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REPORT

WOMEN: TURKMENISTAN'S
SECOND-CLASS CITIZENS
Equal only to injustice and
vulnerable to arbitrariness



NORWEGIAN HELSINKI COMMITTEE

The Norwegian Helsinki Committee

Established in 1977

The Norwegian Helsinki Committee (NHC) is a non-governmental organisation that works to promote respect for human rights, nationally and internationally. Its work is based on the conviction that documentation and active promotion of human rights by civil society is needed for states to secure human rights, at home and in other countries.

NHC bases its work on international human rights instruments adopted by the United Nations, the Council of Europe, the Organisation of Security and Cooperation in Europe (OSCE), including the 1975 Helsinki Final Act.

The main areas of focus for the NHC are the countries of Europe, North America and Central Asia. The NHC works irrespective of ideology or political system in these countries and maintains political neutrality.

How we work

Human rights monitoring and reporting

Through monitoring and reporting on problematic human rights situations in specific countries, the NHC sheds light on violations of human rights. The NHC places particular emphasis on civil and political rights, including the fundamental freedoms of expression, belief, association and assembly. On-site research and close co-operation with key civil society actors are our main working methods. The NHC has expertise in election observation and has sent numerous observer missions to elections over the last two decades.

Support for democratic processes

By sharing knowledge and with financial assistance, the NHC supports local initiatives for the promotion of an independent civil society and public institutions as well as a free media. A civil society that functions well is a precondition for the development of democracy.

Education and information

Through education and information about democracy and human rights, international law and multicultural understanding, we work to increase the focus on human rights violations. Our aim is to influence both public opinion and governments in human rights matters.

International processes

As with our educational work, the NHC seeks to influence governments and international organisations through participation in international processes, meetings and conferences to make human rights a priority.

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1. Introduction

Turkmenistan is a country in Central Asia with a population of about 5 million and a territory of well 488 000 sq. km. The Karakum desert occupies 80 % of the territory, bordered by the Caspian Sea in the West and low mountains in the South.¹ President Gurbanguly Berdymukhammedov has ruled the country since 2007 and was re-elected by a 97 % landslide in 2012, in elections not monitored by international organisations.

The vast gas reserves allow the President strict control over the poor population, including travel restrictions and collective punishment. Under the same restrictions as men, women additionally face patriarchal traditions, inadequate legislation regarding violence against women and domestic violence, and dismal health conditions.

Turkmenistan borders on Iran, Afghanistan, Uzbekistan and Kazakhstan, and stands out as repressive even in this neighbourhood. On the Economist Democracy Index Turkmenistan shares the 161st place with Uzbekistan, better only than five other countries in the world.² Reporters without Borders place it as number 177 of 179 in their Press Freedom Index,³ while the Freedom House Index gives it the worst score possible, 7.0.⁴

Many of the restrictions women face in Turkmenistan are similar to those women in neighbouring countries like Tajikistan are facing. However, lack of reliable statistics and the authorities' systematic repressive actions towards any activity in civil society complicate attempts to monitor, evaluate or address the situation from within, to a much greater extent than in neighbouring countries. Turkmenistan is the country in the former Soviet Union which remains most inaccessible to international human rights organizations and monitoring groups, even humanitarian organizations.

Principles outlined in the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) are reflected in several codes and acts in Turkmenistan, most recent in the new version of the Constitution adopted in 2008, articles 19 and 20, and in the State Guarantees for Gender Equality Act adopted in 2007.

The report submitted by the government of Turkmenistan to the UN Committee on the Elimination of Discrimination against Women (CEDAW)⁵ in 2011 aims at illustrating the legislative, judicial, administrative and other measures taken by the state to comply

1 <https://www.cia.gov/library/publications/the-world-factbook/geos/tx.html>

2 <http://www.eiu.com/Handlers/WhitepaperHandler.ashx?fi=Democracy-Index-2012.pdf&mode=wp&campaignid=DemocracyIndex12>

3 http://en.rsf.org/spip.php?page=classement&id_rubrique=1054

4 http://www.freedomhouse.org/sites/default/files/inline_images/Table%20of%20Independent%20Countries%2C%20FIW%202012%20draft.pdf

5 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/416/10/PDF/G1141610.pdf?OpenElement>

with the Convention,⁶ ratified by Turkmenistan in 1996. The Optional Protocol to the Convention⁷ was ratified in 2009.

This report contradicts much of the content of the State report of Turkmenistan to the CEDAW.⁸ This is because the report is based on real incidents in the daily life of women in Turkmenistan. It is the result of independent research of Turkmen citizens who are concerned with the situation in the country. Their work has been carried out under difficult working conditions, in an atmosphere of strong control by the authorities. There is significant government repression towards every citizen in the country, in particular towards those who speak out about unacceptable conditions or document such violations. Asking or responding to questions related to the government's performance constitutes a danger not only for the interviewer or the interviewee; as Turkmenistan practices collective punishment, a whole family could be punished for statements made by one family member. For security reasons, sources will therefore not be disclosed, and neither will examples that could identify and jeopardise the source.

The on-the-ground research was carried out within the borders of Turkmenistan, with little access to the limited research available internationally, reliable information from state actors, or official statistics that reflect the life in Turkmen society. There are quite few international sources of information. Turkmen authorities are doing very little to make available reliable official statistics on the social, economic, demographic or ecological state of the country. It is, however, hoped that the 2010-2012 State Program on the transition of Turkmenistan's statistical system to international standards, the recently established State Statistics Committee of Turkmenistan's Russian-language website⁹ and cooperation with international organizations on this matter will provide easily accessible and reliable statistics in the future.

At the moment, much statistical information is unavailable behind a range of stamps and red tape. When some statistics are publicised, for example on the mentioned State Statistics Committee website or on the websites of organizations cooperating with the government, few trust them as they are often believed to be biased or misleading. International organizations like UN agencies cooperate with the state in order to be able to implement programs, and in most cases rely on statistics provided by the state. In 2004, the UNDP found it necessary to publish a disclaimer to the statistics presented in Turkmenistan's Millennium Development Goal (MDG) report, as they wanted to "distance the organization from any controversial data and/or statements that may be included in the document".¹⁰ In many instances, statistics presented by the government are far from reality and of little use for substantial analysis of the situation.

6 <http://www2.ohchr.org/english/law/cedaw.htm>

7 <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/774/73/PDF/N9977473.pdf?OpenElement>

8 Combined third and fourth periodic report of Turkmenistan to the CEDAW <http://daccess-ods.un.org/TMP/9225575.92391968.html>

9 State Statistics Committee of Turkmenistan: <http://www.stat.gov.tm/ru/>

10 http://www.undpkm.org/index.php?option=com_content&task=view&id=1283&Itemid=90



Under these circumstances it is particularly difficult to obtain reliable indicators for various aspects of women's life in Turkmenistan. All numbers in the report are a result of practical work and research, and represent approximates as there were no possibilities to carry out any open and free research according to established scientific standards. The numbers, percentages and considerations in this report are therefore based on on-the-ground research and interviews, counting occurrences of a certain topic over certain periods adding up to a year, in a selection of more than 10 000 women mostly based in the capital Ashgabat, but also in the regions. When assessing the accuracy of the report, the difficult working conditions should be taken into consideration.

As the Turkmen activists who courageously carried out the research regrettably cannot present a report themselves due to security concerns, the Norwegian Helsinki Committee (NHC) submitted a report based on the material collected by them, for the review of Turkmenistan at the 53rd session of the UN CEDAW. The NHC has then edited the submission into this report. Due to the policy of the Turkmen authorities, the Norwegian Helsinki Committee has not been allowed to enter the country for any separate research. We have, however, verified information to the largest extent possible through meetings and interviews with sources outside the country's borders.

2. Recommendations

As the international community's interest in Turkmenistan's natural resources and booming construction market grows, the Turkmen authorities must be challenged on their repressive practices. Before negotiations take place, adequate pressure to meet concrete benchmarks should be exerted on the authorities. There are few independent and dissenting forces inside the country that can fulfil this complicated task alone, including for personal security reasons. Over the last two decades, repression towards civil society activists, their families, their friends and acquaintances have had a silencing effect, and the few initiatives inside the country that are able to work for change are in strong need of help and support from international actors.

Political and economic international pressure on the authorities can contribute to soften repression and intimidation of dissenting activists and the population. International public opinion should be activated, criticising the authorities' discriminatory practices towards women and demanding targeted reforms that will improve women's situation on the ground rather than paper reforms.

The authorities have to develop, adopt and implement genuine programs in support of women. They have to develop targeted strategies, mechanisms and procedures, and create a particular organ specializing in the defence of women's rights. Neither the current Interdepartmental Commission on Human Rights nor the Women's Union of Turkmenistan fulfils this role today.

Turkmenistan enjoys large revenues from its natural resources, and bureaucrats and business actors stand to make a fortune on overpriced contracts and deals that allow them to skim off the surplus for their own pockets. The large government spending on pompous constructions allows for uncontrolled use of government funds rather than to provide social support for the population. Quotes in public media like "today in Turkmenistan we are building about 2227 objects worth \$ 48 billion U.S." demonstrate the large sums in question that are available, some of which ought to be spent on social reform.¹¹

11 «Neutral Turkmenistan» – 177-180, published 09. 07. 2011, on web: <http://www.turkmen-energy.com/>

To the government of Turkmenistan

- Create positive political and economic preconditions in society that facilitate genuine implementation of legal reforms aimed at non-discrimination of women in all spheres of life;
- Create a system for collection of data on the most relevant aspects of women's life with the aim to evaluate the real situation for women and track the development of the situation in the future;
- Develop a program for education and professional training for law enforcement agencies, including judges, lawyers and prosecutors and police officers, in order to firmly entrench a legal culture supportive of women's equality and non-discrimination in the country;
- Undertake awareness-raising campaigns in society and reform school curricula aimed at promoting gender equality and challenge gender stereotypes that contribute to direct and indirect discrimination against women and girls;
- Develop national programs to help women from socially disadvantaged groups and minorities to access education, employment and rehabilitation;
- Create a national public organ on women's rights and the fight against discrimination, for example an equality ombuds institution;
- Modify the existing legislation governing the activities of NGOs by softening the requirements for registration, as well as regarding registration of projects and programs with foreign support, including for women NGOs;
- Develop a national program to support small and medium-sized businesses aimed at developing women's entrepreneurship and involvement in business; develop a national women's micro-credit program and increase women's participation in this sphere;
- Develop national programs in the field of employment, including provision of unemployment benefits, retraining, education, and provision of other state social support for unemployed women as well as men;
- Take steps to ensure that medical services are available to all women, making them free of cost for poor women, and allow medical personnel to report factual incidents in order to collect information and monitor the situation in the field of maternal and child health;
- Adopt a law on domestic violence which provides special legal mechanisms and procedures of protection and assistance to victims of domestic violence, and strengthens prosecution of those guilty of actions of violence;
- Conduct targeted training and education of specialists, psychologists, law enforcement officers and lawyers for work with victims of violence, protection of their interests and assistance as well as work with perpetrators to prevent repeated actions;
- Encourage the creation and expansion of a network of civil society women's organizations working in the field of support to women who have been victims of violence, including opening and equipping centres and shelters to provide assistance;

- Set up a separate structure within the police and the prosecution to provide assistance to victims of violence, including domestic violence;
- Develop a program of rehabilitation and economic empowerment of women exploited in prostitution, former drug addicts and other vulnerable groups, including an integrated approach to the provision of alternative educational and economic opportunities to facilitate their reintegration into society;
- Allow international human rights and humanitarian organizations access and acceptable working conditions in the country.

To the international community

- Openly criticise the authorities' discriminatory practices towards women;
- Demand real reforms, including establishing effective complaints mechanisms, to improve women's situation, and react to and criticise cosmetic reforms;
- Let the authorities of Turkmenistan understand that their statistical data is insufficient and of little use in national as well as international consideration of progress or deterioration.

To international companies operating in Turkmenistan

- Take particular note of the responsibility of their unique presence in a country which is inaccessible for most international organizations in their Corporate Social Responsibility (CSR) strategies, promoting respect of human rights including gender equality wherever possible;
- Adhere to the UN's Global Compact^{12[1]} principles, including: Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights, and Principle 2: make sure that they are not complicit in human rights abuses;
- Seeing that due to the severe restrictions in internationally recognised rights and freedoms in Turkmenistan full complicity with Global Compact is not possible, ensure that staff, local as well as international, enjoy basic human rights for example by facilitating independent labour unions and underline the importance of respect for human rights for continued investment in the country;
- Contribute to the general advancement of human rights and rule of law in Turkmenistan through their activities, and in particular highlight the participation and promotion of women in the company;
- Where governments are large shareholders in companies, these companies should refrain from influencing the respective government's foreign policy, a practice which too often results in softened criticism of Turkmenistan's human rights violations;
- Even though Turkmenistan is not part of the Extractive Industries Transparency Initiative (EITI),¹³ aim to promote its principles of transparency and anti-corruption.

12 [1] <http://www.unglobalcompact.org/>

13 <http://eiti.org/>

3. Constitutional, legislative and institutional framework

Overall, Turkmen legislation does not discriminate women. On the contrary, new legal provisions are mostly aimed at the elimination of discrimination of women in all fields of life and overall protection according to CEDAW, and include various measures appearing to guarantee liability for any violation of these rights. These provisions are repeated in several laws including the Constitution. In 2007 new provisions on equality between men and women and prohibiting gender discrimination were included in the State Guarantees for Gender Equality Act.¹⁴ However, neither the old nor the new laws improve the situation in practice. Rather, the contrast between what is guaranteed by law and what is experienced in real life remains striking.

The laws that defend women's rights on paper create a false façade of good intentions towards women's freedoms and equality in society. However, taking into consideration the current economic and political situation, the realisation of these apparently good intentions is unattainable for women in Turkmenistan in general. The legislation stipulates for example the creation, adoption and existence of state programs to protect gender equality, to protect motherhood and childhood, and measures to facilitate their implementation,¹⁵ but few have heard mention of such programs, and concrete results remain to be seen.

The two legal initiatives pointed out as good examples in the state report in fact illustrate the point. The *State Guarantees for Gender Equality Act* adopted on 14 December 2007 guarantees certain rights for women. However, in 2013, there are still no signs of any state programs for promotion of equal rights for women, promotion of maternal and child welfare, fostering of women's balanced development or support and cooperation with voluntary organizations. Similarly, the President's *State Commission for the review of complaints by citizens concerning actions by law enforcement agencies* was established on 19 February 2007, but thus far nothing is known about the composition, work or results of this commission. Also, the general population is basically unaware of its existence.

The Labour Code's article 241 and the Criminal Code's article 152 guarantee women's participation in the labour force. However, there are no concrete measures taken to ensure that these provisions or the provisions that are supposed to improve the social and economic situation of women are adhered to. Further, neither article 14 nor several other provisions of the Family Code are adhered to in practice.

¹⁴ State Guarantees for Gender Equality Act, – 154 – III, from 14. 12. 2007.

¹⁵ Articles 19-21 of the State Guarantees for Gender Equality Act, – 154 – III, 14.12.2007.



The Criminal Code of Turkmenistan has provisions against causing injuries, torture, various degrees of assault (mild, moderate, severe), murder, abuse, and slander. However, there is no provision on domestic violence in the Criminal code, and there is no separate law that prohibits violence against women. The Family Code prioritizes the interests of the family and of children, and has no mention of domestic violence against women, though it prohibits physical and physiological harm against children.

According to the Government of Turkmenistan State Report, the Government's newly created Interdepartmental Commission on Human Rights has carried out a range of seminars with the participation of a wide range of non-governmental organizations in preparation for the 2012 CEDAW State report. However, beyond the government-controlled Women's Union of Turkmenistan, Makhtumkuli Youth Association and the National Trade Union Centre, there is nothing to indicate that any other organizations were included in or even informed of any such events. At the CEDAW hearing in Geneva in October 2012, the delegation could not immediately list any other non-governmental organizations when asked. It was also unable to explain why the head of the Women's Union was present in Geneva as a member of the official delegation if she was representing an NGO.¹⁶

Women's Union of Turkmenistan is the only organization listed by the government of Turkmenistan as working against discrimination of women. It is fully under control by the government, and funded by the government and the UNDP. Still, most of the women population are unaware of its existence, and those who do turn there for help are not provided with any consultations or assistance. Also, any organization that wants to work in the sphere of women's rights has to do it under the auspices of this union, without any clear reference as to why this should be necessary.

16 Somewhat later, the delegation remembered one more organization – Keyk Okara.

4. Stereotypes and harmful practices

As in many of the former Soviet Republics, many men in Turkmenistan did not manage well to adapt to the changes after the collapse of the Soviet system and the breakdown of the Soviet economic model. Most of the existing production facilities were closed down, and many men found themselves unemployed. Not only did they lose the material base for their life, they also lost their moral basis. There was a reconsideration of values, poverty and unemployment rose, the quality of medical services and other facilities decreased, families suffered and many men could not find their place in the new reality. The main burden of taking care of children and family fell on the women.

Women carry a double work load in Turkmenistan. Firstly, many women are the main bread winners for themselves, their children and their families. The larger part of the substantial¹⁷ prison population in Turkmenistan are men of working age, and while doing time in prison they are unable to support their families. The majority of drug addicts and alcoholics are men, and the compulsory military service removes a large part of the male working population from the labour market. All these factors contribute to the low life expectancy amongst males in the country.¹⁸ As a consequence, male main bread winners are significantly fewer than female. At the same time, women are not lifted of the responsibility for the traditional domestic work. Women also give birth, raise children, carry out the domestic household work, serve all members of the family and keep the family together.

Traditionally, there has been a significant difference in the upbringing of boys and girls in Turkmen families. Girls are taught from an early age to work, carry out domestic household tasks, cook, clean, do embroidery, or sewing, and learn how to weave carpets and rugs. From childhood, an understanding that women have a secondary status to men is encouraged in boys and girls alike. Girls learn to obey men from childhood, including same-age boys, brothers and their friends. At the same time, boys are more or less allowed to do what they want, are free from domestic work and grow up in an atmosphere of permissiveness and lack of supervision. Even if it has become more common recently that also boys have to work in the field or in the bazaar, it is none the less incomparable to the work load on girls.

Common in a traditional Turkmen family as in many of the neighbouring countries, it is expected that a girl will leave the family only when she gets married. Her future is determined in advance. A Turkmen proverb accurately describes the attitude towards

17 Turkmenistan does not officially report the number of prisoners, but reliable sources report this number to 550 from 100 000; see f.ex. <http://iwpr.net/report-news/turkmenistan-builds-new-model-prison>

18 At 65.87 years for males, this number is similarly low also in neighbouring countries in the region: <https://www.cia.gov/library/publications/the-world-factbook/geos/tx.html>

girls and women: *A woman without a husband is a horse without a bridle*. Therefore, many girls are brought up so that it will be easier for them in a new family of strangers, being forced to carry out a heavy work load as if she was already living in a house of strangers. Many Turkmen women strive to live up to the national myth distinguished by high work capacity, diligence and patience. These values are particularly cultivated by elderly female family members, whose authority is undisputable in Turkmen families.

Some paradoxes in the family life illustrate the subordinate role of women in the family. A husband can, for example, make what in his view is a completely reasonable choice: terminate the marriage if the wife cannot have children, or if she only gives birth to girls. This is common in Turkmenistan while most wives adhere to public perceptions, stereotypes and the husband's expectations, and keep having children until they have a boy. Furthermore many husbands, influenced by national traditions and the predominant mind-set, do not see anything wrong in leaving a wife who is ill, or marrying a younger and healthier woman while simultaneously living with the first wife. The reasoning seems to be that a man needs a healthy wife to serve him.

On the other hand, a wife cannot leave her husband or exchange an old or ill husband with a younger; she would be considered a fallen woman not worthy of any respect. This attitude would also reflect on her children. Many Turkmens consider by tradition that the offspring of a woman with bad reputation is unclean, *kharam-zada*, and that this will influence their future destiny. Even amongst their own relatives, such children are often considered outcasts.

These perceptions determine the position of women in relation to men, and also determine their role in the family. The perceptions unavoidably become the base for behaviour stereotypes. The model of the family system reproduces the pyramid of power in society, where the women's role is determined from the beginning. Regular high-level statements by President Gurbanguly Berdymukhammedov further testify to this: "Girls need to learn the basics of sewing, carpet weaving, cooking; in short, everything that a future house wife needs to know... The boys have to plant trees and learn carpentry and other work skills".¹⁹

Also girls that do enrol in universities are subject to similar domestic expectations. On 8 March 2013, the Makhtumkuli Youth Association organised a "Student Beauty" contest for female students in universities. In their coverage, the State News Agency praised the "Culinary abilities of competitors, who were able to show their skills in art of laying of the festive table with appetizing foods, [...]" in addition to dance performances and luxurious costumes.²⁰

19 «Neutral Turkmenistan» – 192 from 23.07.2011.

20 "Triumph of youth and beauty", http://turkmenistan.gov.tm/_eng/?id=1978 accessed 25.03.2013.

A labour division according to gender and a perception of what is women's work and what is men's work is created in people's conscience from childhood. Another example of this is the many construction sites in the capital. The men are construction workers, constitute the technical personnel, supervisors and engineers, whereas women are waitresses, dishwashers and cleaners. Thus, what a woman does at home – cleaning, washing, serving all members of the family, is the same that she does in the society.

Many women support this division of labour in society, and consider it suitable. Some would in fact prefer to stay home as long as the husband supports her and the family. But there are also women who do not have the possibility to be only housewives, as they have nobody to support them. This includes widows, or those who have husbands in prison, who have drug addicted or alcoholic husbands, or those who have never had any husband. These women also have to feed themselves and their families. The government has to a certain extent facilitated labour for men, for example by allowing Turkmen men to work at the many construction sites that used to be only for Turkish workers, even without valid residency permit in the capital. At the same time, they do not seem to see the necessity of facilitating work places also for women, beyond accommodating the working men as described above.

In many ways the current situation is a continuation of the policy of emancipation of women that was widely practiced in the Soviet Union, where women were given the possibility to work equally as men and receive equal salary. In Soviet times, there was a certain balance between men and women in relation to earning money and supporting their families. However, also then there was a certain gender-based division in labour. Those who worked under dangerous, hard working conditions, night time and overtime were mostly men. Also, in factories and plants, in the agricultural sector and other organizations and institutions where most of the employees were female, the head of department, head of the sector and the foremen were as a rule male.

In the criminal sphere, both then and now, the simple actors have been women. Women in fact constitute significantly more than half of the actors in the drug trafficking, prostitution and other crime. In general, however, women do not end up in these spheres out of expectations for a good life, but despair. Traditions from the Soviet times, when the punishment for women was much milder than for men, play a considerable role. A woman who is involved in drug smuggling is for example more likely to get a milder sentence than a man charged with the same offence. They are more often included in amnesties or pardoned just because they are women, and normally have underage children dependent on them. Therefore, men aim at not getting involved in these dangerous activities directly, and rather engage women who in fact suffer from the legal arbitrariness.



The randomness of the legal standing of women is an issue also in the case of the widespread government demolition of houses in the capital and in the regions under the grand reconstruction plans of President Berdymukhammedov. With little concern for the original inhabitants, apartment buildings and houses are demolished to make room for multiple lane highways or pompous government buildings. Adequate economic compensation for demolished houses is as a rule not provided, and it is common knowledge that a substantial bribe is necessary to ensure you will be provided with a flat in one of the new buildings erected in its place. If not, you will be compensated with a flat far from the centre, or with an old flat from the State and Public Housing Fund where an expensive major overhaul is necessary before moving in.

Here, the legal standing of women leaves them in a vulnerable position. Women who live in their husbands' flats but for various reasons are not registered there will not be compensated with space in a new flat. It is government policy that even if a woman is part of a legalised marriage, she will not be counted for in the new flat as long as she is not formally registered in the old flat. The researchers for this report have been informed of many cases where new housing is provided for the husband and the children, and not for the wife. Often, the reason for not having a registration is not lack of effort from the woman's side, rather that the authorities refused her registration.

Women have tried to turn to the courts with complaints where they have asked for the acknowledgement of the right to live with their husband, in order to later use this court order to register with him. But such complaints are no longer received by the courts, and the women end up without registration.

Despite official Millennium Development Goal (MDG) focus since 2004, the number of female students is still lower than males. According to official numbers, only 34% of the students in higher education were female in 2010/2011, while in high school there were almost two times as many males as females.²¹ The economic situation in the country seems to contribute to this discrepancy. Higher education in Turkmenistan is free, whereas specialised secondary schools require a fee. Education has none the less become expensive as the bribes required to enter into higher education institutions have raised to several tens of thousands of US dollars for most. Though there are exceptions and some students are able to enrol for free, many families cannot afford to educate their children on equal grounds. So when many Turkmen parents with low income have to decide where to spend money for education, there is a natural preference for the sons. A son, in addition to other benefits, will also get away with one year compulsory military service rather than two if he enrolls for higher education.

I have a son and two daughters. I sent my son to study in Ukraine, to get higher education. One daughter is already married, and the second will be married soon. The oldest got married as soon as she finished secondary school. In fact she didn't go to school from 5th grade, but none the less got the diploma for secondary education. Why should she go to school after 5th grade? She had learnt how to read, write and count, and that's enough for a girl. Now she's married, has two kids and is busy with the household in the village where she lives. So my second daughter will also be married as soon as she turns 18. Why should they study – they will anyway get married, have kids and be busy with the household, and education is expensive. There is no point in wasting money on educating the girls, but in order for my son to achieve something in life he definitely needs higher education.

[Name withheld], male, 45 years

The authorities have publicly underlined government intolerance of corruption and initiated some actions aimed at counteracting corruption in education, for example video surveillance or MNB Secret Police officers observing exams. However, these new features have yet to obtain trust in the population, as the perception is that most of the corruption takes place elsewhere.

The question of women's dress continues to be a subject of high level state politics. A certain form of dress-code for girls, young women and women has been developed

21 Millennium Development goals in Turkmenistan: http://www.undptkm.org/index.php?option=com_content&task=view&id=1283&Itemid=90

which more resembles a uniform than a dress. The idea is that it should be national, though it has been subject to certain modifications over time, and is now in practice different from the pure national dress in historical understanding and more similar to a uniform. The national Turkmen dress is traditionally considered by the population to be very beautiful, original and distinctive, but with the current state policies a discontent in the population is growing.

Girls, irrespective of nationality, are only allowed to come to school wearing long green straight-cut dresses covering the ankles. The sleeves shall also cover the wrists – dresses with short sleeves are not allowed. The embroidery on the chest shall be small and modest. The hair shall be gathered in two plaits, not one, and accompanied by the skull-cap *takhya*. If the girl comes to school wearing anything else than this attire, she will not be let in.

The somewhat older female students have to wear a burgundy dress from panne velvet, a fabric popular with Turkmens since Soviet times. Sometimes they are allowed to wear a blue dress, but the burgundy dresses are preferred. The students' dresses shall also be long, covering the arms to the wrists and the legs to the ankles, even to the soles. Female students have to appear at the institute in these clothes in order to be let in. This is particularly scrupulously adhered to in the higher education institutions where there are more girls studying - health care, arts and cinema, and economics.

Married women who work in the wide government sector from ministries to kindergartens have to appear at work wearing dresses with embroidery from neck to waist, with the same length on dress and sleeves as the younger girls. Women are allowed to wear dresses of different fabric, but the panne velvet is preferred, in particular on festive occasions. A married woman is also expected to wear a shawl on her head, tied in a particular way so that it covers her hair.

In addition to this established dress-code in public and official arenas, the first pages of the official newspapers have also printed guidelines by the President for more private occasions. In a recent statement, he stated that it is more appropriate for young brides-to-be to wear national dresses at their wedding rather than the white European dresses that have become so popular lately.

Also men employed in one of the many state institutions have to wear the *takhya* and long sleeves during working hours and affiliated happenings no matter the temperature. Though a certain dress code hence is required for both genders, the dress code for men has a professional base, whereas for women it is patriarchal and rather based on modesty, homogeneity and denied personality.

Religious beliefs have had a distinct influence on the society, even if Turkmens traditionally practiced an adapted, moderate Islam. Because of their nomadic lifestyle,

they have never been capable of following all of Islam's religious canons in detail, and this has influenced the religious expressions. Local traditions, customs and common law, *adat*, have had a more significant influence on their life than their religious beliefs. The national understandings, traditions and customs regulating women's role in the family often had a preferred position compared to religious dogmas as well. For example, Turkmen women never wore the *parandja*, *chador* or similar veils. Girls did not cover their faces before marriage, and only wore the traditional skull cap *takhya*. After marriage women covered their head with a veil, the *yashmak*, which completely covered the hair and neck, and one end covering the mouth. Married women were, however, only expected to cover their mouth with the *yashmak* in front of her mother-in-law, the older brothers of her husband and other elder men.

However, among the norms of Islam that are followed by the majority of the country's population today, many are referring to the secondary role of women. According to these norms, a woman has to subordinate herself to a man without question, obey him and aim to fulfil all his wishes. Furthermore, in Turkmenistan as in other countries around the world, many men are using the religious postulates to their benefit – referring to them when they it is in their interest, happily forgetting about them when it is not. Hence, many men lift themselves of the obligation to support the family, but maintain the role as head of the household. According to the research for this report, women and not men support approximately three quarters of the families in Turkmenistan, even if the canons of Islam say the opposite should be the case.

Muslim religious understanding of the woman's role in the family has also influenced the attitude of many men to see the woman as his property. If the property does not suit him anymore, is old or not exactly how he would prefer it to be, he can easily get rid of it or exchange it. If the woman does not obey her husband, she can be beaten. Many men use their interpretation of religious beliefs as the driving force when it comes to opening for and using violence against women, in particular their wives.

A couple of final images illustrate the role of women in the Turkmen society. When it was time to vote in the presidential elections in 2012, the president appeared with his family consisting only of males. There was not one single woman present – no mother, no wife, no daughter-in-law. An impression was made that there was no place for the women next to the men at the polling station.

Another indication of women's standing in society is the secret order to not give women driver's licenses. The aim of this order, passed on down to the bureaucrats in the first line through the appropriate channels, seems to be to reduce the number of women behind the wheel. The argument the women face in the police stations are that women's nature does not allow them to drive a car; they have slow reaction, they are not attentive, get confused in unexpected situations and would even let go of the wheel in panic.

5. Violence against women

Violence against women is a significant problem in Turkmenistan. At the same time, it is one of the most difficult problems to solve, as it is hushed up both on the government's side as well as on the victims' side. The government does not acknowledge the existence of violence against women, whereas it in fact is quite widely distributed. It is not accepted in the national discourse to talk about such issues, and according to official numbers there are only a few isolated cases. As a result, there is no basis to pay any attention to it as a phenomenon, women subject to violence or harassment have nowhere to turn, and there is no apparatus to protect them.

Domestic violence against women is quite common. However, the complex psychological aspect of domestic violence is valid in Turkmenistan as elsewhere. Victims of domestic violence are prone to blaming themselves and their "improper behaviour" rather than the abusive husband. They think that what they did or said must in one way or another have angered their husband, and therefore blame themselves and defend his behaviour. Many victims of domestic violence will never tell anyone about what is going on, and will try to hide incidents of violence in a convincing manner. The common understanding that it is embarrassing and shameful to "carry the garbage out of the hut", as the Russian proverb goes, also plays a central role.

Public opinion sees little wrong in this practice. There are all kinds of things going on in families, and a woman would not be a woman unless she was enduring and patient, the sayings go. Furthermore, this common understanding is more likely to blame the woman for the violence than to pity her, not to mention help or protect her. A woman victim of domestic violence will more often be left on her own with her problems. Also relatives, sometimes even including her parents, will typically refrain from helping her, or try to stay away from interfering in the situation at all.



Condemnation of divorce and public opinion is a significant obstacle for many women subject to domestic violence. Also, some women have no choice but to endure the beatings and the harassment from their husbands, as they are, at least formally, economically and materially dependent on them and do not have anywhere to go or anywhere to stay if they leave their husbands. Others will endure because of their children, so they at least will have the possibility to grow up and be raised in a complete family, with their own father. There are also those who love their offender no matter what, and are prone to do anything to forgive him. The behaviour of female victims of domestic violence in Turkmenistan, as in other places, is characterised by a multitude of complex considerations and apparent contradictions.

My husband is unemployed and a drug addict, but has not always been like that. Over the last three years he has started smoking marijuana, and I don't recognize him anymore. We have three kids, and life with him has become almost unbearable. Almost every day he finds something wrong with me for no reason and starts shouting and throwing things at me and the kids. We often don't manage to turn around in time, and get bruises from these things or from when he beats us. We are very afraid of him, but I don't have anywhere to go. My parents won't take me back as it's not supposed to be like this, and anyway my brothers and sisters live there. Anyway I don't want to be a divorcee, and I can't go to the police because it's a shame to complain on your husband. He is also threatening me all the time, that if I complain to anyone he will kill me. So I try not to upset him, and when he comes back late I lock myself and the kids in another room with a padlock so that he will not barge into the room. Sometimes it helps.

[Name withheld], female, 38 years

There are many cases of violence, but not many speak of them, and they rarely become known. Even the few women who decide to talk about it, for instance to a psychologist, decide not to turn to the law enforcement agencies. The few who do turn to these agencies often withdraw their claims after a while. Many beg the police officers to drop the charge, as they have "forgiven their husband".

A significant obstacle for the victims who are actually prepared to take their cases to court is the lack of understanding from the side of the police officers. They are most often men, neither ready nor capable of understanding the woman's situation. More often than not, they are moved by male solidarity or an illusion that if a woman is subject to violence in the family or elsewhere, she is herself to blame. Such officers do not only lack sympathy, but also fail to fulfil their direct obligations as law enforcement officers to protect women's rights and bring the person guilty of criminal actions of violence to responsibility according to the Criminal Code.²²

22 Though there is no separate law on violence against women, acts of violence in general are covered by the Criminal Code.

In particular it is hard for women who are married to men with high state positions, government bureaucrats or men who work in the law enforcement agencies. These women find themselves twofold without rights and protection. Men in these positions have a significant network and much power, and their wives have little faith in any positive result from resorting to legal means of protection from her husband's colleagues. There are also known cases of wives who themselves are administrative employees of the law enforcement agencies but still have done nothing to protect themselves from their husband's violence.

The research for this report has discovered many claims from female victims of violence that police officers in particular in the lower ranks behave improperly. They laugh, some openly side with the husband and even announce that if he is beating her there is a reason, she deserved it, and she should obey her husband next time. Such attitudes demonstrate the lack of preparedness of law enforcement officers to work with these complex cases. Many consider domestic violence cases as family rows and a waste of time. They are of the opinion that it is trifles not worthy of any attention, and many police officers do their outmost to make the victim withdraw her complaint.

The response and treatment the victims are facing at the police stations is only one side of the problem. Another is that government structures seem to assume that the low number of reports of domestic violence means that there is no such problem. They do not strive to take any measures to eliminate actions of violence, or to protect the victims of such violence. Meanwhile, preliminary numbers from the research for this report show that more than one third of women in Turkmenistan are subject to domestic violence on a regular basis. These numbers include not only those subject to physical violence, but also those who experience psychological pressure, humiliation and insults and other forms of psychological abuse. This is particularly common in families where there is a drug-addicted husband, son or brother. As drug addiction has become widely common in Turkmenistan, the prevalence of domestic violence has also grown accordingly.

The few public statements about violence against women in Turkmenistan concerns cases that take place outside the family. Even so, there is no separate law prohibiting violence against women. While there is legislation stipulating mechanisms and procedures aimed at criminalising violence, it is not effective. The Turkmen government reported to the CEDAW that some training sessions for law enforcement agencies have taken place, but there are no state programs that aim at fighting violence against women, no state crisis centre that offers help and protection to victims, and so far no prepared specialists in the law enforcement agencies that could work with these questions and defend the rights of the victims.

6. Nationality

Women from national minorities suffer from twofold discrimination, both as women and as members of a minority group. National minorities in Turkmenistan are Russians, Uzbeks, Kazakhs, Armenians, Azeris and others.²³ For women who represent national minorities higher education in Turkmen universities is very unlikely. Many are simply not accepted in the universities because they are not Turkmen nationals. This is due to another secret order that has been strictly enforced for many years, passed on from the top ranks down to the common bureaucrats and adhered to more strictly than regular laws. Similarly, all education takes place in Turkmen, and if you return to Turkmenistan with a diploma from abroad, you have to take an oral exam in Turkmen as part of the approval process.

The few women from national minorities who do enter into higher education institutions are not allowed in if not dressed in national Turkmen dresses. A woman does not only have to be dressed in the Turkmen national dress, but her head should also be covered with a scarf, or the national embroidered skullcap *takhya*. Dressed any other way, no students are allowed to appear in the university no matter nationality. Male students of all nationalities have to wear shirt and *takhya*, but are not forced to wear full-scale national dress, topped by the famous tall sheepskin-cap *telpek*.



23 <https://www.cia.gov/library/publications/the-world-factbook/geos/tx.html>

It is difficult for women in general to obtain a position in any government organ, institution or agency with power. For women who belong to any of the national minorities, it is twice as difficult. Again there is a secret order prohibiting hiring minority women to positions with any sort of power. As noted above, mainly men work in such positions, and if there is a choice between a woman and a man to any position, the latter would always be preferred. The preference for Turkmen nationals adds to the twofold discrimination.

There is also a widespread practice of discrimination of people with dual citizenship of Russia and Turkmenistan. The government originally announced that people who obtained their Russian citizenship before Turkmenistan's new Constitution prohibiting dual citizenship entered into force would maintain the right to both citizenships. However, in practice, these people have not been able to get the new biometric Turkmen passport. They are thus unable to find a job either in the state services or in any state institution, undertaking or organization. Government politics seem aimed at ousting these people from the country through these discriminatory practices, limiting the freedom of movement of those that used to have a possibility to make use of travel without the permission of the government.

7. Employment

Women's standing in the labour force is mainly characterised by two factors. Constituting the larger part of the population in general, they make up the main part of the working population in most of the labour spheres. In industries such as education, healthcare, service, agriculture, trade, financial services, food service, textile industry, carpet weaving or utilities, women account for more than half of the workers, and in many cases two thirds. In the few remaining factories and plants in Turkmenistan, such as dairies, bakeries, meat processing plants, textile mills and most of the poultry farms, the main part of the staff are women. In agriculture, sowing, weeding and the harvesting of cotton, vegetables and greens, the number of female employees is more than three quarters. Women in practice constitute all of the low-paid and low-qualified labour, with the exclusion of construction work, geological exploration and gas and oil production.

On the other hand, these are the women who succeed in finding registered work despite the range of legislative and societal obstacles outlined in this report. The women who fail to get registered work have to feed themselves and their families by small-scale manufacturing and sale of foodstuffs or embroidery. These women are also the main bread-winners of their families, but are not reflected in labour and employment statistics, do not obtain any salaries or pensions and lack social security even on paper.

Furthermore, men constitute most of the managers and decision makers. In the security services, courts, police, prosecution, and local government *khyakimliks*, there are mainly male staffs, accompanied by the occasional female secretary or administrative personnel. The structure of the labour force is such that the majority of the working age population and labour force are women, whereas those who are granted the possibility and access to make decisions in this sphere are men.

As mentioned above, reformed Turkmen legislation in fact opens for equality in the labour sphere through benefits for women employees. However, in order for all the existing guarantees and welfare payments for working women to be realised in practice, it is not enough to pass legislation. The positive conditions that can allow for the realisation of the intentions must also be present. In practice, the legal norms that are supposed to protect the rights for working women, may actually work against them.

According to the law, women have the right to a paid maternity leave during pregnancy and birth, she is entitled to child care leave and in most instances the firing of pregnant women and women with children up to three years is prohibited. Also, it is prohibited to include women in overtime work, night-time work or in dangerous

working conditions. Knowing this, many employers strive to not hire women at all for more valued positions, despite the direct prohibition on such discriminatory practice. Of course, none of them will say that the reason for not hiring an applicant is that she is a woman, but say that the vacancy is already filled or that her qualifications are not satisfactory.

The critical economic situation in the country complicates the observation of gender equality and of benefits aimed at employed women. Previously, according to the law, the maternity leave payment constituted 100% of the salary earned by the woman until the maternity leave started. Today, according to the 2007 Social Security Code, this payment is determined based on salary savings funds in public sector enterprises and institutions. This gives the employer the possibility to pay the very minimum sum, if he chooses to pay it at all. In Soviet times, the leave for child care up to 1.5 years was partially paid, and while no leave was paid from 1.5 to 3 years of age, the mother's workplace remained. The current legislation has no provision that guarantees any paid leave for child care until 3 years, but there is a guarantee that the workplace should remain in this period.

Few women make use of this leave. First, they will not have any means to support their family during the leave. Second, they understand that it is not very likely that their work place will remain if they return after three years' child care leave. On some occasions in government institutions, it can be possible to make an arrangement that your job is kept. But in private enterprises, this is seldom a possibility. It is therefore not common for women to make use of this right under any ownership.

The government welfare payment which is guaranteed for women on child care leave is so small, and the process to obtain it so bureaucratic with its long list of required certificates and other documents, that there is no real benefit in it for the women. In practice, most women who have given birth and are on maternity leave return to work after a month or two depending on their recovery, so that they will not lose the place of employment that is feeding their families. Under the modern market economy which gives priority to profit, the rights of working mothers is not given due weight.

For pregnant women and women with small children, it is practically impossible to find formal work. Pregnant women are not hired even in government institutions. As soon as an employer discovers that a female employee is pregnant, he will strive to fire her on any grounds. Many women are forced to hide their pregnancy from the employer as long as possible, so that he will not fire her until she has reached the period when she is entitled to a leave. As a result, they have to carry out work that is harmful and even prohibited for pregnant women for medical reasons. This is particularly common in the agricultural and service industries. Ignoring the medical recommendations, they work in harmful working conditions, carry out heavy lifting, work night time and overtime, knowing that this can affect negatively on their

own health and the health of their unborn child, lead to unwanted and negative consequences for the pregnancy, a hard and complicated labour, and threats to the normal development of the child. Priority is given to keeping the job that feeds the family.

Further, employers are well aware that if a female employee is pregnant, they have to pay her maternity leave. Also, they expect women with small children to go on temporary leave more often as small children more often get ill. Even as payment for temporary leave has not been paid in private enterprises for many years already, and this payment is very low in government institutions, a better option is to avoid paying anything at all by not hiring women in this situation in the first place.

I worked as a salesperson in a private shop. I was already married when I started working there, and the owner asked me if I was pregnant or was planning to have a baby in the nearest future. I told him I was not, and he warned me that if I were to become pregnant I would have to quit working there. There was no written agreement on these terms or on my working there at all, but I agreed as it would be hard for me to find anything else without connections. For three years I worked there, I enjoyed the work and I was good at it, I was paid decent and even got some bonuses when I did extra well. But then I realized I was pregnant. Knowing my terms, I kept hiding it in the beginning, but as it became obvious I decided to tell the employer. I was confident that as I had fulfilled my duties there well for three years he would agree to give me a short leave, even unpaid, and I'd be back soon after birth. However, he became angry, said I had violated the agreement, and even if I were to return even after a few months after birth, he had no use for a mother with small children who would be ill constantly. He told me to not return even the following day. As it turns out, I was happy he even paid me due salary for the month until that day...

[Name withheld], female, 23 years

In fact, the new labour code of 2009 reflects the real power balance as the stipulated requirements are rather vague and include little more than general terminology. Previously, the payment for an employee on temporary leave was determined according to his or her workload. Now, as very few received any payment anyhow, this norm is absent. If an employee does receive anything, it is only in state-owned enterprises. But also there, the amount of payment for sick leave is determined according to the salary savings funds, and does not follow any agreed percentage.²⁴ Most of employees do not take sick leave. They understand that the employer does not need a sick employee, and that if the employee gets sick, he or she will more often be fired immediately. It is therefore not advantageous neither for the employees nor the employer to use this possibility.

24 Article 154 of the Labour Code of Turkmenistan of 18.04.2009, in force 01.07.2009



In a situation of mass unemployment, where more than half of the work force is unable to find formal work, the oversupply of work force is obvious. Even to get an underpaid, low-qualified job, one is dependent on cronyism, connections, acquaintances, relatives and money to pay the necessary bribe. There are no unemployment benefits. There are no state programs in the field of employment, requalification of workers, training, or any sort of economic or social support to the unemployed. Under such circumstances, an employer of any legal status has more beneficial conditions than those being unemployed. The employer can always fire anyone without any trouble, as there is a long line of potential workers waiting outside who are ready to work for even less beneficial conditions. Nobody is protected from arbitrary termination of their employment, in particular not women.

The new labour code in fact includes norms that actively benefit employers. For example, the following deadlines are established if an employee turns to the court or commission with labour related conflicts: An employee who disputes the termination of the work agreement should submit all documents to the court within one month after he/she is given a copy of the order to terminate the work agreement. An employee in other labour related conflicts should submit all documentation within three months from the day when the employee was informed of or should have understood the violations of his/her rights. For the employers, however, in conflicts

related to the compensation of material loss, there is a one year deadline from the day the employer discovers the damage caused by the employee.²⁵

As it turns out, the weakest party, the employee, is given a one or three month deadline to complain on the actions of the employer, whereas the stronger party is given a whole year. In practice, the following is more likely to take place: If an employee is fired for any reason, the employer normally would not provide any of the necessary documentation on time; neither the settlement, the labour book, copies of hiring and firing from work, or copies of the work contract. As a result, the employee does not have time within one month or even three to prepare all the necessary documentation. Whereas the court has the possibility to postpone the deadline this rarely happens, and the judges do not accept any complaints after the deadline has passed.

Even if the employee makes it before the deadline and is successful in filing a complaint, his/her case might not be found to meet all requirements. Approximately three quarters of the cases that reach the court are rejected. In general, however, even positive decisions do not benefit the employee in practice. If the employee has managed to cancel the unfounded termination and returns to work, the employer will soon find other reasons and justifications to fire him, and aims at getting rid of him with all possible means. Understanding this, most of the workers never turn to the courts, and the number of such petitions is very low.

The legal option above requires adequate documentation of the employment. However, many women and young girls are hired without any kind of contract, especially if they have arrived from another part of the country and do not have the residence permit - *propiska* - in the current place of employment. Many employers make it appear as if they are doing these women a favour and hire them out of pity, since hiring someone without local residence permit is prohibited by law. When they have worked there for a certain time, it turns out that the girls are paid much less than agreed, or that they are required to carry out work that was not agreed upon when they were hired. If the girl does not agree with the new conditions, she will immediately be fired. In such cases they have no way to claim their rights as they do not have any contract and nothing can be proven about the employer's original intentions. Law enforcement agencies openly protect the private businesses within their jurisdiction, and are not a realistic place of remedy for these women. In many cases these girls are not paid anything at all for their work and have nowhere to complain.

Establishing a private enterprise could be the way out for independent women. However, this sphere is difficult enough even for men, as businesses in the country are under strong pressure from government structures. To establish your own business enterprise, several beneficial factors and conditions are necessary, such as kinship with

25 Article 382 of the Labour Code of Turkmenistan of 18.04.2009, in force 01.07.2009

bureaucrats, connections, network and money. These factors are more often present among the male part of the community. Also, after the successful establishment of one's own enterprise, in order for any kind of private enterprise to work efficiently, the owner has to keep feeding a whole range of bureaucrats. Every month bribes are given to various levels of various structures, so that they will allow you to keep working and do not find a reason to close your business. Several structures have the right to carry out inspections and potentially close businesses. These are the MNB (Ministry of National Security), local authorities - the *khyakimlik*, the police, the Prosecutor General's Office, tax inspectors, sanitary-epidemiological control, fire inspection or even the building management.

Those who manage to obtain some sort of success are in very high risk of losing their business. The larger the income of any business, the larger is the possibility that it will be taken from you. There are many examples where someone was given the opportunity to develop and invest, and then required to write the successful and thriving business over to his relatives or acquaintances with better connections. In case of refusal, the owner will be put behind bars and subject to the kind of pressure common there. In order to regain the freedom, the owner would give away his businesses.

On a smaller scale, private property like TV-antennas, air conditioners, heating systems or even window frames are removed from private houses in order to meet random requirements from the President or the company that produces a rivalling brand of mentioned products. This is the extent to which government protects private property rights in Turkmenistan in practice.

For women, it is particularly difficult to be engaged in business under such circumstances taking into consideration their double workload in society and family, and their scarce network. Most of the larger and medium size businesses are concentrated in the hands of men, and most women engage in informal small-size business. Women's business mainly consists of the cooking and sale of bread, corn cobs or other foodstuffs at the bazaar, and the preparation and sale of various kinds of domestic products like carpets, slippers, embroidery etc.

In practical terms it is hard to speak of functioning private entrepreneurship in the country. No efficient programs for support of small and medium-size businesses are developed, and there is no program for micro credit loans for women. Loans are dependent on the strong traditions of corruption and nepotism that normally work to the benefit of men. Again, despite the existing guarantees, women are subject to discrimination also in the modest field of private entrepreneurship.

The authorities have failed to create the necessary political and economic preconditions for the actual realization of women's labour rights as guaranteed by



the law. Government institutions, represented by law enforcement agencies, do not defend women's labour rights. At the same time, there is no independent labour union that defends the labour rights of women. There are also no women's organizations that defend the rights of working women. Quick profit in practice trumps the laws that on paper protect working women, without any scrutiny.

Essentially, these laws are not guaranteed in practical terms, but also in fact work against women. Many employers aspire to not hire women formally at all in their urge not to lose money by fulfilling the requirements. As a result, women do not benefit from the guarantees in the law, but also suffer from discrimination because of the existence of those very guarantees. Women who despite all obstacles manage to get formal jobs understand that they will not be granted any of the benefits stipulated in the law, but in the existent labour market agree as they have no other choice.

8. Health

Turkmenistan reports that the maternal mortality has decreased over the recent years, and the situation already meets the Millennium Development Goal.²⁶ However, despite the numbers on the website, the situation regarding treatment and protection of women's health is far from satisfactory on the ground. The authorities' policies on falsification of laboratory test results, lack of access to appropriate diagnostic tests and even denial of the existence of certain illnesses continue to effect negatively on women's health. This is also enforced by the fact that medical services available in the country are only accessible upon payment.

In most cases, additional pocket money to all medical workers is necessary in order for them to carry out their assigned medical tasks. Also, patients have to buy necessary medication and medical equipment themselves, including surgical dressing and simple antibacterial equipment. The few single standing cases of free medical aid are rare and poor, and do not alter the overall picture. Finally, the mismatch of public funds to medical needs channels money to large infrastructure projects and marble facades rather than primary clinics and local facilities which have a more direct impact on women's health.

The level of medicine is alarmingly low today as there are few qualified medical experts in the country. The on-going drainage from Turkmenistan of the remaining specialists in various fields includes many doctors. In the Russian Federation, doctors are provided with work, accommodation and a decent salary, and this has had a significant impact on the decreasing number of high-qualified doctors in Turkmenistan. Those who have stayed behind are mainly specialists educated during the Soviet times. They are popular with the patients, but they are also few in numbers. The new personnel educated in the higher education institutions of Turkmenistan, who spent most of their study time singing, dancing, standing in corridors welcoming government officials, filling stadiums during holidays and planting trees, can hardly be called qualified personnel. Their level of training and knowledge is reportedly so poor that people are reluctant to trust their health to them. A person in need of medical care therefore strives to make the most of all their connections and network in order to localise a trustworthy specialist.

Many of Turkmenistan's citizens have taken to travel to Iran for the purpose of medical care. They camouflage their journeys as vacation trips, but upon arrival in Iran they go to a hospital to undergo treatment by Iranian doctors. According to people who have done so, the doctors and medium rank medical personnel in Iran are no more caring

²⁶ Overview of MDG progress in Turkmenistan: http://www.undptkm.org/index.php?option=com_content&task=view&id=1283&Itemid=90

or responsible than their Turkmen colleagues, and like them expect the necessary bribe in order to put the intravenous line correctly and remove it at the correct time. But people go through with this as Iran after all has properly trained specialists. As the income of certain groups in Turkmenistan increases, some also have the possibility to travel to Russia or Turkey for qualified specialists. The part of the population who lives in the border areas with Uzbekistan also travel there for treatment. However, as travelling abroad to seek medical expertise can be seen as criticising the national medical facilities, many are stopped on the border if their purpose becomes known to the border guards.²⁷

Many of the medical centres in Turkmenistan are supplied with the newest, most modern medical equipment. However, the personnel are not trained to operate it or to interpret the results obtained, and the effect is limited as this equipment remains unused. As a result, facilities are dismal in many hospitals, even in the capital. The patients not only have to bring their own medicines and medical material, they also have to bring their own bed sheets. In summertime, in forty degrees' heat, the air conditioning is not working and the concrete buildings become intolerably hot. In wintertime, on the other hand, it is very cold. Such conditions are far from beneficial for persons in need of medical care.

The dismal conditions in medicine in general are bound to influence on women's health in particular. Even in Soviet times, when Turkmenistan received extensive help in the health services for women and children, maternal and infant mortality was among the highest in the Soviet Union, only second to Tajikistan. Many factors contribute to this, including a climate with very warm summers acting as a predisposition to the spreading of various infections, and lack of high-quality drinking water. Another factor was the element that many women according to customs and seeds decided to treat themselves at home, due to their illiteracy. Many did not trust the medical workers and did not turn to them in time to get help.

Two decades after the collapse of the Soviet Union, the situation has become even more serious. In addition to the factors described above, there are the fee-for-service medical services, the lack of qualified specialists, the dismal facilities in medical institutions, and widespread poverty. Finally, the medicine market available for the general population almost completely consists of counterfeit medicines stored under inadequate conditions in bazaars. Counterfeits congest most of the country's market, from groceries to hygienic equipment. Information about standards of production or hygiene is neither open nor available, whereas in many cases the counterfeit products are the only ones available for the majority of people unable to pay the high prices for original products.

27 NHC statement: http://www.nhc.no/no/nyheter/Exit+ban+prohibits+the+sick+from+leaving+the+country+for+medical+treatment.b7C_wlbY0Z.ips



The high costs on medical care and medicine enforces cycles of poverty in Turkmenistan. Essential medical services are inaccessible to large parts of the population, and the high cost of basic preventive medication leads to more serious consequences for many poor families. For example, hospital workers are concerned that women who are not able to procure the appropriate prenatal medication to prevent maternal anaemia, are at the risk of receiving unsafe blood transfusions at a later stage if the anaemia develops.

Pregnant women about to give birth in the maternity ward have to buy and arrange for all the medicine and medical equipment assigned by the

midwife who will assist in the birth. In addition, they also pay to make sure the hospital does not do a caesarean section, as the midwives are not trained to deliver any births that have some sort of anomaly. The midwives favour to just carry out a caesarean despite the fact that there are modern methods and medicines to facilitate natural births as preferred by most women in the world today.

In Turkmenistan, the number of caesarean sections is further inflated due to the fact that healthcare workers are under pressure to report low numbers of maternal mortality and even risk detention if they report deaths of pregnant women. As a consequence, unnecessary caesarean sections are frequently carried out, patients that are considered to influence badly on maternal mortality statistics if they die in the hospital are sent home early, and medical data are manipulated in order to point to other causes of death in case a pregnant women dies in hospital.

When the time came to give birth, my mother and I tried to find a midwife familiar to us. When we finally found a midwife recommended to us by friends, she presented us with a long list of what I had to bring to the hospital for delivery. We collected everything from the list, from medicine and gauze to diapers, and also paid the additional 300 USD she required. When the labour started and turned

out to be more difficult than first predicted, the midwife wanted to do a caesarean section. I didn't agree, argued with her, and she finally gave in, but only on the condition that I would pay her more if she was not going to do the caesarean section. She then helped me to have the baby in normal way, and my mother brought the extra money the same afternoon.

[Name withheld], female, 23 years

The practice of curettage of the woman the day after the childbirth is also widespread, in case the placental expulsion did not take place. This practice was widespread in the Soviet Union, but is in most cases unnecessary, extremely uncomfortable and a potential health risk. These examples all eloquently illustrate the level of obstetrics in the country – a decisive factor for women's health.

In rural areas the situation is even direr. Taking into consideration that the level of maternal and child deaths was high even in Soviet times, these indicators are likely to be even higher today, when economic factors also play a central role. Many women prefer to return to the practices of their great-grandmothers when it comes to childbirth and upbringing. Information and statistics on these problems are also hushed up, and official statistics can hardly be trusted as described above. The CEDAW State Report informs that the number of complications in pregnancies has been reduced by 11% and complications at births by 10 %. However, these percentages are redundant when there are no reliable official statistics available to illustrate the initial situation or any potential progress. Similarly, the lack of reliable official statistics on the prevalence of for example tuberculosis or HIV/AIDS is an obstacle to the mapping of the situation or any potential health campaigns.

Reliable government statistics on tuberculosis (TB) are not readily available. The number of people suffering from tuberculosis was high even in the Soviet times, when there was a targeted fight and preventive measures against the illness. Since independence there have not been any effective state programs to reduce the number of TB infections in Turkmenistan. Rather, the government has complicated working conditions even for international organizations working on the issue. The medical organization Doctors without Borders reacted to the repressive operating environment, including the government's practice of deliberate manipulation of health statistics, and decided to leave the country in December 2009.²⁸ The Global Fund has been cooperating with the government of Turkmenistan for some years via the UNDP, and presents some numbers on their website. However, these numbers are not as widely published or detailed as in many neighbouring countries and sadly do not contribute to a complete picture.²⁹

28 Doctors without Borders Special report, «Turkmenistan's Opaque Health System», 12 April 2010. <http://www.doctorswithoutborders.org/publications/reports/2010/MSF-Turkmenistan-Opaque-Health-System.pdf>

29 The Global fund in Turkmenistan: <http://portfolio.theglobalfund.org/en/Country/Index/TKM>

The prevalence of tuberculosis, a social illness, illustrates low living standards in a country. And despite the obvious contradiction with the inevitable improvement in living standards for a fortunate minority of the population, the standard of living has decreased significantly in the 20 years since independence. Unemployment has led to an increase of poor people, whose diet consists of tea and *churek*, the national bread. Mothers in the research for this report have reported that their 18-year old sons are not accepted to the compulsory military service due to physiological underdevelopment. They have grown up without proper food and basic nutrition necessary for growth and development. Under such living conditions, the number of people infected with tuberculosis is also likely to have increased, but again, available numbers cannot be trusted to illustrate the prevalence of the illness and how to best counteract it.

Trustworthy statistics on the number of HIV infections is also absent, but it is quite clear that the current picture is far from the close-to-zero situation presented by the government. The prevalence of HIV and AIDS is linked to the increasing occurrence of prostitution, and there are no tendencies that this phenomenon will decrease. The number of HIV and AIDS infected is also increasing along with the increase of drug abuse in the female population, a tendency that is already well-established in the male population.

Situated along the drug trafficking route between Afghanistan, Russia and Europe, Turkmenistan is the victim of a substantial availability of drugs that influences society. When sale of nicotine cigarettes were prohibited in spring 2011, many young smokers switched to smoking marijuana cigarettes that were cheaper. Turkmen authorities have tried to address the drug problem through publicly denouncing drugs and burning confiscated drug shipments, and encouraging harsher punishment for drug related crimes. Many drug addicts have switched to alcohol, another field the government has tried to regulate through stricter licenses and higher taxes. However, rehabilitation of drug addicts is still far from effective, and relatives report of humiliating and degrading facilities. Addicts therefore depend on their family's resources and often treat themselves, rarely with a positive result.

I was in the Narcology Hospital for the whole period assigned, but did not receive any treatment and did not recover during the stay in a place that reminded most of a prison. They did not take us for walks, there were no bed sheets, the temperature was as hot or freezing as outside, the food basically consisted of the "balanda" soup similar to what inmates get in prison, and there were even problems with drinking water. But it was worst for those who did not have relatives visiting – as far as I noticed, drug addicted women died there, and they were the ones who did not have relatives visiting.

[Name withheld], female, 29 years

Similar descriptions are common in reports describing Turkmenistan's only hospital for people with psychiatric illnesses, located in Dashoguz. According to relatives interviewed for this report, conditions there are unbearable, facilities poor and the attitude of the staff uncaring. No substantial treatment is provided. There are reports that women who do not have any relatives or other visitors pass away suspiciously fast. One example is a woman who was married away, but after two years ran back to her mother with severe personality issues, hearing voices and hiding in the wardrobe. A doctor diagnosed her with schizophrenia and recommended hospitalisation. The mother had no choice but to send her to the hospital, visiting her daughter regularly over a period of almost 12 years. When the mother passed away, the daughter died two months later. Due to lack of public information on such issues, it is not possible to prove any link between such reports, but they are not single standing. Sadly, it would not be surprising with the current lack of resources, equipment and medicines, if the hospital administration is forced to economise time and resources where possible.

Sadly, state programs aimed at the particular protection of vulnerable women in such situations are absent. There are no targeted measures undertaken in order to address the economic causes of drug addiction or prostitution amongst women. There are no state programs for the rehabilitation or reintegration of prostitutes or drug-addicted women. No assistance is offered to those who are suffering from HIV infection or AIDS, as the official point of view and supporting statistics is that only a couple of cases exist. The doctors are even prohibited from making such diagnoses, especially as there are other diseases with similar symptoms that are less stigmatising for the government.

The level of medicine and the authorities' priorities are also illustrated by the ignorance of fundamental sanitary-hygienic norms in society. For example, over six months in 2010, entire residence areas of the capital Ashgabat were affected by bedbugs. The source of their occurrence is not known. But no matter the origin, taking into consideration the strict control on Turkmenistan's borders, it is curious how the sanitary-epidemiological services could allow goods that do not correspond with sanitary standards to appear in the country. It seems corruption and the urge to cover up unflattering outbreaks again takes priority over basic sanitary norms. Even in such wide-spread cases, sanitation of flats takes place only upon separate requests by the owners, and upon their own payment. Instead of a thorough, though visible, campaign to exterminate the resilient bugs more systematically, inhabitants not capable of paying will keep living with the bedbugs which again will spread over the entire building.

9. Marriage and family life

Family institutions are very important in Turkmenistan. Many women strive to keep their status as married women at any cost. It is not uncommon in the world that women who are economically dependent on their husbands do not leave them even if they are subject to abuse. However, in Turkmenistan, also women who are the main breadwinners in the family prefer to stay and feed their husbands. They know that for most of the society, a woman without a husband is bad, and can be seen as a party girl, an accessible girl. This influences negatively not only on her own situation, but also that of her children. A widespread perception of a divorcee is that she is also very likely a prostitute. As a result, many women both dependent and independent on their husbands prefer to maintain the façade of a full family, no matter the husband's qualities.

The perception of a divorcee as a prostitute is still common in society, among women as well as among men. Most women who travel abroad for work are women living without a man - divorcees, widows or women with a disabled husband. These women have few other options than to make a living in any way possible, even criminal. If these women have children, they stay under the supervision of her mother or another female relative. However, even if the children are under some sort of supervision, in practical terms these children are left on their own since the behaviour of their mother is not accepted. The children are supervised, but lack a stable family upbringing and care.

In the rare case of divorce, many women are unable to physically leave their ex-husband, and have to keep living in the same flat they shared before the divorce. According to the law, the husband has the right to keep living in the flat with his wife also after the divorce, even if, for example, it is established that she was subject to constant violent abuse from him. Further, even if the flat should be divided between the spouses after divorce in accordance with the law, this does not solve the question of protection of the woman. If the flat is divided in two there are still areas that both sides have the equal right to use – the corridor, the bathroom and the kitchen. As a result the divorce rarely solves the problem, but even exacerbates it as former spouses who have to continue living together often face serious challenges.

This coexistence is a result of the peculiarities of the Turkmen property market. Instead of selling a flat, one has better find someone who is willing to exchange your flat with theirs. However, in this case the divorced couple would have to find two people in two separate flats willing to move together with only one flat in exchange. This is not a very likely situation. As a consequence, even in the rare case of divorce, the law does not protect the woman from a violent husband or ex-husband in practice.



Due to the challenging economic situation in the country, economy plays a central role for men planning to establish a family, and a certain competition for men has emerged. A girl or woman from a poor family with no dowry or benefits faces challenges when it comes to finding a stable companion. As in neighbouring Tajikistan, it is also quite common that a man who has a good material standing lives with several women.³⁰ He would then engage in a registered, formal marriage with one of the women and arrange a religious marriage, *nika*, with the other, who will live with him as a kept woman or a lover. The arrangement is no secret, and the women involved are fully aware and agree with it. Many openly engage in such relations. Hence, the phenomenon of polygamy has spread widely, despite being prohibited by law.

Such arrangements are rarely frowned upon or judged by public opinion. According to experts in the country interviewed for this report, there are no known cases where anyone has been sentenced for polygamy over the recent years. There is a criminal liability for it in the law, but in practice this law is not applied and rather illustrates that the situation for women in the family and society has a second-rate, subordinate position to men. The occurrence is, however, understandable taking into consideration the widespread poverty and competition among women for the “real men”. One can only fight polygamy by improving the economic situation, increase the living standards

30 See f.ex. <http://iwpr.net/report-news/multiple-marriage-socially-acceptable-tajikistan>

of the population, present women with a real possibility to realize their rights, and achieve real gender equality. Then the objective conditions for polygamy will cease to exist and broaden.

Many Turkmen girls and women want and search for the possibility to marry a foreigner, even a non-Moslem as long as he has a secure material situation and they could create a family together. However, the government is interfering also in this matter by creating legal obstructions. In order to register a marriage with a female citizen of Turkmenistan, a foreigner has to prove that he has lived on the territory of Turkmenistan for more than a year and that he owns private property, which he is allowed to by law. However, the foreigner is not able to purchase the property, as there is another secret order passed down to notarial offices from the top. This order prohibits the notarial offices from issuing dealings of purchase and sale of housing in the case where one of the parties is a foreigner. To solve this, many get married abroad, only to experience that the Turkmen government does not approve of such marriages. In order to do the compulsory legalization of the marriage in Turkmenistan one again has to fulfil the insolvable criteria above.

The situation for intermarriages between Turkmen citizens and foreigners in the provinces bordering Uzbekistan, the *velayats* of Lebap and Turkmenabad, has taken a new form. There have been reports of women and men, husbands and wives, who have been deported from Turkmenistan to Uzbekistan. The legal reasoning seems to be that since their marriage is not legalized and approved by Turkmenistan, they are seen by authorities to be residing in Turkmenistan illegally. In practical terms, families are torn apart based on governmental interference in the private lives of its citizens.

10. Political participation

According to official numbers, Turkmenistan's president was re-elected with 97% of the vote in February 2012. The country until August 2012 had only one party, when the additional Party of Industrialists and Entrepreneurs was created by the President. Central opposition politicians are in exile or in prison, and what is left of civil society is under strict control by the government and security services. The practice of collective punishment silences any criticism. Under such circumstances genuine participation in politics is a distant goal for any citizen of Turkmenistan, not to mention for women. Formally however, there are a few female ministers, women in higher posts in the Ministries, as former and present vice-prime ministers and ambassadors, and 17 % of the parliament's deputies are women.³¹

In practice, Turkmenistan has an abundance of secret orders that, unlike the official laws, are strictly followed and obeyed. For example, women are not allowed to freely organise in women's organizations, as no independent women's organization has been registered. It is not acceptable to work without registration as it is considered illegal, and harsh measures are undertaken if such activities are discovered. All public women's organizations and groups have to be registered under the auspices of the Women's Union of Turkmenistan, as departments in the framework of this organization. The existence of separate structures from these women's groups is forbidden, again without any formal legal base. Thus, there are no independent officially registered women's organizations in the country that could work for the advancement of women's rights. The authorities seem reluctant to allow any independent women's organization to facilitate a growing self-realisation and activation of the female population in defence of their rights and interests.

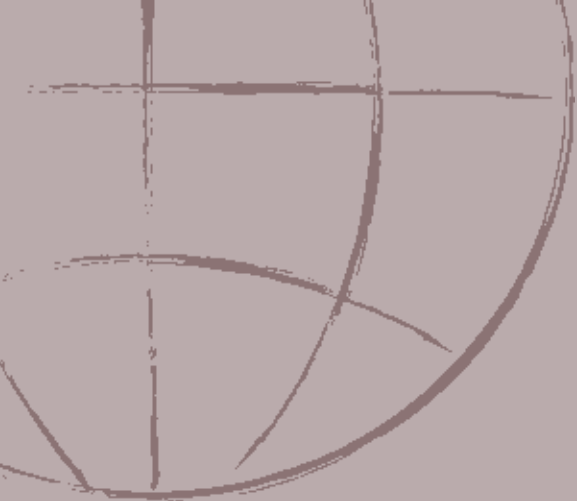
In theory, the Women's Union was established to represent and defend women's interests, and a government-supported institution would be well suited to fulfil this aim easily. However, from the beginning, this aim has been merely a veil that unfortunately does not facilitate the implementation of the Women's Convention. Even in the period when the Women's Union actually received women to hear their problems and concerns, no actual assistance was provided after such consultations. The organization seems to exist more as a façade to show the world that the women of the country have their own organization than to represent or defend women's rights. All appointments to this organization are made only after informing and receiving approval from the authorities. The mandate and all activities are approved in a similar way. The Union which in official reports is listed as a civil society organization is financed by the

³¹ Turkmenistan State Report to CEDAW, October 2012: <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/416/10/PDF/G1141610.pdf?OpenElement>



government over the state budget, and the chairperson was a member of the official delegation to the CEDAW hearing in October 2012.

There are no organizations, government or civil society organs in Turkmenistan that represents or defends the rights of women of various society levels, national minorities or vulnerable groups. Women remain discriminated against in family life and society, and prospects of obtaining equal rights between men and women remain distant. The strained economic situation for the majority of the population does not create favourable conditions for improvement despite positive legal reforms. In reality, Turkmen women and men have equality mainly in one field – they are equal to injustice and vulnerable to arbitrariness, from which no one in Turkmenistan is safe.



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