



Human Rights Council
Working Group on the Universal Periodic Review
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Turkmenistan

Compilation of information prepared by the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the outcome of the previous review.¹ It is a compilation of information contained in relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with human rights mechanisms

2. The United Nations country team noted that Turkmenistan had not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and recommended that Turkmenistan ratify them.² In 2018, the Committee on Economic, Social and Cultural Rights encouraged Turkmenistan to ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.³

3. In 2023, the Human Rights Committee was concerned at the failure by Turkmenistan to implement 23 Views of the Committee and recommended that Turkmenistan take all measures necessary to ensure their implementation. The Committee was also concerned at the delay by Turkmenistan in ensuring collaboration with Human Rights Council special procedure mandate holders and recommended that it grant access to them.⁴

4. The United Nations country team reported that Turkmenistan had ratified the Convention against Discrimination in Education and the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired or Otherwise Print Disabled.⁵ It recommended that Turkmenistan ratify or accede to the Rome Statute of the International Criminal Court.⁶

5. The Office of the United Nations High Commissioner for Human Rights (OHCHR), through its Regional Office for Central Asia, provided technical assistance to Turkmenistan, inter alia on implementing recommendations emanating from international human rights instruments and strengthening the national mechanism for reporting and follow-up.⁷



Cooperation with Turkmenistan had been strengthened since 2021 through the deployment in Ashgabat of an OHCHR National Programme Officer.⁸

III. National human rights framework

Institutional infrastructure and policy measures

6. The Human Rights Committee welcomed the capacity assessment of the Office of the Ombudsperson carried out by the Asia-Pacific Forum of National Human Rights Institutions, OHCHR and the United Nations Development Programme in 2022. However, it was concerned at the lack of progress in ensuring the full independence and impartiality of the Office, its limited capacity to consider individual complaints, the absence of legally prescribed means to ensure reparation for victims of human rights violations, and the limitations regarding its ability to carry out monitoring visits to places of detention.⁹

7. Three Committees recommended that Turkmenistan ensure that the Office of the Ombudsperson complied fully with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and provide it with sufficient human and financial resources to carry out its mandate.¹⁰ Two Committees also recommended that Turkmenistan seek accreditation of the Ombudsman from the Global Alliance of National Human Rights Institutions.¹¹

8. The United Nations country team noted the adoption of several thematic action plans, including the second National Plan of Action for Gender Equality, for 2021–2025, and the second National Action Plan on Human Rights, for 2021–2025, and recommended that Turkmenistan ensure a clear definition of the bodies responsible for their implementation, and the allocation of adequate financial resources.¹²

IV. Promotion and protection of human rights

A. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Equality and non-discrimination

9. The Human Rights Committee welcomed the new provisions of the Criminal Code on criminal responsibility for violation of equality, but remained concerned about the lack of progress on establishing a framework to prohibit direct and indirect discrimination. The Committee recommended that Turkmenistan enact comprehensive anti-discrimination legislation and that it ensure that accessible and independent complaint mechanisms were in place.¹³

10. In 2018, the Committee on the Elimination of Discrimination against Women was concerned about the persistence of discriminatory stereotypes regarding the roles and responsibilities of women and men in society and in the family, and recommended that Turkmenistan expand public education programmes to strengthen understanding of the substantive equality of women and men, revise school textbooks to remove discriminatory gender stereotypes, and provide gender training to teachers.¹⁴

11. The same Committee was concerned about discrimination and hate speech against non-Turkmen women as well as discrimination against women belonging to ethnic minority groups.¹⁵

12. The Committee on Economic, Social and Cultural Rights was concerned about the strong stigmatization of lesbian, gay, bisexual, transgender and intersex persons, and that discrimination against them was not prohibited.¹⁶

13. The same Committee recommended that Turkmenistan step up efforts to eliminate discriminatory provisions against persons with HIV/AIDS, effectively enforce the relevant legal provisions and promote awareness-raising campaigns.¹⁷

2. Right to life, liberty and security of person, and freedom from torture

14. The Human Rights Committee welcomed the release of four individuals pardoned by the President in December 2022 but was deeply concerned about reports of the ongoing practice of secret detention and enforced disappearances of persons. It recommended that Turkmenistan end these practices, revise the legal framework to ensure that all forms of enforced disappearance were clearly prohibited, and ensure that perpetrators were brought to justice and victims provided with effective remedies.¹⁸

15. The same Committee recommended that Turkmenistan take all measures necessary to prevent the excessive use of force during law enforcement operations, including by revising the relevant national legislation and operational procedures to bring them into conformity with international standards, establishing an independent oversight mechanism to investigate all reports of excessive use of force by law enforcement officers, and providing regular training to law enforcement officials on the matter.¹⁹

16. The Committee welcomed the revision of the definition of torture in the Criminal Code of 2022 and the information about the installation of video surveillance and audiovisual equipment in several places of detention with the aim of preventing torture and ill-treatment. However, it remained concerned about the lack of effective and independent oversight and monitoring of places of detention and about the high level of impunity existing in cases of torture and ill-treatment. In particular, it remained deeply concerned about the numerous allegations of torture, inhumane treatment, degrading detention conditions and denial of medical assistance at the Ovadan Depe maximum security prison.²⁰

17. The United Nations country team recommended that Turkmenistan establish a national preventive mechanism, allow full access by the International Committee of the Red Cross to places of detention, and implement the decisions of the Working Group on Arbitrary Detention on individual cases of concern.²¹

18. The Committee on Economic, Social and Cultural Rights recognized the efforts made by Turkmenistan to improve living conditions in prisons but was concerned about the persistence of high levels of overcrowding and the very poor conditions that existed in places of detention.²² The Human Rights Committee recommended that Turkmenistan ensure adequate access to health care for persons deprived of their liberty.²³

19. The Human Rights Committee recommended that Turkmenistan ensure that all legal safeguards were guaranteed to all persons deprived of their liberty from the outset of their detention, including the right to promptly contact a family member or any other person of their choice and to have prompt and confidential access to a qualified and independent lawyer or, when needed, to free legal aid.²⁴

3. Human rights and counter-terrorism

20. The United Nations country team recommended that Turkmenistan align the national legal framework on countering terrorism and violent extremism with the international human rights standards, including in its definition of terrorist and extremist acts, which should only be criminalized when violent.²⁵

21. The Human Rights Committee remained concerned by the reported arbitrary use of counter-terrorism measures to restrict the legitimate exercise of freedom of religion, expression and association and freedom from arbitrary detention and by reports of the growing number of convictions for so-called “Islamic extremism”. It recommended that Turkmenistan provide effective safeguards, including judicial oversight, for any limitations on human rights imposed for the purposes of national security.²⁶

4. Administration of justice, including impunity, and the rule of law

22. The Human Rights Committee welcomed the adoption of measures aimed at improving the administration of justice and ensuring judicial independence. However, it remained concerned about reports on the lack of independence of the judiciary, particularly given that the President retained the sole power to appoint judges, and that politically motivated criminal trials occurred “behind closed doors”.²⁷ The United Nations country team

recommended that Turkmenistan ensure the full independence of the judiciary and that court proceedings meet international fair trial standards.²⁸

23. The United Nations country team reported that, in 2022, Turkmenistan had amended the legislation regarding children in conflict with the law, children in contact with the justice system and children in civil proceedings, and that the Ministry of Interior had established the first child-friendly interview room for victims of crime and witnesses, in pretrial facilities. However, it noted that there were no specialized judges to consider cases involving children, and recommended that Turkmenistan develop a juvenile justice system and promote alternative measures to detention.²⁹

24. The Committee on Economic, Social and Cultural Rights was concerned about the persistence of high levels of corruption in the country.³⁰ The Human Rights Committee welcomed the establishment in 2020 of the interdepartmental commission on combating corruption, but was concerned about the independence and effectiveness of the commission and the use of criminal convictions, resulting from the fight against corruption, as a tool against political opponents. It recommended that Turkmenistan step up measures to prevent and eliminate corruption and impunity.³¹

5. Fundamental freedoms and the right to participate in public and political life

25. The Human Rights Committee remained concerned about restrictions imposed on some religious communities, including Jehovah's Witnesses, who were denied legal recognition and were refused registration or re-registration, and about reports of so-called preventive measures against Jehovah's Witnesses, who had either been summoned by law enforcement officials or had been interrogated at their places of work. It recommended that Turkmenistan guarantee the effective exercise of freedom of religion and belief. It also recommended that Turkmenistan adopt the legislation necessary to recognize the right to conscientious objection to compulsory military service, and ensure that alternative service was not punitive or discriminatory in nature or duration in comparison with military service.³²

26. Three Committees were concerned at the information that civil society organizations faced cumbersome requirements for their registration and operation.³³ The United Nations country team recommended that Turkmenistan establish and protect an enabling environment for civil society organizations, in which they could operate independently, free of pressure and interference.³⁴

27. The Human Rights Committee was deeply concerned about reports of the widespread practice of persecution of civil society representatives and their relatives who peacefully exercised their freedom of expression both in Turkmenistan and abroad. It recommended that Turkmenistan fully implement the constitutional provisions guaranteeing freedom of opinion, thought and expression and refrain from the persecution, intimidation, harassment or imprisonment of civil society representatives and their relatives who peacefully exercise their freedom of expression.³⁵ It also recommended that Turkmenistan stop the practice of arbitrary travel bans imposed on human rights defenders, journalists, lawyers and students.³⁶

28. The same Committee recommended that Turkmenistan consider bringing the Act on the Organization and Conduct of Assemblies, Rallies, Demonstrations and Other Mass Events into conformity with article 21 of the International Covenant on Civil and Political Rights; ensure prompt and impartial investigations of all allegations of violence and intimidation of peaceful protesters and their relatives; and provide training to civil servants, local authorities, law enforcement officers, prosecutors and judges on the principles that should guide the imposition of any type of restriction on peaceful assembly.³⁷

29. The Committee welcomed the adoption in 2020 of the national preparedness and response plan for acute infectious diseases and the plan for operational socioeconomic measures to counter the coronavirus disease (COVID-19) pandemic, but was concerned about the disproportionate restrictions on fundamental rights and freedoms, particularly on freedom of movement. It recommended that Turkmenistan ensure that the national legal framework on emergencies was fully compatible with international standards and guarantee that measures introduced in a state of emergency were temporary, limited to the extent strictly required by the situation, and subject to judicial review.³⁸

30. The Committee reiterated its concern about the compulsory residence registration system (*propiska*), which prevented individuals from moving freely and choosing where to settle in their own country.³⁹

31. The Committee welcomed the constitutional amendments and legislative framework providing for a multiparty system but was concerned about the nominal pluralism of the political environment, the absence of alternative media, and the lack of independence and transparency of the Central Election Commission given that the President retained the sole power to appoint, discipline and remove its members.⁴⁰ The Committee on the Elimination of Discrimination against Women regretted the extremely low levels of participation of women in political and public life.⁴¹

32. The United Nations country team observed that, despite legal safeguards, all media in the country remained under State control, and that social media and many Internet sites remained blocked.⁴² The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that Turkmenistan review the 2012 Law on Mass Media by establishing an independent regulatory agency. UNESCO also recommended that Turkmenistan introduce an access to information law in accordance with international standards, and decriminalize defamation, placing it within a civil code.⁴³

33. The Committee on Economic, Social and Cultural Rights was concerned at the limited access to the Internet in the country, particularly in rural areas, and recommended that Turkmenistan continue working to expand Internet access.⁴⁴

6. Right to privacy

34. The Human Rights Committee reiterated its concern about the lack of a clear legal framework regulating surveillance activities, including by the intelligence services. It urged Turkmenistan to ensure that all forms of surveillance were regulated by appropriate laws, to guarantee an independent and impartial judicial review of surveillance, and to conduct effective investigations into all allegations of human rights violations.⁴⁵

7. Right to marriage and family life

35. UNESCO noted that the minimum age of marriage in Turkmenistan was 18 years, but that, under exceptional cases, this age could be reduced by the guardianship authorities. UNESCO recommended that Turkmenistan ensure that these exceptional cases were permitted only by judicial consent.⁴⁶

36. The Committee on the Elimination of Discrimination against Women noted that equal rights of women and men within marriage were guaranteed in national legislation, but was concerned about the limited measures to enforce the prohibition of polygamy. The Committee recommended that Turkmenistan, inter alia, provide legal protection and support to women in polygamous marriages and women who had been abandoned by their husbands to avoid prosecution for polygamy, and that it ensure the right of all women to freely choose their spouse, including a spouse of foreign nationality.⁴⁷

8. Prohibition of all forms of slavery, including trafficking in persons

37. The United Nations country team stated that Turkmenistan had implemented two national action plans on combating trafficking in persons (for 2016–2018 and 2020–2022), and that the new Law on Social Services, combined with the Law on Combating Trafficking in Persons, provided the legal ground for the establishment of government-funded social services for victims of human trafficking. It recommended that Turkmenistan develop a third national action plan on combating trafficking in persons for 2023–2025, and establish a national referral mechanism for victims.⁴⁸

38. The Committee on Economic, Social and Cultural Rights noted that the Constitution of 2016 had introduced a rule on the prevention of forced labour and the worst forms of child labour, but was concerned about the reported continued widespread use of forced labour among workers and students, under threat of penalties, during the cotton harvest.⁴⁹ The Committee of Experts on the Application of Conventions and Recommendations of the International Labour Organization strongly urged Turkmenistan to pursue its efforts to ensure

the complete elimination of the use of compulsory labour of public and private sector workers, as well as students, in cotton production.⁵⁰ Three Committees and the United Nations country team made similar recommendations.⁵¹

9. Right to work and to just and favourable conditions of work

39. The Committee on Economic, Social and Cultural Rights was concerned that there was no right to establish an independent trade union and that there was no legislation on the right to strike in Turkmenistan. It also expressed concern that workers abstained from engaging in trade union activities out of fear of reprisals.⁵²

40. The Committee on the Elimination of Discrimination against Women welcomed the adoption of legislation guaranteeing equal pay for work of equal value, as well as access to social security and other social protection measures for women working in the informal sector.⁵³ The Committee on Economic, Social and Cultural Rights was concerned at the low participation of women in the labour market and the continuation of restrictions on women's access to certain jobs, and at the persistence of a wage gap between men and women. It recommended that Turkmenistan eliminate any restrictions on women's employment based on gender stereotypes, take effective measures to close the wage gap between men and women, and enact legislation against sexual harassment in the workplace.⁵⁴

41. UNESCO noted that, according to the Labour Code, the minimum age for concluding an employment contract was 18 years, but that the Law on State Guarantees of the Rights of the Child of 2014 provided for the right of every child to work at the age of 16. UNESCO recommended that Turkmenistan harmonize the legislative provisions regarding the minimum age of employment.⁵⁵

42. The Committee on Economic, Social and Cultural Rights was concerned that, despite the measures taken by Turkmenistan, persons with disabilities faced discrimination in employment, and that their employment rate was very low.⁵⁶

10. Right to social security

43. The United Nations country team noted that Turkmenistan had launched a national model of inclusive, quality community-based social services, which included the provision of specialized social services for persons with disabilities, the elderly, children and youth at risk, children in residential institutions, single mothers, and victims of domestic violence. It recommended that Turkmenistan scale up such services to every community and improve the adequacy of social benefits.⁵⁷

11. Right to an adequate standard of living

44. The United Nations country team reported that in 2021, the Human Development Index increased to 0.745 for Turkmenistan, positioning the country in the high human development category. However, the country team noted that Turkmenistan had not set a national poverty line, and recommended that Turkmenistan ensure the collection and publication of disaggregated poverty-related statistics.⁵⁸

45. The Committee on Economic, Social and Cultural Rights was concerned about the implications of the registration system (*propiska*) on several rights and, in particular, at the vulnerable situation of individuals living in places other than the ones in which they were registered, and recommended that Turkmenistan ensure that the *propiska* did not limit access to economic, social and cultural rights, in particular regarding employment, housing, health care and social benefits; and that it consider replacing the *propiska* with a system that ensured freedom of movement and the full enjoyment of all economic, social and cultural rights.⁵⁹

46. The Committee on the Elimination of Discrimination against Women commended Turkmenistan on its national programme to modernize its social and economic infrastructure and to support women in difficult situations. It recommended that Turkmenistan conduct gender impact assessments of social benefits and pension schemes; empower women, in particular rural women, to engage in income-generating activities; eliminate discrimination against women in property registration and combat corruption in such procedures; and develop a gender-sensitive housing benefit scheme for homeless women.⁶⁰

47. The Committee on Economic, Social and Cultural Rights was concerned that urban renewal and efforts at beautification had resulted in the expropriation of property, the demolition of houses and the eviction of residents without proper prior notice, adequate consultations, compensation, and adequate alternative housing. The Committee recommended that Turkmenistan urgently put in place an independent and impartial adjudicatory process in which aggrieved parties could bring complaints, and that it bring relevant laws and practices into line with the Committee's general comment No. 7 (1997) on forced evictions.⁶¹

48. The same Committee noted the reported overall increase in the percentage of households with improved drinking water but remained concerned that access to safe drinking water and sanitation was much lower in rural areas than urban areas.⁶²

12. Right to health

49. The United Nations country team noted that the level of out-of-pocket expenditures on health in Turkmenistan, already high before the COVID-19 pandemic, had further increased, representing a significant barrier in accessing quality health services.⁶³ The Committee on the Elimination of Discrimination against Women recommended that Turkmenistan improve the coverage and accessibility of free health services throughout the country, including by deploying mobile health units in rural areas and imposing sanctions on health-care providers who charged illegal fees for free-of-charge health services.⁶⁴

50. The same Committee recommended that Turkmenistan legalize abortion, not only in cases of threat to the life or health of the pregnant woman and severe fetal impairment, but also in cases of rape and incest, decriminalize abortion in all other cases and increase access for women to safe abortions and post-abortion care; legalize home births and establish professional midwifery training programmes to ensure that all births, especially in rural areas, were attended by skilled health personnel; and guarantee access for women and girls to affordable modern contraceptives and emergency contraception.⁶⁵

51. The United Nations country team noted that maternal mortality was continuing to decrease, and recommended that Turkmenistan continue the effective implementation of the national Healthy Mother – Healthy Child – Healthy Future strategy and accelerate the implementation of the commitments made at the Nairobi summit in 2019 on reducing the unmet need in family planning.⁶⁶

13. Right to education

52. UNESCO noted the reforms undertaken by Turkmenistan to update educational material and the teaching methodology, and reported that from 2019 to 2020, the percentage of government expenditure allocated to education had increased from 23 per cent to 28 per cent.⁶⁷

53. The United Nations country team stated that Turkmenistan had continued to take measures to provide quality education, but noted that the coverage of early childhood education programmes was relatively low, and that, according to estimates, the country's higher education system could only absorb 10 per cent of the secondary school graduates. The country team recommended that Turkmenistan ensure universal pre-primary education, for all children, and that it develop an effective education management information system to monitor achievement of Sustainable Development Goal 4.⁶⁸

54. The Committee on the Elimination of Discrimination against Women recommended that Turkmenistan collect sex-disaggregated data on school dropout rates and adopt re-entry policies for girls who had dropped out of school; ensure equal access for women and girls to vocational and higher education, including in non-traditional fields of study; combat corruption in the higher education system; integrate age-appropriate mandatory education on sexual and reproductive health and rights into curricula at all levels of education; and ensure that all women and girls, in particular those in male-dominated fields of study, were protected from sexual harassment and violence.⁶⁹

55. The Committee on Economic, Social and Cultural Rights was concerned that some students were reportedly prevented from leaving the country to study abroad, that there were

restrictions in place on the recognition of diplomas from foreign universities, that graduates with foreign diplomas faced difficulties in obtaining employment in the public sector, and that, despite their illegality, unofficial fees were charged for access to higher education.⁷⁰

56. The same Committee was concerned at the obstacles faced by ethnic minorities in receiving education in their mother tongue, owing to the insufficient number of teachers and the shortage of teaching materials in minority languages, and recommended that Turkmenistan promote education in ethnic minority languages and consider adopting multilingual education programmes.⁷¹

B. Rights of specific persons or groups

1. Women

57. The Committee on the Elimination of Discrimination against Women noted that the new Constitution guaranteed equal rights and opportunities for women and men and that the State Guarantees for Ensuring Equal Rights and Equal Opportunities for Men and Women Act prohibited discrimination on the basis of sex. It was concerned, however, that the definition of discrimination against women in the legislation was not in line with article 1 of the Convention on the Elimination of All Forms of Discrimination against Women and that the various legislative provisions prohibiting discrimination against women were gender-neutral.⁷²

58. The Human Rights Committee welcomed the adoption of the National Plan of Action for Gender Equality for the period 2021–2025.⁷³ The Committee on the Elimination of Discrimination against Women recommended that Turkmenistan allocate adequate human, technical and financial resources for the implementation of the plan. It also recommended that Turkmenistan adopt temporary special measures to accelerate the achievement of substantive equality between women and men, and establish a mechanism to effectively monitor their implementation and effectiveness.⁷⁴

59. The Committee on the Elimination of Discrimination against Women recommended that Turkmenistan establish a centralized national machinery for the advancement of women and provide it with sufficient human, technical and financial resources to coordinate and promote gender equality and gender mainstreaming policies across all government agencies.⁷⁵

60. The same Committee recommended that Turkmenistan continue to expand access for rural women to water, infrastructure, housing, education, employment, health care and economic and social benefits; ensure the full participation of rural women in decision-making; and collect disaggregated data on the situation of rural women with a view to informing and designing measures aimed at achieving substantive equality for them in all spheres of life.⁷⁶

61. The United Nations country team noted that 12 per cent of women aged from 18 to 59 years in Turkmenistan had been subjected to physical and/or sexual violence by a spouse or partner, and that, according to the 2019 Multiple Indicator Cluster Survey, 58.4 per cent of women aged from 15 to 49 years justified violence against women due to established traditional gender roles.⁷⁷

62. The Committee on the Elimination of Discrimination against Women recommended that Turkmenistan expedite the adoption of a comprehensive law specifically defining and criminalizing all forms of gender-based violence against women; develop a strategy to eliminate all forms of such violence; conduct educational and awareness-raising campaigns; investigate all reports of gender-based violence against women; prosecute and punish perpetrators and ensure reparations for victims; and establish a system to regularly collect, analyse and publish disaggregated statistical data on incidents of all forms of gender-based violence against women.⁷⁸ The United Nations country team recommended that Turkmenistan continue working with the United Nations to establish a national mechanism to address gender-based violence, and strengthen support services and protection for victims.⁷⁹

63. The Committee on the Elimination of Discrimination against Women was concerned about women and girls undergoing forced gynaecological examinations by police and special service officers to determine their virginity and about the public humiliation of the families of women and girls who did not pass so-called “virginity tests”.⁸⁰

2. Children

64. The United Nations country team noted the efforts made by Turkmenistan to incorporate international law commitments related to child protection into its domestic legal framework. However, it stated that important amendments to the out-of-date Regulation of the Commission for Minors’ Affairs (of 1967) were urgently required.⁸¹

65. The United Nations country team observed some progress in the development of specialized social and child protection services, and recommended that these services be included in government planning, with State budget allocations. The country team also recommended that Turkmenistan create a separate child protection and family support department under the local authorities and develop a long-term national strategy for the development of social services countrywide.⁸²

66. The United Nations country team noted that, while corporal punishment was prohibited in law, the 2019 Multiple Indicator Cluster Survey found that 49 per cent of children in Turkmenistan had experienced physical punishment.⁸³

3. Persons with disabilities

67. The United Nations country team recommended that Turkmenistan adopt a human rights-based approach to disability and align disability assessment, referral and support with international standards.⁸⁴

68. The United Nations country team noted that Turkmenistan had taken measures to build a qualified social service workforce and had introduced a pre-service training course on social inclusion of persons with disabilities.⁸⁵ The Committee on Economic, Social and Cultural Rights recommended that Turkmenistan enhance its efforts to ensure that persons with disabilities enjoyed unhindered access to all social services by, inter alia, providing reasonable accommodation at school and in the workplace and improving the accessibility of facilities and services open or provided to the public.⁸⁶

69. The United Nations country team recommended that Turkmenistan implement awareness-raising campaigns to actively disseminate positive images of persons with disabilities, focusing on their abilities as well as on the right to legal capacity.⁸⁷

70. The United Nations country team stated that, in the framework of the National Early Childhood Strategy for 2020–2025, Turkmenistan had promoted cross-sectoral cooperation to develop a system of early intervention and multidisciplinary support for children with disabilities. However, the country team noted that, despite commitments to family care in the legislation, various types of residential care institutions remained the most commonly available social services in the country.⁸⁸

4. Minorities

71. The United Nations country team noted that there were no comprehensive data on the ethnic composition of the population nor information on the extent to which economic and social rights of ethnic minorities were protected.⁸⁹

72. The United Nations country team reported that education was provided primarily in Turkmen, and that students and government employees had to wear Turkmen national dress regardless of their ethnicity. The country team also noted reports that ethnic minorities faced language barriers in obtaining State employment and in communicating with public institutions. The country team recommended that Turkmenistan ensure that proper status was given to the cultures and languages of the various groups in the population, and that it promote the integration of ethnic minorities in society.⁹⁰

73. The Committee on Economic, Social and Cultural Rights recommended that Turkmenistan end the practice of third-generation tests and ensure that ethnic minorities had access to employment, registration and housing without discrimination.⁹¹

5. Lesbian, gay, bisexual, transgender and intersex persons

74. The Human Rights Committee recommended that Turkmenistan take measures to effectively combat all forms of discrimination or violence against persons based on their sexual orientation or gender identity, including by providing training for law enforcement personnel, prosecutors and the judiciary, and by conducting awareness-raising activities promoting respect for diversity among the general public.⁹²

75. The United Nations country team noted that sexual relations between consenting adults (men) of the same sex remained criminalized and punishable by imprisonment of up to two years, and recommended that Turkmenistan decriminalize this conduct.⁹³

6. Migrants, refugees and asylum-seekers

76. The United Nations country team recommended that Turkmenistan continue working on aligning the national legislation on migration with international standards.⁹⁴

77. The Office of the United Nations High Commissioner for Refugees (UNHCR) noted that, while Turkmenistan had an asylum law, no new asylum-seekers had been officially registered since 2005.⁹⁵ The United Nations country team reported that there were no available official statistics related to asylum.⁹⁶

78. The United Nations country team recommended that Turkmenistan establish fair and efficient asylum referral procedures accessible at all border points; and ensure access for international organizations to detention centres to reduce the risk of refoulement and provide asylum-seekers with access to independent, qualified and free legal advice.⁹⁷

79. UNHCR noted that, as at 1 January 2023, Turkmenistan was hosting 13 refugees, who had been individually recognized under the mandate of UNHCR and were socially and culturally integrated in the country. However, UNHCR stated that they did not have a secure legal status and that the Citizenship Law did not take into account the specific circumstances of refugees.⁹⁸

7. Stateless persons

80. UNHCR recommended that Turkmenistan amend the national definition of a stateless person in line with the definition contained in the 1954 Convention relating to the Status of Stateless Persons.⁹⁹

81. The United Nations country team noted that the National Action Plan to End Statelessness, which was approved in 2019, and the Law on Civil Status Acts, which entered into force in 2020, included provisions enabling all children born in the country – including those with undocumented parents – to have their births registered. The country team also noted that in 2021, Turkmenistan had adopted the new Law on the Legal Status of Foreign Citizens, enacting a national statelessness determination procedure in line with international standards.¹⁰⁰

82. UNHCR stated that, since the launch of the global “iBelong Campaign to End Statelessness”, Turkmenistan had granted nationality to over 16,500 persons. However, it noted that national legislation did not provide for facilitated naturalization procedures for stateless persons and recommended that Turkmenistan facilitate the naturalization of the remaining stateless persons.¹⁰¹

Notes

¹ A/HRC/39/3, A/HRC/39/3/Add.1 and A/HRC/39/2.

² United Nations country team submission for the universal periodic review of Turkmenistan, pp. 1 and 2. See also CCPR/C/TKM/CO/3, para. 27 (d); CEDAW/C/TKM/CO/5, para. 58; and E/C.12/TKM/CO/2, para. 47.

- ³ E/C.12/TKM/CO/2, para. 46.
- ⁴ CCPR/C/TKM/CO/3, para. 4 (c) and 5 (c). See also United Nations country team submission, p. 2.
- ⁵ United Nations country team submission, pp. 9 and 13. See also UNESCO submission for the universal periodic review of Turkmenistan, pp. 1 and 2.
- ⁶ United Nations country team submission, p. 2.
- ⁷ OHCHR, *United Nations Human Rights Report 2021*, pp. 349–354; OHCHR, *United Nations Human Rights Report 2020*, pp. 384–387; OHCHR, *United Nations Human Rights Report 2019*, p. 339; and OHCHR, *United Nations Human Rights Report 2018*, p. 284.
- ⁸ United Nations country team submission, p. 1.
- ⁹ CCPR/C/TKM/CO/3, paras. 6 and 28. See also CEDAW/C/TKM/CO/5, para. 14 and 15 (b); E/C.12/TKM/CO/2, paras. 10–11; CCPR/C/TKM/Q/3, para. 2; CERD/C/TKM/Q/12-13, para. 7; https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=yMB6nZlKmtMHmD4fHntFCrEWAudHkYgH8uNG1atNkrjS3g22qkSF0dbav1x/V5Vonqb1tkzv7940ZbJZEXdVmg== and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ZN6plHZz9X4nSxDKBtHn7/XugbQIA+JPfSd7EbN3uTqV1eFcQ4HwJrC5iUtYCF0PdDhcSfp/nDSIjJobMpr7sw=.
- ¹⁰ CCPR/C/TKM/CO/3, para. 7 (a); CEDAW/C/TKM/CO/5, para. 15 (b); and E/C.12/TKM/CO/2, para. 11. See also United Nations country team submission, p. 3.
- ¹¹ E/C.12/TKM/CO/2, para. 11; and CEDAW/C/TKM/CO/5, para. 15.
- ¹² United Nations country team submission, p. 3. See also CCPR/C/TKM/CO/3, paras. 3 (a) and 4.
- ¹³ CCPR/C/TKM/CO/3, paras. 12 and 13 (a) and (b). See also E/C.12/TKM/CO/2, paras. 16 (a) and 17 (a); United Nations country team submission, p. 3; CCPR/C/TKM/Q/3, para. 5; and CERD/C/TKM/Q/12-13, para. 3.
- ¹⁴ CEDAW/C/TKM/CO/5, paras. 18 and 19 (a) and (b). See also CCPR/C/TKM/CO/3, paras. 16 and 17; E/C.12/TKM/CO/2, paras. 20 (c) and 21 (c); and United Nations country team submission, pp. 10 and 11.
- ¹⁵ CEDAW/C/TKM/CO/5, para. 46.
- ¹⁶ E/C.12/TKM/CO/2, para. 16 (b). See also United Nations country team submission, p. 4.
- ¹⁷ E/C.12/TKM/CO/2, para. 17 (c). See also CEDAW/C/TKM/CO/5, para. 41.
- ¹⁸ CCPR/C/TKM/CO/3, paras. 24 and 25 (a)–(c). See also CCPR/C/TKM/Q/3, para. 12; communication TKM 2/2019, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24959>; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ZN6plHZz9X4nSxDKBtHn7/XugbQIA+JPfSd7EbN3uTqV1eFcQ4HwJrC5iUtYCF0PdDhcSfp/nDSIjJobMpr7sw=.
- ¹⁹ CCPR/C/TKM/CO/3, para. 23 (a)–(c). See also CCPR/C/TKM/Q/3, para. 11.
- ²⁰ CCPR/C/TKM/CO/3, para. 26. See also CCPR/C/TKM/Q/3, para. 14; CCPR/C/122/D/2252/2013, paras. 7.1–7.12 and 8; communication TKM 2/2019, available at <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=24959>; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ZN6plHZz9X4nSxDKBtHn7/XugbQIA+JPfSd7EbN3uTqV1eFcQ4HwJrC5iUtYCF0PdDhcSfp/nDSIjJobMpr7sw=.
- ²¹ United Nations country team submission, pp. 2 and 5. See also CCPR/C/TKM/CO/3, para. 27 (d).
- ²² E/C.12/TKM/CO/2, para. 37. See also CCPR/C/TKM/CO/3, para. 30.
- ²³ CCPR/C/TKM/CO/3, para. 31. See also CCPR/C/TKM/Q/3, para. 15.
- ²⁴ CCPR/C/TKM/CO/3, para. 29; A/HRC/WGAD/2018/4, paras. 75–83; and A/HRC/WGAD/2022/18, paras. 82–90.
- ²⁵ United Nations country team submission, p. 4. See also CCPR/C/TKM/CO/3, para. 21 (a).
- ²⁶ CCPR/C/TKM/CO/3, paras. 20 and 21 (a) and (b). See also United Nations country team submission, p. 4; and CCPR/C/TKM/Q/3, para. 9.
- ²⁷ CCPR/C/TKM/CO/3, para. 36. See also E/C.12/TKM/CO/2, para. 8; United Nations country team submission, pp. 5 and 6; CCPR/C/TKM/Q/3, para. 19; and CERD/C/TKM/Q/12-13, para. 6.
- ²⁸ United Nations country team submission, p. 6. See also E/C.12/TKM/CO/2, para. 9.
- ²⁹ United Nations country team submission, pp. 12 and 13.
- ³⁰ E/C.12/TKM/CO/2, para. 14. See also CCPR/C/TKM/CO/3, para. 8; and CCPR/C/TKM/Q/3, para. 3.
- ³¹ CCPR/C/TKM/CO/3, paras. 8 and 9.
- ³² CCPR/C/TKM/CO/3, paras. 40 and 41. See also CCPR/C/TKM/Q/3, paras. 21–23; CCPR/C/125/D/2316/2013, paras. 6.1–6.4 and 7; CCPR/C/124/D/2268/2013, paras. 7.1–7.5 and 8; CCPR/C/126/D/2302/2013, paras. 7.1–7.4 and 8; CCPR/C/125/D/2448/2014, paras. 7.1–7.6 and 8; CCPR/C/134/D/32/2/2018, paras. 6.2–6.4, 7 and 8; CCPR/C/134/D/3272/2018, paras. 6.2–6.4, 7

- and 8; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=yMB6nZIkmtMHmD4fHNtFCreWAudHkYgH8uNG1atNkrjS3g22qkSF0dbav1x/V5Vonqb1tkzv7940ZbJZEXdVmg==.
- 33 [E/C.12/TKM/CO/2](#), para. 12; [CCPR/C/TKM/CO/3](#), para. 46; and [CEDAW/C/TKM/CO/5](#), para. 28 (a). See also [CEDAW/C/TKM/FCO/5](#), pp. 3 and 4; [ECE/MP.PP/2021/58](#), paras. 51–55; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=xaEdt4/ZQsh1M59mf/yoSsdh+saSIoXCqVr4lMQiayZj+M3onJVdZPoE5FARuDwNkhi0rbmQE4Z6/5OUpYgAag==.
- 34 United Nations country team submission, p. 6. See also [E/C.12/TKM/CO/2](#), para. 13; [CEDAW/C/TKM/CO/5](#) para. 29 (a); and [CERD/C/TKM/Q/12-13](#), para. 10.
- 35 [CCPR/C/TKM/CO/3](#), paras. 42 and 43. See also [A/HRC/WGAD/2018/4](#), paras. 75–79; [A/HRC/WGAD/2022/18](#), paras. 82–87; [A/HRC/51/47](#), paras. 147 and 148; and https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4323357,103551:NO.
- 36 [CCPR/C/TKM/CO/3](#), para. 35. See also [CEDAW/C/TKM/CO/5](#), para. 30.
- 37 [CCPR/C/TKM/CO/3](#), para. 45 (a)–(c).
- 38 *Ibid.*, paras. 3 (c), 10 and 11. See also [CCPR/C/TKM/Q/3](#), para. 4.
- 39 [CCPR/C/TKM/CO/3](#), para. 34. See also [CCPR/C/TKM/Q/3](#), para. 18.
- 40 [CCPR/C/TKM/CO/3](#), para. 48. See also [CCPR/C/TKM/Q/3](#), para. 23.
- 41 [CEDAW/C/TKM/CO/5](#), para. 26. See also United Nations country team submission, p. 11.
- 42 United Nations country team submission, p. 6.
- 43 UNESCO submission, pp. 5 and 6.
- 44 [E/C.12/TKM/CO/2](#), paras. 44 and 45.
- 45 [CCPR/C/TKM/CO/3](#), paras. 38 and 39 (a)–(c).
- 46 UNESCO submission, pp. 3 and 5. See also United Nations country team submission, p. 12.
- 47 [CEDAW/C/TKM/CO/5](#), paras. 50 and 51 (b) and (c).
- 48 United Nations country team submission, pp. 6 and 7. See also [CCPR/C/TKM/CO/3](#), para. 3 (d); and [CEDAW/C/TKM/CO/5](#), paras. 24 and 25.
- 49 [E/C.12/TKM/CO/2](#), para. 23. See also United Nations country team submission, p. 7; [CCPR/C/TKM/CO/3](#), para. 32; [CEDAW/C/TKM/CO/5](#), para. 24 (d); [CCPR/C/TKM/Q/3](#), para. 17; [E/C.12/TKM/FCO/2](#), paras. 7–20; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ZN6plHZz9X4nSxDKBtHn79P/mNRkFGWs9J1n/Q+36QvkiUC/Y06/4swWfDULawjrwaxGjt89YbS2NcO1KBXjTw==.
- 50 See https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4323360,103551:NO.
- 51 United Nations country team submission, p. 7; [CCPR/C/TKM/CO/3](#), para. 33; [E/C.12/TKM/CO/2](#), para. 24; and [CEDAW/C/TKM/CO/5](#), para. 25 (e).
- 52 [E/C.12/TKM/CO/2](#), para. 25. See also https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4318177,103551:NO and https://www.ilo.org/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID,P13100_COUNTRY_ID:4320593,103551:NO.
- 53 [CEDAW/C/TKM/CO/5](#), para. 34.
- 54 [E/C.12/TKM/CO/2](#), paras. 20 (e) and (g) and 21 (e)–(g). See also [CEDAW/C/TKM/CO/5](#), paras. 34–37; United Nations country team submission, p. 11; [CEDAW/C/TKM/FCO/5](#), pp. 4–6; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=xaEdt4/ZQsh1M59mf/yoSsdh+saSIoXCqVr4lMQiayZj+M3onJVdZPoE5FARuDwNkhi0rbmQE4Z6/5OUpYgAag==.
- 55 UNESCO submission, pp. 3 and 5.
- 56 [E/C.12/TKM/CO/2](#), para. 18.
- 57 United Nations country team submission, p. 8.
- 58 *Ibid.*, pp. 7–9. See also [E/C.12/TKM/CO/2](#), paras. 29 and 30.
- 59 [E/C.12/TKM/CO/2](#), paras. 33 and 34. See also [CCPR/C/TKM/CO/3](#), paras. 34 and 35.
- 60 [CEDAW/C/TKM/CO/5](#), paras. 42 and 43 (b)–(e).
- 61 [E/C.12/TKM/CO/2](#), paras. 35 and 36. See also [E/C.12/TKM/FCO/2](#), paras. 21–30; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ZN6plHZz9X4nSxDKBtHn79P/mNRkFGWs9J1n/Q+36QvkiUC/Y06/4swWfDULawjrwaxGjt89YbS2NcO1KBXjTw==.
- 62 [E/C.12/TKM/CO/2](#), paras. 31 and 32.
- 63 United Nations country team submission, p. 8.
- 64 [CEDAW/C/TKM/CO/5](#), para. 39 (a).
- 65 *Ibid.*, para. 39 (b)–(d).
- 66 United Nations country team submission, p. 8.

- ⁶⁷ UNESCO submission, pp. 2–4.
- ⁶⁸ United Nations country team submission, pp. 9 and 10. See also UNESCO submission, p. 5.
- ⁶⁹ CEDAW/C/TKM/CO/5, para. 33 (a)–(c) and (e)–(f).
- ⁷⁰ E/C.12/TKM/CO/2, para. 39 (a)–(d). See also CEDAW/C/TKM/CO/5, para. 33 (c).
- ⁷¹ E/C.12/TKM/CO/2, paras. 42 and 43. See also CERD/C/TKM/Q/12-13, para. 11.
- ⁷² CEDAW/C/TKM/CO/5, para. 8.
- ⁷³ CCPR/C/TKM/CO/3, para. 16.
- ⁷⁴ CEDAW/C/TKM/CO/5, paras. 13 (b) and 17 (a)–(c).
- ⁷⁵ Ibid., para. 13 (a).
- ⁷⁶ Ibid., para. 45 (a)–(c).
- ⁷⁷ United Nations country team submission, p. 10.
- ⁷⁸ CEDAW/C/TKM/CO/5, para. 23 (b)–(e) and (g). See also CCPR/C/TKM/CO/3, paras. 18 and 19; E/C.12/TKM/CO/2, paras. 27 and 28; CCPR/C/TKM/Q/3, para. 8; CEDAW/C/TKM/FCO/5, paras. 2–11; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=xaEdt4/ZQsh1M59mf/yoSsdh+saSIoXCqVr4lMQiayZj+M3onJVdZPoE5FARuDwNkhi0rbmQE4Z6/5OUpYgAag.
- ⁷⁹ United Nations country team submission, pp. 10 and 11.
- ⁸⁰ CEDAW/C/TKM/CO/5, para. 20 (c). See also E/C.12/TKM/CO/2, paras. 20 (d) and 21 (d); E/C.12/TKM/FCO/2, paras. 2–6; and https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/DownloadDraft.aspx?key=ZN6plHZz9X4nSxDKBtHn79P/mNRkFGWs9J1n/Q+36QvkiUC/Y06/4swWfDULawjrwaxGjt89YbS2NcO1KBXjTw==.
- ⁸¹ United Nations country team submission, p. 12.
- ⁸² Ibid., p. 12.
- ⁸³ Ibid., p. 12.
- ⁸⁴ Ibid., p. 13.
- ⁸⁵ Ibid., p. 13.
- ⁸⁶ E/C.12/TKM/CO/2, para. 19.
- ⁸⁷ United Nations country team submission, pp. 13 and 14.
- ⁸⁸ Ibid., p. 13.
- ⁸⁹ Ibid., p. 14.
- ⁹⁰ Ibid., p. 14. See also CEDAW/C/TKM/CO/5, para. 47.
- ⁹¹ E/C.12/TKM/CO/2, para. 17 (d).
- ⁹² CCPR/C/TKM/CO/3, para. 15 (b).
- ⁹³ United Nations country team submission, pp. 3 and 4. See also CCPR/C/TKM/CO/3, paras. 14 and 15 (a); E/C.12/TKM/CO/2, paras. 16 (b) and 17 (b); and CCPR/C/TKM/Q/3, para. 6.
- ⁹⁴ United Nations country team submission, p. 15.
- ⁹⁵ UNHCR submission for the universal periodic review of Turkmenistan, pp. 1, 2 and 4. See also United Nations country team submission, p. 14.
- ⁹⁶ United Nations country team submission, p. 14. See also UNHCR submission, pp. 2 and 4.
- ⁹⁷ United Nations country team submission, p. 15. See also UNHCR submission, pp. 3 and 4; and CERD/C/TKM/Q/12-13, para. 14.
- ⁹⁸ UNHCR submission, pp. 2, 4 and 5. See also United Nations country team submission, p. 15.
- ⁹⁹ UNHCR submission, p. 5.
- ¹⁰⁰ United Nations country team submission, p. 15. See also UNHCR submission, p. 3; CERD/C/TKM/Q/12-13, para. 15; and www.unhcr.org/centralasia/en/12707-unhcr-welcomes-turkmenistans-new-law-to-ensure-universal-birth-registration-and-prevent-childhood-statelessness.html.
- ¹⁰¹ UNHCR submission, pp. 2 and 6. See also United Nations country team submission, pp. 15 and 16.