women and the family were available online in English and Russian.

69. **Ms. de Silva de Alwis** said that she remained concerned about the informal practice of taking a second wife. She would be particularly interested know about the duties and responsibilities of spouses in such arrangements, including with regard to the physical safety and the financial security of the second wife. She would also appreciate information on the penalties that were imposed on civil registry officials or elders who approved child marriages in violation of the law.

70. **A representative of Turkmenistan** said that the minimum legal age for marriage was 18 years but the authorities could grant 17 year-olds special permission to marry. Polygamy was prohibited by law, and the Government was working with non-governmental organizations to address the gap between the de jure and the de facto situations by conducting awareness-raising campaigns in all parts of the country.

71. **A representative of Turkmenistan** said that the Family Code provided for the equality of spouses in family relations. Marriages between Turkmens, marriages between Turkmens and foreign nationals, and marriages celebrated abroad were all regulated by law and would be recognized, unless there was no evidence of the marriage.

72. **A representative of Turkmenistan** said that, while a custom existed in many parts of the world for elders to give permission for marriage, Turkmenistan had a secular government and its legislation did not provide for such traditions. In order to register a marriage, it was necessary to provide a document showing that the spouses had not entered into a marriage.

73. **A representative of Turkmenistan** said that, according to figures provided by civil registry offices, the proportion of spouses who married at the age of 17 years – most of whom were girls – was extremely low, at 0.02 to 0.04 per cent.

74. **A representative of Turkmenistan** added that sexual relations with a person known to be under 16 years of age were treated as crimes under the country's criminal legislation. The law enforcement authorities engaged in preventive activities and conducted investigations into cases of polygamy and held persons involved in such a practice accountable before the law.

75. **The Chair** said that she appreciated the information on how the State party addressed stereotypes, which were a prevalent and pervasive problem around the world. The explanations given by the delegation allowed the Committee to better understand the State party's legal and policy frameworks.

76. **Ms. Bashimova** (Turkmenistan) said that her Government and, in particular, the parliament of Turkmenistan, would continue to work on new legislation to bring the country forward, taking into consideration international law and the Committee's recommendations. Her Government would continue to engage with the international community in the area of gender policy.

The meeting rose at 4.45 p.m.