



# International Convention on the Elimination of All Forms of Racial Discrimination

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## Committee on the Elimination of Racial Discrimination

### Ninety-first session

21 November-9 December 2016

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted  
by States parties under article 9 of the Convention**

## List of themes in relation to the combined eighth to eleventh periodic reports of Turkmenistan

### Note by the Country Rapporteur

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (see A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

### **The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4, 6 and 7)**

2. Information on efforts to bring the definition of racial discrimination in the national legislation fully into line with the Convention, including, in particular, with a view to prohibiting racial discrimination on the basis of colour, descent and national or ethnic origin (CERD/C/TKM/8-11, paras. 25 and 28).

3. Updated information on the revision of the Constitution initiated in May 2013 (the new draft Constitution), in particular as it relates to the Convention (CERD/C/TKM/8-11, paras. 15, 16, 75 and 78).

4. Detailed information on cases when legislation implementing the provisions of the Convention has been applied by the national courts, including data on the number of registered complaints of racial discrimination, prosecutions and convictions of perpetrators and on compensation provided to victims (CERD/C/TKM/8-11, paras. 214-216; CERD/C/TKM/CO/6-7, para. 11).

5. Updated and detailed information on measures taken to ensure that article 177 of the Criminal Code is in line with article 4 of the Convention (CERD/C/TKM/8-11, para. 119;

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CERD/C/TKM/CO/6-7, paras. 15 and 16). Information and indicators on the impact of legislative measures to prevent hate speech against minorities, including by public and political officials (CERD/C/TKM/CO/6-7, para. 12).

6. Updated information on the creation of an independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and the draft bill on the establishment of a human rights ombudsman (CERD/C/TKM/8-11, paras. 103-105; CERD/C/TKM/CO/6-7, para. 24).

7. Updated and detailed information on trainings and workshops on human rights, the prevention of racial discrimination and the rights enshrined in the Convention carried out for representatives of law enforcement agencies, State bodies, local government entities, and associations, and the impact of such trainings on the situation of ethnic and ethnoreligious minorities (CERD/C/TKM/8-11, paras. 296-301).

#### **Situation of ethnic minorities (arts. 2-7)**

8. Demographic data on the ethnic composition of the population. Information on the enjoyment of economic and social rights by ethnic groups and the representation of ethnic minorities in State and public institutions (CERD/C/TKM/8-11, para. 267; CERD/C/TKM/CO/6-7, para. 9).

9. Updated statistical data on the prison population by age, sex, ethnicity and offence.

10. Information on the implementation of the right of ethnic minorities to access justice, including through the courts and complaint mechanisms. Updated statistical information on cases demonstrating judicial remedies for victims of racial discrimination (CERD/C/TKM/8-11, para. 206; CERD/C/TKM/CO/6-7, para. 22).

11. Information on the prevention of discrimination on ethnic or linguistic grounds, in particular in respect of employment by State institutions, and information on any special measures implemented for ethnic minority groups in public and private employment (CERD/C/TKM/8-11, paras. 106-111).

12. Information on the implementation of the right to choose a language, in particular for education or to communicate with State and public institutions, and the promotion of ethnic languages (CERD/C/TKM/8-11, paras. 41-50).

13. Further information on the situation of ethnic minority groups, including ethnic minority women and children and the Baluchi minority group, in accessing education, adequate health care and housing (CERD/C/TKM/8-11, paras. 62 and 72; CERD/C/TKM/CO/6-7, para. 20).

14. Updated information on measures taken to protect and ensure respect for the cultural and ethnic identity of ethnic minorities and on the impact of such measures (CERD/C/TKM/8-11, para. 193).

15. Information on measures to prevent the alleged targeting of ethnic and ethnoreligious minorities, including journalists and human rights activists from these groups, from arbitrary arrest, detention and torture.

16. Information on the situation of ethnic and ethnoreligious minorities, including information on reports of harassment and the confiscation of religious materials. Information on the law restricting the activities of unregistered religious groups and its impact on ethnic and ethnoreligious groups. Information on measures taken to protect and promote the right to freedom of religion (CERD/C/TKM/CO/6-7, para. 10).

17. Information on the reported forced relocation of some ethnic minority groups.

**Situation of non-citizens, including stateless persons, migrants, refugees and asylum seekers (arts. 5 and 7)**

18. Statistical data on the numbers of stateless persons, migrants, refugees and asylum seekers in the State party.

19. Information on the situation of non-citizens, including stateless persons, migrants, refugees and asylum seekers, in particular in terms of their access to education, housing, health care and employment (CERD/C/TKM/8-11, para. 82).

20. Updated information on the measures taken to reduce and prevent statelessness and the impact of such measures (CERD/C/TKM/8-11, paras. 130-137).

21. Information on the situation of former dual citizens in the State party, including their access to citizenship, legal services to obtain citizenship and basic services (CERD/C/TKM/8-11, para. 145).

22. Information on cases of refoulement of asylum seekers and refugees (CERD/C/TKM/8-11, paras. 121 and 122).

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