

Unofficial translation

Report
on the work of the Ombudsperson in
Turkmenistan
in 2018

Ashgabat, 2019

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Introduction

During the reporting period, an independent, constantly neutral Turkmenistan carried out large-scale activities to improve the social and state-political structure of the country, accelerate the transition to a market economy, expand the ongoing social and economic transformations, and further develop democracy in the state and public life, and improve the work of public institutions, ensuring their legal base, contributing to the prosperous, happy and peaceful life of every citizen.

In 2018, the world community solemnly celebrated the 70th anniversary of the Universal Declaration of Human Rights, the founding international human rights instrument. This holiday was also widely celebrated in Turkmenistan, in the country which has determined the priority of human rights. Inherent natural human rights like the fundamental principles emanating from this document are today enshrined in the national legislation of Turkmenistan. The country's Constitution and laws fully guarantee the political, civil, economic, social and cultural rights and freedoms enshrined in the documents of the world community.

In this annual Report of the authorized representative on human rights in Turkmenistan - the Ombudsperson (hereinafter the Ombudsperson), provides information on the practical implementation of the specified guarantees, that is, on the situation with human rights in the country and on the work done in 2018 by the Office of the Ombudsperson.

The report was prepared by the Ombudsperson on the basis of the activities carried out over the past year, as well as an analysis of the real situation with human rights and freedoms based on the achieved indicators in certain areas of human rights and taking into account the issues arising in the process of work. The report consists of nine chapters.

During the preparation of the report, on the results of the work done by the Ombudsperson's Office, including work with appeals of citizens and information received from relevant government agencies, the

appropriate recommendations were given to improve human rights in the country.

In accordance with Article 20 of the Law of Turkmenistan “On the Ombudsperson”, this report is submitted for consideration to the esteemed President of Turkmenistan. Also, the Ombudsperson delivers this report to the Mejlis of Turkmenistan and it is promulgated in the media of Turkmenistan.

We hope that this report of the Ombudsperson on the work done in 2018 will be read and studied by government agencies, civil society, international organizations, the people, and will further contribute to the promotion of human and civil rights and freedoms in the country.

Chapter I. Situation of ensuring and respecting rights of man and citizen in Turkmenistan

One of the greatest achievements of the Turkmen state was the announcement, as the main principle, of the political course aimed at the strict observance of the rights and freedoms of man and citizen, ensuring a prosperous and happy life of every person. This, in turn, was reflected in a deeply substantive slogan: “The state is for man!” which has become the main principle of our era.

In any country, the key condition for the observance of human and civil rights and freedoms is to guarantee them by law.

The Constitution of Turkmenistan is the basis of legislation and regulates the political foundations of the country, government bodies, the electoral system, human and civil rights and freedoms. As is known, in September 2016, with a view to further improving the activities of government bodies, as well as the ongoing positive socio-political and socio-economic reforms, the Basic Law of our country was adopted in a new edition. The adoption of the new edition of the Basic Law was a confirmation of the strengthening in our country of the legal framework for the protection of human rights and freedoms, the creation and maintenance of conditions for the free human development. A significant part of the articles of the Constitution in the new edition contain clearly formulated norms aimed at protecting human rights and freedoms. The second part of this important document includes norms

on the rights and freedoms of man and citizen in Turkmenistan, and eleven new articles are included in it. The above indicator serves as vivid evidence that the state prioritizes the care of a person, because the Constitution, being the main guarantor of human rights and freedoms, ensures civil peace and interethnic harmony in modern society, and demonstrates recognition of the basis of democracy and the legal, secular state.

As is known, on 25 March 2018, elections were held for deputies of the Mejlis of Turkmenistan of the sixth convocation. This contributed to the acceleration of work on bringing the legislation into conformity with the constitutional norms of the adopted new edition of the Basic Law. This work was started by deputies of the Mejlis of Turkmenistan of the sixth convocation. In particular, the work on the implementation of constitutional norms in other legislative acts that guarantee the civil, political, economic, social and cultural rights of man and citizen has expanded.

Strict observance in practice of the rights of man and citizen guaranteed by legislation is one of the most important and priority tasks in our country. When considering the implementation of this important task, attention should be paid primarily to the funds provided in the annually approved State budget, including for 2018.

It should be noted that the main vector of the state policy of independent Turkmenistan is the provision of social welfare of citizens, the protection of their rights and interests. In 2018, social policy was also focused on improving the quality and standard of living of the population. Among specific examples, the creation of conditions for improving the quality of human capacity based on growth in the performance of health care systems, education, culture, and the service sector. Thus, more than 70% of the State budget for 2018 was allocated for the financing of the social sphere. The utilization of 99.9% of the funds allocated for the development of this sphere indicates the fulfillment of tasks to ensure the social protection of the population, namely the expansion of opportunities for education, health protection, state social security, the realization of their rights in various areas of life.

Another social and political event in the country was the adoption of the Constitutional Law “On the Halk Maslahaty/People’s Council of Turkmenistan” in order to improve the well-being of the people and ensure the realization of their rights, and consequently holding its first meeting.

At this meeting, the esteemed President of Turkmenistan Gurbanguly Berdimuhamedov noted that all organizational issues relating to the activities of the Halk Maslahaty are regulated in full compliance with the Constitutional Law "On the Halk Maslahaty of Turkmenistan", its work is based on the principles of democracy, openness, justice, rule of law, priority of generally accepted norms of international law, equality of man and citizen before the law, respect for human rights and freedoms, free discussion and decision-making, taking into account the public opinion.

At the meeting, with the participation of representatives of the people, issues were discussed for the good of the country and the people, and important decisions were made. In particular, with a view to further improving the transformations being carried out in the agricultural sector, organizing the ongoing work in this area at the modern level, broad involvement of private producers in agriculture, and the rational use of land and water resources, a Resolution “On the further improvement of reforms in the agricultural sector” was adopted. In order to achieve sustainable and systemic development of the state in all areas, rational use of basic resources and further improvement of social benefits, a Resolution “On streamlining the provision of the population of Turkmenistan with electricity, gas, drinking water and table salt” was adopted. All adopted decisions are being successfully implemented.

In addition, it should be noted that dozens of long-term programmes are being implemented in the country. The key programmes are the “Programme of the President of Turkmenistan for the socio-economic development of the country for 2018-2024”, “The National Programme for the socio-economic development of Turkmenistan for 2011-2030”, “The National Programme of the President of Turkmenistan for the transformation of the social conditions of the rural population, etrap towns and etrap centres for the period until 2020”, “The National Action Plan for Ensuring Gender Equality in Turkmenistan for 2015-2020”, “

The National Human Rights Action Plan in Turkmenistan for 2016-2020", "The National Action Plan for the implementation of children's rights in Turkmenistan for 2018-2022" and others.

It should be emphasized that during the period under review, within the framework of these programmes, large-scale measures have been implemented to ensure and protect the civil, political, economic, social and cultural rights of man and citizen. The comprehensive activities aimed at raising the standard of living of the population, creating favourable conditions for the development of human capabilities, are fully funded by the state. Despite the provision in the country of legal guarantees of comprehensive rights and freedoms of man and citizen and the practical realization of these rights and freedoms, there are situations that require the further development of our activities in this area. This is described in detail in the relevant chapters of the report.

Chapter II. Analysis of work with appeals of citizens

The Ombudsperson with her activity complements the existing state means of protecting the rights and freedoms of man and citizen. One of her main functions is to consider appeals of citizens.

In accordance with Article 21 of the Law of Turkmenistan "On the Ombudsperson", the Ombudsperson considers complaints against decisions or actions (inaction) of state authorities, local self-government bodies and their officials that violate the rights, freedoms and legitimate interests of citizens of Turkmenistan and stateless persons. When applying to the Ombudsperson, no privileges or restrictions are allowed based on nationality, colour, sex, origin, property and official status, place of residence, language, attitude to religion, political opinion, party affiliation, or lack of thereof.

According to the approved schedule, oral reception is carried out from the first days of the establishment of the Ombudsperson's Office. In the reporting period, the reception of citizens was conducted according to the same reception schedule by the Ombudsperson herself, as well as by the head and advisers of the Unit for the Protection of human rights and for work with citizens' appeals. Oral receptions of citizens were held

also in the regions of the country. In addition, the Ombudsperson's Office created an opportunity for citizens to make a telephone call, where they could systematically consult and also receive relevant answers on questions of interest to them. The written appeals of citizens were considered in the same manner.

During the specified period, that is, the year 2018, the Ombudsperson's Office recorded a total of 985 appeals, of which 479 were written and 506 were oral. The table below shows the number of written and oral appeals received during the year:

№	Type of appeal	I quarter	II quarter	III quarter	IV quarter	Total
1.	Written	121	138	80	140	479
2.	Oral	90	128	150	138	506
3.	Total number	211	266	230	278	985

As shown from the data, 479 appeals were received in writing during the year. If in the first quarter there were 121 appeals, in the second quarter their number increased to 138. In the third quarter, the number dropped to 80, and in the fourth quarter it increased to 140. During this period, 506 oral appeals were recorded, of which 90 in the first quarter, in the second - 128, in the third - 150 and 138 appeals in the fourth quarter. A total of 985 appeals were recorded during 2018.

According to the indicators, the systematic appeal of citizens to the Ombudsperson's office is explained by the growing public awareness about the means of protecting their rights, including the work carried out by the Ombudsperson's Office.

Below is an analysis of citizens' appeals by region:

№	Region	I quarter	II quarter	III quarter	IV quarter	Total	Ratio of the number of appeals,
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							%
1	City of Ashgabat	39	49	21	38	147	30,7%
2	Balkan welayat	28	35	14	31	108	22,5%
3	Dashoguz welayat	19	12	16	38	85	17,8%
4	Lebap welayat	19	23	15	15	72	15,0%
5	Mary welayat	15	16	7	12	50	10,4%
6	Ahal welayat	1	3	7	6	17	3,6%
7	Turkmenistan	121	138	80	140	479	100%

It follows from the above data that the majority of written requests came from the city of Ashgabat and accounted for 147 or 30.7% of the total number of appeals received by the Ombudsperson's Office, 108 or 22.5% from Balkan welayat, 85 or 17.8% from Dashoguz welayat, 72 or 15.0% from Lebap welayat, 50 or 10.4% from Mary welayat, the smallest number - 17 or 3.6%, was recorded from Ahal welayat.

This analysis also showed that of all 479 appeals received by the Ombudsperson's Office, 70 or 14.6% were repeated. If we take them in the context of the regions, then from the city of Ashgabat - 19, Balkan welayat - 28, Dashoguz welayat - 5, Lebap welayat - 5, Mary welayat - 12 and Ahal welayat - 1 appeal.

As can be seen from the above information, a significant part of repeated appeals are from the Balkan welayat, as one citizen sent appeals 5-6 times.

For example, a resident of this welayat, D.S. appealed 6 times in connection with the illegal actions of the head of one of the institutions; a resident of the same welayat D.B. - on the same issue, that is, in connection with the disagreement with court rulings on the housing

issue, he appealed 5 times; or a resident of the city of Ashgabat - appealed 5 times on the issue of illegal actions of law enforcement officers. On the complaints of these citizens, with reference to the current legislation, explanations were given about the remedy for their rights and freedoms, that is, the procedure for the initial appeal to the relevant authorities was explained. However, without taking this into account, citizens re-applied to the Ombudsperson's Office.

As noted above, decisions on appeals of citizens are made in accordance with the provisions of Article 21 of the Law of Turkmenistan "On the Ombudsperson" and no privileges or restrictions are allowed based on nationality, colour, gender, origin, property and official status, place of residence, language, attitude to religion, political opinion, party affiliation, or lack of thereof.

Below is an analysis of the appeals sent by citizens in writing, including collective ones, by their gender, nationality and their regional place of residence (citizens whose complaints have not been considered/included):

№	Region	Total	Including		Ethnicity										
			Female	Male	Turkmen	Russian	Kazakh	Uzbek	Ukrainian	Turk	Azerbaijani	Belorussian	Armenian	Lak	Kyrgyz
1	Ashgabat	120	77	43	82	23	3	6	1	2	2	1	-	-	-
2	Balkan	107	65	42	83	7	2	-	3	-	5	-	5	2	-

3	Dashoguz	99	43	56	54	-	4	41	-	-	-	-	-	-
4	Lebap	74	39	35	65	4	-	3	1	-	-	-	-	1
5	Mary	51	32	19	47	1	-	-	1	-	2	-	-	-
6	Ahal	176	25	151	173	3	-	-	-	-	-	-	-	-
7	Turkmenistan	627	281	346	504	38	9	50	6	2	9	1	5	2

According to the Law, the records management of the Ombudsperson's office is conducted in the state language of Turkmenistan that is Turkmen. Applicants may apply to the Ombudsperson in their native language or another language they speak. In such cases, the applicant is answered in the state language with a translation into the language he/she speaks or in the language he/she addressed.

The analysis and the content of written appeals follow below.

№	Content of appeals	Regions						Total	Ratio, total No, %
		Ashgabat	Balkh	Dashoguz	Lebap	Mary	Ahal		
1	Housing law	48	23	5	8	7	8	99	20,7
2	Disagreement with court ruling	19	12	9	7	6	2	55	11,5
3	Migration issues	12	1	14	21	3	1	52	10,9
4	Labour rights	5	14	17	8	5	1	50	10,4
5	Land rights (lease, individual construction sites)	-	2	7	1	4	1	15	3,1
6	Illegal actions of law enforcement officers	5	3	-	1	1	2	12	2,5
7	On criminal cases	1	2	1	1	1	1	7	1,5
8	Pardon issues	1	-	3	1	1	-	6	1,3
9	Right to social welfare	2	1	-	1	-	-	4	0,8
10	Right to education	-	-	1	1	-	-	2	0,4
11	Right to healthcare	1	-	-	1	-	-	2	0,4
12	Electoral rights		1	-	-	-	-	1	0,2
13	Other	17	18	19	10	9	-	73	15,2
	Total:	111	77	76	61	37	16	378	78,9

(The content of non-considered appeals was included here (**101 appeals or 21,1%**):

As can be seen, the main part of citizens' appeals consists of housing issues, that is, 99 or 20.7%, followed by appeals in connection with disagreement with court rulings - 55 or 11.5%, on migration issues - 50 or 10.4%, allocation of rental and individual construction sites - 15 or 3.1%, on illegal actions of law enforcement officers - 12 or 2.5%, pardon issues - 6 or 1.3%, criminal cases - 7 or 1.5%, pension issues - 4 or 0.8%, the right to education and health, each with 2 questions or 0.4% and 1 question or 0.2% related to electoral law, and other matters 73, or 15.2%.

As can be seen from the analysis, a smaller number of other issues are addressed by citizens, in particular, on clarification of legislation, on the banking system, on illegal actions of officials, on disagreement with received answers from institutions or from officials etc.

The analysis showed that the main part of housing appeals comes from the city of Ashgabat and the Balkan welayat. That is, 48 or 48.5% of the 99 appeals came from the city of Ashgabat, and 23 or 23.2% from the Balkan welayat.

According to the complaints received by the Ombudsperson's Office, decisions were made in accordance with the requirements of the Law of Turkmenistan "On the Ombudsperson". If the complaint was filed on time and complied with the content of the requirements of the law, then the decision was made to accept it for consideration. If it did not meet the requirements for the procedure and deadline for filing and its content, then the decision was made to refuse to accept it for consideration, on some of them clarifications were provided relating to the remedy for their rights and freedoms.

The complaints accepted for consideration, on the basis of Article 27 of the Law of Turkmenistan "On the Ombudsperson", were sent to the competent state authorities, local self-government bodies and officials with an appeal for assistance in verifying them.

Based on Article 30 of this Law, recommendations were sent along with some of them.

According to the written appeals of citizens, received by the Office of the Ombudsperson, an analysis was made of the results of their consideration separately by region.

№	Region	Sent to the bodies concerned and considered		Including satisfied appeals	Explanations provided	Not considered	Including				Remaining by the end of year
		27 Art	30 Art				anonymous	repeated	Beyond competence	Deadline failure	
1.	Ashgabat	54	3	5	54	36	9	19	6	2	6
2.	Balkan	41	3	4	33	31	2	28	1	-	6
3.	Dashoguz	32	-	2	44	9	2	5	1	1	3
4.	Lebap	34	-	4	27	11	5	5	1	-	-
5.	Mary	12	-	-	25	13	1	12	-	-	-
6.	Ahal	9	1	1	6	1	-	1	-	-	1
7.	Turkmenistan	182	7	16	189	101	19	70	9	3	16

According to the above figures, out of 479 complaints received for consideration, 189 complaints or 39.5% were sent to the competent state authorities, local self-government bodies and officials. Of these, 182 asked for assistance in verifying them, 7 sent along with recommendations. Of the 173 complaints considered, 16 or 9.2% were

satisfied and as many that is, 16 complaints remained without consideration by the end of the year.

These indicators are analyzed separately by region. Thus, on the basis of Articles 27 and 30 of the Law of Turkmenistan “On the Ombudsperson”, out of 147 complaints received from the city of Ashgabat, were sent to the competent authorities with requests for assistance in verifying the arguments indicated in the application and with recommendations - 57 or 38.8%, considered - 51, satisfied - 5 or 9.8%, 6 complaints remained by the end of the year; of 108 complaints from the Balkan welayat were sent to the competent authorities - 44 or 40.7%, 38 were considered, 4 or 10.5% were satisfied, 6 complaints remained by the end of the year; of 85 complaints from Dashoguz welayat were sent to the competent authorities - 32 or 37.6%, 29 were considered, 2 or 6.9% were satisfied, 3 remained by the end of the year; out of 72 complaints from Lebap welayat, 34 or 47.2% were sent to the competent authorities, 4% or 11.8% were considered and were satisfied; out of 50 complaints from Mary welayat were sent for consideration to the competent authorities - 12 or 24.0%, all considered, all not satisfied; of 17 complaints from Ahal welayat were sent to the competent authorities - 10 or 58.8%, considered - 9, satisfied - 1 or 11.1%, 1 complaint remained by the end of the year

Of the total number of complaints received, on 189 or 39.5%, in accordance with the provisions of the Law, the applicants were given explanations about the remedy for their rights and freedoms. Such written explanations serve as a great support for citizens, assist in solving their issues on a legislative basis.

Of all the written applications received by the Ombudsperson’s Office, 101 or 21.0% were left without consideration. Of these, anonymous applications - 19, repeated on the same issue - 70, beyond the competence of the Ombudsperson - 9, due to the failure of the deadline for their submission - 3.

The report mentions that, according to Article 27 of the Law of Turkmenistan “On the Ombudsperson” on some of the complaints received for consideration, the Ombudsperson addressed the competent

authorities with request for assistance in verifying them, and her recommendations were sent along with a number of them, according to Article 30 of this Law. These indicators were also analyzed.

№	Bodies	Sent according to		Considered belatedly	Reminders sent	Satisfied	Remaining	
		27 Art	30 Art				27 Art	30 Art
1	Supreme Court of Turkmenistan	21	1					
2	General Prosecutor's Office	24	1	6		4	1	
3	Ministry of the Interior	6		3	1			
4	Ministry of National Security	1						
5	State Migration Service	21		6	2	1		
6	State Border Service	1	1					1
7	Service on countering economic crimes	6		2				
8	Ministry of Defence	1						
9	Ministry of Sports and Youth Policy	1		1				
10	Ministry of Labour and Social Protection	5		1				
11	Ministry of	5				2		

	Education							
12	Ministry of Agriculture and Water Economy	2		1	1	1		
13	State Committee on TV, Radio Broadcast and Cinematography	1						
14	Ministry of Municipal economy	1		1				
15	Ministry of Healthcare and Medical Industry	3		1				
16	Central Bank	4				1	1	
17	State Concern «Turkmenoil»	3					2	
18	Ministry of Culture	2		1				
19	Central Election and Referenda Committee	1						
20	Pension Fund	2					1	
21	«Turkmenairlines»	1					1	
22	Hyakimlik of Ashgabat city	24	3	22	13	4	2	2
23	Hyakimlik of Balkan welayat	16		14	4	2	1	
24	Hyakimlik of Dashoguz welayat	9		4			2	
25	Hyakimlik of Lebap welayat	8		4	1			

26	Hyakimlik of Mary welayat	7		6				
27	Hyakimlik of Ahal welayat	6	1	5	1	1	1	
	Total:	182	7	78	23	16	12	3

As can be seen from the figures, out of 479 complaints received by the Ombudsperson, under Article 27 of the Law of Turkmenistan “On the Ombudsperson”, letters were sent concerning 182 complaints to the competent authorities requesting assistance in verifying the arguments specified in them, on the basis of Article 30 of this Law, recommendations were sent along with 7 complaints, where the deadlines for processing appeals were indicated. Despite this, out of 189 complaints sent, 78 answers were received in violation of the deadlines indicated in the letters, which was the reason for the late response to citizens. Also, due to the late receipt of responses, 23 reminders were sent, of which 13 were sent to the Ashgabat city hyakimlik, 4 to the Balkan welayat hyakimlik, 2 to the State Migration Service, and one reminder to each - the Ministry of the Interior, Ministry of Agriculture and Water Economy, as well as the hyakimliks of the Lebap and Ahal welayats.

Of the 27 sent appeals to the hyakimlik of the city of Ashgabat 22 answers were received with a violated deadline for consideration, 13 reminders were sent, but 4 requests received no answers by the end of the year. Of the 16 appeals addressed to the hyakimlik of the Balkan welayat, 14 answers were received with failure of deadline, 4 reminders were sent; on 4 appeals from 9 sent to the Dashoguz welayat hyakimlik, 4 out of 8 sent to the Lebap welayat's hyakimlik, 6 out of 7 sent to the Mary welayat hyakimlik and 5 out of 7 sent to the hyakimlik of the Ahal welayat - the replies were received in violation of the deadlines indicated in the letters. In addition, 1 reminder was sent to each - the Lebap and Ahal welayat hyakimliks.

As can be seen from the data, there are numerous violations of the timing of consideration of citizens' appeals. Despite the fact that the letters sent by the Ombudsperson indicate the possible and legal deadlines for the consideration of appeals, as well as reminders, the answers to some of them were received with a delay in the consideration time. On the one hand, this indicates a failure of state authorities to

comply with the requirements of the legislation on the timing of the consideration of appeals, and on the other hand, a long consideration of requests leads to a minimum possibility of a timely response to citizens who applied to the Ombudsperson.

As stated above, the Ombudsperson regularly received oral requests. In total, 506 appeals were recorded during the analyzed period.

Appeals were analyzed separately for the welayats and the city of Ashgabat.

№	Region	I quarter	II quarter	III quarter	IV quarter	Total	Ratio % to total No
1.	Ashgabat	41	63	66	60	230	45,6%
2.	Mary	12	15	23	21	71	14,0%
3.	Dashoguz	14	13	20	14	61	12,0%
4.	Lebap	9	15	17	12	53	10,5%
5.	Ahal	4	13	14	20	51	10,0%
6.	Balkan	10	9	10	11	40	7,9%
7.	Turkmenistan	90	128	150	138	506	100,0%

It can be seen from the indicators that 230 or 45.6% of the appeals that is the main part, came from the city of Ashgabat. This is due to the location of the Ombudsperson's Office in the city of Ashgabat, thereby making it accessible to citizens.

Data relating to the periods of receipt of complaints and the number of applicants was analyzed.

№		I	II	III	IV	Total
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		quarter	quarter	quarter	quarter	
1.	No of appeals	90	128	150	138	506
2.	Including collective appeals	-	4	2	3	9
3.	No of applicants	90	145	157	145	537

The analysis has shown that 537 citizens who applied orally belong to different ethnicities. Turkmens make up 456 of them, Russians - 42, Uzbeks - 14, Azeris - 9, Ukrainians - 2, the rest 10 applicants - Afghan, Persian, Turkish, Iranian, Lezgin, Lak, Korean, Jewish, Bashkir, Armenian.

The analysis of ethnicity or any other features of citizens, who applied, indicate that they have equal rights to protect their legitimate interests.

Oral appeals were analyzed also by content.

№	Content of appeals	Total	Ratio % to total No
1.	Housing law	211	41,7%
2.	Disagreement with court rulings	32	6,3%
3.	Migration issues	40	7,8%
4.	Labour rights	70	13,8%
5.	Land rights (lease, individual construction sites)	17	3,4%

6.	Illegal actions of law enforcement officers	15	3,0%
7.	Criminal cases	17	3,4%
8.	Right to social welfare	5	1,0%
9.	Right to education	2	0,4%
10.	Right to healthcare	1	0,2%
11.	Other issues	96	19,0%
	Total:	506	100,0%

As follows from the analysis, the main part of oral appeals relates to housing issues - 211 or 41.7% of the total, 70% or 13.8% to labour issues, 40 or 7.8% to migration issues, and disagreement with court rulings. - 32 or 6.3%.

Also, in accordance with the annual work plan approved by the Ombudsperson, an oral reception of citizens was organized in the regions of the country. Receptions were organized in those regions of the country, of which, according to the results of the analysis, the Ombudsperson received the largest number of oral and written appeals.

During the receptions 69 requests were received from 71 applicants. Applicants on various issues represented various nationalities, namely, Turkmens - 59, Russians - 5, Uzbeks - 5, Korean - 1, Kazakh - 1. Appeals mainly concerned housing issues - 34, land issues - 6, labour - 13, disagreement with the court rulings - 3, and others - 13.

In the Ak Bugday etrap/district of Ahal welayat, the reception was carried out by the Ombudsperson and her staff together with members of a special commission established on the basis of the resolution of the hyakim of the etrap "On the establishment of a special working commission to consider appeals from citizens". 17 people turned out with 15 appeals, 2 appeals were collective.

In this welayat, a significant number of appeals were related to the provision of land plots, their lease, housing and labour issues.

Similar oral receptions were held in other regions of the country. Thus, at a reception held jointly with members of the special working commission for the consideration of citizens' appeals in the hyakimlik of the city of Mary, Mary welayat, appeals of 18 citizens were heard. The appeals mainly concerned housing issues, in particular, 11, 2 - on labour issues, 2 - in connection with disagreement with the court rulings, and the remaining 3 - on other issues.

In the hyakimlik of Turkmenabat city, Lebap welayat, held with the participation of the Ombudsperson and her staff together with members of the special working commission for the consideration of citizens' appeals, 16 people were received. From them on housing issues - 7, on employment issues - 6 and on other issues - 3.

In the hyakimlik of the city of Turkmenbashy, Balkan welayat, the Ombudsperson and an employee of her staff, together with members of the special working commission for the consideration of citizens' appeals, received citizens. A total of 12 citizens were received, of which 7 - on housing issues, 4 - on employment issues, and 1 - in connection with disagreement with court rulings.

Also, the Ombudsperson and her staff together with members of the special working commission for the consideration of citizens' appeals received 8 citizens with appeals in the city of Koneurgench, Dashoguz welayat. Of these, 3 addressed with social security issues, 2 with housing issues, 1 with labour issue, and 2 - others.

Receptions of citizens in the regions of the country were held with the participation of members of the commissions specially set up for the consideration of these issues and representatives of the relevant services, whose competence includes emerging basic issues. As a result, an opportunity has been created for prompt and, in some cases, satisfactory resolution of issues on the spot. Thus, when receiving citizens on the ground, consideration of their appeals was not limited to

recommendations; for some of them, assistance was provided to promptly resolve the issues raised.

Chapter III. Civil and political rights

Civil and political rights and freedoms are a prerequisite for the realization of all other rights. The possibility of exercising political freedoms is one of the foundations of individual freedom. On 20 December 1996, Turkmenistan ratified the International Covenant on Civil and Political Rights and its Optional Protocol. On 27 December 1999, Turkmenistan became a party to the Second Optional Protocol to the Covenant, aiming at the abolition of the death penalty. In this regard, Turkmenistan, since the accession to the International Covenant on Civil and Political Rights, as a state party, reaffirmed its legal and political commitment to improve and maximize the national legislation in the field of human rights to generally accepted international standards. To this end, the main provisions of the Covenant have been implemented in the relevant legislative acts of Turkmenistan and this work continues. The evidence of this was the activity of deputies of the Mejlis of Turkmenistan of the sixth convocation in the past year of 2018. It is worth noting the improvement of laws regulating, along with other rights, civil and political rights, in particular the Criminal Code of Turkmenistan, the Code of Administrative Offenses, the Electoral Code, the Laws of Turkmenistan “On Migration”, “On Migration Service”.

It should also be noted that comprehensive work has been carried out to provide reports to the relevant UN committees on the implementation of international obligations undertaken by Turkmenistan in the field of civil and political rights, to study these recommendations and work on them. As an example, the delegation of Turkmenistan participated last year in the meeting of the UN Council on Human Rights in the city of Geneva, the Swiss Confederation, to hold open negotiations on civil and political rights, along with other rights of man and citizen, to inform on work done on recommendations, put forward during the meeting.

Ensuring civil and political human rights is one of the main tasks stipulated in the annual Work plan of the Ombudsperson, and some work has been done in this area. In particular, among the basic political human rights is the right to elect and be elected. Every citizen has the

right to participate in the management of society and the state directly or through freely elected representatives, and their rights to be elected and elect to state bodies of power are guaranteed and enshrined in the country's Constitution, Electoral Code and other legislative acts.

As is known, on 25 March 2018, elections were held for deputies of the Mejlis of Turkmenistan, members of the welayat, etrap, city Halk Maslahaty/People's Council and Gengeshi/local self-government bodies. On this historic day, the Turkmen people exercised their constitutional right to elect deputies of the Mejlis of Turkmenistan, which is a representative body exercising legislative authority, members of local representative bodies - welayat, etrap and city Halk Maslahaty, members of the Gengeshi - local self-government bodies. For the first time, elections were held with the participation of representatives of the three parties on a broad alternative basis. In order to ensure monitoring over the observance of citizens' electoral rights, the Ombudsperson, in accordance with her authority, and the staff during the preparation for the elections and on Election Day, visited several polling stations in Ashgabat and the Ahal welayat. Namely, during the preparations for the elections they got themselves familiarized with ensuring the rights of candidates and voters in accordance with the requirements of relevant laws. In particular, on 23 March 2018, polling stations of the 48th Kopetdag etrap in the city of Ashgabat, located in the building of the specialized secondary school No. 68 named after Annaniyaz Artyk, the 77th in the building of the International Institute of Oil and Gas; polling stations in the city of Annau, Ak Bugday etrap of Ahal welayat: the 59th, located in the building of the House of Culture, the 16th in the building of secondary school No. 27, the 12th in the building of kindergarten No. 15, the 50th in the building of kindergarten No. 20, as well as in the villages of Gyami - 9th, located in the building of kindergarten No. 16, 10th –in the building of secondary school No. 28 were visited. While visiting polling stations, special attention was paid to issues of creating conditions at polling stations for the voters to exercise their electoral rights without hindrance, the availability of voter lists, opportunities to familiarize with the autobiography of candidates for making an informed decision, as well as holding primary elections for voters who do not have the opportunity to be at the place of residence on Election day, ensuring the conditions for voting to voters

who are not able to independently arrive to the election place, filing or absence of complaints regarding violations of the right to elect or be elected, conformity with law requirements of the organization of work of constituencies. In some polling stations, although no direct violations of the law were revealed, there were ambiguities that could lead to obstacles in exercising the right to select a worthy candidate. For instance, in polling stations 9 and 10 of the Ahal welayat, there were a number of shortcomings, in particular, in the ballots and autobiographies the names of the bodies to which candidates were nominated did not match, in the ballots there were inaccuracies, in the autobiographies of the candidates it was not specified which body the candidate was going to be elected in. Orally all the shortcomings were pointed out, as a result, they were eliminated on the spot. In all polling stations, in commemoration of the elections, it was planned to present gifts to voters over the age of 70 and those participating for the first time in the election campaign.

Also on Election day, on 25 March, a number of polling stations in the city of Ashgabat and the Ahal welayat were visited to monitor the election process: the 4th — located in the building of secondary school No. 72, the 1st - in the building of secondary school No. 140, the 80th - in the building of secondary school No. 142 of the village of Taze Zaman, the 79th in the building of the Health House of the same village, the 46th in the building of the Health Centre of the Babarap village, Geokdepe etrap, Ahal welayat, the 45th in the House of Culture of the same village, 28th - in the building of the secondary school 1 of the Geokdepe etrap, the 31st in the building of the multidisciplinary hospital of the same etrap. In the course of verifying the rate of attendance at polling stations, an active participation of voters in the elections and the realization of their voting rights was observed. The absence of complaints and statements during the preparation for the elections and on Election day was also stated. Familiarization with the work of polling stations coincided with visits by international observers. According to the records left by them in special books they visited almost all polling stations to monitor the elections. It should be noted that during the elections, 142 international observers and more than 4 thousand national observers were involved in the monitoring.

For the first time ever during these elections, video cameras were installed at some polling stations, and voting was broadcast on the website of the Central Election Commission (CEC) via the online mode.

According to the CEC, out of a total of 3,291,525 (three million two hundred and ninety-one thousand five hundred twenty-five voters), the number of voters cast their votes was 3,019,957 (three million nineteen thousand nine hundred and fifty-seven) voters, representing 91.75% participation of citizens of the country who are eligible to vote.

This indicates that the elections were held on a broad alternative basis, in conditions of openness and in accordance with the requirements of the laws.

During the reporting period, the Office of the Ombudsperson received 1 complaint related to violation of the right to vote.

Thus, citizen V.M. addressed on the issue of restoring his right to be elected to state and local self-government bodies.

In accordance with Article 27 of the Law of Turkmenistan “On the Ombudsperson”, the arguments set forth in the complaint were verified with the assistance of the CEC. Due to the fact that the facts cited in the appeal were not confirmed, in particular, the applicant’s participation in the elections violated the requirements of Articles 44 and 47 of the Election Code of Turkmenistan, the complaint was not satisfied.

One of the activities of the Ombudsperson is to verify observance of the rights of convicts. To this end, during the reporting year, the Ombudsperson visited a number of correctional institutions.

In accordance with the Law of Turkmenistan “On the Ombudsperson”, the Ombudsperson has the right to visit preliminary detention facilities, places of detention, correctional and other specialized institutions without any notice and without prior notification and conduct inspection of their activities.

In accordance with the provisions of the Law, complaints of persons detained in places of preliminary detention, custody, correctional and

other specialized institutions shall be subject to sending to the Ombudsperson without examination within twenty-four hours.

In order to implement these tasks, stipulated by the Law and by the annual work plan, the Ombudsperson paid attention to ensuring the rights of special groups of convicts - women and minors. Namely, the institutions MP-E/13 of the Police Department of the Mary welayat for convicted minors, DZ-E/8 of the Police Department of the Dashoguz welayat for convicted women were visited.

In 2015, construction work and major repairs in the amount of 2,114,240 manats were carried out at the institution MP-E/13, the housing conditions of convicts were aligned with international standards. Of the total number of 81 convicts, 68 were left in the juvenile correctional facility in accordance with article 127 of the Penitentiary Code of Turkmenistan until they reach the age of twenty-one. There were no persons with disabilities among the convicts. During the inspection, the Ombudsperson held meetings and talks with those serving sentences in groups or separately. As a result of the inspection of the provision of sanitary standards at their place of residence, health care, nutrition, organization of cultural leisure and sports, the necessary conditions for holding short-term and long-term meetings with close relatives, it was established that all conditions were created for this. In addition, for convicts there was an opportunity to use the services of a store located on the territory of the institution under the Ministry of Trade and Foreign Economic Relations of Turkmenistan. When checking the shelf life of groceries sold at the store, no expired goods were identified. The facility had a big library of 4,851 books and magazines, which were used daily by dozens of readers.

It is worth noting that for convicts there was created the possibility to have secondary education, in particular, in the city secondary school No. 14, located on the territory of the facility, according to the syllabus approved by the Ministry of the Interior of Turkmenistan in coordination with the Ministry of Education. For convicts, this was a good opportunity to receive a certificate of secondary education, to have their education and adaptation to life. In accordance with the staffing table, teachers work at school at the tariff rate of 18.5 hours in various

subjects, and there is also a psychologist who conducts relevant work with convicts. When visiting the facility, interviews were conducted with convicted juveniles and their relatives who arrived on that date. No complaints or statements from their side were received. Also, during the reporting period, the Office of the Ombudsperson did not receive complaints from convicted and imprisoned minors, their close relatives and legal representatives. After visiting a juvenile correctional facility, according to the results of a complete analysis was prepared of the types of crimes committed by minors, repetition, regions of residence of convicts and other circumstances along with appropriate recommendations.

The institution DZ-E/8 of the Police Department of the Dashoguz welayat, where convicted women are kept, was rebuilt and put into operation in 2013. 285,585,000 US dollars were allotted from the state budget for the construction of the building of the correctional facility. The building of the facility was constructed in accordance with international standards; all necessary conditions were provided in the bedrooms of convicts and in the workshops.

In total, the institution had 2,364 convicts who were held under general, high security and prison regimes. An audit was conducted of the full provision of sanitary standards at their place of residence, health, nutrition, organization of cultural leisure and sports, working conditions, holding short-term and long-term meetings with close relatives, and it was established that all conditions were created. The institution had a big library of 3,642 books and magazines, as well as an electronic library, which is used daily by dozens of readers. In addition, the opportunity was created for convicts to use the services of a store located on the territory of the institution under the Ministry of Trade and Foreign Economic Relations of Turkmenistan. When checking the shelf life of groceries sold at the store, no expired goods were identified. For convicts all the conditions for employment were created. They worked in three shifts in the sewing workshop, designed for 350 workplaces, in the shoe shop for 250 places, and also in the hand-made sewing workshop. The salary was accordingly transferred to their personal accounts. On the inspection day, the Ombudsperson held meetings and conversations with convicts in their rooms, at their place of work, in

groups and separately. During one of the meetings, convicted M.Z. raised the issue of illegal bringing her to criminal responsibility. During the conversation, her previous actions on this issue were clarified and the procedure of appeal in accordance with the current legislation was explained. The facility had a kindergarten for 80 places, in which at the time of the inspection the children were not kept. Among the convicts were one minor and twenty women with disabilities. All the conditions were provided by law for convicts: for training, health care and other opportunities were created. The above shows that all the conditions have been created for the convicted women for the realization of the rights provided for by the Constitution and the criminal-executive legislation of the country, which they exercised. During the reporting period, the Office of the Ombudsperson did not receive any complaints from women sentenced to imprisonment; three written and two oral requests from their close relatives were recorded.

Appeals concerned issues of disagreement with the investigation and the court sentence in the case. On one appeal related to the pardon, legal remedies for rights and freedoms provided for in the relevant provisions of the Law of Turkmenistan “On the Ombudsperson” were explained.

In the reporting period, the Ombudsperson’s Office received a total of 78 written and 72 oral appeals related to civil and political rights. The appeals have been considered in accordance with the provisions of the Law. Of these, 3 written appeals were satisfied.

Chapter IV. Economic, social and cultural rights

As is known, the International Covenant on Economic, Social and Cultural Rights was ratified by our country in 1996. The norms of the Covenant are implemented in the national legislation; measures are being taken to fulfill the obligations arising from it. This fact confirms the commitment to the international obligations undertaken by our state in this area.

According to Article 9 of the Basic Law, Turkmenistan recognizes the priority of generally recognized norms of international law.

The Constitution of Turkmenistan guarantees the right of every person to work, choice of profession, occupation and place of work at his/her own discretion, education, health care, housing, an enabling environment for life and health, recreation, participation in cultural life, social protection. These guarantees, stipulated by the Basic Law, are enshrined in certain laws and are comprehensively implemented.

It should be noted that last year the Mejlis of Turkmenistan improved legislation regulating economic, social and cultural rights, namely the Code of Turkmenistan on Social Protection of the Population, the Family Code of Turkmenistan, the Labour Code of Turkmenistan, the Code of Turkmenistan on Administrative Offenses, the Tax Code of Turkmenistan, the Water Code of Turkmenistan, the Laws of Turkmenistan “On State Guarantees of the Rights of the Child”, “On Physical Culture and Sport”, “On Education”, “On Ecological Expertise”, “On the Trading activity”, “On Drinking Water”, as well as the Law “On the Principles of Transport policy of Turkmenistan”, “On the Tripartite commission on regulation of social and labour relations”.

In the state strategy, a significant role is assigned to measures aimed at ensuring the effective use of labour resources and the constitutional rights of citizens to work.

In particular, these rights of citizens are ensured on the basis of the current long-term programmes for the socio-economic development of the country, as well as the specially adopted Programme for improving the sphere of employment and creating new jobs in Turkmenistan for 2015-2020 and the Action Plan for its implementation.

In the context of the active industrialization of the country, the transition to a digital economy and the formation of an information society, the development of a market economy and entrepreneurship, special attention is paid to strengthening human resources. In this regard, the importance of the Employment Programme for young professionals in Turkmenistan for 2018-2020 adopted in the reporting year should be noted. Approved by the Resolution of the esteemed President of Turkmenistan in March last year, this document is aimed at further improving the social and living standard of life of youth, broad

opportunities and more favourable conditions for their effective and productive work, and improvement of the employment system.

And here it will be appropriate to elaborate on the meaning of the Law “On the Tripartite commission for the regulation of social and labour relations” adopted by the Mejlis of Turkmenistan last year with the aim of improving labour relations. According to the Law, an important role is assigned to the establishment of the Commission and its work on the regulation of labour relations. The Commission is entrusted with the following tasks: conducting tripartite negotiations, in accordance with the labour legislation of Turkmenistan, the development and achievement of the conclusion of the General Agreement between the parties, assistance in settling social and labour relations; consultations on issues related to the development of draft laws and other regulatory legal acts of Turkmenistan in the field of social and labour relations and state programmes in the field of labour relations, employment and social protection, as well as the implementation of adopted programmes, the study of international experience, co-operation with relevant international organizations and organizations of foreign countries in the field of social and labour relations. The fulfillment of the above tasks will bring positive results in the field of labour relations in our country.

As can be seen, there is a large-scale activity to implement the rights of citizens to work. Despite this, a certain number of the total number of appeals from citizens to the Ombudsperson’s Office is related to labour issues. During the reporting year, 50 written and 70 oral appeals of similar content were received, mainly on employment. Appeals were considered in the manner prescribed by the Law, explanations were given, and 4 appeals were satisfied.

In our country, the right to the protection of human health is guaranteed by the constitutional norm and is enshrined in laws and other regulatory legal acts governing the activities of health care institutions.

Transformations are being implemented for the development of the health care system, ensuring the principles of justice, equity and mutual assistance, improving financing, specialized services, relying on modern leading technologies of health care and provided to citizens. That is, one

of the priority directions of the state policy on reforming the domestic healthcare system is to provide medical facilities with state-of-the-art medical equipment, creating all the necessary conditions in them for the provision of adequate services to the public. To this end, in the past reporting year, dozens of health houses and complexes were opened, equipped with advanced equipment that meets international standards. It should be noted that in the reporting year, the health care system of the city of Turkmenabat received a wonderful gift. One of the major medical centres in the region, which includes a multifunctional hospital and infectious hospital, as well as 6 residential buildings for 40 families of medical workers, was put into operation. Within the framework of the State Programme "Health", large-scale activities were carried out last year, including the improvement of the activities of medical and preventive facilities. In order to timely diagnose diseases and analyze the health status of the population, regular clinical examination of working people, preventive vaccination are conducted in our country. The programmes were implemented in the field of health care, funds allocated for the development of the system, in particular, in the reporting year 1,870,488.4 thousand manats were allocated, of which 1,868,029.9 thousand manats, i.e. 99.9% were utilized, the improvement of laws in this area confirms the priority of this vector, since human health is the main wealth in our country.

Being an equal member of the world community, Turkmenistan, joined the main international human rights conventions, reaffirmed its commitment to the implementation of the norms specified in them into national legislation and strict compliance with them. As is known, Turkmenistan acceded to the Convention on the Rights of the Child in 1994, the Convention on the Rights of Persons with Disabilities in 2008, and the Optional Protocol to it in 2010. The provisions of these international documents are enshrined in national legislation and implemented.

Some work has been done to verify the provision of human rights by health authorities, or rather citizens who need special protection, in particular: children, the persons with disabilities, the elderly, caring for them is among the priorities in public policy.

In this regard, it is important to note that the Ombudsperson visited children's homes/orphanages, homes for the elderly and persons with disabilities located in the regions of the country, namely in Dashoguz, Lebap and Mary welayats, under the jurisdiction of the Ministry of Health and Medical Industry of Turkmenistan, and also familiarized herself with the internal regulations of institutions and living conditions of children and the persons with disabilities. The number of remaining persons without care due to a number of circumstances is insignificant.

Work in orphanages is carried out in accordance with the Provision “On Approving the Provision on Orphanages in the city of Ashgabat and welayats”, approved by the Order of the Ministry of Health and Medical Industry of Turkmenistan No. 170 of 28 June 2016 and by the Provisions approved by the welayat departments.

As it was established, orphanages are financed from the state budget; living conditions, their food, health care, pedagogical education and other types of childcare, the chores are carried out in accordance with the norms and rules by appropriate qualified staff. Children under the age of 4 years old are brought up in orphanages that are divided into age groups; they are cared for in accordance with the daily routine.

Also, in the mentioned welayats, the homes for the elderly and persons with disabilities financed from the state budget were visited. The institutions operate in accordance with the Regulation approved by the Order of the Ministry of Health and Medical Industry of Turkmenistan No. 171 of 28 June 2016 “On Approval of the Regulations on homes for the elderly and persons with disabilities in Ashgabat and welayats”. In the specified homes, as the name implies, persons with disabilities and elderly people reside. It has been established that in these homes proper conditions have been created for their residence, work on providing nutrition is carried out, health protection and other services are rendered by qualified specialists.

The given facts about the people cared for by the state testify that in our country no one is left behind.

During the past year, the Ombudsperson's Office received 3 written and 1 oral appeals on health issues, which were considered in the manner prescribed by law.

As noted above, by becoming a party to the Convention on the Rights of the Child, Turkmenistan has implemented the norms of this document on children's rights to education in national legislation and implements their practical realization. The activities of educational institutions are carried out in accordance with generally accepted international standards.

The country's Constitution guarantees the right of every person to education, and also establishes the obligation of general secondary education in state educational institutions free of charge. The state provides access to vocational education for each person in accordance with his/her abilities.

The laws regulating the activities of educational institutions are constantly being improved. The programmes of the development of the educational system are being implemented. The Concept approved by the Resolution of the esteemed President of Turkmenistan "On the approval of the Concept of development of the digital educational system", as well as its implementation plan is a clear confirmation of the above.

This document was adopted in order to consistently improve the activities of educational institutions, to provide all tiers of education with high-quality electronic information, to broadly use digital resources, enrich the content of curricula in educational institutions and ensure their compliance with international standards.

Based on the needs of society in a highly educated, highly moral, active youth, showing responsibility for the fate of the country, its socio-economic prosperity, the domestic education system is aimed at preparing and training talented young personnel, highly professional, qualified specialists.

The implemented policy of bringing the education system to the world level, bringing up young people who are capable of modern thinking, is a safeguard justifying these investments in the future. To achieve these goals, significant funds are allocated annually from the State budget for the development of the education system. In the reporting year, 4,948,578.8 thous. manats were allocated to finance the activities of educational institutions, of which 4,941,242.3 thous. manats or 99.9% were utilized. This fact is another evidence of the success of the transformations carried out in this area.

In order to comply with ensuring the human right to education, in particular for children with disabilities, the Ombudsperson visited Rehabilitation training and education centres located in Lebap, Dashoguz, Mary welayats.

The activities of the complexes are regulated in accordance with the Regulations approved by the Order of 8 September 2014 of the Minister of Education on the basis of the Resolution of the President of Turkmenistan No. 13835 of 5 September 2014 and the Regulations approved by welayat departments. In accordance with the Resolution of the President of Turkmenistan, modern buildings have been constructed in each welayat, with the necessary conditions for children with disabilities. They provide everything for education, health recovery, regardless of the type of disability.

During the past year, the Ombudsperson's Office received 5 written and 2 oral appeals from citizens regarding education, which were considered in the manner prescribed by law. Two written appeals were satisfied.

Turkmenistan is a state that guarantees the social security of every person through constitutional norms. Citizens have the right to social security according to age, in the event of illness, disability, loss of ability to work, loss of the breadwinner, unemployment, and on other legal grounds.

Young families, families with many children, children who have lost their parents, veterans, and persons who have lost their health in protecting state or public interests are provided with additional support

and benefits from state and public funds. The above opportunities created for our citizens are enshrined in constitutional norms. The social security system is regulated by the Code of Turkmenistan on Social Protection of the population, as well as other laws and regulations. Legislation in this area is systematically improved in accordance with the priorities and requirements of our time, international standards. In addition, to improve social security, social and living conditions of our citizens, relevant long-term programmes are being implemented in the country.

Speaking about certain measures, first of all, it should be noted that in order to successfully implement the set tasks of the programmes and further improve the social conditions and social protection of the population, as in previous years, the size of the wages, pensions, government benefits, student scholarships was increased in 2018 by 10% by a Decree of the President of Turkmenistan. The adoption of such a decision contributes to the improvement of the material well-being of citizens. To meet the housing issues of certain groups of citizens, on 20 January 2017, the President of Turkmenistan signed a Decree “On the construction in the welayats of the country and the city of Ashgabat of residential buildings for the persons with disabilities and other people who are especially in need of social protection.” It should be noted that the tasks arising from the Decree were fully completed - the construction of the mentioned houses was completed and they were put into operation; in the reporting year, the persons from the respective group were provided with housing with all conveniences. It should also be noted that in order to realize the rights of citizens to housing and to meet housing issues, residential buildings are being built in all parts of the country at the expense of mortgage lending, for the purchase of which credit institutions issue long-term funds at concessional interest rates.

Along with measures to improve the social security of citizens, there are benefits for families with many children. On the basis of the Regulation approved by the Law of Turkmenistan of 3 March 2018 “On the establishment of the honorary title of Turkmenistan “Ene mähri ”, over the decade the title “ Ene mähri” was assigned to hundreds of mothers who gave birth and raised eight or more children. In accordance with the Law adopted in October of the reporting year, the Regulation on the

assignment of this honorary title was improved and additional benefits were provided for mothers awarded this title. In particular, it provides for the right to use benefits in cases and in accordance with the procedure established by law, the mothers are given the right to free use of dental prosthetics services at the expense of the State Budget of Turkmenistan, public transport (except for taxis), as well as they and members living together have the right to freely use water, gas, electricity and housing services at the expense of the relevant authorities. All of the above indicates that in our country mothers and children receive comprehensive care.

Despite the facts confirming the full observance in the country of citizens' rights to social security, the Ombudsperson's Office received complaints on this issue during the period under review, 2 written and 5 oral, which were considered in the manner prescribed by law.

Turkmenistan, being one of the countries of the world with an ancient and rich culture, contributes to the further development of culture, science, art, folk art and sports. This is confirmed by the safeguarding by the Basic Law of Turkmenistan and other legal acts of the rights and freedoms of each person to participate in cultural life, freedom of artistic, scientific and technical creativity. Article 56 of the Constitution states: "Copyright and human interests in scientific, technical creativity, as well as artistic, literary and cultural activities are protected by law," which confirms the above. These constitutional norms are reflected in the Laws of Turkmenistan "On Cinematography" (18.06.2016), "On National Artistic Creativity" (23.11.2016), "On Copyright and Related Rights" (10.01.2012), "On Protection of the intangible cultural heritage" (02.28.2015), "On Protection, export and import of movable values of the national historical and cultural heritage" (03.26.2016), "On Theatre and theatrical activities" (08.11.2014), "On Science and Technology parks" (08.16.2014) and other legislative acts.

During the past year, numerous festivals, cultural days, concerts, theatre shows, art contests, creative competitions, book fairs were organized on the territory of Turkmenistan, which made it possible for everyone to get acquainted with the rich historical and cultural heritage of the Turkmen people and cultural traditions of friendly countries. In Turkmenistan, the

rights and freedoms of representatives of different ethnicities living in the country are equally protected, regardless of nationality, color, gender, origin, place of residence, language, attitude to religion or other circumstances. Enabling conditions have been created for representatives of national and ethnic minorities, their observance of their customs and traditions, the holding of national holidays and traditional celebrations.

It should be noted that during the reporting period, the Ombudsperson's Office did not receive complaints from citizens on matters of cultural rights.

Глава V. Activities of the Ombudsperson to assist in the improvement of the legislation of Turkmenistan

The highly respected President of Turkmenistan identified the promotion of human rights and freedoms as a priority for the legislative work of deputies of the Mejlis of Turkmenistan of the sixth convocation.

Speaking at a meeting with deputies on 30 March 2018, the head of state noted the priority of ensuring the promotion of human rights and freedoms, guaranteeing life, health and presumption of innocence. The esteemed President drew attention of the people's representatives to the need to conduct an in-depth analysis of current legislation, the adoption of new laws that meet the requirements of international legal norms.

Guided by the initiative of the highly respected President of Turkmenistan, last year the Mejlis of Turkmenistan adopted dozens of new laws and improved existing ones. New laws regulate important issues in our country: Laws of Turkmenistan “On Transport Security”, “On Television and Radio Broadcasting”, “On the Fundamentals of the Transport Policy of Turkmenistan”, “On State Regulation of Agricultural Development”, “On Land Reclamation”, “On Radio Frequency spectrum”, “On the trilateral commission for the regulation of social and labour relations”, “On the prevention of the harmful effects of alcohol”. During the past year, in order to align them with generally accepted international standards, the existing laws have been improved through the introduction of appropriate amendments and additions.

According to the Law of Turkmenistan “On the Ombudsperson”, one of the main tasks of the Ombudsperson is to assist in the improvement of

the legislation of Turkmenistan in the field of rights and freedoms of man and citizen. The annual work plan of the Ombudsperson sets this task and performs it throughout the year. In particular, last year, the Ombudsperson and her staff carried out relevant work as part of the working group established in the Mejlis of Turkmenistan on drafting the Criminal Code of Turkmenistan (new edition), the Administrative Procedure Code of Turkmenistan, the Arbitration Procedure Code of Turkmenistan (new edition), the Law of Turkmenistan “On the vital records”. Also during the year, in order to improve the existing legal acts, the draft Laws of Turkmenistan “On amendments and additions to certain legislative acts of Turkmenistan” were reviewed, for which suggestions and comments were made.

In addition, the Ombudsperson and her staff, with the participation of deputies of the Mejlis took measures in the regions to increase the awareness of citizens in the field of protection of human rights and freedoms. Together with the participants of the activities the implementation of laws and proposals for improving legislation was discussed.

Глава VI. Participation of the Ombudsperson in public events. Promotion of human rights awareness.

During the past year, the Ombudsperson, along with the implementation of the mandated powers, participated in various public events, which were envisaged in the approved plan for 2018 and assisted in raising the awareness of citizens in the field of human rights protection. The following activities can be mentioned.

The Ombudsperson, based on the plan of events and meetings for the first quarter of 2018, participated as a member in the founding meeting of the Commission for the preparation of comments to the Law of Turkmenistan “On Administrative Procedures”, held on 2 February 2018 in Ashgabat within the framework of co-operation with the German Regional Programme of the Society for International Co-operation (GIZ) “Assistance in building a legal state in Central Asia”, as well as in subsequent regular meetings of this Commission during the year.

It should be noted that since the first days of the setting up the Ombudsperson's Office, co-operation has been established with the Interdepartmental Commission on ensuring the implementation of Turkmenistan's international obligations in the field of human rights and international humanitarian law. Last year co-operation with this structure was continued. During the year, the Ombudsperson, as an invited representative, participated in three meetings of the Commission, expressed her opinion on issues put on the agenda or documents under consideration. This interaction contributes to the implementation by the Ombudsperson of the authority stipulated by the Law on the participation in the preparation and consideration of national reports submitted to intergovernmental bodies and international organizations to meet international obligations, to study proposals for these reports, as well as implementing other tasks in the human rights field.

In addition, in August 2018, the Ombudsperson took part as an invited representative in a 'Round table' organized by the office of the International Organization for Migration in Turkmenistan with the participation of members of the Interdepartmental Commission on ensuring the implementation of Turkmenistan's international obligations in the field of human rights and international humanitarian law to discuss issues related to implementation of the "National Action Plan of Turkmenistan to combat trafficking in persons for 2016-2018".

As is known, in 2015, the UN member states ratified the Sustainable Development Agenda until 2030, that is, a plan for multilateral, comprehensive measures to address problems in this area. The participating States adopted the global Sustainable Development Goals (SDGs), pledged to direct all their efforts towards their implementation. Having officially ratified the Agenda until 2030, Turkmenistan has begun to adapt the SDGs at the national level. A special technical group was established. On 17 November 2017, the President of Turkmenistan signed the Resolution No. 438 "On Measures for adaptation in Turkmenistan of the Sustainable Development Goals adopted by the states parties to the United Nations". During the entire reporting year, the Ombudsperson and her staff, within their powers, took an active part in the work of the meetings of the relevant commissions, carried out in our country.

In addition, meetings of the Ombudsperson with students of the Institute of International Relations under the Ministry of Foreign Affairs of Turkmenistan and the International University for Humanities and Development were organized, as well as seminars on human rights were held with the participation of the Ombudsperson and Office consultants.

In December last year, the Ombudsperson took part in the 'Round table' on 'Neutral Turkmenistan in the system of international relations' organized in connection with the Neutrality Day of our country by the Academy of Public Service under the President of Turkmenistan. The Ombudsperson made a report on the legal basis of the neutrality status of our country, the provisions of the Law of Turkmenistan "On the Ombudsperson", the activities carried out within the mandate, and also had a discussion with faculty, students of the Academy, forum participants.

The long-term fruitful co-operation between our state and the International Committee of the Red Cross is another indication that Turkmenistan is open to broad international co-operation. Last year witnessed 20 years' partnership of our country with this international organization. In honor of this event, an exhibition was organized at the Institute of International Relations under the Ministry of Foreign Affairs of Turkmenistan to celebrate the 20-year bilateral co-operation between Turkmenistan and the International Committee of the Red Cross. Representatives of the Ombudsperson's Office also participated in the event, as well as in the presentation in Turkmen language of the Convention for the Protection of cultural property in the event of armed conflict, held by the Office of the International Committee of the Red Cross in Turkmenistan at the Institute of State, Law and Democracy of Turkmenistan.

One of the main functions of the Ombudsperson is to promote legal education of citizens in the field of protection of the rights and freedoms of man and citizen, forms and methods of their protection. In this regard, over the past year, the certain relevant measures were included in the annual plan of the Ombudsperson's Office and subsequently held. It should be noted that in our country there is a practice of drawing up

comments on legal acts with the aim of reaching out to public for explanation of the effective laws. This is one of the most effective methods to increase the legal awareness of people. Last year, a specially created group of authors continued to prepare comments on the Civil Code of Turkmenistan, the Law of Turkmenistan “On Administrative Procedures”, which regulates relations between administrative institutions and citizens. The Ombudsperson and the staff took part in the drafting of comments on the above legislative acts.

A representative of the Ombudsperson participated in a conference at the Supreme Court of Turkmenistan devoted to ensuring the implementation of the provisions of the Law of Turkmenistan “On Administrative procedures” enacted on 1 January 2018, and improving the procedure for its implementation. He gave a presentation on the “Appeal procedure” chapter of the aforementioned Law.

In addition, based on the approved annual work plan, the Ombudsperson and her staff held conferences in the Resource Centers for Human Rights established on the basis of regional higher education institutions. The fora, organized to improve legal competence and education in the field of human rights, were attended by senior officials from institutions reviewing citizens' appeals (government officials, representatives of local authorities and local self-governments. The participants of the conference, given the fact that they work primarily with appeals of citizens and are among the first to consider their problems, received explanations on the norms and requirements of the Laws of Turkmenistan “On Administrative procedures” and “On the Ombudsperson”. Similar meetings were held in all the welayats of the country.

In October-November last year, within the framework of the Joint action programme of the Ombudsperson’s Office and the United Nations Children's Fund (UNICEF) Office in Turkmenistan for the period 2018–2019, seminars were held in all regions of the country to raise awareness on the rights of the child and the rights of individuals (children) with disability. These seminars were also held in the Human Rights Resource Centers of higher educational institutions of the welayats of the country; they were attended by senior officials of etrap, city and welayat

hyakimliks, etrap and city departments of education, health, and civil registry offices, responsible employees of the social protection system and responsible employees working with children, including children with disabilities. The seminars explained the norms of the UN Conventions “On the Rights of the Child”, “On the Rights of Persons with Disabilities”, the provisions of the national legislation into which these norms were implemented. The meeting participants were familiarized with the national statistics of Turkmenistan on the implementation of the standards of the above-mentioned Conventions, proposals of the competent authorities, and the work being done in the country to study and implement them.

As noted above, in accordance with the Law of Turkmenistan “On the Ombudsperson”, the formulation of an annual report of the Ombudsperson on her activities and on the situation with human rights in the country, submitted for consideration by the President of Turkmenistan, as well as the presentation of this report to the Mejlis of Turkmenistan was envisaged. In order to fulfill these provisions of the Law, the Ombudsperson took part in the second meeting of the Mejlis of Turkmenistan of the sixth convocation on 9 June 2018 and, in accordance with the agenda, presented a report on the work done and on the situation with human rights in the country in 2017, which was the first year of the functioning of the Ombudsperson institution.

According to the Law, the annual report of the Ombudsperson should be promulgated in the mass media of Turkmenistan. With this view, the report was published in the electronic newspaper of Turkmenistan “Altyn asyr”, as well as on the website of the Ministry of Foreign Affairs.

Also, according to the content of the report, presentations were broadcast in the “Kanuny Döwlet” programme on the Altyn Asyr TV channel together with the Mejlis of Turkmenistan and on the “Watan” radio.

In honor of the holidays and social and political events, the staff of the Ombudsperson’s Office made articles in the mainstream media on relevant topics and on the protection of human rights and freedoms. In

particular, the following articles were published: in the newspaper “Türkmenistan” - in honor of the significant Date of Independence on guaranteed human rights in the years of independence, on the eve of the Neutrality Day on human rights, which constitute the key principle of neutral Turkmenistan; in the newspaper "Neutral Turkmenistan" - about an important socio-political event, such as holding the Halk Maslahaty and the significance of the national forum, in celebration of the neutrality – on the noble principles of international law.

Also, with a view to broad media coverage of the Ombudsperson’s activities in local media of five welayats, articles were published about meetings held at Human Rights Resource Centers throughout our country.

Chapter VII. International co-operation

The year 2018, full of important international events, brought concrete results thanks to the consistent implementation of international policies by the esteemed President of Turkmenistan Gurbanguly Berdimuhamedov, based on the principles of peace, good neighborliness, mutually beneficial co-operation and strengthened the authority of our Motherland in the international arena.

Speeches by the distinguished President in the UN General Assembly and other major international fora, contained creative initiatives to solve current problems and issues of our time, as well as to expand productive co-operation in the region and around the world.

In accordance with the Law of Turkmenistan “On the Ombudsperson”, one of the main functions of the Ombudsperson is to promote the development and co-ordination of international co-operation in the field of rights and freedoms of man and citizen. In pursuance of this provision of legislation, during the reporting period, work aimed at intensifying the activities of the Ombudsperson in establishing relations with international organizations and intergovernmental bodies toward the protection of human and civil rights and freedoms, with national human rights bodies of foreign states was continued, which naturally caused the interest of the world’s community.

A concrete example of this is the meetings and conferences listed below. Thus, during the reporting period, the Ombudsperson met with the Vice President of the European Bank for Reconstruction and Development, Senior Political Adviser for Russia, Central Asia and Mongolia, Jonathan Avsy, with Special Representative for Central Asia of the European Union (EU) Mr. Peter Burian and his Political Advisor Ms. Martina Schmidt, with a delegation led by the High Commissioner for National Minorities of the Organization for Security and Co-operation in Europe, Lamberto Zannier, with a senior OSCE Officer for Gender Equality, Ms. Amarsana Darisouz, and Advisor, Ms. Leena Avonius, Ambassador of the Kingdom of Sweden to Turkmenistan, Ms. Ingrid Tersman, with the Ambassador Extraordinary and Plenipotentiary of Finland to Turkmenistan, Ms. Maria Liivala, with the Special Adviser on Religious Minority Affairs of the State Department of the United States of America, Mr. Knox Tames, the delegation of the Federal Republic of Germany led by the head of the Inter-Parliamentary Group for Central Asia of the Bundestag of this country, Manfred Grund, Regional Director of UNICEF for Europe and Central Asia Region, Ms. Afshan Khan, Regional Representative of the Office of the High Commissioner for UN Human Rights for Central Asia Mr. Ryshard Komenda, Permanent Representative of Switzerland to the OSCE and the UN in Vienna Claude Wild, Permanent Representative of the United Nations Development Programme in Turkmenistan, Ms. Elena Panova, Head of the Organization for Security and Co-operation in Europe Centre in Ashgabat Ambassador Natalia Drozd, International Expert of the United Nations Children's Fund (UNICEF) Arkady Torytsin, and UNICEF Representative in Turkmenistan, Ms. Shahin Nilofer, members of the delegation of the OSCE Office for Democratic Institutions and Human Rights, in the bilateral Turkmen-American political dialogue, in a working meeting organized by the Ministry of Foreign Affairs of Turkmenistan between the members of the UN agencies in Turkmenistan, and officials of the ministries and departments of Turkmenistan, in a meeting organized by the Ministry of Foreign Affairs on the organization of the event "Days of Sustainable Development Goals in Turkmenistan." Besides, a meeting was held between the staff of the Ombudsperson's Office and a delegation of experts from the High Commissioner for National Minorities of the Organization for Security and Co-operation in Europe.

During the above-mentioned meetings held in a trusting, businesslike atmosphere, the interlocutors were acquainted with the status and powers of the Ombudsperson, the work of the Ombudsperson's Office over the past period and the prospects for further development, the main activities in the field of international co-operation. In turn, the mentioned officials expressed interest in establishing and enhancing bilateral and regional co-operation aimed at promoting a deep understanding of international standards in the field of human rights and freedoms.

During the reporting period, co-operation on ensuring and realizing human and civil rights with international organizations was continued, including the United Nations structural divisions - the United Nations Development Programme Representation Office in Turkmenistan, the Children's Fund Office (UNICEF), the Regional Office of the High Commissioner UN Human Rights in Central Asia, and the Office of the Organization for Security and Co-operation in Europe in Turkmenistan etc.

In 2018, a work plan for 2018-2019 between the Office of the Ombudsperson of Turkmenistan and the Representative Office of the UNICEF Children's Fund in Turkmenistan was signed in the framework of the Co-operation Programme between Turkmenistan and the United Nations Children's Fund (UNICEF) for 2016–2020. The plan reflects the recommendations of the UN Committees on the Rights of the Child and the Rights of Persons with Disabilities. This component is aimed at promoting the rights of children to a healthy happy life, without violence, abuse and neglectful treatment, and to the development and upbringing in a safe family environment.

Within the framework of this plan, in October-November 2018, the Ombudsperson's Office together with representatives of UNICEF held throughout the country awareness-raising workshops on the rights of the child and the rights of persons with disabilities. Responsible employees of welayat and local hyakimliks, departments and units of education, health, civil registry offices, responsible employees of the social protection system, and other responsible employees, whose duties include working with these groups of people, were invited to participate

in the workshops. There were also presentations on the provisions of the UN Conventions “On the Rights of the Child”, “On the Rights of Persons with Disabilities”, the legislation of Turkmenistan adopted in pursuance of the implementation of the norms of these Conventions into national legislation was clarified, the procedure for submitting reports by Turkmenistan on the implementation of the provisions of these Conventions was explained. Consultations on issues of interest were also provided, and the wishes of the participants of the seminars were taken into account.

In the reporting period, in accordance with the annual work plan of the Ombudsperson’s Office and the project “Assistance in the implementation of the National Human Rights Action Plan in Turkmenistan for 2016-2020,” co-operation continued with the UNDP Country office in Turkmenistan, and with the OSCE Centre in Ashgabat in the framework of its project “Support to capacity building of the Ombudsperson’s Office”.

As is known, in 2018, the entire world community widely celebrated the 70th anniversary of the adoption by the United Nations of the Universal Declaration of Human Rights. This significant event was also celebrated in Turkmenistan. In particular, numerous events dedicated to this date were planned and held, they were attended by heads and representatives of government agencies, international organizations and public associations.

On 10 December 2018, the Office of the Ombudsperson in Turkmenistan, together with the Office of the UN Resident Coordinator in Turkmenistan and the OHCHR Regional Office, held a ‘Round table’ on the 70th anniversary of the Universal Declaration of Human Rights, which was attended by representatives of diplomatic missions in Turkmenistan, international organizations, including UN agencies, international experts, ministries and departments of Turkmenistan, public organizations.

The ‘Round table’, conducted on 3 December 2018 by the Institute of State, Law and Democracy of Turkmenistan, where representatives of

the Ombudsperson's Office took part among numerous national and foreign guests, was also devoted to this significant date.

The Ombudsperson and representatives of her staff also actively participated in international conferences, seminars, and round tables meetings on various topics in the field of human rights.

In April, representatives of the Ombudsperson's Office took part in a meeting organized by the United Nations Children's Fund (UNICEF) in Turkmenistan, which was attended by an international expert Arkady Toritsyn, who visited the Office of the Ombudsperson. The event participants got familiarized with the situation regarding the rights of children and women in Turkmenistan, a review of the progress achieved by Turkmenistan in implementing the final recommendations of 2015 from the Committee on the Rights of the Child.

In March 2018, the staff of the Ombudsperson's Office took part in a meeting of the Technical working group on combating trafficking in persons in Turkmenistan, organized by the Office of the United Nations Office on Drugs and Crimes in Turkmenistan. The meeting discussed issues of co-ordination of international assistance programmes provided for the implementation of the National Action Plan of Turkmenistan to combat trafficking in persons for 2016-2018.

In the same month, representatives of the Ombudsperson's Office took part in the 'Round table' on "National mechanisms for promoting gender equality in the OSCE region" organized by the OSCE Centre in Ashgabat.

During the year, representatives of the Ombudsperson's Office took part in the workshops of the OSCE Centre in Ashgabat on "Combating violent extremism and radicalism leading to terrorism: a multilateral approach", "Countering the use of the Internet for terrorist purposes", "OSCE standards on the protection of minority rights, integration of various societies and effective participation in public life", "Seminar for instructors on the rights and duties of journalists ", "The potential of labour migration for the economic development of Turkmenistan", "Ljubljana Recommendations for the integration of various

communities". In October, representatives of the Ombudsperson's Office took part in a training on the topic "International norms and mechanisms in the field of human rights protection", organized by the United Nations Development Programme Office in Turkmenistan.

As part of the expansion of international co-operation aimed at learning international best practices in the field of human rights, strengthening contacts with the Ombudspersons of other countries, the Ombudsperson and her staff participated in a number of international fora.

Thus, on 21-23 February 2018 they participated in the Annual Meeting of the Global Alliance of National Human Rights Institutions (GANHRI) and in the side event "The Tripartite Strategic Partnership of GANHRI, UNDP, OHCHR to support the Central Asian NHRI: Experience and Prospects" held in city of Geneva.

On 26-28 February they participated in the work of the High-Level Segment of the Conference on "Basic Human Rights" held in the framework of the 37th Regular Session of the UN Human Rights Council in Geneva, Switzerland. In an event held during this session on the development of human rights in Central Asia, the Ombudsperson made a relevant presentation.

In April 2018, the Office participated in the Forum of the National Preventive Mechanism (NPM), organized by the UNDP Regional Office in Istanbul together with the Office of the Ombudsperson of the Republic of Kazakhstan in Astana. At the meeting, an exchange of experience took place between the Ombudspersons of the Central Asian countries, Russia and Europe, representatives of regional groups of the National Preventive Mechanism and members of the Co-ordination Council, which was of great importance for the capacity building in this area.

In May 2018, a meeting of the OSCE Humanitarian Dimension Committee on the topic "Gender Equality: From Commitment to Action" was held in Vienna, Austria, at which the Ombudsperson of Turkmenistan spoke on the gender situation in Turkmenistan. The presentation outlined the country's gender policy and focused on the

equal participation of women in all spheres of the public and political life of the country, which is safeguarded by the Constitution and legislative acts of the country.

The participation of the Ombudsperson as an observer in the work of the 30th session of the Universal Periodic Review Working Group, held in Geneva, Switzerland during the consideration of the third report of Turkmenistan, and in the dialogue on human rights “Turkmenistan-European Union”, held on 21 June the same year in the city of Brussels of the Kingdom of Belgium should be noted.

As the practice of the Ombudsperson’s Office has shown, sharing experience with national human rights organizations, Ombudspersons of other states helps learn the best practices of their work, identify main goals, determine tactics and strategies for the near future to overcome challenges in the field of human rights and freedoms.

Evidence of this is the participation of the Ombudsperson in the international scientific-practical conference dedicated to the 70th anniversary of the Universal Declaration of Human Rights, held in Moscow, Russian Federation. At the forum, the Ombudsperson made a presentation on the topic “Constitutional mechanisms for the protection of human rights and freedoms in Turkmenistan”.

It should also be noted that within the framework of the project of the OSCE Centre in Ashgabat on “Development of the capacity of the Office and regional Ombudsperson's agencies”, a study tour was organized in Yerevan, Republic of Armenia in November 2018. During the trip, the delegation headed by the Ombudsperson got acquainted with the activities of the Office of the Human Rights Defender of Armenia, shared experiences, took part in events to mark the 10th anniversary of the activities of the staff of the national preventive mechanism for the protection of human rights of the Republic of Armenia. As part of the visit, an official meeting with the Armenian Human Rights Defender Mr. A. Tatoyan took place, at which the parties exchanged views on the importance of a preventive mechanism for the protection of human rights, on vectors and the results of co-operation with civil society, international organizations mass media.

In addition, the staff of the Ombudsperson had the opportunity to participate in various international events dedicated to the protection of human rights, including the seminar on administrative law held in the framework of the regional programme of the German Society for International Co-operation (GIZ) "Promotion of legal statehood in Central Asia" in Riga, Republic of Latvia, IX International Scientific and Practical Conference on Administrative Law "Executive Procedure in Administrative Law", organized under the same regional programme in Astana, Kazakhstan, the International Forum of Women leaders, held in Minsk in the Republic of Belarus, a seminar on "Human rights education and social research methods for national human rights institutions in Central Asia", organized by the UNCHR Regional Office for Central Asia and the Istanbul Regional UNDP Centre and held in Bishkek.

The above-mentioned international events were held in an atmosphere of broad co-operation of the participants, their active contribution to the exchange of information about their experience by giving practical examples, the exchange of information on human rights issues that they handle as part of their work.

The above measures indicate that during the reporting year, the interaction of the Ombudsperson's Office with representatives of international organizations, including human rights organizations, national human rights organizations, and civil society expanded and strengthened.

This contributed to the necessary implementation of the role of the Ombudsperson's Office as a source of information on the situation of human and citizen rights in the country for national and foreign partners, contributed to ensuring effective protection of the rights of citizens, increasing the capacity of human rights defenders and sharing experience in this area.

Taking into account the productivity of international co-operation of the Ombudsperson's Office with international organizations, and, above all, with the United Nations departments, work will continue to protect the

rights and freedoms of man and citizen in all areas and along all directions.

Глава VIII. Requests and recommendations of the Ombudsperson

Within the scope of her authority provided for by Article 18 of the Law of Turkmenistan “On the Ombudsperson” and the functions provided for by Article 19, the Ombudsperson examines complaints of citizens of Turkmenistan and foreign citizens and stateless persons on the territory of Turkmenistan to decisions or actions (inaction) of state authorities and local self-government officials, civil servants who violate their rights and obligations guaranteed by the Constitution of Turkmenistan and other regulatory legal acts, international agreements of Turkmenistan, if previously the applicant appealed against the decisions or actions (inaction), according to a court or administrative procedure, but did not agree with the decisions taken on his/her complaint.

Also, in accordance with the norms of the Law, by accepting a complaint for handling, the Ombudsperson has the right to apply for assistance in its verification to the competent state bodies, local governments and officials. In case of establishing facts of violation of rights and freedoms of man and citizen, the Ombudsperson sends to the company, institution, organization or officials whose actions (inaction) violate human rights and freedoms, his/her recommendation containing proposals for taking necessary measures for the immediate restoration of violated rights and human freedoms, and in relation to an official who violated human rights and freedoms - to the authorized state bodies or to the relevant official - to initiate disciplinary or administrative action or criminal proceedings.

Complaints received by the Ombudsperson’s Office were accepted into the proceedings, it was determined from the results of the study that the citizens had applied previously to the relevant authorities on their questions and, disagreeing with the decisions made on them, appealed them administratively and judicially, and also did not agree with the results.

On a large part of the complaints received for processing, the Ombudsperson addressed the competent state bodies for assistance in verifying the arguments mentioned in the appeals, on the results of which they were considered. On verified appeals, satisfactory answers were received and given. However, some of them, due to the incompleteness of inspections or consideration of their nature, required referral. Also on the complaints, the Ombudsperson appealed to the competent authorities with recommendations. Here we believe it appropriate to give a few examples on requests and recommendations relating to complaints.

Thus, a resident of Ashgabat, L.L. filed a complaint in which he indicated that no warrant was found in any of the archives for the living space allocated to his deceased father many years ago. This is why the relevant authorities did not re-register a personal account in his name. As a result of the study of the documents attached to the complaint, it was established that in the housing maintenance trust there were documents for opening a personal account in the name of the father of L.L. on the basis of the handover act of the house, compiled forms Nos 16 and 17 on registration and residence in this house of L.L. for more than 43 years, on the death of his father in 1997. The complaint of the citizen was sent to the hyakimlik of Ashgabat city, the request was satisfied and the personal account was renewed in the name of the applicant, and he was notified about this in writing.

There were facts of satisfaction of complaints about delays in the provision of housing to replace the demolished housing.

For instance, residents of Ashgabat M.N. and N.K. in their complaints pointed out that the relevant authorities, referring to an untimely construction and commissioning of residential buildings, for a long time did not allow them to move to their previously indicated residential buildings.

To assist in the verification of the arguments set forth in them, both complaints were sent to the hyakimlik of Ashgabat. After verification, answers were given on the creation of the opportunity to move to the houses provided, with the indication of their addresses.

An Ahal welayat resident, A.A., complained to the Ombudsperson's Office. She stated in her complaint that the house in which she lived, was subject to demolition. In connection with the official dissolution of the marriage with her spouse, despite the fact of her registration in the house, her husband's relatives prevent her from living in it. She had 3 young children on her dependency. Her complaints in various instances about the need for housing did not produce results, and she asked to assist her in this matter.

To verify the arguments set forth in it, the complaint was sent to the hyakimlik of the Ahal welayat. The response received as a result of the inspection indicated that at the meeting of a special commission established by the hyakim of the Ahal welayat, the marital status of the applicant was examined. The family was recognized to be in particular need of social protection, and prior to building a typical residential building on a land plot provided to her family (at the place of registration), the commission decided to build for her a 2-room dwelling with all outbuildings for temporary residence. Construction of the house was in the completion stage, and she was notified about that.

Residents of the Balkan welayat made a collective complaint on the housing issue. The appeals stated that they lived in the houses of the state housing stock, which have been subject to demolition for the past 20 years. In this regard, the house was not being renovated, beautified. The complaint contained a request that if the house was really to be demolished, provide them with housing in accordance with the established norms.

In order to assist in verifying the arguments in the complaint, the complaint was sent to the hyakimlik of the Balkan welayat. As a result, a response was received that a meeting was organized with the applicants and a conversation was held, relating to the issues of grievances, and appropriate measures were taken, which resulted in a conciliation agreement between the parties.

However, for some complaints sent for field checks, in which citizens indicated that the local executive authorities did not consider their

housing applications, it turned out that specific decisions had already been made on these issues.

For example, the response of the hyakimlik of Ashgabat on a complaint of similar content to a resident of the city of Ashgabat A.H. stated, that according to the Resolution of President of Turkmenistan No 15092 of 20.01.2017 “On the construction of residential buildings for persons with disabilities and people especially in need of social protection in the country’s welayats and the city of Ashgabat”, the documents were received from the applicant on 01.02.2018 and he was put on a waiting list under No 138 and his issue would be resolved by the appropriate public commission.

A complaint of similar content received from a resident of Ashgabat was sent for inspection to the hyakimlik of Ashgabat, as a result of which it was established that the applicant’s documents were received based on the above decree and he was put on a waiting list under No.285, and the appropriate public commission would consider his issue.

The signing by the esteemed President of Turkmenistan of the Resolution approving the Programme for improving the sphere of employment and creating new jobs in Turkmenistan for 2015-2020, the action plan for its implementation indicates the creation of new opportunities to address employment issues.

At the same time, a certain part of the complaints were complaints on labour issues, including on employment of citizens.

For example, a resident of the Balkan welayat G.D. in his appeal for assistance in finding a job for his wife, indicated that he was a person with disability of 2 category and did not have the opportunity to work himself, and taking into account their 3 underage children, he applied with this issue to the relevant authorities, but his efforts were ineffective. His complaint was sent for inspection to the hyakimlik of the Balkan welayat, and the received reply stated that on the issue of employment of S.D. - the wife of G.D., relevant work was carried out and she, according to the written instruction of Department of Labour and Employment of the population of Balkanabat, she was employed as a

worker for the improvement of the adjacent territory in the sports school No. 3 of the Chief Department of Sports and Youth Policy of Balkan welayat, located in the city of Balkanabat.

A statement on non-payment of wages received by the Ombudsperson's office from a group of teachers of the elementary vocational school of Sayat etrap of the Agricultural production association of the Lebap Region of the Ministry of Agriculture and Water Resources of Turkmenistan was sent to the named Ministry, where their demands were met and a full settlement was paid to the applicants.

Unfortunately, in some cases the arguments stated in appeals after their verification turned out to be untrue.

For example, the complaint to the Ombudsperson's office of a resident of the Murgab etrap of the Mary welayat A.A. stated that when she asked about the land plot in the village where her father lived, she was offered a plot located in the desert zone, where there was no water, electricity, gas and other necessary living conditions. This appeal was sent to the hyakimlik of the Mary welayat for verification and assistance.

According to the answer, during the inspection it turned out that the applicant had never submitted an application to put her on a waiting list for the allocation of a land plot and during the check and meeting with her, she was explained the order of putting on a waiting list and receiving a land plot. After that, she would have the opportunity to obtain the land plot.

A similar example was sent to the hyakimlik of the Dashoguz welayat. A complaint by a resident of the Gyrogly etrap of the Dashoguz welayat S.N. on the allocation of land and provision her with work. During the verification of the application, it turned out that, according to the resolution of the hyakim of Gyrogly etrap No.124 of 07.05.2015, she was allocated a land plot of 0.12 hectares from the land fund for the construction of a house, and also that she was registered among job seekers at the Employment Department. Despite the fact that she was offered a plot for lease for the cultivation of agricultural products in the Abadanlyk daihan association, as well as a vacancy offered as a carpet-

maker of the Dashoguz carpet enterprise “Cheper” of the Gyrogly etrap, she would be offered assistance according to her wishes. She refused these proposals, stating that she would like to work in her specialty as a laboratory assistant in quality control of food products or service assistant in enterprises within the Gerogly etrap.

In some cases, on the contrary, gross violations of the rights of citizens, committed by some institutions, were revealed.

A resident of the city of Turkmenbashy, Balkan welayat I.G. appealed to the Ombudsperson’s Office with a request to clarify, in the established manner, the fact of bringing an unknown person under her name (stolen identity) to administrative and criminal liability.

The Office of the Ombudsperson has sent this complaint to verify the arguments in the appeal to the General Prosecutor’s Office of Turkmenistan.

During the verification, it was established that, according to the verdict of the court of the Berkaralyk district of Ashgabat city of 11.03.2009, citizen I.A. assigning the name of the applicant, that is, calling herself by the name of I.G. in law enforcement agencies, was found guilty under Article 138 of the Criminal Code of Turkmenistan, and was deprived of her liberty for a term of 1 year.

Also, I.A. again posing as I.G., according to a court order of the Berkaralyk district of Ashgabat of 18 January 2017, was brought to administrative responsibility under Article 360 of the Code on Administrative Offenses and was fined 1,000 manats.

In order to clarify the identity of the applicant, when contacting the relevant Department of the vital statistics, the identity of I.G. was revealed. Due to the incorrect identification by the law enforcement agencies, citizen I.A. under the name I.G. was brought to criminal and administrative responsibility. During the court proceedings, without reliable identification of the person brought to justice, the guilty person was convicted, but she was convicted under a different name.

In the same vein, on the basis of a protest by the Prosecutor of the city of Ashgabat, by a court decision of the city of Ashgabat of 30.10.2018, the ruling of court of the Berkaralyk etrap of 18.01.2017 was annulled,

and administrative proceedings were terminated in respect of the applicant I.G.

In the same way, on the basis of the submission of the Prosecutor of Ashgabat, by the Resolution of the Presidium of the Ashgabat city court of 30.10.2018 the verdict of the Berkararlyk district of 11.03.2009 against the applicant I.G. was canceled, also in a criminal case on 14.12.2018 by the police of Berkararlyk etrap in accordance with clause 1 of Part 1 of Article 31 of the Criminal Procedure Code of Turkmenistan due to the absence of a crime event in the actions of I.G., the criminal prosecution against her was discontinued.

After the termination of prosecution in a criminal case against the applicant I.G., on 14.12.2018 by the police of Berkararlyk etrap in accordance with part 8 of article 3 of the Criminal Code of Turkmenistan and paragraph 9 of part 1 of article 31 of the Criminal Procedure Code of Turkmenistan, the identity card was replaced with a new one for the person I.A. and sent to the Information Centre of the Ministry of the Interior of Turkmenistan.

This statement was also included in the list of satisfied applications.

In his statement, a resident of the city of Turkmenbashy, Balkan welayat, S.S., indicated that his minor son, playing on the playground near the house, received severe head injuries as a result of a loose swing falling on him and was placed in the Intensive care unit of the city hospital. However, no measures were taken to bring to justice the perpetrators from the Kenar complex-loading oil enterprise of the Turkmenbashy oil refinery complex of plants that have built and commissioned substandard children's facilities.

The Ombudsperson's Office sent this complaint to the General Prosecutor's Office of Turkmenistan in accordance with Article 27 of the Law of Turkmenistan "On the Ombudsperson". The response received indicated that, based on the results of the inspection, the Prosecutor's office of the city of Turkmenbashy, Balkan welayat, initiated a criminal case against the head of the Housing and Operational Trust of the said enterprise D.H. under part 2 of Article 188 of the Criminal Code of Turkmenistan, which is under preliminary investigation and that the complaint of the appealing citizen was satisfied.

In such cases, a timely response and reliable verification of the facts by law enforcement officers are required.

As far as the appeals from citizens regarding the protection of children's rights received by the Ombudsperson are concerned, there was a desire of the Office for their satisfactory resolution. Thus, such issues as granting the right to see one's separately living child, assist in obtaining an appropriate education for children with disabilities, were satisfactorily resolved.

A resident of Ashgabat N.A. applied to the Ombudsperson's Office with the question that the Board of Trusteeship and Guardianship of the hyakimlik of Berkararlyk etrap did not timely consider his appeal and did not decide on the issue of days and time so that he could see his young children, living separately.

To verify the arguments and take the appropriate measures, this appeal was sent to the hyakimlik of Ashgabat, and the received reply informed the Ombudsperson that by the decision of the hyakim of the relevant etrap for N.A. the days of the week and the time of meetings with his young children were established.

The residents of the Lebap welayat, J.F. and Dashoguz welayat G.S. addressed the Ombudsperson's Office to assist in the placement of their children with disabilities in state specialized educational institutions for children with disabilities to receive appropriate education. These appeals were sent to the Ministry of Education of Turkmenistan to verify and take appropriate measures. According to the results of the inspections, it was reported that the young son of J.F. was admitted to the auxiliary boarding school of the city of Turkmenabat for the 2018/2019 academic year, and a young daughter of G.S. was placed in a boarding school for deaf and hearing-impaired children of the city of Dashoguz.

It is annoying that on the part of the responsible employees of some institutions, red tape is allowed in resolving some issues that do not

require special effort and as a result of late consideration, citizens simply have to contact the Ombudsperson's Office.

For example, a resident of the Lebap welayat Dzh.E. addressed the Ombudsperson's Office, that due to the deterioration of the health of his son, convicted and serving a sentence outside the country, he would like to send another son to visit him; however, banking institutions, referring to the issuing of the international VISA card, take time and delay the issue of the card. To verify the arguments and take the appropriate decision, this appeal was sent to the Central Bank of Turkmenistan. The prompt response was received and the VISA card was issued to the son of Dzh.E.

A resident of Ashgabat, L.Z. applied for assistance in obtaining a foreign passport to travel to the Russian Federation in connection with the funeral ceremony for the deceased mother, which she was denied by the migration service. This appeal was sent to the State Migration Service of Turkmenistan; as a result of this appeal, an answer was received promptly that the applicant obtained the passport.

As a result of the analysis of appeals, it was established that a significant number of appeals were also connected with migration issues.

As indicated in this chapter, out of 52 requests on this issue, 21 were sent to the State Migration Service of Turkmenistan to verify the arguments indicated in them, and only one appeal was satisfied. There were cases of repeated requests for verification, due to the fact that the replies received did not fully respond to the questions indicated in the complaints.

Such repeated appeals of the Ombudsperson to the relevant structures, as well as the delayed responses of the heads of institutions sometimes hampered the consideration of appeals of citizens within a specified period and in the manner prescribed by law.

IX Chapter. Findings and recommendations

The year 2018 with the motto “Turkmenistan - the heart of the Great Silk Road”, as in previous years, was marked by positive achievements in all spheres of state activity. Transformations in the political, economic, social and cultural life of the country, carried out during the period under review, strengthened the foundations for further steady progress along the path of development and prosperity of the Turkmen state. Laws and other regulatory legal acts, state and sectoral programmes adopted during the year were aimed at ensuring the effective protection and realization of the rights, freedoms and legitimate interests of citizens. All of the above and the situation in the country in the field of human rights were presented in separate chapters of this report on the activities of the Ombudsperson in 2018. However, despite the significant amount of work done in the past year, the Ombudsperson’s Office should enhance it in some areas.

As noted, in the reporting year, as in previous years, productive work was carried out to modernize the legislation, in particular, new laws were adopted, and the previous ones were improved in accordance with the requirements of the time. Also, other regulatory legal acts were adopted and improved. Thus, all legal conditions have been created in the country for the strict observance of human rights and freedoms. As esteemed President of Turkmenistan Gurbanguly Berdimuhamedov emphasizes in his speeches, our main task is to ensure that laws work on the ground. The facts presented in this report testify this. In particular, let us take a look at the chapter about the analysis of citizens’ appeals in the past year. Many of them contain requests of assistance in ensuring, protection or restoration of some rights. As a result of the analysis, the facts of violation by citizens the deadlines stipulated by the law for filing complaints were established, or they did not contact the authorized bodies to protect their rights. At the same time, there were also cases of violation of the rights of citizens as a result of unlawful decisions taken by responsible officials. Thus, a certain part of the appeals is related to the fact that the applicants - citizens or officials, did not comply with the requirements of the laws when performing some or other actions, or their actions were due to their ignorance of the provisions of the laws. Raising the awareness of the population, responsible officials about the rights, duties and responsibilities of citizens provided for in the legislation will contribute to the elimination of such cases.

In accordance with the above, we suggest the following:

- Ministries, departments, hyakimliks of welayats, etraps, cities, law enforcement agencies, the media to carry out continuous and comprehensive work to increase awareness and knowledge among the population and relevant responsible officials on matters relating to human rights, and to keep under constant control the effectiveness of this work;

- consider the possibility of adopting a unified state programme that provides for measures to increase the level of knowledge and awareness of the population on the protection of the rights of citizens by the relevant authorized state bodies on the protection of the rights of citizens, considering appeals and their analysis.

One of the priorities of state policy pursued under the leadership of the esteemed President of Turkmenistan is ensuring the rights and freedoms of children. In this context, it should be noted that comprehensive work was done to improve the social and living conditions of the younger generation, educate children and prepare them for independent living, further improve the quality of educational work, reaffirm our country's commitment to fulfill the obligations arising from the provisions of international treaties of Turkmenistan, rights of children and their practical implementation, creating additional opportunities for their implementation. Work in this direction will be continued in the future. The approval in June 2018 of the Resolution of the esteemed President of Turkmenistan on the “National Action Plan for the Implementation of the Rights of Children in Turkmenistan for 2018-2022”, which provides for a set of key activities in this area can be an evidence to that.

As can be seen from the relevant chapters of the Report, the Ombudsperson's Office in the reporting year carried out some work in the field of children's rights, in particular, on raising awareness on generally accepted norms of international law and the current national legislation in this area, as well as checking the observance of children's rights in certain children's institutions. The Ombudsperson also visited the institution MP-E/13 for convicted juveniles under the jurisdiction of the Ministry of the Interior of Turkmenistan.

The results of the visit to the institution were set out in the relevant chapters of the report, where the creation of appropriate conditions for convicts there was duly noted. An analysis of the data on the persons in these institutions also confirmed the need to strengthen work in this direction. In order to prevent juvenile delinquency and prevent them from committing repeat offenses, the following is proposed.

- A lot of crimes were committed by minors in groups organized by adults and the crime was committed under their influence. In some cases, minors did not realize the criminal nature of their actions. In this regard, it is necessary to strengthen the preventive work of informing minors about the types of responsibility provided for by the legislation;

- Taking into account an analysis demonstrating that among convicts serving sentences in the said institution, 37% are residents of Lebap welayat, 22% are of Mary welayat, and in order to prevent juvenile crimes in these regions of the country, preventive work should be strengthened. Also, it is necessary to study the causes and conditions that contributed to the increase in these indicators and make appropriate steps as the result of the study;

- Strengthen work among parents on prevention and legal awareness in the field of rights and obligations to protect the rights and legitimate interests of children, their upbringing and maintenance established by the legislation of Turkmenistan, in particular, the Family Code of Turkmenistan;

- In order to protect and ensure the rights and freedoms of the child in accordance with the law, to consistently carry out work on the study of the provisions and other normative legal acts regulating the activities of educational, health care institutions and other bodies, to bring them into line with current legislation;

- The activities of the Commission on juvenile affairs under etrap and city hyakimliks, whose immediate duties include taking measures to prevent homelessness, violations of law and order among minors, and ensure their rights, are carried out in accordance with the Regulations approved by the Decree of the Presidium of the Supreme Council of the USSR of 14 February 1967. In order to increase the efficiency of the Commission's activities, the organization of its work in accordance with acts that meet the requirements of modern times, to review and prepare and approve the Regulations in accordance with the current legislation of Turkmenistan and international law.

In order to effectively manage human resources, as well as create conditions for citizens to exercise the constitutional right to work, a number of long-term programmes have been approved by a Resolution of the esteemed President of Turkmenistan and successfully implemented. However, according to the Report, a certain part of the written and oral appeals of citizens were related to labour issues, that is, to employment. Also, the appeals state the facts that for a long time citizens have to be in the waiting lists for employment in departments and units of employment, as well as the impossibility of employment even if there are special written instructions issued by these institutions. In order to successfully implement the relevant programmes and eliminate such cases, we recommend:

- The Ministry of Labour and Social Security of Turkmenistan to strengthen control over the activities of departments and units of labour and employment, to also keep under control the accuracy of the information provided by organizations and institutions on vacant places and the employment of citizens according to issued instructions by employment units.

As noted in the relevant chapters of the Report, last year the esteemed President of Turkmenistan adopted the decrees aimed at raising the social and housing level of the population. Also, a set of measures was carried out for the practical realization of the population's right to housing. In the reporting period, construction was laid in cities and towns and hundreds of residential buildings were put into operation. The solution of social and housing issues was carried out by expanding the scale of construction of residential buildings using market methods based on mortgage lending, in accordance with the law.

Despite this, the results of the analysis of citizens' appeals during the reporting period showed that a certain number of them contained requests for assistance in improving housing conditions. In order to ensure the realization of citizens' rights to housing, we recommend:

- The housing commission, within the limits of its authority, to consider housing issues of citizens in the manner and timeframe established by law, with strict observance of priority.

As is known, on January 1, 2018, the Law of Turkmenistan “On Administrative Procedures”, adopted in June 2017, entered into force. It regulates relations between citizens and administrative bodies. The Law stipulates the procedure for the consideration of citizens' appeals, deadlines and other specific norms. The Law of Turkmenistan “On the Ombudsperson” provides for the terms and procedure for consideration by the relevant institutions of appeals sent to them for consideration by the Ombudsperson.

From the analysis given in the Report, it can be seen that in many cases the deadlines for processing appeals were violated, and it is also noted that many appeals of the applicants remain unanswered. This leads to a violation of the requirements of these laws on the right of citizens to file complaints and often leads to repeated appeals. In order to eliminate such shortcomings, to effectively consider appeals of citizens in the manner and term prescribed by law, we recommend:

- Heads of ministries and departments, hyakims – to organize and keep under control the consideration of citizens' appeals on the merits and effectiveness, also in the manner and within the timeframe stipulated by the law.

The Ombudsperson expresses confidence that everything stated in the report and these recommendations will be taken into due account by state and local authorities in their routine and future work, and effective work will be carried out in this direction.

With the above, we are completing the report of the Ombudsperson on the work done and on the situation in the country in the field of human rights in 2018.

In accordance with the Law of Turkmenistan “On the Ombudsperson”, the Ombudsperson assures that she will continue to fulfill her authority

to ensure, protect and respect the rights and freedoms of man and citizen, since all conditions have been created in the country for this.