

**Shadow Report on the Implementation of the  
UN Convention on the International Covenant  
on Economic, Social and Cultural Rights**

**TURKMENISTAN**

**Prepared by  
Turkmen Initiative for Human Rights (TIHR)**

**to be submitted to the Committee on  
Economic, Social and Cultural Rights (CESCR)  
in October 2011**

*Vienna/Ashgabat, 2011*

## 1. EXECUTIVE SUMMARY

Turkmenistan is a state in Central Asia and a former republic of the USSR which proclaimed its independence on 27 October 1991. It occupies the territory of 488.000 square meters. The capital of the country is Ashgabat. From 1985 until 21 December 2006 Saparmurat Niyazov (Turkmenbashi) ruled unchallenged, first as the First Secretary of State of the Turkmen Communist Party of the Turkmen Soviet Socialist Republic and then as the first president of the independent Turkmenistan. The power system created by S. Niyazov exemplifies a classical totalitarian state. Opposition parties, movements or independent mass media were non-existent. After S. Niyazov's death, Presidential elections were held. Gurbanguly Berdymukhammedov was elected as new President in February 2007. The begun period of board of the new president in the country is named by "The era of the great Renaissance".

Some recent decisions with regard to Turkmenistan gave the impression that the situation with respect human rights and democracy has considerably improved. This impression was even reinforced by a press release issued in March 2009 by the office of the former Commissioner for External Relations and European Neighborhood Policy, Ms. Benita Ferrero-Waldner. Among others, the press release stated that with the election of the Turkmen President, Gurbanguly Berdymukhamedov, the country has entered a new phase of its development and disseminates positive signs of its readiness for change. Since the enthronement of Mr. Berdymukhamedov as the new President, minor changes have taken place and these have been loudly praised by the international community. As their number has been rather small and not substantial, they can be easily listed.

The Turkmen authorities have

- granted visits to the UN High Commissioner for Human Rights and the UN Special Rapporteur on freedom of religion to Turkmenistan;
- simplified internal travel procedures, abolished border zones and decreased number of security check points on the roads;
- allowed a tiny increase of internet access in the country with rigorous control of all "unsuitable" websites;
- adopted a new Constitution, several amendments of laws and bylaws as well as created numerous commissions, which have rather strengthened the government's control than yielded it;
- showed readiness to cooperate in a few projects of the United Nations Development Programs (UNDP).

These steps should be praised, but they are just small steps on a long road to more substantial reforms. Some of the serious problems are listed below.

The Committee on the Elimination of Racial Discrimination reviewed the situation in Turkmenistan in 2005. In its concluding observations, the Committee expressed concern about information indicating that a policy of "Turkmenization" according which representatives of national and ethnic minorities are impeded from exercising their right to education, culture and enjoyment. There are no reliable statistics concerning the ethnic composition of the population in Turkmenistan, but some 20% are estimated to be of non-Turkmen ethnicity. Although the policy has been scaled back to some extent under the current President Berdymukhamedov, it still remains an important element of official policies. (ARTICLE 2)

Individuals holding dual Turkmen-Russian citizenships have been pressured to give up one of their citizenships, including by being prevented from traveling abroad and by being refused the right to obtain new Turkmen passports. They have also been warned that if they give up their Turkmen citizenship they will not be allowed to return upon leaving the country. An

agreement signed by Turkmenistan and Russia in 1993 allowed citizens of these two countries to obtain dual citizenships. Thousands of Turkmen citizens acquired Russian citizenship under this agreement. However, Turkmenistan unilaterally rescinded the agreement in 2003, and amendments to the Constitution of Turkmenistan adopted in 2008 ban citizens from having dual citizenships. The Russian government has argued that these measures do not have retroactive effect and that Turkmen citizens, who obtained Russian citizenships before 2003, have the right to keep both citizenships. (ARTICLE 2)

Practicing an unregistered religion remains illegal, with violators subject to fines. Although article 12 of the new Turkmen Constitution guarantees freedom of religion, only members of the Sunni Islam and Russian Orthodox Church are allowed to practice their religion, while the most independent groups have been facing persecution. (ARTICLE 2)

*De iure*, women have equal rights under family law, property law and in the judicial system. However, strong patriarchal attitudes and deeply rooted stereotypes persist in the Turkmen family and society which significantly impede implementation of several conventions ratified by the Turkmen government. These are the root cause for the disadvantaged position of women in a number of areas, including the labour market and political and public life. The awareness raising activities and measures of the government about the meaning and scope of direct and indirect discrimination against women, formal and substantive equality as well as awareness of women's human rights, have not been sufficiently raised among the general public. (ARTICLE 3)

Article 33 of the Turkmen Constitution guarantees the right to work, choice of profession and performance of work in healthy and safe work conditions. According to research data of the Turkmen Initiative for Human Rights (TIHR), unemployment is one of the most acute issues facing present-day Turkmenistan with some 50% population being without a work. However, the Turkmen government does not recognize wide-scale unemployment and has not published any statistics on the issue. Unemployment benefits are therefore not provided for and no state-run programs are in place designed to address the (un)employment issue. Due lacking employment-opportunities in the country, a significant number of citizens go to Turkey, many of them working in the black market. Representatives of ethnic minorities are often sacked from work, due to their "non-Turkmen" background. (ARTICLE 6)

There is a lack of official information about the extent of trafficking of women and men, and measures taken to address the issue. The Turkmen government has neither provided counselling, shelter, legal assistance and rehabilitative services to victims of trafficking, nor has it supplied funding to international organizations or NGOs to provide such services to victims. (ARTICLE 10)

Although polygamy is illegal, it is becoming a more and more common practice in Turkmenistan. Article 17 ("*Obstacles for marriage*") of the "*Marriage and Family Code of Turkmenistan*" states that marriage may not be concluded if another marriage of one of declared spouses already legally exists. The attempts to solve the issue through prescriptive measures have failed, as a growing number of Turkmen citizens take polygamy almost as normal. (ARTICLE 10)

The minimum age for employment of children is 16 years. Children between 16 and 18 are not allowed to work more than six hours per day. In rural areas children must often help in agriculture, often without a proper meal and under difficult weather conditions. TIHR reported about cases on children's involvement in construction works, which is prohibited by the law. According to TIHR's information, many children have become beggars and their number is on a rise across the entire country. (ARTICLE 10)

Housing right is another issue not to be taken for granted in Turkmenistan. Due to booming construction works across the country, demolition of residential property is not reduced to

few isolated cases. Many privately owned houses and privatized apartments were demolished and only few owners have received financial compensation or replacement accommodation. Citizens who take part at protest rallies are promptly dispersed by police and special services are instructed to carry out investigations and identify organizers of the rallies. (ARTICLE 11)

Allocation of resources for the health care sector is imbalanced, knowledge and number of health care workers continues to decrease, while hospitals lack basic medications and medical supplies. In December 2009, *Médecins Sans Frontières (MSF)* had to close the last of their programs in Turkmenistan, after working in the country for more than ten years. Comparing to other countries the organisation works in, health (care) crisis in Turkmenistan is caused by systematic denial and manipulation of (existing) facts. In April 2010, the Turkmen Ministry of Foreign Affairs refused to publish data from the last MSF report. Diseases like HIV/AIDS, tuberculosis and sexually transmitted infections are more prevalent than reported data. The authorities do not address public health risks effectively and the prevention mechanisms do not exist and are not taken care for. Instead to counter existing problems and prevent diseases to spread further, facts are stubbornly ignored and Turkmen population pays with their health and lives. (ARTICLE 12)

The educational system and standards are not in compliance with the international requirements. Since President Berdimuhamedov took office in 2007, a number of steps have been taken to reverse education reforms made under the previous era and to improve the standard of education. The government insists that its education policy meets international standards. Institutions responsible for the implementation of the reform are still lacking a precisely formulated plan, strategic goals and clearly worded objectives to carry out the reform of the educational system. New curricula and textbooks have been developed in a hasty, unsystematic and superficial manner. There has been no major progress with respect to instruction in minority languages. While new Russian language classes have been introduced in some schools at the request of parents, there have reportedly been other cases where local officials have obstructed such a development, including by putting pressure on parents to withdraw applications for Russian-language instruction for their children. Implications of reforms in education on girls and women have not been assessed. The low percentage of women in higher education and the persistent stereotyping have as a result that women pursue careers in areas traditionally seen as suitable to them.

In the context of the recent popular uprisings in the Middle East, which appear to have reinforced the government's fears that domestic protest movements may arise also in Turkmenistan, representatives of local authorities have been contacting families with children who study or work abroad to inquire about these young people and to request detailed information about where they are and what they do. They have also been asking for detailed information about other family members. (ARTICLE 13)

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## 2. INTRODUCTION

According to the 2010 Freedom House report, Turkmenistan is, together with Burma, Equatorial Guinea, Eritrea, Libya, North Korea, Somalia, Sudan and Uzbekistan scored as “worst of the worst” [countries] in the world.<sup>1</sup> All of them received, according to the survey, lowest ratings in the sphere of political rights and civil liberties, having in common a complete lack of independent organisation and political opposition in these countries and a full control of daily life. During the last nine years, Turkmenistan has pledged loyalty to the rating at the *Freedom House's* [democracy scale with 7 points, meaning that the country has the lowest democratic progress and it therefore has a status of a “non-free” country. Following data underline it:

All rights and freedoms of the country's residents have been usurped. Opposition parties, movements or independent mass media have been inexistent. Overall control over all spheres of society, transformation of the education system into a tool of ideological indoctrination of the youth, countywide discrimination against national, religious and other minorities have been only part of S. Turkmenbashi's political heritage.

After S. Niyazov's death and following presidential elections, the now-disbanded People's Council selected six candidates for the February 2007 presidential election. All the candidates were members of the Democratic Party, the country's only political party. Gurbanguly Berdymukhammedov was elected as a new President on February 2007, with a five-year term in office. Until his election as the new Turkmen President, Berdymukhammedov acted as a vice-prime minister of the Turkmen government and the Head of the Health Care Ministry and Medical Industry. This, and all following elections, did not meet international standards.

Due to rich natural gas supply, the current President can afford himself to stick only to promises about big and systematic democratic changes and instead implement only few improvements. These improvements however often contradictory and very often remain only on paper.

An example is of course the NEW CONSTITUTION. According to article 52, a President of Turkmenistan is elected for a period of five years and assumes office immediately after taking oath. However, the constitution does not mention how many times the same individual can take up the presidential post, i.e. de facto the path to unlawful seizure of power is fully open.

The same constitution gives citizens the right to form political parties, although only one political party, the Democratic Party of Turkmenistan, is officially registered. There have been some announcements about a new [opposition] party, but its staffing won't take place without a nod of a current ruler. Parliamentary elections, which took place in December 2008, fell short of international standards. Local council elections, held in 2009, continue with the old scheme and with low turnout. The CIS monitors of the elections to the regional, district and city bodies of self-government, which had taken place on 7 December 2010, claimed that the elections proved transparent, free, fair and democratic.<sup>2</sup> Independent sources draw attention that the elections had a very low turnout, voters were not requested to show their IDs and proxy voting was more a rule than an exception: voters were not only voting for a whole family, also for their neighbours.<sup>3</sup>

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<sup>1</sup> Freedom House, *Worst of the Worst 2010*, at <http://www.freedomhouse.org/uploads/WoW/2010/WorstOfTheWorst2010.pdf>

<sup>2</sup> The Voice of Russia: “*Turkmen elections free and fair – CIS monitors*”, 7 December 2010, at <http://english.ruvr.ru/2010/12/07/36336752.html>

<sup>3</sup> Chronicles of Turkmenistan: “*One-party election*”, at 7 December 2010, at <http://archive.chrono-tm.org/en/?id=1543>

Turkmenistan's Census Coordination Committee, State Statistics Committee, several ministries and different UN agencies have been preparing the national Census, which will take place in December 2012. This is the largest population and household census in Turkmenistan for the last fifteen years. The UN agencies have briefed so far on Census preparation work, procedures and roles of respected agencies. The participants have also discussed on questionnaires for the census. Under the new United Nations Development Assistance Framework for 2010-2015, the UN system in Turkmenistan will provide technical expertise to Government partners in order to conduct the Census respecting international standards. The government will use gathered data to report its achievements in Millennium Development Goals (MDG) and national programme goals.<sup>4</sup>

Despite of all efforts to introduce international standards, CORRUPTION is omnipresent at all society levels whether to buy sympathy of a primary school teacher or to find and keep a job.

Despite of 25 newspapers, 15 magazines, five TV channels and one news agency, FREEDOM OF SPEECH AND FREEDOM OF MEDIA is severely restricted, if not even inexistent, as the government controls all broadcast and print media. The first private newspaper "Rysgal" (Welfare), which primarily addresses business related issues, was launched by the Union of Industrialists and Entrepreneurs on 20 September 2010. Not only that the newspaper received a full support of the Turkmen President, but he was the one who even had instructed the Union to do so<sup>5</sup>. Same restrictions faces access to the internet, which undergoes a strict control, with blocking of all unsuitable websites.

Central Asian states Tajikistan, Turkmenistan and Uzbekistan were singled out as countries impeding RELIGIOUS FREEDOM by the 2010 International Religious Freedom report, published by the U.S. State Department in November 2010.<sup>6</sup> Freedom of religion is severely restricted, and except the Suni Islam and Russian Orthodox Church, most independent groups have been facing persecution. Practicing an unregistered religion remains illegal, with violators subject to fines. The United Nations Special Rapporteur on freedom of religion or belief Asma Jahangir became the first UN special mandate holder to gain access to the country. The Special Rapporteur visited the country in September 2008, upon the invitation of the Turkmen government.<sup>7</sup> Also, a European representative of the Seventh Day Adventist Church was allowed into the country a year later, in October 2009, and a Church spokesperson pointed to limited improvements in religious freedom.

According to constitution, FREEDOM OF ASSEMBLY AND ASSOCIATION are guaranteed. In practice, however, both rights are extremely restricted. Nongovernmental organizations (NGOs) are closely controlled, and Turkmenistan has no civil society sector to speak of. Most of the international NGOs are not allowed to visit the country and cooperate with local NGOs. *Doctors Without Borders*, one of a few international humanitarian NGOs, which was allowed to work in the country, left Turkmenistan in December 2009, due to a lack of cooperation from the government.

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<sup>4</sup> UNICEF Turkmenistan: "UN supports the largest population and household census in Turkmenistan", 29 June 2010, at [http://www.unicef.org/turkmenistan/media\\_14780.html](http://www.unicef.org/turkmenistan/media_14780.html)

<sup>5</sup> Hürriyet: „Turkmenistan publishes first private newspaper“, 21 September 2010, at

<http://www.hurriyetdailynews.com/n.php?n=first-private-newspaper-published-in-turkmenistan-2010-09-21>

<sup>6</sup> Central Asia Newswire: "Uzbekistan, Tajikistan and Turkmenistan impede religious freedom, says report", 18 November 2010, <http://centralasianewswire.com/Region/Uzbekistan-Tajikistan-Turkmenistan-impede-religious-freedom-says-report/viewstory.aspx?id=2381>

<sup>7</sup> The United Nations Office at Geneva: "UN Special Rapporteur on freedom of religion or belief to visit Turkmenistan", at

[http://www.unog.ch/80256EDD006B9C2E/\(httpNewsByYear\\_en\)/7D158A05F616155EC12574B8004C60EB?OpenDocument](http://www.unog.ch/80256EDD006B9C2E/(httpNewsByYear_en)/7D158A05F616155EC12574B8004C60EB?OpenDocument)

The JUDICIAL SYSTEM is dysfunctional, with judges appointed and removed by the president, without any legislative review. The authorities frequently deny rights of due process, including public trials and access to defence attorneys.

Hundreds of people, perhaps more, languish in Turkmen PRISONS, following unfair trials on what would appear to be politically motivated charges. Prisons are overcrowded, with poor nutrition and almost inexistent medical care. A first ever report on prison conditions in Turkmenistan's penitentiary system, prepared by the TIHR and Turkmenistan's Independent Lawyers Association, sheds light into (one of) the Turkmen no-go-areas<sup>8</sup>. International organizations have not been permitted so far to visit prisoners.

ETHNIC MINORITIES continue facing discrimination and restrictions in employment and education, due the government's promotion of Turkmen national identity.

FREEDOM OF MOVEMENT is restricted, with a reported blacklist preventing some individuals from leaving the country.

WOMEN'S RIGHTS<sup>9</sup> continue to be restricted, due social and religious norms. Their professional opportunities are more than limited. Domestic violence seems to be common, though many women do not dare to report it. Officially, couples and individuals have the right to decide freely and responsibly the number, spacing, and timing of their children, and the means to do so free from discrimination, coercion, and violence. Due to cultural attitudes, almost one-third of married women opposed the use of family-planning methods. According to a 2006 UNICEF report, 9% of marriages involved minors.<sup>10</sup>

It can be observed that the government took some modest steps to address the welfare of CHILDREN. The government cooperates on several programs with the *UN Children's Fund (UNICEF)* and some other international organizations. These programs' aim is to improve children's health, and helped reinstating of the 10<sup>th</sup> year of mandatory schooling since 2007. In July 2010, UNICEF conducted a two-day seminar for members of Turkmenistan's Interministerial Commission on Treaty Body Reporting how to prepare a country report on implementation of the Convention on the Rights of the Child (CRC).<sup>11</sup> Allegedly, curricula was also changed and some new school books have been published. The government continues to place significant restrictions on academic freedom, and the *Rukhnama*, a pipe dream of the late president Niyazov, continues to be used in education. Its omnipresence, although, started to decline slowly. In 2009, the Academy of Sciences was restored, which is one of the few steps of improvement that could be observed.

In 2007, the government initiated reforms in the higher education system, including extending university education to five years from two years and removing the requirement that university students work for two years before embarking on a degree program. Some of the students, who wanted to study abroad, were even allowed to study in Kazakhstan, Kyrgyzstan and Bulgaria. However, since autumn 2009, the government restarted restrictions and used all possible means to prevent them from leaving the country.

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<sup>8</sup> TIHR Report: „*Turkmenistan's Penitentiary System*“, February 2010, at <http://archive.chrono-tm.org/uploaded/1266867677.pdf>

<sup>9</sup> TIHR Report: „*Shadow Report on the Implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*“, May 2010, at <http://archive.chrono-tm.org/uploaded/1273247212.pdf>

<sup>10</sup> Bureau of Democracy, Human Rights and Labour: “2009 Human Rights Report: Turkmenistan”, 12 March 2010, at <http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136095.htm>

<sup>11</sup> UNICEF Turkmenistan: “*UNICEF provides technical assistance to Turkmenistan's Government in compiling a report on implementation of the Convention on the Rights of the Child*“, 7 July 2010, at [http://www.unicef.org/turkmenistan/media\\_14781.html](http://www.unicef.org/turkmenistan/media_14781.html)

This document provides an overview of major concerns of TIHR regarding the situation of economic, social and cultural rights in Turkmenistan.

### **3. PRESENTATION OF THE SUBMITTING NGO**

#### **TURKMEN INITIATIVE FOR HUMAN RIGHTS (TIHR)**

The Helsinki Group of Turkmenistan was founded in July 2002 in Ashgabat (Turkmenistan). The group was forced to operate underground but nevertheless its members were systematically persecuted and repressed by the Turkmen authorities. Finally, they were forced to go into exile. The Turkmen Initiative for Human Rights (TIHR), its successor organization, was founded as an independent public organization and registered in November 2004 in Vienna, Austria.

In addition to human rights monitoring, TIHR also disseminates alternative information from Turkmenistan-based sources and virtually acts as an independent nongovernmental information agency.

Since 2004, the monitoring activities have been conducted with the support of the Open Society Institute. TIHR also enjoys the support of the National Endowment for Democracy and the Norwegian Helsinki Committee. Obtained information are disseminated to various departments of the United Nations, the European Union, the Organization for Security and Cooperation in Europe, many international human rights organizations and mass media. All materials are available on the website "Chronicles of Turkmenistan" (<http://www.chronotm.org>).

# Compliance with the International Covenant on Economic, Social and Cultural Rights Turkmenistan

This report assesses article by article the compliance of Turkmenistan with the International Covenant on Economic, Social and Cultural Rights (ICESCR). The report is based on reliable sources from civil society, independent media, and different reports of international agencies and organizations.

## 4.1. Article 2

“Turkmenization” policy and discriminatory practices towards countries’ NATIONAL AND ETHNIC MINORITIES have continued, denying them a number of fundamental socio-economic rights, especially access to education and enjoyment. The authorities have not undertaken neither measures to prevent these practices, nor have they undertaken steps to improve the situation.

Discrimination against ethnic minorities and the policy of checking people’s (Turkmen) origin up to the third generation have continued.<sup>12</sup> Article 14 of the Turkmen constitution designates Turkmen as the official language of Turkmenistan, stating also that “*The use of their native language is guaranteed to all citizens of Turkmenistan*”.<sup>13</sup> Russian remains prevalent language in commerce and everyday life in the capital. The government, however, requires ministry employees to provide knowledge in Turkmen and those who fail the exam are dismissed. In some cases applicants for government jobs had to provide ethnicity information going back to the 3<sup>rd</sup> generation.

Citizens, who are holding dual Turkmen-Russian CITIZENSHIP, mainly representatives of national minorities, cannot get a new Turkmen passport unless they refuse their Russian citizenship. On 7 July 2010, Turkmen Ministry of Foreign Affairs issued an official statement stating that “*pursuant to article 7 of the Constitution of Turkmenistan<sup>14</sup>, a citizen of Turkmenistan is not recognized as holding the citizenship of another state*”<sup>15, 16</sup>

The EDUCATION SYSTEM remains an area where rights of ethnic and national minorities are extensively infringed. The proclaimed educational reform in 2007 made no mention of resuming educational opportunities in schools and teaching in languages of ethnic minorities. The three-generation check is also a rule for those applying to institutions of higher education. There have been a few exceptional cases, where members of ethnic minorities or people with a non-Turkmen relative(s) have been admitted to university, but only upon paying a bribe or due to good connections.<sup>17, 18</sup>

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<sup>12</sup> TIHR Report: „*National minorities in Turkmenistan: education, culture and social sphere*“, February 2008, at <http://archive.chrono-tm.org/uploaded/1261841206.pdf>

<sup>13</sup> Turkmen Constitution, at <http://www.legislationline.org/documents/section/constitutions>

<sup>14</sup> Article 7 of the Turkmen Constitutions (approved on 26 September 2008) states:

“*Turkmenistan has its own citizenship. The citizenship is acquired, retained and lost in accordance with the law. Citizenship of another state is not recognized for the citizens of Turkmenistan.*

*No one can be deprived of citizenship or the right to change citizenship. A citizen of Turkmenistan cannot be extradited to another state or expelled from the limits of Turkmenistan, or restricted in the right to return to the homeland.*

*The citizens of Turkmenistan are guaranteed the protection and patronage of the state in the territory of Turkmenistan and beyond its borders.*”

<sup>15</sup> TIHR, “*Chronicles of Turkmenistan*”: “*Dual citizenship: chronology of events*”, 10 July 2010, at <http://archive.chrono-tm.org/en/?id=1425>

<sup>16</sup> TIHR Report, “*Turkmenistan. Human Rights in the Era of Grate Renaissance*”, February 2009, at <http://archive.chrono-tm.org/uploaded/5905833640537837.pdf>

<sup>17</sup> Amnesty International, Report 2009, at <http://www.amnesty.org/en/region/turkmenistan/report-2009>



dress.<sup>27</sup> Previously, the authorities had referred to school principals as decision makers on the issue, but the uniform has now been officially approved.<sup>28</sup>

CULTURAL CENTRES AND MASS MEDIA in languages of national minorities do not exist. *Neutral Turkmenistan*, Russian language newspaper, is the only periodical in a non-Turkmen language.<sup>29</sup> Uzbek radio broadcasts in Turkmen, but not a single Uzbek mass media exists in Turkmenistan. Non-Turkmen citizens are no longer allowed to found public organizations or to become their members nor to establish national cultural centers.<sup>30</sup> Several minority groups tried to register as NGOs, in order to obtain legal status and be able to conduct cultural events, but none of the groups succeeded to register.<sup>31</sup> Religious and ethnic community leaders are among those targeted for harassment.

*In the evening of 11 April 2011, security service officials detained Bisengul Begdesenov, a Kazakh community leader living in Ashgabat, and searched his apartment without a warrant. During the search, his computer and documents were confiscated. On 13 April, Begdesenov was formally arrested on fraud charges and placed in custody. His relatives believe that he was targeted because of his engagement within the Kazakh community in Turkmenistan. He has, among others, been leading trainings and seminars on education. He has also been appointed a delegate of the World Congress of Kazakhs, which will take place in Astana at the end of May this year.*<sup>32</sup>

In August 2011, the Turkmen Parliament approved the draft law "Acceding to the UN General Assembly Convention: Status of Stateless Persons".<sup>33</sup> According to the article 8 of the Turkmen Constitution, "FOREIGN NATIONALS AND STATELESS PERSONS enjoy the rights and freedoms, and bear the responsibilities, of citizens of Turkmenistan in accordance with law and international treaties of Turkmenistan. Turkmenistan, in accordance with universally recognized norms of international right and in the order established by the law, gives refuge to foreign citizens and stateless persons."

Also the Turkmen Constitutional Law on "Independence and Fundaments of Turkmen Statehood" includes that "to foreign citizens, stateless persons, who find themselves on Turkmen territory, all rights and freedoms are guaranteed, which are foreseen by laws and the Constitution, international agreements and norms of international law." According to the article 18 of the Turkmen Law "On Legal Status of Foreign Citizens in Turkmenistan", the foreign citizens are guaranteed, in accordance with Turkmen legislation, inviolability of personality and life.

Article 9, para 2 of the Turkmen Criminal Code states that foreign citizens and stateless persons, who commit a crime at the territory of Turkmenistan can be handed to a foreign state in order to persecute him/her for committed criminal offenses or for serving a sentence for committed crime, in accordance with international agreements, conventions and other international documents of which Turkmenistan is a member.

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<sup>27</sup> TIHR, "Chronicles of Turkmenistan": "School supplies", 27 August 2008, at <http://archive.chrono-tm.org/en/?id=900>

<sup>28</sup> TIHR Report: "National minorities in Turkmenistan: education, culture and social sphere", March 2008, at <http://archive.chrono-tm.org/uploaded/1261841206.pdf>

<sup>29</sup> TIHR Report: "Turkmen Education: Reform and Regress", January 2009, at <http://archive.chrono-tm.org/uploaded/1671390621977742.pdf>

<sup>30</sup> TIHR, "Chronicles of Turkmenistan": "Visit is over, but problems remain", 21 March 2008, at <http://archive.chrono-tm.org/en/?id=753>

<sup>31</sup> US Department of State: "2010 Country Reports on Human Rights Practices", <http://www.state.gov/documents/organization/160480.pdf>

<sup>32</sup> TIHR, "Chronicles of Turkmenistan": "Civil society activist detained", 22 April 2011, <http://archive.chrono-tm.org/en/?id=1660>

<sup>33</sup> Trend.az: "Turkmenistan joins UN convention "Status of Stateless Persons", 5 August 2011, <http://en.trend.az/news/un/1914450.html>



However, problems related to freedom of religion are just another issue on the long “To Do” list in Turkmenistan.<sup>3940</sup> It seems to be true what two police officers stated upon raiding a Christian young people's summer camp in 2010: “*The Constitution is only a scrap of paper for the Turkmen authorities*”.

Practicing an unregistered religion remains illegal, with violators subject to fines.<sup>41</sup> Although article 12 of the new Turkmen Constitution<sup>42</sup> guarantees freedom of religion, only members of the Sunni Islam and Russian Orthodox Church are allowed to practice their religion, while the most independent groups have been facing persecution. Intrusive registration criteria; the requirement that the government be informed of all financial support received from abroad; a ban on worship in private homes and the public wearing of religious garb except by religious leaders; and severe and discriminatory restrictions on religious education, are some of the problematic provisions from the 2003 *Religion Law*.<sup>43</sup>

Paragraph 17, of the State Party's report, submitted in October 2010 to the Committee, states, among others: “*The Freedom of Religion and Religious Organizations Act of 21 October 2003 guarantees the exercise of citizens' constitutional right to profess any faith or none, to express and propagate religious beliefs and to participate in the performance of religious services, rituals and ceremonies.*”

Although “limited reforms” were observed in the country, which also include official recognition of the Catholic Church in 2010<sup>44</sup>, “troubling treatment” of other religious groups still continues. Police regularly harass unregistered groups, but it does not halt from harassing also registered minority communities.<sup>45</sup> Intrusive registration criteria; the requirement that the government be informed of all financial support received from abroad; a ban on worship in private homes and the public wearing of religious garb except by religious leaders; and severe and discriminatory restrictions on religious education, are some of the problematic provisions from the 2003 *Religion Law*.<sup>46</sup> Additionally, adoption of the “*Law on Anti-money Laundering and Terrorism Funding*” triggered amendments to other country's laws, including the “*Law on Public Associations*” and “*Law on Freedom of Religion and Religious Organizations*”.

During a session of the EP Foreign Affairs Committee on 20 April 2011 a concern was raised about affronts to freedom of religion, saying that “*citizens of non-registered religions are falling victims to the Turkmen Criminal Code*”<sup>47</sup>. Farid Tukhbatullin, from Turkmen Initiative

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<sup>39</sup> United States Commission on International Religious Freedom (USCIRF): “*2011 Annual Report*”, at <http://www.uscifr.gov/images/book%20with%20cover%20for%20web.pdf>

<sup>40</sup> Forum 18, TURKMENISTAN: Worship without state registration “illegal”, 1 February 2010, at [http://www.forum18.org/Archive.php?article\\_id=1401](http://www.forum18.org/Archive.php?article_id=1401)

<sup>41</sup> “Freedom House Exposes World's Worst Human Rights Abusers”, 2 June 2011, <http://www.chrono-tm.org/en/?id=1694>

<sup>42</sup> “*The state guarantees freedom of religion and worship, and equality before the law. (...) Each person independently determines his attitude toward religion, has the right to, individually or jointly with others, profess any religion or none, to express and disseminate beliefs related to attitude toward religion, to participate in religious observances, rituals, and ceremonies.*”

<sup>43</sup> US Commission on International Religious Freedom (USCIRF): “*The Report on Religious Freedom – Turkmenistan*”, at <http://www.chrono-tm.org/en/?id=1359>

<sup>44</sup> Zenit: “Turkmenistan: „Regierung gewährt der katholischen Kirche offizielle Anerkennung“, 22 July 2010, <http://www.zenit.org/article-21108?l=german>

<sup>45</sup> Central Asia Newswire: “*Uzbekistan, Tajikistan and Turkmenistan impede religious freedom, says report*”, 18 November 2010, <http://centralasianewswire.com/Region/Uzbekistan-Tajikistan-Turkmenistan-impede-religious-freedom-says-report/viewstory.aspx?id=2381>

<sup>46</sup> United States Commission on International Religious Freedom (USCIRF): “*2011 Annual Report*”, at <http://www.uscifr.gov/images/book%20with%20cover%20for%20web.pdf>

<sup>47</sup> European Parliament - Press Release: “*Turkmenistan: protecting human rights is a prerequisite for closer ties with the EU*”, 20 April 2011, <http://www.europarl.europa.eu/en/pressroom/content/20110418IPR18103/html/Turkmenistan-protecting-human-rights-a-prerequisite-for-closer-ties-with-the-EU>

for Human Rights (TIHR), confirmed that religious organizations are being banned and even the registered ones are being harassed.<sup>48</sup>

*In August 2011, members of the Path of Faith Baptist Church from Dashoguz had arrived to summer resort in Avaza (the Caspian Sea) and their accommodation was immediately raided by local police officer, eight officials in civilian clothes and an imam (who is a state-appointed religious affairs official). For three days they have insulted and threatened members of a Baptist Church and the church members had to leave Avaza resort. Already for six years the Path of Faith Baptist Church has been trying to get a legal status, but without success.<sup>49</sup>*

The authorities have intensified fight against “potential terrorists”, often represented by untraditional Islamic groups.

*The special services’ approach against believers has developed into wide-scale campaigns. In all Turkmen provinces police has been urging young men to shave their beards off. All those refusing to do it are forcedly shaved in police stations. The authorities are using special services for implementation of their policies. They often initiate criminal cases against these community members.<sup>50</sup>*

Case of a mullah gives another example how the Turkmen authorities handle with “fight on terrorism” when wishing to deal with those who do not fit in their set criteria:

*In June 2010, in one of the villages in the Lebap velayat, road police stopped and searched the car of mullah Khalil (the name has been changed). Allegedly, they found ammunition for Makarov’s gun within the car of the old man. He was tortured for a week upon his detention, and his family and defense attorney were denied access to him. He was offered a deal in order to get a milder sentence and had to sign an already prepared statement. According to the document, mullah Khalil found these shells near the road and put them in the car boot in order to hand them to police. When the judge asked the defendant whether he pleaded guilty or not, mullah Khalil kept silent and cried. He was sentenced to a five year imprisonment for terrorism and religious extremism. The ammunition disappeared from the evidence file<sup>51</sup>.*

This all contradicts quite a bit from the State Party’s submitted report and its statement that “Any direct or indirect limitation of rights whatsoever or the provision of any advantage for citizens in respect of their religious or atheistic beliefs, as well as incitement to hostility or hatred as a result, or insult to the feelings of citizens, constitute grounds for bringing charges under the laws of Turkmenistan.”

The recent report<sup>52</sup> of the United States Commission on International Religious Freedom (USCIRF) observed that the existing laws and policies continue to infringe religious freedom and are often in contradiction not only with international standards, but also with the (new) constitution, which guarantees religious freedom. The Council on Religious Affairs (CRA) and the government are in charge of all religious issues and report directly to the President. The

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<sup>48</sup> „Chronicles of Turkmenistan“: "Turkmenistan: protecting human rights is a prerequisite for closer ties with the EU", 21 April 2011, <http://www.chrono-tm.org/en/?id=1658>

<sup>49</sup> Forum 18: "TURKMENISTAN: Will government respond to OSCE call for Religion Law changes?", 20 December 2010, [http://www.forum18.org/Archive.php?article\\_id=1523](http://www.forum18.org/Archive.php?article_id=1523)

<sup>50</sup> TIHR, "Chronicles of Turkmenistan": "Low-key fight against “vakhabits”, 24 August 2010, at <http://archive.chrono-tm.org/en/?id=1458>

<sup>51</sup> TIHR, "Chronicles of Turkmenistan": "Low-key fight against “vakhabits”, 24 August 2010, at <http://archive.chrono-tm.org/en/?id=1458>

<sup>52</sup> United States Commission on International Religious Freedom (USCIRF): "2011 Annual Report", at <http://www.uscirf.gov/images/book%20with%20cover%20for%20web.pdf>

Council's membership includes governmental, Sunni Muslim and Russian Orthodox Church representatives, without any other religious groups included.

Only mosques may give religious education to children, while the Russian Orthodox Church, although its member sits in the CRA, has not received a presidential and the CRA approval to give religious education for their community.

In addition to 123 religious communities that are registered in the country, Ashgabat's Catholic community, including two priests and a chapel, gained in March 2010 (local) legal status and a promise to build a church<sup>53</sup>. Additionally, five of the registered religious communities have succeeded to establish places of worship: three in rented and two in private homes. However, the leader of registered Christian community reported that security officials told him that "*private worship must be limited to husband and wife and children and could not include adult parents and siblings*".

As already mentioned above, a Christian young people's summer camp north-west of the capital Ashgabat, which had been organized by two legally registered Pentecostal churches, was raided by the authorities on 22 July 2010.

*Participants at the camp were harassed and arrested, while their Bibles were confiscated. When camp leaders pointed out to their right to meet under Turkmenistan's Constitution, police officers stated that "the Constitution is only a scrap of paper for the Turkmen authorities". Participants were pressured to sign statements that they would not meet for worship reasons, while the two leaders were fired from their jobs because of their faith.*<sup>54</sup>

It appears that the authorities decided that non-governmental and religious organizations pose a potential threat as the latter may provoke the emergence of terrorism or its support. The Turkmen "*Law on the Introduction of Amendments and Additions to Selected Turkmenistan's Legislative Acts*", from 2 July 2009, prompted the lawyers to make such conclusions.

The new *Law on Military Obligation and Military Service*, approved by the Mejlis in late September 2010, does not include a provision for alternative service. Men who refuse performing military service on grounds of conscience are prosecuted under article 219 para 1<sup>55</sup> of the Criminal Code. Maximal penalty for refusal to serve in armed forces in peace time is a two-year-prison term.

*Two Jehovah's Witness young men were given 18-month prison terms in August 2010 for refusing compulsory military service. After visiting one of them, parents reported that "he was beaten black and blue". Already seven Jehovah's Witnesses were imprisoned so far while two have been serving non-custodial sentences.*

*Also Sunet Japbarov (20) and Dovran Matyakubov (18), Jehovah's Witness conscientious objectors, were brought on April 2011 to the Seydi Labour Camp in eastern Turkmenistan. Japbarov received an 18-month prison term in December 2010, while Matyakubov was sentenced in January 2011 for refusing compulsory military service. Members of Jehovah's Witness have repeatedly expressed their readiness to perform an alternative service that is not under military control.*

<sup>53</sup> Zenit: "Turkmenistan: „Regierung gewährt der katholischen Kirche offizielle Anerkennung“, 22 July 2010, <http://www.zenit.org/article-21108?l=german>

<sup>54</sup> Forum 18: "TURKMENISTAN - The Constitution is only a scrap of paper for the Turkmen authorities", 3 August 2010, at [http://www.forum18.org/Archive.php?article\\_id=1474](http://www.forum18.org/Archive.php?article_id=1474)

<sup>55</sup> Article 219, para 1: "Уклонение от призыва на военную службу при отсутствии законных оснований для освобождения от этой службы, наказывается исправительными работами на срок до двух лет или лишением свободы на срок до двух лет."

Names of conscientious objectors, who were sentenced under article 219 para 1 and imprisoned: Sakhetmurad and Mukhammedmurad Annamamedov (two years), Shadurdi Ushotov (two years), Navruz Nasyrlaev (two years), Aziz Roziev (18 months), Dovleyet Byashimov (18 months), Ahmet Hidaybergenov (18 months) and Matkarim Aminov (18 months). Brothers Annamamedov were due to be released in May, upon serving full sentence.<sup>56</sup> Another Jehovah's Witness given a one-year labor camp sentence on the same charges in July was freed under amnesty in late August 2011.<sup>57</sup>

Pastor Nurliev, leader of Light to the World Protestant Church, who did not succeed to register his church, was arrested in August 2010 on charges of swindling. He was sentenced with "forcible medical treatment" to a four-year-term in a labour camp in October 2010<sup>58</sup>. In December 2010 he was transferred to the Seydi Labour Camp. The Labour Camp administration has refused to allow him medical treatment for his diabetes, for which he regularly visited a hospital before his August 2010 arrest. Same as representatives of Jehovah's Witnesses, pastor Nurliev wasn't freed under the most recent amnesty act in February 2011.<sup>59</sup> Nurliev's wife Maya was sacked from her job at a local firm in March 2011, after she took unpaid leave to travel. Police has been pressuring members of Nurliev's church and asking them whether his wife Maya is gathering them for worship services or meetings. Additionally, police have also been trying to use church members against Nurliev and his wife.<sup>60</sup> The European Parliament demanded to release all those who were imprisoned on politically motivated grounds, among whose names was also Nurliev's.<sup>61</sup> Nurliev was not released from the prison during the Amnesty Act in August 2011.

Paragraph 19 of the Turkmen State report to the Committee states that "By Presidential Order dated 29 May 1992, 140 pilgrims were sent to Saudi Arabia with State support to perform the full hajj. Since then, the number of pilgrims performing the hajj annually in Saudi Arabia has increased to 188."

The State Party did not mention that in 2009 not a single pilgrim was allowed to take part in the haj pilgrimage to Mecca at all.

In November 2010, 188 persons travelled to Mecca, but the group included representatives of the Ministry of Security Service (MSS), who were sent to control pilgrims. The pilgrims could only travel as a group that has been approved by the government. Saudi Arabia's embassy allows haj visa only to those pilgrims who received consent by the Turkmen government and refuse visas to those, who are not on the list using different excuses for not granting the document. For the last year's haj pilgrimage at least one person was refused to receive a visa.<sup>62</sup>

The number of Muslims the Turkmen authorities are likely to allow to travel on the haj pilgrimage to Mecca in November 2011 is "about 180", out of a quota believed to be 5,000. While one regional state religious affairs official stated that pilgrims'

<sup>56</sup> Forum 18: "TURKMENISTAN: "Principles of mercy, justice and humanism" fail to free religious prisoners of conscience", 9 March 2011, [http://www.forum18.org/Archive.php?article\\_id=1550](http://www.forum18.org/Archive.php?article_id=1550)

<sup>57</sup> Forum 18: "TURKMENISTAN: Maximum sentence for latest conscientious objector", 22 September 2011, [http://www.forum18.org/Archive.php?article\\_id=1616](http://www.forum18.org/Archive.php?article_id=1616)

<sup>58</sup> „Chronicles of Turkmenistan“: „Light of the Peace and World of Darkness“, 7 November 2010, <http://www.chrono-tm.org/en/?id=1513>

<sup>59</sup> Forum 18: "TURKMENISTAN: "Principles of mercy, justice and humanism" fail to free religious prisoners of conscience", 9 March 2011, [http://www.forum18.org/Archive.php?article\\_id=1550](http://www.forum18.org/Archive.php?article_id=1550)

<sup>60</sup> Forum 18: "TURKMENISTAN: Eleven religious prisoners of conscience in one camp", 29 May 2011, [http://www.forum18.org/Archive.php?article\\_id=1566](http://www.forum18.org/Archive.php?article_id=1566)

<sup>61</sup> Human Rights Watch: "Turkmenistan: Briefing Note for the European Parliament Foreign Affairs Committee and Central Asia Delegation on Turkmenistan", 26 April 2011, <http://www.hrw.org/node/98424>

<sup>62</sup> Forum 18: "TURKMENISTAN: Why can't all Muslims make haj pilgrimage?", 19 October 2011, [http://www.forum18.org/Archive.php?article\\_id=1500](http://www.forum18.org/Archive.php?article_id=1500)

*documentation has been prepared and sent to Ashgabat, no official would provide concrete number of pilgrims. Officials of the Consular Department of the Saudi Arabian Embassy in Ashgabat refused to say how many haj visas are being issued this year.*<sup>63</sup>

#### 4.2. Article 3

*De iure*, women have equal rights under family law and property law, and in the judicial system in Turkmenistan. In December 2007, the Mejlis approved a new law on women's rights after consultation with UNDP and other international partners. The Mejlis *Committee on Human Rights and Liberties* was responsible for drafting human rights and gender legislation, integrating a new gender program into the education curriculum, and publishing regular bulletins on national and international gender laws.<sup>64</sup>

According to available governmental sources, women (in urban and rural areas) represented 52% of the Turkmen population in 2008. New data should be accessible after the announced census in late 2012.<sup>65</sup> The official *Human Development Index* for 2009<sup>66</sup> (based on data from 2007) shows that Turkmenistan, classified as a developing country with medium human development, ranks as 109<sup>th</sup> which should point to minimum difference between men's and women's indicators for development.<sup>67</sup> According to data from 2007, women live 6,4 years longer than men in Turkmenistan.

The awareness raising activities and measures of the government about the meaning and scope of direct and indirect discrimination against women, formal and substantive equality as well as awareness of women's human rights, have not been sufficiently raised among the general public and should be continued and increased.

Strong PATRIARCHAL ATTITUDES and deeply rooted stereotypes persist regarding the roles and responsibilities of women and men in the family and society. Such stereotypes significantly impede implementation of several conventions ratified by the Turkmen government and are a root cause for the disadvantaged position of women in a number of areas, including in the labour market and in political and public life. Women are stereotyped primarily as mothers, caregivers and homemakers, and are directed to educational and employment choices that are considered suitable for women. Women should stay at home and avoid places of [public] entertainment. Following this practice, dance groups have been barred from performing Arabic style dances in the restaurants when the female dancers expose their backs and bellies.<sup>68</sup>

The authorities, law enforcement agents and even some educational institutions encourage an image of a decent woman presented in a long national dress.

*Many believe that pseudo-Turkmen morality is being imposed in Turkmenistan, according to which an image of a decent Turkmen woman is presented only in a long national dress. A woman's place is still in kitchen and not in places of entertainment. In addition to female students, who already must wear national dress for some time, the rector of the State University required from female teachers not only to appear in*

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<sup>63</sup> Forum 18: "TURKMENISTAN: Maximum sentence for latest conscientious objector", 22 September 2011, [http://www.forum18.org/Archive.php?article\\_id=1616](http://www.forum18.org/Archive.php?article_id=1616)

<sup>64</sup> US Department of State: "2010 Country Reports on Human Rights Practices", <http://www.state.gov/documents/organization/160480.pdf>

<sup>65</sup> Trend News Agency: "Turkmenistan prepares for general census", 8 August 2011, <http://en.trend.az/news/society/1915264.html>

<sup>66</sup> UNDP Human Development Report 2009, at [http://hdr.undp.org/en/media/HDR\\_2009\\_EN\\_Indicators.pdf](http://hdr.undp.org/en/media/HDR_2009_EN_Indicators.pdf)

<sup>67</sup> According to an interview with a governmental representative S. Ataeva - Neutral Turkmenistan, issue NO. 287, 19 November 2009

<sup>68</sup> TIHR, "Chronicles of Turkmenistan": "Seize the prostitutes!", 30 May 2008, at <http://archive.chrono-tm.org/en/?id=551>

*national dress, but to wear identical model, produced by the same manufacturer. Men are also required to wear shirts with embroidered collar that is "according to ... ancestors' tradition".*<sup>69</sup>

Since February 2010 women in the Academy of Science are also expected to obey to the women's dress code, wearing the national cut dress made of pane velvet and gingacha (head cloth made of fine silk). Male researchers are requested to wear a black suit, a white shirt and a tie at the Academy's sessions and at the work place.<sup>70</sup>

The government is completely unaware of the urgency of the existence of VIOLENCE AGAINST WOMEN. As a result, there is a lack of specific legislation to deal with all forms of violence against women, including domestic violence, protection measures and services for victims, and a complete absence of prevention efforts. No information is available on the incidence of violence against women in the country.

The law prohibits DOMESTIC VIOLENCE in principle, including spousal abuse, but the law has not been effectively enforced. Penalties are based on the extent of the injury. Anecdotal reports indicate that domestic violence against women is common, although most victims of domestic violence keep silent, either because they are unaware of their rights or afraid of increased violence from husbands and relatives. There were a few court cases and occasional references to domestic violence in the media.

#### 4.3. Article 6

Article 33 of the Turkmen Constitution guarantees the right to work, choice of profession, type of occupation and place of work, and performance of work in healthy and safe work conditions.

The Turkmen government does not recognize that wide-scale unemployment exists in the country and has not published any statistics on it. Unemployment benefits are not provided for and no state-run programs are in place designed to address the (un)employment issue.

However, according to research data of the TIHR, unemployment is one of the most acute issues facing present-day Turkmenistan. Unemployment in the urban areas amounts among the surveyed to 45,8%, while the situation in rural areas is even worse with 60,4% of respondents had neither jobs, nor studied or were enrolled in the military service. The research does not provide specific data disaggregated by gender. Nevertheless, the situation described impacts on women disproportionately, as not only are they affected by the severe unemployment, but also have to suffer the consequences of the unemployment of men, such as drug addiction. In some households, a head of family or a son (sons) are drug addicts. In some instances, a grown-up daughter has returned to her parents' home, after divorcing a drug-addict husband.<sup>71</sup>

Many families from rural areas live from a pension of a retiree in their household and this is the only regular source of income for the entire family. Families, whose members neither have jobs nor receive pension must find different ways to earn for their living: men are occasionally involved in construction works or repair privately-owned houses; women sew woollen socks with national emblems and try to sell their merchandise at local bazaars; while children collect empty bottles. Already desperate situation will even become worse, as family

<sup>69</sup> TIHR, "Chronicles of Turkmenistan": "Seize the prostitutes!", 30 May 2008, at <http://archive.chrono-tm.org/en/?id=551>

<sup>70</sup> TIHR, "Chronicles of Turkmenistan": „The nation's academics“, 25 February 2010, at <http://archive.chrono-tm.org/en/?id=1300>

<sup>71</sup> TIHR, "Chronicles of Turkmenistan": "Turkmenistan. Unemployment in numbers", 7 April 2009, at <http://archive.chrono-tm.org/en/?id=659>

members, who left for Turkey, Russia and other countries, are coming back home, due to economic crisis.<sup>72</sup>

Due lacking employment-opportunities in the country, a significant number of citizens go to Turkey, hoping to find employment there. The first Turkmen labour migrants appeared in Turkey ten years ago. The majority lives in Istanbul. Currently, many Turkmen are heading towards Turkey, but it becomes harder to find a job for newcomers. They enter the country as tourists and stay there illegally. Women find jobs as cleaning ladies, baby sitters and maids, while men work at construction sites.<sup>73</sup> Wages which they receive are quite low by Turkish standards, but they cannot report any job irregularities, as they fear to be deported and to lose their jobs. However, migrant workers manage to send around \$150-200 per month to their relatives, which is quite good for Turkmenistan.

Representatives of ETHNIC MINORITIES are facing two-fold discrimination. Not only that they are not entitled to gain education in their native language, but are also sacked from work, due to their “non-Turkmen” background. The government has often been targeting non-Turkmen first for dismissal when government layoffs had occurred.<sup>74</sup>

*Director of Dashoguz kindergarten No. 25 Dzheren Durdiyeva dismissed six Uzbek women out of eight employed there on grounds of cost reduction. At the same time, five new women were employed in the kindergarten, all of them with Turkmen background.<sup>75</sup> The incident happened in October 2005, shortly after the Turkmen government submitted a report to the United Nations Committee on the Elimination of Racial Discrimination.*

Only a handful of non-Turkmen have occupied high-level jobs in government ministries. Representatives of national minorities are not represented in the executive and judicial branches at all.<sup>76</sup>

According to the law, WOMEN are on equal footing with men in all spheres, including wages, loans, starting businesses and working in government. However, women continue to experience discrimination in practice, due to cultural biases. Employers give preference to men to avoid productivity losses, due to pregnancy or child care. The legislation of Turkmenistan, and namely the Labour Code, is overly protective of women as mothers and restricts women's economic opportunities in a number of areas. There are no official data on women's participation in the labour force in urban and rural areas, their unemployment rates, situation in the formal and informal labour markets and their ability to benefit from new economic opportunities. In the meantime, discrimination against women is reflected in hiring processes and pay gaps. According to governmental sources, the disparities of women and men in employment are not due to discrimination, but due to gender segregation of labour, an issue they obviously do not consider as discrimination.

Though PROSTITUTION is illegal, it remains a problem throughout the country, due to the few educational and employment opportunities for women. The Criminal Code punishes prostitution by two years' of imprisonment or hard labour. Involving a minor in prostitution or using force, threat or blackmail to involve someone in prostitution is punishable by three to

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<sup>72</sup> TIHR, “Chronicles of Turkmenistan”: “Turkmenistan. Unemployment in numbers”, 7 April 2009, at <http://archive.chrono-tm.org/en/?id=659>

<sup>73</sup> TIHR, “Chronicles of Turkmenistan”: „Turkmen migrant workers divide Istanbul”, 14 October 2007, at <http://archive.chrono-tm.org/en/?id=437>

<sup>74</sup> Bureau of Democracy, Human Rights and Labour: “2009 Human Rights Report: Turkmenistan”, 12 March 2010, at <http://www.state.gov/g/drl/rls/hrrpt/2009/sca/136095.htm>

<sup>75</sup> TIHR, “Chronicles of Turkmenistan”: „From Turkey with dollars and AIDS”, 25 December 2008, at <http://archive.chrono-tm.org/en/?id=627>

<sup>76</sup> TIHR Report: “Turkmenistan. Human Rights in the Era of Grate Renaissance”, February 2009, at <http://archive.chrono-tm.org/uploaded/5905833640537837.pdf>

eight years in prison. Articles 140, 141 and 142 of the Criminal Code prohibit prostitution-related activities, including keeping a brothel and pimping. Punishment is imprisonment for up to five years and possible confiscation of property or expulsion for the same period. Article 143 punishes sexual intercourse with a person younger than 16 years by imprisonment of two to five years.<sup>77</sup>

The main reasons for prostitution are extremely high unemployment and drug-addiction of men, which force women to provide for their families. If they fail, burden falls on children, who can “earn” with prostitution activities up to 5,00-10,00 US\$. The increase of prostitution fell at the reign of S. Niyazov, while the reign of the current President is marked with an increase in the number of sexual minorities.<sup>78</sup>

*Many young women (25-35 years old), who had returned from Turkey, have been diagnosed with HIV/AIDS. However, this does not imply that they have worked as prostitutes. Many of them were subjected to sexual abuse and were contaminated with HIV/AIDS. The Turkmen authorities continue to conceal the [HIV/AIDS] problem and this only aggravates already desperate situation.*<sup>79</sup>

Although authorities actively monitor prostitution, they do not counter it efficiently. Moreover, the government seems to have even hidden practices of promoting prostitution. According to TIHR, it looks as if the Turkmen politicians continue the practice, which has been introduced under S. Niyazov’s presidency.

*Young and beautiful Turkmen girls are sent from the provinces to entertain high-ranking officials in the capital. According to the source, female employees from the velayats’ khyakimlik offices, local committees of the Democratic Party and other officials are involved in the selection of girls. Potential female candidates and their parents are informed that they are sent to Ashgabat to continue education or find a prestigious job. The candidates are tall, slim, beautifully-shaped girls, aged 17-20, students or graduates, who have just completed a course of studies in educational establishments. Previously, pretty girls were selected regardless of their ethnicity, but now only “pure-blood” Turkmen girls are considered to be qualified. The girls’ height and weight are measured, teeth, skin and hair density are checked. Based on these parameters, the candidates are selected for specific purposes. Many girls try to refuse, but then they are reminded about advantages of their job: accommodation in Ashgabat, enrolment in any higher educational establishment of their choice and, jobs and residence registration in the capital for their parents. It is almost impossible for these young women to voluntarily get out of this trap. Some had managed to escape, but many have been subjected to intimidation or even experienced deadly accidents.*<sup>80</sup>

There is a lack of official information about the extent of TRAFFICKING in women and measures taken to address the issue. The Turkmen government of Turkmenistan adopted the “Law on the Battle against Trafficking in Persons” in December 2007. The government does not fully comply with the minimum standards for the elimination of trafficking. It did not publicly acknowledge trafficking as a problem, nor did it undertake significant efforts to raise awareness or assist victims. The law prohibits all forms of trafficking, but does not explicitly prescribe penalties for such crimes. It identifies responsible ministries within the government to combat trafficking and requires authorities to develop measures to prevent trafficking, prosecute traffickers, and assist victims. In May 2010, the Criminal Code was updated and

<sup>77</sup> Stop Violence against Women, Turkmenistan, at <http://www.stopvaw.org/Turkmenistan.html>

<sup>78</sup> TIHR, “Chronicles of Turkmenistan”: “Times have changed”, 14 October 2009, at <http://archive.chrono-tm.org/en/?id=1175>

<sup>79</sup> TIHR, “Chronicles of Turkmenistan”: „From Turkey with dollars and AIDS“, 25 December 2008, at <http://archive.chrono-tm.org/en/?id=627>

<sup>80</sup> TIHR, “Chronicles of Turkmenistan”: “It is better not to be born beautiful”, 29 November 2008, at <http://archive.chrono-tm.org/en/?id=1027>

Article 129(1) prohibits all forms of trafficking in persons and proscribes penalties from four to 25 years imprisonment.

Turkmen women are subjected to forced prostitution and forced labour in Turkey, while men are subjected to forced labour there, mostly in textile sweatshops, construction sites, and in domestic servitude. In addition to Turkey as destination country, also Russia and the United Kingdom have been added to the list.<sup>81</sup>

Approximately 80% of the cases involved young women trafficked for sexual exploitation and the other 20% involved men trafficked to work as labourers or in factories. During 2007, the government continued to use the 2005 migration law forbidding suspected female trafficking victims to board planes to Turkey and the United Arab Emirates (UAE), considered at that time as the primary trafficking destination countries.<sup>82</sup> Iran was also assumed to be a trafficking destination. NGOs noted that young women from minority ethnic groups were most vulnerable to being trafficked. *The International Organization for Migration (IOM)*<sup>83</sup> and few NGOs assisted 20 trafficked persons with repatriation from Turkey in 2007.

Discussions with the IOM on providing shelter space have not moved further since 2010. The government neither allocated any assistance to anti-trafficking organizations nor did it carry out a human trafficking awareness program for students in the five Turkmen provinces as anticipated in the 2010 TIP Report.<sup>85</sup>

A number of training and study tours were conducted, nevertheless insufficient for the extent of the problem. Vague efforts were made to investigate and prosecute trafficking crimes or to identify and protect victims of trafficking during 2010. In 2008, the government investigated and prosecuted two cases of trafficking under non-trafficking statutes, but did not provide information on the number of traffickers convicted or sentenced to time in prison in 2008. In 2010, 38 victims were assisted by organizations that did not receive government funding, compared with 25 victims assisted by such organizations in 2009.

But the government did not provide counselling, shelter, legal assistance, or rehabilitative services to victims of trafficking, nor did it supply funding to international organizations or NGOs to provide such services to victims. It did not refer any victims neither to NGOs nor to IOM for assistance in 2010. The government did not ensure formal victim identification procedures, victim referral or victim sensitivity training for border guards or police were carried out. Victims are reluctant to contact government for help, as some of them got fined for visa violations.<sup>86</sup>

The minimum age for EMPLOYMENT OF CHILDREN is 16 years. Children between 16 and 18 are not allowed to work more than six hours per day. A 15-year-old child may work 4-6 hours per day with parental and trade union permission, although such permissions are rarely issued. Article 27 of the "*Law on the Guarantees of the Rights of the Child*" (2002) prohibits children's involvement in agricultural and other types of work "*unless it is linked to learning process*".<sup>87</sup> An individual must reach full age to work in heavy industries.

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<sup>81</sup> DoS Trafficking in Persons Report 2011 - Turkmenistan, June 2011, <http://www.state.gov/documents/organization/164458.pdf>

<sup>82</sup> TIHR, "*Chronicles of Turkmenistan*": „*Trafficking of Turkmen women*“, 9 September 2009, at <http://archive.chrono-tm.org/en/?id=1150>

<sup>83</sup> International Organization for Migration (IOM), at <http://www.iom.int/jahia/Jahia/activities/asia-and-oceania/central-asia/turkmenistan>

<sup>84</sup> International Organization for Migration (IOM), at <http://www.untuk.org/content/view/39/155/>

<sup>85</sup> *Embassy of the United States, Ashgabat, Turkmenistan: „Country Reports on Human Rights Practices - 2008“*, at <http://turkmenistan.usembassy.gov/hrr2008.html>

<sup>86</sup> *Embassy of the United States, Ashgabat, Turkmenistan: „Country Reports on Human Rights Practices - 2008“*, at <http://turkmenistan.usembassy.gov/hrr2008.html>

<sup>87</sup> UNICEF Turkmenistan: *Child Protection*, at <http://www.unicef.org/turkmenistan/protection.html>

The law “*On Guarantees of the Right of Youth to Labour*”, adopted on February 2005, outlaws child labour<sup>88</sup> and prohibits children’s participation in the cotton harvest. In August 2008, President Berdymukhamedov even publicly asked local governors to stop using children to pick the cotton. So far no one has been punished for violating the law.<sup>89</sup> The Turkmen government’s step to ratify, last-minute before submission of the report to the Committee, the International Labour Organization’s “*Convention concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*” can be described as a praiseworthy step.<sup>90</sup>

Children from rural areas are often used by their families to help in agriculture: they GRAZE CATTLE 8-10 hours per day or perform other HARD HOUSEHOLD WORKS, often without a proper meal and under difficult weather conditions.<sup>91</sup> Boys between 12-15 years do not attend school in summer as they must take care of their parents’ and neighbours’ cattle. Despite of president’s wish, families often force girls to help in cotton fields under fervent sun. Children help digging land, planting vegetable seeds, and collecting mulberry branches to feed the silkworm caterpillars.<sup>92</sup>

TIHR reported about cases on children’s involvement in CONSTRUCTION WORKS, which is prohibited by the law. In 2009, adults were forced to complete construction works, which had not been finished by Turkish construction workers. Schoolchildren and women had to paint and wash floors and windows. Nobody received any compensation for the work, though they had worked 5-6 hours a day.<sup>93</sup>

According to TIHR’s information, many children have become BEGGARS and their number is on a rise across the entire country. They gather at entries of many restaurants, large shopping malls and the Wedding Palaces holding Orthodox icons and beg for money either in broken Russian or Turkish. They often go from house to house selling brooms or scavenging for empty bottles.<sup>94</sup>

#### 4.4. Article 10

The MINIMUM LEGAL AGE FOR MARRIAGE, according to the Turkmen legislation, is 16 years. Up-to-date statistics on the average age of marriage are not available. A 2004 *United Nations* report estimated that 6% of girls between 15 and 19 years of age were already married, divorced or widowed. Forced marriages are problem in rural areas, where dowries are frequently paid to the husband’s family and women are then obliged to work to reimburse the money.

By law, men and women have same RIGHTS AND RESPONSIBILITIES in relation to their children, including shared parental authority. In practice, however, women are confined to the role of a mother and men assume all other responsibilities as heads of a household. There is no reliable information about property and inheritance rights.

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<sup>88</sup> UNICEF Turkmenistan: “*UNICEF welcomes Turkmenistan’s law banning child labour*”, 2 February 2005, at [http://www.unicef.org/turkmenistan/media\\_2331.html](http://www.unicef.org/turkmenistan/media_2331.html)

<sup>89</sup> UNICEF Global Site, Turkmenistan, at <http://www.unicef.org/infobycountry/Turkmenistan.html>

<sup>90</sup> Trend.az: “*Turkmenistan joins several int’l conventions*”, 27 September 2010, at <http://en.trend.az/news/politics/foreign/1757104.html>

<sup>91</sup> TIHR, “*Chronicles of Turkmenistan*”: “*Little hard workers of Turkmenistan*”, 27 August 2008, at <http://archive.chrono-tm.org/en/?id=899>

<sup>92</sup> TIHR, “*Chronicles of Turkmenistan*”: “*An ‘animal’ perspective for rural children*”, 12 May 2008, at <http://archive.chrono-tm.org/en/?id=894>

<sup>93</sup> TIHR, “*Chronicles of Turkmenistan*”: “*The Turks are building whilst Turkmen are completing construction works*”, 16 December 2009, at <http://archive.chrono-tm.org/en/?id=1233>

<sup>94</sup> TIHR, “*Chronicles of Turkmenistan*”: “*Turkmenistan has almost solved the problem of the child labour*”, 26 March 2008, at <http://archive.chrono-tm.org/en/?id=1021>

Although POLYGAMY is illegal, it is becoming a more and more common practice in Turkmenistan despite the fact that national legislation outlaws it. Article 17 (“*Obstacles for marriage*”) of the “*Marriage and Family Code of Turkmenistan*” states that marriage may not be concluded if another marriage of one of declared spouses already legally exists. Article 163 “*Polygamy*” of the *Criminal Code* says that polygamy shall be punishable with corrective labour with a term of up to two years.

The official marriage can be registered only with the first wife. Relations with subsequent wives remain either without an official registration or get “legalized” via an Islamic marriage (*nikah*) is not legally binding. While noting that the “*Marriage and Family Code*” establishes equal rights for women and men when they enter into marriage and equal responsibility for the care of children after divorce, there are no laws protecting women involved in polygamous situations.

*High-ranking officials and successful businessmen do have several wives and can provide for them accommodating them in a house on their own or a luxury apartment. A husband is responsible not for financial, but also for psychological well-being within the family. And, as it appears, most of the polygamous husbands manage to solve this problem. Instances when a wife goes away from a polygamous family are virtually unknown, as women mostly agree to enter polygamous marriage out of material benefits. Another reason why a woman enters a polygamous relation are caused by social phenomena, such as drug and alcohol addiction, stratification of society into rich and poor, unemployment, etc. The country also faces an imbalance number of male and female inhabitants which results in a lack of men who could become heads of families.<sup>95</sup>*

As it seems, a growing number of Turkmen citizens take polygamy almost as normal, as the attempts to solve the issue through prescriptive measures has failed.

About 15 years ago, LARGE FAMILIES constituted a significant part of the country’s population. Turkmen families with eight or more children are nowadays a less frequent phenomenon. It has even been repeatedly reported and pointed out by various sources that Turkmenistan is facing a population decline. The key reasons for depopulation of Turkmenistan are migration to other countries, drug addiction, ailing healthcare system and impoverishment as a result of mass unemployment. Many Turkmen women refuse to have more than two children since many of them are jobless and the maternity monthly allowance of 250,000 manats (the equivalent to 12 US\$) is not sufficient. The government tries to revitalize the traditions through artificial incentives and initiatives:

*On 3 March 2008, the law on awarding honorary title “Ene Mahri” was adopted, which is reminiscent of a similar title conferred on mothers with many children in the Soviet times. The provision to the aforementioned law stipulates that women, who gave birth to and raised eight and more children, are entitled to a number of benefits. However, the title awarded only after the eighth child has reached the age of 1 year and it is provided that all previously born children are alive. The sum allowance amounts to about 5 million manats (the equivalent to 250 US\$).<sup>96</sup>*

TIHR reported that the socio-economic situation in Turkmenistan brings young women to believe that their only choice is to marry a FOREIGNER, most often a Turkish man. These women follow with great interest the Turkish TV program on how to get rid of loneliness.

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<sup>95</sup> TIHR, “*Chronicles of Turkmenistan*”: “*Polygamy in Turkmenistan*”, 30 November 2006, at <http://archive.chrono-tm.org/en/?id=300>

<sup>96</sup> TIHR, “*Chronicles of Turkmenistan*”: “*Large families are uncommon in today’s Turkmenistan*”, 25 March 2008, at <http://archive.chrono-tm.org/en/?id=1054>

*There is a programme on how to get rid of loneliness on Turkish TV, similar to a Russian programme "Let's get married!" Three girls come to meet a potential groom in the studio and he is supposed to choose one during the meeting. TV viewers in Turkmenistan, whose satellite dishes are tuned to the Turkish channel, follow this programme with great interest, as young Turkmen girls often go to the studio as potential brides. The marriage brokers on the groom's side advise the men to be very careful with Turkmen brides as "they all just need to marry a Turk in order to stay in Turkey!"<sup>97</sup>*

According to article 18 of the "Marriage and Family Code", the marriage age for Turkmen citizens, who want to marry foreign citizens or stateless persons, can be established when a Turkmen turns eighteen years.<sup>98</sup>

*In early April 2010, across the entire Sakar etrap of the Lebap velayat, the police officers and staff members of the Migration Service conducted a raid to identify people illegally residing on the territory of Turkmenistan. They were after women from Uzbekistan, who married Turkmen citizens. These women lived for several years in Turkmenistan and their children were born in the country. None of the women held the Turkmen citizenship and could not provide any documents, which would legalize their status. Their marriage could not be officially registered, due to deficiency of the Turkmen legislation, according to which registering a marriage with a foreigner remains virtually impossible. In June of the same year, some 30 women, together with their children, were forcedly ousted back to Uzbekistan, preventing them to preserve the family relations.<sup>99</sup>*

#### 4.5. Article 11

Almost 90% of Turkmenistan's territory is desert: access to POTABLE WATER and sanitary hygiene services remain a serious problem. According to the data of the "International Fund for Saving the Aral Sea", most people populating the irrigated areas of Turkmenistan drink water from the irrigation canals, which contain various salts, remains of chemicals, animal excrements and different agricultural wastes. Low quality and lack of drinking water are the direct and indirect cause for many diseases, including diarrhea, hepatitis A and dysentery. Hand-made WC cabins are often located 5-10 meters away from a water pump.<sup>100</sup>

HOUSING RIGHT is not an issue to be taken for granted in Turkmenistan:

*In April 2010, a demolition of residential property was launched in Ashgabat. The public officials, who were supposed to provide accommodation to the inhabitants whose houses had been subject to demolition, neither took into account number of people to be accommodated in an apartment nor gender of their children (children of different genders must be provided with separate rooms). The owners of private houses received a substitute that accounted only the residential space of the ground floor, without financial compensation for the rest. Residents of apartment blocks haven't received any compensation for money they had invested to renovate their previous apartments.<sup>101</sup>*

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<sup>97</sup> TIHR, "Chronicles of Turkmenistan": „Tourists or Gastarbeiters?“, 25 March 2009, at <http://archive.chrono-tm.org/en/?id=1073>

<sup>98</sup> TIHR Report: "Shadow Report on the Implementation of the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)", May 2010, at <http://www.chrono-tm.org/uploaded/1273247212.pdf>

<sup>99</sup> TIHR, "Chronicles of Turkmenistan": "Turkmenistan: broken families", 14 June 2010, at <http://archive.chrono-tm.org/en/?id=1393>

<sup>100</sup> TIHR, "Chronicles of Turkmenistan": "Turkmen water and money sink into the sand", 11 April 2010, at <http://archive.chrono-tm.org/en/?id=1340>

<sup>101</sup> TIHR, "Chronicles of Turkmenistan": "Construction and demolition projects", 20 April 2010 at <http://archive.chrono-tm.org/en/?id=1347>

*On 8 June 2011 a protest rally took place near the hotel Oguzkent and it was organized by the inhabitants of apartment houses located around the municipal headquarters of "Water Management Company" at the outskirts of Ashgabat. About 50 participants protested against a motorway which caused demolition of their houses in the area. Many privately owned houses and privatized apartments were demolished and only few owners have received financial compensation or replacement accommodation.<sup>102</sup> The rally was promptly dispersed by police. The authorities instructed the special services to carry out the investigation to identify organizers of the unauthorized rally. According to information, four women were arrested who are thought to be the organizers of the rally. The TIHR has not succeeded in finding out names of the detainees.<sup>103</sup>*

The above mentioned protest triggered on 26 June a session of the Turkmenistan's government<sup>104</sup> at which it was announced that the current *Housing Code* is to be revised and should allow the residents to privatize their houses. Currently, only persons with status of migrants to Russia can exercise this right. Without required documents, people are not able to contact judicial authorities and get a compensation for being expelled from their homes or be provided with another accommodation.<sup>105</sup> The President said that large-scale construction had been launched throughout the country and numerous facilities of particular importance for the national economy and social sphere were put into operation. However, protection of the interests of citizens must be ensured while implementing construction projects. The President urged the officials involved to "work in compliance with modern requirements to enhance the rule of law". Each petition "should be examined thoroughly", while "each case [must be] adopt[ed by] an unbiased decision."<sup>106</sup>

During summer period, the outside TEMPERATURE may increase to +45°C. Without an air-conditioner, a room temperature can rise up to +60°C.

*In April 2009, residents of apartment blocks received written notifications, which requested them to remove air-conditioners within two days, without any further explanations. In case of disobedience, administrative measures were to be applied.<sup>107</sup>*

*Temperature of -30°C overburdened already poor public services network in January 2008. Heating, water-, electricity- and gas-supply systems were dysfunctional. Houses and apartments were often heated by natural gas, with all four burners on the stove and the oven switched on. Children were sitting in schools with their jackets, hats and gloves on. Many of them were even not permitted by their parents to go to school during these days. In the eastern region of the country, although residents of multi-storey apartment blocks and private houses remained without heating and water, the communal services had no time to repair the supply systems.<sup>108</sup>*

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<sup>102</sup> "Chronicles of Turkmenistan": "Delayed reaction", 14 June 2011, at <http://www.chrono-tm.org/en/?id=1698>

<sup>103</sup> "Chronicles of Turkmenistan": "Rally organizers detained", 23 June 2011, <http://www.chrono-tm.org/en/?id=1703>

<sup>104</sup> Turkmenistan.ru: "Meeting of the Cabinet of Ministers", 26 June 2011, <http://www.turkmenistan.gov.tm/en/?idr=4&id=110626a>

<sup>105</sup> "Chronicles of Turkmenistan": "Delayed reaction", 14 June 2011, at <http://www.chrono-tm.org/en/?id=1698>

<sup>106</sup> "Chronicles of Turkmenistan": "Rally Organizers Arrested; Complaints Commission Formed", 27 June 2011, <http://www.chrono-tm.org/en/?id=1704>

<sup>107</sup> TIHR, "Chronicles of Turkmenistan": "Air conditioners under target", 28 April 2009, at <http://archive.chrono-tm.org/en/?id=667>

<sup>108</sup> TIHR, "Chronicles of Turkmenistan": "Harsh frosts in the east and north of Turkmenistan", 28 January 2008, at <http://archive.chrono-tm.org/en/?id=886>

#### 4.6. Article 12

In December 2009, *Médecins Sans Frontières (MSF)* had to close the last of their programs in Turkmenistan, after working in the country for more than ten years. Comparing to other countries the organisation works in, health (care) crisis in Turkmenistan is caused by systematic denial and manipulation of (existing) facts. In April 2010, the Turkmen Ministry of Foreign Affairs denied the data, which were published in the newest report of the MSF. Several issues were pointed out: diseases like HIV/AIDS, tuberculosis (TBC) and sexually transmitted infections (STI) are more prevalent than reported data; the authorities do not address public health risks effectively and the prevention mechanisms neither exist nor are taken care for. Instead of countering the existing problems and preventing them to spread further, facts on these diseases are stubbornly ignored and Turkmen population is paying with their health and lives for it.<sup>109</sup>

Improvement of maternal health, reduction of child mortality, combat HIV/AIDS, malaria and other communicable diseases are health-related priority goals for the Turkmen government. However, allocation of resources for the health care sector is still imbalanced, knowledge and number of health care workers continues to decrease, while hospitals lack basic medications and medical supplies.

The new government has been eager to construct new medical and diagnostic facilities and supply them with high-tech equipment. The problem is that medical staff mostly does not know how to use these. *The National Safe Motherhood Program* was adopted in 2007, involving also international agencies, which supported its development and implementation. While PREGNANT WOMEN are theoretically entitled to free post-natal care services, numerous user fees remain in place and impede care for many women. General practitioners have often a low level of knowledge and prescribe wrong medication(s). Indications for *Caesarian* sections are poorly understood and surgical techniques are out-dated. Medical staff is under pressure to keep number of the sections low. They regularly receive verbal orders from regional or national superiors to manipulate diagnostic results of sexually transmitted infections (STI) and keep them within quotas.<sup>110</sup>

S. Niyazov transferred all medical institutions on self-financing, deciding that “health care system should be profitable and must bring money into the state budget”. Turkmen hospitals were therefore not only transferred on self-financing, but also on SELF-SERVICING. TIHR reported that in addition to own clothing and bedding, future mothers are bringing to hospital light bulbs, heater/ventilator, bandages, cotton, syringes, IV (dropper), brilliant green (antiseptic), rubber gloves and glucose. The women must also prepare money to (unofficially) pay hospital’s staff - from doctor to cleaner. Most of them don’t even pretend to do their jobs and the young mother must take care of themselves.<sup>111</sup>

The government developed a programme to reduce INFANT MORTALITY RATE (IMR) in all five provinces and combat childhood illnesses<sup>112</sup>. Differences between urban areas and rural areas are significant. Statistics on IMR are published annually by the Ministry of Health and Medical Industry, but these are out-dated and lower than the real picture. In 2004 the sources showed that though the rate was still high, it was gradually decreasing: from 43 to 13 per 1000 live births. *Médecins Sans Frontières (MSF)* draw attention that official figures from 2000-2006 on IMR did not correspond to real picture and were result of a state controlled “quota system”. Same can be concluded upon studying of the *Global Health Observatory*: in

<sup>109</sup> Medecins sans Frontieres: “*Turkmenistan’s Opaque Health Care System*”, 12 April 2010 at [http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan\\_health\\_system.pdf](http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan_health_system.pdf)

<sup>110</sup> Medecins sans Frontieres: “*Turkmenistan’s Opaque Health Care System*”, 12 April 2010, at <http://www.chrono-tm.org/uploaded/1271126892.pdf>

<sup>111</sup> TIHR, “*Chronicles of Turkmenistan*”: “*Maternity hospitals on self service*”, 6 January 2010, at <http://archive.chrono-tm.org/en/?id=1251><http://www.chrono-tm.org/en/?id=1251>

<sup>112</sup> UNICEF Turkmenistan, *Early Years*, at <http://www.unicef.org/turkmenistan/children.html>

addition to lacking information, those provided show almost no deterioration. Indicated data either remain the same or slightly improve<sup>113</sup>. In 2008, MSF listed a case of a 26-weeks-old-baby: a day after its birth it had a respiratory arrest requiring short-term intubation and ventilation. Hospital staff discharged the child in the afternoon and it died at home, in order to keep infant mortality low.<sup>114</sup>

Despite efforts to support adequate NUTRITION for children, some of authorities' practices give a reason for concern: school canteens in some Turkmen provinces were supplied with chicken eggs in spring 2009 from Iran, which had been imported to Turkmenistan in December 2008.<sup>115</sup>

SANITATION AND EPIDEMIOLOGICAL SITUATION across the country is grossly deteriorating. In March 2010, Ashgabat experienced a mass spreading of bedbugs, lice and other insects. Though apartment blocks, kindergartens and schools were diagnosed with *pediculosis*, centres for public health and disease control had no chemicals needed to cleanse apartments. Residents could file an application and wait a month for public health employees to come, or carry out cleansing themselves.<sup>116</sup>

Turkmen media have never reported on spread of any PANDEMIC DISEASE since independence in 1991. The Turkmen authorities closely monitor not only national sources, but also materials published by the officially accredited correspondents of foreign information agencies. Information about natural disasters and epidemic diseases are considered to be "classified" information and cannot be reported via mass media.<sup>117</sup>

*On 4 November 2009, the governmental newspaper "Neutral Turkmenistan" reported that no cases of SWINE FLU (A/H1N1) had been observed in the country and pointed out that measures were taken to prevent the outbreak of the disease.<sup>118</sup> But, the government did not undertake any awareness-raising campaign(s) about prevention of the infectious disease and left people speculating about the diseases, causalities and number of victims.<sup>119</sup> In December 2009, doctors were forbidden to diagnose acute respiratory viral infection or disease. Unofficially, more than 150 people's casualties<sup>120</sup>, including pregnant women, were registered. Despite a vehement denial of swine flue existence in the country, the authorities have admitted at a later stage an UNICEF A/H1N1 campaign entitled "Stay healthy!"<sup>121</sup>, accompanied with a set of materials.<sup>122</sup>*

*Instead of diagnosing PERNICIOUS PNEUMONIA, which mainly results from acute respiratory viral infections and diseases, officials require from doctors to diagnose*

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<sup>113</sup> WHO: Global Health Observatory, at <http://apps.who.int/ghodata/>

<sup>114</sup> Medecins sans Frontieres: "Turkmenistan's Opaque Health Care System", 12 April 2010 at [http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan\\_health\\_system.pdf](http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan_health_system.pdf)

<sup>115</sup> TIHR, "Chronicles of Turkmenistan": "Making use of merchandise, or caring about schoolchildren", 29 May 2009, at <http://archive.chrono-tm.org/en/?id=679>

<sup>116</sup> TIHR, "Chronicles of Turkmenistan": "Lice-ridden Ashgabat", 31 March 2010, at <http://archive.chrono-tm.org/en/?id=1321>

<sup>117</sup> TIHR Report: "On the state of freedom of the mass media, the right to freedom of speech and free access to information in Turkmenistan", September 2008, at <http://archive.chrono-tm.org/uploaded/1261840123.pdf>

<sup>118</sup> Medecins sans Frontieres: "Turkmenistan's Opaque Health Care System", 12 April 2010 at [http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan\\_health\\_system.pdf](http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan_health_system.pdf)

<sup>119</sup> TIHR, "Chronicles of Turkmenistan": "Swine flu has crossed the Turkmen border", 2 November 2009, at <http://archive.chrono-tm.org/en/?id=1200>

<sup>120</sup> TIHR, "Chronicles of Turkmenistan": "Comments", 2 December 2009, at <http://archive.chrono-tm.org/en/?id=1228>

<sup>121</sup> UNICEF Turkmenistan, UNICEF Project on H1N1 Prevention, at [http://www.unicef.org/turkmenistan/Medine\\_and\\_flu\\_prevention\\_Eng.doc](http://www.unicef.org/turkmenistan/Medine_and_flu_prevention_Eng.doc)

<sup>122</sup> UNICEF Turkmenistan - Publications, at [http://www.unicef.org/turkmenistan/media\\_3657.html](http://www.unicef.org/turkmenistan/media_3657.html)

bronchitis. Patients, who are at the point of death, are diagnosed with acute toxic bronchitis, while children are diagnosed with bronchitis complicated by neurotoxics.<sup>123</sup> In May and June 2008, an outbreak of TYPHOID FEVER was registered in the east of Turkmenistan. The main cause of the disease was contaminated drinking water, caused by breakdowns in the water supply and sewerage systems. The water system is outdated and would need – at best – to go a thorough reconstruction.<sup>124</sup>

Another result of poor quality of drinking water was an outbreak of VIRAL HEPATITIS in November 2008 in the Dashoguz velayat. Though wards in local hospitals had been overcrowded, accurate information on the total number of cases was not available, as all relevant healthcare data were classified. Children in day-care centres were mostly exposed to hepatitis.<sup>125</sup>

Such practices confirm warnings from MSF that the government exercises pressure on health care workers to meet quotas. While MSF was negotiating with hospital staff to allow the admission of critically ill patients, the staff feared serious repercussions, if complications would negatively influence on the statistics.<sup>126</sup>

Information about the status of HIV IN TURKMENISTAN is more than limited. Turkmen authorities have remained faithful to their practice of denying anything that may cause panic and what they, eventually, cannot control. It was even decided that symptoms, which cause death and are not familiar to physicians, are to be recorded as anything but HIV.<sup>127</sup>

Though the authorities refuse to acknowledge the exact number of affected and speak only about two cases, they have at least allowed the UNDP to launch a project in 2005, entitled “HIV/AIDS Prevention in Turkmenistan”<sup>128</sup> According to the media reports, the growth of sexually transmitted diseases is also related to the outbreak of drug addiction (6,000 drug-users have been registered) and prostitution. In the same year, Cabinet of Ministers even approved *National Programme on HIV/AIDS/STI Prevention 2005-2010*<sup>129</sup>.

UNICEF and the Turkmen government have launched a strategy to address the issue of HIV/AIDS/STI and make it comprehensible for the youth. The main approach is “access to information, life skills based health education (LSBHE) in and out of schools<sup>130</sup>, youth-friendly services, and targeted interventions for at-risk youth”. UNICEF also helped develop and distribute various materials<sup>131</sup>, including video clips<sup>132</sup>, which are “age-appropriate and culturally sensitive”.<sup>133</sup>

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<sup>123</sup> TIHR, „Chronicles of Turkmenistan“: „Comments“, 2 December 2009, at <http://archive.chrono-tm.org/en/?id=1228>

<sup>124</sup> TIHR, „Chronicles of Turkmenistan“: “Typhoid fever is rampant in the eastern Turkmenistan”, 14 July 2008, at <http://archive.chrono-tm.org/en/?id=566>

<sup>125</sup> TIHR, „Chronicles of Turkmenistan“: “Only frost will kill hepatitis”, 19 November 2008, at <http://archive.chrono-tm.org/en/?id=615>

<sup>126</sup> Medecins sans Frontieres: “Turkmenistan’s Opaque Health Care System”, 12 April 2010 at [http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan\\_health\\_system.pdf](http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan_health_system.pdf)

<sup>127</sup> TIHR, „Chronicles of Turkmenistan“: “Steps are taken, results are not visible”, 28 April 2007, at <http://archive.chrono-tm.org/en/?id=343>

<sup>128</sup> UNDP Project “HIV/AIDS Prevention in Turkmenistan”, at [http://www.undptkm.org/index.php?option=com\\_content&task=view&id=705&Itemid=49](http://www.undptkm.org/index.php?option=com_content&task=view&id=705&Itemid=49)

<sup>129</sup> National Programme on HIV/STI Prevention in Turkmenistan (2005-2010), at [http://www.undg.org/DGO\\_CONTACT/upload/AnnualReports/TUK/ACF6B6.doc](http://www.undg.org/DGO_CONTACT/upload/AnnualReports/TUK/ACF6B6.doc)

<sup>130</sup> UNICEF Turkmenistan: School students become pioneers of HIV/AIDS prevention, at [http://www.unicef.org/turkmenistan/reallives\\_6868.html](http://www.unicef.org/turkmenistan/reallives_6868.html)

<sup>131</sup> UNICEF Turkmenistan, Awareness Raising Campaigns in Turkmenistan, at [http://www.unicef.org/turkmenistan/media\\_3657.html](http://www.unicef.org/turkmenistan/media_3657.html)

<sup>132</sup> UNICEF Turkmenistan: “Turkmenistan youth start talking about HIV prevention through video”, at [http://www.unicef.org/turkmenistan/reallives\\_9888.html](http://www.unicef.org/turkmenistan/reallives_9888.html)

<sup>133</sup> UNICEF, HIV/AIDS, at [http://www.unicef.org/turkmenistan/hiv\\_aids.html](http://www.unicef.org/turkmenistan/hiv_aids.html)

However, in April 2010, the Turkmen Ministry of Foreign Affairs denied the data published in the newest report of the MSF.<sup>134</sup> According to the report, the authorities neither address public health risks effectively, nor do prevention mechanisms seem to exist. The organisation concluded that access to health care for the Turkmen population is restricted by fear of the social and political consequences: not only for health care practitioners, but also for patients.<sup>135</sup>

Despite of the government's efforts, on 15 April 2010, the President of Turkmenistan signed a resolution, according which four legal entities in Ashgabat are to be liquidated, among them also the National Centre for AIDS Prevention. Instead, a Board for Centres of Viral Diseases under Turkmenistan's Ministry of Healthcare and Medical Industry is to be established.<sup>136</sup>

The country is facing many problems with supply of MEDICATIONS and flourishing corruption in this field. In most cases, patients and their relatives are not aware of their rights and consequently do not ask for free medications. They pay the medications out of their own pockets, as requested by a doctor and bring them then to hospital. Patients buy medications to which they are originally entitled to and which should be free of charge.<sup>137</sup>

#### 4.7. Article 13

After Turkmenistan had gained independence in 1991, country's late President Niyazov launched a number of reforms, most of them being one worse than the other. From the disastrous educational reform, several things should be pointed out:

- secondary schools were reduced from ten to nine years, while university education was cut from five to two years;
- number of students admitted to higher education was considerably decreased and all science and research institutes, including the Academy of Sciences, were closed down;
- school subjects, such as physical training and social studies, were erased from the curriculum, while the amount of hours for the remaining subjects was drastically reduced. His book "*Rukhnama*" became the main source of knowledge and was thought at all educational levels.<sup>138139</sup>

The country has been experiencing an acute lack of qualified middle and senior-management personnel in all industrial sectors and at all levels of public administration. International organizations had expressed serious concerns and offered their assistance.

The government continues to insist that its education policy meets international standards, and calls upon article 38 of the new Turkmen Constitution, which guarantees free access to education for all children up to the age of 16<sup>140</sup>. According to official statistics, the overall school enrolment is around 95%.

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<sup>134</sup> Medecins sans Frontieres: "*Turkmenistan's Opaque Health Care System*", 12 April 2010 at [http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan\\_health\\_system.pdf](http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan_health_system.pdf)

<sup>135</sup> Medecins sans Frontieres: "*Turkmenistan's Opaque Health Care System*", 12 April 2010 at [http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan\\_health\\_system.pdf](http://www.msf.org/source/countries/asia/turkmenistan/2010/turkmenistan_health_system.pdf)

<sup>136</sup> TIHR, "*Chronicles of Turkmenistan*": "*More feedback of the Turkmen authorities on the report by healthcare practitioners*", 17 April 2010, at <http://archive.chrono-tm.org/en/?id=1345>

<sup>137</sup> TIHR, "*Chronicles of Turkmenistan*": "*Pharmaceuticals bazaar*", 10 May 2009, at <http://archive.chrono-tm.org/en/?id=671>

<sup>138</sup> If not otherwise indicated, information from this section are based on the TIHR Report: "*Turkmen Education: Reform and Regress*", January 2009, at <http://archive.chrono-tm.org/uploaded/1671390621977742.pdf>

<sup>139</sup> TIHR report: "*Education in Turkmenistan*", November 2006, at <http://archive.chrono-tm.org/uploaded/2560683175898658.pdf>

<sup>140</sup> Turkmen Constitution, at <http://www.legislationline.org/documents/section/constitutions>

During his election campaign to run for presidential office in January 2007<sup>141</sup>, G. Berdymukhammedov repeated the term of “international educational standards”. Upon being appointed as a president, he even endorsed the “*Law on Education in Turkmenistan*”, resuming ten-year’ secondary education in schools, as the fundamental basis of education<sup>142</sup> and signed a decree “*On Improving the Educational System in Turkmenistan*”. Number of secondary, vocational and higher schools as well as number of students has increased.<sup>143</sup>

Institutions responsible for the implementation of the REFORM are still lacking a precisely formulated plan, strategic goals and clearly worded objectives to carry out the reform of the educational system. NEW CURRICULA<sup>144</sup> and TEXTBOOKS have been developed in a hasty, unsystematic and superficial manner without comparing them to the curricula of countries, which comply with international standards. Although the government claims that current publishing capacity of Turkmenistan can fully provide schools with textbooks and is printing annually up to 130,000 copies<sup>145</sup>, the textbook supply is rather unsatisfactory. SYLLABUSES were either not properly prepared or were simply inexistent.<sup>146</sup>

English language was introduced as a new subject for all grades, but as no books are available, the language is thought from English translation of *Rukhnama*. The book is part of the final exams for secondary schools and it is also included in entrance examination for institutions of higher education.

*Rukhnama should be replaced by a new "spiritual guidebook" that was written by President Gurbanguly Berdymukhammedov. Allegedly, the book will either be called "Turkmennama" (Book for Turkmen) or "Adamnama" (Book for Humanity). The content of the new guidebook has not been made public and it's not clear when it will be launched. Nevertheless, on 12 September Berdymukhammedov ordered his cabinet to mark the 10<sup>th</sup> anniversary of "Rukhnama". This is the day it was launched in 2001 and was made was made a compulsory part of the curriculum at all levels of the country's educational system. The book is still used in primary and secondary schools, while state universities and institutes have recently been allowed to remove its study from their programs.*<sup>147</sup>

*Since October 2008, one hour a week has been allotted to the study of a NEW SUBJECT "Basics of a Healthy Life Style" for all grades and it is devoted to hygiene, basics on the reproduction system, pregnancy and delivery and harmful aspects of life (smoking, alcoholism, malnutrition and a non-active lifestyle). Due to the lack of teaching staff for this subject, primary school teachers and those teaching music and drawing have overtaken the teaching workload.*<sup>148</sup>

*Students do not receive D and C MARKS nor do they have to repeat a year, as officials from the Ministry of Education are eager to present accomplishments of the*

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<sup>141</sup> From the newspaper Neitral'niy Turkmenistan of 4 January 2007

<sup>142</sup> From the newspaper Neitral'niy Turkmenistan of 16 February 2007

<sup>143</sup> TIHR Report: “*Turkmen Education: Reform and Regress*”, January 2009, at <http://archive.chrono-tm.org/uploaded/1671390621977742.pdf>

<sup>144</sup> Many higher educational establishments admit students to new fields of specializations: “Italian language and literature”, “Chinese language and literature”, “Korean language”, “Spanish language”, “Agrochemistry and soil science”, “Crop protection”, “Mechanization of irrigation works”, “Cattle breeding”, “Global financial markets”, “Insurance”, “International law”, “International relations and diplomacy”, “International economic relations”, “International journalism”, “Commerce” and “Industrial engineering”.

<sup>145</sup> Turkmenistan.ru: “*International book fair opens in Ashgabat*”, 24 September 2010, at

[http://www.turkmenistan.ru/?page\\_id=3&lang\\_id=en&elem\\_id=17937&type=event&sort=date\\_desc](http://www.turkmenistan.ru/?page_id=3&lang_id=en&elem_id=17937&type=event&sort=date_desc)

<sup>146</sup> TIHR Report: “*Turkmen Education: Reform and Regress*”, January 2009, at <http://archive.chrono-tm.org/uploaded/1671390621977742.pdf>

<sup>147</sup> Radio Free Europe/Radio Liberty (RFE/RL): “*Turkmenistan's 'Rukhnama' To Be Replaced With New 'Nama'*”, 5 September 2011, [http://www.rferl.org/content/turkmenistan\\_spiritual\\_guidebook\\_to\\_be\\_replaced/24318500.html](http://www.rferl.org/content/turkmenistan_spiritual_guidebook_to_be_replaced/24318500.html)

<sup>148</sup> TIHR, “*Chronicles of Turkmenistan*”: “*On a new course in the school curriculum*”, 21 December 2008, at <http://archive.chrono-tm.org/en/?id=907>

*Presidential reform(s). Schoolchildren completely lack motivation to learn.<sup>149</sup> Nevertheless, parents are regularly buying gifts for their “beloved” school principal or class supervisor at the end of the year in order to ensure affection for their children.*

*Prices for school supplies are high and an average school rucksack costs from 120 to 170 thousand manats (8-12 US\$).<sup>150</sup>*

*As in many of the new states, which had resurrected since the fall of the Iron Curtain, the HISTORY EDUCATION has become a field overloaded with imaginative and absurd myths, often created by ruling elites and obedient historians. The current Ppresident also seems not to be willing to leave this field to experts, but he has “instructed scientists, cultural figures and education workers to pay more attention to the study of ancient, medieval, and modern history (...)”. He observed that “It’s time to once again thoroughly revise out past ...”.<sup>151</sup> At least he let resurrect the Turkmen Academy of Sciences, which his eccentric predecessor ordered to be closed down. Nevertheless, the younger generation remains a tool for indoctrination with the state ideology.*

Lack of qualified TEACHING STAFF remains a burning issue, as many qualified professionals either left the country or were retired [during Niyazov’s time], while nothing has been undertaken to fill the gap. The majority of teachers fail to meet the requirements, with high-schools outside Ashgabat being mostly affected by the shortage.<sup>152</sup> Timetable varies from school to school not only because of shortage of teachers for selected subjects, but also because the teachers must harvest cotton or prepare visits of different high-ranking officials to local areas.<sup>153</sup> Before important state holidays, commissions from velayats’ Education Department visit schools across the country to collect unofficial “tax”. In order to ensure a favorable assessment of their schools, school directors collect money from teachers, which often amounts up to 5 million mantas (351 US\$) per school, and hand it to the commission. Commissions tend to skip those schools in which teachers want to meet and talk to them about running problems.<sup>154</sup>

*In autumn 2009, heads of pre-school educational establishments requested parents, whose children were scheduled to be enrolled in kindergartens, to bring certificates from the tax office and a proof of employment. The purpose was to check whether the parents were employed by an organization or had a self-employment license. Unemployed parents, who do not receive any unemployment allowances, pay only 4 manats (1,4 US\$) a month, while those who have at least one income must pay 8 manats.<sup>155</sup>*

The government of Turkmenistan submitted a report<sup>156</sup> to the UN Human Rights Council in December 2008 informing that 1711 secondary SCHOOLS were operating in the country. The Permanent Representative of Turkmenistan to the United Nations Ms. Aksoltan Ataeva even

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<sup>149</sup> TIHR, “Chronicles of Turkmenistan”: “Schoolchildren improve academic performance”, 24 September 2009, at <http://www.chrono-tm.org/en/?id=1161>

<sup>150</sup> TIHR, “Chronicles of Turkmenistan”: “School supplies”, 27 August 2008, at <http://archive.chrono-tm.org/en/?id=900>

<sup>151</sup> Turkmen.ru: „Gurbanguly Berdimuhamedov asks scientists to revise the past of Turkmen“, 15 September 2010, at [http://www.turkmenistan.ru/?page\\_id=3&lang\\_id=en&elem\\_id=17826&type=event&sort=date\\_desc](http://www.turkmenistan.ru/?page_id=3&lang_id=en&elem_id=17826&type=event&sort=date_desc)

<sup>152</sup> TIHR, “Chronicles of Turkmenistan”: “At university students can learn how to subtract, to multiply and how to operate a tractor ...”, 19 June 2007, at <http://archive.chrono-tm.org/en/?id=865>

<sup>153</sup> TIHR, “Chronicles of Turkmenistan”: “Dashoguz to host distinguished and elderly guests”, 17 March 2010, at <http://archive.chrono-tm.org/en/?id=1317>

<sup>154</sup> TIHR, “Chronicles of Turkmenistan”: “Raid of the Education Department Commission”, 8 January 2008, at <http://archive.chrono-tm.org/en/?id=885>

<sup>155</sup> TIHR, “Chronicles of Turkmenistan”: “Kindergartens request certificates from the tax office”, 11 September 2009, at <http://archive.chrono-tm.org/en/?id=1152>

<sup>156</sup> National Report according to the Point 15 A) from the Resolution 5/1 of the Human Rights Council, 2008, at [http://lib.ohchr.org/HRBodies/UPR/Documents/Session3/TM/A\\_HRC\\_WG6\\_3\\_TKM\\_1\\_Turkmenistan\\_R.pdf](http://lib.ohchr.org/HRBodies/UPR/Documents/Session3/TM/A_HRC_WG6_3_TKM_1_Turkmenistan_R.pdf)

announced that 19 brand-new schools, equipped with state-of-the-art facilities, had been built in 2008<sup>157</sup>. Despite of these impressive numbers, the situation on the ground looks quite differently. The overwhelming majority of schools date back to the 50-70s of the last century.

In rural areas, school buildings are made of clay with tiny classrooms and look more like barns than educational establishments. Millions allocated for the construction of schools, decorated with marble and equipped with fountains in the backyards, cannot be perceived as an improvement of education, but rather as expenses incurred to "improve the architectural and urban image of the capital", as Niyazov used to state in his resolutions.<sup>158</sup>

Official governmental sources informed in September 2010 that TURKMENISTAN IS THE FIRST OF ALL CENTRAL ASIAN COUNTRIES TO GO ONLINE in the framework of the EC's project "*Central Asian Research and Educational Network*" (CAREN). The project should ensure high-speed access of science-educational network to the Internet. The project is a continuation of the project "*Virtual Silk Road*", during which 69 scientific and educational institutions in the country, including 27 secondary schools, were supposed to create network via free access to the Internet.<sup>159</sup> As already mentioned above, many educational establishments, equipped with computers, had no Internet access options, or their Internet access points tend to be closed, as it was case with the State University.<sup>160</sup>

Number of students admitted to national and foreign UNIVERSITIES has increased<sup>161</sup>. The crucial issue high-schools are now facing is poor knowledge which school graduates demonstrate when applying to higher educational establishments. The number of those seeking access to higher education exceeds the number of vacancies in the Turkmen higher educational establishments. According to the Ministry of Education, over 20.000 future students applied for the 4000 vacancies in civil schools of higher education in 2008.<sup>162</sup>

*In order to enrol in the Ashgabat branch of the Russian State University of Oil and Gas I. M. Gubkin, a prospective student has to compete in a highly selective contest, e.g. 26 applicants were competing for one seat<sup>163</sup>. Except the Pushkin school in Ashgabat no other school teaches in Russian, so many students must pay a bribe to enter the school. Restricted access to the education provided in Russian results in two problems: poor command of Russian for potential enrollees at the CIS universities and flourishing corruption.<sup>164</sup> As regards higher military and law enforcement schools, 530 students were admitted to the higher military school and 200 students to the Police Academy in 2007.<sup>165</sup> It is to assume that in five to six years, one fifth of all graduates of Turkmen higher educational establishments will be employed by the law enforcement agencies.*

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<sup>157</sup> UN News Center: "Turkmen Ambassador Briefed on Turkmenistan's Experience in Improving Education and Health Situation of its Inhabitants", 25.09.2008, at

<http://www.un.org/russian/news/fullstorynews.asp?NewsID=10337>

<sup>158</sup> TIHR Report: "Turkmen Education: Reform and Regress", January 2009, at <http://archive.chrono-tm.org/uploaded/1671390621977742.pdf>

<sup>159</sup> Turkmen.ru: „Turkmen educational establishments connected to Internet from European Commission Project“, 6 September 2010, at

[http://www.turkmenistan.ru/?page\\_id=3&lang\\_id=en&elem\\_id=17733&type=event&sort=date\\_desc](http://www.turkmenistan.ru/?page_id=3&lang_id=en&elem_id=17733&type=event&sort=date_desc)

<sup>160</sup> TIHR, „Chronicles of Turkmenistan“: "Turkmen Internet", 16 June 2009, at <http://www.chrono-tm.org/en/?id=681>

<sup>161</sup> TIHR Report, "Turkmenistan. Human rights in the era of the great Renaissance", February 2009, at

<http://archive.chrono-tm.org/uploaded/5905833640537837.pdf>

<sup>162</sup> TIHR, "Chronicles of Turkmenistan": "On the outcomes of admissions campaign to higher educational establishments"

<sup>163</sup> "Turkmenistan-Russia: training young human resources", at

<http://www.turkmenistan.gov.tm/?idr=9&id=081208a>

<sup>164</sup> TIHR, "Chronicles of Turkmenistan": "I to want Russian speaking", 5 September 2008, at <http://www.chrono-tm.org/en/?id=902>

<sup>165</sup> From the newspaper Neitral'niy Turkmenistan, No. 171-173, 14 July 2007

In the fall of 2008, 2200 TURKMENISTAN'S STUDENTS LEFT THE COUNTRY to study in the Russian Federation, Malaysia, Turkey, China, Romania and the CIS countries. The majority of them do not intend to return home after graduation, due to the massive unemployment in the country and the undeveloped private sector. All applicants, admitted to foreign universities, were enrolled into pre-university colleges, due to insufficient language proficiency and poor knowledge in general.<sup>166</sup> In 2009, the number of students studying abroad increased even to 2600-2700 and most of them were not financially supported by the gas-rich country. In autumn 2008, about 260 Turkmen students left to Russia, in order to continue their education in Russian higher educational establishments, in accordance with the agreements between the two governments.

After realizing that such a huge number of students is leaving, the authorities started putting pressure on students to remain in the country<sup>167</sup>, despite the Berdymukhamedov's promise that "...Lawyers, banking personnel and IT developers, engineers and other specialists, who are in demand in this country, will be trained in developed countries worldwide at prestigious universities ..."<sup>168</sup> President's attempt to make Turkmen universities more popular was publishing of a two volume book, entitled "Government Regulation of Social and Economic Development of Turkmenistan"<sup>169</sup>.

*In May 2009, the American University in Central Asia (AUCA) in Bishkek, which is very popular among Turkmen students, announced that it would not enroll Turkmen graduates in the new academic year, as Turkmens had only a 10-year-education, e.g. one year less than the Kyrgyz students. The only exception were graduates of Turkmen-Turkish schools and the Pushkin school, the only Russian school in the country, which have a higher education quality level.<sup>170</sup> In the beginning of autumn, Turkmen authorities introduced new travel rules. Some 165 students, studying at the AUCA, were prohibited from leaving the country, with explanation that their field of specialization was not needed in the country.<sup>171</sup> Some Turkmen students were expelled from the AUCA, due the delayed matriculation.<sup>172</sup> The US sponsors tried to place students at the American University in Bulgaria (AUBG)<sup>173</sup>, and after an agreement seemed to have been reached, the Turkmen authorities continued to prevent students from leaving.<sup>174</sup> Finally, half of the students were allowed to continue their study in Bulgaria, while the rest remained in Turkmenistan without possibility to leave, hoping for the UN help to push the issue.<sup>175</sup> In 2010, Turkmen authorities allowed reportedly some university students to return to Kyrgyzstan to continue their studies, after some 650 students left Kyrgyzstan's southern city of Osh because of the clashes in mid-June. Turkmen authorities not only pressured the students to remain in Turkmenistan, but also summoned them to local education departments and requested of them to sign a statement, according which they refuse to return to Kyrgyzstan. Parents of those, who*

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<sup>166</sup> Turkmenistan.ru: "На обучение в зарубежные вузы направляются более 2200 туркменских студентов", 3 July 2008, at [http://www.turkmenistan.ru/?page\\_id=3&lang\\_id=ru&elem\\_id=13151&type=event&sort=date\\_desc](http://www.turkmenistan.ru/?page_id=3&lang_id=ru&elem_id=13151&type=event&sort=date_desc)

<sup>167</sup> TIHR, "Chronicles of Turkmenistan": "Lost the way?", 26 September 2009, at <http://archive.chrono-tm.org/en/?id=1162>

<sup>168</sup> From the newspaper Neitral'niy Turkmenistan of 4 January 2007

<sup>169</sup> Turkmen.ru: „New book of Turkmen leader presented“, 14 September 2010, at [http://www.turkmenistan.gov.tm/\\_en/?idr=7&id=100914a](http://www.turkmenistan.gov.tm/_en/?idr=7&id=100914a)

<sup>170</sup> TIHR, "Chronicles of Turkmenistan": "Failed to meet international standards...", 8 May 2009, at <http://archive.chrono-tm.org/en/?id=913>

<sup>171</sup> TIHR, "Chronicles of Turkmenistan": "Your travel is restricted!", 20 August 2009, at <http://archive.chrono-tm.org/en/?id=1137>

<sup>172</sup> TIHR, "Chronicles of Turkmenistan": "Study-abroad refuseniks expelled from AUCA", 23 November 2009, at <http://archive.chrono-tm.org/en/?id=1221>

<sup>173</sup> TIHR, "Chronicles of Turkmenistan": "AUCA students to be transferred to a Bulgarian university", 3 September 2009, at <http://archive.chrono-tm.org/en/?id=1147>

<sup>174</sup> TIHR, "Chronicles of Turkmenistan": "On the 'black lists' for five years. What for?", 14 November 2009, at <http://archive.chrono-tm.org/en/?id=1211>

<sup>175</sup> TIHR, "Chronicles of Turkmenistan": "Turkmen students rely on UN", 15 March 2010, at <http://archive.chrono-tm.org/en/?id=1313>

insisted to return, had to sign a statement and assume responsibility for well being of their children while in Kyrgyzstan.<sup>176</sup>

Almost all Turkish schools were closed in Turkmenistan and it remained only one in Ashgabat. These Turkish schools are known to have high-quality education but support ideology of Pan-Turkism, which is spread in the CIS via “Nurjular” movement. Many students, who finished these schools in Turkmenistan, continued the education in Turkey. It was observed that upon they return to Turkmenistan, they started to follow strict doctrines of Islam.<sup>177</sup>

Due to fear that Turkmen students might be exposed to extreme doctrines of Islam, many of them were prevented to continue their studies in Central Asian states. On 1 August 2011 the students of the Tajikistan education establishments, who spent their holidays in Turkmenistan, were barred from travelling back to Tajikistan to resume their studies there. Many of them contacted Turkmenistan’s Migration offices and other agencies for explanations, but were not provided with any information. At the end of October the word spread that the Migration office had lifted the travel ban to Tajikistan and a group of students from the Lebap velayat decided to try to cross the Turkmen-Uzbek border at the checkpoint “Farab”. Out of a dozen senior students only four were allowed to cross the border. The others were not provided with information why they cannot cross the border.<sup>178/179</sup>

#### 4.8. Article 15

Despite of the overwhelming number of recent publications, a majority of BOOKS in Turkmenistan, which date back to the 50-80s of the last century, are falling apart and have not been replaced with new examples since 1991. The books of foreign classics, which include also classics of the Russian literature, can easier be found on bazaars than in libraries. School libraries predominately contain books of the incumbent and the former Turkmen Presidents.<sup>180</sup> Furthermore, only two to three bookstores can be found in cities, with complete lack of bookstores in towns, urban settlements and villages.<sup>181</sup> Hundreds of libraries have been liquidated, plundered, destroyed and burnt down in *tamdys* (national ovens for baking bread).<sup>182</sup> According to official reports from the 5<sup>th</sup> International Book Exhibition Fair that was opened in September 2010 in Ashgabat, the fair included, reprinted works of the Turkmen and foreign classics were also presented. The authorities claim that Turkmenistan “*virtually abandoned imports of printed products, moving to full self-sufficiency*”

<sup>176</sup> RFE/RL: “Some Turkmen Students Allowed to Resume Studies in Kyrgyzstan”, 19 August 2010, at [http://www.rferl.org/content/Some\\_Turkmen\\_Students\\_Allowed\\_To\\_Resume\\_Studies\\_In\\_Kyrgyzstan/2131903.html](http://www.rferl.org/content/Some_Turkmen_Students_Allowed_To_Resume_Studies_In_Kyrgyzstan/2131903.html)

<sup>177</sup> “Chronicles of Turkmenistan”: “В Туркменистане закрывают турецкие школы”, 14 August 2011, <http://www.chrono-tm.org/2011/08/%d0%b2-%d1%82%d1%83%d1%80%d0%ba%d0%bc%d0%b5%d0%bd%d0%b8%d1%81%d1%82%d0%b0%d0%bd%d0%b5-%d0%b7%d0%b0%d0%ba%d1%80%d1%8b%d0%b2%d0%b0%d1%8e%d1%82-%d1%82%d1%83%d1%80%d0%b5%d1%86%d0%ba%d0%b8%d0%b5-%d1%88/>

<sup>178</sup> “Chronicles of Turkmenistan”: “Туркменских студентов не выпускают в Таджикистан”, 7 September 2011, <http://www.chrono-tm.org/2011/09/%d1%82%d1%83%d1%80%d0%ba%d0%bc%d0%b5%d0%bd%d1%81%d0%ba%d0%b8%d1%85-%d1%81%d1%82%d1%83%d0%b4%d0%b5%d0%bd%d1%82%d0%be%d0%b2-%d0%bd%d0%b5-%d0%b2%d1%8b%d0%bf%d1%83%d1%81%d0%ba%d0%b0%d1%8e%d1%82-%d0%b2/>

<sup>179</sup> TIHR, “Chronicles of Turkmenistan”: “Travel ban to Tajikistan lifted for Turkmen students”, 21 October 2011, <http://www.chrono-tm.org/en/archives/139>

<sup>180</sup> TIHR, “Chronicles of Turkmenistan”: “In search of books”, 16 January 2009, at <http://archive.chrono-tm.org/en/?id=909>

<sup>180</sup> TIHR, “Chronicles of Turkmenistan”: “No interest in reading”, 6 July 2009, at <http://archive.chrono-tm.org/en/?id=1107>

<sup>181</sup> TIHR, “Chronicles of Turkmenistan”: “A non-reading nation”, 28 February 2008, at <http://archive.chrono-tm.org/en/?id=1053>

<sup>182</sup> Turkmenistan.ru: “International book fair opens in Ashgabat”, 24 September 2010, at [http://www.turkmenistan.ru/?page\\_id=3&lang\\_id=en&elem\\_id=17937&type=event&sort=date\\_desc](http://www.turkmenistan.ru/?page_id=3&lang_id=en&elem_id=17937&type=event&sort=date_desc)

*in textbooks and other high-volume print production*".<sup>183</sup> Although the Turkmen authorities are not inclined to support others' minority cultures and languages, Iran might get a chance to establish an Iranian library in the country, but this is left to be seen.<sup>184</sup>

In 2009, UNICEF initiated a nationwide creative writing contest and invited professional and amateur writers, artists and poets to send their contributions. PROJECT "Fairy Tale" and "Continuation of the Fairy Tale" should encourage children to read. Some 150 stories, poems and riddles in Russian and Turkmen were gathered as a result of the contest.<sup>185</sup> Some of these were probably presented in September 2010 at the 23rd Moscow International Book Exhibition and Fair, where Turkmenistan exhibited some hundred books. In addition to fiction, education books and books for children, Turkmen President Berdimuhamedov also presented two of his books and even received recognition for one of them: "Medicinal Plants of Turkmenistan", which was qualified as "high level research encyclopedia".

*In February 2008, high-ranking officials ordered to REVIVE THE TURKMEN OPERA, CINEMA AND CIRCUS, upon President's instructions. Cinema has been forbidden in Turkmenistan since 2000: movie theatres were destroyed with its equipment plundered, most were closed down or leased to organizations, which had nothing to do with cinema.*<sup>186</sup> *The profession of a movie technician, once very popular, does not exist any longer. While no films are available, children are taken to theatres, which primarily show patriotic content. Occasional concerts in Ashgabat, with the CIS Youth Symphonic Orchestra playing, were launched on initiative of the Council for Humanitarian Cooperation of the CIS member states.*<sup>187</sup>

CIRCUS had been banned during Niyazov's time and it became the highlight of spring 2010: people had to line up at the cashier's all night. Children from Ashgabat schools were allowed to visit the circus during its opening, but were obliged to prepare slogans honouring the President, who visited the circus. On 23 April 2010, they had to appear at 5:00 a.m. and were not allowed to take food and drinks with them. The teachers had to ensure loud applauses during President's opening and his show riding on a chestnut Akhal-teke horse.<sup>188</sup>

*Special services stringently control the activities of DANCE GROUPS, as dancing is banned in restaurants. However, dance groups are still allowed to perform in private houses at toyas (weddings and other festive occasions). The government is not happy that Turkmen girls perform Arabic dance, which is not in line with the Turkmen traditions. But, dancing has become one of the most important types of art, as it creates an illusion of festive life. In secondary schools the young talents improve the skills in the extra-curricular clubs, which they have obtained in the childhood. The dance groups operate in each school, university and state enterprises, and sometimes they are invited to perform in front of the high-ranking government officials. Dancers receive 3 million manats (211 US\$) to become member in a dance group, but they*

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<sup>183</sup> Iran Book News: "Discussions for building an Iranian Library in Turkmenistan", 12 September 2010, <http://www.ibna.ir/vdcfj1dc.w6dxma7riw.html>

<sup>184</sup> UNICEF Project "Continuation of the Fairy Tale", at [http://www.unicef.org/turkmenistan/reallives\\_14377.html](http://www.unicef.org/turkmenistan/reallives_14377.html)

<sup>185</sup> Central Asia Newswire: "Turkmen, Kyrgyz books recognized at Moscow book fair", 7 September 2010, at <http://centralasianewswire.com/Region/Turkmen-Kyrgyz-books-recognized-at-Moscow-book-fair/viewstory.aspx?id=1624>

<sup>186</sup> TIHR, "Chronicles of Turkmenistan": "How about going to the cinema?", 1 April 2008, at <http://archive.chrono-tm.org/en/?id=520>

<sup>187</sup> Turkmen.ru: "Youth symphonic orchestra of CIS receives great ovation in Ashgabat", 21 September 2010, at [http://www.turkmenistan.ru/?page\\_id=3&lang\\_id=en&elem\\_id=17897&type=event&sort=date\\_desc](http://www.turkmenistan.ru/?page_id=3&lang_id=en&elem_id=17897&type=event&sort=date_desc)

<sup>188</sup> TIHR, "Chronicles of Turkmenistan": "Turkmen circus", 10 May 2010, at <http://archive.chrono-tm.org/en/?id=1363>

have to practice seven days a week. Dancing in such a group often facilitates access to higher education.<sup>189</sup>

For the first time Berdymukhammedov declared war against AERIALS in 2008. Back then, the dishes were dismantled from the apartment blocks located on the central streets of Ashgabat. It turned out to be very costly to install cable television and the initiative slowly subsided.<sup>190</sup> In August 2011, President Berdymukhammedov instructed the Deputy Prime Minister Nazarguli Shaguliev to remove satellite dishes from the buildings in Ashgabat because they damage the flaw architecture. He ordered to install cable TV in multi-story buildings instead. Only two or three satellite dishes are to be allowed per building. Whether or not there will be any penalties for those who do not remove satellite dishes is still unclear.<sup>191</sup> Turkmenistan will start digital TV broadcasting upon the inauguration of a new television tower in Ashgabat. A special service is to adjust TV sets to receive digital TV broadcasts.<sup>192</sup> Some residents moved the aerials into their houses and installed them in front of the windows. Although broadcasting quality is worse, one can choose any channel the satellite television broadcasts.<sup>193</sup>

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<sup>189</sup> TIHR, "Chronicles of Turkmenistan": "Dancing restricted", 25 June 2008, at <http://archive.chrono-tm.org/en/?id=561>

<sup>190</sup> TIHR, "Chronicles of Turkmenistan": "Wandering aerials", 13 September 2011, <http://archive.chrono-tm.org/en/archives/60>

<sup>191</sup> Radio Free Europe/Radio Liberty (RFE/RL): "Turkmen President Wants 'Eyesore' Satellite Dishes Removed", 16 August 2011, [http://www.rferl.org/content/turkmen\\_leader\\_wants\\_satellite\\_dishes\\_removed/24298468.html](http://www.rferl.org/content/turkmen_leader_wants_satellite_dishes_removed/24298468.html)

<sup>192</sup> Turkmenistan.ru: "Turkmenistan to switch to digital TV broadcasting", 16 August 2011, <http://www.turkmenistan.ru/en/articles/15255.html>

<sup>193</sup> TIHR, "Chronicles of Turkmenistan": "Wandering aerials", 13 September 2011, <http://archive.chrono-tm.org/en/archives/60>