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Committee on Economic, Social and Cultural Rights

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Summary record of the 38th meeting

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Chairperson: Mr. Pillay

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The meeting was called to order at 10 a.m.

Consideration of reports

(a) Reports submitted by States parties in accordance with articles 16 and 17 of the Covenant *(continued)*

Initial report of Turkmenistan (E/C.12/TKM/1; E/C.12/TKM/Q/1 and Add.1; HRI/CORE/TKM/2009)

1. *At the invitation of the Chairperson, the delegation of Turkmenistan took places at the Committee table.*

2. **Mr. Arniyazov** (Turkmenistan), introducing his country's initial report (E/C.12/TKM/1), said that numerous reforms had been undertaken since 2007, notably the establishment of an Interdepartmental Commission on compliance with Turkmenistan's international human rights obligations, responsible for preparing national reports on the implementation of international human rights conventions and coordinating the activities of the relevant ministries, State committees and local executive bodies. In the 20 years since independence, the State party had made considerable economic progress: gross domestic product (GDP) per capita had more than tripled and now stood at \$16,100, and real incomes and wages had also risen. Year-on-year GDP growth was exceptionally strong, driven by increased production resulting from rising internal and external demand. Investment as a percentage of GDP was high, allowing for active diversification of the economy and creation of conditions conducive to innovation and industrial development. In addition to features of a market economy, the Turkmen economic model bore remnants of its Soviet past, such as a significant share of State-owned property, high levels of State intervention, a multiplicity of strategic and short-term plans, and a concern for the population's most vulnerable members. Construction was burgeoning: in 2011, 102 major industrial and social infrastructure sites were under way at a cost of \$6.2 billion. As a result of the efforts towards institutional reform, a Ministry of Labour and Social Protection and a Ministry of the Economy had been established in early 2011. Rights under the Covenant were enshrined in the Constitution and their realization was guaranteed by law. In addition, a number of new legal texts had been adopted in recent years, including the Labour Code, the Criminal Code and the Code of Criminal Procedure, while mention should also be made of guarantees for gender equality, an anti-trafficking policy and measures to support small and medium-sized enterprises.

3. Social services accounted for an overwhelming share of State expenditure. Socio-economic schemes currently under way were intended to resolve some of the urgent problems facing Turkmenistan and included various national programmes to improve living conditions and promote socio-economic development in rural and urban areas, as described in paragraphs 23 and 24 of the replies to the list of issues (E/C.12/TKM/Q/1/Add.1). Additional Government measures had been taken to develop sports and physical education, foster early childhood development and school readiness, expand sanatorium facilities, and promote the domestic pharmaceuticals industry. The right to work and choice of occupation and place of work, workplace health and safety, social security and a range of financial assistance were guaranteed for all citizens under the Constitution. An array of social services were available to support, inter alia, large families, children, orphans and veterans; education was free and health care accessible; the cost of housing and of public services such as transportation and communications was low; and gas, electricity, water and salt would remain free until 2030. Social benefits were universal and regulation of the social system was ensured at the national level, minimizing risk and increasing effectiveness. The adoption of the Social Security Code in March 2007 had immediately led to a surge in beneficiaries and the allotted budget. Some 720,000 persons currently benefited from social

security payments. Reforms to the pension system under way since 2007 were intended to encourage maximum contributions in the course of a person's active working life. Turkmenistan had ratified the Convention on the Rights of Persons with Disabilities in October 2008 and the Optional Protocol thereto in September 2010. Government policy was designed to enable disabled persons to be active members of society. In July 2009, provisions for domestic workers and holders of religious office had been incorporated into the Labour Code. Primary and secondary education was free irrespective of nationality, gender and social origin, and the Government was expanding the network of secondary, post-secondary and vocational schools.

4. Regarding health care, particular emphasis was placed on protecting mothers and children. Integrated programming efforts included national breastfeeding and anaemia campaigns, birth allowances, and an immunization and prophylaxis programme. In 2010, the World Health Organization (WHO) had added Turkmenistan to the list of countries that had fully eradicated malaria. Turkmenistan's substantial preventive efforts had resulted in a drop in mortality and morbidity rates and a radical improvement in health standards. Emphasis was placed on promoting healthy lifestyles, improving primary care, expanding the network of family doctors, and encouraging uptake of voluntary medical insurance. Recent legal measures had been adopted in the areas of health-care standards, remote medicine and computerization, staff training and inspections. Dozens of health centres and hospitals were under construction and specialized district hospitals were being fitted with state-of-the-art equipment. There was an ongoing project to increase domestic production of medicines extending until 2015.

5. Decision 2011/201 B of the Economic and Social Council to elect Turkmenistan to the Commission on Population and Development, the Commission on Narcotic Drugs, and the Executive Committee of the Programme of the United Nations High Commissioner for Refugees bore witness to the country's growing recognition on the international stage.

Articles 1 to 5 of the Covenant

6. **Mr. Abashidze** (Country Rapporteur) urged the State party to respect the Committee's reporting guidelines (E/C.12/2008/2), particularly with regard to reporting deadlines, to indicate whether it needed assistance with data collection, and to increase participation by the population and civil society. The first stage after acceding to a convention was to align domestic legislation with international norms, yet legislative changes in Turkmenistan had been adopted only recently. Therefore, he asked what the status was of the International Covenant on Economic, Social and Cultural Rights in the domestic legal system; how its provisions were reflected in the law; and whether they could be invoked in the national courts and, if so, whether the delegation could provide examples of relevant Turkmen jurisprudence. He wished to know who sat on the Interdepartmental Commission and what it had accomplished to date in relation to economic, social and cultural rights.

7. Given the Committee's position on the necessity of disaggregated data, he asked why nearly two decades had elapsed since the previous census; why any difficulties with data gathering were not reflected in the report; and why international assistance had not been requested in that area. Highlighting inconsistencies in the information provided by the delegation, he wondered whether the data were reliable. He enquired about the exact role of civil society in formulating human rights policy. He requested further information on the National Institute for Democracy and Human Rights under the Office of the President, in particular if it handled complaints, what authority it had, whether it conformed with the Principles relating to the Status of National Institutions for the Promotion and Protection of Human Rights (the Paris Principles), if there were any data on cases and decisions and if the population was aware of the Institute and its work. He asked if there was a specific

gender equality law and remedies and penalties for non-compliance. He encouraged the State party to report not only on its successes but also on any problems and obstacles it encountered in its implementation of Covenant rights. Lastly, he asked for additional information on achievements during the period under review in terms of per capita GDP and economic, social and cultural rights.

8. **Mr. Kedzia** said fuller details were needed on the effective primacy of international law over Turkmen law. According to his information, a person's ethnicity was determined by going back three generations; if that was the case, what was the purpose of the practice and what was its impact on economic, social and cultural rights? He asked why the State party had rejected three seemingly innocuous recommendations made to it during the universal periodic review, namely to review the *propiska* system of registration of permanent residence, to consider legislation and/or additional policy measures to promote tolerance of and non-discrimination against the lesbian, gay, bisexual and transgender community, and to revoke travel bans on human rights defenders.

9. **Mr. Atangana** asked whether there was a national human rights institution in the State party that complied with the Paris Principles, given that the National Institute for Democracy and Human Rights clearly did not operate according to those principles. The Committee would appreciate further information on any steps that were being taken to ensure the independence of the judiciary and to tackle corruption within that institution.

10. **Mr. Ribeiro Leão** requested additional information on case law concerning the rights of members of ethnic minorities to education and work. He would also welcome data on cases involving the eviction of ethnic minority communities from their lands.

11. **Mr. Schrijver** observed that several other United Nations treaty bodies had raised concerns about the State party's policy of "Turkmenization", involving forced assimilation and discriminatory attitudes and practices towards national and ethnic minorities. Those practices affected the enjoyment of the rights enshrined in the Covenant, including the rights to equal treatment, work, education and cultural identity. He asked the delegation what measures could be taken to prevent the continuation of those practices. He also wished to know whether the Government was considering ratifying the Optional Protocol to the Covenant.

12. **Ms. Shin** welcomed the inclusion in the delegation of a member of the State party's Majlis (Parliament), as that institution would have an important role to play in implementing the Committee's concluding observations.

13. She asked whether there were any plans to include representatives of the judiciary and the media on the Interdepartmental Commission on compliance with international human rights obligations, as both bodies played key roles in implementing the Covenant. It would be useful to know how the draft initial report to the Committee had been disseminated to non-governmental organizations (NGOs) and how many of them had commented on it.

14. She emphasized the importance of basic data, without which the Committee was unable to assess the level of implementation of the Covenant in the State party. It would be useful to have data on, inter alia, the number of people with disabilities disaggregated by gender, region, urban or rural area and ethnic background. The second periodic report should also include data on employment, social services and housing, contained in annexes if possible.

15. She requested additional details of the large number of pardons that were being granted at the President's initiative, as indicated in paragraph 66 of the core document (HRI/CORE/TKM/2009).

16. It would remain impossible for women to enjoy the same economic, social and cultural rights as men unless efforts were made to break down the strong gender stereotypes that existed in the State party. She asked whether the Government was aware of such stereotypes and, if so, what steps it was taking to tackle that problem.

17. **Mr. Riedel** drew attention to the need for data that were disaggregated on the basis of the grounds for discrimination that were prohibited in the Covenant. The data should be comparative, on an annual basis, so that the Committee could assess trends and thence make suitable recommendations. He urged the State party to ensure that such data were included in the second periodic report and encouraged the Government to avail itself of assistance from the field offices of the Office of the United Nations High Commissioner for Human Rights (OHCHR) and specialized agencies, as required.

18. He asked whether there were any emergency laws in the State party and, if so, whether they provided for temporary limitation of or derogation from economic, social and cultural rights on the basis of article 47 of the Constitution.

19. It would be useful to know how the National Institute for Democracy and Human Rights was funded and whether there were any plans to make it an independent body.

20. **Mr. Sadi** asked how the provisions of the Covenant were relevant to the State party's new policies and the direction that had been outlined in the delegation's opening statement. He recommended that the Government should focus on the justiciability of the Covenant, set up an independent national human rights institution, disseminate human rights education and take account of the Committee's general comments. The State party's forthcoming reports should include specific details of the programmes carried out in order to implement the provisions of the Covenant.

21. **Mr. Abdel-Moneim** observed that, the more resources a State party had, the more it was accountable for ensuring respect for economic, social and cultural rights. Noting the huge oil and gas reserves the State party had reported in its core document, he said it would be desirable to spend a significant proportion of the revenue from those natural resources on developing a genuine economic infrastructure.

22. The Committee would appreciate additional information on the kind of legal doctrine the State party applied in its legislation. In particular, he asked what aspects of domestic legislation were based on sharia law.

23. **Ms. Barahona Riera** asked what support the State party had received with a view to establishing an independent human rights institution in compliance with the Paris Principles. She would welcome additional details on the Human Rights Information Centre, particularly whether it was a governmental or non-governmental entity and if it was affiliated to any international organization.

24. She would welcome the delegation's comments on what she perceived as a lack of interdependence and universality between civil and political rights and economic, social and cultural rights. Given that the State party made many references to democracy, it would be useful to have more details of its concept of democracy, particularly since the President was such an influential figure and had a significant level of control over the judiciary.

25. The Committee would appreciate an indication of the degree to which the independent media and civil society were truly involved in the human rights system. She asked whether NGOs and the media participated in drafting legislation. It would be useful to have specific details of the plan of action that was being prepared in cooperation with the United Nations Population Fund (UNFPA) to bring domestic legislation into conformity with international requirements and gender-sensitive principles, and an indication of the progress made to date.

26. **Mr. Arniyazov** (Turkmenistan) said that, under article 6 of the Constitution, international instruments took precedence over domestic legislation. In 2007, the Government had appointed a working group made up of representatives of several ministries and departments to bring all domestic legislation into line with international instruments. International expert opinions were sought and best practice from abroad was taken into account when adopting and amending domestic legislation. There was also a thorough public consultation process before the Majlis adopted legislation.

27. The compulsory residence registration system (*propiska*) was necessary in order to enable the Government to keep track of the whereabouts of men aged 18 who had to undertake their compulsory military service. Moreover, the system facilitated the provision of other services such as education and health care. There were no restrictions on movement within the country; all citizens were free to reside wherever they wished, with no discrimination whatsoever.

28. Several representatives of the judiciary were members of the Interdepartmental Commission on compliance with international human rights obligations.

29. **Ms. Atajanova** (Turkmenistan) said that the Interdepartmental Commission was not only responsible for preparing reports to treaty bodies but also undertook scientific research into human rights issues with a view to making recommendations to the relevant ministries as well as to lawmakers for the amending or drafting of legislation. It also received complaints of human rights violations from the public and made recommendations to the ministry or department concerned with a view to addressing the complaint and preventing any recurrence.

30. Its role had recently been expanded in the context of the joint project with the European Commission, OHCHR and the United Nations Development Programme to enhance Turkmenistan's national capacity to promote and protect human rights for the period 2009–2012. A Human Rights Information Centre had been established to organize information sessions, discussions, seminars and other activities with civil society, including NGOs. The Centre had, for example, held round tables relating to the Covenant and preparation of the current report. Information centres would be established in all regions of the country.

31. The Interdepartmental Commission had been created in August 2007, comprising representatives from the Ministry of the Interior, the Supreme Court and the Attorney General's Office; in 2011 representatives from the Ministry of Defence and the Red Crescent Society of Turkmenistan had been added. The Commission's coordinating body was the National Institute for Democracy and Human Rights, whose members included representatives of the Ministry of Foreign Affairs, the Ministry of the Interior and the migration authorities. The Commission cooperated with State ministries with a view to monitoring the compliance of domestic legislation with international instruments to which Turkmenistan was a party and making recommendations with regard to amending or drafting legislation to ensure conformity. In addition to being a party to numerous human rights instruments, Turkmenistan had acceded to the International Convention against Doping in Sport and the WHO Framework Convention on Tobacco Control. It cooperated with regional offices of the United Nations system for the preparation of reports and follow-up of the recommendations of treaty bodies, including the Human Rights Committee, the Committee against Torture and the Committee on the Rights of the Child. The Interdepartmental Commission's mandate reflected Turkmenistan's commitment to strengthening democracy and social and political reform.

32. Her Government was considering ratification of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women and the International Labour Organization (ILO) Worst Forms of Child Labour Convention, 1999

(No. 182). The Interdepartmental Commission was also considering the possibility of making a recommendation on ratification of the Optional Protocol to the Covenant to Parliament and the President.

33. She stressed that the Interdepartmental Commission constituted an independent human rights institution. Its mandate was to undertake research on democracy and human rights and promote legislative reform, democracy and human rights. In accordance with the Paris Principles, it could receive complaints of violations of human rights. It also cooperated closely with international human rights partners. For example, it had organized exchange visits with the Danish Institute for Human Rights. Members of Parliament, representatives of ministries and NGOs had participated in discussions with the Danish representatives. During the Turkmen delegation's visit to Denmark particular attention had been paid to the structure and working methods of the Danish Institute as well as its procedure for dealing with complaints.

34. The Interdepartmental Commission distributed human rights information in both Turkmen and Russian, prepared compilations of international instruments to which Turkmenistan was a party, published a journal on international affairs and was currently reviewing Turkmenistan's human rights machinery with a view to deciding whether the promotion of human rights should be centred on the rights of specific groups such as women, refugees and persons with disabilities or whether the main focus should be on implementation of specific economic, social, cultural, civil and political rights. A recommendation would then be made to the Government.

35. She added that the Commission was working with the United Nations Children's Fund to formulate a programme to promote children's rights, including the rights of children with disabilities. As a result of such activities real progress had been made in the implementation of international instruments and of the recommendations made by treaty bodies and during the universal periodic review.

36. **Mr. Arniyazov** (Turkmenistan) noted that, pursuant to the Constitution, Turkmenistan was a secular State and sharia law therefore had no status in the legal system. With regard to issues of employment of relatives or family members, he said that the Labour Code indicated what documents must be provided for the recruitment of an employee and no mention was made of family members. The only circumstance where closer examination of candidates might occur was in the case of recruitment to specialized agencies where an employee would have access to State secrets.

37. **Mr. Shaliyev** (Turkmenistan), referring to economic indicators and GDP, said that as a result of a multifaceted and integrated approach to promoting economic growth adopted in 2009 GDP had increased by several per cent. Continued growth was anticipated as new strategies were launched and the economy was diversified through the encouragement of new areas of activity and technological innovation based on international trends. To date in 2011 most economic and social indicators had remained positive and economic activity had increased by approximately 14 per cent. Industry and construction represented nearly half of GDP and agriculture some 30 per cent, followed in order by services, trade and transport and communications. GDP had increased by nearly 30 per cent over the previous year. The consumer price index had risen by 5 per cent from 2010 to 2011.

38. The reform adopted following the 2008 economic crisis had focused on utilizing Turkmenistan's tremendous potential by diversifying the economy and changing the country from a producer mainly of energy and raw materials for export to a manufacturing and processing economy. Jobs had been created and the population's quality of life had been improved through development of the road network, expansion of the electricity

system, increased access to clean drinking water, improved social infrastructure including for health care and education, and promotion of cultural activities.

39. The State budget was in surplus and was sufficient to support activities aimed at improving the enjoyment of economic, social and cultural rights. In addition the Stabilization and Saving Fund established following the economic crisis of 2008 helped finance public and private investment in infrastructure and offered 50-year loans at 5 per cent interest. Such investments would ensure continued improvement in the economy and the standard of living of the population and greater realization of economic, social and cultural rights.

40. **Mr. Arniyazov** (Turkmenistan) said that the Constitution prohibited discrimination against women; that principle was reflected in domestic legislation, including with regard to recruitment under labour legislation. Violations were subject to prosecution under the Criminal Code. As for the judiciary, he stressed that judges were independent and not subject to pressure from any authority. The President of the Supreme Court was appointed by the President of the Republic but only with parliamentary approval. The President likewise appointed all judges but only upon the recommendation of a review committee that examined the qualifications of candidates.

41. **Ms. Sysoyeva** (Turkmenistan) said that, in accordance with the Constitution, all citizens were considered to be equal before the law; any discrimination, whether on the basis of ethnicity, national origin, gender, language, place of residence or other grounds, was prohibited. All citizens had the right to work and to choose their occupation and place of employment. Those principles had been incorporated into national legislation, including the Labour Code and the Social Security Code. She noted that there was little statistical information on ethnic communities, but that gap should be filled by the census to be conducted in December 2012, which would identify ethnic groups and their main places of residence. In any case, economic development was occurring throughout the country, benefiting all population groups and regions.

42. **Ms. Atajanova** (Turkmenistan), referring to the involvement of civil society in the preparation of treaty body reports, said that in general the Interdepartmental Commission established a working group for each report made up of representatives of government ministries as well as civil society, including women's organizations, youth, religious leaders and the national Red Crescent Society. The working group could invite other individuals or groups to participate or submit information and also travel within the country to familiarize the population with the instrument in question, organize seminars and seek contributions.

43. As for the issue of clemency and pardons, she said that the National Institute for Democracy and Human Rights could assist in the process of filing applications for clemency and pardon and transmit those applications to the Interdepartmental Commission for its consideration. The Institute was also cooperating with UNFPA in a review of legislation with the aim of incorporating a gender perspective into the legal framework and developing a national plan for gender equality. There was a national plan of action to implement the Beijing Declaration and Programme of Action supplemented by regional plans modelled on the national plan that also incorporated regional priorities. The national Women's Union of Turkmenistan and its regional branches monitored the results of the national plan and progress towards implementing the Beijing commitments. The national human rights plan currently under consideration, if adopted, ought to lead to greater harmonization of efforts to strengthen human rights in Turkmenistan.

44. **Mr. Arniyazov** (Turkmenistan) said that there were no political prisoners or politically motivated prosecutions in Turkmenistan. All prisoners had been convicted of criminal offences. Due process was guaranteed and court proceedings were open to the

public except in specific cases provided for under the law; all decisions were, however, made public. Only civil and criminal courts existed; there were no special military tribunals.

45. **Mr. Annagurbanov** (Turkmenistan), referring to the parliamentary procedure for the adoption of national legislation to ensure all persons, and particularly women, enjoyed their full rights, said that a bill was first published in the press, following which members of Parliament carried out consultations with their constituency members and collected their comments; the bill was then submitted to a parliamentary committee for further discussion and development before being tabled in Parliament. A number of acts had been adopted to ensure the protection and promotion of human rights, including those enshrined in the Covenant. Recent legislation included the revised Labour Code, Code of Criminal Procedure and Criminal Code and a law on guaranteeing the rights of foreign nationals.

46. Equal rights for men and women were enshrined in all current legislation. The population of Turkmenistan comprised 51 per cent women and 49 per cent men. Women had accounted for 17 per cent of persons elected to Parliament in 2008. They were also represented at all levels of government; for example, the current Speaker of the Parliament was a woman, a further demonstration of Turkmenistan's commitment to ensuring gender equality. The State fostered equal access of the sexes to business leadership, and the law stipulated that the unjustified refusal to hire a woman, or her unjustified dismissal, on grounds of pregnancy was an offence.

47. Legislation had also been adopted in March 2011 on the legal residence and employment rights of foreign citizens in Turkmenistan. They enjoyed the same rights, freedoms and obligations as Turkmen nationals. Under the Constitution, people living in Turkmenistan were equal before the law, irrespective of their origin, race, gender, educational level, language or faith.

48. **Mr. Riedel** asked which body would monitor implementation of the Committee's concluding observations in the absence of a national human rights institution. It was important to ensure that they were disseminated as widely as possible, especially among the judiciary, but also among the general public. He wished to know whether civil society, in particular NGOs operating in Turkmenistan, would be involved in their implementation.

49. **Mr. Kedzia** requested clarification on the *propiska* system. Were civilians required to register under the system, or did it apply only to conscripts?

50. **Mr. Arniyazov** (Turkmenistan) said that the Constitution provided for the temporary suspension of the constitutional rights and freedoms of citizens in an emergency situation. The *propiska* was a system of registering one's place of permanent residence so as to be able to benefit from a range of local services. Health care and education were available to all throughout the country irrespective of registered place of residence. It was possible to be registered in one place while living in another.

51. **Ms. Atajanova** (Turkmenistan) said that Turkmenistan appreciated international assistance and heeded the recommendations of all treaty bodies. It made every effort to implement them and disseminate them at all levels of public service and society through training for the judiciary and government officials and awareness-raising campaigns for the general public. They were taken into account when preparing policies and programmes and Turkmenistan also studied and learned from the experience of other countries. Treaty body recommendations were fundamental to efforts to build capacity in human rights protection. Although it was not an ombudsman institution, the National Institute for Democracy and Human Rights undertook responsibility for protecting human rights and ensuring that all citizens were kept informed on how Turkmenistan met its international obligations.

52. **Mr. Abashidze** said he wondered why the statistics provided on employment showed an upward trend when the introduction of new technologies usually signalled job cuts and the disappearance of traditional industries. Were those statistics up to date? Given the influx of foreign investment into Turkmenistan, what steps had been taken to monitor companies to ensure they complied with international labour standards, including the ILO conventions ratified by the State party? He asked for more information on the registration procedure for religious organizations and whether they were free from any government controls or restrictions. He wished to know the difference between registered and unregistered organizations and under what form they could continue if unregistered. He sought clarification on what was meant by the statement in paragraph 20 of the initial report that the Gengesh (Council for Religious Affairs) carried out continuous information and clarification activities among registered and unregistered religious organizations.

Articles 6 to 9 of the Covenant

53. **Mr. Texier** said he regretted the lack of specific statistics for articles 6 and 7 of the Covenant and requested figures on the overall unemployment rate and current and long-term employment and unemployment trends, disaggregated by age group, gender and geographical region. He was concerned at the number of types of work from which women were debarred. According to the ILO, all kinds of work should be accessible to all categories of workers. Referring to article 7, he asked what the minimum wage was, whether it applied to all worker categories and whether it guaranteed a decent standard of living for all workers and their families. No mention had been made of an informal labour sector in the statistics provided, and he wondered if such a sector existed. He requested more information on how labour inspections were organized and the powers of the inspectors. He asked whether the many trade unions existing in Turkmenistan were allowed to establish federations and confederations and to join international trade-union organizations, pursuant to article 8. He wished to know whether workers were allowed to exercise their right to strike and how often strikes occurred. Which job categories were not allowed to strike? What was the situation regarding collective bargaining and, in the event it failed, were workers allowed to exercise the right to strike?

54. **Ms. Shin** shared Mr. Texier's concerns about the State party's implementation of articles 6 and 7 of the Covenant and the lack of detailed statistics. She expressed concern that certain types of work were prohibited for women and asked whether, during the revision of the Labour Code, there had been a public discussion about rescinding the 400 or so prohibitions under the previous Labour Code inherited from Soviet rule, or whether the Government had simply maintained the tradition of debarring women from certain jobs. Legislation should be amended accordingly and efforts made to change the traditional stereotyping prevalent in women's employment. How many jobs were women currently prohibited from carrying out? She asked what sanctions were imposed in cases of discrimination against pregnant women and how many cases had been prosecuted. She also wished to know whether sexual harassment was a criminal offence and with whom a woman who had been subjected to such practices could lodge a complaint.

55. **Mr. Kedzia** asked the delegation to comment on reports that unemployment in Turkmenistan affected 50 per cent of the working-age population. He also asked what protection was afforded to the many Turkmen citizens working abroad, especially as they often worked in the black market. He requested more information on how labour supply and demand was regulated in the regions. With regard to contract terminations, he asked whether any special protection measures were applicable in the case of collective dismissal, or when a person was the sole breadwinner, such as single mothers. He wondered what status labour dispute committees had and how they were composed. What rights did individual employees have to bring their case to the courts if they were in disagreement with the decision of the labour dispute committees? He asked whether there was any

provision for the right to strike, as there had been no recorded cases of strike action since independence. Had there been no labour conflicts resulting in such action, which would be highly unusual, or were workers prevented from exercising that right?

56. **Mr. Abashidze** requested information on the average wage of women in the textile industry and the health and education sectors, as compared to the predominantly male sectors. What steps were being taken to eliminate the pay gap between women and men? He asked what measures were being adopted to ensure a suitably qualified workforce and bring skills into line with the needs of modern-day industry, focusing especially on enabling women to update their skills. He wondered why there was a discrepancy between the age at which women could retire and the age at which they could draw their pension; they could retire at 57, but had to wait until 62, the same age as men, before drawing their pension. He asked how many of the complaints filed with trade unions had been referred to judicial bodies and how many had simply been dealt with by administrative means. Lastly, he asked for more details on increases in the level of pensions and allowances introduced by presidential decrees.

The meeting rose at 1 p.m.