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**Submission on Turkmenistan to the Pre-  
sessional Working Group for the 87 session  
of the Committee on the Elimination of  
Discrimination against Women (CEDAW) (30  
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**Turkmen Initiative for Human Rights (TIHR)** is the successor organisation of the Helsinki Group of Turkmenistan and was registered as an independent association in Vienna in November 2004. Through a network of local experts and activists inside Turkmenistan, TIHR monitors and reports on the human rights situation in this country. It also disseminates independent news, comments and analysis from and about Turkmenistan.

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**International Partnership for Human Rights (IPHR)** is an independent, non-governmental organisation founded in 2008. Based in Brussels, IPHR works closely together with civil society groups from different countries to raise human rights concerns at the international level and promote respect for the rights of vulnerable communities in repressive environments.

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# Introduction

This is a submission to the CEDAW ahead of its adoption of a list of issues for the review of Turkmenistan's sixth periodic report under the Convention on the Elimination of All Forms of Discrimination against Women. It has been jointly prepared by Turkmen Initiative for Human Rights (TIHR) and International Partnership for Human Rights (IPHR), drawing on their ongoing cooperation on documenting human rights developments in Turkmenistan. It is based on information obtained by TIHR through its monitoring of the situation in Turkmenistan with the help of an in-country network of activists, as well as information from other independent organisations, which monitor and report on developments in the country.

The fundamental rights and freedoms of citizens continue to be seriously violated in Turkmenistan, one of the world's most closed countries, where there is no independent media, nor political opposition nor truly independent civil society organisations. In recent years, the country has been undergoing a protracted economic crisis, resulting in increasing poverty, unemployment and lack of access to basic food staples sold at affordable prices. Many citizens have left the country in search of jobs abroad, although there are no reliable statistics. In this context, women remain a highly vulnerable group of the population, with official state policies reflecting and promoting negative and discriminatory attitudes in relation to women and their supposed "traditional" role in society.<sup>1</sup>

In March 2022, Serdar Berdimukhamedov assumed the presidency in Turkmenistan when his father, Gurbanguly Berdimukhamedov stepped down after holding this position since 2006. The early presidential elections were unfree and unfair and did not offer voters any real choice. There was nevertheless some hope that the change of president would result in improvements in the situation in the country, including with respect to women's rights. However, shortly after Serdar Berdimukhamedov took office, a new campaign to promote so-called "traditional" gender standards and norms began, which resulted in new arbitrary restrictions on women's rights (see more in the section on stereotypes, negative practices and discriminatory treatment of women). This campaign also further reinforced negative gender stereotypes and attitudes, which contribute to the persistence of gender disparity and violations of women's rights in different areas in the country.

## 1. Participation in political and public life, national human rights institution

In its sixth periodic report to the CEDAW, the state party emphasises the representation of women in decision-making and executive bodies. However, as can be seen from the information provided in the state report (par. 124), the share of women in such bodies remains **comparatively low**. Thus, for example, only around 25 percent of the members of the outgoing Parliament constituted women (their share increased to 26 percent following the March 2023 elections<sup>2</sup>), and there is only one woman in the Cabinet of Ministers headed by the President: Myakhrijemal Mammedova, who is deputy chair responsible for culture and the media. Moreover, women often hold **certain types of leadership positions**. For example, as reported by the

state party (par. 124 of its report) all women acting as deputy governors at the regional, district and local levels are specifically in charge of social issues.

Given the highly authoritarian government system in place in Turkmenistan, with powers being concentrated at the top, and the lack of any real division of powers, women who are represented in decision-making and executive state bodies typically have little real influence. One example is that of the Ombudsperson. While it is welcome per se that this institution was created and that a woman (Yazdursun Gurbannazarova) was appointed as the first mandate holder in 2017 and re-elected in 2022, as pointed out by the state party (par. 57 of the state report), there are **serious concerns about the lack of independence of the Ombudsperson's office, its limited authority and the lack of effective action** taken by it to address human rights issues, including in cases involving women.

TIHR has experienced **a lack of responsiveness** from the Ombudsperson's office: while it has repeatedly submitted written appeals to the office on different human rights issues, it has not received any responses. For example, TIHR did not receive any response to an appeal, in which it requested the Ombudsperson to help ensure public access to information about the impact that a devastating hurricane, which hit parts of Turkmenistan in April 2020, had on local residents, including women.<sup>3</sup> The Ombudsperson also did not respond to an joint open letter addressed to her in November 2021 by TIHR, Turkmen News, IPHR and several other human rights NGOs concerning the case of K.I., a female doctor who was unjustly dismissed and thereafter arbitrarily detained, prosecuted and imprisoned for seeking justice (see more about her case in the chapters on restrictions on women's exercise of the freedoms of expression, association and assembly and on violations of the rights of women public sector employees). The undersigning organisations had requested the Ombudsperson to monitor conditions in the detention facility where K.I. was held with a view to ensuring that she was treated in accordance with relevant standards, and to request effective measures from other relevant state bodies to ensure accountability for the rights violations to which she had been subjected.<sup>4</sup>

TIHR has also learned about difficulties experienced by individual citizens with respect to communicating with the Ombudsperson's office. For example, there have been cases when petitioners have had their complaints returned because the address allegedly was incorrectly indicated or when they were told that their complaints cannot be addressed because of a lack of capacity.<sup>5</sup>

## **Recommended questions**

The Turkmenistani authorities should be requested to:

- Explain the measures taken to ensure the development and implementation of a comprehensive strategy to promote women's equal and effective participation in public life and to raise public awareness in this respect.
- Commit to ensuring the independence of the Ombudsperson's office in accordance with the Paris Principles and to providing this office with sufficient resources to carry out its mandate and address appeals received, including in cases involving women.

## 2. Stereotypes, negative practices and discriminatory treatment of women

In its 2018 Concluding Observations on Turkmenistan, the Committee expressed concerns about the persistence of discriminatory stereotypes regarding the roles and responsibilities of women, as well as harmful practices based on such attitudes and issued important recommendations in this respect (par. 18-21). However, five years later, these problems remain highly prevalent, which demonstrates the failure of the authorities to effectively implement the recommendations received. In fact, the authorities have **not only failed to effectively counteract discriminatory gender stereotypes and negative practices but have also contributed to further strengthening such attitudes and practices**, in particular by enforcing unofficial restrictions on women's rights **in the name of safeguarding national traditions and values**. After President Serdar Berdimukhamedov took office in March 2022, a new reinforced campaign to this end was launched, resulting in new arbitrary restrictions on women's appearance and conduct.

According to information received by TIHR and other independent sources<sup>6</sup>, in April 2022, **propaganda events** were organised in educational establishments and other state institutions in different regions of Turkmenistan to "educate" women and girls on issues of morality and observance of national traditions and **how they are expected to behave, dress and look**. Those attending events were **threatened with repercussions**, including expulsion or dismissal if they fail to comply with requirements such as wearing national-style dresses and refraining from using heavy make-up, dyeing their hair and undergoing eyelash and nail extensions, lip augmentations or other cosmetic services. There were also reports of special inspectors visiting educational and medical institutions and ordering women and girls to comply with these types of requirements. In addition, **law enforcement officials visited and warned the owners of beauty salons** that they could face fines or arrest for up to 15 days if providing services such as eyelash and nail extensions and lip augmentations -- without presenting any documentation confirming the ban on such services or explaining its reasons.

Later, the Turkmen service of Radio Free Europe/Radio Liberty (Radio *Azatlyk*) reported about **arbitrary police checks of women in the street**, as well as of **women being detained and fined** for having made use of beauty services.<sup>7</sup> TIHR also learned about **arbitrary police raids on women's cosmetics stores**, with those working there being ordered to remove cosmetic products that allegedly might harm "the health and appearance" of women.<sup>8</sup> In one case, in November 2022, migration services reportedly **denied several women the right to fly** to Dubai from Ashgabat airport, claiming that facial recognition software used did not recognise the women because of lip augmentations, eyelash extensions and other cosmetic procedures they had undergone. The affected women complained that they were subjected to psychological pressure and they were not reimbursed for the ticket costs.<sup>9</sup>

Unlike on previous occasions, when the authorities have carried out campaigns to control women's appearance based on so-called traditional norms and standards, state media reported on the campaign launched in spring 2022. For example, on 14 April 2022, the Turkmen State News Agency (TDH) quoted the chairperson of Parliament as saying that representatives of Parliament, law enforcement authorities and public organisations had held campaigning and propaganda events among girls and women dedicated to

“national Turkmen traditions, the sanctity of the family, norms of etiquette and upbringing”.<sup>10</sup> At the same time, when responding to a question posed by a journalist during the Summit on Sustainable Development Goals of the Central Asian countries, which was held in Kazakhstan in June 2022, the head of the Parliamentary Committee on Economic Affairs claimed that the restrictions imposed on the use of cosmetic procedures were entirely based on “sanitation considerations”.<sup>11</sup>

When commenting on the concerns previously expressed by the Committee regarding reported restrictions on women’s right to drive and travel by car (par. 20 d, e of the 2018 Concluding Observations), the state party denied any discrimination on the basis of gender in this area and argued that any checks implemented are aimed at ensuring road safety (par. 87-88 of the sixth periodic report). However, TIHR and other independent sources have learned about the imposition of **new arbitrary restrictions affecting women’s car travel**. For example, in May 2022, Radio *Azatlyk* reported about the introduction of new rules for taxi rides in the capital Ashgabat, with taxi drivers being ordered not to allow women to travel in the front seat next to the driver. The drivers were told that violations of the new rules could result in fines.<sup>12</sup> In another example, in September 2022, TIHR learned that police in Ashgabat were requiring women below the age of 35, who were seeking to obtain or renew their driver’s licenses, to provide documents showing that their parents or other relatives owned a car and allowed them to use it. According to the police, women of this age allegedly did not have the right to own cars. Even after providing the necessary documents, women typically had to wait for a long time to obtain new licenses.<sup>13</sup> Also prior to this, there had been reports about unofficial restrictions being enforced on women’s rights to obtain and renew their driver’s licenses, with, for example, their applications being rejected on various pretexts.<sup>14</sup>

### **Recommended questions**

The Turkmenistani government should be requested to:

- Explain the arbitrary restrictions on women’s and girls’ appearance and conduct enforced in the name of safeguarding traditional norms and provide assurances that it will put an end to such restrictions and protect women from intimidation, harassment and discriminatory treatment in this context.
- Provide an update on measures taken to develop and put into practice effective measures to counter negative gender stereotypes, raise public awareness on these issues and inform women about available mechanisms to challenge unlawful actions to which they may be subjected based on their gender.

## **3. Gender-based violence against women**

In its 2018 Concluding Observations, the Committee called on the Turkmenistani authorities to implement, without delay, a survey on the prevalence of gender-based violence against women, to expedite the adoption of a law criminalising all forms of gender-based violence against women, and to develop a comprehensive strategy to eliminate all forms of gender-based violence against women based on the survey results (par. 23 a-c).

Since 2018, there has been certain progress with respect to addressing gender-based violence against women. In particular, as the state party reports in its sixth periodic report (par. 89-100), the government carried out a **first-ever sample survey on domestic violence against women** with support from the United Nations Population Fund (UNFPA) in 2020.<sup>15</sup> The results of the survey, which featured interviews with close to 3000 women aged 18-59 from different parts of the country, were published in August 2022. Among its key results, the survey found that **16 percent of all surveyed women had experienced at least some form of violence**, including physical, psychological and/or sexual violence by their husbands/partners at some point in their lives. Moreover, **41 percent of the respondents reported encountering some form of controlling behaviour** from their husbands/partners, such as restrictions on leaving the house or on working or studying outside the home. The survey demonstrated an interlinkage between such controlling behaviour and domestic violence, with a large proportion of women considering it a sufficient reason for a husband to beat his wife if she violates restrictions imposed by him.

The survey also found that women victims of domestic violence **rarely reach out for help**, with less than 12 percent turning to the police or other relevant institutions. The results indicated that **social pressure and the fear of “dishonouring the family”** are major reasons why women typically remain silent about violence and refrain from seeking help. In particular sexual violence, which survey respondents reported experiencing least frequently, is associated with a high level of social taboo in Turkmenistan. Over 80 percent of those who sought help did so when the situation had already escalated and they “could no longer endure it”, with 26 percent fearing that their husband/partner would otherwise kill them. Against this background, there is also reason to believe that there **might have been underreporting of experiences of abuse** among those surveyed and that domestic violence against women might be more widespread than the survey results show.

Based on the survey results, a number of **important recommendations** were formulated, including recommendations to adopt legislation on domestic violence, to improve support and protection services for victims of violence, to expand public awareness raising and education to prevent gender discrimination and violence, and to continue data collection on gender-based violence and use the survey data to conduct in-depth research on violence against women belonging to vulnerable groups.

It is welcome that the UNFPA-supported survey was carried out and that the government now has **acknowledged the problem of domestic violence**, saying that the survey provided “an objective assessment of the prevalence of domestic violence against women in Turkmenistan” (par. 96 of the sixth periodic report), unlike previously when it claimed that violence against women is “not a widespread phenomenon” in the country (par. 51 of the state party’s replies to the Committee’s list of issues in 2016). However, it also **imperative that the government takes effective measures to develop and implement a comprehensive strategy for countering domestic violence** against women in follow-up to the survey results, as previously recommended by the Committee. That should, as a matter of priority, include the adoption of a separate law criminalising domestic violence; systematic efforts to investigate, prosecute and bring to justice the perpetrators in reported cases of domestic violence; and the provision of coordinated and easily-accessible support services for victims. In relation to this, the government should also create conditions for the establishment and operation of independent civil society organisations working to monitor, document, prevent and assist victims of domestic violence (for more information and recommendations concerning the conditions for civil society engagement, see the next chapter).



## Recommended questions

The Turkmenistani government should be requested to:

- Provide information on the measures taken towards developing and implementing a comprehensive strategy for countering domestic violence in follow-up to the survey carried out with UNFPA support, as previously recommended by the Committee.
- Provide an update on the measures taken to elaborate a law criminalising gender-based violence, including domestic violence as previously recommended by the Committee.
- Provide detailed information on the number and nature of the investigations undertaken, the criminal charges initiated, the convictions issued and the compensation provided to victims in cases of domestic violence registered since the Committee's last review.
- Explain how independent international experts and civil society representatives will be consulted and engaged in the further efforts undertaken with respect to addressing and preventing gender-based violence and assisting victims.

## 4. Restrictions on women's exercise of the freedoms of expression, association and assembly

The **freedoms of expression, association and assembly continue to be seriously restricted** in Turkmenistan, which undermine the opportunities of women to obtain and exchange information, to engage with others and to speak out on issues relating to their rights.

As previously, there are **no truly independent media outlets** in the country, and all national media outlets (including the few privately owned ones) are subjected to state control and interference with their editorial policies. This results in censorship, both directly and indirectly, in violation of the 2012 Law on Mass Media and the country's international obligations. The government **uses state-controlled media to promote its own narratives** of the situation in the country and **denies and covers up developments that contradict such narratives**. For example, it has failed to acknowledge the scope of the protracted economic crisis in the country and has persistently claimed that the global Covid-19 pandemic never reached the country, although independent sources reported about a serious national outbreak. In this way, the government has **violated citizens', including women's right to have access to information** on issues of public concern.

Internet access in Turkmenistan remains slow<sup>16</sup> and expensive<sup>17</sup> compared to international standards and the internet penetration rate is still comparatively low (estimated as 38 percent in 2022<sup>18</sup>). Moreover, **internet access is heavily censored**, with many social media networks, messenger apps, news sites and other resources having been arbitrarily blocked in the country. Recently independent sources have reported about a further increase of the number of blocked sites.<sup>19</sup> While blocked online resources only are accessible with the help of internet circumvention tools, the authorities have intensified efforts to prevent the use of such tools, including by systematically blocking access to them and intimidating those who install and use them. As a result, citizens, including **women experience serious obstacles to accessing information from foreign sources**, including Turkmenistani news outlets and rights organisations based in exile, as well as **to communicating with relatives and friends** who live and work abroad.

The authorities continue to **intimidate and harass women who dare to criticise government policies, stand up for their rights or be in contact with exile-based groups or activists**, using tactics ranging from surveillance, threats and smear campaigns to arrest, prosecution and imprisonment on politically motivated charges.<sup>20</sup>

These are two examples of intimidation of women who cooperate with TIHR and have public profiles:

- Independent **civil society activist N.S.**, who lives in Ashgabat, has reported being subjected to surveillance on an ongoing basis. At times, the surveillance has been more intense. For example, in June 2020, ahead of the then president's birthday, N.S. told TIHR that security service officials were keeping constant watch outside the house where she lives, with officials taking turns in monitoring her whereabouts.<sup>21</sup> In this way, the authorities were apparently seeking to intimidate both N.S. and people who communicate with her and seek her assistance.
- Independent, Ashgabat-based **journalist S.A.** has also reported being held openly under surveillance and subjected to other forms of intimidation and harassment. For example, in April 2022, she told TIHR that a young man was keeping watch outside her house from early morning to late evening (a photo documenting his surveillance was posted on TIHR's website)<sup>22</sup>. S.A. also told TIHR that security services tried to put pressure on her by targeting people whom she has interviewed, questioning them about their conversations with her and warning them that they may face problems if they continue to communicate with her. According to her, security service officials told her interviewees that she is associated with "subversive foreign organisations working against the state". After this, some people stopped communicating with the journalist.

This is an example of politically motivated arrest and prosecution of a woman standing up for her rights:

- On 16 July 2021, Turkmenistani law enforcement authorities arbitrarily detained **K.I., an Ashgabat-based doctor** who had turned to exile-based human rights groups for help in her struggle for justice over her unfair dismissal from a perinatal clinic (see more background information in the next chapter). Her detention came the day after her case was raised at an online event organized by Members of the European Parliament (MEPs). For almost two weeks, there was no information about her whereabouts or the grounds for her detention; after this, it turned out that she was in pre-trial detention on criminal charges brought against her.<sup>23</sup> On 7 September 2021, K.I. was sentenced to nine years in prison for fraud, document forgery and taking advantage of a dependent person – all offenses allegedly committed in relation to an elderly, disabled man, whom she had previously cared for. At the trial, she was not assisted by any lawyer of her own choice as all lawyers her family approached refused to take up the case given its politically sensitive nature.<sup>24</sup> Human rights groups and MEPs repeatedly called for K.I.'s release.<sup>25</sup> In December 2022, K.I. was released under presidential pardon.<sup>26</sup> This was a great relief, but the authorities should also investigate and hold accountable those responsible for her reported abduction, her incommunicado detention, and the unfair legal process in which she was convicted.

In addition to targeting "inconvenient" people living in Turkmenistan, the authorities have also targeted outspoken activists who live abroad, in particular in Turkey, a country which accommodates a large

community of migrants from Turkmenistan. Through contacts with the Turkish authorities, the Turkmenistani authorities have **sought the detention and return of activists to Turkmenistan**, where they would be at serious risk of imprisonment on politically motivated charges and of torture and ill-treatment. The Turkmenistani authorities have also attempted to make activists based abroad shut up by intimidating and harassing their relatives back home, who have been detained, questioned and warned of serious repercussions unless the activists stop criticising the authorities.<sup>27</sup>

This one example of a Turkey-based female activist who has been subjected to pressure both directly and indirectly through her relatives:

- In September 2021, Turkish police detained **D.T., a Turkmenistani activist** who is openly critical of the Turkmenistani government and has a large followership on social media. She was held for two days in a deportation centre before being released following interventions by her lawyer proving her right to legally stay in Turkey.<sup>28</sup> This was the second time the activist had faced the threat of deportation from Turkey. Previously she was detained in July 2020 in connection with a planned protest outside Turkmenistan's consulate in Istanbul and held for two months pending return to Turkmenistan – the formal reason was a migration violation but, in reality, it was believed to be in retaliation for her civic engagement.<sup>29</sup> At that time, following an international campaign in her support, D.T. was eventually released and granted the right to legally stay in Turkey during the examination of her asylum application. In August 2022, D.T. was briefly detained again at the request of Turkmenistan's consulate in Istanbul in connection with an incident, when she and several other activists were attacked and beaten by a group of unknown, masked perpetrators as they attempted to hand over a letter addressed to the president. D.T. sustained bruising because of the attack and was held for several hours at a local police station before being released.<sup>30</sup> D.T.'s relatives in Turkmenistan have also repeatedly been subjected to intimidation and harassment, including by being summoned for questioning, detained, allegedly ill-treated and pressured to denounce the activist on camera.<sup>31</sup> Most recently, in February 2023, D.T. reported that security services in Turkmenistan had questioned her young son about her and attempted to recruit him as an informant.<sup>32</sup>

The state party reports that the 2014 Law on Public Associations has been amended to simplify the procedure for creating and registering associations, in particular by reducing the number of founders required (par. 126 of the sixth periodic report). This is welcome. However, serious obstacles to the operation of civil society organisations nevertheless remain in place and **only a limited number of registered public organisations currently exist** in the country. According to information provided by the government in March 2023, there were a total of 135 registered public associations, out of which 58 were sport associations, while the others deal with economic, scientific, cultural, ecological and other issues.<sup>33</sup> However, as previously, **no truly independent organisations working on human rights, including women's rights are registered or able to work openly** in the country given the repressive climate there. Independent, exile-based Turkmenistani NGOs such as TIHR have also faced harassment, including cyberattacks believed to be aimed at stifling the organisation's independent and critical reporting about the situation in Turkmenistan and intimidation of TIHR's director and his family members.<sup>34</sup> For example, in November 2021-January 2022, K.Iz., the TIHR director's elderly mother who lives in Turkmenistan, received several intimidating visits by police.<sup>35</sup>

The 2015 Law on Mass Events allows for organising assemblies if the authorities are informed in advance and the venue is agreed with them. At the same time, the law grants wide discretion to local officials to refuse to permit assemblies if the proposed venue is deemed unsuitable and does not allow for spontaneous assemblies.<sup>36</sup> In practice, **public protests are extremely rare** in Turkmenistan because of the risk of persecution associated with any public criticism of the authorities. However, in some cases, **residents – often women - have held spontaneous protests to express discontent** about issues of concern to them such as problems related to the protracted economic crisis in the country and to demand action from the authorities. The authorities have typically **sought to suppress such protests**. These are two examples involving women protesters:

- According to information from the independent Netherlands-based organisation Turkmen News, on 6 March 2023, **a group of around 30 women gathered in front of the presidential palace** in Ashgabat. They were hoping to be able to convey their concerns to the president on a number of issues, including the lack of effective measures by authorities to investigate and address criminal actions to which they and their relatives had been subjected. However, although the women were first promised that the prosecutor general would receive them (as the president was said to be busy), they were soon detained by police and taken to a local police station, where they were held for several hours, questioned and made to write explanatory statements. Finally, they were sent back to their homes in different parts of the country.<sup>37</sup>
- In a case reported by TIHR's sources, **a group of women was standing in line to buy bread** at a store selling food at state subsidized prices in the Turkmenbashi district of Dashoguz region on 9 May 2020 when the government head of the district passed by on his way to inspect an agricultural complex. The women surrounded him, expressed their frustration at the shortage of flour in the district and accused him of being responsible because he had ordered vast lands previously used for wheat farming to be turned into cotton fields. After escaping from the women, the government official called the police, who arrived at the spot and briefly detained the women for questioning.<sup>38</sup>

## Recommended questions

The Turkmenistani government should be requested to:

- Explain how it will ensure women's right to have access to information on issues of interest to them given the current restrictions on media operations and internet use described above.
- Provide information on concrete measures taken to safeguard the freedoms of expression, association and assembly of women activists, journalists and other citizens, based in and outside the country, and to protect them and their family members from harassment and intimidation, in accordance with the Committee's previous recommendation.
- Explain the steps taken to facilitate the establishment and operation in the country of independent women's rights organisations, as previously recommended by the Committee.
- Provide information on any measures adopted to ensure that women are able to hold spontaneous protests on issues of concern to them and explain the treatment of the women who gathered outside the presidential palace on 6 March 2023.

## 5. Violations of the rights of women public sector employees

The rights of public sector employees in Turkmenistan are violated because of a number of state-initiated practices. As women make up the majority of those working in the public sector, they are especially affected by these problematic practices.

Women public sector employees are **regularly mobilised for participation in state-organised celebrations and festivities at the threat of dismissal or other reprisals**. According to TIHR's information, when hired, public sector employees have even been required to sign statements agreeing that they may be dismissed if they refuse to participate in "mass events aimed at glorifying the great achievements of the country and its leadership".<sup>39</sup> State-organised mass events are often preceded by time-consuming rehearsals and, in some cases, **the health and well-being of participants are at serious risk** as they are not granted adequate access to drinking water or opportunities for rest, even when events are held in challenging weather conditions. For example, according to TIHR's information, hundreds of people (including women) required medical assistance when public sector employees were ordered to participate in outdoor celebrations of ex-President Gurbanguly Berdymukhamedov's 65-years anniversary in June 2022 despite exceptionally hot temperatures of over 45 degrees Celsius.<sup>40</sup>

Moreover, as documented by Turkmen News and TIHR based on first-hand information from sources on the ground<sup>41</sup>, **women public sector workers are annually forced to pick cotton** across the country or to engage other people to pick cotton instead of them. The conditions in which they pick cotton are often hazardous and unsanitary, and there are concerns about lack of access to clean drinking water and adequate medical assistance. Those mobilised for participation are often required to work intensely, also during weekends and other days off, while being paid little if any compensation at all for their cotton picking. The use of forced labour in the cotton fields also has a debilitating impact on the provision of education, health, and other basic public services as teachers, doctors and other public employees spend time picking cotton instead of carrying out their regular work.

In addition to being forced to participate in the cotton harvest, women public sector employees are also ordered to participate in **reoccurring so-called *subbotniki*, or days of unpaid public labour**, when they plant trees, clean up outdoor areas and carry out other similar tasks during weekends or other time off from their jobs.

In another ongoing practice, women public sector employees are frequently **required to pay supposedly voluntary contributions from their salaries to cover various costs** related to the organisation of mass events, the cotton harvest or other state initiatives. These contributions can be quite sizeable in relation to the salary of employees and thus have a detrimental impact on the well-being of entire families especially as many families are struggling to make ends meet amid the protracted economic crisis and rising food prices. In a recent example, it was reported in January 2023, that public sector employees in Balkan region were required to contribute funds for the replacement of presidential portraits and accompanying carpets and banners in the offices of their organisations, in addition to paying for new subscriptions to state-

controlled newspapers and journals. These costs (310 manat or around 80 EUR according to the official exchange rate) reportedly amounted to up to 20 percent of the monthly salary of some employees.<sup>42</sup>

Similar to other associations, trade unions existing in Turkmenistan are not independent but operate under strict state oversight and control. For this reason, they are **unable to effectively defend and protect the rights of women employees**, even if they sometimes attempt to do so. This is illustrated by the case of doctor K.I, whom a trade union first supported but subsequently abandoned as she challenged her unjust dismissal<sup>43</sup>:

- In July 2017, K.I. was dismissed from her position as paediatrician at the Ene Myahri perinatal centre in Gokdepe city in Akhal region. According to the dismissal order, she was fired at the “personal initiative” of the director of the clinic for alleged “absenteeism”, although she had held an agreed two-week vacation during the alleged period of absence. The circumstances of her dismissal indicates that she was **fired in retaliation for her demonstration of professional integrity and independence**, which displeased the management of the clinic. She had openly opposed a practice in which patients of the clinic were prescribed paid procedures, which were not medically indicated, as she considered it unethical. She had also refused to participate in state-organised mass events during worktime as she considered her time better spent treating patients. After receiving the dismissal order, K.I. turned for assistance to the Association of Trade Unions of the Ahal region, which concluded that she had been dismissed in violation of the Labour Code and should be reinstated at her job. However, later, the trade union changed its position and withdrew its support. Following a trial marred by irregularities, a local court rejected K.I.’s complaint against her dismissal. She appealed this decision, but the Supreme Court left her appeal without consideration. As K.I. did not succeed in obtaining justice for her unfair dismissal despite her appeals to court, as well as her petitions to other state bodies in Turkmenistan, she turned to organisations based abroad for help. The independent, Netherlands-based organisation Turkmen News published information about her case on its website in November 2020<sup>44</sup> and raised it with international decision-makers. As covered in the previous section, because of her struggle for justice over her unfair dismissal, K.I. was thereafter arbitrarily detained, prosecuted on charges believed to have been trumped-up, and imprisoned. She spent more than a year in prison before being released in December 2022.

## Recommended questions

The Turkmenistani government should be requested to:

- Explain why the problematic practices affecting women working in the public sector, which are described above, remain in place and provide assurances that the government will take effective measures to put an end to them and protect public sector employees against arbitrary restrictions on their rights in violation of Turkmenistan’s international obligations, including under the CEDAW.
- Facilitate the creation and operation of independent trade unions and other associations providing women employees with legal and other support in the defence of their rights.
- Provide assurances that cases such as that of K.I. described above will be thoroughly and impartially investigated those responsible for rights violations held accountable.

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- <sup>1</sup> TIHR report from 23 September 2022: <https://www.hronikatm.com/2022/09/patriarchy-mother-in-lawyers/>
- <sup>2</sup> Report by the state news agency THD from 31 March 2023: <https://tdh.gov.tm/ru/post/35358/zasedanie-kabineta-ministrov-turkmenistana-70>
- <sup>3</sup> This is one example of an appeal submitted by TIHR concerning a devastating hurricane that hit Turkmenistan in April 2020 and its impact: <https://www.hronikatm.com/2020/06/ombudsperson-open-letter/>
- <sup>4</sup> The joint letter is available at: <https://www.iphronline.org/wp-content/uploads/2021/11/ENG-open-letter-Hursanai-Ismatullaeva-23-Nov-2021.pdf>
- <sup>5</sup> For an example of the latter, see: <https://www.hronikatm.com/2018/12/propavshiy-posle-ugroz-v-politsii-pensioner-vyishel-na-svyaz/>
- <sup>6</sup> TIHR report from 26 April 2022: <https://www.hronikatm.com/2022/04/women-morality/>
- <sup>7</sup> TIHR report from 14 June 2022: <https://www.hronikatm.com/2022/06/unhealthy-makeup/>, and Radio Azatlyk report from 6 May 2022: <https://rus.azathabar.com/a/turkmenistan-puts-severe-restrictions-on-women-s-appearances-and-ability-to-travel/31837016.html>
- <sup>8</sup> TIHR report from 14 June 2022: <https://www.hronikatm.com/2022/06/unhealthy-makeup/>
- <sup>9</sup> Radio Azattyq report from 23 November 2022: <https://rus.azattyq.org/a/32145480.html>
- <sup>10</sup> TIHR report from 15 April 2022: <https://www.hronikatm.com/2022/04/no-womens-rights/>
- <sup>11</sup> Radio Azattyq report from 17 June 2022: <https://rus.azattyq.org/a/31902665.html>
- <sup>12</sup> TIHR report from 11 May 2022: <https://www.hronikatm.com/2022/05/front-seat-discrimination/>
- <sup>13</sup> TIHR report from 20 September 2019: <https://www.hronikatm.com/2022/09/woman-drivers-discrimination/>
- <sup>14</sup> Turkmen News report from 21 September 2020: <https://turkmen.news/zhitelnitsy-ashhabada-potrebovali-otmenit-zapret-na-prodlenie-prav-zhenshinam/>
- <sup>15</sup> Available at <https://turkmenistan.unfpa.org/en/publications/health-and-status-woman-family-turkmenistan>
- <sup>16</sup> For example, Turkmenistan was ranked last in an assessment of broadband speed in 224 countries and territories in mid-2021-mid-2022: <https://www.cable.co.uk/broadband/speed/worldwide-speed-league/> Turkmenistan has also repeatedly been ranked among the worst countries in the Speedtest monthly assessment of the average speed of fixed broadband connections worldwide: <https://www.speedtest.net/global-index>
- <sup>17</sup> For example, in 2022, the cheapest, unlimited monthly broadband internet access rate offered by the state monopoly internet provider, *Turkmentelekom* was about 10 percent of the minimum monthly salary for city residents and five percent for rural residents: <https://telecom.tm/ru/internet>
- <sup>18</sup> See <https://datareportal.com/reports/digital-2022-turkmenistan>
- <sup>19</sup> See report from Turkmen News from 10 October 2022: <https://turkmen.news/v-turkmenistane-zablokirovali-tret-suschestvuyuschih-ip-adresov/>
- <sup>20</sup> For more information see joint TIHR-IHR submission to the Human Rights Committee, January 2023: <https://www.iphronline.org/wp-content/uploads/2023/02/TIHR-IPHR-submission-to-the-HR-Committee-January-2023.pdf>
- <sup>21</sup> TIHR report from 25 June 2020: <https://www.hronikatm.com/2020/06/shabunts/>
- <sup>22</sup> TIHR report from 4 April 2020: <https://www.hronikatm.com/2022/04/achilova-surveillance/>
- <sup>23</sup> Turkmen News release from 28 July 2021: <https://turkmen.news/human-rights/ismatullaeva-faces-fraud-charge/>
- <sup>24</sup> For more information on her case, see joint letter by human rights NGOs on her case: <https://www.iphronline.org/wp-content/uploads/2021/11/ENG-open-letter-Hursanai-Ismatullaeva-23-Nov-2021.pdf>; and a joint statement by human rights groups and MEPs on the first anniversary of her arrest: <https://www.iphronline.org/turkmen-doctor-anniversary-statement.html>
- <sup>25</sup> For example, in July 2022, several human rights NGOs and MEPs co-issued a statement on her case: <https://www.iphronline.org/turkmen-doctor-anniversary-statement.html>
- <sup>26</sup> Turkmen News and Radio Azatlyk reports from 3 January 2023, <https://turkmen.news/hursanaj-ismatullaeva-vyshla-na-svobodu/>, <https://rus.azathabar.com/a/hursanay-ismatullayeva-is-free/32205160.html>
- <sup>27</sup> For examples, see TIHR-IHR submission for the Human Rights Committee's adoption of a list of issues on Turkmenistan, December 2021: <https://www.iphronline.org/wp-content/uploads/2022/02/TIHR-IPHR-submission-on-Turkmenistan-December-2021.pdf>
- <sup>28</sup> TIHR report from 29 September 2021, <https://www.hronikatm.com/2021/09/taganova-released/>
- <sup>29</sup> See TIHR-IPHR report from June 2021: <https://www.iphronline.org/wp-content/uploads/2021/06/CLOSED-CIVIC-SPACE-IN-TURKMENISTAN-JUNE-2021-1.pdf>
- <sup>30</sup> Turkmen Helsinki Foundation report from 18 August 2022: <https://www.tmhelsinki.org/article/ae8c6424-42f7-4985-b34a-5280cb601cb4>
- <sup>31</sup> Memorial report from 26 October 2020: [https://memohrc.org/ru/news\\_old/turkmenskuyu-aktivistku-dursoltan-taganovu-osvobozhdyonnuyu-iz-deportacionnogo-centra-v](https://memohrc.org/ru/news_old/turkmenskuyu-aktivistku-dursoltan-taganovu-osvobozhdyonnuyu-iz-deportacionnogo-centra-v)
- <sup>32</sup> See report by Turkmen Helsinki Foundation from 8 February 2023: <https://www.tmhelsinki.org/article/c6c0e061-1564-463a-aebd-b6de1f313cb7>

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- <sup>33</sup> Information provided by the government at the Human Rights Committee review of Turkmenistan in Geneva on 2 March 2023.
- <sup>34</sup> See more in IPHR-TIHR briefing paper from November 2022: <https://www.iphronline.org/wp-content/uploads/2022/11/IPHR-TIHR-briefing-paper-on-Turkmenistan-November-2022.pdf>
- <sup>35</sup> <https://www.iphronline.org/turkmenistan-new-repressive-measures-after-january-2022-events-in-kazakhstan-ahead-of-presidential-elections.html>
- <sup>36</sup> For more information, see TIHR-IPHR submission to the Human Rights Committee, January 2023, <https://www.iphronline.org/wp-content/uploads/2023/02/TIHR-IPHR-submission-to-the-HR-Committee-January-2023.pdf>
- <sup>37</sup> Report from Turkmen News, 16 March 2023, <https://en.turkmen.news/news/turkmen-women-kicked-out-of-capital-for-trying-to-see-president/>
- <sup>38</sup> TIHR report from 10 May 2020: <https://www.hronikatm.com/2020/05/spontaneous-protest/>
- <sup>39</sup> See more in TIHR report from 19 October 2019: <https://www.hronikatm.com/2019/10/pay-to-work/>
- <sup>40</sup> TIHR report from 1 July 2022: <https://www.hronikatm.com/2022/07/show-must-go-on-3/>
- <sup>41</sup> For more information, see the following reports on the use of forced labour in the cotton harvests in 2020 and 2021 researched and drafted by Turkmen News and TIHR, in cooperation with the Cotton Campaign: [https://en.turkmen.news/wp-content/uploads/2021/03/TURKMENISTAN\\_COTTON\\_2020\\_WEB\\_ENG.pdf](https://en.turkmen.news/wp-content/uploads/2021/03/TURKMENISTAN_COTTON_2020_WEB_ENG.pdf); and [https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/62de40eed701ff144dd891c4/1658732787144/CC\\_TKM\\_2021\\_HARVEST\\_REPORT.pdf](https://static1.squarespace.com/static/618550501fe9be0ff3428860/t/62de40eed701ff144dd891c4/1658732787144/CC_TKM_2021_HARVEST_REPORT.pdf)
- <sup>42</sup> Radio Azatlyk report from 6 January 2023: <https://rus.azathabar.com/a/32212428.html>
- <sup>43</sup> For more information on her case, see joint letter by human rights NGOs on her case: <https://www.iphronline.org/wp-content/uploads/2021/11/ENG-open-letter-Hursanai-Ismatullaeva-23-Nov-2021.pdf>
- <sup>44</sup> Available at: <https://turkmen.news/turkmen-doctor-seeks-justice/>