



Convention on the Rights of the Child

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Committee on the Rights of the Child

Consideration of reports submitted by States parties under article 44 of the Convention

Combined second to fourth periodic reports of States
parties due in 2010

Turkmenistan*

[19 July 2011]

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Introduction

1. The initial report submitted by Turkmenistan (CRC/C/TKM/1) on the implementation of the Convention on the Rights of the Child was considered during the forty-second session of the Committee on the Rights of the Child on 24 May 2006.
2. An additional report was submitted in late 2007 in response to both the Committee's concluding observations regarding the implementation of the Convention on the Rights of the Child (hereinafter, "the Convention") and the follow-up action recommended to the Government of Turkmenistan.
3. The present report is Turkmenistan's combined second, third and fourth periodic report on the implementation of the Convention and was prepared pursuant to article 44, paragraph 1(b), of the Convention and in accordance with the General Guidelines regarding the form and content of periodic reports to be submitted by States parties (document CRC/C/58). It covers the period from 2006 to 2010.
4. The report contains information on key legislative, judicial, administrative and other measures adopted during the reporting period that relate directly to the provisions of the Convention. In addition to covering the legal, structural and political changes that have occurred since the last report, it provides replies to the concluding observations adopted by the Committee after considering the report at its 1135th and 1137th (CRC/C/SR.1135 and 1137) meetings, held on 24 May 2006, and at its 1157th meeting of 2 June 2006. In preparing the present report, due consideration was given to the general recommendations of the Committee.
5. Multi-candidate presidential elections were held for the first time in Turkmenistan in February 2007, as a result of which Gurbanguly Berdimuhamedov was elected head of State. The Government promptly made enhancing cooperation with international organizations, especially United Nations agencies and bodies, a foreign policy priority and declared its commitment to fulfilling its international obligations. In this respect, Turkmenistan welcomes open and constructive dialogue with all United Nations human rights mechanisms. The Government has ever since demonstrated its unswerving determination to comply fully with its international obligations.
6. Further to its commitment to meet its international obligations with regard to human rights and freedoms, one of the Government's stated priorities is to improve the country's legal framework and to introduce national legislation commensurate with the universally recognized principles of international law. Ensuring that domestic laws are consistent with these principles is a core objective of the legal reforms now under way.
7. Pursuant to a presidential decision of 24 August 2007, the Interdepartmental Commission on compliance with Turkmenistan's international human rights obligations was tasked with preparing national reports for United Nations treaty bodies on the progress made in enforcing international human rights treaties.
8. The Commission is a standing interdepartmental advisory body responsible for coordinating the efforts of ministries, State committees, departments, local authorities, companies, institutions and organizations to meet the country's international human rights obligations.
9. The Commission's statute and composition were approved by the presidential decision of 24 August 2007.

10. The Commission is tasked with:
 - Coordinating the activities of bodies responsible for implementing international human rights obligations;
 - Preparing national reports on the progress made in enforcing international human rights treaties for submission to the appropriate international organizations;
 - Monitoring compliance of domestic laws with international human rights standards;
 - Drafting proposals to align domestic laws with the provisions of international human rights conventions to which Turkmenistan is a party;
 - Promoting interaction and cooperation between State executive and administrative bodies, voluntary associations and international organizations in the field of human rights protection.
11. The Interdepartmental Commission includes representatives of the Mejlis, the parliament of Turkmenistan, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of the Economy and Development, the Ministry of Education, the Ministry of Health and the Medical Industry, the Ministry of Social Welfare, the Ministry of Culture and Radio and Television Broadcasting, the Ministry of Internal Affairs, the Supreme Court, the Office of the Procurator-General, the Religious Affairs Council in the Office of the President, the State Statistics Committee, the National Institute of Democracy and Human Rights in the Office of the President, the Institute of State and Law in the Office of the President, the National Trade Union Centre, the Women's Union and the Magtymguly Youth Organization.
12. The Commission's activities are coordinated by the National Institute of Democracy and Human Rights in the Office of the President.
13. Pursuant to the Committee's recommendations, efforts were made to familiarize the general public with the content of the present report during drafting. The draft report was forwarded to ministries, State committees and departments, and voluntary organizations, whose comments and wishes were taken into account when preparing the final version.
14. The Interdepartmental Commission held a number of interdepartmental meetings and consultations with international experts invited by United Nations agencies.
15. In August 2010, the United Nations Children's Fund (UNICEF) Mission to Turkmenistan helped organize a seminar for Commission members on preparing periodic reports regarding the implementation of the Convention, as well as on tasks specific to the concluding observations. The seminar was led by Dainius Puras, international specialist and member of the Committee on the Rights of the Child.
16. The present report has been prepared using input from ministries and departments concerned with the status of children and guaranteeing and enforcing their rights. It also draws on official statistics and the findings of special surveys, as well as data supplied by voluntary organizations.

Article 1

17. Provisions relating to the definition of the child under article 1 of the Convention were presented in Turkmenistan's initial report on the implementation of the Convention in 2005.
18. Children in Turkmenistan have the right to work, taking into account their age, health, education and vocational training. Under article 23 of the Labour Code of 18 April

2009, a child is entitled to work once he/she reaches the age of 16. A child may be allowed to work from the age of 15 with the consent of one of his/her parents (guardian).

Article 2

19. Turkmen law provides for no discrimination in the exercise of rights and freedoms based on sex, race, ethnic background, language, origin, property status, place of residence, views on religion, convictions, membership of voluntary associations or other characteristics.

20. The Constitution and domestic laws guarantee all citizens legal protection, including in court, against any manifestation of discrimination, without distinction of any kind as to ethnic background, race, sex, origin, property, ownership or employment status, place of residence, language, political convictions, party affiliation or lack thereof.

21. In the reporting period, the Turkmen parliament ratified the following international instruments: the United Nations Convention against Transnational Organized Crime and the Protocols thereto: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air (28 March 2005); the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (18 April 2008); the Convention on the Rights of Persons with Disabilities (4 September 2008); the Optional Protocol to the Convention on the Rights of Persons with Disabilities (25 September 2010) and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), ratified by Turkmenistan on 25 September 2010.

22. The Labour Code contains a large number of articles prohibiting discrimination in employment. Thus, article 7 of the Code prohibits any restriction on labour rights or preferential treatment in their realization based on ethnic background, race, sex, origin, property or employment status, place of residence, language, age, views on religion, political convictions, party affiliation or lack thereof, or other characteristics unrelated to the professional qualities of employees or the results of their work.

23. Under law, distinctions in employment are not deemed discriminatory if they are determined by the requirements of the job in question or are prompted by the State's special concern for persons in need of greater social and legal protection (women, minors, persons with disabilities).

24. Persons who consider that they have been subjected to discrimination at work have the right to refer the matter to a court of law.

25. Socio-economic development programmes have been launched to ensure universal access to essential public services of reasonable quality (above all, health care, social services and general education), including those for children.

26. The Turkmen parliament is currently drafting a new family code that envisages raising the marriage age to 18.

Article 3

27. The principle that the best interests of the child be a primary consideration in all actions concerning children is enshrined in codified laws and other legislative instruments of Turkmenistan.

28. The principle of the best interests of the child is a primary consideration if parents divorce, when arranging a placement for a child without parental care, allocating budget

resources, in interventions concerning refugees and displaced persons, in the social welfare system and when placing a child in any type of care institution.

29. The Code of Criminal Procedure of 18 April 2009 specifies that minors who have committed an offence are guaranteed the services of a defence lawyer. By the same token, legal representation is mandatory in criminal or administrative proceedings (art. 82).

30. The Criminal Code establishes responsibility for failing to protect the life and health of minors (art. 123), involving a minor in the commission of an offence (art. 155), abusing guardianship rights (art. 158), wilfully violating parenting duties (art. 159), wilfully failing to pay maintenance for children or incapacitated parents (art. 160) and wilfully violating the rights of persons responsible for a minor's upbringing (art. 161).

31. Chapter 49 of the Code of Criminal Procedure, on criminal proceedings in cases involving juveniles, stipulates the procedures to be followed in such cases; the facts to be ascertained; the limitations on publicity; the provision of separate proceedings for a juvenile offender; procedures for summoning an accused juvenile, juvenile suspect or defendant; procedures for questioning an accused juvenile, juvenile suspect or defendant, juvenile witness or victim; the mandatory participation of a teacher and a psychologist; the rights of a juvenile's legal representative, teacher and psychologist; the pretrial restrictions imposed on a juvenile; the mandatory participation of a juvenile's legal representative during judicial proceedings; the mandatory participation of representatives of companies, organizations and institutions during judicial proceedings in cases involving juveniles; the occasions on which a juvenile defendant is to be removed from the courtroom; the matters to be decided by the court when sentencing in criminal proceedings involving juveniles; the termination of proceedings and probation subject to a mandatory rehabilitation programme.

32. Work is under way on a draft outline plan aimed at improving the system of juvenile justice in Turkmenistan and bringing it into line with international standards.

33. Turkmenistan has an extensive network of specialized intermediate and higher education institutions for training specialists who work with children, including health-care providers such as paediatric physicians and child counsellors, teachers of various disciplines, and internal affairs personnel.

34. Article 27 of the Constitution of 26 September 2008 states that it is the right and duty of parents or persons *in loco parentis* to raise their children, attend to their health, development and education, prepare them for the world of work and to instil in them respect for the law and for historical and national traditions.

35. In order to realize children's right to health, Turkmenistan operates a network of health-care institutions rendering curative and preventive medical care to children via health clinics, child health units and children's hospitals, maternal and child health centres, Ene Myahri perinatal centres, specialized clinics and centres providing hi-tech medical services for children, specialized kindergartens and schools, children's homes, and dairy food distribution points catering for newborns and babies up to 1 year old, as well as for infants up to 2 years old with protracted illnesses and chronic diseases.

36. To provide children with optimum medical care, the public health-care system accords priority to improving maternal and child welfare services, including health-care practices designed to reduce maternal, infant and child mortality rates and prevent disabilities in children (prenatal diagnosis, genetic counselling, resuscitation and intensive care, nursing of premature and sick newborns, as well as improving various types of rehabilitation care services and immunization).

37. Pursuant to article 37 of the Constitution, large families and children who have lost their parents are provided with additional assistance and benefits paid for using State and public funds.

38. The Social Security Code of 17 March 2007 stipulates State allowances for loss of breadwinner. Recipients include children (including adopted children and stepchildren), brothers, sisters and grandsons under the age of 18, or over if they sustained a disability before reaching 18, and brothers, sisters and grandchildren without able-bodied parents (Code, arts. 94 and 95).

Article 4

39. Turkmenistan shares the goals and principles of the global community, as set forth in the outcome document of the twenty-seventh special session on children adopted by the General Assembly entitled “A world fit for children” and adopts legislative, administrative and other measures to implement the provisions specified in article 4 of the Convention.

40. Information on national legislation adopted prior to 2005 in order to comply with the Convention is provided in the initial report and the annex thereto.

41. Pursuant to a decision adopted by the People’s Council of Turkmenistan on 25 October 2006, the public will continue to use natural gas, electricity, drinking water free of charge until 2030. Token charges have been set for public services, the use of telephone lines and public transport.

42. A national programme entitled “Strategy for the economic, political and cultural development of Turkmenistan for the period until 2030” is proving an effective tool in the State’s management of employment and labour market processes.

43. With a view to building a modern socio-economic infrastructure in rural areas, around US\$ 4 billion has been allocated to the President’s extensive national programme to transform social and living conditions in villages, settlements, towns and district centres in the period up to 2020.

44. Efforts are ongoing to develop the National Plan of Action for Children as part of measures aimed at implementing the principles and provisions of the Convention, with due regard given to the outcome document “A world fit for children”.

45. With assistance from the UNICEF Mission to Turkmenistan, on 30 November–1 December 2010 government officials and representatives of voluntary associations attended a seminar on preparing a draft National Plan of Action for Children, given by an international expert.

46. In the reporting period, various legislative instruments were adopted to safeguard civil rights and freedoms, including those of children: the Social Security Code (17 March 2007), the Labour Code (18 April 2009), the Sanitary Code (21 November 2009), the Code of Criminal Procedure (18 April 2009), the Criminal Code (10 May 2010), the Penal Enforcement Code (25 March 2011), the Human Trafficking Act (14 December 2007), the Courts Act (15 August 2009), the Procurator’s Office Act (15 August 2009), the Education Act (15 August 2009), the Culture Act (12 March 2010), the Bar and Advocacy Act (10 May 2010) and others.

47. In the reporting period, heavy emphasis was placed on mobilizing resources with the purpose of fully implementing the provisions of the Convention. The State budget has a social focus. In accordance with the State Budget Act for 2011, adopted on 27 November 2010, 37.1 per cent of total budget resources for funding public and social services will be allocated to education, 12.2 per cent to health care, 4.2 per cent to culture, 36.2 per cent to social security and 10.1 per cent to housing and utilities. Considerable resources will be allocated to further raising pensions, allowances and student grants.

48. State education policy is shaped by a key national development priority, i.e. to modernize the education system in order that citizens may exercise their right to an education that, in structure and quality, meets the needs of the economy and civil society.

49. In the reporting period, steps were taken to reinforce initiatives at all levels to organize productive activities for children, encourage them to study and engage in art and creative activities, physical exercise and sport. The President's interest in these efforts to help children is evidenced by the State awards bestowed on mothers with many children and the allocation of resources from the President's reserve fund to assist homes for orphan children and children with disabilities.

50. Operating independently or with the help of State or local authorities, regional and provincial voluntary organizations run programmes geared towards improving the protection of children and rendering them essential assistance and support. Their activities include preventing drug abuse, raising legal awareness and working with children with disabilities. Importantly, their activities are focused primarily on families with children at the local level, making for effective and timely interventions.

51. Interaction remains close between State agencies and trade unions, the Children's Fund, the National Red Crescent Society, the Youth Union and the Women's Union.

52. 12 March, 2010 saw the adoption of the Culture Act, which regulates public relations pertaining to the creation, revival, preservation, promotion, dissemination and use of the culture of the Turkmen people. It is designed to ensure and protect citizens' constitutional rights to participate in cultural life and have access to cultural property and defines the legal, economic, social and organizational foundations of State policy in the cultural sphere.

Article 5

53. Raising and protecting children is the primary duty and right of parents. In current legislation, the right of parents to provide the child with guidance in a manner consistent with his/her evolving capacities is specified in the Marriage and Family Code (art. 8 "Rights and Duties of Parents in Child Rearing"). Detailed information on this subject is provided in the initial report.

54. Pursuant to article 15, paragraph 1, of the Education Act, parents and persons *in loco parentis* are required to lay the basis of their child's physical and intellectual development in early childhood and to instil in him/her national and universal human values.

55. Engaging day or residential school pupils without their consent and that of their parents or persons *in loco parentis* in forms of employment not covered by the respective education programme is prohibited under article 33, paragraph 10, of the Act.

56. Parents and persons *in loco parentis* have the right and duty to raise their children, attend to their health, development and education, prepare them for the world of work and to instil in them respect for the law and for the historical and national traditions of the Turkmen nation. They also have the right to choose their child's form of education and educational institution, to protect the child's lawful rights and interests and to participate in the activities of the respective educational institution.

57. They are obliged to ensure that their children receive general secondary education and to comply with the requirements stipulated in the educational institution's charter.

58. Parents and persons *in loco parentis* of pupils at day and residential schools are responsible for their education and for ensuring that they are educated in accordance with national legislation.

59. The results of a comprehensive population and housing census to be conducted in 2012 will provide new information on the family structure.

Article 6

60. Turkmenistan has developed a comprehensive system of measures that is designed to ensure the child's rights to life, survival and development.

61. Every citizen has the right to life, health and equal access to public health services, including free use of the network of State medical institutions (arts. 22 and 35 of the Constitution).

62. Chapter 4 of the Public Health Act of 25 October 2005, entitled "Citizens' health rights", specifies the procedures for organizing and conducting a range of integrated preventive measures (proactive medical supervision of children's health at home, in preschool, school and health-care institutions, immunization, preventive examinations and periodic check-ups), for providing professional and specialized medical care in the appropriate hospitals, for carrying out rehabilitation treatment, for rendering children social and legal assistance, and for instructing children in health and hygiene, promoting healthy lifestyles and teaching adolescents about reproductive health. These issues are dealt with in a special section of the Act, article 17, entitled "Health rights of minors".

63. In accordance with health legislation, pregnancies under 12 weeks may be terminated at a health-care facility at the mother's request, whereas those over 12 weeks may be ended only for health or social reasons (art. 32 of the Act).

64. Significant progress has been achieved in improving children's health care thanks to the Programme of State Guarantees on Rendering Citizens Free Medical Care (Cabinet Decision No. 6515 of 29 December 2003, Ministry of Health and the Medical Industry orders No. 33 of 2004 and No. 43 of 12 April 2005). Under the programme, children have free access to the full range of medical services, paid for by the State.

65. In accordance with the live and stillbirth criteria of the World Health Organization (WHO), Ministry of Health and the Medical Industry Order No. 217 of 3 November 2006 specifies 22 weeks of gestational age or 500 g birth weight as the lower limit of viability. The order also approves the statistical data forms required for registering the death of a child, including the cause: medical certificate of birth (form No. 103/u), medical certificate of death (form No. 106/u), death certificate issued by physician assistant (form No. 106-1/u) and perinatal death certificate (form No. 106-2/u). The completed forms are submitted to offices of the civil registry and of the Ministry of Justice, which forward them to the State Statistics Committee, where, after they have been examined, a report is compiled based on a short list of causes of death that are based, in turn, on the tenth revision of the International Statistical Classification of Diseases, Injuries and Causes of Death. All cases of child deaths in hospital settings are analysed at medical conferences, while all others are examined by medico-legal experts.

66. Recording and registering perinatal death in babies weighing over 500 g makes it possible to assess the standard of medical care and staff, as well as the appropriateness of the recommendations and procedures applied. It is also useful for organizing comprehensive measures with respect to training personnel and providing equipment, medicines and consumable items, thus ensuring a significant improvement in perinatal medicine.

67. All children born at or after 22 weeks, weighing 500 g or more, are given resuscitation treatment in the event that they show any sign of life (as defined by the World Health Organization). In order to nurse and keep alive severely premature newborns, the

country's hospitals are equipped with modern neonatal equipment and medicines designed to accelerate maturation of the organ systems of a preterm infant.

68. Since 2006, the World Health Organization has had a basic newborn resuscitation programme. Methodical recommendations on intensive care and nursing of newborns of significantly and extremely low body weight at birth have been reviewed and uniform standards adopted for rendering basic resuscitation to newborn infants in the delivery room. Steps have been taken to enhance resuscitation and intensive care services at perinatal units, to provide them with modern equipment and to improve the nursing of severely premature newborns. A training programme has been used to prepare five national instructors and today 60 per cent of perinatal unit specialists (neonatal physicians, obstetrician-gynaecologists, resuscitation experts) have undergone training. As a result, child mortality at perinatal units has declined significantly.

Article 7

69. Procedures for registering a child's birth, confirming his/her first name, patronymic and surname, including with regard to adopted children, the children of refugees and asylum seekers, and realizing, as far as possible, the right of the child to know and be cared for by his/her parents are enshrined in the country's family legislation.

70. Detailed information on this subject is provided in the initial report.

71. In the reporting period, there were no changes to national legislation in this area.

Article 8

72. Pursuant to article 7 of the Rights of the Child Act, from the time of their birth children have the right to preserve their identity, including nationality, ethnicity, first name, surname and family relations. A child's birth is officially registered at a civil registry office.

73. The Regulation on civil status registration of 12 April 2004 states that acts of civil status are to be registered at civil registry offices.

74. Turkmen citizens living abroad register acts of civil status at Turkmenistan's consular offices.

75. Children born in Turkmenistan to asylum seekers and refugees are registered in the same way as the children of Turkmen citizens. Under article 22 of the Rights of the Child Act, children who are not citizens of Turkmenistan but are lawfully within its territory have the same rights and obligations as children who are Turkmen citizens, unless the law or international treaties to which Turkmenistan is a party stipulate otherwise.

76. The Marriage and Family Code and the Criminal Code establish responsibility for the substitution of a child, illegal adoption and violation of the confidentiality of adoption. No offences of this type have recently been recorded.

Article 9

77. Matters relating to separation from parents are covered in the Marriage and Family Code, the Civil Code and the Correctional Labour Code. Detailed information on this subject is provided in the initial report.

78. Pursuant to article 476 of the Code of Criminal Procedure, in the event that one or both parents are sentenced to imprisonment by a court, once the sentence enters into force,

the administration of the penal institution to which the convict has been sent is required to inform the prisoner's family or a close relative of its location. This provision is also stipulated in article 14, paragraph 3, of the Correctional Labour Code.

79. Under article 10 of the Police Act of 7 July 2001, the police are entitled to arrest and to convey to and detain in premises intended for this purpose:

- Children without parental care, who may be held until such time as they can be handed over to their legal representatives or dealt with in the prescribed manner, but not for more than eight hours;
- Minors who have committed socially dangerous acts and have not attained the age of criminal responsibility, who may be held for a maximum of three hours pending their surrender to their legal representatives or transfer to reception and processing centres.

Article 10

80. The Migration Act of 7 December 2005 specifies the procedures for Turkmen citizens, foreign nationals and stateless persons, including, *inter alia*, children, entering or leaving Turkmenistan.

81. Pursuant to article 28 of the Act, Turkmen citizens under 18 years of age may travel outside Turkmenistan without their legal representatives provided that the latter sign a notarized power of attorney designating the person accompanying them. A minor with no legal representatives may leave the country if permission is given by a court. Minors aged 14–16 may leave Turkmenistan to take up permanent residence abroad only with their notarized written consent.

82. Turkmen citizens, including children, are subject to temporary restriction of their right to leave the country if: criminal proceedings have been initiated against them, until the conclusion of such proceedings; they have been convicted of a crime, until their sentence has been served or their early release; they fail to meet court-imposed obligations, until such obligations are met; they are liable for military service, until completing or being released from their duties, unless they are soon to leave the country to take up permanent residence abroad; they are on parole, until the conviction is spent, cancelled or the parole terminated, or there are concerns that they could fall victim to human trafficking or slavery while abroad.

83. In accordance with article 32 of the Act, if the safety of Turkmen citizens cannot be ensured due to an emergency situation in a foreign State, the Government may impose a temporary restriction on travel to that State.

Article 11

84. In current legislation, issues relating to the illicit transfer and non-return of children abroad are covered in the Criminal Code.

85. In the reporting period, there were no cases of a child being taken abroad by one parent without the other's consent.

Article 12

86. In current legislation, respect for children's rights is covered in the Constitution, the Marriage and Family Code and various other legislative instruments. Everyone is

guaranteed freedom of thought and speech as part of the fundamental human rights and freedoms they acquire at birth.

87. Detailed information on this subject is provided in the initial report.

88. Pursuant to the Marriage and Family Code, children are entitled to express their views when decisions are taken by the family on all matters affecting them, as well as to be heard in judicial proceedings.

89. National legislation provides measures aimed at ensuring the right of children to express their views in the administration of juvenile justice, in the event that they are placed in a childcare facility, as well as during the time they spend there.

90. In certain cases, the wishes of children aged 10 and over are regarded as legally tenable.

91. Article 82 of the Code of Criminal Procedure specifies that in criminal cases involving juveniles, from the time of arrest until the investigations are completed, as well as in court proceedings, minors must be represented by a defence lawyer and have the right to express their views regarding the charges brought against them in the presence of their lawyer and their legal representative.

92. In addition, juveniles accused of an administrative offence have the right to express their views with regard to the offence in question.

Article 13

93. A child's right to freedom of expression is regulated by the Print and Other Media Act and the Rights of the Child Act.

94. Detailed information on this subject is provided in the initial report.

95. Pursuant to article 8, paragraph 2, of the Education Act, the content of education must promote the national consolidation of the Turkmen people, domestic, international and interconfessional peace and consensus in Turkmenistan, awareness of the diversity of ideological approaches, and the students' right to choose and express freely their opinions and views.

96. The Marriage and Family Code stipulates that children aged 10 and over are to be asked their opinion on questions concerning their education or with whom they are to live if their parents reside at separate addresses.

97. The Ministry of Education, the National Institute of Democracy and Human Rights in the Office of the President and the Magtymguly Youth Union have collaborated with the UNICEF Mission to Turkmenistan in organizing children's forums on children's rights and their involvement in decisions on child-related issues. The forums were attended by parliamentarians, representatives of the Ministry of Justice, the Women's Union, as well as by senior-grade pupils from Ashgabat and the provinces.

98. In 2011, there are plans to hold a Central Asian forum in Ashgabat on protecting children's rights, entitled "Protecting children and reforming the juvenile justice system". It is anticipated that international experts and representatives from Russia, Azerbaijan, Turkey and all the countries of Central Asia will attend.

Article 14

99. Under the Constitution, everyone is guaranteed freedom of religion and belief, the equality of religions and beliefs before the law, including the right to practice a religion alone, in community with others, or not at all, to manifest and disseminate their beliefs in connection with their attitude to religion, to take part in acts of worship and to celebrate religious rituals and rites. Detailed information on this subject is provided in the initial report.

100. Pursuant to the Freedom of Worship and Religious Organizations Act of 21 October 2003, a presidential resolution on the registration of religious organizations was adopted on 14 January 2004 and rules for their registration approved. Under a presidential decision dated 11 March 2004, religious organizations and groups of all faiths and denominations are subject to registration.

101. On 19 September 2005, a committee was set up in the Ministry of Justice to examine matters related to the registration of religious organizations and voluntary associations. The structure of the committee was determined by presidential decision.

102. A total of 127 religious organizations are currently registered. Of these, 103, which follow Islam, include 98 Sunni and 5 Shiite organizations; 13 are Orthodox Christian and 11 profess other faiths.

103. With a view to improving religious legislation, a study is being made of international instruments and other countries' experience in this area, assisted by the UNICEF Mission to Turkmenistan.

Article 15

104. Turkmen citizens are guaranteed freedom of association and the right to establish, operate, reorganize or dissolve voluntary associations.

105. Under article 30, paragraph 1, of the Constitution, citizens are entitled to establish political parties and other voluntary associations which operate within the framework of the Constitution and the law.

106. Under article 29 of the Constitution, Citizens are guaranteed the freedom to hold assemblies, rallies and demonstrations in the manner prescribed by law.

107. No one may be compelled to join or remain in any association. Every child has the right to participate in the activities of children's or voluntary youth organizations.

108. Pursuant to article 33, paragraph 11, of the Education Act, compelling pupils at day or residential schools to join social and political organizations, movements and parties or forcing them to take part in their activities, canvassing drives and political rallies is prohibited.

109. Article 30, paragraph 2, of the Constitution prohibits the establishment and activity of political parties or public paramilitary associations seeking to alter the constitutional order by violence, engaging in violent acts, opposing the constitutional rights and freedoms of citizens, advocating war or racial, national or religious hatred or acting in a manner detrimental to the health or morals of the people, and of political parties with ethnic or religious attributes.

110. Article 4 of the Voluntary Associations Act of 21 October 2003 prohibits the establishment and activity of voluntary associations seeking to alter the constitutional order by violence and undermine the security of the State, engaging in violence, opposing the

constitutional rights and freedoms of citizens, advocating war or racial, national, social or religious hatred or acting in a manner detrimental to the health or morals of the people, as well as the establishment of paramilitary formations.

111. National legislation imposes no restrictions on children's rights to freedom of peaceful assembly and association, other than those restrictions applied under law.

112. As of 1 March 2011, 35 sports and 7 youth associations had registered with the Ministry of Justice.

113. Proposals are currently being drafted to improve the Voluntary Associations Act and the National Youth Policy Act.

Article 16

114. Pursuant to the Marriage and Family Code, children have the right to protection of their rights and legitimate interests, which it is the duty of parents, persons *in loco parentis*, tutorship and guardianship agencies, the procurator's office and the courts to uphold. The safeguards protecting children's rights are stated explicitly in the Rights of the Child Act. Detailed information on this subject is provided in the initial report.

115. Searches and inspections of domestic premises and the seizure and confiscation of correspondence at post and telegraph offices may be effected only on the grounds and in the manner established by the Code of Criminal Procedure. All these provisions apply in equal measure to minors.

116. Under the Constitution, all citizens, including minors, have the right to be protected from arbitrary interference with their privacy, against violations of the confidentiality of their correspondence, telephone conversations and other communications and against attacks on their honour and reputation.

117. Persons who violate the aforementioned rights may be prosecuted under article 146 (violation of privacy), article 147 (violation of confidentiality, telephone conversations, and postal, telegraphic and other communications) and article 148 (violation of domicile) of the Criminal Code.

118. The Criminal Code also contains separate articles (Nos. 132 and 133) that establish criminal responsibility for libel and insult.

Article 17

119. Free access to information and the right to obtain information are guaranteed by the Constitution. Detailed information on this subject is provided in the initial report.

120. Mass media that are socially, intellectually and culturally beneficial to children in a manner consistent with the spirit of article 17 of the Convention are encouraged. Children have their own printed publications and special children's sections in newspapers, as well as television and radio programmes that are highly popular and prepared and presented by children themselves.

121. Turkmenistan has an extensive network of libraries for children, ensuring that they have access to information and materials from a diversity of national and international sources. The number of libraries increased from 89 to 230 after the adoption, on 24 February 2010, of a presidential decision concerning the organization of provincial, district, and main branches. They include the National Library, the Central State Children's Library,

a library for the blind and deaf, 9 provincial libraries (5 for adults, 4 for children), 15 main branches, 36 municipal branches, 50 district branches and 117 village branches.

122. An enormous role in children's social, spiritual and moral well-being and physical and mental development is played by the country's television and radio programmes. The Youth television channel is the main broadcaster of programmes for children and young people with titles such as "Inspired Youth", "Happy Friends", "Pride of the Homeland", "Children's Dreams", "My Family", "Pearls of Independence", "Children are the Joy of Life", "Journeys around the Country", "Education", "In the World of Fairy Tales" and "New Generation", in which issues involving youth education, children's role in society and the family, and their rights and freedoms, receive wide coverage.

123. Since 2008, the Youth television channel has broadcast a programme for children entitled "A Child's Destiny" with technical and information support from UNICEF. The purpose of the programme is to promote children's overall development, expand their knowledge and horizons with regard to education, health, sport, nature, children's rights, geography and other subjects.

124. In 2009, media workers, including personnel from the Youth television channel, creative professionals (writers, poets and artists), members of voluntary organizations and children prepared a series of educational materials for children of preschool age. These information resources were published and distributed to kindergartens and libraries.

125. Each year the Ministry of Culture and Radio and Television Broadcasting joins forces with UNICEF to celebrate Children's Day. A children's play and musical were broadcast on this day in the period 2008–2010.

126. A collection of songs and music by child composers has been jointly published, as well as a collection of works for and about children in Turkmenistan entitled "The Fairy Tale Continues".

127. The Ministry of Culture and Radio and Television Broadcasting and UNICEF are working together to implement an annual work plan (2010–2011) that is concerned primarily with issues of communication, collaboration with media outlets and raising public awareness of healthy life styles, constructive recreation and children's rights.

128. Funding resources allocated by the President to improve the education system are frequently used to purchase modern furnishings, laboratory, computer and multimedia equipment for educational institutions. Secondary and higher education institutions have been connected to the Internet.

129. In 2010, the National Institute of Democracy and Human Rights in the Office of the President and the UNICEF Mission to Turkmenistan published a collection in Turkmen, Russian and English, entitled "Citizens' Rights to Education in Turkmenistan", dealing, *inter alia*, with international law and national legislation.

Article 18

130. Pursuant to national legislation, parents are responsible for their children's education and development. Detailed information on this subject is provided in the initial report.

131. Turkmenistan recognizes the key role of the family in child-rearing and is committed to creating, within available resources, the best possible conditions for families to perform their duties. To this end, family allowance rates and the number of children covered by various child-development and care services are increasing.

132. Parents and legal representatives are required to care and protect children, provide conditions in which they can grow, develop and thrive, nurture them in the spirit of

humanity and permanent spiritual values and treat them as individuals with their own identity, with due regard to their age and sex.

133. Parents and legal representatives must help a child perform autonomous actions intended to realize and protect his/her rights and legitimate interests.

134. It is prohibited to demean or intimidate children and to inflict on them corporal punishment or any other pain that harms their mental or physical health.

135. Both parents are equally responsible for the life, health and proper upbringing of their child.

136. The State ensures that children deprived of parental care receive a family-type upbringing by means of adoption, tutorship or guardianship, or by placing them in a suitable children's home, where they are fully provided for by the State.

Article 19

137. The State accords special priority to issues relating to the neglect, negligent treatment, maltreatment and abuse of children within and outside the family. Pursuant to article 23, paragraph 2, of the Constitution, no one may be subjected to torture or cruel, inhuman or degrading treatment or punishment, or be subjected without their consent to medical (pharmaceutical or therapeutic) or other experiments.

138. The State protects children against all forms of abuse by parents, legal representatives or other persons responsible for their upbringing and care and takes appropriate measures to monitor tutorship and guardianship arrangements.

139. The country's network of parent centres and parent group discussions are examples of the methods used to help families learn to listen to and understand children, including their needs and requirements. By sharing their experience in this area, parents gain a better understanding of what children and they themselves need to improve the emotional and psychological environment and conditions for children's development and education.

140. The laws and statutory instruments adopted by Turkmenistan in the reporting period have reinforced the provisions requiring staff at reformatory institutions for juvenile offenders to comply with the rules of professional conduct, behave humanely and refrain from acts of cruelty that degrade human dignity.

141. At corrective labour facilities of the Ministry of Internal Affairs, the right of convicted juveniles to security of person is enforced strictly in compliance with correctional labour legislation.

142. The police monitor disadvantaged families and keep a particularly close watch on the children living in them. Where appropriate, such children are provided with clothing and school paraphernalia, and the police submit proposals to educational institutions and the relevant administrations with regard to rendering them material assistance.

143. There have been no reports of crimes involving physical or psychological abuse of children by their parents, legal guardians or any other persons.

144. The Criminal Code establishes responsibility for involving minors in crime (art. 155), involving minors in anti-social behaviour (art. 156), wilful evasion of child maintenance payments (art. 160) and gross violation of the rights of a person standing *in loco parentis* to a child (art. 161).

Article 20

145. In current legislation, the rights of children deprived of their family environment and the duties of the institutions and organizations responsible for upholding these rights are stated in the Civil Code, the Marriage and Family Code, the Social Security Code, the Rights of the Child Act and the Education Act.

146. Pursuant to the Marriage and Family Code, the following arrangements are made for children deprived of parental care: adoption (the preferred childcare placement in a family setting); tutorship or third-party custody of the child (the appointment of a tutor or guardian); family-based foster care and placement in an institution for children without parental care.

147. Detailed information on legislation and the measures adopted to enforce the Convention with regard to protecting the rights of children deprived of their family is provided in the initial report.

148. Under current legislation, priority continues to be accorded to placing children left without parental care in a family setting.

149. In accordance with article 14 of the Education Act, orphans and children left without parental care are enrolled, without having to compete against other applicants, at State secondary and higher vocational training schools, provided that they pass the entrance exams.

150. Pursuant to article 24 of the Act, orphans and children left without parental care are fully provided for by the State at special educational facilities. At present, Turkmenistan has four infant orphanages caring for a total of 189 children, as well as two children's homes catering for 517 children. The State assists and funds the establishment and running of family-type children's homes.

151. Children with physical or mental developmental defects requiring lengthy treatment are provided with special educational facilities, whose activities are governed by model regulations approved by the Cabinet of Ministers.

152. In accordance with article 33, paragraph 8, of the Act, orphans and children left without parental care are looked after and taught entirely at State expense at educational institutions. This includes those at vocational training institutions until the age of 23.

Article 21

153. In current legislation, issues relating to adoption are regulated by the Marriage and Family Code, the Code of Administrative Offences, the Criminal Code and the Code of Civil Procedure. Detailed information on the legal framework for adoption is provided in the initial report.

154. Civil registry offices recorded 941 adoptions in 2006, 1,345 in 2007, 1,197 in 2008, 1,674 in 2009 and 1,373 in 2010.

155. A study is currently being made of the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (the Hague, 29 May 1993).

156. In the period 2005–2010, there were no cases of Turkmen children being adopted by foreign citizens.

Article 22

157. The State ensures the legal protection of refugee children, including their access to health care, education and other social services.

158. In current legislation, issues concerning the children of refugee families and displaced persons are regulated by the Refugees Act. Detailed information on this subject is provided in the initial report.

159. A refugee child is given the same protection as any other child who, for any reason, has been permanently or temporarily deprived of his/her family environment.

160. The current procedures for granting refugee status in Turkmenistan were established by the Regulation on procedures for granting refugee status, approved by a presidential decision, dated 7 March 2005. Pursuant to the Regulation, refugee status is granted by the State Migration Service, subject to approval by the Cabinet of Ministers.

161. In order to comply with international norms and to refine national legislation, steps are being taken to amend the Refugees Act.

162. In response to paragraph 62 of the concluding observations of the Committee of 2 June 2006: under law, forced resettlement is not used as a way of punishing children who have committed certain offences, be they Turkmen citizens (including ethnic minorities), foreign nationals, refugees or stateless persons.

163. Pursuant to article 511, paragraph 3, of the Criminal Code, persons under the age of 18, persons with category I or II disabilities, persons of retirement age, pregnant women or women with children up to 8 years old at the time an offence is committed are not subject to penalties involving assigned residence in a specific locality.

Article 23

164. Provisions covering the vital needs of mentally and physically impaired children, including those with disabilities, are found in national legislation. Detailed information on this subject is provided in the initial report.

165. On 4 September 2008, Turkmenistan acceded to the Convention on the Rights of Persons with Disabilities of 13 December 2006. On 25 September 2010, the Turkmen parliament ratified the Optional Protocol to the Convention.

166. Pursuant to the Rights of the Child Act, children with disabilities are entitled to participate fully and with dignity in the life of society. As part of measures to provide support for these children and help them integrate into society, the State maintains educational, medical and rehabilitation facilities where they can receive instruction, vocational training and education appropriate to their health status. Finding employment for children whose health disqualifies them from certain professions is the responsibility of the Department of Employment. Parents and legal representatives caring for children with disabilities are allocated the benefits specified by law.

167. Depending on the severity of their physical impairment and functional disability, persons under the age of 16 may be categorized as “children with disabilities”.

168. Individuals officially recognized as disabled are subdivided into the following categories:

- Children with disabilities up to the age of 16;
- Persons disabled since childhood (art. 82 of the Social Security Code).

169. Children with disabilities enjoy all the social, economic, political and individual rights and freedoms enshrined in the Constitution, the Social Security Code and other legislative instruments.

170. Discrimination against children with disabilities is prohibited and punishable by law. The State guarantees the protection of the rights, freedoms and lawful interests of children with disabilities in accordance with the procedures established by law.

171. At government level, administrative measures to protect persons with disabilities are implemented by the Ministry of Labour and Social Protection, the Ministry of Health and the Medical Industry and local authorities and administrations.

172. Children with disabilities are rendered social assistance in the form of cash payments and entitlements specified in the Social Security Code, as well as through the provision of medical, social, vocational and everyday services.

173. Disability allowance rates are steadily increasing. Since 1 July 2007, they have increased on average by 50 per cent and, since 1 January 2009 by 10 per cent. Since 1 July 2009 average allowance rates have risen on average by 28 per cent, while those allocated to persons disabled since childhood have gone up by 50 per cent, increasing, as of 1 January 2010, by 10 per cent.

174. As of 1 January 2011, there were 89,967 persons receiving a disability allowance, 10,100 of whom were children with disabilities under 16 years old.

175. Drugs and medicines, wheelchairs for disabled persons, and prosthetic, orthopaedic and other such appliances are available free of charge or on preferential terms, as stipulated by the Cabinet of Ministers.

176. Pursuant to the presidential decision of 30 October 2009, children with disabilities under 16 years old are provided with medicines, denture prosthetic treatment, prosthetic, orthopaedic and other such appliances, patient-care equipment and wheelchairs free of charge.

177. Once they reach the age of majority, children with disabilities at residential care facilities who are orphans or deprived of parental care become eligible for priority access to housing and help with initial home improvement costs if their individual rehabilitation programme provides that they are able to perform self-care tasks and live independently.

178. Turkmenistan continues to develop and enhance services designed to prevent childhood disability, including prenatal and genetic diagnosis. To improve the early detection and prevention of genetic and congenital disorders, a standard procedure has been approved for utilizing methods of prenatal diagnosis during critical periods of pregnancy and interventions have been stipulated for obstetrician-gynaecologists and medical geneticists specific to the type of abnormality identified in the foetus. Maternity homes have been fitted with ultrasound equipment.

179. The State ensures that persons with disabilities are afforded every opportunity to pursue education and vocational training. Education and health authorities must provide children with disabilities with preschool and non-formal education. They are also required to provide persons with disabilities with access to general secondary education and to help them obtain vocational training appropriate to their individual rehabilitation programme.

180. Education and health authorities must provide for the care, rehabilitation and attendance of children with disabilities of preschool age at preschool general educational institutions.

181. Children with disabilities whose health prevents them from attending such establishments go to special preschool facilities.

182. Persons with disabilities pursue general secondary, intermediate vocational and higher education at general educational institutions or, if appropriate, at special educational institutions. Persons with category I or category II disabilities, for whom a medical assessment panel finds no contraindication to education in higher and intermediate vocational training institutions, are admitted to such establishments without taking an examination. Persons with category III disabilities have, under equal conditions, priority in admission to higher or intermediate vocational institutions.

183. For the duration of their course, persons with disabilities at higher or secondary vocational educational establishments receive full State grants and bursaries, and, upon its completion, are provided with employment specific to their qualifications, with due regard for the working conditions.

184. Education and other State authorities ensure that everything is done to provide children with disabilities with access to out-of-school education. Specifically, education authorities organize training events for those who have undergone a course of treatment in hospitals, health-care facilities or rehabilitation centres.

185. Local authorities and administrations are required to ensure that persons with disabilities enjoy free access to and use of sports facilities and cultural and entertainment centres so that they can take part in physical exercise and sport. They must also ensure that such persons are provided with special sports equipment. Children with disabilities under 16 years of age enjoy these services free of charge,

186. Families caring for a child with a disability are entitled to make home improvements appropriate to his/her individual rehabilitation requirements and programme. Living accommodation provided to and occupied by persons with disabilities or families including a person with a disability must be equipped with special devices and appliances, as well as telephone communications.

187. Once they reach the age of majority, children with disabilities at residential care facilities, who are orphans or deprived of parental care become eligible for priority access to housing and help with initial home improvement costs if their individual rehabilitation programme provides that they are able to perform self-care tasks and live independently.

188. In compliance with article 4, paragraph 5, of the Education Act, the State ensures that citizens with special needs, i.e. persons with physical and/or mental impairments, are able to pursue education, to receive treatment for developmental defects and be helped to adjust to society with the use of special teaching methods.

189. Under article 14 of the Education Act, children with disabilities and persons with category I or category II disabilities are admitted to higher and intermediate vocational training institutions without having to compete against other applicants, provided that they pass entrance tests and a medical assessment panel finds no contraindication to their studying at the institution in question.

190. In accordance with article 24, paragraph 2, of the Act, special educational institutions are provided for children requiring lengthy treatment who have physical or mental developmental defects.

191. Pursuant to article 33, paragraph 9, of the Act, education management authorities provide special (remedial) education centres, classes, and groups focused on the treatment, education, training, social adjustment and integration of children with special needs.

192. The categories of day and residential pupils assigned to these centres, including pupils fully provided for by the State, are specified by the Cabinet of Ministers.

Article 24

193. In Turkmenistan, health care is focused on strengthening and protecting the health of the entire population, with priority accorded to maternal and child health.

194. State guarantees and the rights of children, adolescents and women to health and health care are specified in the Constitution of 26 September 2008, the Sanitary Code of 21 November 2010, the Labour Code, the Rights of the Child Act of 5 July 2002, the Public Health Act of 12 October 2005, the Foodstuffs Quality and Safety Act of 18 April 2009, the Act on the Protection and Promotion of Breastfeeding and Baby Food Requirements of 18 April 2009, the Radiation Safety Act of 15 August 2009 and the Drinking Water Act of 4 October 2010.

195. State policies for developing health-care services are set out in a national programme entitled “Strategy of social and economic development for the period until 2020 and for the period 2011–2030”, in the presidential health programme and in various other national programmes concerned with the protection and promotion of breastfeeding, anaemia prevention and control in women and children, salt iodization, flour fortification with iron and folic acid, the integrated management of childhood illnesses, basic newborn resuscitation and care, criteria recommended by the World Health Organization for the registration of live births and stillbirths, reproductive health, HIV/AIDS/STD (sexually transmitted diseases) prevention and safe motherhood.

196. Implementing these programmes will contribute directly to achieving the Millennium Development Goals to reduce maternal and child mortality, prevent, detect and combat the spread of HIV infection, prevent hepatitis B and C and immunize the population.

197. Child health services, including primary health care, are provided by a network of curative and preventive medical facilities, which also operate in rural areas. Each year the number of these facilities increases. Residential health care for children is provided by 5 Ene Myahri perinatal centres, 6 maternal and child health centres, 4 municipal and 49 district hospitals with children’s beds, and the Ashgabat City Children’s Hospital. The total number of children’s hospital beds rose from 3,648 in 2005 to 3,720 in 2009. The ratio of beds to children increased from 23 per 10,000 children aged 0–14 years in 2005 to 26 per 10,000 in 2009.

198. To improve emergency medical services for children, paediatric life-support specialists work in district hospital intensive care units and, whenever necessary, aeromedical specialists deliver round-the-clock specialized urgent care. Family-oriented outpatient services for children are provided by 26 municipal clinics and 1,643 rural clinics and district hospital health centres, where 2,927 doctors, 1,266 physician’s assistants and 5,220 nurses monitor and treat children. All health clinics and centres have vaccination rooms. In the period 2005–2009, annual vaccination coverage for children was 97–99 per cent.

199. In recent years, the birth rate has been rising in all regions and throughout the country as a whole. In the period 2005–2010, the number of births increased by over 50 per cent. Pursuant to Order No. 217 of 3 November 2006 issued by the Ministry of Health and the Medical Industry, 2007 saw the introduction of criteria for registering live births and stillbirths in accordance with World Health Organization recommendations. With help from international organizations, seven national instructors and 70 per cent of health-sector professionals (neonatal physicians, obstetrician-gynaecologists, statisticians, forensic pathologists and medical school teachers) received training.

200. In response to WHO recommendations, in 2008 the Matrix BABIES system was adopted in order to assemble and systematize data with a view to converting them into

information that can be used to establish the primary causes of death in newborn infants and decide on the most appropriate intervention procedures. Senior specialists from provincial health departments administered by the Ministry of Health and the Medical Industry underwent training in the system.

201. The infant mortality rate is an objective barometer for gauging the State's attitude towards protecting and strengthening children's health. Recent years have witnessed a sustained decline in infant mortality, and it is noteworthy that the number of child deaths due to acute intestinal infection has also fallen following the adoption of WHO international programmes.

202. Mindful of the current causes of childhood illnesses and infant mortality, comprehensive measures are ongoing aimed at preventing and reversing the incidence of these illnesses.

203. The WHO Integrated Management of Childhood Illness programme continues to run successfully. Training materials have been revised and published in the State language.

204. Training courses on basic newborn resuscitation and care are being conducted and have already been completed by 60 per cent of perinatal specialists.

205. The national Safe Motherhood programme for 2007–2011 has been operating successfully since 2007. The programme includes all regulations covering the system of care services for pregnant women, women in labour and newborns, as well as provisions for modernizing the system using WHO technologies. All WHO guidelines have been translated and published in the State language, and 455 specialists have undergone training. The Safe Motherhood recommendations do not require substantial material costs, are being implemented with the rational use of available resources and are proving highly effective. They include, *inter alia*, the use of partograms in the delivery process, free choice of labour positions and movements, physiological births supported by a midwife, the de-medicalization of normal childbirth, the presence of partners during delivery and active management of the third stage of labour. As regards the last of these recommendations, the introduction of just one WHO standard, for example, has helped to eliminate all cases of postpartum haemorrhage in the pilot districts.

206. Turkmenistan is moving ahead with a national programme to protect and support breastfeeding, as well as measures to encourage exclusive breastfeeding for six months and the introduction of baby food at the right time. The country currently has 62 health-care facilities certified as child-friendly hospitals, accounting for 95 per cent of all perinatal centres; 34 hospitals have been recertified. Thirty-three seminars on the principles of breastfeeding young infants have been held, and 769 family physicians have received training. National Breastfeeding Week is marked annually from 1 to 7 September. A law protecting and promoting breastfeeding and stipulating baby food requirements has been adopted.

207. Research carried out by the Scientific and Clinical Centre for Mother and Child Health Care shows that, in the period 2007–2009, 98–99 per cent of newborns discharged from maternity homes, 68.3 per cent of infants up to 3 months and 27.6 per cent up to 6 months were exclusively breastfed.

208. Since 2008, the Ministry of Health and the Medical Industry and the Ministry of Education have been working together to implement standards for early child development and preparing children for school. Teaching materials have been revised and published in the State language, and 32 national instructors have been trained from among health-care and education workers. Three hundred family physicians and kindergarten teachers have also received training.

209. With due regard for key aspects of domestic policy and the fundamental provisions of the Convention, a national programme focusing on early child development and preparing children for school has been formulated for the period 2011–2015. The programme is the result of collaborative efforts between the appropriate ministries and departments, voluntary associations and UNICEF. On 26 March 2011, it was approved by the Interdepartmental Commission on compliance with Turkmenistan's international human rights obligations and submitted to the Government.

210. Turkmenistan has 87 adolescent health clinics providing curative and preventative medical care for teenagers.

211. With assistance from UNICEF, the State is moving ahead with wide-scale preventive interventions such as the iodization of salt and the fortification of flour with iron and folic acid in an effort to prevent iodine and iron deficiency disorders, infectious and other diseases.

212. Turkmenistan is the fourth country worldwide, and the first in the CIS, to have achieved universal salt iodization. After receiving an international certificate for the salt iodization programme, regular biological monitoring ascertained that 100 per cent of households use iodized salt and that urinary iodine concentrations are high. It is noteworthy that today the population of Turkmenistan uses flour that is 100 per cent fortified with iron and folic acid.

213. A study of the effectiveness of a programme in Dashoguz province showed a decline in anaemia in all target groups, particularly with regard to second-stage anaemia, which had decreased by 20 per cent.

214. In 2010, new nutrition standards were introduced to ensure a healthy diet meeting the growing body's nutritional and energy requirements and to improve the variety of foods available to children in preschool institutions, preschool and school rehabilitation facilities, residential schools, summer health and wellness camps, crèches, kindergartens, early childhood centres and tuition-based kindergartens.

215. The State Sanitary and Epidemiological Service of the Ministry of Health and the Medical Industry monitors the State registration, certification and distribution of foodstuffs, including child nutrition products.

216. Health-care services accord particular emphasis to preventive medicine, an important component of which is the prophylactic use of vaccinations. A Government-approved national immunization programme for the period 2003–2020, aimed, *inter alia*, at eradicating measles by 2010, continues to operate successfully.

217. Since 2002, newborns have been administered the BCG vaccine and the combination hepatitis B and polio vaccine free of charge, the coverage rate being 99.5 per cent. The vaccination results are entered into an immunization record card, thus making it possible to keep track of all the vaccines received throughout a person's life. Since 2007, the combined MMR vaccine against measles, mumps and rubella has been introduced for children aged 12–15 months and 6 years, and, since 2010, against infections caused by *haemophilus influenzae* type b (Hib-infection) for children aged 12–15 months. Going forward, there are plans to study and introduce new vaccines in Turkmenistan.

218. High vaccination coverage rates have helped to reduce the incidence of vaccine-preventable diseases. The country maintains its polio-free status and is implementing a comprehensive range of initiatives to prevent and respond to the importation of wild poliovirus.

219. A national programme to prevent malaria in the period 2005–2010 and a national strategic plan to eliminate the disease in the period 2008–2010 remain ongoing. Pursuant to

these programmes and the WHO policy entitled “The Move from Malaria Control to Elimination”, twice a year large-scale ad hoc mosquito control interventions to combat malaria, including hydro-technical measures, are implemented, funded exclusively by the State.

220. Health education has been scaled up among diverse population groups and insecticide-treated bed nets have been distributed in border districts. Particular attention has been paid to strengthening infection prevention, control services and information management, as well as to training personnel. Research is being conducted and ongoing interventions are under evaluation.

221. Since 2006, there have been no reports of locally acquired cases of malaria. Turkmenistan has been singled out by the World Health Organization as a leading country in the European Region for achieving the goal of eliminating malaria before 2010. Turkmenistan received an international certificate in 2010 for having completely eliminated malaria.

222. In order to improve assessment, monitoring and reporting procedures specific to the implementation of national development plans and the Millennium Development Goals in the area of reproductive health, as well as to meet international reporting standards on HIV/AIDS prevention and maternal and child health care, the Ministry of Health and the Medical Industry, supported by the United Nations Population Fund (UNFPA) and UNICEF, has begun creating a Health Information database using DevInfo 6.0 software, a database administration application for monitoring human development. The software is endorsed by the United Nations as a tool for tracking the implementation of the Millennium Development Goals programme and other national action plans.

223. A strategy for promoting women’s reproductive health is proving highly beneficial in resolving family planning issues. The objectives of the strategy are safe motherhood, to reduce pregnancy-related risks and complications and extragenital pathologies among women of reproductive age and to improve the health of young and teenage girls.

224. The effectiveness of measures to protect reproductive health in the family depends on people’s awareness of birth-control methods and on the extent to which they are available to the wide range of persons potentially requiring them. Availability depends, in turn, on the quality and number of services providing such resources.

225. To meet these requirements, reproductive health services are available at mother and child care centres in each province. Furthermore, thanks to active UNFPA support, all districts have well equipped reproductive health units and there are 402 maternal health clinics (gynaecological units). These services are coordinated by the National Reproductive Health Centre, which operates as part of the Mother and Child Health Care Clinical Research Centre.

226. The Reproductive Health Care Service provides comprehensive family-planning services, including free consultations on sexual and reproductive health, free contraceptives and pregnancy tests.

227. Reproductive Health Care Service personnel conduct training sessions and seminars, equip reproductive health units and work to raise awareness of women’s reproductive rights. Universal access to family-planning services is ensured by way of long opening hours at clinics and by involving family physicians in the Service’s activities.

228. The list of essential medicines includes 10 brands of contraceptives.

229. In close collaboration with UNFPA, since 2009 CHANNEL, a software program for managing contraceptive supplies, is increasingly being used to monitor the storage and distribution of contraceptives.

230. Contraceptive coverage of women of childbearing age was 45 per cent in 2005 and 33 per cent in 2009. The decline in coverage is attributable to enhanced efforts on the part of reproductive health units and to the adoption of an evidence-based approach towards contraceptive use as a way to improve women's health and ensure a longer interval between successive births, as well as towards increasing the birth rate.

231. In order to enhance care services for pregnant women in all regions, comprehensive measures are being undertaken to improve the organization of obstetric and gynaecological care. Turkmenistan has 62 maternity units designated as "baby-friendly", separate delivery rooms where male partners can be present at the birth and wards where mothers and their newborns remain together.

232. In the period 2005–2009, State perinatal facilities (delivery units of district hospitals, maternal and child health centres, Ene Myahri and other perinatal centres) providing qualified prenatal, perinatal and post-natal services increased the number of beds available for pregnant women and women in labour to 3,300.

233. In 2009, 98.4 per cent of pregnant women were registered with health-care facilities and 99.8 per cent received professional medical care during delivery from qualified personnel.

234. In the period 2005–2009, the number of home births halved, accounting for less than 0.2 per cent of all births. Thus, 99.8 per cent of births took place in health-care facilities, attended by health-care professionals. The percentage of caesarean sections currently totals 4.5 per cent, i.e. does not exceed WHO optimal rates.

235. Women's health initiatives have prompted a sustained decline in the maternal mortality rate, which is reflective of the improvements that have occurred in the country as a whole (e.g. increased social and economic prosperity, greater promotion of women's rights and social status).

236. The maternal mortality ratio has decreased. Specifically, Turkmenistan has reduced maternal mortality 9.3-fold, already meeting Millennium Declaration target 5A for 2015.

237. Factors that have had a direct impact on the maternal mortality ratio include medical progress, comprehensive medical care at work and in the post-natal period, universal access to prenatal care, higher-quality health-care services due to better training of midwives, the expansion of family-planning programmes, the high proportion of births attended by health-care professionals and the investigation of every case of maternal mortality.

238. The Ministry of Health and the Medical Industry has drawn up and adopted guidelines for women's health care and for abortions, whether voluntary or for medical or other reasons. Voluntary abortions may be performed up to the twelfth week of pregnancy, and mini-abortions up to the fifth week. Illegal abortion is a criminal offence.

239. Specialists are working to introduce safe medication-induced abortions. All types of abortion are performed at health-care facilities free of charge or for a fee. Over the past 10 years the number of abortions has declined, with increasing use of contraceptives replacing abortion as the main form of birth control.

240. With the establishment of reproductive health services, efforts to prevent abortions have resulted in a 50 per cent decline in the number of artificially induced terminations and the predominance of safe abortions. Other outcomes have been an average increase of 2.5 years in the interval between successive births and lower morbidity among women of childbearing age.

241. Over the past five years, Turkmenistan has noted an improvement in its reproductive health indicators, thanks to the programmes and strategies implemented.

242. To meet the need for services of the highest quality using modern equipment and new technologies, in 2005 an Ene Myahri centre was set up by presidential decision and, in 2008, a network of Ene Myahri centres was established in all provinces.

243. The centres have the equipment and medicine to care for newborns weighing upwards of 500 g and carry out prenatal diagnostic tests for abnormal foetal development by means of ultrasound scanning, conduct foetal examinations at 9–11 and 22–23 weeks of pregnancy using amniocentesis and cordocentesis in order to ensure correct prenatal development and timely detection of any complications, monitor deliveries with partograms and assess the readiness of the birth canals for delivery based on the Bishop scoring system. Free choice of labour positions and movements, emotional support for the woman in labour and the use of medicines for specific indications ensure a more physiological delivery process. Adopting these practices increases the survival chances of newborns, enabling more women to experience the joy of motherhood. The centres are equipped to screen for anaemia, conduct tests to assess fetal metabolism and the intrauterine foetus state and to screen for HIV/AIDS. With the help of modern technology, high-quality care can be delivered to women who have had repeated miscarriages, tests can be carried out to determine group and Rh factor incompatibility so that it can be treated and viral infections can be detected using ELISA and PCR tests. Also, abnormalities in the foetus and placenta can be prevented and treated, thereby improving the chances of the mother giving birth to a healthy child.

244. Ene Myahri centres are equipped to ensure “clean births” and to prevent mothers and children from suffering infectious complications in the post-natal period. By following WHO recommendations on managing complications in childbirth, perinatal mortality is now stable.

245. Quality services include cervical colposcopies and cytologic smears, mammograms and paracentetic stereotactic biopsies with follow-up smear tests. Thanks to screening, cervical cancer and breast cancer can be detected at an early stage. The screening results are used to plan vaccinations against human papilloma virus.

246. Preventive measures include diagnosis of early development of osteoporosis: bone densitometry, determination of hormone levels and mineral metabolism, hormone replacement therapy, diet therapy and the use of special medications.

247. In 2005, the Ene Myahri medical centre in Ashgabat was equipped with a laboratory for in vitro fertilization to help women and their partners realize their reproductive rights.

248. In 2007, with support from the centre, an international project was carried out to adopt ICSI, IVF, TESE and PESE techniques, which are helping many couples to have children. As part of the project, a genetic laboratory was set up in 2010 to enable early diagnosis of hereditary diseases through the utilization of FISH technologies and the study of human karyotypes.

249. As part of the same project, work has begun on preserving the fertility of cancer patients. A bank for preserving biomaterial helps men and women with cancer to realize their reproductive rights and not to feel discriminated against in this regard.

250. In 2008, a joint Turkmen-German gestational diabetes project was launched which involves screening for early detection of anomalies in the carbohydrate metabolism of pregnant women, preventing complications during pregnancy, childbirth and the newborn infant’s adaptation period and developing a system for monitoring the health of mother and child during the first six weeks after delivery and the onset of diabetes mellitus type 2.

251. Steps are being taken to create a mother and child health card, which will provide details of all pregnancies and births, as well as information on the newborn infant’s health status.

252. In collaboration with UNFPA and WHO, a working group of top health specialists and teachers from Turkmen State Medical University has prepared a set of clinical guidelines which will be adopted throughout the country after being studied by WHO experts.

253. Departments at Turkmen State Medical University have teamed up with clinical research centres to conduct research studies, variously entitled “Improving pneumonia and pneumonopathy treatment in newborn infants”; “Clinical and diagnostic value of ultrasound-based diagnosis of children with acute pneumonia”; “Improving diagnosis and treatment of female reproductive dysfunction”; “Improving treatment of urethral strictures in children”; “Evaluating placental insufficiency in women with gestosis in Turkmenistan’s arid region”; “Improving diagnosis and treatment of non-rheumatic myocarditis in children”; “Study of the particularities of clinical progression and local defence mechanisms of periodontal diseases in adolescents in hot climates”; “Particularities of clinical progression of infectious mononucleosis and improving diagnosis and treatment”; “Immunological diagnosis of non-rheumatic carditis in infants” and “Clinical and immunological characteristics of rheumatoid arthritis in children”.

254. Mothers and children in rural areas have equal access to health care, including information, counselling and family-planning services. The President’s national programme to improve social and living conditions in villages, settlements, towns and district centres for the period to 2020 is helping to improve the quality of medical services in rural areas, as are other social programmes designed, *inter alia*, to strengthen primary health care in villages served by family physicians, prioritize small-scale hospitals delivering social and medical assistance, establish high-precision diagnostic services (biochemical, bacterial, endoscopy, ultrasound, X-ray, etc.) and develop the network of inter-district diagnostics centres.

255. Three new hospitals fitted with modern diagnostic and therapeutic equipment providing health care services for rural residents, including children, have been opened in newly created districts. District hospitals, village health centres and clinics continue to be built, renovated, and given equipment. Accordingly, all such facilities will have been upgraded and fully fitted with equipment by 2020, thus ensuring better-quality health care, including for children.

256. Women and children have access to social protection programmes through primary health-care facilities and hospitals. In keeping with the priority status accorded to protecting and improving the reproductive health of the population, national programmes have been launched to protect and promote safe motherhood with the help of family planning.

257. Rural districts are served by 1,634 primary health-care centres and clinics and 64 district hospitals. Attached to these facilities are emergency departments with ambulance services and emergency equipment. Rural health-care providers are retrained free of charge by way of special modules that include training in reproductive health, obstetrics and gynaecology programmes and paediatric emergency care.

258. Extremely remote rural areas are served by DOTS (directly observed treatment, short-course) units, enabling local residents, including women and children, to obtain high-quality health care in isolated regions.

259. Paediatric physicians are trained at the State Medical University’s department of paediatrics. Further training is carried out at the faculty of continuing medical education.

260. Five nursing colleges provide training for nurses and physician’s assistants.

261. Since 2009, all medical university and nursing college departments have included classes on Turkmen society, part of which involves the study of human and children’s rights instruments.

HIV/AIDS prevention

262. The principal institutions involved in combating HIV/AIDS are the National HIV/AIDS Prevention Centre, the five regional AIDS prevention centres and 36 specialized diagnostic laboratories. The AIDS centres conduct awareness-raising activities, undertake preventive measures, provide pre-test and post-test counselling, carry out ELISA and WB screening tests for HIV and prepare and publish educational materials appropriate to the age and specific features of the target group.

263. The Act on the Prevention of Illnesses caused by the Human Immunodeficiency Virus (HIV) is the core legislative instrument specifying procedures regulating the prevention, diagnosis and treatment of HIV/AIDS and social assistance for persons living with HIV/AIDS. Pursuant to the Act, HIV-positive citizens, including children, receive antiretroviral treatment for HIV/AIDS.

264. The national programme for the prevention of HIV/AIDS/STD for the period 2005–2010, approved by the Cabinet of Ministers, is a continuation of the multisectoral approach introduced in the previous HIV/AIDS programme. One of its main aims is to prevent HIV/AIDS/STD among young people and vulnerable groups.

265. Since 2005, obstetricians and gynaecologists have tested pregnant women for HIV/AIDS, also providing them with pre-test and post-test counselling.

266. In 2009, the Academic Council of the Ministry of Health and the Medical Industry adopted a protocol on the provision of antiretroviral prophylaxis to HIV-positive pregnant women and their children.

267. With financial support from UNFPA, and in cooperation with the National AIDS Prevention Centre, an information resource centre has been working since 2007 with women whose behaviour puts them at risk (sex workers and injecting drug users). An outreach team at the centre composed of medical staff, former sex workers and injecting drug users conducts preventive work in locations with target groups. The centre also provides a range of medical and social services, consultations with specialists, including gynaecologists, a specialist in sexually transmitted infections and skin diseases, psychologists, an infectious disease specialist, tuberculosis specialists and surgeons. Educational materials are distributed to persons in vulnerable groups, seminars are conducted on HIV transmission and classes taught on safe sex and safe injecting practices. As part of the project, plans have been made to open information resource facilities at two provincial AIDS prevention centres in 2011.

268. Awareness-raising among students at secondary and higher education institutions is conducted by way of regular lectures and round tables. Secondary school pupils attend healthy lifestyle classes, in which they are taught about HIV/AIDS/STD prevention, modes of transmission and protection against infection.

269. An outline plan for promoting healthy lifestyles among adolescents and young people through the application of life skills has been submitted for approval. As part of measures to prevent drug abuse and HIV/AIDS/STD, information booklets have been produced and distributed to secondary and higher education institutions. Seminars are conducted for teachers.

270. Since 2008, youth centres have been operating in Ashgabat and Dashoguz in collaboration with the Magtymguly Youth Organization, supported by the Potential Project run by the United States Agency for International Development. The aim of the centres is to combat the spread of HIV/AIDS/STD and drug abuse among young people by raising their awareness about the risks of HIV transmission and reducing risk behaviours. To date, the centres' prevention activities have reached around 30,000 young people.

271. Since 2009, a youth centre has been operating under the auspices of the Health Information Centre with UNFPA support to train volunteer instructors to teach, on a peer-to-peer basis, seminars and training courses on gender issues, leadership, adolescent reproductive health and the prevention of HIV/AIDS/STD.

272. The Health Information Centre disseminates educational materials in Turkmen and Russian in health-care and educational institutions, industrial enterprises, shopping centres and aeroplanes, each geared towards its target audience. Titles include: "Life is wonderful when it's safe", "Together against AIDS", "Let's build a healthy family", "Let's guard against adult problems", "We're defending our future ourselves", "Youth is wonderful", "HIV/AIDS" and "Sexually Transmitted Diseases".

273. Each year on 1 December, awareness-raising initiatives are conducted to mark World AIDS Day.

274. Together with the European Union/United Nations Development Programme Border Management in Central Asia-Central Asia Drug Action Programme (BOMCA-CADAP programme), the Health Information Centre has launched a training course for media journalists to heighten awareness and enhance the role of journalists in improving the health and well-being of vulnerable population groups, including adolescent girls, with regard to AIDS and drug abuse in the framework of the Media and Dissemination Strategies (Medissa) project. A workshop was held by an international expert on preventive measures, the legal aspects of reporting on HIV/AIDS-related problems and drug abuse, and interaction with the State authorities and civil society.

Mental health of children and adolescents

275. The Psychiatric Care Act of 1 October 1993 stipulates that mental health services are guaranteed by the State and provided pursuant to the principles of legality, humanity and respect for human rights.

276. Article 4 of the Act specifies that minors under 15 years of age or persons declared legally incompetent in accordance with the procedure established by law are to be provided with mental health services at the request, or with the consent, of their legal representatives.

277. Legal representatives of minors under 15 or persons declared legally incompetent in accordance with established procedure may refuse treatment, except in cases involving coercive measures of a medical nature, court-ordered involuntary commitment to a hospital or emergency hospitalization (art. 5 of the Act).

278. While they are in receipt of mental health care, the rights and interests of minors and children declared legally incompetent are protected by their legal representatives (parents, adoptive parents or guardians) or, in the absence of such persons, by the administrators of a psychiatric hospital or a social-welfare or special educational neuropsychological institution.

279. Mental health services are provided by child and adolescent units at psychiatric hospitals and psycho-neurological centres, as well as by day hospitals, which are located in every province.

280. The details of a child's or an adolescent's mental health status may not be divulged and are protected by law.

281. Depending on the medical condition in question, outpatient mental health services for children suffering from mental disorders are provided by a child psychiatrist by way of counselling or outpatient monitoring by local child or adolescent psychiatrists (art. 24 of the Act).

282. Mentally and physically impaired children and children with disabilities are accorded preferential access to health care and receive medicines free of charge in accordance with the orders issued by the Ministry of Health and the Medical Industry in April 2005, May 2007 and November 2009.

283. Children suffering from mental disorders with category I or II disabilities who have no social ties or who, in the opinion of psychiatrists, require constant care and supervision may be taught at home or be sent to a psycho-neurological care facility. Medical conditions serving as grounds for sending a child to such a facility are mental retardation that takes the form of a debilitating illness or severe or profound intellectual disability, or chronic mental illness accompanied by dementia or severe mental impairment.

284. The State takes all necessary measures to promote healthy lifestyles, to protect children from the unlawful use of narcotic drugs and psychotropic substances, and to combat illicit trafficking in narcotic drugs and psychotropic substances.

285. The State ensures that children suffering from drug and solvent addiction receive substance abuse treatment.

286. National legislation establishes responsibility for engaging children in the production, trafficking, distribution and use of drugs and psychotropic substances (art. 28 of the Rights of the Child Act, art. 296 of the Criminal Code).

287. Mental health services for children and adolescents suffering from drug addiction are rendered by municipal and provincial drug rehabilitation hospitals and district hospital and drug treatment units upon the voluntary request of the individual concerned or at the request or with the consent of his/her legal representative in accordance with the procedures prescribed by the order of October 2000 issued by the Ministry of Health and the Medical Industry.

288. Medical personnel working for drug abuse treatment services must have a higher or intermediate medical qualification and have undergone 3–5 months training in substance abuse. Physicians attend specialized courses every three years and nursing staff every five years.

289. With support from international organizations, drug abuse therapists and the National Health Information Centre regularly conduct various awareness-raising initiatives for students at vocational training and higher education institutions by way of lectures, round tables, special events, television and radio broadcasts, articles in periodicals, seminars for teachers and booklets on drug-related issues that are handed out to students at secondary and higher education institutions.

290. Drug abuse therapists work together with police youth liaison officers in conducting drug prevention activities (inspections and discussions) focusing on maladjusted children and adolescents registered by the authorities from dysfunctional families (e.g. parents are drug addicts or alcoholics). Drug abuse therapists sit on commissions concerned with maladjusted adolescents, which operate under the auspices of district administrations.

Tuberculosis

291. Pursuant to the national tuberculosis programme, legislation in force and orders issued by the Ministry of Health and the Medical Industry, all citizens, including children, irrespective of sex, age, social status, ethnic background or place of residence (rural or urban), receive free tuberculosis tests and treatment.

292. The national tuberculosis programme is an active part of primary care, which has made it possible to increase the percentage of cases detected, monitor treatment and

improve the quality of medical services for tuberculosis patients. Guidelines and handbooks have been compiled for family physicians.

293. As recommended by the World Health Organization, BCG vaccines are administered twice: at 3–4 days old in a maternity home, then again at 14 years of age.

294. Tuberculosis care is provided at six tuberculosis hospitals with a combined total of 2,118 beds, as well as at 34 district hospital tuberculosis units. All curative care facilities and tuberculosis services are equipped with modern binocular microscopes. The country's education system is served by nine specialized children's centres and one sanatorium cum residential school.

295. By 2007 the DOTS strategy had been adopted at all curative and preventive medical facilities.

296. All tuberculosis facilities are supplied with the medicines necessary for treating tuberculosis patients, with fixed doses for children and adolescents.

297. Active efforts are being made to integrate the national tuberculosis service with a view to enhancing intersectoral collaboration (maternal and child welfare, HIV/AIDS and drug abuse treatment services).

298. To ensure early diagnosis of respiratory diseases, mobile X-ray units are used, including X-ray vans that visit schools and health clinics, where screening is free of charge.

299. September 2010 saw the opening in Ashgabat of the Directorate of Centres for Infectious Diseases, which comprises the Tuberculosis Prevention and Treatment Centre, the Infectious Diseases Prevention and Treatment Centre, the Dermatovenereology Centre, the National AIDS Prevention Centre, the Blood Centre and the Central Laboratory. All are fitted with the latest medical equipment, such as computed tomography technology, digital X-ray scanners, Fibroscan and ultrasound apparatus, ensuring early diagnosis of all forms of tuberculosis and effective treatment.

300. With help from the United States Centre for Disease Control and Prevention, the tuberculosis service has produced a computer program for monitoring and registering tuberculosis patients, specialists from the tuberculosis services have received training, a computer program has been introduced for compiling registration and treatment data on persons with tuberculosis and a database of tuberculosis patients has been created.

301. In 2010, assisted by the World Health Organization, a five-year grant was received from the Global Fund to Fight AIDS, Tuberculosis and Malaria in order to improve tuberculosis prevention and control.

302. The national tuberculosis programme cooperates closely with the correctional system. The Ministry of Health and the Medical Industry supplies prisons (including penal colonies for women and adolescents) with medicine and diagnostic equipment and conducts training courses for the medical personnel of specialized institutions.

303. Efforts are ongoing to raise awareness among children and adolescents in preschool facilities. Seminars are held, schoolchildren attend classes in healthy lifestyle principles and booklets and pamphlets on tuberculosis are published, including with regard to preventing, diagnosing and treating the disease.

Preventive health care

304. The Ministry of Health and the Medical Industry implements measures aimed at raising public awareness with regard to health improvement, promoting a sustainable healthy lifestyle and enhancing the population's reproductive health.

305. Television programmes, media publications, round tables and seminars are organized on a regular basis. Educational materials (video films, brochures, booklets, pamphlets, leaflets, posters and banners) are distributed throughout the country's regions on reproductive health, safe motherhood, healthy eating, keeping fit, avoiding harmful habits, preventing drug abuse and HIV/AIDS/STD, as well as on other urgent health-related issues.

306. In collaboration with UNICEF and other international organizations, the Health Information Centre published a book, "Life-protecting facts", which has been used as the basis for 14 video films and eight video clips, variously entitled "Healthy toddler", "Sport", "Safe motherhood", "Early development of children", "Breastfeeding", "Immunization" and "Preventing depression", which were shown on national television.

307. Health-care providers are invited to teach at secondary schools on various subjects, such as diseases and how to prevent them, hygiene and adolescent sexual behaviour, etc. Children in grades 1–10 are given classes in healthy lifestyle principles.

308. As part of the "Child-friendly schools" and "Early child development and school preparation" projects, the Health Information Centre, the Ministry and Education and UNICEF have come together to run courses on children's rights for teachers, caregivers and health-care providers at preschool facilities and schools and medical personnel at health-care institutions. Under the Integrated Child Development programme, 1,280 parents in five pilot regions have been taught child-rearing and childcare skills.

309. A number of publications have been produced and distributed: brochures entitled "Motherhood needs special care", "Let the family be healthy", "Let's build a healthy family", and "Reproductive health"; and booklets called "How to stay healthy", "Breastfeeding" and "Life-protecting facts". These publications have all been distributed through health-care facilities, higher education institutions, the Turkmenhowayollary airline, in trains and through other public organizations.

310. Clubs for adolescent girls in grades 6–7 operate under the auspices of information centres. Confidential discussions are used by these clubs as a way to address the types of questions and problems that interest girls of this age, who are given booklets on various subjects. Over the course of five years, the clubs have been visited by 25,562 girls.

311. Regular meetings and discussions with pregnant women are held at the Information Centre's Museum of Health and at health clinics, offering advice on pregnancy-related issues.

312. With UNFPA support, in Ashgabat (2009) and Dashoguz (2010) youth centres were opened that provide training for volunteers and instructors, conduct seminars and training courses on a peer-to-peer basis and raise awareness regarding adolescent reproductive health, gender issues, leadership and the prevention of HIV/AIDS/STD. The centres operate helplines providing counselling for adolescents and young people on issues such as adolescent crisis, personal and gender identity problems, relations with the opposite sex, mental well-being and family, school and personal problems.

Article 25

313. Pursuant to article 25 of the Convention, information concerning the periodic review of guardianship and all other placement arrangements made for children in order to provide for their care, protection or physical or psychiatric treatment is presented in the initial report. The standards and regulations specified therein remain in force and are fully implemented.

314. The Sanitary Code outlines the legal, economic and social framework ensuring the sanitary and epidemiological well-being of the population, the realization and protection of

the right of citizens to a favourable environment, as well as their related rights and legitimate interests.

315. The State regularly carries out sanitary and epidemiological inspections to ensure compliance with sanitation and hygiene standards and regulations in preschool institutions, general education schools, residential schools, children's rehabilitation centres, camps and other children's facilities.

316. The State Sanitary and Epidemiological Service of the Ministry of Health and the Medical Industry monitors the State registration, certification and distribution of foodstuffs, including child nutrition products.

Article 26

317. Social security in Turkmenistan is a State system whereby social protection and services are provided to citizens who are unable to work or have disabilities, to families with children and to other persons through the payment of pensions and State allowances and the provision of social services.

318. Considerable emphasis is accorded to social support for persons with disabilities, mothers and children. 17 March 2007 saw the adoption of the Social Security Code, which stipulated the payment of State benefits, including maternity benefit, childbirth benefit and loss of breadwinner allowance.

319. Pursuant to amendments made to the Social Security Code in March 2009, disability, childbirth and childcare benefits were increased and the eligibility period for childcare benefits was extended from 18 months to 3 years. As of 1 January 2011, 294,764 persons were in receipt of the childcare benefit, which amounted to 78.65 manat.

320. Parents (adoptive parents, guardians and other persons caring for children) receive the following social security benefits affecting the well-being of children:

- Temporary incapacity benefit;
- Maternity benefit;
- Childbirth benefit;
- Childcare benefit;
- Disability benefit;
- Loss of breadwinner allowance;
- Social security benefit.

321. In 2010, 136,856 persons were paid a lump sum allowance after the birth of a child, totalling 34,255,600 manat.

322. The increase in the number of recipients is indicative of the rising birth rate, reflecting, in turn, higher living standards and social protection for young mothers.

323. On 1 July 2009, the childcare benefit underwent two changes: the amount paid was increased from 55 to 71.50 manat and the eligibility period was extended from 18 months to 3 years. As a result, the number of recipients doubled in the same year from 133,280 to 268,483, while spending on monthly benefit payments more than tripled.

324. The Code provides for women with children to retire early on an old-age pension. Specifically, women who have given birth to and raised three children up to the age of 8 are entitled to retire at the age of 56 or, where there are four children, at 55. In cases of five or

more children or a child with a disability, women may retire at the age of 54, providing they have spent at least 20 years in employment.

325. Furthermore, when pensions are calculated, periods of leave taken to look after a child or time unemployed spent caring for a child with a disability under 16 count towards time in employment, provided the total period does not exceed 10 years (Code, art. 24).

326. Temporary incapacity benefit is paid to persons who were rendered unfit to work at the time of employment, as well as to parents caring for a sick child:

- Under 14 years old (although for no more than 14 calendar days when a child is receiving outpatient care);
- Under 7 years old receiving inpatient care, as well as for a child under 14 with a severe illness, in the period following a serious operation, after sustaining severe injuries or burns (although for no more than 122 calendar days).

327. Mothers bringing up a child with a disability up to the age of 16, persons under 18 without any parents, and persons under 21 receive full temporary incapacity benefit, irrespective of how long they have spent in employment (art. 63).

328. Families and children are increasingly enjoying a higher quality of life with regard to pregnancy, childbirth and childcare.

329. The right to childbirth benefit is accorded to the child's mother or father, irrespective of employment status. This right is also shared by anyone who adopts the child before the age of 4 months.

330. As of 1 January 2010, the childbirth benefit rate was:

- 157.30 manat for the first and second child;
- 302.50 manat for the third child;
- 605 manat for the fourth child and subsequent children.

331. The right to childcare benefit for children 3 years old is accorded to the mother, father or tutor, irrespective of employment status, or to other relations who are actually caring for the child.

332. As of 1 January 2010, childcare benefit totalled 78.65 manat for each child.

333. Childbirth and childcare benefits are paid using allocations from the national budget.

334. Persons with categories I or II disabilities who have dependent family members are allocated a supplement for each child.

335. Pursuant to articles 82 and 87 of the Code, State benefits are to be paid to children with disabilities under 16 and persons disabled since childhood.

336. Children who have suffered the loss of the breadwinner receive loss of breadwinner allowance until they reach the age of 18. Children attending intermediate special, vocational or higher educational institutions receive the allowance until they graduate, but only up until the age of 23.

337. As of 1 January 2010, the loss of breadwinner allowance rate was 72.60 manat for one child, 133.10 manat for two children, 157.30 for three children and 181.50 manat for four or more.

338. The loss of breadwinner allowance rate paid to orphan children was 145.20 manat for one child, 242 manat for two children and 302.50 for three or more.

Article 27

339. Pursuant to article 27 of the Convention, Turkmenistan recognizes the right of every child to a standard of living adequate for his/her physical, mental, spiritual, moral and social development. Detailed information on this subject is provided in the initial report.

340. In the reporting period, positive changes occurred in the structure of family income and expenditure. Proportionately, spending on food declined somewhat, indicating improved prosperity. Also, comparison with earlier data shows social security payments featuring more prominently in the income breakdown of large families as a result of the State's commitment to policies that prioritize support for families with children that are most in need.

341. In the same period, the incomes of families with children were supplemented primarily by gradually increasing wages, specifically the minimum rate paid to public-sector workers, as well as grants, pensions and benefits, including those allocated to families with children, raising childbirth benefits and scaling up targeted social assistance to families in straitened circumstances.

342. In current legislation, procedures for recovering child maintenance are stipulated in the Marriage and Family Code.

343. Children have the right to be maintained by their parents and other family members. Parents have a duty to support their minor children. Detailed information on this subject is provided in the initial report.

344. In cases where parents fail to provide for their child's upkeep, maintenance payments are recovered in accordance with established enforcement procedures. Wilful evasion of maintenance payments is a criminal offence. Additional measures are in place to ensure support for children who are not maintained by their parents. Children whose parents fail to pay maintenance, or in other circumstances specified by law where maintenance is unrecoverable, receive monthly child benefit 50 per cent higher than the normal rate.

345. With a view to supporting needy citizens, in 2000 a Central Commission was set up to consider requests from citizens in need of State support. Similar commissions have been established in districts and provinces.

346. The Central, district and municipal commissions are composed of members of the ministries of Social Security, Economy and Development, Finance, Health and the Medical Industry, representatives of their local agencies, of provincial, district and municipal administrations and elders councils.

347. The commissions' main task is to consider requests from citizens in need of State support.

348. A citizen's entitlement to State support is determined on the basis of a detailed and impartial examination of all documents submitted by the applicant, including a family economic assessment certificate and a medical report on his/her health status.

349. The decision to provide State support in the form of national budget allocations is taken by the Central Commission. District and municipal commissions are entitled to ask companies, organizations or institutions to provide social services free or on preferential terms.

350. Bilateral agreements continue to be concluded with regard to the provision of legal aid in family law cases. The State remains focused on problems involving the material support of children in one-parent families.

Article 28

351. Since 2007, Turkmenistan has implemented reforms designed to ensure that education is commensurate with international standards. This has involved improving the quality of education by adopting new methods and subjects, facilitating access to education for ethnic groups and promoting tolerance and friendship among nations.

352. The first decrees issued by the President of Turkmenistan to realize these objectives included the Decree of 15 February 2007 on improving the education system in Turkmenistan, the Decree of 30 March 2007 on raising education sector salaries and student grants and the Decree of 4 March 2007 on improving the work of educational institutions. These documents set out the aims and purposes, indicate ways of improving the work of educational institutions and define academic standards for all levels of instruction and education.

353. Pursuant to these instruments, education sector salaries and student grants have been increased by 40 per cent and workloads have been reduced to 24 hours per week for teachers at all types of secondary, initial and intermediate vocational schools. The maximum annual workload of professorial and teaching staff at institutes of higher learning has been set at 850 hours.

354. Class sizes at schools and preschool facilities and the duration of education programmes have been brought into line with international standards. Since the start of the 2007/08 academic year, secondary and higher education continues for 10 and 5 years, respectively, while training in a specialized field of medicine or art lasts 6 years.

355. In accordance with the Education Act of 15 August 2009, secondary education is compulsory and lasts 10 years. A child's education may be interrupted due to serious illness, relocation to a different area or for other reasons. This notwithstanding, children retain the right to complete secondary education, irrespective of their personal circumstances.

356. A student may be expelled from a general education institution after reaching the age of 16 if disciplinary measures fail to produce the desired results and his/her continued presence at the institution is detrimental to other students, violates their rights and those of the institution's staff or disrupts the establishment's day-to-day activities.

357. The decision to expel a student is taken by an authorized body of the State education department, with due regard for the opinion of the child's parents or persons standing *in loco parentis* and with the consent of the commission on minors' affairs. In cases involving orphan children or children left without parental care, the decision must also be approved by a tutorship and guardianship agency, which makes arrangements for the student's employment or for continuing general secondary education by other means.

358. Turkmen citizens who have not completed general secondary education within the given time frame may, if they wish, continue it in the form of external studies, provision for which is approved by the authorized body of the State department of education (art. 16 of the Act).

359. By agreement with companies, organizations and institutions, general education schools may arrange for students to undergo vocational training by way of additional educational services (including those requiring payment) provided under an appropriate license. Vocational training is undertaken only with the consent of students and parents or persons *in loco parentis*.

360. Pursuant to article 24 of the Act, orphan children and children without parental care are placed in special educational facilities, where they are looked after entirely at State

expense. The State supports and makes a notable contribution to the establishment and activities of family-type children's homes.

361. Special educational institutions are provided for children requiring lengthy treatment who have physical or mental developmental defects.

362. The activities of special educational institutions are governed by model regulations approved by the Cabinet of Ministers.

363. As part of their training, professionals working with children (teachers, internal affairs personnel and health-care providers) study the Convention and domestic legislative instruments relating to children's rights. With the help of international organizations accredited in Turkmenistan, in recent years many professionals have attended special courses, training events and seminars on fundamental human rights principles, including with regard to children.

364. As part of measures to provide further training for school teachers, caregivers and teaching staff at preschool institutions, and to improve learning outcomes, workshop conferences, contests, exhibitions and seminars are held at all levels, including on a national scale. To ensure that specialists are trained to a level commensurate with global best practices, the National Education Institute regularly runs further training programmes for education workers. Specialists are sent on teaching and other work-related placements in order to become acquainted with other countries' education systems and to study and disseminate progressive practices. As a result, international best practices are being applied in education.

365. The country's education sector places particular emphasis on international cooperation. Agreements on cooperation in the field of education have been concluded with countries in the European Union and Asia, the United States of America, the Russian Federation and bordering countries.

366. International cooperation in this area is being extended through participation in education programmes operated by the United Nations Educational, Scientific and Cultural Organization (UNESCO), the United Nations Development Programme (UNDP), UNICEF, UNFPA, American Councils for International Education (ACCELS), the United States International Research and Exchanges Board (IREX), the German Academic Exchange Service, the Pedagogical Exchange Service (PAD), the European Training Foundation, in the European Union Tacis and Erasmus Mundus programmes, as well as in the programmes of the Korea International Cooperation Agency (KOICA) and the Japan International Cooperation Agency (JICA).

367. Social science, physical education and life skills classes have been incorporated into secondary school curricula.

368. Life skills classes at general education schools are used, *inter alia*, to teach children about domestic laws relating to maternal and child protection, marriage and the family, and the Convention.

369. Another subject taught in secondary schools is "Principles of the State and the Law", which covers national and international human rights legislation, including the Convention.

370. In accordance with the new curriculum, more hours are allocated to teaching foreign languages at secondary and higher educational institutions, as well as in kindergartens.

371. The country's education system is free of all forms of racial discrimination and the right of everyone to equality before the law is fully upheld without distinction of any kind as to race, colour, national or ethnic origin. This is corroborated by the instruments regulating the education sector's activities:

- The Constitution;
- The Education Act;
- The Rights of the Child Act;
- The Regulation on Children's Preschool Facilities in Turkmenistan;
- The Regulation on State Secondary Schools in Turkmenistan;
- Other instruments adopted by parliament and the Cabinet of Ministers and statutory and regulatory documents issued by the Ministry of Education.

372. New areas of study specific to the country's current economic development have been introduced at higher education institutions.

373. As of the start of the 2010/11 academic year, Turkmenistan had 831 preschool facilities attended by 155,700 children and 1,730 secondary schools with 931,300 pupils. Twelve subjects are taught at preschool facilities and 23 at secondary schools. In the past three years, 40 new general education schools and 34 preschool facilities have been built.

374. All secondary schools are fitted with modern school laboratory equipment, computers, interactive multimedia technologies, furniture, sports facilities and equipment. The computer hardware used is that of world-famous brands such as HP, Lenovo and Acer. Preschool facilities are being replenished with new fittings and equipment (furniture, sports apparatus, bedding, kitchen appliances and toys, etc.).

375. Students at all education institutions receive text books and study manuals free of charge.

376. Of the 27 intermediate vocational schools operating in Turkmenistan, eight are new establishments, opened in 2010, which will be used to train intermediate-level specialists for work in five industries and 54 different professions.

377. Some 3,600 students were admitted to intermediate vocational schools in the 2010/11 academic year.

378. Turkmenistan has 21 higher education institutions, 2 of which opened in 2010. There are 4 universities, 3 academies, 12 institutions and 1 conservatory, as well as a college affiliated to the I.M Gubkin State Oil and Gas University, based in Moscow. In the 2010/11 academic year, 5,400 students were admitted to higher education institutions.

379. In the area of higher education, Turkmenistan cooperates with European Union countries through the Tempus and Erasmus Mundus programmes, the German Academic Exchange Service (DAAD), the German Technical Cooperation Agency (GTZ), the Pedagogical Exchange Service (PAD) programmes and the United States IREX and Edmund S. Muskie programmes, as well as with CIS countries and other States under bilateral interdepartmental and intergovernmental agreements.

380. Of the 122 foreign students from 11 countries who received training at Turkmen higher-education and intermediate vocational education institutions during the 2009/10 academic year, 63 were Afghans whose studies were funded with grants from the Turkmen Government.

381. Pursuant to education reform and the recommendations made by the Committee on the Rights of the Child, the Government is sending more young people to study at higher education institutions abroad. To this end, agreements have been signed at the State and government levels with the Russian Federation, Kazakhstan, Ukraine and Belarus.

382. In the 2009/10 academic year, 1,575 Turkmen citizens studied abroad (in Canada, the Republic of Korea, China, the Russian Federation, Turkey, Jordan, Rumania, Belarus

and Malaysia) under intergovernmental and interdepartmental agreements organized by various Turkmen ministries and departments.

383. In the same academic year, 14,203 studied on a private basis in 33 countries.

384. In the 2010/11 academic year, more than 2,800 Turkmen citizens took up study placements abroad organized by the Government.

385. Since 24 May 1996, Turkmenistan has been a party to the 1979 Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region and the 1983 Regional Convention on the Recognition of Studies, Diplomas and Degrees in Higher Education in Asia and the Pacific.

386. Procedures for recognizing and determining the equivalence of foreign higher education qualifications gained by Turkmen citizens abroad are coordinated by the Ministry of Education in accordance with the regulations adopted by the Ministry of Education in Order No. 121 of 3 June 2009.

387. To date, 2,401 foreign higher education degrees have been recognized, including those awarded in the Russian Federation, Ukraine, Belarus, Malaysia, China, Turkey and Iran.

388. With a view to identifying and encouraging talented youngsters, schoolchildren regularly take part in subject-specific academic quiz tournaments entitled “Golden talents of the Golden Age”. In the period 2007–2010, some of the country’s most gifted pupils participated in over 30 international academic tournaments, winning more than 150 medals.

389. In 2008, Turkmenistan hosted the International Computer Projects Olympiad, followed, in 2009, by the forty-third International Mendeleev Chemistry Olympiad.

390. Turkmenistan attaches particular importance to the spiritual development of the younger generation. Musical performances, for example, are given by talented youngsters at children’s festivities, and various types of concerts are held on a regular basis to encourage children to display their artistic skills. A major role in these events is played by out-of-school educational institutions, which run a wide variety of activity clubs.

391. These provide all the facilities necessary for developing children’s natural gifts for music, choreography, art, technical creativity and national handicrafts, etc.

392. Pursuant to a presidential decision, every year a competition entitled “Turkmen Golden Age” is held, part of which includes a song contest, “Pearls of Independence”, involving thousands of gifted children from different provinces and Ashgabat.

Article 29

393. The aims and objectives of education policy in Turkmenistan are determined by the democratic, law-bound and secular nature of the country’s form of government and its adherence to the international commitments of a neutral State in the sphere of generally recognized human rights and freedoms. Detailed information on this subject is provided in the initial report.

394. Improving education is a priority area of national development in that it constitutes the basis for the spiritual, social, economic and cultural advancement of society.

395. Since 2007, substantive reforms have been undertaken in the educational sphere, directed by the President.

396. In order to meet the needs of the individual, society and the State with regard to education and training, a new, improved version of the Education Act has been adopted.

397. Pursuant to article 2 of the Act, State education policy is founded on the principles of:

- Equal rights for all in the full realization of abilities and aptitudes;
- Humanist education, the pre-eminence of universal human values, life and health, and the free development of the individual;
- The intrinsic linkage of education with the national history, culture and traditions of the people of Turkmenistan;
- Education imbued with a sense of citizenship, patriotism, diligence and respect for human rights and freedoms, and love of the natural environment, the family and the homeland;
- Universal access by each citizen of Turkmenistan to all forms of State educational services;
- Free and compulsory general secondary education for each citizen in State educational institutions;
- Continuous, uninterrupted education;
- Diverse forms of tuition and of educational institutions with respect to their type, nature and forms of ownership;
- The integration of science and production into the education system and interaction with the education systems of other countries;
- The secular nature of the State system of education and its separation from religious organizations.

398. Education legislation is designed to:

- Guarantee and protect citizens' constitutional right to education;
- Establish legal safeguards to ensure the smooth running and development of the education system;
- Delimit areas of competence in the area of education between central authorities and education management bodies of various levels;
- Specify the rights, duties, powers and responsibilities of natural and legal persons in the area of education and regulate their relationship in this regard.

399. As a matter of priority, particular emphasis is accorded in education to cultivating respect for human rights and the history and traditional culture of past generations, as well as to bringing up children to be aware of their rights and adept in exercising them.

400. Special attention at all educational institutions is paid to cultivating respect for the natural environment. Basic environmental awareness is a mandatory part of education programmes at primary facilities (learning about the outside world, speech development, pictorial art and interest-based activities, etc.) and secondary schools (natural history in primary school and ecology workshops in middle grades). Environmental education in senior grades is taught in accordance with the curriculum regulated at the regional level.

Article 30

401. Turkmen law establishes the right of every child living in Turkmenistan to use the language spoken by his/her community of origin and to observe its cultural and national traditions and customs.

402. Ethnic, religious, linguistic or other minority communities in Turkmenistan face no barriers in the field of education. Children from these communities are accorded equal rights and opportunities.
403. Pursuant to article 5 of the Education Act of 15 September 2009, the mediums of instruction and education used in educational institutions are determined in accordance with Turkmen law.
404. As the State language, Turkmen is the medium of instruction and education used in educational institutions of all types, regardless of their form of ownership.
405. In compliance with legislation, the State provides assistance to Turkmen citizens in the study of their native language.
406. Pursuant to domestic law and international agreements to which Turkmenistan is a party, foreign countries may, independently or collaboratively, set up educational institutions where teaching is conducted in the language or languages of the country in question.
407. In such institutions, the State language is used to teach those disciplines that make up the federal component of the curriculum.
408. The State encourages the study of foreign languages in all types of educational institutions, regardless of their form of ownership.
409. The study of foreign languages is a compulsory part of general and vocational education curricula. Also, at some education institutions classes are taught in Russian or English. The country has 16 Turkmen-Turkish and Turkish day and boarding schools, as well as the A.S. Pushkin Turkmen-Russian School.
410. In accordance with international agreements, Turkmen nationals living abroad receive help with pursuing general secondary education in their native language.
411. Under article 5 of the Culture Act, the State guarantees all citizens, irrespective of ethnic background, race, sex, origin, property or employment status, place of residence and language, the right to participate in cultural activities, to use cultural organizations and to enjoy access to cultural property at State cultural organizations.
412. The State guarantees citizens the right to pursue all forms of creative activity in accordance with their interests and aptitudes, to choose freely their moral, aesthetic and other values and to protect their cultural identity.
413. Since 2006, Turkmenistan has hosted international festivals for gifted children, which offer opportunities for cultural enrichment by enabling children from different countries to find out about one another's arts and customs and to discover the rich cultural heritage of the Turkmen people. In May 2009, a children's dance ensemble, Inspired Children, from the cultural and business centre of the Turkmen Oil and Gas Complex, took part in the Turkish World international children's festival in Istanbul.
414. In September 2009, the Inspiration children's ensemble from the Orphans' Centre, named after President of the United Arab Emirates, Zayed bin Sultan Al Nahyan, travelled to Saint Petersburg for the International Orphan Children Charity Artistic Creativity Festival.
415. On 28 May–2 June an international festival for gifted children entitled "Avaza – land of friendship" was held on the shore of the Caspian Sea. Timed to coincide with Children's Day, the festival featured performances by around 600 children from over 15 countries worldwide.

416. Every year, pupils from the Bjashim Nurali Children's School of Art win prizes for artwork submitted to the Shankar International Children's Competition in India.

417. Every year, children's ensembles from Turkmenistan take part in international festivals abroad.

Article 31

418. Organizing rest and recuperation for children is one of the Government's priority focus areas.

419. In the reporting period, particular attention was paid to providing rest and recuperation for children in special need of State care, specifically orphans, children with special needs and children from large families.

420. Since summer 2007, children have stayed at new rehabilitation centres not far from the capital in a scenic part of the Gokdere area, and at children's centres in the Avaza tourist zone on the shores of the Caspian Sea. The State subsidizes the price of holiday packages and provides orphans with free holidays.

421. As part of its efforts to promote healthy lifestyles, the Women's Union organizes fitness events with titles such as "Me and my Family" and "We're a Sporting Family" and organizes hikes along the Walk of Health.

422. One of a number of voluntary associations belonging to the nationwide Rebirth movement, the Magtymguly Youth Organization holds assorted large-scale cultural events, thematic meetings and seminars for students, rural youth, and young people working in a diversity of sectors. Particularly noteworthy is the fact that the country's youth plays an active part in wide-ranging efforts geared towards protecting the natural environment and developing and greening cities and villages.

423. Also, with a view to raising young people's environmental awareness, from time to time seminars, debates, round tables are held to discuss the importance of nature conservation, the effective use of water resources and conserving the country's nature reserves, which have been revered as sacred sites since ancient times. The Magtymguly Youth Organization arranges excursions for children staying at a special residential school for children with early- and later-identified hearing loss, and an auxiliary residential school in Ashgabat. These excursions have included trips to the National Museum of the National Cultural Centre, the children's entertainment centre "World of Turkmen Fairy Tales" in Ashgabat, competitions at the Olympic Water-Sports Complex organized in collaboration with the State Commission for Tourism and Sport, a scale-model building contest for pupils at special residential schools, sporting events, creativity competitions for the best picture, poem and composition, and various other events, including charity initiatives in aid of children living in special and auxiliary residential schools.

424. Every year, young people who have demonstrated exceptional ability in a particular field are awarded the Turkmenistan Youth Prize, while those who have excelled in the music and cultural sphere receive the Gulbaba Children's Prize, etc.

Article 32

425. Article 33 of the Constitution guarantees citizens the right to work, free choice of profession, type of employment and place of work, and healthy and safe working conditions.

426. Under article 6 of the Labour Code, every citizen has the exclusive right to use his/her capabilities for productive and creative work and to engage in any activity not prohibited by the law.

427. Every citizen has the right freely to choose a place of work by applying to the employer directly or through public employment agencies or services.

428. Labour rights are protected by the State. The Labour Code specifies the minimum standards applicable to workers' labour rights and guarantees.

429. Labour discrimination is prohibited under article 7 of the Code. Specifically, no restriction may be imposed on labour rights or preferential treatment accorded in their realization on the basis of ethnic background, race, sex, origin, property or employment status, place of residence, language, age, views on religion, political convictions, party affiliation or lack thereof, or other circumstances unrelated to the professional qualities of an employee or the results of his/her work.

430. With regard to employment, the distinctions specified in legislation are not deemed discriminatory if they are conditional upon the requirements of a specific job or are prompted by the State's special concern for persons in need of greater social and legal protection, such as minors, and persons with disabilities, etc.

431. Persons who consider that they have been subjected to discrimination at work have the right to file a complaint in court.

432. In cases involving the employment of a minor, the employment contract is signed on his/her behalf by a parent or guardian.

433. Article 29 of the Code states that persons under 18 years old must undergo a compulsory pre-employment medical examination prior to entering into an employment contract.

434. Pursuant to articles 23 and 60 of the Labour Code, minors may be hired on condition that their employment contracts specify a shorter working week: a maximum of 36 hours per week in the case of persons aged 16–18 and no more than 24 hours for those under 16.

435. Article 250 of the Code provides that in any employment relationship workers under 18 years of age enjoy the same rights as adults, and enjoy the benefits established by the Code and other legislative instruments with respect to labour protection, working hours, leave and other terms of employment.

436. Article 253 of the Code specifies the forms of employment in which persons under the age of 18 may not engage:

- Work involving special conditions;
- Work that might be harmful to their health and moral development (the gambling industry, the production, transportation, buying or selling of alcoholic beverages, tobacco products, narcotic drugs and toxic or similar substances);
- Work involving the carrying, shifting, lifting and movement of objects whose weight exceeds the prescribed maximum amount which may be handled by persons under 18.

437. Under article 255 of the Code, employees under the age of 18 cannot be assigned to night duties or overtime, be required to work on their days off, public holidays and commemorative days or be sent on work-related trips.

438. Productivity norms for young employees are set out in article 256 of the Code.

439. Thus, productivity norms for employees under 18 are set at the same rate as those for adult workers and proportionately adjusted to take into account the formers' shorter working day.
440. Also, lower productivity norms are set for young employees who start work after completing secondary school, intermediate vocational training or apprenticeships in accordance with the cases, rates and time frames specified by legislation. These norms are confirmed by employers after agreement has been reached with the trade union body of the company in question or another employee representative body.
441. Employees are entitled to remuneration that is reflective of the quantity and quality of work involved and equal to no less than the minimum wage set by the State.
442. Pursuant to article 254 of the Code, the wages of employees under 18 working a shorter working day are to equal the amount paid to workers in corresponding categories completing a full working day.
443. Employees under 18 engaged in piece work are paid at the piecework rates set for adults. The amount they receive for their shorter working day is supplemented by additional remuneration calculated at the same rate paid to adult employees for a full working day.
444. Wages paid to secondary and intermediate vocational school students for work done in their spare time are proportionate to the number of hours worked or scaled in accordance with their productivity.
445. Companies are entitled to pay students extra wages using in-house funds.
446. Pursuant to article 257 of the Code, employers wishing to dismiss employees under the age of 18 must not only follow proper termination procedure but also secure the consent of the respective trade union body and the commission on minors' affairs.
447. Article 258 of the Code states that contracts of employment with persons under the age of 18 may be revoked at the request of his/her parents, adoptive parents or guardians, or of the tutorship and guardianship agencies and other bodies responsible for monitoring compliance with labour laws, if abiding by the contract would endanger the health of the minor or infringes his/her legitimate interests.
448. Pursuant to the Code, a contract of employment may be concluded with a person who has reached 16 years of age. It may be concluded with someone aged 15, but only with the consent of a parent or guardian. In certain cases relating, for example, to specific organizations or circuses, and involving participation in the creative and/or performing arts, a contract of employment may be concluded with a person under 15 only with the consent of a parent or guardian and with the permission of a tutorship and guardianship agency, providing it does not endanger the minor's health and moral development.
449. The Code stipulates a shorter working day for employees aged 16–18, who may work a maximum of 36 hours per week, and for persons under 16, for whom work is restricted to 24 hours per week. Additionally, employees in these age groups are paid the same amount as persons in corresponding categories completing a full working day.
450. Employees under 18 engaged in piece work are paid at the piecework rates set for adults. The amount they receive for their shorter working day is supplemented by additional remuneration calculated at the same rate paid to adult employees for a full working day.
451. The Code prohibits the employment of persons under 18 in work involving special conditions, work that might be harmful to their health and moral development (the gambling industry, the production, transportation, buying or selling of tobacco products, narcotic drugs and toxic or similar substances), as well as any extension of the maximum working day or week. Similarly, employees under 18 cannot be assigned to night duties or

overtime, be required to work on their days off, public holidays and commemorative days or be sent on work-related trips.

452. In accordance with article 33, paragraph 10, of the Education Act, it is prohibited to engage pupils at day and residential schools in work not specified in the curriculum without their consent and that of their parents or persons *in loco parentis*.

Article 33

453. Turkmenistan is taking appropriate measures to promote healthy lifestyles, to protect children against the illicit use of narcotic drugs and psychotropic substances and to combat illegal trafficking in them. Detailed information on this subject is provided in the initial report.

454. Article 28 of the Rights of the Child Act states explicitly that, in addition to taking the aforementioned measures, the State undertakes to provide appropriate treatment for child drug addicts and substance abusers.

455. National legislation establishes liability for involving children in the production, trafficking, distribution and use of narcotic drugs and psychotropic substances.

456. In order to protect children from the illicit use of narcotic drugs and psychotropic substances and from becoming involved in their production, trafficking, distribution and use, juvenile affairs commissions, the police and the State Drug Control Service, the procurator's office, educational institutions, health-care facilities and voluntary associations implement targeted initiatives as part of a collaborative plan of action.

457. Every month at educational institutions, law enforcement officers conduct discussions and lectures on combatting the use, distribution and illegal trafficking of drugs. In September 2010, for example, 28 discussions and lectures on the subject were held at secondary schools.

458. Targeted initiatives at secondary, vocational and higher educational institutions include educational talks, as well as discussion sessions promoting healthy lifestyles. As part of prevention activities, outreach work is conducted with minors who have been detained and held by the police for various offences to teach them about the harm caused by taking drugs, drinking alcohol and smoking, as well as the associated legal penalties.

Article 34

459. The State protects children against all offences of a sexual nature.

460. Pursuant to article 29 of the Rights of the Child Act, the production and dissemination of pornographic publications and films or other pornographic items is forbidden in Turkmenistan.

461. In order to protect children from information and materials detrimental to their spiritual and moral development, it is illegal in Turkmenistan to show, rent, sell, give or distribute to children toys, motion pictures, audio/video recordings, literature, newspapers, magazines and other print media directly promoting or advocating war, cruelty, violence, racial, religious, sex and age discrimination or otherwise adversely affecting children's spiritual and moral development. Also, with a view to protecting children's lives, health and morals, and to shield them from negative influences, implements and artefacts that could be morally harmful to children are examined by experts in accordance with the procedures prescribed by the Cabinet of Ministers.

462. In Turkmenistan, there have been no reported cases of offences involving the use of children in the production and dissemination of pornographic publications and films or any other items of a pornographic nature, nor of the showing, renting, selling, giving or distributing to children of toys, motion pictures, audio/video recordings, literature, newspapers, magazines and other print media directly promoting or advocating war, cruelty, violence, racial, religious, sex and age discrimination or otherwise adversely affecting children's spiritual and moral development.

463. There have been no reported cases of offences involving the exploitative use of children in pornographic performances or materials.

464. The Criminal Code establishes responsibility for crimes committed against minors: rape, sexual intercourse with a person under the age of 16, sodomy of a minor and depraved acts with a person under 16.

465. Criminal responsibility is prescribed for enticing minors into prostitution and for establishing or keeping a brothel (arts. 134, 135, 138, 139, 140, 143 and 144 of the Criminal Code).

466. Offences of these kinds are rare in Turkmenistan.

Article 35

467. Article 34 of the Rights of the Child Act states that the State takes all appropriate measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

468. Turkmenistan is fully committed to combatting trafficking in children and related acts. In 2005, it acceded to the United Nations Convention against Transnational Organized Crime, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and the Protocol against the Smuggling of Migrants by Land, Sea and Air that supplements it. On 14 December 2007, the Turkmen parliament adopted the Human Trafficking Act.

469. Current criminal law stipulates a custodial sentence of up to 25 years for abducting the child of another person, and a custodial sentence of up to 2 years for substituting a child for profit or personal gain (arts. 126 and 128 of the Criminal Code).

470. A new article, 1291, on trafficking in persons, has been incorporated into the Criminal Code and defines trafficking in persons in order to exploit them as the buying and selling of a human being or his/her recruitment, transportation, harbouring or transfer to another party for the purpose of exploitation. Exploitation is understood as the use of a person by others for the purpose of prostitution or other forms of sexual exploitation, slave labour and services, and servitude.

471. If this crime is committed against a minor, the offender is deprived of his/her liberty for a term of 8–15 years.

472. The trafficking, smuggling and abduction of children is not characteristic of Turkmenistan and very rarely occurs.

473. Article 14 of the Human Trafficking Act stipulates that child victims of trafficking must be rendered assistance in compliance with national legislation and the relevant norms of international treaties to which Turkmenistan is a party.

474. When information regarding a child trafficking victim comes to the attention of the competent State bodies or specialized institutions, the law states that they must notify the child welfare authorities without delay in order to protect the rights of the child.

475. Child trafficking victims given temporary shelter in specialized institutions must be kept separate from adults.

476. By law, child trafficking victims sheltered at specialized institutions attend State schools.

477. In the event that a child trafficking victim has been left without parental care or has no knowledge as to the whereabouts of his/her family, efforts are made to trace the family or to place the child under tutorship or guardianship in accordance with the procedures prescribed by law.

478. Under article 8 of the Human Trafficking Act, the Ministry of Internal Affairs combats trade in human beings by preventing, detecting and countering crimes of this nature, collecting, analysing, summarizing and exchanging information with regard to their scale, circumstances and trends, and identifying and eradicating the links between individuals and criminal organizations engaged in human trafficking and operating in Turkmenistan.

479. The Ministry of Internal Affairs is pursuing a number of targeted initiatives in this area. To learn more about the subject, Ministry personnel attend various seminars and training courses dealing with human trafficking in Ashgabat run by the International Organization for Migration, the Organization for Security and Co-operation in Europe and other international organizations accredited in Turkmenistan.

Article 36

480. Turkmen law protects children against other forms of exploitation prejudicial to their legitimate rights and interests, including their housing and property rights. The child's property interests are taken into account if his/her parents' divorce: child support arrangements provide for the transfer of a portion of the maintenance payments to the child's personal account.

481. Detailed information on this subject is provided in the initial report.

Article 37

482. The Constitution states that no one may be subjected to torture, violence or other cruel or degrading treatment or punishment.

483. Pursuant to article 4, paragraph 13, of the Code of Criminal Procedure, no one involved in criminal proceedings may be subjected to force or cruel or degrading treatment. Any procurator, investigator or person conducting an inquiry who uses threats, blackmail or other illegal acts to coerce a suspect, accused person, victim or witness into giving evidence or an expert into giving an opinion shall be held criminally liable (art. 197 of the Criminal Code).

484. Article 141 of the Code of Criminal Procedure stipulates that parents, persons *in loco parentis* or guardians are to be informed immediately if a minor in their care is taken into custody.

485. Article 82 of the Code of Criminal Procedure states that participation by a defence lawyer is mandatory during initial inquiries, pretrial investigations and court proceedings in cases that involve minors.

486. Minors may be remanded in custody as a preventive measure only in exceptional circumstances, i.e. owing to the gravity of the offence in question (Code, art. 154, para. 3)

or if there are sufficient grounds to assume that the suspect, accused person or defendant, if released, will abscond during the investigation or trial, pervert the cause of justice or will engage in criminal activity. The decision to detain a suspect, accused person or defendant also takes into account his/her personality, occupation, age, health and marital status, as well as other circumstances (Code, arts. 146 and 148).

487. During the preliminary investigation, detention on remand, as stipulated in article 158 of the Code, may not last for more than six months in cases involving minors (Code, art. 516).

488. Criminal law makes no provision for life imprisonment. Under article 87 of the Criminal Code, minors may not be imprisoned for a period exceeding 10 years or, for particularly serious offences, for more than 15 years.

489. This chapter of the Code also makes provision for minors' sentences to be halved, as well as for parole.

490. On 25 March 2011, the Turkmen parliament adopted a new Penal Enforcement Code, which entered into force on 1 July 2011.

491. Pursuant to article 2 of the Code, the practical application of penal enforcement legislation is underpinned by the generally recognized rules and principles of international law as they relate to the serving of sentences and the treatment of convicted offenders, including strict compliance with guarantees ensuring protection against torture, violence and other cruel or degrading treatment of convicted persons.

492. Convicted persons have the right to be informed of their rights and obligations, and of the terms and conditions of serving the sentence imposed by the court (Code, art. 8).

493. A separate article of the Code sets out the specific conditions under which minors serve their sentences, with due regard for their age, psycho-emotional development and other factors. It also makes provision for convicted juveniles to enjoy greater contact with the outside world, as well as for their rehabilitation and reintegration.

494. Men and women, minors and adults in correctional facilities are kept apart (Code, part 1, art. 51).

495. At juvenile correctional facilities, every effort is made to provide minors with care and support and to ensure that their privacy is protected. They receive personalized assistance in the form of social, psychological, medical and physical care, and are helped to acquire the education and vocational skills they may need which, while appropriate to their age, sex and personality, are also geared towards promoting their overall development.

496. The administrators of juvenile correctional facilities encourage and support contact between inmates, their next of kin, tutors, guardians and persons *in loco parentis* by ensuring that convicted juveniles are afforded suitable opportunities to maintain relationships.

497. In compliance with the Code, juvenile correctional facilities provide minors with rehabilitation and psychosocial support no later than six months before their discharge date as a way of preparing them for release. To this end, the family members and other persons inmates specify are informed of the date of release; inmates are allowed to travel home for short periods accompanied by their parents or persons *in loco parentis* and are told about the help and support services available to them once they are released.

498. Juvenile correctional facilities coordinate their activities with agencies and departments responsible for monitoring offenders after their release, including the preparation of individual reintegration programmes in collaboration with commissions on minors' affairs.

499. In this regard, juvenile correctional facilities have a special rehabilitation and reintegration unit and contact the commissions on minors' affairs and the internal affairs authorities operating in the area to which juvenile offenders are set to return following their release. These bodies help prepare convicted juveniles for release by maintaining regular contact with the administrators of correctional facilities in order to plan the release and reintegration process.

500. When preparing and implementing a reintegration programme the views of the convicted juvenile in question are taken into account.

501. With a view to smoothing the reintegration process, commissions on minors' affairs coordinate the support services provided for minors and their families for a period of no less than six months (Code, art. 131).

Article 38

502. By the Constitutional Act of 27 December 1995, Turkmenistan is a permanently neutral State. Turkmenistan has consistently abided by its obligations not to participate in armed conflicts or blocs or produce, disseminate or deploy within its territory weapons of mass destruction, to observe the democratic human rights and freedoms accepted by the international community and to build its relations with other States on the principles of equality and good-neighbourliness. Cooperation with the United Nations is a strategic goal of Turkmenistan's foreign policy.

503. Since the country gained independence, neither the Turkmen State nor Turkmen children have been involved in armed conflict.

504. Given the absence of armed conflict within Turkmenistan, the physical and psychological rehabilitation of children in conflict areas who have been sexually victimized is not a matter of urgency. Refugee children living in Turkmenistan who have been involved in armed conflict in countries where they formerly resided are, if necessary, rendered psychological and social support by local authorities and administrations.

505. Male citizens aged 18–27 who are not exempt from or who may not defer their period of military service are liable for conscription. Pursuant to article 17 of the Conscription and Military Service Act of 6 October 2010, a citizen may be called up when he reaches the age of 18.

506. Under criminal law, recruiting, training, financing or otherwise materially supporting mercenaries, as well as using them in an armed conflict or hostilities, is prohibited (art. 169 of the Criminal Code).

Article 39

507. Juvenile offenders who have been convicted and ordered by a court of law to serve a term of imprisonment are confined at juvenile correctional facilities maintained by the Ministry of Internal Affairs.

508. Remedial measures applied to persons under 18 years of age are primarily focused on reinstating their social, political and civil rights (rehabilitation), returning them to society and reuniting them with their families (reintegration).

509. The social and psychological reintegration of convicted juveniles is geared towards ensuring that they are accorded the institutional and legal safeguards prescribed by penal law for exercising their rights and freedoms. The Penal Enforcement Code stipulates the

right of inmates in juvenile correctional facilities to participate in large-scale cultural and sports events, to use libraries and belong to amateur performance ensembles.

510. As part of measures to rehabilitate convicted juveniles and prepare them to lead independent lives, an integrated education and training scheme has been set up with the aim of instilling them with respect for law and order and a responsible attitude to work and study, providing them with compulsory general secondary, initial vocational training and professional education and raising their educational and cultural standards (Code, arts. 120, 121 and 129).

511. Juveniles arriving at correctional facilities are seen by a youth counsellor, who helps them to adapt over a period of 15 days. During this time, they are familiarized with the facility's regime, undergo aptitude and ability assessment, and are prepared for life with their fellow inmates. Based on the results of the adaptation period and with due regard for age and psychological factors, inmates are assigned to a specific unit and enrolled at the facility's secondary school. All inmates are quartered in a unit, which, in turn, is divided into sections, each supervised by a care worker. On the first day, inmates are interviewed by their care worker, who draws up a personal rehabilitation plan which is used as the basis for daily rehabilitative activities designed to develop particular ethical principles and views.

512. So that inmates are able to obtain secondary education, each correctional facility has a secondary school where classes are held using a double-shift system. The curriculum is devised by the Ministry of Internal Affairs and approved by the Ministry of Education. The schools comprise eight well-equipped classrooms, each with audio-visual and teaching aids. Instruction in grades 4–10 is conducted in the State language. After finishing school, inmates sit State exams and receive a certificate of secondary education, which is kept in their personal file until their release date. On completing their sentence, inmates are issued with their certificate, together with their certificate of release and other personal documents from their personal file.

513. The Ministry of Internal Affairs and the Ministry of Education are working together to modernize inmates' vocational training.

514. Inmates' free time is dependent on their daily timetable, which provides them with opportunities to visit the library, gymnasium and recreation areas, as well as the steam bath and laundry compound, the hairdresser's and shoe and clothing repair shops. Every inmate is guaranteed comprehensive health care. Medical services at juvenile correctional facilities accord priority emphasis to inmates' health. Medical wings comprise a number of separate wards for hospital treatment and patient monitoring purposes, and medical units are equipped with modern health-care apparatus and instruments, as well as essential medicines. Health-care personnel are monitored for compliance with the facility's health and hygiene standards.

515. Inmates receive three meals a day, dietary intake being dependent upon their age. Juvenile offenders' accommodation and living conditions must meet the standards established by the applicable legislation. Inmates live in dormitories, every unit occupying separate premises and each equipped with television and radio and displaying visual propaganda of an educational and instructive nature. State minimum norms regulating conditions at correctional facilities to ensure they meet the vital needs and daily requirements of convicted juveniles are based on international standards. Efforts geared towards the rehabilitation of inmates rely primarily on methods of persuasion and positive exposure rather than prohibitive and disciplinary measures.

516. Using an approved plan, care workers and teachers together organize entertainment and sporting events, and produce wall newspapers marking commemorative and other important dates. Inmates who are active participants receive every encouragement from the facility's administrators.

517. The rights to freedom of conscience and expression are guaranteed: all inmates are entitled to profess their religious beliefs. Ministers of religion are invited to the facility at the request of inmates.

Article 40

518. In the reporting period, more emphasis was given to formulating the rules and procedures governing the administration of juvenile justice, primarily with regard to bringing legislation closer into line with the relevant international instruments, giving due consideration to the concluding observations and the principles underpinning the Turkmen legal system.

519. Progress in implementing the Convention in this area was due to the adoption of the new Code of Criminal Procedure, the new version of the Penal Enforcement Code and other legislative instruments, as well as to the direct efforts of administration of justice agencies.

520. Article 21 of the Criminal Code stipulates the minimum age of criminal responsibility. Persons who attained the age of 16 years before committing an offence are criminally responsible.

521. Persons who committed offences when aged between 14 and 16 are criminally responsible for premeditated murder (art. 101); intentionally causing serious bodily harm (art. 107); intentionally causing moderate bodily harm (art. 108) rape (art. 134); larceny (art. 227); robbery (art. 230); assault with intent to rob (art. 231); extortion (art. 232); the illegal acquisition of a vehicle (art. 234); the deliberate destruction or damage of property (art. 235, para. 2); the theft or extortion of a weapon, ammunition, explosives or explosive devices (art. 291); the illegal manufacture, procession, acquisition, storage, transport or sending of narcotic drugs or psychotropic substances with a view to their sale (art. 292) and the theft or extortion of narcotic drugs or psychotropic substances (art. 294).

522. The terms and conditions under which children serve custodial sentences are stipulated in national legislation.

523. Pursuant to article 57 of the Criminal Code, being of minor age is regarded as a mitigating circumstance. Juveniles sentenced to incarceration serve their term in a juvenile correctional facility (Code, art. 67). The Criminal Code contains a whole chapter on the specific conditions attaching to criminal responsibility and penalties as they relate to minors.

524. Under article 82 of the Code, punishment or mandatory rehabilitation may be stipulated for minors who have committed crimes.

525. When sentencing minors, due consideration is given to their living conditions, upbringing, mental development, other personality factors, the motives for the crime, as well as the influence of other minors and adults.

526. As a mitigating circumstance, being of minor age is taken into account in conjunction with other mitigating or aggravating circumstances (Code, art. 83). The three sentencing options for juveniles are: fine, community work service or incarceration (Code, art. 84).

527. Fines are imposed only on juveniles who are self-supporting and are equal to 2–100 average monthly salaries (Code, art. 85).

528. Community work service lasts for up to one year and may be imposed only on able-bodied juveniles over the age of 16. It is performed by offenders at their place of employment or, if they are neither employed nor in full-time education, at other locations in the district where they live (Code, art. 86).

529. Juveniles may be incarcerated for a maximum of 10 years or, in the case of particularly serious offences, for a maximum of 15 years. Persons who are under 18 years of age at the time they receive their sentence are incarcerated in a juvenile correctional facility (Code, art. 87).

530. Under article 88 of the Criminal Code, first-time juvenile offenders who have committed a minor offence or one of average gravity may be conditionally discharged by the court and made to undergo a mandatory rehabilitation programme or be placed in a special institutional care facility or treatment and rehabilitation centre for juveniles if the act, its consequences, the offender's personal background and other circumstances indicate rehabilitation is possible without incarceration.

531. First-time juvenile offenders who have committed a minor offence may be exonerated from criminal responsibility if it is accepted that rehabilitation can be achieved by means of a mandatory rehabilitation programme.

532. The following rehabilitation measures may be applied to juveniles: caution; placement under the supervision of parents, persons *in loco parentis* or internal affairs authorities; obligation to make amends for the harm caused; restrictions on leisure and behavioural constraints.

533. A number of mandatory rehabilitation measures may be prescribed simultaneously. Their duration is determined by the body that orders them (Code, art. 89).

534. Article 90 of the Criminal Code specifies the components of mandatory rehabilitation programmes.

535. A caution involves explaining to juveniles the harm caused by their actions and the consequences of reoffending under criminal law.

536. Placement under supervision entails tasking the authority prescribing this particular intervention with rehabilitating the juvenile and monitoring his/her behaviour.

537. Obligation to make amends for the harm caused takes into account the juvenile's financial situation and whether he/she possess the appropriate work skills.

538. Restrictions on leisure may involve forbidding the offender from visiting particular locations or engaging in certain types of recreational activities, such as driving vehicles, the imposition of home curfews and banning travel to other areas without permission from an internal affairs agency. Juveniles may also be required to return to an educational institution or find work with the help of a competent State body.

539. The Criminal Code stipulates responsibility for involving a minor in criminal activity (art. 155) or in the commission of anti-social actions (art. 156).

540. When conducting a preliminary investigation and in judicial proceedings involving minors, the authorities involved are required to ascertain the juvenile's age, everyday circumstances, living conditions and upbringing; the causes of and background to the commission of the offence; the juvenile's intellectual, conative and mental development; character and temperament traits; motivations and interests and the influence exerted on him/her by peers, adults and ringleaders.

541. The new Code of Criminal Procedure of 18 April 2009 includes a new section (section 10) that deals with proceedings relating to various criminal cases. Article 49 is concerned specifically with offences committed by juveniles.

542. Pursuant to article 510 of the Code of Criminal Procedure, proceedings involving minors who have committed an offence accompanied by adults may be conducted separately during the preliminary investigation.

543. Article 512 of the Code states that in cases involving offences committed by juveniles a defence lawyer is to be present as of the first time a juvenile is interviewed as a suspect or is accused of having committed a crime and, should he/she be detained or be remanded in custody, until charges are brought. If the suspect, accused, or defendant or his/her legal representatives have not retained the services of a defence lawyer, the pretrial investigator, procurator or court must arrange representation by a public defender.

544. The parents or other legal representatives of a juvenile suspect or accused are required to be present during the proceedings. In their absence, representatives of a tutorship and guardian agency must attend in their stead. Such persons take part in the proceedings at the behest of the pretrial investigator as of the time of the first interview. In keeping with the investigator's orders, once the preliminary investigation is over the juvenile is not permitted to see the case file, given that doing so could affect him/her negatively. The juvenile's legal representatives may be informed as to its contents. Should the investigator see fit, a legal representative may be prevented from attending the proceedings if there are sufficient grounds for assuming that his/her actions are prejudicial to the juvenile's interests or could interfere with the impartial nature of the inquiry, in which case another legal representative may be called upon to participate.

545. A juvenile suspect, accused or defendant is interviewed during the daytime and questioning may not continue without a break for more than two hours or for a combined total of over four hours a day. The interview must take place in the presence of a defence lawyer, a legal representative and, where appropriate, a teacher.

546. A teacher or psychologist must be present during legal proceedings involving a juvenile suspect, accused or defendant who is aged under 16 or who is 16 or older but exhibits signs of mental retardation. In other circumstances a teacher or psychologist may be invited to participate if deemed appropriate by the officer conducting the initial investigation, the investigator, the procurator or the court, or at the request of the defence lawyer or legal representative (Code, art. 514).

547. Article 517 of the Code of Criminal Procedure stipulates that the juvenile's legal representative must be present when the case is heard in court. He/she is entitled to participate in the examination of the evidence during the trial, submit evidence, testify, file petitions and objections, appeal against the court ruling, attend appeal hearings and explain the reason for the appeal.

548. When passing sentence in criminal proceedings involving juveniles, the court is required to discuss probation and non-custodial options, as well as conditional discharge if appropriate to the circumstances specified in the Criminal Code.

549. In cases where the sentence involves probation, non-custodial punishment, placement in institutional care or a treatment and rehabilitation facility, or where a mandatory rehabilitation programme is prescribed, the court notifies a specialized State body to this effect and tasks it with monitoring the convicted person's behaviour (art. 520 of the Code of Criminal Procedure).

550. If judicial proceedings lead a court to conclude that the rehabilitation of a first-time juvenile offender who committed a minor offence when under 18 years of age is possible without the imposition of punishment, the proceedings are terminated in accordance with the procedures established by the Code and the juvenile may be assigned to a mandatory rehabilitation programme.

551. If judicial proceedings lead a court to conclude that the rehabilitation of a first-time juvenile offender who committed a minor or ordinary offence, with due regard to its nature, consequences, personality factors and other circumstances surrounding the case, is possible without the imposition of punishment, the court passes a sentence of conditional discharge,

pursuant to article 88 of the Criminal Code, in the form of a special mandatory rehabilitation programme or assigns the juvenile to a special institutional care home for minors or to a treatment and rehabilitation facility.

552. Courts operating in the area where the juvenile lives may discontinue his/her mandatory rehabilitation programme at the request of care homes, voluntary associations, workers' associations or persons with whom the juvenile has been placed on probation or under supervision (art. 521 of the Code of Criminal Procedure).

553. Pursuant to article 28 of the Code of Criminal Procedure, parties in a trial who do not understand the language in which the proceedings are conducted have the right to file motions, make representations, testify, file petitions and appeals, examine all case file documentation, address the court in their mother tongue or in a language in which they are fluent and use the services of a translator.

554. The State ensures that victims, including minors, have access to justice and are compensated for injury sustained in the cases and manner established by law.

555. In accordance with article 14, paragraph 3, of the Code of Criminal Procedure, where there are sufficient grounds to indicate that the victim, witness or other parties in a criminal trial, members of their families or next of kin are threatened with murder, violence, destruction of or damage to property or any other dangerous unlawful actions, the authority conducting the proceedings must, within the limits of its competence, take all possible action prescribed by law to protect the lives, health, honour, dignity and property of these persons.

556. In criminal proceedings involving juvenile, sexual or other offences, the court or judge may issue a reasoned decision or ruling to hear a case in camera as a means of preventing the public disclosure of information concerning the private lives of parties to the proceedings. Hearings in camera must comply fully with the rules of judicial administration (Code, art. 27, para. 2).

557. Acting in compliance with the Code of Criminal Procedure and with due regard for the opinion of the parties, courts may decide to remove juvenile defendants from the courtroom either on their own initiative or in response to a request by defence lawyers or legal representatives in order to examine aspects of the case that could exert a negative effect on the juveniles. When they return, the defendants are informed of the form and content of the proceedings in their absence to the extent deemed necessary and are given the opportunity to put questions to persons questioned when they were away from the courtroom (Code, art. 519).

558. Pursuant to article 86, paragraph 4, of the Code of Criminal Procedure, citizens who are deemed to be the victims of a criminal act have the right to: testify in their native language or in a language in which they are fluent and to use the services of a translator; be informed of the accusations brought against the accused; examine the records of the investigations undertaken with their involvement and submit comments; present evidence; file petitions; consult all documents in the case file once the preliminary investigation is completed; participate in court proceedings; make representations; demand compensation for injury sustained; be represented and terminate representation; inspect the court transcript and submit comments; appeal against the actions and decisions of the officer conducting the initial inquiry, the investigator, the procurator, the judge and the court and appeal against the sentence, ruling or decision of the judge or the court.

559. Next of kin, legal representatives, defence lawyers, members of voluntary associations and other persons participating in the proceedings subpoenaed by the judge, the court, the officer conducting the initial inquiry or the investigator may act as the victim's representatives.

560. Under article 4 of the Bar and Advocacy Act of 10 May 2010, the State undertakes to ensure that everyone, including children, is provided with the necessary professional legal assistance and guarantees the equal rights of all natural and legal persons in Turkmenistan to receive legal assistance and information regarding its nature and the procedures for obtaining it. The State also ensures the provision of free legal assistance to individuals for the purpose of defending their rights in the cases provided for by law.

561. Article 394 of the Code of Criminal Procedure stipulates that juvenile victims or witnesses under 14 years of age can be questioned only if a teacher is present. Similarly, a court may see fit to require a teacher to be present when victims and witnesses aged 14–16 are questioned. When necessary, the juveniles' parents or other legal representatives must be summoned. The aforementioned persons may ask victims and witnesses questions with the consent of the judge or presiding officer.

562. Before victims and witnesses under 16 years of age are questioned, the judge or presiding officer explains to them the importance to the proceedings of giving full and truthful testimony. The aforementioned are not warned as to the liability incurred by refusing to testify or wilfully making false statements, nor are they required to sign statements.

563. Victims and witnesses under 18 are removed from the courtroom once they have been questioned, unless the court considers it necessary that they remain.

564. The right of a juvenile suspect, accused or defendant to confidentiality must be respected at all stages of the criminal case (Code, art. 509).

565. The Code states that parties in a criminal trial have the right to file motions, make representations, testify, file petitions and appeals, examine all case-file documentation, address the court in their mother tongue or in a language in which they are fluent and use the services of a translator. Investigation records and judicial documents must be issued to accused persons or defendants in their native language or in another language which they understand.
