



**Joint Submission of the UN Country Team of Turkmenistan,  
prepared on the occasion of the  
Fourth Universal Periodic Review (UPR) of Turkmenistan  
April 2023**

**I. INTRODUCTION**

1. This submission is a joint undertaking of the United Nations Country Team (UNCT) in Turkmenistan, covering the period between the end of 2018 and early 2023. It is not intended to be an exhaustive analysis of the current human rights situation in Turkmenistan. It highlights the main issues addressed by the UNCT, funds and programmes, in discharging their mandates and carrying out their activities in country.
2. The International Labor Organization (ILO), the International Organization for Migration (IOM), the Office of the UN High Commissioner for Human Rights (OHCHR), United Nations Children's Fund (UNICEF), UN Development Programme (UNDP), UN Educational, Scientific and Cultural Organization (UNESCO), UN Population Fund (UNFPA), the UN Office on Drugs and Crime (UNODC) have contributed to this submission.

**II. SCOPE OF INTERNATIONAL OBLIGATIONS AND COOPERATION  
WITH INTERNATIONAL HUMAN RIGHTS MECHANISMS AND  
BODIES<sup>i</sup>**

3. Turkmenistan joined the Global Compact for Safe, Orderly and Regular Migration (GCM) in 2018 and submitted a Voluntary National Review (VNR) on GCM implementation in 2021. Turkmenistan also participated in the International Migration Review Forum (IMRF) in 2022 that endorsed the IMRF Progress Declaration with recommended actions to accelerate the implementation of the GCM and to strengthen international cooperation on international migration.
4. Cooperation of the Government of Turkmenistan with the Office of the United Nations High Commissioner for Human Rights (OHCHR) was strengthened through deployment in Ashgabat of the National Programme Officer of the Regional Office for Central Asia based in Bishkek since 2021.
5. Despite commitment made during the UPR 2018 review, Turkmenistan has not ratified the International Convention on the Protection of the Rights of All Migrant Workers and Members of

Their Families (CMW), Rome Statute of the International Criminal Court, the Convention for the Protection of All Persons from Enforced Disappearance (CPED), third Optional Protocol to the Convention on the Rights of the Child (CRC) on a Communications Procedure and Optional Protocol to UNCAT<sup>ii</sup>.

6. The Government's continuing failure to implement 26 Views adopted by the Committee is still a matter of concern. There is a lack of effective mechanisms and legal procedures to fully implement the Treaty Bodies Views on individual complaints in law and in practice.
7. Turkmenistan received 15<sup>iii</sup> requests of visits from Special Procedures mandate holders, including the Special Rapporteur on torture and the Special Rapporteur on extrajudicial or summary or arbitrary executions. Only the request of the Special Rapporteur on cultural rights was accepted. The date for the visit is still pending.

Key recommendations:

- Ratify or accede to remaining human rights instruments to which Turkmenistan is not a party, including CPED, OPCAT, the CMW, and the third CRC Optional Protocol; Rome Statute of the International Criminal Court; and establish National Preventive Mechanisms for monitoring of all places of detention.
- Grant invitations to UN Special Rapporteurs to carry out independent missions.
- Take all measures necessary to implement Human Rights Committee's Views.

### **III. NATIONAL HUMAN RIGHTS FRAMEWORK**

8. The relations between Inter-Agency Commission on Turkmenistan's international obligations on human rights and humanitarian law and its secretariat, the National Institute of State, Law and Democracy of Turkmenistan have continued to develop in a cooperative fashion and UNCT has been invited to participate in some meetings of the Commission. The Commission had positive exchanges with UNCT and have benefitted from UN technical and advisory support. In 2022, the Ombudsperson of Turkmenistan was reelected for the second term and the UN supported capacity strengthening of the NHRI. The NHRI established cooperation with the Asian Pacific Forum of NHRIs (APF). The capacity assessment mission of APF, UNDP Regional Support Center in Istanbul and ROCA OHCHR held in 2022 provided recommendations for capacity development and strengthening its mandate in line with Paris Principles.
9. From 2017 onwards, the UNCT noted that the Government of Turkmenistan made some efforts to align its national legislation with international norms to advance the human rights policy in the

country. These include adoption with UN support of the “National Plan of Action for the Elimination of Statelessness in Turkmenistan for 2019-2024”, “The National Plan of Action in Turkmenistan to Combat Trafficking in Human Beings for 2020-2022”, “The National Strategy of Turkmenistan to Prevent Violent Extremism and Counter Terrorism for 2020-2024”, the second “National Action Plan on Gender Equality in Turkmenistan for 2021-2025”, and the second National Action Plan on Human Rights for 2021-2025.

10. While noting the adoption of several thematic action plans, UNCT observed that effective implementation of human rights obligations was undermined by a lack of clear indicators, sufficient budget allocations and effective follow-up mechanisms.
11. HRC observed gaps in ensuring the NHRI is in line with the UN Paris Principles. These relate to ensuring independence and impartiality of the Institution, opening of the field branches in provinces, transparency in the appointment of the Ombudsperson, and limited capacity for consideration of individual cases and conducting monitoring visits.

Key recommendations:

- Ensure full compliance of the NHRI with the UN Paris Principles, and implement APF, UNDP and OHCHR capacity assessment recommendations.
- Open NHRI field branches in provinces.
- In implementing the National Action Plans in the area of human rights, ensure the allocation of adequate financial resources, a clear definition of bodies responsible for their implementation, and the consistent use of human rights indicators to measure progress.

#### **IV. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLICATIONS**

##### ***Equality and non-discrimination***

12. UNCT is not aware of any steps undertaken by the State to implement the Human Rights Committee’s recommendation to adopt a separate comprehensive anti-discrimination law. There is no legislation including a definition of discrimination, direct, indirect and multiple discrimination, in line with international human rights standards.
13. Despite numerous recommendations from Human Rights Mechanisms, sexual relations between consenting adults of the same sex (male) remain criminalized in the Criminal Code and punishable with imprisonment of up to two years. In declared cases, LGBTI individuals face discrimination. Intimidation, harassment, violence and stigma against LGBTI persons are prevalent.

### Key recommendations:

- Ensure protection of the rights of LGBTI persons.
- Decriminalize consensual same-sex conduct between men.

### ***Human rights and counter-terrorism***

14. Currently, Turkmenistan is a party to 16 international legal instruments to counter terrorism out of 19. Turkmenistan joined the regional Joint Plan of Action (JPOA) aimed at the implementation of the United Nations Global Counter-Terrorism Strategy in Central Asia. In 2019 Turkmenistan joined the Financial Monitoring Service Egmont group, which facilitates the secure exchange of expertise and financial intelligence to combat terrorist financing and associated crimes.
15. Turkmenistan with UN support has undertaken some interventions on prevention of violent extremism under the implementation of the UN Global Counter Terrorism Strategy and the UN Secretary General's Plan of Action to Prevent Violent Extremism (PVE) through the EU/UN initiative on Strengthening Resilience Against Violent Extremism in Asia (STRIVE Asia).
16. The definition of "extremism" in anti-extremism act remains overbroad, allowing for the potential prosecution of acts that may not amount to violent extremist activities<sup>iv</sup>.
17. UNCT noted that the fight against extremism was used as a justification to limit the travel of young persons abroad out of a fear that they could join terrorist and extremist networks.

### Key recommendations:

- Align the national legal framework on countering terrorism and violent extremism to comply with the international human rights standards, including in its definition of terrorist and extremist acts, which should only be criminalized when violent.
- Ratify the 2014 Protocol to amend the Convention on Offences and Certain Other Acts Committed on Board Aircraft; the 2005 Protocol for the suppression of unlawful acts against the safety of fixed platforms located on the continental shelf; the 2005 Protocol to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation.

### ***Right to life, liberty and security of person***

18. Since 2021, the OHCHR Regional Office for Central Asia, in cooperation with the Working Group of the Inter-Agency Commission on Turkmenistan's international obligations on human rights and

humanitarian law sensitized and presented international experience to the national partners on the development and establishment of the National Preventive Mechanisms on Torture.

19. The Human Rights Committee is concerned at reports of torture, inhumane treatment and death in pretrial detention for political and religious leaders as well as human rights defenders in prison. The Committee recommended to establish a system of regular and independent monitoring of places of detention without prior notice and create the conditions necessary to facilitate effective monitoring by independent organizations and grant meaningful access to places of detention to the International Committee of the Red Cross;
20. During the reporting period, the UN Working Group on Arbitrary Detention, in its two opinions related to the situation of two individuals, found that the deprivation of liberty of those individuals was arbitrary<sup>v</sup>.

Key recommendations:

- Establish National Preventive Mechanisms on Torture Prevention.
- Ensure NHRI has full independence to conduct monitoring visits to all places of deprivation of liberty.
- Allow full access of the International Committee of the Red Cross (ICRC) to places of detention in accordance with ICRC principles.
- Undertake measures to implement the decisions of the UN Working Group on Arbitrary Detention on individual cases of concern.

***Administration of justice, including impunity, and the rule of law***

21. Although the law provides for the independent judiciary, it appears that the Government executes full control. The president has sole authority to dismiss any judge. Reportedly, there is a high level of corruption among judges and reportedly, the State took action to correct the situation and some of them are dismissed for bribes. Occasionally the Government broadcasts televised shows condemning officials charged with corruption<sup>vi</sup>.
22. The Human Rights Committee noted that though the country had acceded to the Convention against Corruption, no progress had been made on the issue<sup>vii</sup>.
23. Committee on Elimination of Racial Discrimination recommended the State to take necessary measures to guarantee the full independence and impartiality of the judiciary in line with the Basic Principles on the Independence of the Judiciary<sup>viii</sup>.
24. UNCT observed low quality of service of legal aid counsel and the general shortage of lawyers in the country. This is largely explained by a limited role of Bar Associations in promoting the rule of law and ensuring equal access to justice.

Key recommendations:

- Ensure the full independence and impartiality of the judiciary, protecting judges from any external pressure.
- Combatting corruption in the judiciary should continue.
- Ensure that proceedings before courts in Turkmenistan meet international fair trial standards, *inter alia* guaranteeing the full application of the principle of equality of arms.
- Address the shortage of lawyers in the country and improve the quality of Bar Associations to provide state legal aid.

### ***Fundamental freedoms and the right to participate in public and political life***

25. UNCT observed that despite legal safeguards, over the reporting period, all media in Turkmenistan remained under state control. Social media including YouTube, Twitter, and Facebook and many internet sites remain blocked. Online freedom of expression is restricted, including through internet blockages of media outlets and civil society organizations<sup>ix</sup>.

#### **Key recommendations:**

- Implement basic provisions of the Media law to protect media independence and prohibit censorship, ensure uninterrupted and unhindered internet access.
- Establish and protect an enabling environment for CSOs, in which they can operate independently, free of pressure and interference.

### ***Prohibition of all forms of slavery***

26. Turkmenistan has the law on Combating Trafficking in Persons (2016) and developed and implemented two National Action Plans on combating trafficking in persons (2016-2018), (2020-2022). With UN support new law on Social Services was adopted in 2021. It provides provisions to protect people forced to change the country of permanent residence and victims of trafficking as target groups eligible to provision of social services. This Law combined with the law on Combating Trafficking in Persons offers the legal ground for the establishment in the country of government-funded social services for victims or potential victims of human trafficking.
27. UNCT noted existing quota system for the collection of cotton and allegations on the use of compulsory labour during the cotton harvest persist. There is a lack of reliable information on the recruitment and conditions of work of workers in the cotton harvest. Discussions are taking place between ILO and the State about forced labor.

#### **Key recommendations:**

- Develop the third NAP on combatting trafficking in persons for 2023-2025.
- Establish and operationalize the National Referral Mechanism for victims of human trafficking, including the government-funded

social services for victims or potential victims of human trafficking and voluntary returned migrants focusing on their reintegration into the economic and social activities in the country.

- Take concrete measures to ensure the complete elimination of the use of compulsory labor in cotton production.

### ***Right to social security and to an adequate standard of living***

28. According to MICS 2019, 67% of all the households receive at least some kind of social transfers from the government (68% of households with children). Within the framework of the Law on Social Services the national model of inclusive quality community-based social services was launched, including provision of specialized social services for persons with disabilities, elderly, children and youth at risk, children in residential institutions, single mothers, victims of domestic violence. The introduction of social services at the local level made it possible to secure social worker positions in the structure of the Ministry of Labor and Social Protection of Population paid against the State budget, starting in 2022.
29. Turkmenistan has not yet adopted the national monetary poverty line, which prevents government and UN experts from measuring SDG 1 poverty related indicators, including the population share below the poverty line. Since 2020, both wages and cash social transfers in Turkmenistan have decreased in real terms. In 2021, minimum wage, pensions, stipends and social allowances were increased by 10% while inflation reached 21%.
30. In 2021, spending on Social Assistance and Care comprised 1.3% of GDP. Together with pensions, the spending on social protection amounted to 3.3 % of GDP in 2021, a reduction from 3.7% in pre-COVID 2019. In real terms the expenditure on Social Assistance and Care decreased by 11% in 2021. The spending on social services is representing only 2.7% of total spending on social protection (including pension expenditures).

#### **Key recommendations:**

- Advance adequate and universal social protection that enables the realization of human rights.
- Ensure the collection and publication of poverty-related disaggregated statistics.
- Scale up community-based specialized social services to every community to provide adequate social protection measures to the most vulnerable populations.
- Improve adequacy of social benefits, social protection coverage and access to integrated social services at the district level. Social transfers should be fully adjusted to inflation.

### ***Right to health***

31. Turkmenistan adopted two core National Strategies “Healthy Mother-Healthy ChildHealthy Future” and National Strategy on Early Childhood Development (ECD) for 20202025. With UN support, the Government launched the programme of Integrated Management of Childhood Illnesses and revision of pediatric treatment protocols of childhood illnesses in line with international recommendations.
32. UNCT noted remarkable efforts made towards sustaining and effective implementation of the State-funded Immunization and Flour Fortification Programme. The country makes efforts in implementation of its commitments made at the Nairobi summit in 2019 to further reduce maternal mortality, which continues to decrease and is currently estimated as five death per 100,000 live births<sup>x</sup>.
  - UNCT noted that the level of out-of-pocket expenditures on health, already high in Turkmenistan before Covid-19 pandemic, has further increased representing a significant barrier in accessing quality health services. As of 2019, of total health expenditure of 19% (1.6% of GDP) was attributable to general government health expenditures, while 77% was financed from out-of-pocket expenditures and 4% through voluntary health insurance<sup>xi</sup>. Access to family planning commodities is restricted only for those who need them the most.

**Key recommendations:**

- Move towards and sustain Universal Health Coverage (UHC) monitoring its progress.
- Improve and strengthen health system design, performance and expenditures, including to reduce out-of-pocket health expenditures.
- Reduce children’s and mothers’ mortality continuing effective implementation of the Healthy Mother - Healthy Child - Healthy Future national strategy 2021-2025.
- Accelerate implementing government’s commitments made in Nairobi Summit in 2019 on reducing the unmet need in family planning from 9.1 to 3.5 till 2030 through expanding number of choices and widening the coverage of volunteer family planning services, including free of charge for identified women at risk.
- Continue strengthening the quality of services provided at Primary Health Care.

***Right to education***

33. UNCT noted the public expenditures on education is 3.9% of GDP. In 2021, due to growing expected and mean years of schooling Turkmenistan's HDI increased to 0.745 (0.726 for females and 0.760 for males) having positioned the country in the high human development category ranking 91st out of 191 countries.



34. UNESCO noted implementation of the UPR recommendation #114.2; Turkmenistan ratified the Convention against Discrimination in Education in April 2021. Additionally, following the recommendation #114.67 the State continued to take appropriate measures for providing quality education, over the past years, education in Turkmenistan has been undergoing reform aimed at updating quality of material and the teaching methodology through introduction of new curricula including climate change adaptation, disaster risk reduction.
35. UNCT noted that the coverage of children with early childhood education programmes is relatively low. According to MICS, in 2019 only 41% of children attended preschool education establishments. 19% of children with 3 or more siblings under 5 years of age in rural areas have completed early childhood education compared to 75% of boys with one or no siblings in urban areas.
36. The existing system of education management information system needs further development to increase the timeliness and availability of education data.  
The gross enrolment rates (GER)<sup>xii</sup> in 2020 were:
  - In pre-primary education: 36% in total.
  - In primary education: 117% in total, 116% for girls and 118% for boys.
  - In secondary education: 93% in total, 92% for girls and 94% for boys. - In tertiary education: 16% in total, 15% for girls and 17% for boys.
37. The county team noted that according to estimations Turkmenistan's system of higher education can only absorb 10% of the secondary school graduates. Moreover, according to MICS 2019, there is a significant gender gap - only 2% of poorer women have completed tertiary education compared to 23% of richer men in urban areas.

Key recommendations:

- Reinforce the legislation to ensure that non-citizens have access to education.
- Ensure universal pre-primary education coverage for all children through introduction of one-year mandatory pre-primary education programme in line with Turkmenistan SDG 4.2 commitment.
- Develop and institutionalize an effective Education Management Information System in the national education system to collect, store, analyze, use to monitor SDG 4 achievement and disseminate disaggregated data to all education stakeholders.
- Create conditions conducive for girls and women to acquire skills to be competitive in the labour market.
- Continue expanding the focus on quality education and the use of technology in education, including by ensuring internet connectivity in schools.

## *Women*

38. Following the CEDAW Concluding Observations of 2018,<sup>xiii</sup> first National Survey on the “Health and Status of a Woman in the Family in Turkmenistan” was completed and the findings released with UN advocacy and support. A National Road Map was developed to implement the recommendations of the above Survey.
39. A Review of national legislation, facilitated by UN in 2021, revealed significant gaps when it comes to social support services for GBV victims, ranging from the absence of definition of GBV to lack of legal provision to fully support GBV services.
40. Discriminatory gender norms with persistence of patriarchal stereotypes in the society remain and on occasion are promulgated by the state and media. GBV is a sensitive issue, mostly denied in the public discourse. Specialized services are extremely limited. NHRI has extremely low capacity to address women’s rights and gender justice, including Sexual and Reproductive Health within its functions.
41. Despite some progress in the area of gender, including the publication of the Domestic Violence Survey<sup>xiv</sup>, critical recommendations are to be yet implemented as a follow up to the 2018 UPR and CEDAW Concluding Observations, including on the adoption of the legislation on domestic violence; inclusion of domestic violence in the Criminal Code as a separate offence. Lack of legislation hampers the institutionalization and scaling up of the initiatives to provide essential social services to support women experiencing GBV piloted with UNFPA support. The survey showed that 12% of women aged 18-59 years have been subjected to physical and/or sexual violence by a spouse or partner (current or former), which places Turkmenistan somewhere in the middle in the broader region.
42. MICS data indicates the prevalence of gender stereotypes and harmful social norms, 58.4 per cent of women aged 15-49 years (MICS, 2019) justify violence against women due to the established traditional gender roles of women in a family and society. This figure has almost doubled since 2016 (35 per cent, MICS 2016). Moreover, MICS 2019, show that 66% of women 25-34 years of age with 1 or more children under 5 years of age in rural areas accept the use of violence to uphold certain gender roles in society compared to 30% of women 15-24 years of age with no children under 5 years of age in urban areas.
43. Girls experience significant difficulties in transitioning to the labour market. According to 2019 MICS, the percentage of young people who are not in education, employment and training” (NEET) among women aged 15-24 years was 19.3% (SDG indicator 8.6.1). There are higher risks to belong to NEET for the age group of women 20-24 years (28.4%) and even higher to those who ever gave birth (45.1%).

44. The proportion of women in Parliament of the sixth convocation was 25.6%. The Speaker of the Parliament was a woman. In the Turkmenistan parliamentary elections 2023, registered women candidates for Parliament constituted only 15, 89 % of the candidates bringing no changes in the representation in the seventh convocation<sup>xv</sup>.

Key recommendations:

- Ensure that domestic violence is criminalized as a separate offence, and investigated and prosecuted accordingly.
- Continue working with UN to establish national mechanism to address GBV.
- Expand and strengthen support services and protection for women and girls who have experienced GBV in line with global best practices.
- Monitor the gender gap in education and among NEET individuals, to take action to address any identified disparities.
- Promote women's participation in decision-making processes, including in rural areas.
- Raise public awareness regarding the principle of gender equality, the need to eliminate gender stereotypes, including in rural areas and encourage media outlets to promote positive images of women as active participants in public and political life.

***Children***

45. Following the UPR recommendations to Turkmenistan on child protection system strengthening, in 2021, the Ministry of Labor and Social Protection and UNICEF assessed the child protection system in Turkmenistan. The reform recommendations included a) amendments to the outdated regulations of statutory referral bodies, b) provision of investment in the social work profession; and c) establishment of an effective mechanism to ensure integrated social and child protection specialized services.
46. UNICEF noted that the Government placed greater attention on juvenile justice in the context of rule of law and justice sector reforms. In 2022, the Criminal and Civil legislation was amended with provisions related to children in conflict with the law, children in contact with the justice system as victims or witnesses of crimes, and children in civil proceedings.
47. The Ministry of Interior established the first child-friendly interview room for victims and witnesses of crime in pre-trial facilities in the Kopetdag district of Ashgabat city in 2022. It provides a safe and non-intimidating environment for children in contact with the law considering their age, maturity and psychological state and is equipped with modern, video and audiovisual equipment to reduce the repetitive interviewing and potential retraumatization of children.

48. While UNCT observed some progress in the development and implementation of specialized social and child protection services, a key concern is to ensure that specialized social services are included in the government policy planning with state budget allocations.
49. Turkmenistan has been making efforts to incorporate international law commitments related to child protection into its domestic legal framework. However, important amendments to the out-of-date Regulation of the Commission for Minors Affairs (1967) are urgently required. Similarly, the 2017 revisions to the Law on Guardianship and Trusteeship have not yet been reflected in the 1972 Regulation.
50. While the corporal punishment is prohibited in law, the 2019 MICS found that 49% of children in Turkmenistan have experienced physical punishment<sup>xvi</sup>.
51. UN Child Rights Committee noted that Turkmenistan lacks a separate juvenile justice system. There are no juvenile courts nor specialized judges to consider cases involving children. Diversion and a restorative justice approach are not yet established in current national legislation, although this approach is practiced to some extent.

Key recommendations:

- Develop a long-term national strategy for the development of social services countrywide.
- Enhance the child protection system by creating a separate child protection and family support department under the local authorities, staffed with trained professionals and new social work specialists. This can be achieved by merging the Commission on Minors and the Guardianship and Trusteeship Authorities.
- Amend the legislation to ensure that exceptional cases of marriage below 18 years are permitted only by judicial consent, conforming to international human rights law.
- Develop a juvenile justice system: promote alternative measures to detention such as diversion and restorative justice to ensure that the detention of children only occurs as a last resort and in conformity with the principle of best interest of the child.

***Persons with disabilities***

52. Following the recommendations of the Committee on the Rights of People with Disability<sup>xvii</sup> Turkmenistan ratified the Marrakesh Treaty in 2020. UNCT also noted that Turkmenistan took specific measures for building qualified social service workforce, and introduced pre-service training course on social inclusion for persons with disabilities.
53. In the framework of the national Early Childhood Strategy for 2020-2025, the Government promoted cross-sectoral cooperation for developing a system of early intervention and multi-disciplinary

support services. The Government developed the national Concept of Inclusive Education (IE) in line with the commitment under the National Plan of Action for Realization of Children's rights in Turkmenistan for 2018 – 2022.

54. UNCT observed that despite the recommendations from the Committee on the Rights of People with Disability<sup>xviii</sup> and the UPR recommendation<sup>xix</sup> to adopt a human rights-based approach to disability, there is limited progress towards adopting a social and human rights model for disability; it was stressed that the outdated procedure for determining disability remained bureaucratic and did not meet international standards.
55. UNCT observed a shortage of programmes and initiatives to eliminate negative stereotypes and prejudices of persons with disabilities in society, including through the mass media<sup>xx</sup>. UNCT noted that official governmental data shows that in 2020 around 5,230 children were living in various types of residential care institutions, of which the majority were children with disabilities. Despite commitments to family care in the legislation, these institutions are the most commonly available social services in the country.

#### Key recommendations:

- Continue making progress in building qualified social services.
- Align the legislative framework and adopt a human rights-based approach to disability based on the Convention on the Rights of Persons with Disabilities.
- Align disability assessment policy, referral and support, namely medical-social-expert commission, and medical-pedagogic commission with the principles of international classification of functioning, disability and health (ICF) and the CRPD.
- Implement awareness-raising campaigns, with the involvement of organizations of persons with disabilities, to actively disseminate positive images of persons with disabilities, focusing on their abilities and related good practices as well as on the right to legal capacity.

#### ***Minorities***

56. There is no comprehensive data on the ethnic composition of the population nor there is information on the extent to which economic and social rights of the representation of ethnic minorities are protected.
57. With UNFPA support, Turkmenistan conducted Population and Housing Census on 17-27 December 2022 under the Global Round 2020 announced by the United Nations in 2015. The country hosted two missions of the high-level UN experts on censuses in 2022 aimed to provide technical support ensure compliance with international standards.

58. Education is provided primarily in Turkmen, especially at institutions of higher education, and that student and government employees must wear the Turkmen national dress regardless of their ethnicity<sup>xxi</sup>. Reportedly, ethnic minorities face language barriers in obtaining State employment and in communicating with State and public institutions.

Key recommendations:

- Ensure that proper status is given to the cultures of and languages spoken by the various groups of the population and eliminate language barriers to the enjoyment of economic and social rights.
- Promote the integration of ethnic minorities in society through education, participation in public life and access to public functions.
- Timely release the census preliminary and final results.

***Migrant, Refugees and asylum seekers***

59. UNCT stated as of 1 January 2023, Turkmenistan hosts 13 mandate refugees who had been individually recognized under UNHCR's mandate before Turkmenistan introduced national asylum procedures. Turkmenistan hosts 4,000 to 5,000 Afghan nationals who have lived in scattered communities since the 1990s, as well as around 500 Afghan students.
60. As a country neighboring Afghanistan, Turkmenistan is part of the 2022 Afghanistan Situation Regional Refugee Response Plan (RRP). UNCT noted that there have not been any new asylum-seekers officially registered in Turkmenistan since 2005. There are no available official statistics related to asylum, including on the access to territory and to asylum procedures.
61. The Citizenship Law of Turkmenistan does not contain any provisions that take into account the specific circumstances of mandate refugees. The main requirements for the acquisition of Turkmen citizenship are availability of valid national passport and a minimum five-year legal residence in Turkmenistan. Renunciation of foreign citizenship prior to an application for naturalization is another condition. All these criteria are impossible for mandate refugees to fulfil in general.
62. UNCT noted that while the 13 remaining mandate refugees are socially and culturally integrated, they do not have a secure legal status in the country; hence, they cannot access employment and public services such as health care.
63. UNCT is particularly concerned that persons at border entry points, or persons detained for immigration offences, do not have access to information about asylum procedures, and do not have the opportunity to receive legal assistance regarding their potential asylum claims.

Key recommendations:

- Continue work on alignment of the national legislation on migration with the international norms and standards.
- Ensure unrestricted access to the territory and asylum procedures for persons in need of international protection and ensure the prohibition against refoulement is respected in practice.
- Establish fair and efficient asylum referral procedures that are accessible at all border points, including at international airports and transit zones.
- Ensure access for international organizations to detention centers to reduce the risk of refoulement and provide the asylum-seekers' access to independent, qualified, and free legal advice and representation.
- Provide mandate refugees with access to naturalization.

### ***Stateless persons***

64. UNCT stated that in 2019, the National Action Plan to End Statelessness was approved. In July 2020, the Law on Civil Status Acts entered into force with the main purpose to prevent childhood statelessness with provisions enabling all children born in the country – including those with undocumented parents – will have their births registered. In 2021, a new Law on the Legal Status of Foreign Citizens was adopted enacting national Stateless Status Determination Procedures in line with international standards.
65. UNHCR noted that since the launch of the global ***iBelong Campaign to End Statelessness by 2024***, the Government of Turkmenistan has granted nationality to over 16,500. In 2022 alone, Turkmenistan granted citizenship to a group of 1,530 stateless people comprised of 26 ethnicities, 57% of whom were women.
66. However, UN does not have an update of the number of stateless persons or those of undetermined nationality, despite regular requests to the Government for these statistics. As of 1 January 2023, UN partners had information about at least 2,442 stateless persons and 2,085 persons of undetermined nationality living in Turkmenistan.
67. UNHCR noted that stateless persons are issued International Civil Aviation Organization (ICAO)-compliant ID and travel documents. All children in Turkmenistan, regardless of their legal status, have access to primary education and healthcare. According to Turkmen legislation, stateless persons have the right to state social assistance, including pensions and allowances, but they are not covered by medical insurance.
68. UNCT does not have an update of the number of stateless persons or those of undetermined nationality, despite regular requests to the Government for these statistics. The only available data is from NGO partners. The State aims to end statelessness in the next few years.

### Key recommendations:

- Provide UN with the data on current number of stateless people registered in the country.
- Facilitate naturalization of remaining stateless people who have lived in Turkmenistan for a long period.

### **ANNEX - List of submitting UN entities**

The International Labor Organization (ILO)

International Organization for Migration (IOM)

Office of the UN High Commissioner for Human Rights (OHCHR)

UN Children's Fund (UNICEF)

UN Development Programme (UNDP)

UN Educational, Scientific and Cultural Organization (UNESCO)

UN Population Fund (UNFPA)

UN Office on Drugs and Crime (UNODC)

### **ENDNOTES**

<sup>i</sup> Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Turkmenistan will be available at [www.ohchr.org/EN/Countries/ENACARegion/Pages/TMIndex.aspx](http://www.ohchr.org/EN/Countries/ENACARegion/Pages/TMIndex.aspx).

<sup>ii</sup> For relevant recommendations, see [A/HRC/39/3](#), paras 114.3, 116.1-116.16, 116.20-116.23, 116.24, 116.25. <sup>iii</sup> View of Turkmenistan's visits of Special Procedures <https://spinternet.ohchr.org/ViewCountryVisits.aspx?visitType=all&lang=en> <sup>iv</sup> <https://www.ohchr.org/en/news/2023/03/dialogue-turkmenistan-experts-human-rightscommittee-praise-measures-review-judicial> <sup>v</sup> A/HRC/WGAD/2018/4; A/HRC/WGAD/2022/18 <sup>vi</sup> United Nations Country Team submission, HRC, 2023

<sup>vii</sup> The country's Corruption Perceptions Index rank in 2022 is 167 out of 180 <https://www.transparency.org/en/cpi/2022/index/tkm> <sup>viii</sup> CERD/C/TKM/CO/8-11, para 23.

<sup>ix</sup> United Nations Country Team submission, HRC, 2022

<sup>x</sup> Trends in maternal mortality 2000 to 2020: estimates by WHO, UNICEF, UNFPA, World Bank Group and UNDESA/Population Division, 2023. Key tables of the report are [here](#) <sup>xi</sup> <https://databank.worldbank.org/source/health-nutrition-and-populationstatistics/Type/TABLE/preview/on#> <sup>xii</sup> UNESCO UIS data

<sup>xiii</sup> CEDAW/C/TKM/CO/5, para 23 (b)

<sup>xiv</sup> [https://turkmenistan.unfpa.org/sites/default/files/pub-pdf/report\\_health\\_and\\_status\\_of\\_a\\_woman\\_in\\_the\\_family\\_in\\_turkmenistan.pdf](https://turkmenistan.unfpa.org/sites/default/files/pub-pdf/report_health_and_status_of_a_woman_in_the_family_in_turkmenistan.pdf) **Field Code Changed** <https://saylav.gov.tm/ru/news/459>

<sup>xv</sup> State Committee of Turkmenistan on Statistics and UNICEF, 2020

<sup>xvii</sup> CRPD/C/TKM/CO/1, paras. 48. <sup>xviii</sup> CRPD/C/TKM/CO/1, para 5.

<sup>xix</sup> For relevant recommendation, see [A/HRC/39/3](#), para 114.93