

# Turkmenistan 2023 Human Rights Report

## Executive Summary

There were no significant changes in the human rights situation in Turkmenistan during the year.

Significant human rights issues included credible reports of: enforced disappearance; torture or cruel, inhuman, or degrading treatment or punishment by police and prison officials; harsh and life-threatening prison conditions; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners or detainees; transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; punishment of family members for alleged offenses by a relative; serious restrictions on freedom of expression and media freedom, including violence or threats of violence against journalists, unjustified arrests or prosecutions of journalists, censorship, or enforcement of or threat to enforce criminal libel laws to limit expression; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; restrictions of religious freedom; restrictions on freedom of movement and residence and on the right to leave the country; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable

restrictions on political participation; serious government corruption; serious government restrictions on or harassment of domestic and international human rights organizations; extensive gender-based violence, including domestic or intimate partner violence and sexual violence; trafficking in persons, including forced labor; laws criminalizing consensual same-sex sexual conduct between adults, which were selectively enforced; and prohibiting independent trade unions or significant or systematic restrictions on workers' freedom of association.

## **Section 1. Respect for the Integrity of the Person**

### **a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings**

There were no reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, during the year.

### **b. Disappearance**

There were no new reports of disappearances by or on behalf of government authorities. Nonetheless, an advocacy campaign led by the nongovernmental organization (NGO) Prove They Are Alive! maintained a list of 162 reported cases of disappeared prisoners. The list included former Ministers of Foreign Affairs Boris Shikmuradov and Batyr Berdyev, former

director of the Turkmenbashi oil refinery Guychmyrad Esenov, and others accused of participation in an alleged 2002 assassination attempt on then President Saparmurat Niyazov.

### **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

Although the constitution and law prohibited such practices, there were reports that government officials employed them. Human Rights Watch stated torture was widespread in the prisons and that authorities in the security services and elsewhere in the government often acted with impunity. The NGO maintained that the government did not take steps to increase respect for human rights by the security forces.

#### **Prison and Detention Center Conditions**

Opposition media continued to report prison conditions were harsh and life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate sanitary conditions.

**Abusive Physical Conditions:** Gross overcrowding was a significant problem, according to opposition media.

On October 6, opposition media outlet *Chronicles of Turkmenistan* reported that approximately 50 prisoners undergoing medical treatment in the MR-

B/15 prison hospital in Mary Province were forced to receive treatment in the yard or on open-air beds because they could not pay a bribe to be treated indoors.

**Administration:** The government asserted it conducted investigations of credible allegations of mistreatment.

According to the human rights ombudsperson's annual report for 2022, the controlling agencies that had the right to visit penitentiary facilities without special permission carried out inspections in 2022. The prosecutor's office conducted 490 inspections, and control commissions conducted 12 inspections. As a result, the commissions introduced 33 formal complaints, 259 submissions, 90 resolutions, and four warnings, and 239 employees were subjected to disciplinary actions.

Additionally, the Office of the Human Rights Ombudsperson reported that in 2022 it conducted inspections in the MR-E/13 prison for underaged children in Mary Province and DZ-E/8 prison for women in Dashoguz Province.

**Independent Monitoring:** The government did not permit monitoring of prisons by independent nongovernmental observers. In July the Ministry of Foreign Affairs organized a visit to the Tejen prison in the Ahal region by foreign diplomats.

## **d. Arbitrary Arrest or Detention**

The law prohibited arbitrary arrest and detention, but both remained serious problems. Persons arrested or detained were not entitled to challenge the legal basis or arbitrary nature of their detention.

### **Arrest Procedures and Treatment of Detainees**

A warrant was not required for arrest when officials caught a suspect in the act of committing an offense. The prosecutor general had to issue an authorization for arrest within 72 hours of detention. If investigating authorities did not find evidence of guilt and issue a formal indictment within 10 days of detention, they were required to release the detainee; however, authorities did not always comply with this requirement. If evidence was found, an investigation could last up to two months. A provincial or national-level prosecutor could extend the investigation to six months. The national prosecutor general or deputy prosecutor general could extend the investigation period to a maximum of one year. Following the investigation, the prosecutor prepared a bill of indictment and transferred the case to the court. Courts generally followed these procedures, and the prosecutor promptly informed detainees of the charges against them.

The criminal procedure code provided for a bail system and surety, but

authorities did not implement these provisions. The law entitled detainees to immediate access to an attorney of their choice after a formal accusation, although detainees for various reasons did not always have prompt or regular access to legal counsel. For example, detainees could have been unaware of the law, security forces might have ignored the entitlement to counsel, or the practice of seeking formal counsel was not a cultural norm. Authorities denied some detainees family visitation. Families sometimes did not know the whereabouts of detained relatives. Incommunicado detention was a problem. The extent to which authorities failed to protect due process in the criminal justice system was unclear.

**Arbitrary Arrest:** The law characterized any opposition to the government as treason. Persons convicted of treason might face punishment of up to 25 years in prison. In the past, the government arrested and filed charges on economic or criminal grounds against those expressing critical or differing views.

There were reports of arbitrary arrests and detentions. Authorities frequently singled out for harassment, arrest, or detention human rights activists, journalists, ethnic minorities, dissidents, and family members.

## **e. Denial of Fair Public Trial**

Although the law provided for an independent judiciary, the executive

controlled it. There was no legislative review of the president's judicial appointments and dismissals. The president retained sole authority to dismiss any judge. The judiciary was widely reputed to be corrupt and inefficient.

## **Trial Procedures**

The law provided for the right to a fair and public trial, but authorities routinely denied this right. Defendants frequently did not enjoy a presumption of innocence and were not informed promptly of the charges against them. The government permitted the public to attend most trials but closed those it considered politically sensitive.

Even when the courts observed due process, the authority of the government prosecutor far exceeded that of the defense attorney, making it difficult for defendants to receive a fair trial. Courts often produced flawed or incomplete court transcripts, especially when there was a need to translate defendants' testimony from Russian to Turkmen.

## **Political Prisoners and Detainees**

Opposition groups and some international organizations stated the government held political prisoners and detainees. The precise number of political prisoners remained unknown. Observers estimated between 100 and 200, including the NGO Prove They Are Alive!'s list of 162 political

prisoners.

Those convicted of treason faced 10 to 25 years' imprisonment, although the president could reduce the sentencing period. The government did not permit access to political prisoners by humanitarian and human rights organizations. At year's end authorities continued to hold Mansur Mingelov, Nurgeldi Halykov, and Rustem Djumaev, among other political prisoners.

## **f. Transnational Repression**

**Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or Threats of Violence:** On September 9, Radio Free Europe/Radio Liberty (RFE/RL) reported that a migrant, Maksat Baymuradov, was facing deportation from Türkiye to Turkmenistan. Reportedly, he was arrested on September 1 and placed in a deportation center. Baymuradov spoke about the situation of Turkmen migrant workers in Türkiye and the problems of citizens in Turkmenistan. According to the article, Baymyradov stated he had a residency permit in Türkiye, but was detained after granting an interview in which he criticized the Turkmen government.

On August 31, the Turkmenistan Helsinki Foundation for Human Rights NGO reported that a Turkmen refugee, Ashyrbay Bekiyev, was deported from Moscow to Ashgabat. According to the report, Bekiyev, wanted in



Turkmenistan for alleged “Islamic extremism,” was detained in Russia on May 16. On May 19, a Russian court reportedly ordered his deportation to Turkmenistan for violation of migration laws. On October 12, *Chronicles of Turkmenistan* reported the court of Dashoguz sentenced Bekiyev to 23 years in prison on unknown charges.

On August 3, *Turkmenistan Helsinki Foundation for Human Rights* reported that Turkmen blogger Farkhad Meimankuliev, better known as Durdyev, was deported from Türkiye and convicted in Turkmenistan either for 22 years or 18 years. Meimankuliev was known for criticizing the Turkmen government on social media. Turkish authorities reportedly arrested Farkhad Meimankuliev on May 18 and deported him to Turkmenistan on May 20 for an illegal stay in Türkiye. The blogger’s relatives did not know the whereabouts of Meimankuliev.

**Efforts to Control Mobility:** Opposition and international media alleged that Turkish authorities detained Turkmen opposition activists in Türkiye at the request of the government of Turkmenistan.

## **g. Property Seizure and Restitution**

Not applicable.

## **h. Arbitrary or Unlawful Interference with Privacy, Family,**

## Home, or Correspondence

The constitution and law forbade such actions, but authorities frequently did not respect these prohibitions. Authorities reportedly searched private homes without judicial or other appropriate authorization.

The law did not regulate surveillance by the state security apparatus, which regularly monitored the activities of officials, citizens, opponents, critics of the government, and foreigners. Security officials used physical surveillance, telephone tapping, electronic eavesdropping, and informers. Authorities frequently queried the parents of students studying overseas.

The government reportedly intercepted surface mail before delivery, and letters and parcels taken to the post office had to remain unsealed for government inspection.

According to *Chronicles of Turkmenistan*, authorities conducted surveillance of activists and their relatives. Some persons harassed, detained, or arrested by authorities for their activism reported the government detained and interrogated their family members.

The government controlled all radio and domestic television outlets, but satellite dishes providing access to foreign television programming were widespread throughout the country.

## **Section 2. Respect for Civil Liberties**

### **a. Freedom of Expression, Including for Members of the Press and Other Media**

The constitution provided for freedom of expression, including for members of the press and other media, but the government did not respect this right.

**Freedom of Expression:** The law characterized any opposition to the government as treason. Citizens publicly criticizing the government or the regime faced intimidation and possible arrest. The law required political parties to allow representatives of the Central Election Committee and Ministry of Justice to monitor their meetings. The government warned critics against speaking with visiting journalists or other foreigners regarding human rights problems.

**Violence and Harassment:** The government subjected journalists critical of its official policies to surveillance and harassment. There were reports law enforcement officials harassed and monitored citizen journalists including by monitoring their telephone conversations and restricting their travel abroad.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** The government exercised strict control

over all media and information sources, including restricting the importation of foreign newspapers. Some quasi-independent publications operated, although their stories were largely reprinted from state media outlets or reflected the views of the state news agency.

To regulate domestic printing and copying activities, the government required all publishers, printers, and photocopying establishments to register their equipment. The government did not allow the publication of works on topics that were out of favor with the government, including some works of fiction. The government had to approve the importation, publishing, and dissemination of religious literature.

There was no independent oversight of media accreditation, no defined criteria for allocating press cards, no assured provision for receiving accreditation when space was available, and no protection against the withdrawal of accreditation for political reasons. The government required all foreign correspondents to apply for accreditation. It granted visas to journalists from outside the country only to cover specific events, such as international conferences and summit meetings, where it could monitor their activities. According to the government, 58 representatives of foreign mass media had been accredited in the country, including some with permanent representation.

**Libel/Slander Laws:** According to the criminal code, the penalty for slander

was fines, compulsory labor up to 480 hours, or up to three years' imprisonment. Authorities generally did not enforce the law, encouraging the parties to resolve the conflict themselves.

## **Internet Freedom**

The government restricted and disrupted access to the internet and censored content online. There were reports that the government illegally monitored users' private online communications. Reports indicated the Ministry of National Security controlled the main internet access gateway and that several servers belonging to the Turkmen Communications Agency operated software that allowed the government to record Voice over Internet Protocol conversations, to turn on computer cameras and microphones, and to log keystrokes. Authorities blocked access to websites they considered sensitive, including YouTube, Twitter (now X), Facebook, ICQ, and IMO as well as virtual private network (VPN) connections, including those of diplomatic missions and international businesses; it severely restricted internet access to other websites. There were reports that the security services summoned VPN users to discuss their online activities.

*GlobalVoices* reported on April 12 that between 2021 and 2022, a global team of computer scientists conducted research on internet censorship in the country, in which they tested 15.5 million domains for censorship and found that more than 122,000 domains were blocked.

## **b. Freedoms of Peaceful Assembly and Association**

The government restricted freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

The constitution and law provided for freedom of peaceful assembly, but the government restricted this right by not granting the required permits for public meetings and demonstrations and did not allow unregistered organizations to hold demonstrations. Unregistered religious groups were not allowed to meet, according to the country's religion law. Security forces intimidated groups that attempted to meet in private homes in defiance of the law.

### **Freedom of Association**

Although the constitution and law provided for freedom of association, the government restricted this right. The law required all NGOs to register with the Ministry of Justice and all foreign assistance to be coordinated through the Ministry of Foreign Affairs. Unregistered NGO activity was punishable by a fine, short-term detention, and confiscation of property. The law required all religious groups to register with the Ministry of Justice and set a schedule of fines for religious activity conducted by unregistered groups.

The government reported that as of year's end, 136 NGOs were registered

in the country, including four new public organizations. Of those registered NGOs, international organizations recognized only a few as independent. NGOs reported the government presented numerous administrative obstacles to NGOs that attempted to register. Authorities rejected some applications repeatedly on technical grounds. Some organizations awaiting registration found alternate ways to carry out activities, such as registering as businesses or subsidiaries of other registered groups, but others were forced to temporarily suspend or limit their activities. Although the law stated there was a process for registering foreign assistance, NGOs had difficulty registering bilateral foreign assistance under the decree requiring such registration. According to the law, the government had to approve the registration before the funds were used, and there were delays in the registration process.

Observers noted several barriers to the formation and functioning of civil society. These included regulations that permitted the Ministry of Justice to send representatives to association events and meetings and requirements that associations notify the government concerning their planned activities.

### **c. Freedom of Religion**

See the Department of State's International Religious Freedom Report at <https://www.state.gov/religiousfreedomreport/>.

## **d. Freedom of Movement and the Right to Leave the Country**

The constitution and law did not provide for freedom of internal movement, foreign travel, emigration, and repatriation.

**In-country Movement:** The law required internal passports and residency permits. Persons residing or working without residency permits faced forcible removal to their place of registration. A requirement for a border permit remained in effect for all foreigners wishing to travel to border areas. The law provided for internal exile, requiring persons to reside in a certain area for a fixed term of two to five years.

Radio Free Europe/Radio Liberty reported on August 29 that authorities conducted raids against domestic migrant workers in Ashgabat and sent them back to the provinces. Reportedly as the result of raids, on August 27, authorities detained approximately 500 provincial residents and placed them in a temporary detention center on the outskirts of Ashgabat.

**Foreign Travel:** The government continued to bar certain citizens from departing under its Law on Migration. The law stated that citizens could be denied exit from the country “if their exit contravenes” national security.

The NGO Prove They Are Alive! reported that any of the country’s law enforcement bodies could impose a travel ban on a citizen and that travelers



in various categories could be denied departure, including young men obliged to perform military service; relatives of persons reportedly convicted and imprisoned for the 2002 alleged assassination or coup attempt; as well as journalists, civil society activists, and their family members.

Unless the Ministry of Foreign Affairs specifically approved a program in advance, the government routinely prevented citizens from traveling abroad for programs sponsored by foreign governments.

The law provided for restrictions on travel by citizens who had access to state secrets, presented falsified personal information, committed a serious crime, were under surveillance, might become victims of trafficking, previously violated the law of the destination country, or whose travel might undermine national security. In some cases, the law provided for time limits on the travel ban as well as fines for its infraction. Former public-sector employees who had access to state secrets were prevented from traveling abroad for five years after terminating their employment with the government. The law allowed authorities to forbid recipients of presidential pardons from traveling abroad for a period of up to two years.

According to the Turkmenistan Helsinki Foundation for Human Rights, on April 3, Yakutjan Babajanova was not allowed to leave the country to perform the umrah pilgrimage in Saudi Arabia. After her relatives inquired into the restriction with the State Migration Service and sought support

from international organizations, Babajanova reportedly was able to leave the country August 23 for the pilgrimage.

### **e. Protection of Refugees**

The government reported it cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern. In 2009 the government assumed responsibility from UNHCR for making refugee status determinations, but it did not grant refugee status since then.

**Access to Asylum:** The law provided for the granting of asylum or refugee status, and the government had a system for providing protection to refugees. According to UNHCR, at the end of June the country hosted 13 mandate refugees.

### **f. Status and Treatment of Internally Displaced Persons (IDPs)**

Not applicable.

### **g. Stateless Persons**

The country had a significant population of former Soviet Union citizens who

became stateless following the breakup of the Soviet Union. According to UNHCR, as of June, there were 3,351 stateless persons or persons of undetermined nationality in the country. By September 22, the government had granted citizenship to 1,301 individuals during the year.

Citizenship was derived primarily from one's parents; however, the law stated that the government would register the birth of any child born in the country, including those with undocumented parents. The requirement that applicants for citizenship prove they were not citizens of another country impeded efforts to establish the nationality of undocumented persons. The government reported that for the period from 2011 to the present, 29,697 persons had been provided with citizenship, and 4,438 foreign citizens and stateless persons had received a residence permit.

The law allowed stateless persons to reside in the country legally and travel internationally with government-issued identification and travel documents. Undocumented stateless persons did not have access to public benefits, education, or employment opportunities.

### **Section 3. Freedom to Participate in the Political Process**

Despite a constitutional provision giving citizens the ability to choose their government in periodic elections based on universal and equal suffrage,

there have been no free and fair elections in the country. There was no bona fide political opposition to the president, and alternative candidates came from derivative party structures, such as the state-controlled Union of Industrialists and Entrepreneurs, or were members of individual initiative groups. Presidential elections were conducted by secret ballot and administered by the Central Commission for Holding Elections and Referendums in Turkmenistan. According to the Organization for Security and Cooperation (OSCE), the election law did not meet OSCE standards.

## **Elections and Political Participation**

**Abuses or Irregularities in Recent Elections:** Large-scale observation of the March parliamentary election by outside observers experienced in election monitoring did not take place. The OSCE's Office for Democratic Institutions and Human Rights (ODIHR) and other organizations declined to observe the election given the country's extensive history of electoral irregularities and corruption, as well as the fact that it had not adopted any of the ODIHR recommendations from their 2017 and 2018 reports. ODIHR, however, conducted an election assessment mission of the parliamentary election, which found that the "elections took place in an environment that lacked genuine competitiveness and pluralism" and "noted multiple indications of ballot box stuffing and discrepancies in reported turnout figures."

**Political Parties and Political Participation:** The law made it extremely

difficult for genuinely independent political parties to organize, nominate candidates, and campaign, since it granted the Ministry of Justice broad powers over the registration process and the authority to monitor party meetings. The law prohibited political parties based on religion, region, or profession as well as parties that “offend moral norms.” The law did not explain how a party could appeal its closure by the government. The law permitted public associations and organizations to put forth candidates for elected office.

Neither organized opposition nor independent political groups operated in the country. The three registered political parties were the ruling Democratic Party (the former Communist Party), the Party of Industrialists and Entrepreneurs, and the Agrarian Party. The government did not officially prohibit membership in other political organizations, but there were no reports of persons who claimed membership in political organizations other than these three parties and a smattering of representatives of individual initiative groups. Authorities did not allow opposition movements based abroad – including the Republican Party of Turkmenistan in exile – to operate within the country.

### **Participation of Women and Members of Marginalized or Vulnerable**

**Groups:** No law limited participation of women or members of minority groups in the political process, but their representation and influence were limited. The government gave preference for appointed government

positions to ethnic Turkmen, but ethnic minorities occupied some senior government positions. Members of the president's Ahal-Teke tribe, the largest in the country, held the most prominent roles in cultural and political life.

## Section 4. Corruption in Government

The law provided criminal penalties for corruption by officials, but the government did not implement the law effectively.

**Corruption:** There were numerous reports of government corruption. Freedom House, and the World Bank's Worldwide Governance Indicators assessed that corruption was widespread.

Factors contributing to corruption included the existence of patronage networks, low government salaries, a lack of fiscal transparency and accountability, and the fear of government retaliation against citizens who chose to highlight corrupt acts.

There were no independent institutions tasked with combating corruption. Past crackdowns on corruption typically selective and related to conflicts within the ruling elite. Anti-corruption bodies were allegedly used to extort revenue from wealthy officials and businesspersons.

On March 24, *Turkmen.news* reported on a web of corruption in Turkmen

Chemicals State Concern.

For additional information concerning corruption in the country, please see the Department of State's *Investment Climate Statement* for the country, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

## **Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights**

No domestic NGOs worked exclusively on human rights, although some worked on related social matters. The government refused to register organizations to work exclusively on human rights and made activity by unregistered organizations illegal. The government continued to monitor the activities of nonpolitical social and cultural organizations.

There were no international human rights NGOs with a permanent presence in the country, although the government permitted international organizations, such as the OSCE, to have a resident mission. Government restrictions on freedoms of speech, press, and association severely constrained international organizations' ability to investigate, understand, and fully evaluate the government's human rights policies and practices.

**Government Human Rights Bodies:** The Institute of State, Law, and Democracy was not an independent body, and its ability to obtain redress for citizens was limited. The institute, established in 1996, had a mandate to support democratization. The Interagency Commission on Enforcing Turkmenistan's International Obligations on Human Rights and International Humanitarian Law met biannually to coordinate the implementation of a limited number of recommendations from international human rights bodies. Parliament had a committee tasked with protecting human rights within the country.

The government maintained an ombudsperson who, by law, had to be nominated by the president and confirmed by parliament. The law empowered the ombudsperson to receive and review human rights violations reported by citizens and confirm or deny the violation and advise the complainant regarding legal redress. The ombudsperson was obliged to submit an annual human rights report to the president and parliament, which was required to be published and distributed via local media.

In 2022 the Office of the Human Rights Ombudsperson received 356 written and 167 oral appeals. Only 118 appeals were accepted for consideration.



## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law criminalized rape of women and men, and penalties ranged from three to 15 years in prison. Rape of a person younger than 14 was punishable by 10 to 25 years in prison. A cultural bias against reporting or acknowledging rape made it difficult to determine the extent of the problem.

The law criminalized domestic violence, including spousal abuse, through provisions in the criminal code that addressed intentional infliction of injury. Penalties ranged from fines to five years in prison, based on the extent of the injury, although enforcement of the law varied. Anecdotal reports indicated domestic violence against women went unreported; most victims of domestic violence kept silent because they were unaware of their rights or feared increased violence from husbands and relatives.

In 2022 the government presented the results of the sample survey conducted in February – April 2020 on *Health and Status of a Woman in the Family in Turkmenistan*. The survey covered women from 3,569 households ages 18-59 living in all provinces and Ashgabat. The survey was carried out with the technical support of the United Nations Population Fund (UNFPA), with funding from the government and support from international

organizations. According to the survey, one in eight, or 12 percent, of women experienced physical or sexual abuse by a husband or partner at least once in their lives; one in six women in the country, or 16 percent, experienced some form of abuse by an intimate partner.

**Other Forms of Gender-based Violence or Harassment:** No law specifically prohibited sexual harassment. Sexual harassment reportedly continued to take place in the workplace.

On May 23, RFE/RL reported that police in Mary Province detained two women, accusing them of wearing “clothes inappropriate for Turkmen women.” The women were taken to the police station and released after several hours of interrogation, with a warning to “refrain from light behavior in public places.”

RFE/RL provided several reports on August 3 and August 23 that local authorities again tightened control over women’s appearance in Mary Province and in Turkmenbashi, Balkan Province. Local authorities in Mary Province reportedly held meetings with women employees of state institutions and enterprises and urged them to “be moral and dress modestly.” Officials allegedly warned that women who violated these rules would be fired. In Turkmenbashi, authorities reportedly banned women and girls from having short haircuts and limited the colors in which they could dye their hair.

**Discrimination:** The law provided women full legal equality with men, including equal pay, access to loans, the ability to start and own a business, and access to government jobs. Nevertheless, women reportedly continued to experience discrimination due to cultural biases, and the government did not enforce the law effectively.

In 2022, the UNFPA-supported survey entitled *Health and Status of a Woman in the Family in Turkmenistan* noted that economic violence against women who were married or in a relationship and had their own income was higher in three regions (Dashoguz, Lebap and Mary Provinces) than the national average. The data showed that the respondents often faced a situation where their husband or partner took their money. Residents of Ashgabat were also more likely than the national average to be forced to leave their jobs or to refuse a job offer under pressure from their husband or partner.

On November 8, RFE/RL reported that women under age 40 were unable to receive a driver's license. Speaking at the 44th session of the UN Universal Periodic Review in Geneva on November 6, a representative of Turkmenistan's Interior Ministry said that traffic police found a large number of women driving without a license. The RFE/RL article referenced the government's claim that 9,721 driving licenses were issued to women in the country between 2018 and 2023.

**Reproductive Rights:** There were no reports of coerced abortion or involuntary sterilization on the part of government authorities. Working with the UNFPA, the government, whenever possible, provided health services including HIV prophylaxis, contraceptive medication, forensic checks, and psychological assistance to survivors of sexual violence within 72 hours of a reported attack.

The law stated that women had the right to medical care including prenatal care and safe and effective contraception. Women had the right to freely use contraception. Some women in remote areas gave birth at home rather than make a long or difficult journey to a hospital or clinic. The UNFPA reported 76.3 percent of women ages 15 to 49 utilized some type of birth control for family planning purposes. According to the UNFPA the adolescent birth rate per 1,000 girls ages 15-19 was 27, or 2.7 percent.

According to the government, 10 types of modern contraceptives were included in the list of vital drugs and were dispensed free of charge for women at risk (women with chronic diseases; women who had eight or more children; and adolescent girls ages 15-19). Survivors of sexual violence were provided abortion services.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law provided for equal rights and freedoms for all citizens.

The law designated Turkmen as the official language, and it was the primary language taught in public schools, although the law also provided for the rights of speakers of minority languages. Russian remained prevalent in commerce, but Turkmen was becoming more prevalent in everyday life. Outside the capital, Turkmen was widely used. The government continued to transition toward conducting official business solely in Turkmen.

Non-Turkmen speakers in government noted that some avenues for promotion and job advancement were not available to them, and only a handful of nonethnic Turkmen occupied high-level jobs in government. Applicants for government jobs had to provide information regarding their family background going back three generations.

## Children

**Child Abuse:** Child abuse was criminalized and was outlined by the law as one of the criteria for deprivation of parental rights. Authorities generally did not enforce the law due to Turkmen culture and stigma around the topic.

The government survey on *Health and Status of a Woman in the Family in Turkmenistan* indicated that 1.6 percent of women experienced sexual abuse in childhood (up to age 15).

**Child, Early, and Forced Marriage:** The legal minimum age for marriage was

18 and was effectively enforced by the government. There were no credible reports of child, early, and forced marriage.

**Sexual Exploitation of Children:** The legal age of consent was 16. The law prohibited the production of pornographic materials or objects for distribution, as well as the advertisement or trade in text, movies or videos, graphics, or other objects of a pornographic nature, including those involving children. Authorities generally did not enforce the law due to Turkmen culture and stigma around the topic.

## **Antisemitism**

According to an estimate by the Israeli embassy during the year, approximately 400 to 600 Jews lived in the country. There were no known reports of antisemitic incidents.

## **Trafficking in Persons**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or**

## Sex Characteristics

**Criminalization:** Sexual contact between men was illegal. The law also stipulated sentences of up to eight years for the spread of HIV or other sexually transmitted infections. The law did not mention same-sex sexual contact between women. Enforcement of the law was selective.

**Violence and Harassment:** Lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) individuals under arrest reported being subjected to blackmail, harassment, extortion, and humiliating tactics by state authorities. There were no reports of violence against LGBTQI+ persons, but reporting was constrained by LGBTQI+ individuals' fear of laws criminalizing LGBTQI+ status.

**Discrimination:** The law did not prohibit discrimination by state and nonstate actors based on sexual orientation, gender identity or expression, or sex characteristics.

**Availability of Legal Gender Recognition:** The government provided no legal protection to transgender individuals or recognition of their gender identity.

**Involuntary or Coercive Medical or Psychological Practices:** There were no reports of the use of so-called conversion therapies.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:**

Freedom of expression, association, and peaceful assembly were all technically provided for according to law, but these freedoms were heavily restricted for LGBTQI+ individuals, especially the freedoms of peaceful assembly and expression.

## **Persons with Disabilities**

The law prohibited discrimination against persons with physical, sensory, intellectual, and mental disabilities in employment, education, access to health care, and the provision of state services in other areas. Nonetheless, practical application, such as the accessibility of both public and private buildings, varied. Members of the disability rights community reported that persons with disabilities were generally unable to find satisfactory employment due to discrimination.

The government provided subsidies and pensions for persons with disabilities as well as housing, free health care, and tax-exempt status.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective Bargaining**

The law provided for the right of workers to form and join independent unions and to bargain collectively with their employers. The law prohibited



workers from striking. The law did not prohibit antiunion discrimination against union members and organizers. There were no mechanisms for resolving complaints of discrimination, nor did the law provide for reinstatement of workers fired for union activity.

The government did not respect freedom of association or collective bargaining and did not effectively enforce its own labor laws. No penalties existed to deter violations. All trade and professional unions were government controlled, and union leadership was appointed by the government rather than elected democratically by members. Workers could not exercise an independent or representative voice in state-dominated trade union activities. The government did not permit private citizens to form independent unions. There were no labor NGOs in the country.

Each government agency had a trade union that could receive complaints related to labor matters, as could the country's human rights ombudsperson, but these unions were reluctant to report complaints due to fear of retaliation.

## **b. Prohibition of Forced or Compulsory Labor**

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

## **c. Prohibition of Child Labor and Minimum Age for**

## Employment

The law prohibited the worst forms of child labor. According to the labor code, the minimum age at which a person could enter a labor agreement or contract was 18. A child age 15, however, could work four to six hours per day, up to 24 hours per week, with parental and trade union permission.

The law prohibited children younger than 16 from working more than 24 hours per week and prohibited children between the ages of 16 and 18 from working more than six hours per day or 36 hours per week. The law also prohibited children from working overtime or between the hours of 10 p.m. and 6 a.m. and protected children from exploitation in the workplace. A 2005 presidential decree banned child labor in all sectors and stated specifically that children could not participate in the cotton harvest.

Children worked informally in markets and bazaars as porters, transporting carts with heavy loads.

The Ministry of Justice and the Prosecutor General's Office were responsible for enforcing the prohibition on child labor and could impose penalties for violations, including fines or suspension of an employer's operations for up to three months, sanctions that were not commensurate with those for other analogous serious crimes, such as kidnapping. There were no official figures or independent reporting available on the number of violations to assess whether the Ministry of Justice and the Prosecutor General's Office

effectively enforced the 2005 presidential decree prohibiting child labor. The law prohibited students ages 14-30 from working during school hours but permitted students to work in “voluntary” collective production practices in their free time. Families living in poverty often compelled children to serve as porters in local marketplaces and to harvest carrots in the fields.

#### **d. Discrimination (see section 6)**

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law stated overtime or holiday pay should be double the regular wage. The law prohibited pregnant women, women with children up to age three, women with children with disabilities younger than age 16, and single parents with two or more children from working overtime. Laws governing overtime and holiday pay were not effectively enforced. The government, as well as many private-sector employers, required workers to work 10 hours a day or a sixth day without compensation. Reports indicated many public-sector employees worked at least a half day on Saturdays. Penalties for violations of minimum wage and overtime laws were not clearly defined and there was no state agency designated for enforcement.

**Occupational Safety and Health:** Occupational safety and health (OSH)

standards were not appropriate for the country's main industries. Not all employers provided construction workers and industrial workers in older factories proper protective equipment and often made these workers labor in unsafe environments. Some agricultural workers faced environmental health hazards related to the application of defoliants in preparing cotton fields for mechanical harvesting. Workers did not have the right to remove themselves from work situations that endangered their health or safety without jeopardizing their continued employment, and authorities did not protect employees in these situations.

**Wage, Hour, and OSH Enforcement:** The government reported that the departments of the Ministry of Labor and Social Protection of Turkmenistan conducted state labor inspections of state-owned enterprises at least once every three years to ensure compliance with the law and the approved annual plans.

In 2022, state inspections were carried out at 1,719 enterprises, organizations, and institutions in accordance with the ministry-approved work plans. Employers cited with violations were fined under various articles of the administrative offenses code. The Professional Trade Unions of Turkmenistan also had the power to conduct inspections and meet with workers on matters related to compliance with labor regulations. The government reported that there were 378 state inspectors in the country.

The Ministry of Foreign Affairs reported that in 2022 there were 2,090 violations of the Labor Law.

Credible data concerning the informal economy was unavailable. Wages in the informal sector were unofficial and not regulated by the government. In 2020, the United Nations reported that agriculture was the largest provider of employment in the country in both the formal and informal sectors.