



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

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**Committee on the Elimination of Discrimination  
against Women  
Fifty-third session**

**Summary record of the 1086th meeting**

Held at the Palais des Nations, Geneva, on Thursday, 11 October 2012, at 3 p.m.

*Chairperson:* Ms. Pimentel  
*later:* Ms. Rasekh (Vice-Chairperson)  
*later:* Ms. Pimentel (Chairperson)

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(*continued*)

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*The meeting was called to order at 10.05 a.m.*

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

*Combined third and fourth periodic reports of Turkmenistan* (continued)  
(CEDAW/C/TKM/3-4; CEDAW/C/TKM/Q/3-4 and Add.1)

1. *At the invitation of the Chairperson, the delegation of Turkmenistan took places at the Committee table.*

*Articles 1 to 6* (continued)

2. **Ms. Gurbannazarova** (Turkmenistan), responding to questions raised at the previous meeting, said that the Interdepartmental Commission on compliance with Turkmenistan's international human rights obligations, established in 2007, was the institution responsible for upholding women's rights in Turkmenistan, including by monitoring the implementation of instruments such as the Convention on the Elimination of All Forms of Discrimination against Women.

3. Regarding registration of NGOs, she said that all such bodies, irrespective of their vocation or composition, were treated the same way. Grounds on which registration could be refused included contradictions between the organization's goals and the legislation of Turkmenistan; supporting documentation that was insufficient or incorrectly formulated; submission of false information; a name that constituted an insult to moral or religious sentiments; and membership comprising a person or persons with a criminal record. The application had to be rejected in writing and reasons substantiating the decision had to be given. The NGO could reapply for registration or appeal the decision to the Ministry of Justice. As of 1 October 2012, 107 NGOs had been registered in Turkmenistan; 5 had been added since that date.

4. Since the adoption of the Migration Act in March 2012, the prohibition of travel abroad by women unaccompanied by a male chaperone, which had in any case applied only to minors, was no longer standing.

5. **Ms. Jahan**, posing follow-up questions under articles 1 to 6, said the fact that Turkmenistan had incorporated anti-trafficking measures in its overall action plan for women's rights did not compensate for the lack of a comprehensive plan to combat trafficking in women. She asked whether the Government intended to rectify that omission.

6. Prostitution was apparently on the rise, especially in economically backward provinces and among minors. She requested clarification of its status under the law. There seemed to be a discrepancy between the fact that one incurred "criminal liability for engaging in prostitution", but the only penalties against it were administrative. There were reports that young girls were being sold and sent away as mail order brides, a practice tantamount to sexual slavery. What was being done to counteract that practice?

7. **Ms. Gabr** endorsed the comments just made about the need for actions specifically targeting trafficking in women. She wished to know whether the Government planned to draw up domestic legislation to address violence against women and domestic violence.

8. **Ms. Šimonović** noted, in the context of measures to combat violence against women and domestic violence, that Turkmenistan had recently ratified the Optional Protocol under the Convention, and women of that country could now submit complaints to the Committee. She wished to know whether the criminal legislation covering domestic violence provided for restraining orders, expulsion of perpetrators from the family home, shelters and other measures to protect the victims.

9. **Ms. Gurbannazarova** (Turkmenistan) said that although her country had no plan of action for combating trafficking in women, a programme was being carried out jointly with a number of international organizations. As to domestic violence, it was covered in a number of specific articles in the Criminal Code, although there was no separate legislative text specifically targeting it. Her Government would take the Committee's recommendations on both those issues into account.

10. **Ms. Mammetgurbanova** (Turkmenistan) said that the Criminal Code provisions on prostitution were in no way applicable to persons who had been trafficked for sexual exploitation purposes: they were regarded as victims and were not prosecuted for having engaged in prostitution. Indeed, trafficking in and exploitation of women was an aggravating circumstance that increased the penalties imposed for related offences. Engaging in prostitution was an administrative offence punishable by a fine or 15-day administrative detention. A repeat offence within one year of the first brought the Criminal Code into play: penalties then included corrective labour or deprivation of liberty for up to two years.

11. **Ms. Gurbannazarova** (Turkmenistan), replying to the questions about shelters for victims of violence or trafficking, said that such shelters were operated by the NGO Keik Okara, in cooperation with the International Organization for Migration; however, in the first half of 2012, only two women had taken advantage of them.

#### *Articles 7 and 8*

12. **Ms. Pires** said that the figure of 18 per cent for the ratio of women elected to parliament was well below the 30 to 35 per cent cited in the Committee's general recommendation No. 23 as constituting the "critical mass" that enabled women to have a real impact in politics in general and on the content of decisions in particular. The Committee had already drawn attention to that problem in its concluding comments on the combined initial and second periodic reports of Turkmenistan. She asked what concrete measures had been carried out in response to the Committee's remarks. What were the barriers to participation of women in political and public life? Paragraph 79 of the replies to the list of issues explained that the Selection of State Leaders and Civil Servants Act contained a selection requirement based on aptitude and professional qualifications – was that an impediment to women's recruitment for public service? She welcomed the recent adoption of legislation facilitating the establishment of political parties by both women and men and asked for specifics on the criteria involved. Was having women in leadership positions a prerequisite for the registration of new political parties? While the latest figures on the ratio of women to men in elected positions showed a slight improvement — to 21 per cent compared to about 17 per cent in 2009 — the rate for women remained low. Were any quotas or other temporary special measures being envisaged? What role did women's associations or NGOs play in promoting women's participation in politics – did they carry out public awareness campaigns, for example? Were they training potential women candidates? Were there any restrictions on their activities? The Committee had received information from alternative sources indicating that NGOs were subjected to police surveillance.

13. **Ms. Gurbannazarova** (Turkmenistan) recalled that statistics on women's election to serve on administrative bodies at both the national and regional levels had been given in her introductory statement. The legislation of Turkmenistan provided for equal participation of women and men in all areas of the life of the country. No barriers to equitable participation existed; there was a legislative basis for equality. No quotas for women's membership in political parties or in NGOs were laid down in the legislation, but those institutions were free to promote women's involvement if they so wished. In the Entrepreneur's Party, which had been set up very recently, the deputy head and many

members were women. There were no plans to set electoral quotas for women. It was true that only 18 per cent of deputies in parliament were women, but they occupied a number of high-level posts.

*Articles 10 to 14*

14. **Ms. Bailey**, referring to women's access to educational opportunities in accordance with article 10 of the Convention, said that the report described the educational system in general terms but largely lacked meaningful sex-disaggregated data. In its concluding comments on the initial and second periodic reports, the Committee had expressed concern that the duration of compulsory education had been reduced from 11 to 9 years. The State party had been asked to look at the impact of that decision on girls' education and on teachers. Had that impact assessment been carried out, and had it led to the recent decision, described in paragraph 163 of the report, to introduce the requirement of 10 years of general education? She asked the delegation to comment on the new policy. The Committee was at a loss to assess gender parity in enrolment at the primary and secondary levels, for lack of the necessary statistical data. The State party should be collecting and collating that kind of basic data on an annual basis. Did the Ministry of Education have any systems for regular collection of sex-disaggregated data on basic educational indicators such as enrolment rates, curriculum subject choice, performance, repetition and completion of scholastic years and drop-out rates?

15. The Government had been requested, in the Committee's list of issues, to detail the causes of school dropout. The response, in paragraph 93 of the written replies, had been that the State's statistical reporting system did not collect data on dropout and the reasons therefor, as no such problem had been observed. Similarly, no data were kept on access by rural women and girls to education. That was surprising, since dropout was a universal phenomenon by which girls were disproportionately affected all over the world, and alternative sources indicated that there was a fairly high rate of dropout from schools by young women in rural areas. Was the Ministry of Education aware of the problem, and was there any intention to institute data-collection measures in rural areas to identify contributing factors?

16. The data given on enrolment in higher educational institutions pointed to a marked differential between men and women, women having accounted for only 33 per cent of those enrolled in the country's 23 specialized institutes in 2011. Had any study been done to determine the reasons for that disparity? The reasons might include prevailing cultural norms and persistent attitudes that undermined the value of higher education for women. If that was the case, what was being done to address the problem? What measures were being contemplated, particularly in teacher training and curriculum development, to eliminate the gender stereotypes that reproduced such cultural norms?

17. **Ms. Patten**, referring to employment issues under article 11, said that according to the delegation's introductory statement, the highest concentration of working women was within the light and food industries and in the social service sector, and that in other sectors, women were mostly employed as clerks and in service-related jobs. That was strong evidence of occupational segregation, and she wished to know what the Government was doing about it and to ensure that women were not consigned to low-paid employment. Were any temporary special measures envisaged?

18. The State Guarantees of Women's Equality Act of March 2011 prohibited the employment of women in certain types of work, and a presidential decree of December 2009 listed the professions and work that were harmful or dangerous to health. What types of work were deemed harmful to health, and was the list reviewed regularly? The report was silent on the subject of wage gaps. Was there any mechanism for measuring the size of such gaps in both the public and private sectors? How was the fulfilment of the legislative

mandate for equal remuneration evaluated? How did the Government ensure that the criteria for determining wage rates were free of gender bias? In the introductory statement, data had been given on the number of women working in the informal sector. While the provision of such data was commendable, she would like more information on how it was collected.

19. **Ms. Arocha Domínguez** pointed out that conflicting data on health issues were cited and there were major discrepancies, even within the information provided by Turkmenistan, not to mention compared with that of alternative sources. Women's health was apparently viewed in terms solely of reproductive aspects and in relation to their role as mothers rather than in a comprehensive manner. For example, general information on the causes of morbidity and mortality for women was lacking. Life expectancy for women was higher than men's but lower than what one would expect in a country as well endowed with economic and natural resources as Turkmenistan. The latest data from the World Health Organization (WHO) cited an overall rate of cancer-related deaths in Turkmenistan of 8 per cent. What was being done to prevent the cancers that affected women alone, for example, cervical, uterine and breast cancer?

20. Various sources gave differing rates for maternal mortality. It would seem that it was going down, yet it remained relatively high. She wished to know what the rate was in rural areas and among members of ethnic minorities. The Government was taking steps to increase fertility and the birth rate, yet that seemed superfluous in a nation that was surprisingly young and had a high rate of children born to each mother: 54 per cent of the population was less than 25 years of age and 31 per cent of all families had over seven members. She had checked carefully the actual figures on birth rates as they were so surprising: an 80 per cent increase in merely six years. Promoting fertility was fine, as long as measures to ensure safe motherhood were in place and the availability and use of a range of birth control methods were also promoted. The latter did not appear to be the case, however.

21. State maternity allowances on the birth of a child and State childcare benefits until the child reached 3 years of age were described as major advances, yet to pay women to give birth to and care for children was to discourage them from joining the labour force, becoming involved in life outside the home and exercising fully their rights.

22. **Ms. Rasekh** asked if there was any systematic evaluation of the implementation and impact of health policies. Were health indicators used to determine whether the country's obligations in the field of health care, especially in women's access to health care, were met? Did the Government plan to strengthen and monitor the implementation of laws regarding health care for women?

23. Statistics were lacking on the prevalence of HIV/AIDS, abortion, maternal mortality and morbidity and mortality due to abortion. Which data-collection methods did the Ministry of Health adopt to address those issues and guide the implementation of national plans and global strategies? Were there benchmarks for the reduction of maternal mortality? With the introduction of fees for services, health care had become costly and coverage had apparently declined, judging from reports of patients needing to bring their own supplies to hospitals and of bribes being paid for treatment. Were steps being taken to tackle corruption in the health sector, to ensure decent wages in order to prevent qualified professionals from leaving the country and to train supervisory staff? Was financial support available for women who could not afford health care?

24. The prevalence of HIV/AIDS was apparently a serious health issue. Although the report highlighted the fact that awareness-raising activities had been led, there were no relevant data that might enable the spread of the disease to be tracked and the public health risks to be assessed. There also appeared to be no screening procedure for blood donations;

if that was so, how was the transmission of HIV/AIDS during blood transfusions prevented? Médecins sans frontières had left Turkmenistan in 2009 owing to the Government's failure to address seriously the spread of HIV/AIDS, communicable diseases such as tuberculosis and sexually transmitted diseases (STDs). The actual statistics on STD and HIV/AIDS transmission in Central Asia were generally much higher than those reported by governments, and in Turkmenistan, it appeared that the numbers were deliberately being kept low, including through surveillance of doctors who diagnosed such diseases.

25. **Ms. Zou Xiaojiao** thanked the members of the delegation for the information provided on rural women but said that statistics disaggregated by sex and gender were lacking. The public investment programmes for creating better infrastructure in rural areas were commendable, but she asked how the Government ensured that women's priorities and a gender dimension were integrated into those programmes. Women's low level of participation in decision-making bodies in rural areas was said to create bias in the setting of priorities. Had the Government identified the obstacles or taken action to encourage rural women to become involved at decision-making levels? She would be grateful if data could be provided on the numbers of women at those levels.

26. While the Constitution and the Land Code entitled both men and women to own land, she wished to know if, in practice, there were any difficulties for women in that regard, especially in rural areas. She would be grateful for statistics on women's ownership of land. The report stated that there were equal rights for men and women to obtain mortgages, loans and other forms of financial credit, but what kind of access to credit and loans did women have in practice, and did they encounter any constraints?

27. *Ms. Rasekh (Vice-Chairperson) took the Chair.*

28. **Mr. Geldimammedov** (Turkmenistan), replying to the questions about education, said that the President had recently initiated reforms whose positive effects on female pupils and students were observed in a number of statistical trends. At the end of 2011, the total proportion of girls in preschools and primary schools had been just under half. In secondary schools that number stood at 33 per cent; in vocational and training establishments at 54 per cent; and in professional schools at 41 per cent. Serious efforts were being made to prevent school dropout, especially among girls, and to ascertain the reasons for it: teachers, schools and the relevant organizations were cooperating to address the problem. Across the country, over half the students in all tertiary educational establishments were girls. At the new Institute of Oil and Gas, opened in September 2012, girls had formed 24 per cent of the total intake in the first year. At the Institute of Architecture and Construction, the Institute of Energy and the Institute of International Relations, girls made up 21, 23 and 41 per cent of the students, respectively.

29. Education in Turkmenistan was free and compulsory from the age of 7 to 17. Upon entering primary school, all students received computers free of charge, a gift from the President. New schools equipped with the latest technology, laboratories and multimedia material were being built in cities and rural areas. There was even Internet access in remote areas, ensuring that children could study in outlying regions.

30. In 2008, the subject of life skills had been introduced in the secondary school curriculum as part of an effort to break down gender stereotypes. It covered sex education, marriage and children's rights, among other themes. The revision of textbooks and the curriculum was informed by work with the United Nations Population Fund (UNFPA) and by a series of workshops to exchange best practices for gender mainstreaming. Teacher training courses for professional development included a focus on gender issues and stereotypes.

31. **Mr. Akmammedov** (Turkmenistan), replying to questions regarding article 11, said that the main pieces of legislation to ensure safe working conditions for all were the Enterprise Act, the Labour Code and the State Guarantees of Women's Equality Act. The Labour Code contained provisions for supplementary leave and compensation for persons involved in hazardous and arduous work. The Ministry of Labour and Social Protection was responsible for reviewing the list of hazardous types of work and receiving proposals for modifications and additions; it would transmit the list to the Committee upon finalization. The Labour Code also contained restrictions on irregular hours, work outside of duty stations and harmful working conditions for pregnant women. Women had to be informed in writing of their right to refuse to work in certain locations and had to provide written consent. The Code prohibited any restriction of the right to work based on nationality, race, gender and all other circumstances not related to the professional skills of workers; the State Guarantees of Women's Equality Act also prohibited restrictions on the basis of gender.

32. Between 2005 and 2011, the number of economically active women had risen slightly, to 44 per cent. Women worked mainly in the service industries and in the health and education sectors, while fewer worked in the oil and construction industries. The number of women working in household services rose slightly from 2010 to 2011; in sports and the arts there had been a slight drop, and in finance there had been little change.

33. Women were guaranteed equal pay for equal work under article 20 of the Constitution and article 12 of State Guarantees of Women's Equality Act, and violations of that right were penalized. The Labour Code required employers to pay employees within an appropriate time and according to certain established conditions and provided for wages based on the level of education and the conditions and complexity of work. In January 2011, all wages had been raised regardless of the type of work and the minimum wage had been fixed by Presidential decree. Lastly, any person who felt discriminated against had the right to appeal to the authority responsible for protecting women's rights.

34. **Mrs. Mammetgurbanova** (Turkmenistan) said that gender equality was at the centre of Turkmen legislation and was enshrined in the Labour Code. However, the contradictions in the legislation with regard to equal pay had been duly noted. The Government and parliament of Turkmenistan were taking into account the Committee's comments and the concluding observations and recommendations of the Committee on Economic, Social and Cultural Rights and were currently considering amending the Labour Code to enable implementation of those recommendations. Such action would confirm Turkmenistan's commitment to fulfilling its obligations.

35. *Ms. Pimentel (Chairperson) resumed the Chair.*

36. **Ms. Shamyradova** (Turkmenistan), noting that her Government had made maternal health a top priority, said that by no means did it regard women's health as merely a matter of their reproductive functions. Turkmenistan had been working with various international organizations to improve reproductive health under its National Safe Motherhood Programme, including the drafting of a new Programme in 2012 for the coming years. Women's reproductive health and family planning services were provided at the National Reproductive Health Centre at the Maternal and Child Health Care Clinical Research Centre.

37. Maternal mortality, including death caused by haemorrhages, infection and other major causes, had decreased in recent years. Nevertheless, more needed to be done to lower the rate further. Similarly, progress had been made on reducing the infant mortality rate, although there was still room for improvement. The National Safe Motherhood Programme had resulted in health-care centres being provided with the necessary obstetric equipment. As a result, the proportion of caesarean sections used as a method of emergency obstetric

care to save the life of the mother or child had increased in recent years. The birth rate had risen since 2005, while the number of home births had fallen drastically. With support from UNFPA, the country's reproductive health care and family planning services had in recent years offered men and women alike an increasingly wide range of contraceptive methods not limited to intrauterine devices or hormonal contraceptives. As a result of the efforts made by the services, the number of abortions had significantly decreased since 2005. Early pregnancies had been reduced and care for pregnant women in their thirties and older had been improved.

38. Several regional centres had been set up for the prevention and treatment of HIV/AIDS. In addition, there were youth centres that provided peer-to-peer training, with support from UNFPA, to raise young people's awareness about the disease. The Ministry of Health and the Medical Industry and the Ministry of Education regularly held seminars on HIV/AIDS prevention and organized events and youth camps where information on reproductive health was provided. The Government had also organized discussion groups for university students and made available family counsellors to instruct families. A study on HIV/AIDS awareness that had recently been conducted showed that a vast majority of the respondents were aware of the modes of transmission, the need for condom use and where they could be tested and receive care for HIV/AIDS.

39. Stamping out tuberculosis was another top priority for her Government, which had launched a campaign to eradicate the disease by 2015. Particular attention had been given to stopping the spread of tuberculosis in prisons. The Government had made efforts to increase the number and enhance the qualifications of medical professionals. Basic medical training in Turkmenistan took from five to six years. The country's medical schools comprised several specialized departments, including, most recently, a sports medicine faculty. Hundreds of Turkmen medical students received excellent training abroad; for example, there was an official exchange programme with Germany to provide post-graduate training to future Turkmen medical specialists.

40. Turning to the question raised about blood transfusions, she said that all blood donors in Turkmenistan were screened for HIV/AIDS and other sexually transmitted diseases. The persons identified as having contracted the diseases were precluded from donating blood and were given treatment if necessary.

41. Concerning the participation of rural women in the economy, she said that women from rural areas were well represented in universities and in management and other decision-making positions; she would provide the Committee with the relevant statistical data at a later date. Women were also well represented in parliament and took an active part in drawing up local budgets. They enjoyed the same land rights as men under the law, including the right to obtain credit, lease land, build housing and take out mortgages.

42. **Ms. Rasekh**, commending the State party on the adoption of the new Family Code, asked whether any awareness-raising campaigns about the Code had been mounted for judges, lawyers, police officers, prosecutors and others. If not, did the State party plan to launch such campaigns? Noting some reports that polygamy was still widely practised in rural areas, she wished to know what measures had been taken to educate people about the harmful effects of polygamous relations, to enforce the law against polygamy and to punish offenders.

43. **Ms. Halperin-Kaddari** asked what the minimum age for marriage was in Turkmenistan. More information was needed on marriage contracts under the Code on Marriage and the Family: it was not clear whether such contracts were optional and how they affected marital property rights. As women still married at a relatively early age, it would be useful to know the extent to which young women were aware of their rights and which assets were considered joint property. For example, it was unclear whether work-

related benefits such as pensions, insurance payouts and other monetary awards were regarded as joint property. The question was of particular relevance for women who had spent time during their marriage out of the workforce to raise children, as they would be less economically independent than their husbands in the event of a divorce.

44. **Ms. Gurbannazarova** (Turkmenistan) said that her Government had made many efforts to raise awareness about the Family Code, including media campaigns and parliamentary question-and-answer sessions. A compilation of relevant national and international laws, which covered the Family Code and other family-related legislation, had been published and was widely available. Presentations had been made at the regional level on how the new Code differed from the former one.

45. It was true that polygamy continued to be practised in rural areas. Nevertheless, polygamy was a criminal offence. In 2011, the courts had considered five cases of polygamy and found all five accused persons guilty. There had been six such cases in 2012, with six convictions.

46. **Ms. Mammetgurbanova** (Turkmenistan) said that the minimum age for marriage in Turkmenistan was 18 years of age. The marriage contract should not be confused with the registration of marriage. All marriages must be registered by the civil registry office. The marriage contract, on the other hand, was optional and could be entered into at any point. The contract must be in writing and notarized. All property acquired during a marriage was considered joint property. Under a marriage contract, there could be common or separate property and the property concerned might be either current or future. The spouses were entitled to specify their rights and obligations under a marriage contract in such matters as family expenditures and property ownership in the event of dissolution of marriage. Marriage contracts must not preclude spouses from asserting their rights, run contrary to the Family Code or place one spouse in an extremely adverse position, including when he or she had become unable to work and required support.

47. **Ms. Murillo de la Vega** sought clarification concerning a teacher from Ashgabat, Ms. Ayna Abayeva, who had reportedly been denied the opportunity to run for the presidency because she had failed to meet the requirement of registering with the Ministry of Justice. However, Ms. Abayeva said, she had received no reply to the letters that she had sent to the Procurator-General's Office and the Supreme Court concerning the matter. There were also reports that the Academy of Sciences had instructed women to wear Turkmen national dress at a public event, which contradicted the principle that stereotyped concepts of the roles of men and women should be eliminated.

48. **Ms. Rasekh** asked whether the men found guilty of polygamy had been sentenced or punished.

49. **Ms. Halperin-Kaddari** asked whether pension awards, severance payments and insurance payouts were considered common property when a marriage ended. She also wished to know whether de facto unions were recognized under the law.

50. **Ms. Patten** said she would also like to know what legal protections were afforded to women in de facto unions.

51. **Ms. Mammetgurbanova** (Turkmenistan) said that the Procurator-General, the Supreme Court and the Ministry of Justice had received no complaints or official applications from Ms. Abayeva. Concerning Turkmen national dress, she said that women in the educational system in Turkmenistan were free to dress as they wished. In response to the question about polygamy, she confirmed that the courts had handed down sentences in all the cases of polygamy that had come before them. Under the Family Code, all property acquired during a marriage was regarded as common property unless otherwise specified by a marriage contract. Awards granted under pension and insurance schemes were considered

to be the property of the beneficiary alone if a marriage was dissolved. Only property acquired during the marriage was viewed as joint property, although exceptions could be made in cases when a spouse had no property or was no longer capable of being employed. Under the Family Code, religious marriages were not recognized unless they were registered by a civil registry office. De facto unions were not afforded legal protection under the Code except when a child was born of such a union and paternity was acknowledged. In such cases, the child enjoyed the same rights, including inheritance rights, as children born to parents whose marriages were registered.

52. **Ms. Gurbannazarova** (Turkmenistan) said that her Government would review all the constructive suggestions and recommendations made to further improve the situation of women and would put in place a follow-up system for their implementation. It would also make every effort to bring its domestic legislation into line with the universal standards of international law. Strengthening collaboration with international organizations was an extremely important component of the policy currently pursued by President Berdymuhammedov. Turkmenistan would continue to forge partnerships within the United Nations system based on the principle of mutual advantage and commitment to the international norms and obligations that it had undertaken.

*The meeting rose at 5.30 p.m.*