



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

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Committee on the Elimination of Racial Discrimination

**Consideration of reports submitted by States
parties under article 9 of the Convention**

**Eighth to eleventh periodic reports of States parties due in
2015**

Turkmenistan*

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* The present document is being issued without formal editing.

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Contents

	<i>Page</i>
I. Introduction	3
II. Information on the implementation of the concluding observations of the Committee on the Elimination of Racial Discrimination adopted following the consideration of the combined sixth and seventh reports of Turkmenistan	4
III. Measures undertaken by Turkmenistan to implement the basic provisions of the Convention.....	28
Article 1	28
Article 2	28
Article 3	29
Article 4	29
Article 5	29
Article 6	33
Article 7	34
Annex	36

I. Introduction

1. This report is submitted pursuant to article 9 (1) of the Convention on the Elimination of All Forms of Racial Discrimination and has been prepared in accordance with the general guidelines regarding the form and content of reports to be submitted for consideration by States parties under that article.
2. Turkmenistan ratified the Convention on the Elimination of All Forms of Racial Discrimination on 23 September 1994 and, in 2004, presented its combined initial and second to fifth periodic reports, which were considered at the sixty-seventh session in August 2005.
3. In 2010, Turkmenistan submitted the combined sixth and seventh reports (CERD/C/TKM/6-7), which were considered at the 2143rd and 2144th meetings of the Committee on the Elimination of Racial Discrimination (CERD/C/SR.2143 and CERD/C/SR.2144), held on 23 and 24 February 2012. The concluding observations were adopted at the 2163rd meeting (CERD/C/SR.2163) of the Committee's eightieth session, held on 8 March 2010.
4. The present document contains the combined eighth to eleventh periodic reports of Turkmenistan on the implementation of the provisions of the Convention on the Elimination of Racial Discrimination. It was prepared in accordance with the principles laid down in the Compilation of Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties (HRI/GEN/2/Rev.1/Add.2 or HRI/MC/2006/3 and Corr.1) of the Committee on the Elimination of Racial Discrimination.
5. This report covers the period from 2010 to 2015 and contains information on key legislative, judicial, administrative and practical measures adopted since the submission of the previous report in 2010 which are directly related to the provisions of the Convention. The concluding observations of the Committee on the Elimination of Racial Discrimination adopted following the consideration of the periodic report in February 2012 were taken into account in its preparation.
6. The report was drawn up by the Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law.
7. The information contained in the report was submitted by the relevant ministries, departments and voluntary associations of Turkmenistan.
8. The Interdepartmental Commission held a number of interdepartmental meetings and consultations with international experts invited by United Nations agencies.
9. The draft report was circulated to ministries, departments and voluntary associations responsible for addressing issues related to guaranteeing and realizing citizens' rights, whose comments and recommendations were taken into account when preparing the final version.
10. The draft report was discussed at a round table, in which representatives of the Interdepartmental Commission took part. The results of the discussion were taken into account when completing the final version of the report.
11. The current period of development in Turkmenistan is characterized by extensive transformations in the political, economic, social and cultural spheres. The reforms, which are being directly guided by the President, are facilitating the progressive renewal of the entire social and political system.

12. Having ratified the basic international human rights instruments and complying strictly with the international obligations that it has accepted, Turkmenistan is further reforming its national system for the protection of human rights and continues, steadfastly and consistently, to honour the pledges that it has made to the global community.

13. In the period 2010-2015, Turkmenistan acceded to the following international agreements in accordance with the established procedure: 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), the International Labour Organization Worst Forms of Child Labour Convention, 1999 (No. 182) (25 September 2010), the International Convention against Doping in Sport (25 September 2010), the World Health Organization Framework Convention on Tobacco Control (21 May 2011), the United Nations Convention relating to the Status of Stateless Persons (4 August 2011) and the Convention on the Reduction of Statelessness (4 August 2012).

14. In compliance with its obligations, the country has incorporated their basic principles and provisions into national legislation and strictly enforces them. Both State and society pay unswerving attention to human rights.

15. At present, Turkmenistan is continuously conducting comprehensive work to improve its Constitution and legislative instruments, paying particular attention to harmonizing national legislation with the main international documents, including the International Convention on the Elimination of All Forms of Racial Discrimination.

16. National and State programmes introduced by the President in the areas of education and health and such social programmes as the effective reform of village infrastructure are being successfully implemented.

17. A series of practical measures related to the human dimension, including in the legal, economic, institutional and other spheres, have been implemented in recent years.

18. In the framework of a joint project of the Office of the High Commissioner for Human Rights (OHCHR), the European Commission and the United Nations Development Programme (UNDP), entitled "Building Turkmenistan's national human-rights promotion and protection capacities", the Ministry of Foreign Affairs and the National Institute for Democracy and Human Rights under the President organized a cycle of seminars given by international human rights experts on procedures for preparing initial national reports on compliance with United Nations human rights conventions.

19. A number of consultative seminars and working group meetings were held during the reporting period, with the participation of representatives of UNDP, the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA) and the OHCHR regional office, on methods for preparing reports, implementation of treaty body recommendations, procedures for submitting periodic reports and practices in other countries.

II. Information on the implementation of the concluding observations of the Committee on the Elimination of Racial Discrimination adopted following the consideration of the combined sixth and seventh reports of Turkmenistan

Paragraph 8 of the concluding observations

20. Since acquiring national sovereignty, Turkmenistan has had considerable success in observing human rights and freedoms. In the years since independence, it has established a system of human rights legislation based on the Constitution and the international standards

enshrined in the Universal Declaration of Human Rights and other international legal instruments in this field.

21. The legal foundations for the country's policy on the elimination of all forms of racial discrimination are:

- The Constitution and other legislative instruments
- International treaties in the area of human rights and humanitarian law to which Turkmenistan is a party
- Resolutions and recommendations of the international organizations of which Turkmenistan is a member
- Inter-State agreements
- The tradition of ethnic and religious tolerance which has developed in Turkmenistan over many centuries of coexistence among various ethnic and religious communities

22. The Constitution is the primary legislative instrument providing for the equal enjoyment of fundamental human rights and freedoms in the political, economic, social, cultural and other spheres of public life.

23. All of the country's legislative instruments accord citizens equal liberties and equality before the law, irrespective of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.

24. Turkmenistan, which is party to the International Convention on the Elimination of All Forms of Racial Discrimination, has incorporated virtually all of that instrument's provisions into national legislation.

25. In the legislation of Turkmenistan, the term "discrimination" is explained in the phrase "breach of citizens' equality" (Criminal Code, art. 145), which means direct or indirect violation or restriction of human and civil rights and freedoms on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof, if such acts lead to serious consequences.

26. According to article 3 of the Constitution: "The human being is of paramount importance to society and the State in Turkmenistan. The State is accountable to every citizen and shall make provision for the free development of his or her personality and protect the life, honour, dignity, liberty, personal inviolability and natural and inalienable rights of the citizen".

27. Article 18 states that: human rights and freedoms are inviolable and inalienable. No one may deprive a person of any rights or freedoms or restrict them except as provided in the Constitution or by law. The human rights and freedoms enumerated in the Constitution and the law may not be used to deny or diminish other rights and freedoms.

28. Article 19 of the Constitution guarantees equal rights and freedoms to individuals and citizens and the equality of individuals and citizens before the law irrespective of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.

29. Under article 20 of the Constitution, men and women in Turkmenistan have equal civil rights. Gender-based violations of equality are punishable by law.

30. Article 23 of the Constitution provides that no one may be restricted in or deprived of their rights or sentenced or punished except in strict compliance with the law.

31. Article 30 (2) of the Constitution prohibits the creation and operation of political parties or other voluntary or paramilitary associations that seek to alter the constitutional order by violence, allow violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred or act in a manner detrimental to the health or morals of the people, and of political parties formed on the basis of ethnic or religious criteria.

32. Provisions prohibiting direct or indirect violation or restriction of human and civil rights and freedoms on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or affiliation with any party are also taken into account and implemented in sectoral legislation. This means that the principle of non-discrimination extends to all rights established by the Constitution and the legislation of Turkmenistan.

33. National legislation is aimed at the implementation of the country's commitments to the international community in the sphere of human rights, including the commitment to protect its citizens against any form of discrimination. Irrespective of a person's social or material status, racial or ethnic background, sex, religion or political convictions, his or her civil rights and freedoms are also guaranteed by the new legislative acts adopted by Turkmenistan.

34. Article 7 of the Labour Code (18 April 2009) prohibits any restriction of labour rights or any preferential treatment in their realization based on ethnicity, colour, race, sex, origin, financial or official status, place of residence, language, age, religion, political convictions or party affiliation or lack thereof, or any other circumstances unrelated to the professional qualities of an employee or the results of his or her work.

35. Article 3 of the Electoral Code (4 May 2013) prohibits any direct or indirect restriction of citizens' right to vote, to be elected and to take part in referendums on the grounds of ethnicity, colour, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.

36. Article 14 of the Family Code (10 January 2012) stipulates that men and women of marriageable age have the right to marry and to found a family regardless of race, ethnicity or faith. They enjoy equal rights on entering marriage, during the marriage and in the event of divorce.

37. Article 2 of the Turkmen Citizenship Act (22 June 2013) compels the country's citizens to respect the State language and culture and the traditions and languages of all ethnic groups residing on its territory.

38. According to article 4 of the Guarantees of the Rights of the Child Act (3 May 2014), Turkmenistan guarantees the equality of rights and freedoms of all children living in Turkmenistan, regardless of their ethnicity, race, sex, origin, social or financial status, place of residence or that of their parents, language, education, religion, circumstances of birth, health status or any other conditions. Every child has the right to exercise his or her rights and freedoms. The best interests of the child must be ensured in the realization of his or her rights, freedoms and legitimate interests. Equal rights for children are guaranteed by the country's legislation and other regulatory instruments and universally recognized principles and standards of international law. Unequal observance of the rights of children based on their sex, race, ethnicity, origin, social or material status, place of residence or that of their parents, language, education, religion, circumstances of their birth, health status or any other distinction is punishable by law. According to article 5 of the Act, the rights of the child cannot be restricted, except in cases established by law. Any act or failure to act that results in a restriction of the rights and legitimate interests of the child is considered to be invalid.

Paragraph 10 of the concluding observations

39. According to the Language Act, Turkmen is the official language of Turkmenistan.
40. Turkmenistan protects the Turkmen language and supports its comprehensive development and active use by State bodies and voluntary organizations, in the economy, public education, culture, technology, the service sector, the media and other areas of public life.
41. The establishment of Turkmen as the official language does not violate the constitutional right of Turkmen citizens of other ethnic groups to use their own national languages.
42. The official language and Russian are the languages of international communication used in Turkmenistan.
43. Turkmenistan promotes the free use and development of the languages of peoples living in the country.
44. Turkmenistan ensures that its citizens may study the official language, and supports the development of bilingualism and multilingualism in ethnic languages and Russian.
45. Turkmenistan provides assistance in meeting the intellectual, cultural and linguistic needs of Turkmen citizens living abroad (Language Act, arts. 1 to 3).
46. The legal recognition of the Turkmen language as the official language of Turkmenistan is in the interest of the State and in the country's national interest and obliges the highest political and administrative authorities to adopt the necessary legal, socioeconomic and cultural and educational measures to ensure its protection and development. The official language is protected under the legislation of Turkmenistan.
47. The standards of literary Turkmen are observed in all areas where the official language is used.
48. In addition to the official language, legal protection is ensured for Russian and the languages of other ethnic groups residing in the country, and conditions are created for their protection and development.
49. Violations of the citizens' right to choose a language of instruction, education or contact with State and public bodies, courts and law enforcement agencies, discrimination against citizens on linguistic grounds, the establishment of illegal privileges based on language and other infringements of the Language Act are not allowed.
50. The most recent information was submitted in December 2010 for the report on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination.
51. During this period, the Mejlis, the national parliament, adopted a number of codes and laws (either new or revised), namely:
- The Penal Enforcement Code (25 March 2011)
 - The Family Code (10 January 2012)
 - The Social Protection Code (19 October 2012)
 - The Housing Code (2 March 2013)
 - The Code of Administrative Offences (29 August 2013)
 - The Legal Status of Foreign Nationals Act (26 March 2011) — revised version
 - The Political Parties Act (10 January 2012)

- The Migration Act (31 March 2012) — revised version
- The Act on the Red Crescent Society of Turkmenistan (22 December 2012)
- The State Pension Insurance Act (31 March 2013)
- The Education Act (4 May 2013) — revised version
- An Act amending the Labour Code (22 June 2013)
- Acts amending the Labour Code (3 May 2014; 18 August 2015)
- The Voluntary Associations Act (3 May 2014) — revised version
- The Act on State Guarantees of the Rights of the Child (3 May 2014) — revised version
- An Act on State Guarantees for Ensuring Equal Rights and Equal Opportunities for Women and Men (18 August 2015) — revised version

52. All of the legislative acts listed above contain provisions prohibiting racial discrimination, in line with the Constitution and international treaties.

53. For example, article 3 (3) of the Penal Enforcement Code prohibits discrimination on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof against convicted prisoners.

54. Article 14 of the Family Code stipulates that men and women of marriageable age have the right to marry and to found a family, regardless of race, ethnicity or faith. They enjoy equal rights on entering marriage, during the marriage and in the event of divorce.

55. Article 5 of the Code of Administrative Offences also establishes the principle of equality before the law. Persons who have committed an administrative offence are equal before the law. A natural person is held liable under administrative law, irrespective of his or her ethnicity, race, sex, financial or official status, place of residence, language, religion, political convictions, party affiliation or lack thereof.

56. The Legal Status of Foreign Nationals Act establishes the principles governing the legal status of foreign nationals in the country: “Foreign nationals in Turkmenistan enjoy the same rights and freedoms and have the same responsibilities as Turkmen citizens, unless otherwise specified in the Constitution, the aforementioned Act or other legislative instruments.”

57. Foreign citizens are equal before the law irrespective of their background, financial or official status, race, ethnic origin, sex, education, place of residence, language, religion or other circumstances.

58. Article 8 (1) of the Political Parties Act prohibits the establishment and activities of political parties that aim to alter the constitutional order by violence, permit violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred or act in a manner detrimental to the health or morals of the people, and of political parties formed on the basis of ethnic or religious criteria.

59. The main principles regulating migration processes in Turkmenistan are reflected in article 3 (2) of the Migration Act, which stipulates that migration processes in Turkmenistan are based on the prohibition of encroachments upon individual rights and freedoms on grounds of ethnic background, race, sex, origin, financial or official status, place of residence, language, religion, political convictions, party affiliation or lack thereof.

60. Article 5 of the Act on the Red Crescent Society of Turkmenistan prohibits discrimination against persons wishing to become members of the Society. If not otherwise

provided for by national legislation, Turkmen citizens supporting the noble goals of the Red Cross and Red Crescent societies, irrespective of ethnic background, race, sex, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof, may become members of these societies. This right shall be exercised freely, without any prior authorization.

61. The revised Education Act (4 May 2013) offers State guarantees for citizens' educational rights.

62. For example, article 4 (1) of the Act stipulates: "Citizens are guaranteed access to education, irrespective of their ethnic background, race, sex, origin, financial or official status, place of residence, language, religion, political convictions, party affiliation or lack thereof, or their age or health".

63. Article 7 of the Voluntary Associations Act provides for restrictions on the establishment and activities of voluntary associations that seek to alter the constitutional order by violence and undermine the security of the State, permit violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic, social or religious hatred or act in a manner detrimental to the health or morals of the people, or are involved in extremist activities.

64. Under article 4 (1) and (4) of the revised Act on State Guarantees of the Rights of the Child (3 May 2014): "Turkmenistan guarantees the equality of rights and freedoms of all children living in Turkmenistan, regardless of their ethnicity, race, sex, origin, social or financial status, place of residence or that of their parents, language, education, religion, circumstances of birth, health status or other conditions."

65. Unequal observance of the rights of children based on their sex, race, ethnicity, origin, social and material situation, place of residence or that of their parents, language, education, religion, circumstances of birth, health status or any other distinction is punishable by law.

66. Under the Act on State guarantees for ensuring equal rights and equal opportunities for women and men (18 August 2015), Turkmenistan guarantees equal rights and opportunities to women and men (gender equality) in all spheres of Government and public life, as well as equality before the law, irrespective of ethnic background, race, sex, origin, financial, official or marital status, place of residence, language, religion, political convictions or party affiliation or lack thereof.

67. The Labour Code was amended on 22 June 2013. The new version of article 13 (1) (5) states: "An employee has the right to equal remuneration for work of equal value, without discrimination of any kind, and to timely and full payment of wages commensurate with his or her profession and skills and the complexity, quantity and quality of the work done, but not below the minimum wage established under national legislation."

68. On 9 November 2013, article 145 of the Criminal Code was also amended.

69. Article 145. Violation of equal civil rights: "Direct or indirect violation or restriction of human and civil rights and freedoms on grounds of ethnic background, race, sex, origin, financial or official status, place of residence, language, religion, political convictions, party affiliation or lack thereof, if such acts have serious consequences, is punishable by unpaid labour for up to 2 years, or deprivation of liberty for up to 2 years."

70. The provisions in question constitute the practical implementation of international legal standards that guarantee civil, political, economic, social and cultural rights to all of the country's citizens without exception.

71. The Government takes all necessary practical and legislative steps aimed at eliminating all forms of racial discrimination and incitement to acts against persons or groups of a different colour or ethnic origin.

72. Turkmenistan has a system of legislative, judicial and practical measures offering firm legal guarantees that any attempted discrimination on racial or ethnic grounds by officials, individuals, groups or institutions will be banned and, if necessary, suppressed. The principle of non-discrimination on these and other grounds underpins the operation of all authorities and administrations, both local and at the highest level, the electoral system, the organization and work of the law enforcement and judicial agencies, and the health-care, social security, education and other systems.

73. Incitement to ethnic or racial hatred, discord or contempt, or recourse to violence on ethnic, racial or religious grounds are punishable under the relevant legislative acts.

Paragraph 11 of the concluding observations

74. According to article 6 (2) of the Constitution: “Turkmenistan recognizes the primacy of universally accepted norms of international law. If an international agreement concluded by Turkmenistan provides otherwise than domestic law, the provisions of the international agreement are applied”. This constitutional provision governs the country’s legislation as a whole.

75. In May 2014, a decision was taken to amend the Constitution, not only to reflect the current political, economic and social tasks but also to take the short- and long-term perspectives into account. To this end, in line with the relevant presidential decrees, a constitutional commission was established and a committee created in parliament to consider and streamline the proposals submitted.

76. On 10 September 2015, a meeting of the Council of Elders of Turkmenistan was held in the city of Türkmenbaşy, with an agenda including major tasks related to the all-round development of the country and to socioeconomic and democratic reforms. One of the issues was the consideration of a draft revised Constitution, the content of which had been updated and its structure completely modified.

77. The President of Turkmenistan gave the keynote address at the meeting, outlining priority areas of State foreign and domestic policy, formulating specific tasks for 2016 and drawing attention to a series of key provisions in the draft revised Constitution.

78. It was decided that any proposals received after the publication of the draft new version of the Constitution proposed by the Constitutional Commission would be examined in detail. The final draft will be submitted for consideration by the parliamentary deputies and adopted at the meeting of the Council of Elders to be held in 2016.

79. Turkmenistan is a party to more than 130 international conventions and agreements, which are the basis of its international legal participation in protecting human rights and freedoms and helping resolve socioeconomic and humanitarian problems, and which include the fundamental international human rights instruments, notably the United Nations human rights texts. Turkmenistan is further reforming its national system for the protection of human rights and continues, steadfastly and consistently, to honour the pledges that it has made to the global community.

80. In accordance with the Constitution and the generally accepted rules of international law, the principle of establishing equal rights and freedoms for men and women has been set as one of the State’s main priorities. At the same time, particular attention is paid to the best international legal practices and the need to bring national legislation into line with modern requirements. In this connection, the National Plan of Action for Gender Equality in Turkmenistan for 2015-2020 was adopted in January 2015.

81. Under the Constitution, the State guarantees equality to individuals and citizens, including equality before the law, irrespective of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.

82. Under article 8 of the Constitution, foreign nationals and stateless persons enjoy the same rights and freedoms and have the same obligations as Turkmen citizens, in conformity with national legislation and international agreements to which Turkmenistan is a party.

Paragraph 12 of the concluding observations

83. On 10 January 2012, in the context of ongoing democratic reforms, the Parliament adopted the Political Parties Act, which was developed in line with the Constitution and the universally recognized standards of international law. The Act regulates the social relations that arise when citizens exercise their constitutional right to form political parties and the details of the foundation, activities, reorganization and dissolution of political parties.

84. The Act establishes the right of citizens to associate in political parties and accords them equal rights and equal opportunities to form political parties and participate freely in their activities. If they so wish, and in line with their political convictions, Turkmen citizens have the right to form political parties and, in accordance with the established procedure, freely to join or refrain from joining a party, to take part in its activities and to leave it without hindrance.

85. The new Act, which seeks to further guarantee individual political, economic, social and cultural rights, is a solid demonstration of the implementation of international human rights norms.

86. The Political Parties Act defines the legal foundations for the establishment of political parties, the rights and responsibilities thereof and safeguards relating to their activities, and regulates the relations of political parties with State bodies and other organizations.

87. The State guarantees the protection of the rights and legitimate interests of political parties and creates equal legal opportunities for them. Interference either by bodies of State authority and local government or officials in the activities of political parties, or by political parties in the activities of the above-mentioned authorities and officials is prohibited.

88. Article 8 of the Political Parties Act (10 January 2012) prohibits the establishment and activity of political parties that aim to alter the constitutional order by violence, permit violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred or act in a manner detrimental to the health or morals of the people; and of political parties formed on the basis of ethnic or religious criteria.

89. According to the provisions of the new Act, there is a clear, regulated procedure for the establishment of political parties. Political parties that have undergone State registration have the right to disseminate information about their activities and to advocate their views, targets and tasks. They can submit proposals to bodies of State authority and local self-government; participate in elections in line with the legislation; establish mass media and engage in publishing activities; use public media; protect the rights and legitimate interests of their members in connection with their political activities; and represent their interests in bodies of State authority and local self-government.

90. As a result of the adoption of the Act, important steps were taken towards developing a multiparty system. The Act served as a basis for the establishment of new

parties, which was the next stage in the development of pluralistic processes and an additional guarantee of freedom of expression.

91. Thus, the Party of Industrialists and Entrepreneurs was established on 21 August 2012 and 28 September 2014 saw the creation of the Agrarian Party, several of whose leaders became members of the new, fifth, parliament.

92. Thus, the Party of Industrialists and Entrepreneurs was established on 21 August 2012, as was the Agrarian Party on 28 September 2014.

93. Members of the Party of Industrialists and Entrepreneurs were elected to the fifth parliament.

94. The right of citizens to form political parties and other voluntary associations operating within the framework of the Constitution and laws is provided for in article 30 of the Constitution.

95. The Voluntary Associations Act (revised version of 3 May 2014) prohibits the establishment and activity of voluntary associations that aim to alter the constitutional order by violence, permit violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred, or act in a manner detrimental to the health or morals of the people, or are involved in extremist activities.

96. The Act on Trade Unions, Their Rights and Guarantees relating to Their Activities (9 November 2013) gives citizens the right to form trade unions on a voluntary basis, in accordance with established procedure, to freely join or refrain from joining them, to take part in their activities and to leave them without hindrance. Trade unions are established on the basis of the equality of their members. No limit may be placed on the number of trade unions in each occupational branch. Any person who hinders the formation or opposes the legal activities of a trade union may be held liable under national legislation (art. 3).

97. Article 42 of the Mass Media Act (new version of 22 December 2012) establishes that the freedom of information may be restricted, in accordance with the requirements and conditions established by law, in order to defend national security, ensure the neutrality of judges when dispensing justice, prevent the disclosure of confidential information and protect citizens' physical and moral health, their private lives and their dignity, etc.

98. The media are prohibited from publishing information containing warmongering, hatred, derision, contempt or incitement to discrimination, violence or physical attacks against a group or an individual affiliated with a group on the grounds of ethnicity, race, sex, origin, social status, language, religion, belief or opinion.

99. It is prohibited to disseminate misinformation or information that is defamatory or insulting to a citizen and that denigrates his or her honour and dignity.

100. Article 177 of the Criminal Code, "Incitement to social, ethnic or religious hatred", states that:

(a) Deliberate acts aimed at inciting social, national, ethnic, racial or religious hostility or discord or offending ethnic pride and propaganda concerning the exclusivity of some groups of citizens or the inferiority of others on the basis of their religion or their social, national, ethnic or racial affiliation carry fines equal to 20 to 40 times the average monthly wage or deprivation of liberty for up to 3 years;

(b) The same acts committed with the use of the media are punishable by a fine of 25 to 50 times the average monthly wage or deprivation of liberty for 2 to 4 years;

(c) Acts covered by the first and second paragraphs of this article committed with the use or threat of physical force or by an organized group are punishable by deprivation of liberty for between 3 and 8 years.

101. Article 62 of the Code of Administrative Offences establishes liability for the acts of founding or participating in the activities of political parties and other associations that aim to alter the constitutional order through violence, permit violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred or act in a manner detrimental to the physical and moral health of the nation, or those of political parties formed on the basis of ethnic or religious criteria.

102. Turkmenistan is currently working to improve the protection of human rights through independent institutions.

103. The Mejlis, the country's parliament, is developing a bill on the Human Rights Ombudsman that takes into account international experience and, to that end, decided to set up a working group. The drafting process will take into account the recommendations made in the annex to General Assembly resolution No. 48/134 of 20 December 1993, which sets out the principles relating to the status of national institutions for the promotion and protection of human rights.

104. The bill establishes standards for the independent investigation of complaints of human rights violations and provides for the submission of an annual report. The principles on which the Ombudsman's activities are based, such as transparency, objectivity and impartiality, will form an integral part of the relevant national legislation.

105. The broad mandate, independence and functional autonomy of the Office of the Ombudsman, its elevated social and political status and the organizational, legal and financial resources for its activities provided for in law will serve as a guarantee of the protection of human rights and freedoms and the development of international cooperation in this area.

Paragraph 13 of the concluding observations

106. In article 7 (1) of the Labour Code in the national language, racial discrimination is described in terms of "skin colour" and it also mentions the prohibition, in the implementation of labour rights, of restrictions or advantages on the basis of "ethnicity" or "origin".

107. Indirect discrimination is prohibited by article 7 of the Labour Code.

108. Under article 4 of the Employment Act, a key principle of the State employment policy is to provide equal opportunities for all Turkmen citizens to enjoy the right to work and freedom of choice of profession, irrespective of race, sex, religion, age, political conviction, ethnicity or social status.

109. Under article 11 of the Employment Act, citizens living in the country are guaranteed:

- Free choice of profession and legal protection from unfair dismissal
- Free assistance in selecting an appropriate job and recruitment support appropriate to their skills, training and education
- Protection against all forms of discrimination and equality of opportunity in acquiring a profession and a job and choosing their conditions of employment and labour

110. Article 37 of the Employment Act provides disciplinary, administrative and criminal liability for violations of the Act.

111. Article 307 of the Code of Administrative Offences, which was adopted and entered into force on 1 January 2014, provides for administrative penalties for the violation of employment legislation.

Paragraph 14 of the concluding observations

112. Turkmenistan condemns any racial segregation or apartheid in its territory and notes that neither has ever been applied in the country.

113. Article 30 (2) of the Constitution prohibits the founding and activities of political parties and voluntary paramilitary organizations that seek to alter the constitutional order through violence, permit violence in their activities, oppose citizens' constitutional rights and freedoms, advocate war or racial, ethnic and religious hatred or act in a manner detrimental to the physical and moral health of the nation, and political parties formed on the basis of ethnic or religious criteria.

Paragraphs 15 and 16 of the concluding observations

114. National legislation establishes liability for disseminating ideas based on racial superiority and hatred and for incitement to racial discrimination or to violence against any race or group of persons of another colour or ethnic origin. National criminal law stipulates that persons who have committed an offence are equal before the law and subject to criminal liability irrespective of sex, race, ethnicity, language, financial or official status, religion, belief or party affiliation.

115. Acts intended to violate the legal equality of citizens are considered criminally punishable and socially dangerous and are provided for in articles 101, 107, 168 and 177 of the Criminal Code.

116. Under article 107, the intentional infliction of bodily harm that endangers life on grounds of social, ethnic, racial or religious hatred or enmity is punishable by deprivation of liberty for between 5 and 10 years.

117. Article 101 of the Criminal Code establishes liability for the deliberate deprivation of the life of another person, committed on the basis of inter-ethnic, racial or religious hatred or enmity. This crime is punishable by deprivation of liberty for between 10 and 25 years.

118. The sentence may be accompanied by a requirement to reside in a particular area for between 2 and 5 years.

119. Article 177 of the Criminal Code establishes liability for inciting ethnic, racial or religious hatred and deliberate acts aimed at inflaming social, national, ethnic, racial or religious enmity or hatred or denigrating national dignity, and propaganda promoting exclusivity or asserting the inferiority of citizens based on their religion or their social, national, ethnic or racial affiliation, which are punishable by a fine of 20 to 40 times the average monthly wage or deprivation of liberty for up to 3 years.

120. Article 168 of the Criminal Code defines genocide as "deliberate acts, committed with the intent to destroy, in whole or in part, a national, ethnic, racial or religious group, in the form of the killing of members of the group, causing them serious bodily harm, inflicting conditions of life calculated to bring about their physical destruction in whole or in part, forcibly preventing births or forcibly transferring children of the group to another group, and issuing orders to commit such acts." These criminal acts are punishable by deprivation of liberty for between 15 and 25 years.

Paragraph 17 of the concluding observations

121. The President's policy on humanitarian law is based on adherence to the international conventions ratified by our country. Turkmenistan has acceded to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto, the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the

Reduction of Statelessness. Turkmenistan was the first country in Central Asia to accede to the above conventions. They are important documents in terms of guarantees of human rights and establish the instruments needed for effective action to prevent and reduce statelessness.

122. The Turkmen State consistently fulfils all of its obligations and includes the relevant international standards and recommendations in its national legal framework. In 2012, new drafts of the Migration Act and the Refugee Act were adopted, as was a new draft of the Turkmen Citizenship Act in 2013.

123. To implement the standards of the 1951 Convention and the 1954 Convention, and for the enjoyment of all rights by refugees and stateless persons living in Turkmenistan, new forms of identity and travel documents for stateless persons and refugees and residence permits that meet International Civil Aviation Organization standards were drafted and approved by Presidential Order. Legislation was also adopted to regularize the legal procedure for their issuance. Turkmenistan has thereby created a common system for the provision of identity documents.

124. To make it easier for foreign nationals to enter the country and to ensure a high level of service, new forms of specially protected visa stickers entered into use in January 2012. In accordance with the standards of international law, the principle of family unity is respected and foreign nationals are provided with the opportunity to live in Turkmenistan through a residence permit or a visa issued on favourable terms. This is further evidence of the level playing field provided to Turkmen citizens, foreign nationals and stateless persons alike, in accordance with the universally accepted norms of international law.

125. As a permanent member of the Executive Committee of the Programme of the United Nations High Commissioner for Refugees, Turkmenistan participates actively in the practical implementation of measures intended to protect and uphold the rights of refugees and stateless persons. By clearly fulfilling its international obligations and adhering to universally accepted norms of international law, Turkmenistan has implemented important measures for the protection of refugees that have made a significant contribution to resolving this global problem. The experience of Turkmenistan in this field attracts a great deal of respect and interest from the international community, which elevates the country's international standing.

126. Under article 26 of the Constitution, every citizen enjoys the right to freedom of movement and to choose a place of residence in Turkmenistan. Restrictions on entry into specific territories and movement within those territories may be established only in accordance with the law.

127. Under article 37 of the Migration Act of 31 March 2012, every Turkmen citizen, in accordance with the Constitution and other national legislation, enjoys the right to freedom of movement and to choose a place to reside or stay in Turkmenistan. Restrictions on the right of Turkmen citizens to freedom of movement and to choose a place to reside or stay are permitted on the grounds established in law. Citizens may challenge the decisions, actions or omissions of State executive and administrative bodies, public servants and other legal entities or individuals that restrict their rights to freedom of movement and to choose a place to reside or stay in the country by appealing to a higher authority, official or court.

128. Under article 4 (5) of the Turkmen Citizenship Act (new version of 22 July 2013), a key principle of Turkmen citizenship is the prevention and reduction of statelessness.

129. In accordance with its international obligations, Turkmenistan regularly carries out significant work to reduce statelessness and, in a timely manner, provide stateless persons with their basic rights, including documents for their stay in the country and for travel

abroad, in accordance with established procedures. It should be noted that progress in this field includes the adoption on 4 August 2012 of a new draft of the Refugee Act.

130. The State Agency for the Registration of Foreigners was established on 21 February 2003 and renamed the State Migration Service on 17 April 2008. It is a State agency that deals directly with refugees' problems.

131. The agency's tasks include recording and registering refugees who are in Turkmenistan and issuing documents to them. The Order on the Procedure for Granting Refugee Status in Turkmenistan, approved on 7 March 2005, regularized those tasks, ensuring they were granted the appropriate status. On 4 August 2005, a Presidential Decree accorded Turkmen citizenship to 13,187 persons.

132. A total of 1,590 stateless persons were granted Turkmen citizenship under a Presidential Decree of 8 July 2011. On 25 October 2011, at a meeting of the Elder's Council, the President signed a Decree granting Turkmen Citizenship, under which citizenship was accorded to 1,728 stateless persons and persons who had lost their citizenship for various reasons.

133. As a result, in 2011, 3,318 stateless persons were granted Turkmen citizenship. To continue the policy of reducing statelessness in Turkmenistan, on 25 October 2013, the President signed another Order, which granted Turkmen citizenship to 609 persons. The Presidential Decree of 21 June 2014 granted Turkmen citizenship to 786 stateless persons (including 8 mandate refugees).

134. On 13 June 2015, a further 361 stateless persons were granted Turkmen citizenship.

135. Internal agencies and the local executive authorities issue citizens' passports to new Turkmen citizens. A certificate of Turkmen citizenship, issued by the State Migration Service, is used to prepare and issue the passports.

136. The State provides the necessary conditions for new citizens to lead a dignified life. Granting citizenship improves the recipients' social standing and gives them the opportunity to enjoy basic human rights and freedoms and access to education, work, health care and other assistance, on an equal basis with other Turkmen citizens.

137. It should be noted that the granting of citizenship to such a large number of persons in a short period of time is unprecedented in the Central Asian region and the Commonwealth of Independent States (CIS), and is of interest to the international community.

138. That interest was evident in the international conference on Refugees in the Muslim World that was held, on the initiative of the President, in Turkmenistan in 2012. The conference assisted in the study of the experience accumulated by Turkmenistan in granting citizenship to refugees and stateless persons. Government representatives from 57 Member States of the Organization of Islamic Cooperation participated in the conference, alongside the leaders and representatives of approximately 40 international and intergovernmental organizations and observers from 21 States.

139. The International Conference on Migration and Statelessness: Identifying challenges and the way forward was then held in 2014. Official delegations from 32 States participated in the Conference, alongside representatives of 16 authoritative international organizations and NGOs.

140. The National Red Crescent Society of Turkmenistan, a humanitarian voluntary association, also follows the President's human rights policy on the prevention and reduction of statelessness in Turkmenistan.

141. The guiding principles of the International Red Cross and Red Crescent Movement, the Charter of the National Red Crescent Society of Turkmenistan and the Act on the National Red Crescent Society of Turkmenistan reflect the fact that any discrimination whatsoever against a person or citizen on the grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political conviction or party affiliation or lack thereof is unacceptable.

142. Since January 2014, the National Red Crescent Society of Turkmenistan has been implementing the Programme to Prevent and Reduce Statelessness — which provides legal assistance to undocumented persons — with financial support from the Office of the United Nations High Commissioner for Refugees in Turkmenistan. Programme activities are implemented in Ashgabat and all districts of the five provinces.

143. The work and aim of the Programme are to reduce the number of stateless persons. Lawyers have worked under the Programme in each province and in Ashgabat. Their duties involve receiving clients at the offices of the Red Crescent and providing them with qualified legal advice.

144. Programme staff work closely with the State Migration Service, which provides lists of persons without citizenship, indicating their residential address. Under the planned programme activities, lawyers travel to all districts and villages to visit these persons, identify their problems, provide appropriate legal advice, help gather all necessary documents and assist in every way possible with the speedy collection of documents for the purpose of obtaining citizenship for them.

Paragraph 18 of the concluding observations

145. Under article 5 (2) of the Turkmen Citizenship Act of 22 June 2013, citizenship of another State is not recognized for Turkmen citizens. If a Turkmen citizen holds citizenship of another State, under the law of Turkmenistan he or she is viewed as a citizen of Turkmenistan alone. Such persons enjoy the rights and responsibilities provided for in Turkmen law.

Paragraph 19 of the concluding observations

146. Under article 11 of the Employment Act of 12 November 1991, Turkmenistan guarantees citizens living on its territory protection against all forms of discrimination and equal opportunities in acquiring a vocation and a job and choosing conditions of employment and labour.

147. The preamble to the Labour Code regulates labour relations for persons working in businesses, organizations and institutions, irrespective of their form of incorporation or ownership, and also for individuals who have concluded an employment contract. The Code therefore applies to both the public and the private sectors.

148. Article 5 of the Labour Code states that it is applicable to all employers and workers who have concluded an employment contract in Turkmenistan, unless otherwise provided by national legislation or an international treaty to which Turkmenistan is party.

149. The labour law established by the Labour Code and other legal instruments applies to the labour relations of foreign nationals, stateless persons, the staff of international organizations and the staff of companies located in Turkmenistan whose founders or full or partial owners are foreign legal entities or natural persons, unless otherwise provided by national legislation or an international treaty to which Turkmenistan is party.

150. Articles 304 to 306 of the Administrative Offences Code stipulate administrative penalties for violations of labour law, including the provisions on occupational safety.

151. Under article 90 of the Constitution, a Turkmen citizen may be elected to parliament if he or she is 25 years old by the day of the election and has been permanently resident in Turkmenistan for 10 years. Under electoral law, members of parliament are elected through universal, equal and direct suffrage by secret ballot. Any direct or indirect restriction on citizens' right to vote on the grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political conviction or party affiliation or lack thereof is prohibited.

152. Under article 5 of the Civil Service Act of 12 June 1997, Turkmen citizens who are over 18 years old are entitled to serve in the civil service, irrespective of their social or financial status, race or ethnicity, sex, religion or political conviction.

Paragraph 20 of the concluding observations

153. Under the Education Act (new version of 4 May 2013), citizens of Turkmenistan are guaranteed access to education irrespective of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions, party affiliation or lack thereof, age or health status.

154. The State provides for citizens' right to education by establishing an education system and socioeconomic conditions conducive to obtaining an education.

155. The State guarantees citizens universal free general education at State educational institutions, as well as, on a competitive basis, universal free vocational training at State educational institutions, provided that the student is receiving such education for the first time, in accordance with the procedures specified in the Act.

156. Article 4 of the Guarantees of the Rights of the Child Act (new version of 3 May 2014):

- Guarantees equality of rights and freedoms for all children living in Turkmenistan, irrespective of their ethnicity, race, sex, origin, social or financial status, place of residence or that of their parents, language, education, religion, circumstances of birth, health status or other circumstances. Unequal observance of the rights of children based on their sex, race, ethnicity, origin, social or financial status, place of residence or that of their parents, language, education, religion, circumstances of birth, health status or any other distinction is punishable by law
- Provides every child with the right to education as a citizen's basic and inalienable constitutional right. Every child is entitled to obtain a general secondary education — which is compulsory — free of charge in public schools

157. In Turkmenistan, national minorities do not live in one concentrated area; they reside in the towns and villages.

158. Turkmenistan has more than 70 schools where children are taught in Russian. English-medium schools are found in the capital and in all regions of the country. In addition, there are joint schools: Turkmen-Russian and Turkmen-Turkish schools, where the teaching is in Russian, Turkish and English. The International Turkmen-Turkish University provides instruction in Turkish and English. The International University for Humanities and Development, with instruction in English, opened in 2014.

159. Every year, under intergovernmental agreements, Turkmen citizens from different ethnic groups study abroad in countries such as Belarus, China, Japan, Malaysia, the Republic of Korea, Romania, the Russian Federation and Turkey.

160. In all educational establishments (from kindergarten onwards), girls and boys from Armenian, Kazakh, Russian, Turkmen, Uzbek and other ethnic groups share desks and are taught together.

161. State policy, particularly in the social sphere, is designed to provide every citizen, irrespective of race, skin colour, ethnic group or sex, with equal opportunities for decent living conditions, to develop talent and to enjoy the constitutional right of Turkmen citizens to health.

162. In recognition of the common value of the highest attainable standard of health as a fundamental human right, Turkmenistan is striving to improve its health system to enhance health, on the basis of equality and justice, while also taking account of individuals' specific health-care needs related to gender, age and level of income.

163. The Government consistently implements comprehensive measures addressing all aspects of maternal and child health. Under article 35 of the Constitution, all citizens enjoy equal access to health-care services, including the use, free of charge, of the network of State health-care institutions.

164. Turkmen law provides women and children every opportunity for the full enjoyment of all their rights and the attainment of good health: the Health Act (23 May 2015), the Act on State Guarantees of Equal Rights and Opportunities for Women and Men (new version of 18 August 2015) and the Guarantees of the Rights of the Child Act (new version of 3 May 2014).

165. The following programmes are being successfully implemented: *Saglyk*, the President's State Health Programme, the 2011-2030 National Programme for the Social and Economic Development of Turkmenistan, the President's National Programme to Improve Social and Living Conditions in Villages, Communities, Towns and District Centres for the period to 2020, the State Programme on the Development of Health for the period from 2012 to 2016, the State Programme on the Development of the Medical Industry for the period from 2011 to 2015, the National Programme for the Development of Sanatorium and Health Resort Services, the National Programme for Healthy Eating for the period from 2013 to 2017, the National Strategy for the Introduction of the Ashgabat Declaration on the Prevention and Control of Non-communicable Diseases in the Context of Health 2020 for the period from 2014 to 2020, the National Programme for Early Childhood Development for the period from 2011 to 2015, the National Reproductive Health Strategy for the period from 2011 to 2015, the National Programme to Combat HIV Infection for the period from 2012 to 2016 and the National Strategy and Plan of Action for Mother, Newborn, Child and Adolescent Health for the period from 2015 to 2019.

166. To reduce infant and child mortality, national programmes and strategies are being successfully implemented in Turkmenistan — with support from United Nations agencies — in the following areas: supporting and promoting breastfeeding; anaemia prevention and control; integrated management of childhood illnesses; primary neonatal resuscitation; and safe motherhood. The programme for mother and child health is integrated at the primary level (primary health care) and included in training programmes at medical universities and colleges.

167. In the interests of public health, large-scale preventive measures being successfully implemented in Turkmenistan, with the support of UNICEF, include salt iodization and the fortification of flour with iron and folic acid. Turkmenistan is the fourth country in the world, and the first of the CIS countries, to have achieved universal salt iodization.

168. After receiving an international certificate for the salt iodization programme, regular biological monitoring has ascertained that 100 per cent of households use iodized salt and that urinary iodine concentrations are high.

169. Today, the population of Turkmenistan uses flour that is 100 per cent fortified with iron and folic acid.

170. In order to build a stronger society and economy, the Government continues to invest in health promotion and disease prevention. Vaccination is one of the areas of investment.

171. Turkmenistan has a successful Government-approved National Immunization Programme for the period from 2003 to 2020. The programme has achieved high immunization coverage and a significant reduction in, and in some cases elimination of, vaccine-preventable infections. Morbidity from diphtheria and whooping cough has fallen, measles has been reduced to isolated cases and poliomyelitis has been eradicated. In 2002, Turkmenistan was certified free of wild poliovirus transmission.

172. Turkmenistan has achieved a high level of immunization coverage. Overall, 99.5 per cent of newborns receive, free of charge, the BCG anti-tuberculosis vaccine and immunizations against hepatitis B and poliomyelitis. Vaccinations received are noted in an immunization record card, thus making it possible to keep track of all vaccinations throughout life.

173. Measles is one of the major childhood diseases for which mortality can be prevented by immunization. Measles immunization coverage among children aged from 12 to 23 months in Turkmenistan has risen during the past 20 years by 35 per cent and today stands at 99.3 per cent. Some changes have been introduced in order to eliminate (eradicate) measles and rubella and ensure ongoing monitoring of these diseases: from January 2007, two doses of the MMR combined vaccine (against measles, mumps and rubella) were added to the national immunization calendar, for children at the ages of 12 to 15 months and 6 years.

174. In accordance with the recommendations of the World Health Organization (WHO), a national programme was developed to prevent measles and congenital rubella. Activities are being implemented under the programme to maintain high vaccination rates, provide additional immunization to persons susceptible to measles and rubella and to improve the epidemiological surveillance of the two diseases. In 2012, the WHO Regional Office sent a letter confirming the absence of cases of measles or rubella in Turkmenistan.

175. The Ministry of Health continues to work with UNICEF on immunization. Since 1998, the purchase of vaccines has been funded by the Government.

176. One of the main policies of the President of Turkmenistan is protecting the health, including the reproductive health, of women, adolescents and children. The State offers women free and equal access to health care and family planning resources and addresses women's particular health-care needs. Considerable progress has been made in developing accessible information on the choice of medical services during pregnancy and childbirth.

177. Improvements are under way in terms of: the infrastructure and sanitary conditions in medical institutions; the supply of basic medicines; the introduction of protocols, guidelines and antenatal and postnatal kits; evidence-based and WHO-recommended neonatal technologies; national capacity in obstetrics, resuscitation and neonatal medicine; and the introduction of State reporting software, which helps to improve the recording of maternal mortality and morbidity.

178. Maternal health programmes have been integrated into primary health care and in training programmes at medical universities and colleges. Coverage of early antenatal care has reached 96 per cent of pregnant women.

179. In light of the need to provide services of the highest quality using advanced equipment and the latest technology, the Ene Makhri network of centres operate in Ashgabat and in all provinces. The centres have the equipment and medicine to care for newborns weighing as little as 500 g. Adopting these practices increases the survival chances of newborns, enabling more women to experience the joy of motherhood.

180. The Ene Makhri centre in Ashgabat operates a laboratory for assisted reproduction — in vitro fertilization (IVF) — to help women and their husbands enjoy their reproductive rights. An international Turkmen and German project is being carried out on gestational diabetes.

181. Thanks to improved socioeconomic conditions, the promotion of women's rights and improvements in their social status, as well as improvements to the quality of service delivery at maternity institutions, there has been a significant reduction in maternal mortality and morbidity in the past 20 years. Between 2010 and 2014, maternal mortality fell from 6.9 to 3 cases per 100,000 live births.

182. Home births account for 0.1 per cent of births, meaning that 99.9 per cent of all births take place in medical institutions and are attended by medical staff.

183. The implementation of the National Safe Motherhood Programme during the period from 2007 to 2011 has been assessed by the Ministry of Health and the Ministry of Industry and Trade (in 2009, 2011 and 2012), with support from the United Nations Population Fund (UNFPA), UNICEF and WHO. They found that there was continuous and uninterrupted provision of antenatal care throughout pregnancy and the postnatal period, and high coverage for visits in the early stages of the antenatal period (up to 12 weeks).

184. A gender-sensitive system of reproductive health services has been set up in the country for the purpose of achieving universal access to reproductive health. This system operates separate reproductive health centres for women, men and adolescents throughout the country. Services are provided at three levels: the family doctor, reproductive health clinics (105 clinics), and six regional centres and the National Centre for Reproductive Health within the Scientific and Clinical Centre for Maternal and Child Health.

185. The Reproductive Health Service provides the public with all health services related to family planning, including free consultations on sexual and reproductive health. Reproductive health centres and clinics distribute free contraception and provide consultations and information. Given the importance of reproductive health, the State guarantees supplies of contraceptives, including those on the list of essential medicines (10 named forms of contraception).

186. The establishment of reproductive health services and efforts to prevent abortion have halved the number of terminations, increased the average interval between births to 2.5 years and reduced morbidity among women of childbearing age.

187. In 2013, a new tool was introduced to assess the quality of family planning services. At-risk groups were identified and a new industry reporting form and indicator was introduced to ascertain contraceptive coverage of high-risk women, in order to focus on improving the health of future mothers.

188. This approach makes it possible to monitor the quality of service provision for women of childbearing age in reproductive health clinics and centres, and implements the principles of safe motherhood.

189. Since 2014, under the Order to Improve Perinatal Care, a regional division and perinatal service with three levels has been established; existing staff posts have been reviewed; level II and level III perinatal centres have additionally been supplied with essential equipment and special transport; a 90 per cent discount has been applied to prescriptions for iron and folic acid; medicines, supplies and equipment for obstetric care have been included on the national list of essential basic medicines; national standards and protocols have been developed; and action plans for urgent obstetric situations have been introduced for family doctors and obstetrician-gynaecologists.

190. A maternal reproductive health card has been created to record basic data on all pregnancies and births, neonatal status, health interventions and contraception.

191. Improvements to women's health has had a direct impact on medical progress, comprehensive medical care at work and in the postnatal period, universal access to antenatal care, higher quality health-care services resulting from better training of midwives, the expansion of family planning programmes, a high proportion of births attended by health-care professionals and the investigation of every case of maternal mortality, as well as general progress in the country. There is political commitment in the country to the promotion of maternal and child health.

Paragraph 21 of the concluding observations

192. The Language Act of 24 May 1990 provides legal guarantees of the free development and use of Turkmen as the country's official language, of Russian as a means of international communication and also of the languages of other peoples living in the national territory. See paragraphs 33-37.

193. The Constitution guarantees the right to artistic freedom, including the freedom to create folk art and other forms of art, and encourages and disseminates the positive results of such creativity. In addition, it promotes broader and stronger cultural relations at the international level. With a view to establishing constitutional standards for the implementation of State policy on the development of culture, art and literature and ensuring that everyone can enjoy the right to participate in cultural life, Turkmenistan has adopted the following laws: the Museums Act (20 December 1996), the Libraries Act (15 June 2000), the Applied Folk Art of Turkmenistan Act (19 December 2000), the Copyright and Related Rights Act (10 January 2012), the Culture Act (12 March 2010), the Act on the Preservation of Objects Belonging to the Historical and Cultural Heritage of Turkmenistan (12 October 2012), the Theatres Act (8 November 2014) and the Act on the Preservation of the Intangible Cultural Heritage of Turkmenistan (28 February 2015).

194. Participation in the cultural life of the country is not restricted according to ethnic origin.

195. Museum entry for all nationals of Turkmenistan costs 2 manat (1 manat in provincial museums) for adults and 20 tenge for children, irrespective of sex, race or ethnic background. Entry is free of charge for persons with disabilities and veterans.

196. The price of entry to theatres, cinemas, concert halls and the State Circus of Turkmenistan is 3 manat for adults and 2 manat for children, while for persons with disabilities and veterans, entry is free of charge.

197. The price of entry to the historical and cultural monuments of Turkmenistan is 80 tenge for adults and 40 tenge for children. Entry is free of charge for persons with disabilities, veterans, members of the armed forces and pilgrims.

198. Members of ethnic groups are actively involved in all areas of cultural life in Turkmenistan, without exception (table 1).

Table 1

Name of organization	Total staff	Other ethnic groups	Of those							
			Russians	Azerbaijanis	Tatars	Uzbeks	Kurds	Armenians	Ukrainians	Others
State Cultural Centre	1 362	83	40	14	3	4	2	9	4	7
Art Museum	130	3	1	1	-	-	-	1	-	-
State Circus	304	40	24	6	-	-	-	3	-	7

Name of organization	Total staff	Other ethnic groups	Of those							
			Russians	Azerbaijanis	Tatars	Uzbeks	Kurds	Armenians	Ukrainians	Others
Central Drama Theatre	230	5	5	-	-	-	-	-	-	-
Magtymguly National Musical Drama Theatre	176	21	12	3	1	-	-	4	-	1
Alp Arslan National Youth Theatre	227	17	11	1	1	-	2	-	-	2
Pushkin State Drama Theatre of the Russian Academy	114	43	31	1	1	1	-	-	2	4
State Puppet Theatre	124	8	6	1	1	-	-	-	-	-
Mollanepes Student Theatre	81	2	2	-	-	-	-	-	-	-
State Academy of Arts	190	16	5	2	2	3	2	-	-	2
Turkmenistan Cinema and Concert Hall	9	1	1	-	-	-	-	-	-	-
Vatan Cinema and Concert Hall	13	1	-	-	1	-	-	-	-	-
Hyzmat Kinovideo Association	58	6	2	1	1	-	1	-	-	1
Department of Art Exhibitions	26	3	-	-	-	-	-	-	-	-
Department for the Protection, Study and Restoration of Historical and Cultural Monuments	207	25	7	1	-	8	-	-	-	9
Amanov State Children's Library	105	17	9	-	2	-	-	2	1	-
Musical residential school attached to the National Conservatory	314	56	28	11	5	2	-	5	-	5
National Conservatory	295	47	20	5	-	2	2	9	4	5
State Institute of Culture	307	20	2	4	1	2	-	4	-	7
State Art School attached to the State Academy of Arts	75	2	1	1	-	-	-	-	-	-
Ovezov State College of Music attached to the National Conservatory		30	7	8	2	-	2	7	2	2
Specialized Training Centre, Ministry of Culture	15	4	3	1	-	-	-	-	-	-
Ashgabat Municipal Department of Culture	526	97	48	8	3	2	3	14	6	13
Ahal Province Department of Culture	1 477	38	17	6	2	-	1	2	2	8

Name of organization	Total staff	Other ethnic groups	Of those							
			Russians	Azerbaijanis	Tatars	Uzbeks	Kurds	Armenians	Ukrainians	Others
Lebap Province										
Department of Culture	3 103	278	33	3	20	212	-	3	2	5
Balkan Province										
Department of Culture	1 583	78	30	10	7	1	4	12	1	13
Daşoguz Province										
Department of Culture	1 895	274	6	1	10	245	-	2	-	10
Mary Province										
Department of Culture	3 482	219	67	27	5	12	1	43	5	59
Total	16 538	1 434	421	119	68	494	20	123	29	160

199. The following directors of music and dance groups in Turkmenistan belong to ethnic minorities:

- (a) Elena Dormidontova, director of the Nyazli Dance Ensemble of the Bank for Development and Foreign Economic Affairs;
- (b) Harold Neumark, director of the Mukam Violin Ensemble;
- (c) Elena Moskvicheva, choirmistress at the National Conservatory;
- (d) Vera Kochieva, director of the Ak pamyk Children's Dance Group of the Palace of Children and Youth in Ashgabat;
- (e) Alvard Airapetovna Mkrtychyan, director of the Lale Reyhan Dance Group in Lebap province;
- (f) Yury Balyan, director of the Shelkovy Put Music and Dance Group of the Transport and Communications Institute;
- (g) Sariya Karakhanova, director of the Dehistan Folklore Group.

200. A creative competition instituted by the President, entitled "Türkmeniň Altyn asyry" (Turkmen Golden Age), is held every year to encourage creative activities by people working in the fields of culture, art and literature, young performers and gifted children. Ethnic minorities play an active role in the competition, producing 7 of the 143 competition winners in 2012, 5 of the 153 winners in 2013, 14 of the 212 winners in 2014 and 15 of the 170 winners in 2015.

201. On the occasion of Independence Day, high ranks and awards were bestowed on three members of ethnic minorities in 2012, five in 2013 and six in 2014. Of those, four were awarded the Magtymguly Pyragy medal.

202. The Ministry of Culture celebrates annual days of culture of States that are the historic homelands of certain ethnic minorities in Turkmenistan, including:

- Days of culture of the Islamic Republic of Iran, from 7 to 10 February 2014
- Days of culture of Armenia, held in Ashgabat and Mary, from 9 to 11 April 2014
- Days of culture of the United States of America, from 21 to 24 November 2014
- Days of culture of the Islamic Republic of Iran, from 5 to 7 March 2015
- Days of culture of the United Arab Emirates, from 24 to 28 April 2015
- Days of culture of China, from 4 to 6 August 2015

203. Since January 2012, a total of 16 days of culture of Turkmenistan have been held in foreign States and 17 days of culture of foreign States have been held in Turkmenistan (table 2).

Table 2

<i>Year</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>Total</i>
1. Days of culture of Turkmenistan held abroad	3	3	6	4	16
2. Days of culture of foreign States held in Turkmenistan	5	4	4	4	17
Total	8	7	10	8	33

204. By a decision of the Thirty-second Meeting of the Permanent Council of Ministers of Culture of the Member Countries of the International Organization of Turkic Culture (TÜRKSÖY), held in Kazan on 21 November 2014, the city of Mary in Turkmenistan was declared the capital of culture of the Turkic world for 2015.

205. The grand opening of a programme entitled “Mary — capital of culture of the Turkic world for 2015” was held in Mary on 27 January 2015 to launch the cultural events of the year. The opening was attended by 151 leading figures in culture and the arts of the Turkic world.

Paragraph 22 of the concluding observations

206. Issues relating to ensuring the safety of victims of crime, including victims of racial discrimination, and their access to legal recourse are regulated by the Code of Criminal Procedure (1 July 2009), the Internal Affairs Authorities Act (21 May 2011) and the Bar and Advocacy Act (10 May 2010).

207. Under article 108 of the Code of Criminal Procedure, if there is sufficient information in connection with criminal proceedings to the effect that there is a real danger that threats of death, coercion, violence, cruelty, destruction of or damage to property or other acts punishable under criminal law could be committed against victims or their close relatives, the body conducting the initial inquiry, the investigator, the procurator and the court must take the measures prescribed by law to protect the life, honour, dignity and property of those persons, ensure their security and identify and prosecute the perpetrators.

208. The body conducting the criminal proceedings must take measures to ensure the safety of the persons referred to in article 108 (1) of the Code, on the basis of an oral or written request made by them or at its own initiative, concerning which a decree is issued. If necessary, the investigator, the procurator or the judge, by means of a reasoned decision, or the court, by means of a ruling, may issue instructions to the interior affairs agencies to ensure the protection of those persons and their property.

209. Requests from persons participating in criminal proceedings or their close relatives for the adoption of security measures must be considered by the body conducting the criminal proceedings within 24 hours of reception. The applicant must be notified immediately of the decision and sent a copy of the corresponding ruling.

210. Article 15 (9) of the Internal Affairs Authorities Act states that internal affairs authorities, in accordance with their mandates and within their sphere of competence, are obliged to protect the life, health, identity, family and property of witnesses, victims and others at risk who have provided assistance to the law enforcement authorities in preventing and solving crimes.

211. Under article 4 (1) and (2) of the Bar and Advocacy Act, the State undertakes to ensure that everyone is provided with the necessary professional legal assistance.

212. The State guarantees the equal rights of all natural and legal persons in Turkmenistan to receive legal assistance and information regarding the nature of that assistance and the procedures for obtaining it.

213. Under article 5 (4) of the Bar and Advocacy Act, the lawyer providing legal assistance must protect or represent his or her client in criminal cases and cases relating to administrative offences before State authorities, bodies of inquiry, bodies conducting the initial inquiry or the courts.

214. According to the Information Centre of the Ministry of Internal Affairs, no offences under article 145 of the Criminal Code (violation of the equal rights of citizens) have been registered since 2010.

215. Between 2011 and 2015, the prosecution authorities did not receive any complaints or appeals relating to direct or indirect violations or restriction of human and civil rights and freedoms on the grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.

216. No criminal cases relating to the offences set out in article 145 of the Criminal Code have been initiated or investigated by the prosecution authorities.

Paragraph 23 of the concluding observations

217. Under article 11 of the Code of Civil Procedure (18 August 2015), civil justice is administered according to the principle of equality before the law and the courts. During civil proceedings, no citizen may be given preferential treatment or subjected to discrimination on the grounds of his or her ethnic background, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.

218. According to article 59 of the Code of Administrative Offences (29 August 2013), any direct or indirect violation or restriction of human and civil rights and freedoms on the grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof shall be punishable by a fine of 5 to 10 times the base unit or administrative detention of up to 15 days.

219. Article 53 of the Code establishes that grounds of ethnic, national or religious hatred or enmity or revenge for the lawful actions of another person, and the intention of concealing or facilitating the commission of another offence, are recognized as aggravating circumstances for administrative offences.

220. Article 62 of the Code provides that any violation of national equality or the integrity of the territory of Turkmenistan — that is, activities to create political parties or other voluntary associations that aim to forcibly alter the constitutional order through violence or by allowing violence in their activities, opposing the constitutional rights and freedoms of citizens, advocating war or racial, ethnic or religious hatred or acting in a manner detrimental to the health or morals of the people, or political parties formed on the basis of ethnic or religious criteria — are prohibited. Such acts are punishable by a fine of up to 20 times the base unit or administrative detention of up to 15 days.

221. Under article 76 of the Code, the manufacture, import, export and distribution of religious literature, information — including information obtained from the Internet — and items with religious significance that promote war or foment religious, national and international, sexual or racial conflict on the basis of religious arguments, are punishable by

finest of between 2 and 5 times the base unit for individuals, between 5 and 10 times the base unit for officials and between 10 and 20 times the base unit for legal entities.

Regarding paragraph 24 of the concluding observations, please refer to paragraphs 73-75 of the report.

Paragraph 25 of the concluding observations

222. Article 38 of the Communications Act of 12 March 2010 states that the principles of Internet service provision are established in accordance with that Act and with other domestic laws and regulations, on the basis of the primacy of the universally recognized norms and principles of international law, respect for international treaties and other instruments of international law ratified by Turkmenistan, and also taking into account the need to ensure data security and to protect the legitimate interests of Turkmenistan and the rights of natural and legal persons in relation to the provision of Internet services.

223. In accordance with article 7 of the Act on the Legal Regulation of the Development of the Internet and the Provision of Internet Services of 20 December 2014, one of the main objectives of the State policy on the provision of Internet services is to ensure universal and equal access to the Internet by creating and maintaining State and non-State infrastructure that enables the use of technical devices connected to the Internet.

224. In accordance with article 8 of that Act, the State takes measures to ensure:

- Equal access to the Internet with no discrimination
- Government programmes to enable people to connect to the Internet, through the development of information and communication services
- The establishment of non-discriminatory procedures for the use of information resources in Turkmenistan
- The avoidance of unreasonable restrictions on the activities of operators and Internet service providers and the volume of information accessible online

Paragraph 26 of the concluding observations

225. Comprehensive work is being conducted in Turkmenistan to study the national legal system for harmonizing domestic laws and incorporating international norms into national legislation. A comparative analysis is also being carried out and foreign legislative and law-enforcement practices are being taken into account.

226. The issue of accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and the International Convention for the Protection of All Persons from Enforced Disappearance, to which Turkmenistan is not yet a party, is under consideration.

Paragraph 27 of the concluding observations

227. The fight against racial discrimination in Turkmenistan is based on the principles of the Durban Declaration and Programme of Action. At the national level, those principles are upheld and taken into account both when updating legislation and when carrying out law enforcement.

228. When enforcing international human rights standards, including those relating to the elimination of racial discrimination, the Mejlis actively applies the recommendations contained in the Programme of Action and the Outcome Document of the Durban Review Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance.

III. Measures taken by Turkmenistan to implement the basic provisions of the Convention

Article 1

229. The Constitution of Turkmenistan is the primary legislative instrument providing for the equal enjoyment of fundamental human rights and freedoms in the political, economic, social, cultural and other spheres of public life.

230. Under the Constitution, the Government guarantees the equality of human and civil rights and freedoms and equality before the law, irrespective of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof (art. 19).

231. All of the legislation of Turkmenistan accords citizens equal liberties and equality before the law, irrespective of race, sex, ethnicity, language, religion, social origins, beliefs or personal or social status.

232. Turkmenistan ratified the Convention on the Elimination of All Forms of Racial Discrimination on 23 September 1994 and fully supports the Durban Declaration and Programme of Action and the Outcome Document of the Durban Review Conference.

233. The Government takes all necessary practical and legislative steps aimed at eliminating all forms of racial discrimination and incitement to acts against persons or groups of a different colour or ethnic origin.

234. The principle of non-discrimination on those and other grounds underpins the operation of all high-ranking and local authorities and administrations, the electoral system, the organization and work of the law-enforcement and judicial agencies and the health-care, social security and education systems.

235. All the above measures combined constitute the practical implementation of international legal provisions that guarantee the civil, political, economic, social and cultural rights of all citizens without exception. Additional information is contained in paragraphs 19, 55-60 and 76.

Article 2

236. Since gaining independence, Turkmenistan has created the organizational and legal conditions and mechanisms for the promotion, respect and protection of human rights and fundamental freedoms.

237. According to the Constitution, the human being is of paramount importance to society and the State, and human rights and freedoms are inviolable and inalienable.

238. Turkmenistan pursues a policy of mutual understanding among peoples and the prohibition of any distinction, exclusion, restriction or preference based on race, descent or national or ethnic origin.

239. The policy of non-discrimination consistently pursued by Turkmenistan is rooted in the mentality of the Turkmen people and its age-old history and tradition of relations with other peoples.

240. Turkmenistan has a system of legislative measures offering firm legal guarantees that any attempted discrimination on racial or ethnic grounds by any persons, including officials, groups or institutions, will be banned or suppressed.

241. The obligation not to engage in any act of racial discrimination is reflected in the constitutional provisions establishing the equal rights of citizens regardless of race, sex, ethnicity, language or other grounds and is binding on the State, Government authorities and civil servants. It is thereby incumbent on the State not to allow any race- or ethnicity-based discrimination. That provision is also included in other legislative instruments.

242. Since independence, Turkmenistan has adopted no laws or regulations that have the effect of creating or perpetuating racial discrimination.

243. Additional information on article 2 is contained in paragraphs 14-32, 33-54, 55-60, 61-75, 87-104, 106-108, 109-142 and 155-164.

Article 3

244. The permanent neutrality of Turkmenistan, as recognized by the international community, is the basis for the country's domestic and foreign policies.

245. By establishing a status of neutrality that is essentially unique in international law, Turkmenistan, as a sovereign State, has over the years taken on a commitment to speak as an initiator of, and active participant in, a global process to strengthen peace and security throughout the world. As the political and legal foundation for the coherent and sustained implementation of all large-scale reforms relating to national, social and economic development in today's Turkmenistan, neutrality has helped to significantly strengthen the country's political, economic and cultural and humanitarian ties with all interested States on a bilateral and multilateral basis, especially in the framework of prominent international organizations.

246. Over the years, as it has secured its neutrality, Turkmenistan has made impressive progress through successive large-scale reforms, above all in shaping and strengthening the State, ensuring sustained economic growth, improving living standards and strengthening the country's importance in the international arena.

247. The Council of Elders, meeting in Türkmenabat on 20 October 2014, declared 2015 the year of neutrality and peace.

248. As a member of the Organization for Security and Cooperation in Europe (OSCE), Turkmenistan has assumed the obligations relating to national minorities set forth in section VII of the Final Act of the Conference on Security and Cooperation in Europe, 1975, and other OSCE documents on the human dimension.

Article 4

249. Information is provided in paragraphs 81-86.

Article 5

250. All citizens have the right to participate in the administration of the affairs of the State and society, both directly and through their freely elected representatives (Constitution, art. 31).

251. In accordance with article 32 of the Constitution, citizens have the right to elect representatives and to be elected to government bodies. They enjoy equal rights to enter public service in accordance with their skills and occupational training.

252. The country's Constitution and electoral legislation provide citizens with a genuine possibility to elect representatives and themselves to be elected to all government bodies and guarantee universal, equal and direct voting rights, with a secret ballot. They thus offer increasingly broad possibilities for direct participation by the citizens in the formulation of development strategies and tactics in all areas of activity of the State and society.

253. The Electoral Code was adopted by the Mejlis on 4 May 2013. It was drawn up taking into consideration best practice in other countries and the experience gained in Turkmenistan in recent election campaigns, and is in line with relevant international standards. The Code regulates relations during the preparation and holding of elections for the country's presidency, for the Mejlis and for membership of the people's councils and local councils, as well as referendums. It establishes guarantees for the free expression of the will of the country's citizens.

254. The Electoral Code incorporates the democratic principles, forms and procedures for electoral systems that are universally accepted in international practice. They include universal and equal access to representative government bodies; the direct and free expression of will by voters; alternatives among candidates put forward for election; transparency and openness; freedom to campaign; equal opportunities for all candidates in carrying out election campaigns; and broad participation in the electoral process by representatives of voluntary associations, voters' associations, candidates' accredited proxies, observers and the media. A genuine mechanism for the realization of voting rights and the legal protection of such rights has thus been established.

255. Elections were held on 15 December 2013 for representatives to the fifth Mejlis. Two parties took part: the Democratic Party and the Industrialists and Entrepreneurs Party. It thus became possible for voters to send more worthy representatives to the country's legislature.

256. In all 125 constituencies, two or more candidates vied for a single mandate. For the 125 seats, 283 candidates registered within the time frame established by the Electoral Code: 99 from the Democratic Party; 21 from the Industrialists and Entrepreneurs Party; 89 from trade union associations; 37 from the Women's Union; 22 from the Magtymguly Youth Organization; and 15 from citizens' groups.

257. During the run-up to the elections, the candidates were given equal opportunities to campaign, including equal access to the media, in accordance with the law.

258. The representatives elected to the Mejlis included 47 from the Democratic Party, 14 from the Industrialists and Entrepreneurs Party, 33 from trade union organizations, 16 from the Women's Union, 8 from the Magtymguly Youth Organization and 7 from citizens' groups.

259. Some 2,500 national observers monitored all phases of the campaign. Among them were representatives of political parties and public organizations and associations.

260. All phases of the election process were also monitored by 99 foreign observers and experts from observer missions sent by the Commonwealth of Independent States and the United Nations Department of Political Affairs and members of a delegation from the OSCE Office for Democratic Institutions and Human Rights and the OSCE Parliamentary Assembly.

261. Multi-candidate elections to provincial, district and municipal people's councils were held on 23 November 2014 as another important step towards consolidating the democratic basis of Turkmen society.

262. Of the 3,524 officially registered candidates, 240 people were elected to the provincial people's councils and 1,480 people were elected to the district and municipal

people's councils in total. There were two or more candidates for each mandate in all the constituencies.

263. All phases of the electoral process at the local level were monitored thoroughly by national observers, who provided an objective assessment of the process. The elections were characterized by the wide range of candidates and full transparency and openness.

264. On 16 August 2015, multi-candidate local council elections and parliamentary elections in two constituencies took place in an atmosphere of openness and transparency. Of the 13,528 elected officials, 6,041 people were elected to local representative bodies of popular power, including: 973 in Ahal province, 413 in Balkan province, 1,416 in Daşoguz province, 1,449 in Lebap province and 1,790 in Mary province.

265. The fact that two or more candidates vied for each mandate clearly illustrated the high level of democracy and the large number of candidates.

266. National observers monitored the electoral process in all constituencies.

267. Information on the Mejlis elections and the provincial, district, municipal people's council and local council elections is given in table 3.

Table 3

<i>Nationality</i>	<i>Number of elected officials</i>			
	<i>Mejlis election</i>	<i>Provincial and municipal people's council elections</i>	<i>District and municipal people's council elections</i>	<i>Local council elections</i>
Turkmens	122	236	1 428	5 641
Russians	1	1	2	1
Uzbeks	1	3	47	354
Kazakhs	1		1	11
Baluchis				25
Farsi				4
Karakalpaks				1
Uighurs				2
Azerbaijanis			2	1
Ukrainians				1
Total	125	240	1 480	6 041
Number of women	33	44	350	1 215

268. Citizens are guaranteed the freedom to hold assemblies, rallies and demonstrations in the manner prescribed by law (Constitution, art. 29).

269. On 28 February 2015 the Mejlis adopted the Organization and Conduct of Gatherings, Meetings, Demonstrations and Other Mass Events Act. The Act is intended to ensure that the constitutional right of citizens to gather peacefully and to hold gatherings, meetings, demonstrations and other mass events is respected and that security is maintained during such events.

270. In accordance with article 3 of the Act, the following principles apply to such mass events:

(a) Legality, in particular observance of the provisions of the Constitution, the Act itself and other domestic legislation;

- (b) Voluntary participation;
- (c) Respect for and observance of human and civil rights and freedoms.

271. In accordance with the new version of the Voluntary Associations Act adopted on 3 May 2014:

(a) The right to form voluntary associations may be exercised either directly, through an association of natural persons, or through legal persons, namely voluntary associations;

(b) In the cases specified by the above-mentioned Act, the founders may include, in addition to Turkmen citizens, foreign citizens and stateless persons residing in Turkmenistan;

(c) The right of assembly includes the right to form associations to protect common interests and achieve common goals, the right to join existing voluntary associations or to refrain from joining them and the right to freely withdraw from such associations;

(d) People have the right to establish such associations voluntarily, without prior authorization from the State authorities or local government bodies, and the right to join such associations subject to the provisions of their statutes (art. 4).

272. The State ensures the observance of the rights and legitimate interests of voluntary associations, supports their activities and regulates by law the extension to them of tax or other benefits or advantages.

273. It is prohibited for the State to interfere in the activities of voluntary associations or for voluntary associations to interfere in State affairs, and for voluntary associations to be assigned the functions of State bodies, except in cases specified in the Act.

274. Voluntary associations may cooperate and interact with State bodies by concluding agreements with them and may, by contract, carry out specific work for them.

275. In certain cases specified by law, issues relating to the interests of voluntary associations are handled by State bodies with the participation and consent of the associations.

276. The employees of voluntary associations' secretariats are covered by the labour and social protection laws of the country (art. 5).

277. The State registration of voluntary associations is administered by the Ministry of Justice, in accordance with a procedure established by law.

278. Voluntary associations must be included in the unified national register of legal entities, in accordance with a procedure established by law (art. 20).

279. A voluntary association may be denied State registration if:

(a) Its statutes are in violation of the Constitution, the provisions of the Voluntary Associations Act or other national legislation;

(b) A voluntary association with the same name has previously been registered in the area where the association operates;

(c) The founding documents have not been submitted in their entirety or in the proper manner;

(d) It has been established that the founding documents submitted for registration have been submitted containing intentionally false information;

(e) Its name is offensive on moral, ethnic or religious grounds;

(f) One of its founders has been recognized by a court to be without legal capacity or has been convicted of a serious or especially serious offence, and the conviction has not been cleared or expunged in accordance with the procedure established by law.

280. In the event of denial of registration, the applicant is informed in writing, with an indication of the reason for the denial.

281. A denial of registration is not an obstacle to the subsequent submission of registration documents once the issues justifying the denial have been resolved.

282. The consideration of the subsequent application and the issuing of a corresponding decision takes place in accordance with a procedure established by the Act (art. 22).

283. Decisions denying registration can be appealed in court (art. 23).

284. There are currently 119 voluntary associations and 130 religious organizations on the unified national register.

Article 6

285. Updated versions of the Courts Act and the Act on Enforcement Proceedings and the Status of Court Appointed Officers were adopted in 2014.

286. The updated Courts Act of 8 November 2014 establishes, in accordance with the Constitution, the legal and administrative framework for the exercise of judicial power by the courts, the procedure for appointing and dismissing judges and the powers of judges.

287. The Act regulates the work of the courts and the establishment of proper conditions for the administration of justice. The genuine independence of the courts is ensured through procedures for codifying and summarizing the application of laws and for finding legal settlements for complaints and grievances, along with various provisions addressing human resources and financial, logistical and other issues.

288. To implement those provisions, there are plans to set up a new centre within the structure of the Supreme Court — the Information Centre of the Supreme Court of Turkmenistan. The Centre will enable the general population to learn about judicial practice. It will also clarify laws and liaise with the media. In addition, it will create a database of laws and related jurisprudence, which form the legal basis for enhancing the protection of the human rights and freedoms and the State and public interests protected by the law.

289. The Act of 8 November 2014 on Enforcement Proceedings and the Status of Court Appointed Officers regulates the activities of court officers. The law is designed to ensure the timely and effective enforcement of court decisions. It defines the legal framework for conducting enforcement proceedings and the status of the officers responsible for such action.

290. With the adoption of that legislation, the country's legal framework was bolstered with instruments designed to strengthen law and order and thereby ensure compliance with and full implementation of the rights and freedoms of citizens.

291. On 15 January 2015, the President called on the country's legislative branch to reconsider the length of terms of appointment of judges, the procedures for submitting candidatures and the rights and duties of the courts. Currently, the Mejlis and the relevant departments are analysing international experience and existing national legislation with a view to making changes and additions to it.

292. In accordance with article 44 of the Bar and Advocacy Act of 10 May 2010, the Ministry of Justice assists bar associations in providing professional training to lawyers and provides access to information about legislation and other topics.

293. According to article 80 of the Procurator's Office Act of 15 August 2009, the Office of the Procurator General has the right to establish institutions to improve the skills of procuratorial staff and to issue special publications. A review of legislation indicates that there is a regulatory framework in place for raising public awareness of human rights. In recent years, an increasing number of practical measures have been taken to put those standards into practice.

Article 7

294. The Government of Turkmenistan, the European Union, the local UNDP office and OHCHR launched a project entitled "Strengthening the National Capacity of Turkmenistan to Promote and Protect Human Rights", which was implemented between September 2009 and 2013.

295. Under the project, a collection of international human rights treaties was published in the State language and in Russian.

296. Between 2009 and 2013, with the participation of international experts and specialists in human rights protection from abroad, seminars on human rights were held in Ashgabat and all of the country's provinces for the staff of law-enforcement agencies and representatives of State and local government bodies and voluntary associations.

297. Under the joint project, a human rights resource centre was inaugurated on 2 May 2011 at the National Institute for Democracy and Human Rights in the Office of the President.

298. The aim of the centre is to help promote human rights by presenting and disseminating information on human rights and heightening public awareness. With that in mind, a library has been assembled for the Centre's visitors with titles published by OHCHR, theoretical literature, relevant teaching and reference materials, online resources and other materials.

299. Similar human rights resource centres were opened in 2012 in a number of leading higher education institutes: the State Institute of Energy in Mary, the Seidi Teacher Training Institute in Türkmenabat, the State Institute of Agriculture in Daşoguz and the Balkanabat branch of the State Petroleum and Natural Gas Institute.

300. The work of the resource centres is aimed at promoting human rights through the dissemination of information relating to national legislation and international standards in the area of human rights. Accordingly, since they were established, all of the centres have organized round-table events and seminars at which Institute staff have addressed issues relating to constitutional reform, the preparation of a bill on the human rights ombudsman and other topical issues relating to legal reform.

301. This year, the centres organized events dedicated to the twentieth anniversary of the country's neutrality, highlighting the role and significance of neutrality as an important factor in cooperation for peace, regional security, stability and sustainable development, the country's overall advancement and the well-being of the people of Turkmenistan.

Annex 1

The country's legislation is aimed at eliminating discrimination against individuals and groups, as is shown by the following excerpts from the laws of Turkmenistan:

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
1.	<p>Article 19. Turkmenistan guarantees equal human and civil rights and freedoms and the equality of all citizens and human beings before the law, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.</p> <p>Article 20. Men and women in Turkmenistan have equal civil rights. The violation of equality of rights on grounds of sex is punishable by law (Constitution, art. 20).</p>	Constitution (2008)
2.	<p>Article 4. Fundamental principles of State employment policy</p> <p>The basic principles of the State's employment policy are:</p> <p>The provision of equal opportunities for all citizens in Turkmenistan, irrespective of race, sex, religion, age, political convictions, ethnicity or social status, to exercise their right to work and freely to choose their employment.</p>	Employment Act (1991)
3.	<p>Article 5. Right to serve in the State administration</p> <p>Turkmen citizens who have reached the age of 18 years, regardless of social or financial status, race or ethnic origin, sex, religion or political convictions, have the right to serve in the State administration.</p>	Civil Service Act (1997)
4.	<p>Article 1. Basic principles of civil legislation</p> <p>1. Civil legislation is based on recognition of the equality of the subjects of such legislation, the inviolability of property, the freedom to conclude contracts, the inadmissibility of any kind of arbitrary interference in private affairs, the need for direct exercise of civil rights, and guarantees of the restoration of violated rights and of their judicial protection.</p>	Civil Code (1998)
5.	<p>Article 6. Adversarial system and equality of the parties</p> <p>Arbitration proceedings are conducted on the basis of the adversarial system and equality of the parties before the law and the courts, regardless of location, financial status and form of ownership, in the case of legal entities, and of sex, ethnicity, language, origin, place of residence, religion, beliefs, type and nature of occupation or other circumstances, in the case of individuals.</p>	Code of Arbitration Procedure (2000)
6.	<p>Article 2. Principles of selection for the civil service</p> <p>1. Government leaders and officials in Turkmenistan are selected on the basis of the following principles:</p> <p>3. Universal access, i.e. the equal right of all citizens to enter and be promoted in the civil service in accordance with their capabilities and professional training, irrespective</p>	Act on the Selection of Government Leaders and Officials in the Civil Service (2002)

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
	of ethnicity, origin, financial or official status, place of residence or religion.	
7.	Article 1. Basic principles of tax legislation 2. National tax legislation is based on the recognition of the universality and equality of taxation.	Tax Code (new version) (2004)
8.	Article 7. Prohibition of discrimination in labour relations 1. No restriction may be imposed on labour rights or preferential treatment accorded in their realization on the basis of ethnicity, race, sex, origin, financial or official status, place of residence, language, age, religion, political convictions, party affiliation or lack thereof, or other circumstances unrelated to the professional qualities of an employee or the results of his or her work.	Labour Code (2009)
9.	Article 20. Justice is administered on the basis of the equality of citizens before the law and the courts 2. In the course of the administration of justice, no one may be subjected to any discrimination for reasons of origin, social, financial or official status, ethnicity, race, sex, education, language, religion, political convictions, place of residence or any other consideration.	Code of Criminal Procedure (2009)
10.	Article 7. Activities of the procuratorial agencies and individual rights 1. In carrying out their work, the staff of the procuratorial agencies respect guaranteed human and civil rights and freedoms, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation. Civil rights and freedoms may be restricted only on the grounds and in accordance with the procedure established by law. Information relating to the private life of a citizen and prejudicial to his or her honour or dignity or which may be detrimental to his or her rights and legitimate interests may not be disclosed, except in cases provided for by law.	Procurator's Office Act (2009)
11.	Article 4. Freedom of scientific activity 1. Every citizen, regardless of economic or social status, race or ethnicity, origin, sex, age, religion or belief, language, political or other beliefs or place of employment or residence, has the right to freedom of scientific activity.	Research Worker Status Act (2009)
12.	Article 5. Basic principles of the activities of the Migration Service 1. The activity of the Migration Service is based on the principles of legality, humanism, equality of citizens before the law, observance of civil rights and freedoms, and respect for citizens' dignity regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.	Migration Service Act (2009)

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
13.	<p>Article 145. Violation of equal rights of citizens</p> <p>Direct or indirect violation or restriction of human and civil rights and freedoms on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof which entails serious consequences is punishable by punitive deduction of earnings for up to 2 years or deprivation of liberty for up to 2 years.</p>	Criminal Code (new version) (2010)
14.	<p>Article 5. State guarantees of civil rights and freedoms in the area of culture</p> <p>1. The State guarantees citizens, irrespective of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof the right to participate in cultural activities, take part in cultural organizations and have access to cultural treasures held by State cultural organizations.</p>	Culture Act (2010)
15.	<p>Article 3. The principles of penal enforcement legislation</p> <p>3. There may be no discrimination against convicted prisoners on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.</p>	Penal Enforcement Code (2011)
16.	<p>Article 6. Respect for human rights and freedoms in the activities of the internal affairs agencies</p> <p>1. The internal affairs agencies ensure equality between all persons and citizens with respect to rights and freedoms and the protection of life, health, honour, dignity, rights, freedoms and legitimate interests, regardless of ethnicity, race, sex, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.</p>	Internal Affairs Authorities Act (2011)
17.	<p>Article 77. Equality of children's rights</p> <p>1. All children living in Turkmenistan have equal rights, irrespective of their or their parents' or other legal representatives' ethnicity, race, sex, language, religion, origin, financial or official status, education or place of residence, and regardless of the circumstances of their birth, their health status or other factors.</p> <p>3. The equality of children's rights is guaranteed by law, the present Code and other laws and regulations of Turkmenistan and the generally recognized norms of international law.</p>	Family Code (2012)
18.	<p>Article 6. Respect for human rights and freedoms in the activities of the national security agencies</p> <p>1. In the fulfilment of the tasks entrusted to them, the national security agencies guarantee equal human and civil rights and freedoms, and the equality of all citizens and human beings before the law, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation</p>	National Security Agencies Act (2012)

No.	Provisions	Act
	or lack thereof.	
19.	<p>Article 3. Basic principles for the regulation of migration processes in Turkmenistan</p> <p>Migration processes in Turkmenistan are regulated on the basis of the following principles:</p> <ol style="list-style-type: none"> 1. The constitutional human rights of free choice of place of residence, occupation and profession and freedom of movement. 2. Any abuse of the rights and freedoms of the individual on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof is prohibited. 	Migration Act (2012)
20.	<p>Article 4. The principles of the activities of the Service for the Protection of a Healthy Society</p> <p>The activity of the Service for the Protection of a Healthy Society is based on the principles of legality, humanism, equality of citizens before the law, observance of civil rights and freedoms, and respect for citizens' dignity, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.</p>	Act on the Service for the Protection of a Healthy Society (2012)
21.	<p>Article 33. Inadmissibility of abuse of the rights of journalists</p> <ol style="list-style-type: none"> 2. Journalists may not use their right to disseminate information in order to defame a person or a category of persons solely on the grounds of sex, age, race, ethnicity, language, religion, occupation, place of residence or work or political convictions. 	Media Act (2012)
22.	<p>Article 8. Basic principles of the activities of the Society</p> <ol style="list-style-type: none"> 1. The Society carries out its activities without any discrimination on grounds of a person's or citizen's ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof, and is guided by the basic principles of the International Red Cross and Red Crescent Movement: humanity, impartiality, neutrality, independence, voluntary service, unity and universality. 	Red Crescent Society of Turkmenistan Act (2012)
23.	<p>Article 3. Guidelines for the conduct of elections and referendums</p> <ol style="list-style-type: none"> 2. Any direct or indirect limitation of citizens' right to vote, to be elected and to take part in referendums based on ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof is prohibited. 	Electoral Code (2013)
24.	<p>Article 4. The State guarantees the rights of citizens in the field of education</p> <ol style="list-style-type: none"> 1. Citizens are guaranteed the right to education irrespective of ethnicity, race, sex, origin, property, financial or official 	Education Act (2013)

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
	status, place of residence, language, religion, political convictions or party affiliation or lack thereof, age or health status.	
25.	Article 5. Principles of State youth policy The principles of the State policy on youth are: 2. The equality of young citizens, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.	State Youth Policy Act (2013)
26.	Article 5. Principle of equality before the law 1. Persons who have committed administrative offences are equal before the law. Individuals are held to administrative liability, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof. Legal persons are also subject to administrative liability, regardless of their form of ownership, location, form of incorporation, line organization or other circumstances.	Code of Administrative Offences (2013)
27.	Article 5. Equality of citizens before the law and the courts 1. Justice is administered on the basis of equal rights and freedoms, the principle of adversarial proceedings and the equality of all before the law and the court, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions, party affiliation or lack thereof, or other circumstances not stipulated by law.	Courts Act (new version) (2014)
28.	Article 3. Basic aims and principles of publishing in Turkmenistan 1. The basic objectives of publishing are: 4. The creation by citizens of possibilities for self-expression as authors, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.	Publishing Act (2014)
29.	Article 4. Universal access to theatrical art 1. Citizens, regardless of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof, have the right of access to theatrical art as the cultural heritage of the Turkmen people.	Theatre and Theatrical Activities Act (2014)
30.	Article 4. Equality of children's rights 1. Turkmenistan guarantees equal rights and freedoms for all children living in the country, regardless of their ethnicity, race, sex, origin, social or financial status, place of residence or that of their parents, language, education, religion, circumstances of their birth, health status or other conditions.	Guarantees of the Rights of the Child Act (2014)

No.	Provisions	Act
	<p>2. Every child has the right to exercise his or her rights and freedoms. The best interests of the child must be ensured in the realization of the child's rights, freedoms and legitimate interests.</p> <p>3. Equal rights for children are guaranteed by the country's legislation and other regulatory instruments and universally recognized principles and standards of international law.</p> <p>4. Violation of the equal rights of children based on their sex, race, ethnicity, origin, social or financial situation, place of residence or that of their parents, language, education, religion, the circumstances of their birth, their health status or any other distinction is punishable by law.</p>	
31.	<p>Article 11. Equality of all before the law and the courts</p> <p>1. Civil justice is administered on the basis of equality before the law and the courts.</p> <p>2. In the administration of civil justice, no citizen may be given preferential treatment or discriminated against on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.</p>	<p>Code of Civil Procedure (2015)</p> <p>Note: enters into force on 1 July 2016.</p>
32.	<p>Article 4. Principles of the State public health policy</p> <p>The principles of the State public health policy are the following:</p> <p>1. Citizens shall have equal rights to obtain safe and good quality health care and medical services.</p>	Health Protection Act (2015)
33.	<p>Article 3. Purpose and objectives of the present Act</p> <p>2. The objectives of the Act are:</p> <p>1. To promote and protect the rights of citizens to equal access to physical exercise and sports.</p>	Physical Recreation and Sports Act (2015)
34.	<p>Article 7. Fairness in the activities of notaries</p> <p>1. The activities of notaries are conducted in equal conditions for all, irrespective of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof.</p>	Notaries and Notarial Activities Act (2015)
35.	<p>Article 3. State guarantees of equal rights and equal opportunities for women and men in Turkmenistan</p> <p>1. Turkmenistan guarantees women and men equal rights and equal opportunities (sex equality) in all areas of State and social life, and equality before the law, regardless of ethnicity, race, sex, origin, financial, official or family status, place of residence, language, religion, political convictions or party affiliation or lack thereof.</p> <p>Article 5. Basic lines of State policy in the area of sex equality</p>	Act on State Guarantees of Equal Rights and Equal Opportunities for Women and Men (2015)

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
	<p>The basic lines of State policy in the area of sex equality are:</p> <ol style="list-style-type: none"><li data-bbox="335 347 1005 392">1. The prohibition of discrimination on the basis of sex. <p>Article 6. The prohibition of discrimination on the basis of sex.</p> <ol style="list-style-type: none"><li data-bbox="335 470 1005 504">1. Discrimination on the basis of sex is not allowed.	

Annex 2

Legislation of Turkmenistan on the rights of foreign citizens and stateless persons:

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
1.	<p>Article 5. Employment legislation</p> <p>2. Employment legislation also applies to foreign nationals and stateless persons who reside permanently in Turkmenistan, unless otherwise provided for in national legislation.</p>	Employment Act (1991)
2.	<p>Article 13. Intellectual property of joint ventures, foreign citizens, organizations and States</p> <p>2. The provisions of this Act shall also apply to the intellectual property of foreign nationals and stateless persons in the territory of Turkmenistan.</p>	Intellectual Property Rights Act (1992)
3.	<p>Article 19. Property of citizens of other States and stateless persons</p> <p>The provisions of this Act shall also apply to the property of foreign nationals and stateless persons in the territory of Turkmenistan.</p> <p>Land may be made available to citizens of other States and stateless persons for lease in the manner and under the conditions established in the country's land legislation.</p>	Property Act (1993)
4.	<p>Article 2. Trade Secrets Act</p> <p>2. Legal protection shall be ensured for the commercial secrets of foreign legal entities, their subsidiaries and offices, as well as those of citizens of foreign States and stateless persons carrying out activities in the territory of Turkmenistan, in accordance with national legislation.</p> <p>Article 3. Scope of the Act</p> <p>1. The present Act shall apply to citizens of Turkmenistan, citizens of foreign States and stateless persons, legal entities, subsidiaries and representative offices of legal entities located on the territory of Turkmenistan that have the possession, use and disposal of information that constitutes trade secrets (hereinafter referred to as rights holders).</p>	Trade Secrets Act (2000)
5.	<p>Article 4. Scope of the Act</p> <p>1. The present Act shall apply to legal and natural persons residing in the territory of Turkmenistan and providing or using telecommunications and postal services.</p> <p>The Act shall apply to foreign legal and natural persons and stateless persons under the same conditions and in accordance with the same procedure as to Turkmen legal and natural persons, with the exception of such restrictions on the exercise of certain types of activity as are established in national legislation.</p>	Communications Act (2010)

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
6.	<p>Article 3. Principles of the legal status of foreign nationals in Turkmenistan</p> <p>Foreign nationals in Turkmenistan enjoy the same rights and freedoms and have the same duties as Turkmen citizens, unless otherwise specified in the Constitution, the present Act or other legislation.</p> <p>Article 24. Effect of the present Act on stateless persons:</p> <p>The provisions of the present Act also apply to stateless persons staying (residing) in Turkmenistan, unless otherwise provided for in national legislation.</p>	Legal Status of Foreign Nationals in Turkmenistan Act (2011)
7.	<p>Article 7. Insured persons</p> <p>1. Turkmen citizens permanently residing in Turkmenistan, foreign citizens and stateless persons covered by the State pension insurance scheme in accordance with the present article are insured persons.</p>	State Pension Insurance Act (2012)
8.	<p>Article 4. Scope of the Act</p> <p>The present Act shall apply to natural or legal persons (or subdivisions thereof), including those that operate outside Turkmenistan, households in Turkmenistan and foreign citizens, stateless persons, foreign legal persons (or subdivisions thereof) and international organizations in the territory of Turkmenistan that are subject to statistical reporting in accordance with the present Act.</p>	Statistics Act (2012)
9.	<p>Article 43. Insurance of foreign natural and legal persons and stateless persons in Turkmenistan</p> <p>1. Foreign legal entities, including their subsidiaries and offices that are registered or operate in the territory of Turkmenistan, as well as foreign natural persons and stateless persons in the territory of Turkmenistan are entitled to insurance coverage and are liable for any violation of national legislation in the area of insurance on the same basis as natural and legal persons of Turkmenistan.</p>	Insurance Act (2012)
10.	<p>Article 3. Scope of the Act</p> <p>2. The present Act also applies to the children of foreign citizens or stateless persons who are refugees and to child refugees living in the territory of Turkmenistan.</p> <p>Article 4. Equality of children's rights</p> <p>1. Turkmenistan guarantees equal rights and freedoms for all children living in the country, regardless of their ethnicity, race, sex, origin, social or financial status, place of residence or that of their parents, language, education, religion, circumstances of their birth, health status or other conditions.</p>	Guarantees of the Rights of the Child Act (2014)
11.	<p>Article 112. Application of the Act in respect of foreign nationals and stateless persons and legal persons of foreign States</p>	Notaries and Notarial Activities Act (2015)

<i>No.</i>	<i>Provisions</i>	<i>Act</i>
	Foreign nationals, stateless persons and legal entities of foreign States have the same rights as Turkmen citizens and legal persons: the right to apply on the territory of Turkmenistan for notarial acts to be performed by public notaries and authorized officers in accordance with the procedure established by the present Act and other legal instruments of Turkmenistan.	Enters into force on 1 January 2016
12.	<p>Article 4. The rights of citizens of Turkmenistan in the sphere of physical recreation and sports</p> <p>3. Foreign nationals and stateless persons on the territory of Turkmenistan enjoy the same rights as citizens of Turkmenistan in the sphere of physical recreation and sport in accordance with national legislation and the international treaties to which Turkmenistan is a party, except for the right to compete as an athlete in the national sports teams of Turkmenistan at international sports competitions.</p>	Physical Recreation and Sports Act (2015)
13.	<p>Article 3. Scope of the Act</p> <p>The present Act shall apply to citizens of Turkmenistan, foreign citizens and stateless persons, unless otherwise provided in national legislation or the international treaties signed by Turkmenistan.</p> <p>Article 4. Principles of the State public health policy</p> <p>The principles of the State public health policy are the following:</p> <p>1. Citizens shall have equal rights to obtain safe and good quality health care and medical services.</p>	Health Protection Act (2015)

Annex 3

Information on administrative and criminal liability:

No.	Provisions of the Act	Act
1.	<p>Article 59. Violation of equal rights of citizens</p> <p>Direct or indirect violation or restriction of human and civil rights and freedoms on the basis of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions or party affiliation or lack thereof shall incur a fine of between 5 and 10 times the base unit or administrative detention for up to 15 days.</p>	Code of Administrative Offences (2013)
2.	<p>Article 62. Infringement of the equal rights of citizens</p> <p>Direct or indirect violation or restriction of human and civil rights and freedoms or actions leading to the establishment of political parties and other voluntary associations that aim to alter the constitutional order by violence, permit violence in their activities, oppose the constitutional rights and freedoms of citizens, advocate war or racial, ethnic or religious hatred or act in a manner detrimental to the health or morals of the people, or the establishment of or involvement in the activities of political parties formed on the basis of ethnic or religious criteria is punishable by a fine of up to 20 times the base unit or administrative detention for up to 15 days.</p>	- //-
3.	<p>Article 76. Violation of national legislation on religious freedom and religious organizations</p> <p>2. The production, importation, exportation or distribution of religious literature or information, including information obtained from the Internet or objects for religious purposes, that promotes war or advocates religious, national, ethnic, sexual or racial confrontation on religious grounds is punishable by a fine of between 2 and 5 times the base unit for individuals, between 5 and 10 times the base unit for officials and between 10 and 20 times the base unit for legal entities.</p> <p>3. The production, storage and distribution of publications, films, photos, audio- or video recordings, electronic media or information containing ideas of religious extremism, separatism and fundamentalism, is punishable by, for individuals, a fine of between 2 and 5 times the base unit; for officials, between 5 and 10 times the base unit or administrative detention for up to 15 days; and, for legal entities, between 10 and 20 times the base unit, with or without confiscation of the publications, films, photos, audio- or video recordings or electronic media or information, and the means of their manufacture and distribution.</p> <p>4. Acts aimed at promoting religious antagonism, exacerbating relations or fomenting hostility are punishable by a fine of between 1 and 3 times the base unit.</p>	- //-

<i>No.</i>	<i>Provisions of the Act</i>	<i>Act</i>
4.	<p data-bbox="357 286 874 309">Article 145. Violation of equal rights of citizens</p> <p data-bbox="357 331 999 533">Direct or indirect violation or restriction of human and civil rights and freedoms on grounds of ethnicity, race, sex, origin, financial or official status, place of residence, language, religion, political convictions, party affiliation or lack thereof which entails serious consequences is punishable by punitive deduction of earnings for up to 2 years or deprivation of liberty for up to 2 years.</p>	Criminal Code (new version) (2010)
5.	<p data-bbox="357 555 999 577">Article 177. Incitement of social, ethnic or religious hatred</p> <p data-bbox="357 600 999 801">1. Intentional acts aimed at inciting social, national, ethnic, racial or religious hatred or discord or demeaning ethnic honour, or advocacy of the exclusivity or inferiority of certain citizens on grounds of their religion or their social, national, ethnic or racial origin, are punishable by a fine of between 20 and 40 times the average monthly wage or deprivation of liberty for up to 3 years.</p> <p data-bbox="357 824 999 936">2. The same acts committed with the use of mass media are punishable by a fine of between 25 and 50 times the average monthly wage or deprivation of liberty for a term of between 2 and 4 years.</p> <p data-bbox="357 958 999 1070">3. The acts specified in paragraphs 1 and 2 above, when committed with the use or threat of physical violence, are punishable by deprivation of liberty for a period of 4 to 8 years.</p>	- //-