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COMMISSION DES DROITS DE L'HOMME  
Soixante et unième session  
Point 9 de l'ordre du jour

**QUESTION DE LA VIOLATION DES DROITS DE L'HOMME  
ET DES LIBERTÉS FONDAMENTALES, OÙ QU'ELLE  
SE PRODUISE DANS LE MONDE**

**Note verbale datée du 11 avril 2005, adressée au Haut-Commissariat  
des Nations Unies aux droits de l'homme par la Mission permanente  
du Turkménistan auprès de l'Organisation des Nations Unies**

La Mission permanente du Turkménistan auprès de l'Organisation des Nations Unies présente ses compliments au Haut-Commissariat des Nations Unies aux droits de l'homme et a l'honneur de lui transmettre ci-joint le texte d'une note verbale du Ministère des affaires étrangères du Turkménistan au sujet des mesures prises récemment par le Gouvernement turkmène dans le domaine des droits de l'homme.

La Mission permanente du Turkménistan demande que la présente note verbale\* soit distribuée en tant que document officiel de la soixante et unième session de la Commission des droits de l'homme, au titre du point 9 de l'ordre du jour.

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\* Cette note verbale est reproduite en annexe telle qu'elle a été reçue, dans les langues originales seulement.

Annex

The Ministry of Foreign Affairs of Turkmenistan presents its compliments to the Commission on Human Rights of the Economic and Social Council of the United Nations and in addition to the former's note verbale 06/686 dated March 6, 2005 has the honor to inform of the following.

Turkmenistan always has been and remains the strong adherent of strict implementation of the generally recognized norms and principals of international cooperation in the field of human dimension and implements in this regard, positive measures, which promote resolution of issues in a constructive way.

Following such approach, the Turkmen side deems it necessary to inform on a regular basis the interested institutions and organizations of the Community of Nations about the positive shifts, which are being carried out in Turkmenistan both in the terms of guaranteeing the rights and freedoms of citizens and in the field of human dimension as a whole.

In this regard, the Turkmen side considers it necessary to communicate that in accordance with the provisions and conclusions, contained in the resolution 2004/12 "Situation of human rights in Turkmenistan" adopted by the Commission on Human Rights, the Government of Turkmenistan has undertaken specific measures for further improvements in the area of human dimension and strengthening cooperation with international organizations.

These measures are based on the real guarantees for implementation of personal, political, economic, social and other rights of citizens, which were created in Turkmenistan in the years after its independence. They are also based on the adopted legislative acts aimed at full and comprehensive realization of rights and freedoms of individual.

This process is assisted in no small way by the consistent development of constructive dialogue by Turkmenistan with the international organizations, first of all, with the United Nations Organization, the OSCE and others. In the framework of such cooperation various delegations visit Turkmenistan on a regular basis and during those visits current issues of our interrelations are discussed.

In particular, Turkmenistan is regularly visited by the Chairman-in-Office of the OSCE, the Personal Envoy of the Chairman-in-Office of the OSCE, the High Commissioner of OSCE on National Minorities, Regional Representative of the International Committee of the Red Cross and a number of other high level representatives and delegations from international organizations. They meet at the highest State level as well as with representatives of the State bodies, public organizations and citizens. During those meetings various issues of cooperation with the international organizations in the field of human dimension are discussed.

On April 20, 2005 the Chairman-in-Office of the OSCE, Minister of Foreign Affairs of Slovenia Mr. Dmitri Rupel plans to pay an official visit to Turkmenistan, during which the broad spectrum of cooperation issues, including those pertaining to human dimension, will be discussed.

Developing meaningful dialogue in the area of human dimension, the Turkmen side from the very beginning of 2004 has come out with a number of initiatives on the expansion of contacts with various international organizations and they are actively implemented at the present time.

In the context of the visit of the group of experts from the Office of the High Commissioner for human rights, which has taken place in March 2004, Turkmenistan is working on practical implementation of the proposal made by the experts. In this regard, the Turkmen side in coordination with the UNDP Office in Turkmenistan works on the proposals on joint cooperation projects in the field of human dimension with the Office of the High Commissioner for human rights.

During the period of March 7-9, 2005 Mr. Piet de Klerk, the Netherlands Human Rights Ambassador, visited Turkmenistan. During the visit he had meetings at the Ministry of Foreign Affairs and the National Institute of Democracy and Human Rights under the President of Turkmenistan, where the issues of human rights, particularly the issues of access by the representatives of the International Committee of the Red Cross to convicted persons and issues pertaining to the religious organizations have been discussed.

Currently, an active process of negotiations with representatives of the International Committee of the Red Cross is under way, on preparation of the draft Agreement between the ICRC and Turkmenistan on cooperation, including issues of visiting of places of imprisonment.

In this connection, the Head of the Regional Office of the ICRC Mr. Rolin Vavr has visited Turkmenistan in the period from November 29 till December 1, 2004, on January 24-26, and on March 14-16, 2005, where a wide range of issues, in particular, preparation of an Agreement on visiting places of imprisonment have been discussed. The Turkmen side had expressed its specific proposals on visiting places of imprisonment. At the present time, these proposals are being studied by the ICRC and the Turkmen side is ready for further negotiations with the ICRC.

In March 2005 Turkmenistan was visited by Mr. Knox Thames, Advisor of the Helsinki Commission of the United States Congress. During the visit he had meetings in the ministries and bodies of Turkmenistan, where the issues related to human rights including the issues of religion and faith had been discussed. At present, the proposals and suggestions made by Mr. Thames during his visit are being studied by the Turkmen side.

In the context of practical implementation by Turkmenistan of its international obligations, the Government in 2004-2005 prepared and submitted its national reports on implementation of the Convention on elimination of all forms of a racial discrimination, the Convention on elimination of all forms of discrimination against women and the Convention on the rights of the child.

The Parliament of Turkmenistan at its February 2, 2005 session has created in its structure a Committee on protection of the rights and freedoms of a person with a view of effective implementation of the obligations under international norms, and also development of national legislation in the field of human rights.

The same session of the Parliament has adopted a new Law «On guarantees of the right of youth to work» according to which it is prohibited to enter into labour contracts with children who have not reached 16 years of age.

Furthermore, on March 29, 2005 Action Plans were signed in Ashgabat in the framework of the United Nations Development Assistance Framework for 2005-2009 between the Government of Turkmenistan and the United Nations Development Programme, the United Nations Population Fund and the United Nations Children's Fund. The Action Plans define the main directions of cooperation between Turkmenistan and the UN Agencies in accordance with the Millennium Development Goals. Accession by Turkmenistan on March 28, 2005 to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict and Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography was another evidence that Turkmenistan builds its relations with United Nations Children's Fund on the long-term basis.

The above-mentioned practical steps testify to the sincerity and openness of Turkmenistan in its cooperation with the international organizations. In this regard, the Turkmen side also draws attention to the fact that Turkmenistan respectfully considers proposals of accreditation of heads and staff of international organizations and upon their appeals takes positive decisions without delay. In particular, on February 1, 2005 the Head of OSCE Center in Ashgabat Mr. Ibrahim Djikic was accredited in Ashgabat and took up his position. Currently, with his personal involvement, the joint programme of cooperation between the Government of Turkmenistan and the OSCE for 2005 was adopted, and it contains projects in all dimensions of the OSCE activity, including humanitarian.

Turkmenistan pays most serious attention to the development of the process of democratic institutions. The main principal of which is the promotion of the development of the society and statehood on the basis of expansion of democratic self-governance.

In particular, at the April 7, 2005 session of the Government the President of Turkmenistan has proposed to hold elections of the heads of local administrations in 2006-2007, and parliamentary elections in 2008. Moreover, the Head of the State has declared the necessity to hold election of the President on the alternative basis in 2009.

In regards to the activity of public organizations in Turkmenistan, the legislative norms in this area only regulate the procedure of establishment and registration of public union of citizens in accordance with international practices. Currently, more than 100 public organizations, created on the basis of the law and carrying out their activity in accordance with their Charter objectives and tasks, have been registered in Turkmenistan.

The Ministry for Foreign Affairs of Turkmenistan avails itself of this opportunity to renew to the Commission on Human Rights of the Economic and Social Council of the United Nations the assurances of its highest consideration.

Ashgabat, April 9, 2005.

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