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#### Committee on the Rights of the Child

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Item 4 of the provisional agenda

**Consideration of reports of States parties** 

# List of issues in relation to the combined second to fourth periodic reports of Turkmenistan

Addendum

Replies of Turkmenistan to the list of issues\*

[Date received: 9 December 2014]

Replies of Turkmenistan to the questions posed by the Committee on the Rights of the Child concerning the combined second, third and fourth periodic reports of Turkmenistan

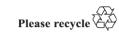
#### Part I

#### **Question 1**

- 1. Turkmenistan takes part in international cooperation for the protection of the rights and legitimate interests of children and maternal and child welfare. It fulfils its international obligations in these areas. The practical implementation of the Convention on the Rights of the Child and other basic international instruments protecting the rights and legitimate interests of children and young people reflected in the drafting and adoption of the national programme on the early development of children and their preparation for school for the period 2011–2015.
- 2. In order to improve ways and means of protecting children's rights, on 1 June 2012 the country's President adopted, by presidential decision, a general programme for the development of a system of juvenile justice.

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<sup>\*</sup> The present document is being issued without formal editing.

- 3. A third forum on the defence of children's rights was held in May 2011 in Ashgabat on the theme of child protection and reform of juvenile justice systems in the countries of Central Asia. Representatives of all the Central Asian countries took part, along with those of the Russian Federation, Azerbaijan and Turkey and international experts from the United Nations Children's Fund (UNICEF).
- 4. Joint work is now under way with UNICEF on a draft national plan of action for children. The draft defines the main orientations of social policy for children, referring to the Constitution, the Convention on the Rights of the Child and other international treaties on children's rights to which Turkmenistan is a party and the Declaration and Plan of Action entitled A World Fit for Children, adopted at the special session of the General Assembly on children.
- 5. The draft plan of action has now been prepared and work is continuing on it.

- 6. In order to ensure the fulfilment of the country's international human rights obligations and coordinate the work of government ministries and departments and voluntary associations in this field, the President of Turkmenistan issued a presidential decree on 24 August 2007 establishing the Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights.
- 7. A presidential decree of 12 August 2011 modified the Commission. It is now called the Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law.
- 8. Among the basic tasks of the Commission are the following: preparing and presenting national reports to the corresponding United Nations bodies; monitoring of the national legislation's correspondence with international human rights standards; making proposals for the improvement of the legislation in force; facilitating accession by Turkmenistan to international treaties on human rights and freedoms; and providing mutual assistance and ensuring cooperation between the country's voluntary organizations and government bodies and international organizations in the field of human rights.
- 9. The Commission maintains an active dialogue with the regional representative of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Development Programme (UNDP), UNICEF, the United Nations Population Fund (UNFPA), the Office of the United Nations High Commissioner for Refugees (UNHCR) and other United Nations agencies on the preparation of national reports, implementation of United Nations treaty body recommendations and joint activities.
- 10. The Commission's activities are coordinated by the National Institute for Democracy and Human Rights in the Office of the President.
- 11. An interdepartmental working group has been established in the Commission, consisting of intermediate-level chiefs and specialists of the voluntary associations and government ministries and departments that are represented on it. Regulations have been adopted for the working group of experts, defining their powers and duties.

- 12. On 3 May 2014 the parliament adopted a new version of the Guarantee of the Rights of the Child Act. Article 7 establishes that the funding of State policy for the protection of the rights, freedoms and legitimate interests of children and for support measures for mothers, fathers, children and families is to be provided from the State budget and from extrabudgetary sources earmarked for such purposes in accordance with the law.
- 13. Article 8 of the Budget Code stipulates that the State budget serves as the financial plan for the planning period. The budget defines the amounts of receipts and expenditures required to ensure the functioning of State bodies and the State administration, local executive and government bodies and the funding of activities related to investment and innovation.
- 14. The State budget includes funding for the central and local budgets (without taking into account inter-budgetary transfers).
- 15. The income for the State budget is distributed to the central budget and the budgets of the provinces and the City of Ashgabat according to the State Budget Act for the period in question (as stipulated by the Budget Code adopted on 1 March 2014, which enters into force on 1 January 2015).
- 16. In 2014, funding for the State budget increased by 15.2 per cent over the 2013 level. First-level expenditure, on social services, accounts for 77.2 per cent of the budget.
- 17. Of the amount earmarked for public and social services, 37 per cent will be spent on education, 10.4 per cent on health, 4.5 per cent on culture, 37.6 per cent on the State social insurance system and 10.4 per cent on funding for housing and utilities.

#### **Question 4**

- 18. Between 2009 and 2013 the Government of Turkmenistan carried out a joint project with OHCHR, the European Commission and UNDP under the title "Strengthening the national capacity of Turkmenistan to promote and protect human rights".
- 19. As part of this project, in April 2010 a seminar was held on the Paris Principles, with the aim of studying in detail the mandate and functions of national institutions for the promotion and protection of human rights in accordance with international standards. Mr. Richard Carver, an international expert on human rights, took part in the seminar.
- 20. In September 2011 a fact-finding trip was organized for parliamentarians, government officials and representatives of institutions of higher education to the Danish Institute for Human Rights.
- 21. The Human Rights Information Centre at the National Institute for Democracy and Human Rights in the Office of the President held a round table on the outcome of the trip, where views were exchanged and future action was discussed.
- 22. There is an ongoing process to study the experience and practice of other countries in establishing and operating independent human rights institutions in accordance with the Paris Principles.
- 23. In the second phase of the project there are plans to carry out seminars for members of the Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law and for members of the working group on the implementation of the recommendations

made in the concluding observations by the United Nations treaty bodies and the conclusions issued under the universal periodic review mechanism.

#### **Question 5**

- 24. In 2014 a new version of the Guarantee of the Rights of the Child Act was adopted; it covers all children's rights.
- 25. Articles 4 to 6 of the Act guarantee the equality of rights and freedoms of all children living in Turkmenistan regardless of their ethnicity, race, sex, origin, social and material situation, place of residence or residence of their parents, language, education, relationship to religion, circumstances of birth, health status or other conditions.
- 26. Every child has the right to exercise his or her rights and freedoms. The best interests of the child must be ensured in the realization of the rights, freedoms and legitimate interests of the child.
- 27. Equal rights for children are guaranteed by the country's legislation and other regulatory instruments and universally recognized principles and standards of international law.
- 28. Unequal observance of the rights of children based on their sex, race, ethnicity, origin, social and material situation, place of residence or residence of their parents, language, education, relationship to religion, circumstances of birth, health status or any other distinction is punishable by law.
- 29. The rights of the child cannot be restricted, except in cases established by law.
- 30. Any act and/or failure to act that results in a restriction of the rights and legitimate interests of the child is considered to be invalid.
- 31. Ensuring the best interests of the child is the priority of the State policy in respect of children.
- 32. The aims of the State policy are as follows:
  - To legally ensure and defend the rights, freedoms and legitimate interests of children;
  - To preserve the life and health of children and ensure the welfare of mothers, fathers and children;
  - To prevent discrimination against children and restore their rights when they are violated;
  - To maintain and develop the abilities of children and respect the right of children to keep their individuality;
  - To defend the honour and dignity of the child;
  - To ensure equality of rights and opportunities of children and their participation in the country's public and political life;
  - To improve the legal basis for State guarantees of the rights of the child;
  - To ensure observance of the country's legislation on State guarantees of the rights of the child;
  - To develop and implement special State programmes to secure children's rights;
  - To promote children's physical, intellectual, spiritual and moral education and development;

- To provide assistance to the family for the harmonious development of the child and enhance the role of the family in the child's education and development;
- To familiarize children with the historical and national traditions and spiritual values
  of the people of Turkmenistan and the attainments of world culture;
- To support children's initiatives;
- To foster the establishment of voluntary associations and organizations of children, adolescents and young people;
- To promote a high level of legal awareness and legal knowledge among children;
- To encourage the upbringing of children in a family environment;
- To protect the right of children to live in a clean environment;
- To protect children against the consumption of food products containing narcotics, psychotropic substances, precursors and similar substances and foods from genetically modified food sources or containing other substances and compounds that are dangerous to their lives and health;
- To ensure that children have environmentally clean, high-quality and safe food products and encourage the production of high-quality foods;
- To protect children from advertisements, publications, movies, videos and audio recordings that are harmful to their development;
- To ensure transparency in the actions of State bodies and their officials in respect of the protection of the rights, freedoms and legitimate interests of children;
- To establish State social norms for the standard of living of children;
- To foster the social adaptation of children and reduce delinquency among children;
- To promote the training, skill enhancement and further training of staff working in fields related to the protection of the rights, freedoms and legitimate interests of children;
- To support cooperation between State bodies or public entities and other organizations engaged in the protection of the rights, freedoms and legitimate interests of children;
- To ensure that the international obligations of Turkmenistan for the protection of the rights, freedoms and legitimate interests of children are fulfilled; and
- To develop cooperation with international organizations working for the protection of the rights, freedoms and legitimate interests of children.
- 33. Under article 8 of the Guarantee of the Rights of the Child Act, the State guarantees that every child has the rights and freedoms provided under the Constitution, the Act itself and other laws of Turkmenistan.
- 34. Children born in wedlock and/or out of wedlock are given State support; they are guaranteed equal and comprehensive protection of their rights, freedoms and legitimate interests.
- 35. The State takes the necessary measures to ensure the protection of children against any form of discrimination.
- 36. Any discrimination based on disability or other circumstances is prohibited. The State guarantees for children living with disabilities the same effective legal protection against discrimination on any grounds as for other children.

- 37. The defence of the rights of children living with disabilities is guaranteed by article 42 of the Guarantee of the Rights of the Child Act. Under the article, children living with disabilities in Turkmenistan have the full range of social, economic and personal rights and freedoms established by the Constitution and the laws of the country.
- 38. Children living with disabilities have the right to take part fully and with dignity in the life of society and the State.
- 39. It is prohibited to discriminate against children living with disabilities. Children living with disabilities have the right to have their physical and psychological integrity respected in the same way as do other children.
- 40. Persons who allow such discrimination are subject to penalties, as stipulated by law.
- 41. The State takes all necessary measures to ensure the full enjoyment by children living with disabilities of their human rights and basic human freedoms, taking into account their individual capacities and interests, on an equal footing with other children, and to ensure respect for the development of their capacities and right to maintain their individuality.
- 42. In all actions related to children living with disabilities, the best interests of the child are of paramount concern.
- 43. The State ensures that children living with disabilities have the right to freely express their own views on all issues of concern to them, in accordance with their age and degree of maturity and on an equal footing with other children, and to receive assistance appropriate for their disability and age in realizing this right.
- 44. To provide social support for children living with disabilities and allow for their adaptation, the State is responsible for establishing a conducive environment that ensures access to educational, medical and cultural establishments and public transport, etc., and fosters their full and effective participation in the life of society on an equal footing with other children.
- 45. The State guarantees social protection for children living with disabilities through material assistance and social services, the payment of State benefits and the provision of social privileges, as stipulated by law.
- 46. Parents raising children living with disabilities receive benefits as stipulated by law.
- 47. The country's laws thus guarantee and ensure that there are legal mechanisms for the protection against discrimination of children in vulnerable situations, including children from minorities, children living with disabilities, the girl-child, children from religious minorities and children of persons convicted for political reasons.

48. Article 7 of the Guarantee of the Rights of the Child Act of 3 May 2014 stipulates that ensuring the best interests of the child is a priority of government policy. Thus, the standards of article 81 of the Family Code of 1 May 2012 are consistently applied both by tutorship and guardianship agencies in their practical work and also in judicial and administrative practice. These standards stipulate that children may express their opinions when any issue affecting their best interests is dealt with in the family and that they must be heard in any judicial or administrative proceedings. In accordance with article 27 of the Family Code, when considering the dissolution of a marriage, the court must clearly specify with which of the spouses a minor or incapacitated adult child will live, the procedure and amount of payment of child support or support for an incapacitated spouse and any existing disputes relating to property.

- 49. In accordance with article 81 of the Family Code, children have the right to express their opinions when the family takes up any issue that affects their best interests and also have the right to be heard in any judicial or administrative proceedings. It is mandatory to take into account the opinion of children who have reached the age of 10, with the exception of cases when this would go against their best interests.
- 50. In the situations covered by articles 83, 97, 114, 116 and 127 of the Code, the tutorship or guardianship agencies may make decisions only with the consent of the child once he or she has reached the age of 12.
- 51. Article 83, paragraph 3, of the Code stipulates that family names, personal names and patronymics of children who are over 10 years old may be changed only with their consent. Article 97, paragraph 4, of the Code establishes that a court has the right, in the light of the opinion of the child, to refuse requests from the parents or from either parent for a restoration of parental rights if it would go against the best interests of the child.
- 52. For children over the age of 10, the restoration of the parental rights of the parents or of either parent may take place only with the consent of the child.
- 53. Article 114 of the Family Code stipulates that the adoption of a child over the age of 10 requires his or her consent.
- 54. The child's consent for adoption is established by the tutorship or guardianship agency.
- 55. If an adoption request is filed for a child who has been living in the family of the adoptive parent and who believes the person to be his parent, the adoption may exceptionally take place without obtaining the consent of the adopted child.

#### **Question 8**

- 56. Article 116, paragraph 6, of the Code stipulates that the family names, personal names or patronymics of adopted children over the age of 10 may be changed only with their consent, with the exception of cases addressed by the third part of article 114 of the Code.
- 57. Article 107 of the Criminal Code provides penalties of 3 to 8 years of deprivation of liberty for the following offences: intentionally inflicting bodily harm that endangers life or causes a loss of sight, speech, hearing or an organ, or that renders an organ dysfunctional or results in lasting disfigurement, as well as any other harm to a person's health that is life-threatening or that causes a disorder combined with a permanent disability assessed at one third or more of the person's capacity to work, or that results in an interruption of pregnancy or in mental illness.
- 58. Persons who commit administrative offences that harm the health, honour or dignity of others or violate their constitutional rights and freedoms are subject to administrative prosecution.
- 59. Article 334 of the Code of Administrative Offences reads as follows: "Battery or other violent acts inflicting physical pain shall be punishable by a fine of 5 to 10 base amounts, or administrative detention of up to 15 days, provided they do not involve premeditated bodily injury or entail other harm to a person's health, short-term disorders or minor, lasting general work disabilities."

60. In addition, article 336 reads: "The non-fulfilment or inappropriate fulfilment as a result of negligence or carelessness by an employee at a child- or adolescent-care institution of the employee's professional duty to ensure the protection of the life and health of minors, when it results in moderately serious injury to a minor, shall be punishable by a fine of 5 to 10 base amounts, or administrative detention of up to 15 days, with or without a restriction of the right to practice their profession for up to 2 years."

#### **Question 9**

- 61. A great deal of attention is paid in Turkmenistan to information policy. Work is being done to set up the country's own information and telecommunication infrastructure and the legal, organizational, financial and educational conditions are being established for the development of an information society.
- 62. Internet services provide an accessible source of information for all the citizens of our multi-ethnic country. The country's educational institutions are now equipped with modern multimedia and computer equipment and make use of interactive teaching methods. This allows young people to receive a world-class education, to enrich their own lives, broaden their horizons and familiarize themselves with scientific achievements. All those studying at the country's educational institutions, including secondary schools, special secondary establishments and institutions of higher education, make use of electronic library services and have access to the global services of the Internet.
- 63. Public Internet cafés have opened in the country's capital and in the provinces. Every year, the number of people using Internet services increases significantly. The Communications Act of 12 March 2010 regulates the provision of Internet services.

#### **Question 10**

- 64. In 2013 a study entitled "Review of the situation of children under the age of 3 at infant homes in Turkmenistan" was conducted jointly by the Ministry of Health and the Medical Industry and UNICEF. According to the study, the largest group of children who enter such institutions every year consists of newborns, who spend a short period of one to three months there undergoing medical observation and examination while awaiting adoption. The provincial tutorship and guardianship agencies carry out the necessary procedures for adoption. In December 2013 the country's four infant homes cared for 143 children under the age of 3, which amounts to 37 per 100,000 of the children of this age group in Turkmenistan.
- 65. The development of a system of inclusive education is an integral part of the reform and development of national education. The legislation of Turkmenistan establishes the entitlement of children with special needs to enjoy an equal right to a quality education at all levels.
- 66. The Education Act stipulates that the State is to provide for conditions ensuring that citizens with special needs, i.e., those with impairments affecting their physical and/or mental development, can obtain an education in general educational establishments (inclusive education).
- 67. At the request of the parents, and taking into account the recommendations of medical professionals, children living with disabilities may be taught at schools or at home. Educational facilities with rehabilitation centres have been built and brought into service in Ashgabat and all the provinces for preschool and school-age children and are furnished

with up-to-date medical and educational equipment. After rehabilitation, the children are able to continue their schooling at regular schools and preschool establishments.

68. As part of the Child Friendly Schools initiative, working groups have been set up at all levels, and a project for a Child Friendly Schools certification package has been developed, with an accent on inclusive education. The project has already been validated at all levels. A series of seminars has been held at the various levels, with broad local participation. In Turkmenistan there are now schools in operation that have received international recognition as being child friendly. The certification process is continuing.

#### **Question 11**

- 69. All citizens of Turkmenistan have equal access to health services, including free use of the State network of medical establishments (Constitution, art. 35).
- 70. The Programme of State guarantees of free medical care for citizens of Turkmenistan, Cabinet of Ministers Decision No. 6515 of 29 December 2003 and Orders No. 33 of 2004 and No. 43 of 2005 of the Ministry of Health and the Medical Industry stipulate that the State provides medical services to children under the age of 14 and to women during pregnancy, childbirth and after childbirth until the child reaches the age of 1 year. Under the Programme, children are given unlimited medical care of all kinds, paid for by the State.
- 71. Primary health care is the basic form of health care accessible to all citizens and is provided free of charge by the health care facilities of the State health system. It covers:
  - Treatment for the most common diseases and injuries;
  - Immunization and protection campaigns for some communicable diseases;
  - Information on health problems, available treatment and disease prevention; and
  - Maternal and child health care, including in respect of family reproductive health issues.
- 72. The Ministry of Health and the Medical Industry draws up the list of State primary health-care facilities and the scope of care and procedure for its provision.
- 73. Citizens who have taken out voluntary State medical insurance pay a premium of 2 per cent of their salaries, pensions and allowances.
- 74. Insured persons and their dependents receive all kinds of paid medical services at State-funded and self-financing medical establishments with a 50 per cent discount, and once a year they are entitled to a 50 per cent discount for a stay at a health resort of the Ministry of Health and the Medical Industry.
- 75. The State finances a range of programmes and services from the State budget, including services targeting tuberculosis, cancer and drug addiction.
- 76. For many diseases, diagnostic and therapeutic standards have been adopted so as to ensure high-quality care.
- 77. The Pharmaceuticals and Medical Supplies Act of 2002 addresses the provision of assistance in the form of medicines for citizens. A list of illnesses is compiled and adopted for which medicines are provided free of charge or on preferential terms.
- 78. All drugs imported into Turkmenistan are registered with the State Centre for the Registration and Monitoring of the Quality of Drugs and Medical Products.

#### Improving the quality of health care by training medical professionals

- 79. In 2008, the Turkmen State Medical University began a planned increase in the number of students admitted. The number of students registered thus rose from 280 in 2007 to 470 by 2014. New specialities for medical personnel have been introduced, such as sport medicine (2011), military medicine (2012) and rehabilitative medicine and traditional medicine (2014).
- 80. In the past four or five years (as at 1 August 2014) 295 citizens of Turkmenistan returned to the country after finishing their medical training at institutions of higher education in other countries (including the Russian Federation, Kyrgyzstan, Kazakhstan, Ukraine, Turkey, Belarus and China). Of these, 241 have already begun working at State medical establishments.
- 81. Postgraduate training is conducted through one-year internships and, since 2008, through two-year clinical residencies. The internships cover 50 specialities. The clinical residency takes place in the context of the medical university and clinical research centres. Since 2008, 336 physicians have taken part in clinical residencies in 26 specialities, including family medicine.
- 82. Intermediate-level medical staff are trained at the country's five medical colleges in various disciplines such as curative and preventive techniques, laboratory diagnostics, pharmaceutical studies, midwifery, curative care, dentistry and preventive health care. The selection depends on the needs of the region; the number of students for each speciality may vary with each academic year. The number of students accepted at the medical colleges has increased from 300 in 2008 to 350 in 2014.
- 83. There is a mandatory system of further training for specialists with a higher or intermediate medical or pharmaceutical education; the system is State-funded. Physicians undergo further training every three years and intermediate-level medical workers do so every five years.
- 84. Every year, some 2,500 physicians and qualified pharmacists undergo further training at the medical university in 31 departments and in 51 specialities or disciplines. In addition, training of at least 60 hours is provided annually for family medicine specialists. The postgraduate training and physicians' enhancement faculty of the medical university is a coordinated and coherent structural unit that follows an academic methodology.
- 85. Every year, some 1,500 intermediate-level medical workers enhance their skills at the postgraduate training departments of the medical colleges.
- 86. Additionally, the clinical research centres and schools hold special short-term training sessions, seminars, on-site training sessions and other events devoted to specific specialities and disorders for both physicians and intermediate-level medical staff.
- 87. Training, upgrading of qualifications and internships are also organized in the context of bilateral international agreements. Turkmen specialists are thus sent to leading foreign clinics to exchange experience on the introduction of scientific advances in medical practice, and various joint scientific and practical conferences are held. In the past four or five years some 100 Turkmen physicians have undergone specialization training in various disciplines in Germany, Austria, China, the Russian Federation, the United States of America and other countries.
- 88. In the context of a memorandum of understanding concluded between the Ministry of Health and the Medical Industry of Turkmenistan and the Federal Ministry of Health of Germany, some 30 specialists have performed internships at leading clinics in Germany. With the participation of German professors, the upgrading of qualifications continues in Turkmenistan, with joint consultations, diagnoses and therapeutic and surgical treatment of

patients and classes, lectures and conferences organized as part of joint research projects in the various fields of medicine.

- 89. Staff are also trained in the use of modern equipment through contracts with the companies that provide such equipment to the country's medical institutions.
- 90. The reintroduction<sup>1</sup> of the postgraduate and doctoral titles "aspirant" and "doktorant", recognized by the Higher Attestation Commission, also facilitate the development of medical knowledge and the general training of scientific staff. There are departments for "aspirants" at the medical university and at the country's five medical clinical research centres. Between 2008 and 2013, 37 people were trained as "aspirant" specialists, 4 as "doktorant" specialists, 125 as specialists with the title of external candidate for a doctor of science degree.

#### **Question 12**

- 91. The principal bodies involved in combating HIV/AIDS are the National AIDS Prevention Centre, the 5 regional AIDS prevention centres and 36 specialized diagnostic laboratories. AIDS-related services include information campaigns, preventive measures, pre-test and post-test counselling and testing for the HIV infection; they also include the preparation and publishing of educational materials geared to the age and specific features of target groups.
- 92. In order to increase awareness of HIV/AIDS and how to prevent it, in October and November 2013 the National AIDS Prevention Centre held three-day seminars in Ashgabat and cities in the provinces under the title "Transmission and prevention of HIV/AIDS and sexually transmitted diseases (STDs) and examinations of vulnerable groups" for 120 physicians and specialists on HIV/AIDS issues.
- 93. In May and June 2014, seminars were held in Ashgabat and cities in the provinces on ways to eliminate harmful practices and prevent HIV/AIDS and STDs, for 1,690 high school teachers whose classes included the subject "Basics of safe living".
- 94. In the first half of 2014, three-day seminars were held on issues related to pre- and post-test consultations and HIV tests among vulnerable adolescent groups for department heads in Ashgabat and in provincial medical facilities with specialities ranging from family medicine to adolescent medicine, tuberculosis, infectious diseases, dermatology and venereal diseases and substance abuse therapy. The seminars were attended by 135 specialists.
- 95. The youth section of the Information Centre run by the Ministry of Health and the Medical Industry provides help free of charge to young people seeking consultations with psychologists and gynaecologists.
- 96. Awareness-raising activities on HIV/AIDS-related issues are carried out on a large scale, including for adolescents and children, providing information on how the virus is transmitted and how to protect against it. Teaching material for training centres has been purchased with support from the United Nations Development Programme.
- 97. The following measures have been taken:
  - High school and university students receive information and educational instruction regularly;

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<sup>&</sup>lt;sup>1</sup> Clinical residencies, "aspirant" and "doktorant" titles were discontinued in 2000 and resumed in 2008.

- Specialists from various government ministries and departments and from voluntary associations have attended 235 training seminars;
- Training is held for prominent youths in positions of leadership;
- Three day seminars have been held for 90 neighbourhood police officers to provide instruction on how to work with members of groups at risk, on outreach to representatives of target groups and on stigmatization and respect for the rights of persons infected with HIV;
- Extensive campaigns are carried out for World AIDS Day for young people, members of the military and prisoners, with activities, races, cartoon competitions and the production of videos and banners, t-shirts, caps and pens with the slogan "United against AIDS". Some 37,000 people were reached during the three reporting years.
- 98. Since 2008, a subject entitled "Basics of safe living" has been taught at all the country's high schools. Students in the higher grades receive instruction in the prevention of HIV/AIDS and STDs, means of infection and measures to protect against it.
- 99. AIDS prevention centres, dermatological and venereal health services, women's clinics and reproductive health centres make condoms available for purchase and distribute them free of charge as a means of protection against HIV/AIDS and STDs.
- 100. The public, including persons from groups at risk, can freely and without charge receive information from the National AIDS Prevention Centre, at doctors' offices and through confidential hotlines. HIV is diagnosed by means of anonymous consultations and testing carried out by HIV/AIDS prevention centres, whose specialists carry out pre- and post-test consultations and offer HIV tests. Medical workers, students at medical colleges and the medical university study HIV prevention and diagnosis and how to carry out a series of measures to prevent nosocomial and on-the-job infection with HIV.

- 101. A special adolescents' reproductive health service, established at mother and child health centres in all the country's regions, has been providing general access to reproductive health services since 2001. The service's supervisory personnel have received training in ways of holding consultations for adolescents. The centres provide free consultations on sexual and reproductive health and modern methods of contraception with the aim of preventing unwanted pregnancies and also distribute contraceptives free of charge.
- 102. A hotline for adolescents seeking consultations with professional psychologists or gynaecologists began operation in 2009, the result of cooperation between the Ministry of Health and the Medical Industry and the United Nations Population Fund (UNFPA). Over 4,000 adolescents and young people have received medical advice and information on healthy lifestyles through the hotline. Awareness of reproductive health issues, population and development questions has risen thanks to increased media coverage of such vital subjects as reproductive rights, the principles of healthy living, family life and specific matters related to adolescent reproductive health. The rate of abortion among adolescents in the country is very low.
- 103. A national reproductive health strategy for 2011–2015 is currently being implemented. It includes a specific chapter on reproductive health.

- 104. Turkmenistan is taking steps at the national and international levels to deal with the problems caused by the extreme health and epidemiological situation in the Aral Sea region.
- 105. Turkmenistan is a member of the International Fund for Saving the Aral Sea. The Fund is a political organization whose activities are governed by the decisions of the Council of Heads of State, the Fund's Executive Committee, its Statute and the Agreement on the Status and Organization of the Fund. The Fund was established by a decision adopted by the heads of State and government of the Central Asian countries on 4 January 1993, in Tashkent.
- 106. The main functions of the Fund are:
  - Providing financing and credit for joint international environmental and practical
    programmes and projects to save the Aral Sea and improve the environmental
    situation in the districts that have suffered from the Aral disaster, and addressing the
    social and environmental problems of the region;
  - Funding joint basic and applied research and scientific and technical works to restore the ecological balance and manage and make rational use of the region's natural resources (including transboundary water resources) and protect the environment;
  - Establishing and ensuring the operation of an international environmental monitoring system, a databank and other systems addressing the environmental status of the Aral Sea basin;
  - Mobilizing resources for joint measures to protect the basin's air, water and land and its flora and fauna;
  - Funding joint scientific and technical projects and developing methods for the management of transboundary inland bodies of water;
  - Participating in the implementation of international projects and programmes to save the Aral Sea and to improve the environmental situation in the Aral Sea basin.
- 107. Overall coordination of sustainable development activities is carried out by the Interstate Commission on Sustainable Development (ICSD), the main objective of which is to coordinate and manage regional cooperation in the field of the environment and sustainable development of the Central Asian region. There are 15 members of the Commission, with three representatives from each of the Central Asian countries (including ministers of environmental protection, deputy ministers of economic affairs and representatives of scientific research institutes and other organizations). Members of the Commission are appointed by the member Governments. The Commission holds sessions twice a year.
- 108. Until the fall of the Union of Soviet Socialist Republics (USSR), questions related to the management, use and protection of water resources belonging to more than one republic were managed by the Ministry of Water Management of the USSR. After the dissolution of the USSR, the independent States of Central Asia were faced with the question of how to deal with the problems in the Aral Sea basin. In February 1992 they thus established the Interstate Commission for Water Coordination of Central Asia (ICWC).
- 109. The main aim of setting up ICWC was to agree upon principles of collegiality for the adoption of decisions addressing the common problems of the management, use and protection of international water resources in the region and the joint realization of planned programmes, on the basis of mutual respect for the interests of the parties. The Commission and its work are constantly the subject of attention for the presidents of the Central Asian

countries. The heads of State, through their agreements of 23 March 1993 and 9 April 1999, confirmed the special role of ICWC under the aegis of the International Fund for Saving the Aral Sea as a manifestation of their deep understanding of the role of joint water resource management, use and protection in the development of all their countries and of the region as a whole, as well as their concerns about the sustainable provision of water for the peoples of their countries and related environmental questions. The ministers of water resources of the five Central Asian countries are members of ICWC.

- 110. Each country has a local branch of the Executive Committee of the International Fund for Saving the Aral Sea; in Turkmenistan, this is the Daşoguz branch. Under the Statutes in force, Turkmenistan's assigned amount of contribution is 0.3 per cent of its budget revenue, which is transferred to this branch. These funds are assigned to maintain the Daşoguz branch and the ICSD scientific research centre and to pay the salary of the representative of Turkmenistan to the International Fund, with the remainder spent on correcting the grave health situation in the Aral Sea region in Turkmenistan. Work is being carried out under this item to rebuild cross-boundary run-off collection systems and other water management infrastructure, to construct a network of aqueducts and drainage systems and to furnish hospitals, schools and preschool institutions with demineralization units for the provision of fresh water.
- 111. Turkmenistan also devotes a significant amount of its own funding to address the grave health situation in the Aral Sea region. Funding allocated to the "Oba" programme is used to build schools, preschool institutions, hospitals and other facilities, and the measures specified under the general water supply programme are funded from the State budget. In addition, many efforts are now under way for land reclamation using existing irrigation systems, for revegetation and for other rehabilitation work.

#### **Question 15**

- 112. A great deal of work is carried out in accordance with State programmes both in towns and in rural areas to ensure clean potable water and appropriate sanitation for the population. The Clean Water Act of 2010 and the general programme for the provision of clean potable water for the towns and villages of Turkmenistan, approved by the President on 10 January 2011, address these questions.
- 113. The State Sanitary and Epidemiological Service of the Ministry of Health and the Medical Industry constantly monitors household and potable water supplies in accordance with a State standard entitled "Potable water: Hygiene requirements and quality control."
- 114. Testing is done monthly, according to a schedule, with samples selected according to plan at least once or twice a month; tests of epidemiological and other factors can be carried out at any time, as needed. The water is analysed for microbiological and chemical composition by sanitary and epidemiological stations, at local laboratories.
- 115. Bottled water too is tested and quality certificates are issued.
- 116. This question is the subject of much attention in Turkmenistan, in view of the fact that clean potable water provides a basic guarantee of the population's sanitary and epidemiological well-being and prevents infectious and parasitic diseases.
- 117. The quality of potable water has improved greatly in the years since independence thanks to the introduction of new water purification facilities that meet international standards. In the capital, three water purification plants have been built and brought into service, with a total daily capacity of 600,000 cubic metres. Similar modern water purification plants have been introduced in three provincial towns, in Türkmenabat, Mary and Daşoguz.

- 118. The general programme for the provision of clean potable water for the towns and villages of Turkmenistan approved by President Gurbanguly Berdimuhamedov on 10 January 2011 calls for the construction of small-scale plants for the treatment of drinking water and for the laying of water distribution and waste water collection systems and the building of sewage treatment plants in the period from 2011 to 2020. Large-scale works are currently under way to implement this programme, whose aim is to provide clean potable water to the population of the entire country, including the most remote villages.
- 119. The programme calls for the drilling of wells to tap groundwater to supply potable water in remote villages lacking surface sources.
- 120. Water treatment plants are being constructed for the population along the Amu Darya river and the Karakum canal using those watercourses as sources.
- 121. Modern desalinization plants have been built and are in operation in the towns of Türkmenbaşy and Hazar, serving the population of the districts along the Caspian Sea.
- 122. Under the programme, a total of 50 water purification plants of various capacities will be built, over 1,800 wells will be sunk and a network of more than 55,000 kilometres of water pipe will be laid or refurbished. The plan also calls for the construction of 52 wastewater treatment plants and the laying or refurbishment of some 7,000 kilometres of sewage lines.
- 123. In addition, a national presidential programme entitled "The Village" aims to transform the everyday social and living conditions of people living in villages, districts, towns and district centres by 2020. Under this programme, many utility and service facilities have been built and brought on line, including water supply works such as low-capacity facilities designed for small towns and villages.

- 124. Enhancing the skills of teachers is one of the priorities for improving the quality of education in Turkmenistan. Teachers' further training faculties have been set up at all of the country's institutions of higher learning that offer pedagogical programmes, and the education departments of the provinces and the city of Ashgabat have teachers' further training centres for secondary school instructors and educators in preschool establishments. In addition, teachers are sent to other countries for practical experience. The Ministry of Education is working with international organizations on a number of projects whereby staff in the education system enhance their skills with the help of foreign specialists invited to Turkmenistan.
- 125. The teaching material and technical equipment of the country's schools is regularly updated and supplemented with the latest educational tools, including multimedia equipment, and educational establishments equipped with the latest innovative technologies are now coming into service.

#### **Question 17**

126. Along with schools where the Turkmen language is used for instruction, the country also has schools where Turkmen and Russian or Turkmen and Turkish are the languages of instruction, and there are classes taught in Russian or English as well. There are plans to set up classes using French and German as the language of instruction in the near future. The possibility of setting up classes that use Uzbek or Kazakh as the language of instruction must be seen in relation with the question of how to fill such classes with students.

- 127. In accordance with the Education Act, the State guarantees access to preschool education and to general education schools for all children living in the country who by virtue of their age are entitled to such services.
- 128. Children are admitted to State preschool institutions and general education schools upon application by their parents (or persons with parental authority).
- 129. Admission to State vocational training institutions is on a competitive basis, upon application. The competition must ensure that the right of citizens to education is guaranteed by the State and that the persons most capable and best prepared for the vocational training programme in question are the ones enrolled.
- 130. An annual order of the Deputy Chair of the Cabinet of Ministers stipulates that all candidates for entry at secondary and tertiary education schools must present a medical certificate.
- 131. Order No. 115 of 2002 of the Ministry of Health and the Medical Industry stipulates that all citizens must undergo a preventive medical examination once a year.

#### **Question 19**

- 132. Article 22 of the Guarantee of the Rights of the Child Act stipulates that every child has the right to rest, leisure and health and the right to take part in sports and cultural or recreational activities appropriate to his or her age and health status.
- 133. All the necessary conditions have been established in Turkmenistan and continue to be ensured so that children can fully enjoy their right to rest, leisure activities, cultural life and the arts. The country has a range of museums, theatres, cinemas, galleries, cultural and recreational facilities, natural history museums and other sports and cultural facilities.
- 134. New, modern health centres and sports, music and arts schools with the latest equipment have been built and are available to children. An extensive network of educational institutions has been set up offering extramural activities. At all such institutions, children are fully able to enjoy their right to rest, play, enjoy the arts and culture and develop.

#### **Question 20**

- 135. Work is now under way at this Ministry of Internal Affairs in order to implement the general programme of Turkmenistan on the development of the juvenile justice system.
- 136. In accordance with this programme, new ways of dealing with juvenile offenders are being developed to replace the ones currently in use, which do not fully meet the needs of the times. The practice of other countries is thus being studied.
- 137. A joint plan for educational and preventive work among juveniles is drawn up at the beginning of every year with the participation of the Ministries of Internal Affairs and Education, the State Service for Security Protection of a Healthy Society and voluntary associations.
- 138. Work has been conducted with police officers from the juvenile police service to carry out the tasks set out by the programme. Officers with teaching skills and years of experience working with juveniles were selected for further training so that they could become instructors on the rights of minors. This work was done in each province. In the

autumn of 2013, classes were held on the rights of minors for the instructors and officers from some of the district-level juvenile police units. The classes included lectures on laws governing the rights of minors, their application in practice, problems related to children's rights and how to resolve such problems with the involvement of parents, teachers, members of the local authorities' commissions on minors' affairs and representatives of voluntary associations.

139. A draft instruction on working with minors, which includes the principles of juvenile justice, is now being drawn up, and the experience of other countries in working with minors is being studied in this context.

#### Part II

- 140. Information for the period from 2010 to 2013:
  - 10 May 2010 new version of the Criminal Code;
  - 12 March 2010 Culture Act;
  - 25 September 2010 Clean Water Act;
  - 25 March 2011 Penal Enforcement Code;
  - 26 March 2011 new version of the Legal Status of Foreigner Nationals in Turkmenistan Act;
  - 31 March 2012 new version of the Migration Act;
  - 10 May 2012 Bar and Advocacy Act;
  - 4 August 2012 new version of the Refugees Act;
  - 4 August 2012 Sanatoria and Health Resorts Act;
  - 19 October 2012 new Social Protection Code;
  - 4 May 2013 new version of the Education Act;
  - 22 June 2013 new version of the Citizenship Act;
  - 29 August 2013 State Youth Policy Act;
  - 29 August 2013 Transplant of Human Organs and Tissue Act;
  - 29 August 2013 Code of Administrative Offences;
  - 18 December 2013 Act on Protection against Tobacco Smoke and the Consequences of the Use of Tobacco Products;
  - 3 May 2014 new version of the Guarantees of the Rights of the Child Act;
  - 3 May 2014 new version of the Voluntary Associations Act.

#### Adopted by presidential decisions

- National programme on the early development of children and their preparation for school for the period 2011–2015, of 27 May 2011;
- General programme of Turkmenistan on the development of the juvenile justice system, of 1 June 2012;

- Regulations of the Interdepartmental Commission on Compliance with the International Obligations Undertaken by Turkmenistan in the Field of Human Rights and International Humanitarian Law, of 12 August 2011;
- Presidential decision on questions of the development of cycling in Turkmenistan, of 2013.

#### State and national programmes

- National social and economic development plan for the period from 2011 to 2030;
- National strategy for the economic, political and cultural development of Turkmenistan for the period up to 2020;
- President's national programme for the improvement of social and living conditions in villages, settlements, towns and district centres for the period up to 2020;
- National programme for the development of physical education and sports and the preparation of athletes for the period from 2012 to 2016;
- General programme for the provision of clean potable water for the towns and villages of Turkmenistan for the period until 2020.

#### State and national programmes related to health

- State programme on the development of health in Turkmenistan for the period from 2012 to 2016;
- State programme on the development of the medical industry in Turkmenistan for the period from 2011 to 2015;
- National programme for the development of sanatorium and health resort services;
- National strategy for the introduction of the Ashgabat Declaration on the Prevention and Control of Non-communicable Diseases in the Context of Health 2020 for the period from 2014 to 2020;
- Programme for immunization and disease prevention in the period up to 2020;
- National programme on healthy water for the population of Turkmenistan for the period from 2013 to 2017;
- National programme to combat HIV infection for the period from 2012 to 2016;
- National reproductive health strategy for the period from 2011 to 2015;
- National programme to improve perinatal care for the period from 2014 to 2018;
- Strategy to combat malignant breast tumours and cervical cancer;
- National strategy to prevent and combat tuberculosis for the period from 2008 to 2015;
- National programme for the protection and support of breastfeeding;
- Programme for primary resuscitation and care for newborns;
- Programme for integrated management of childhood illness;
- Programme for preventing and combating anaemia, providing for the mandatory iodization of salt and enrichment of flour with iron and folic acid;
- Programme of criteria for the registration of live births and stillbirths in accordance with the recommendations of the World Health Organization (WHO);

- · Elimination of measles and German measles;
- Elimination of malaria (the WHO Expert Committee on Malaria has recognized the country's malaria-free status on the basis of a malaria situation assessment in the country);
- National plan of action to combat tobacco use for the period from 2012 to 2016;
- New version of the nutritional standards for children at nursery schools, kindergartens and preschool health institutions (2010);
- National strategy and plan of action for mother, newborn, child and adolescent health for the period from 2014 to 2018.

#### International certificates and awards received between 2009 and 2014

- On the basis of assessments of the malaria situation in Turkmenistan carried out by WHO evaluation teams in 2009 and 2010, the subsequent WHO expert review and the final recommendation of the Chairman of the 20th meeting of the WHO Expert Committee on Malaria, WHO decided to add Turkmenistan to the list of countries where malaria elimination had been achieved (2010);
- The Turkmen State Medical University was given the European Quality award in 2011. This award testifies to the quality of the education system, whose organization is on a par with the best models of similar education systems in Europe, and is also a recognition of the professionalism of the teaching corps and the quality of scientific research and work at the institution, and the introduction and implementation of international programmes;
- Award for achievements through the enrichment of flour with iron and folic acid in Turkmenistan (2011);
- Certification confirming the absence of measles and German measles in Turkmenistan (May 2012);
- Inclusion of the Turkmen State Medical University in the Avicenna Directory, the worldwide database of medical schools;
- Certificate of acknowledgement bestowed upon the President of Turkmenistan by the WHO Director-General in recognition of his outstanding contribution to the campaign against tobacco use (2014).

## Ratification by the Mejlis (the parliament of Turkmenistan) of the following international instruments since the submission of the last report

- Worst Forms of Child Labour Convention, 1999 (No. 182) of the International Labour Organization (ILO) (25 September 2010);
- WHO Framework Convention on Tobacco Control (21 March 2011);
- The Convention for the Safeguarding of the Intangible Cultural Heritage, of the United Nations Educational, Scientific and Cultural Organization (UNESCO) (14 September 2011);
- Convention relating to the Status of Stateless Persons (14 September 2011);
- Convention on the Reduction of Statelessness (4 August 2012).

#### **Part III**

#### **Question 1**

141. The elements of an offence that make it qualify as a crime of abuse or violence against children, including those involving any form of bodily harm, are set out in the provisions of several articles of the Criminal Code. Such offences include those described under the following articles: article 113 (torture), part 2, paragraph w; article 123 (improper performance of the obligation to protect the life and health of minors); article 159 (wilful failure to perform one's duties in bringing up a minor); and article 161 (wilful violation of the rights of a person responsible for the upbringing of a minor). The statistics below on the number of criminal cases registered in 2011, 2012 and 2013 under these articles of the Criminal Code are based on information from the information centre of the Ministry of Internal Affairs.

Article of the Criminal Code	2011	2012	2013
Article 113, part 2, paragraph w	6	3	_
Article 123	_	_	_
Article 159	4	1	3
Article 161	_	_	_

142. No separate statistics are kept on the victims in criminal cases, and the information centre has no such data at its disposal. It is thus currently not possible to present complete and detailed information on the number of cases of abuse and violence committed against minors covered by the above and other articles of the Criminal Code.

143. The State provides for adoption in a family environment of orphans and children without parental care.

Α	d	O	n	ti	O	n	S

Ashgabat and provinces	2011	2012	2013	2014 (9 months)	Total
Ashgabat	167	189	215	203	774
Ahal Province	272	304	257	196	1 029
Balkan Province	204	179	237	163	783
Daşoguz Province	322	354	430	413	1 519
Lebap Province	285	258	271	256	1 070
Mary Province	336	384	424	373	1 517
Total	1 586	1 668	1 834	1 604	6 692

## **Question 2**

144. The Ministry of Internal Affairs does not keep statistics on the number of children separated from their parents, including those left behind by parents who migrate. It is therefore not possible to provide such information.

145. Between 2011 and 2013 police juvenile units sent 89 children who were left without parental care to children's homes or to full-time boarding schools. Children's homes

received 54 children in 2011, 60 in 2012 and 69 in 2013; 6 children were sent to full-time boarding schools in 2013.

#### **Question 4**

146. As at the end of July 2014, 45 minors were in places of detention. Of these, 44 were male convicts and one was a female convict. Eighteen minors were under investigation, including one girl.

147. There are 92 convicted minors who have been released on probation and who are registered with the juvenile services of the police. In addition, in the first seven months of 2014, 157 minors went through the juvenile holding and placement centre for various reasons, generally in connection with either the death of their parents or deprivation of the parents' parental rights, illness or protracted absence of the parents, limitations of parental rights or for other reasons that left the children without parental care. As a rule, minors stay at this institution until a tutorship and guardianship agency can ensure their right to be brought up in a family in accordance with the procedure established by the laws addressing this situation.

## Annex

### 1. Disability indices

## Number of persons recognized for the first time as living with disabilities (Ministry of Health and the Medical Profession)

		Aı	nong whom	:	
Turkmenistan	Total (persons)	U	Rural		
Number of persons recog	gnized as living with disabilities fro	m birth			
2010	463		120		343
2011	444		137		307
2012	637		173		464
2013	610		159		451
Index		2010	2011	2012	2013
	d the Medical Profession)				
-		2010	2011	2012	2013
Number of specialized cl	hildren's homes (units)	1	1	1	1
Number of places (units)		250	250	250	250
Number of children livin (persons)	g at specialized children's homes	266	278	257	255
Number of beneficia	ries and average monthly disa	bility bend	efits		
Turkmenistan		2010	2011	2012	2013
Number of children under (persons)	er 16 receiving disability benefits	10 100	10 161	10 945	12 070
C	thly disability benefits paid to	120.97	133.17	245.35	269.35

### 2. Residents at children's homes in Turkmenistan

Indices	2011	2012	2013
Total number of residents	419	368	368
Ashgabat	226	206	212
Balkan Province	193	162	156
Including:			
Under the age of 6	16	12	21
Ashgabat	5	4	3
Balkan Province	11	8	18
Ages 7 to 15	253	263	276
Ashgabat	163	160	171
Balkan Province	90	103	105

Indices	2011	2012	2013
Ages 16 and older	150	93	71
Ashgabat	58	42	38
Balkan Province	92	51	33
Including			
Girls	136	123	130
Ashgabat	74	69	77
Balkan Province	62	54	53

## 3. Students at auxiliary residential schools in Turkmenistan

Indices	2011/12 school year	2012/13 school year	2013/14 school year
Total number of students	2 435	2 409	2 452
Girls	891	885	906
Boys	1 544	1 524	1 546
Ashgabat	408	433	441
Girls	141	156	162
Boys	267	277	279
<b>Ahal Province</b>	79	67	68
Girls	22	20	17
Boys	57	47	51
Balkan Province	183	164	160
Girls	56	49	51
Boys	127	115	109
Daşoguz Province	447	444	468
Girls	175	174	188
Boys	272	270	280
Lebap Province	763	758	781
Girls	306	304	308
Boys	457	454	473
Mary Province	555	543	534
Girls	191	182	180
Boys	364	361	354