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Introduction

As in previous years, the purpose of this report is to review the country's respect for human rights, based on an analysis of important human rights issues, coverage of the human rights situation in 2020, and the activities of the Authorized Representative for Human Rights - the Ombudsperson (hereinafter referred to as the Ombudsperson) for the protection of human rights and freedoms, the restoration of violated rights, the prevention of human rights violations, the submission of proposals, as well as other activities carried out within her powers.

The introduction will highlight a number of key events of the reporting year that are inextricably linked to the rights and freedoms of citizens. The year 2020 was held in the country under the motto "Turkmenistan is the homeland of Neutrality" in connection with the 25th anniversary of the recognition by the international community of the legal status of permanent neutrality of Turkmenistan. From the perspective of jurisprudence, human rights are of great importance for the institution of neutrality, and the Constitutional Law of Turkmenistan "On Permanent Neutrality of Turkmenistan" explicitly secures this. Over the past quarter of a century, the status of neutrality has reflected its effective nature in the national and foreign policy of the country. Turkmenistan has adopted a Declaration on the International Human Rights Obligations of Neutral Turkmenistan, which states that respect for human rights and freedoms is the foundation of justice and peace.

One of the most important events of the past year was the constitutional reform aimed at modernizing the state structure and the legal system, democratizing society, strengthening the foundations for ensuring human rights and freedoms, in particular, the country's transition to a bicameral parliamentary system.

Last year, our country effectively continued international cooperation, including cooperation on human rights with reputable international organizations. At the same time, it should be noted that Turkmenistan for the sixth time was elected Vice-President of the 75th session of the UN General Assembly. During this meeting, the esteemed President put forward important initiatives of universal and global significance.

Last year, preventive measures have been taken at the national level against the pandemic of an acute infectious disease, which has become a global challenge for the world; fundamental, comprehensive work was launched to prevent the negative impact of this threat on the country's economy, along with work aimed at preventing human rights violations.

This Annual Report, which comprises nine chapters, will look in more detail at the above and other important events that took place in the country, an extended analysis of the practical implementation of the tasks of ensuring political, civil, economic, social and cultural human rights and freedoms, and other activities carried out by the Ombudsperson during the year.

In accordance with the provisions of article 20 of the Law of Turkmenistan "On the Ombudsperson", this report shall be submitted to the President of Turkmenistan for consideration and the Ombudsperson shall deliver this report to the Mejlis of Turkmenistan. It will be also covered in the mass media of Turkmenistan and on the website of the Ombudsperson.

Chapter I. Situation with ensuring and observing the rights and freedoms of a human and citizen in Turkmenistan

We consider it appropriate to start the chapter on human rights situation in the Report of the Ombudsperson for the past year, marked by the 25th anniversary of the permanent neutrality of Turkmenistan under the motto “Turkmenistan is the homeland of Neutrality”, with the norms of the legal status of the country’s neutrality, which guarantee the protection of human rights.

The country’s neutral status is inextricably linked to human rights. In this context, the Constitutional Law of Turkmenistan “On the permanent Neutrality of Turkmenistan” and the Declaration on the International Human Rights Obligations of Neutral Turkmenistan state that one of the key principles of the Turkmen state is the declaration of human rights and freedoms in the country as the highest value of society and the state, and the priority of these rights and freedoms in the state activities. These acts affirm that human rights and freedoms are a priority in Turkmenistan, and that the fundamental rights and freedoms of a man and citizen, accepted by the international community and enshrined in the norms of international law, are recognized and respected. The status of neutrality of the country is not only a safeguard of the peaceful life of the people of Turkmenistan, but also serves to maintain peace in the region and around the world.

In the past reporting year - the year of “Turkmenistan is the homeland of Neutrality”, in independent, permanently neutral Turkmenistan, significant work was carried out to ensure the legal basis for the ongoing activities aiming to expand the scope of socio-economic transformations. The work was aimed at ensuring a calm, peaceful and prosperous life for every citizen; increasing the pace of reforms to transition to a market economy; improving the social and state-political structure of the Motherland, including further improvement of the activities of state authorities; and democratization of state and public life.

Despite the continuing complicated situation in the world, the wise domestic and foreign policy pursued by the esteemed President of Turkmenistan contributed to achieving sustainable economic growth in 2020 due to the inspired work of the people of Turkmenistan, and gave impetus to state activities aimed at the welfare of the people. Numerous social and industrial facilities had been built and put into operation. Progress had been made in the country’s economy, industry, agriculture, science and education, healthcare, culture, sports and other areas. The large-scale work carried out in the country has become a source of ensuring the civil, political, economic, social and cultural rights of citizens. In this context, we shall focus on the important work that was implemented in the country during the past year.

We shall focus primarily on the work to ensure a prosperous life for citizens, the protection of economic interests, which were the priority areas of state policy. In the past 2020, the country’s social policy continued to aim at improving the level and quality of life of the people. Specific examples showed that opportunities for human development had been expanded through the improvement of the efficiency of activities in health, education, culture, and various types of work in the service sector. For instance, more than 70 percent of the state budget expenditures were allocated to finance the sphere of social and public services in 2020. The spending of 99.9 percent of the allocated funds indicated the fulfillment of the tasks of social protection, in particular, education, health, social security, improving the opportunities available in the field of housing and communal services, and ensuring the natural rights of the people in various areas.

Due to the country's positive domestic and foreign policy, political, economic, social, and legal transformations, and, at the same time, following the transition to private ownership, the

development of civil society, enabling factors for the full realization of human rights, their potential, and initiatives were created in our country.

It should be emphasized that these transformations have been achieved as a result of comprehensive work carried out on the basis of long-term programmes and plans implemented in our country. In particular, this was the result of the successful implementation of such socio-economic programmes as: “The Programme of the President of Turkmenistan for Socio-Economic Development of the country for 2019-2025”, new version of “The National Programme of the President of Turkmenistan for the Transformation of the social and living conditions of the population of villages, towns, towns of etrap and etrap centres for the period up to 2020”, “The National Programme for Socio-economic Development of Turkmenistan for 2011-2030”, “The Concept for the Development of the Digital Economy in Turkmenistan for 2019-2025”, “The General Programme for Providing Clean Potable Water to the settlements of Turkmenistan”, “The Programme for Improving the Employment System and creating new jobs in Turkmenistan for 2015-2020”, “The State Programme for Supporting Small and Medium Businesses in Turkmenistan for 2018-2024”, and “The Concept of the Foreign Policy Course of Neutral Turkmenistan for 2017-2023”, aimed at developing the country's strategy for foreign policy.

Last year, in order to prevent the negative impact on the country's economy of the global challenge that has arisen in the world – the COVID-19 pandemic, these plans were adjusted accordingly, and comprehensive work was carried out at the national level to combat the pandemic. Namely, the "Plan for Ensuring Readiness to Counteract and Respond to an acute infectious disease in Turkmenistan" and the "Plan of Operational Socio-economic Measures in Turkmenistan to counteract the pandemic of an acute infectious disease" have been adopted, which define specific tasks in this area. Consistent implementation of the tasks identified in these plans contributed to the achievement of positive outcomes in the country in the prevention of diseases. At the same time, it should be noted that all national strategies in this area were aimed at achieving the Sustainable Development Goals and reflected the goals included in the 2030 Global Agenda.

The adoption and implementation, in addition to the above-mentioned activities, and other plans for the strict observance of direct human rights, demonstrated Turkmenistan's adherence to its international obligations in the field of human rights.

During the reporting period, the implementation of the measures outlined in the current plans, namely in the “National Action Plan for the realization of children's rights in Turkmenistan for 2018-2022”, “National Action Plan for the elimination of statelessness in Turkmenistan for 2019-2024”, “National Action Plan in Turkmenistan for combating human trafficking for 2020-2022”, “National Strategy of Turkmenistan for the prevention of violent extremism and countering terrorism for 2020-2024”, “The National Strategy of Turkmenistan for early child development for 2020-2025” continued.

The activities outlined in the “National Action Plan for ensuring gender equality in Turkmenistan for 2015-2020”, “National Human Rights Action Plan in Turkmenistan for 2016-2020”, “Action Plan for ensuring the full realization of the rights of persons with disabilities in the field of labour and employment in Turkmenistan for 2017-2020” were also successfully implemented and summarized.

As can be seen, the planned activities for the observance of general human rights, as well as human rights in certain areas and their implementation on a comprehensive basis, enriched the experience of Turkmenistan on human rights. On the one hand, this experience demonstrated the consistent,

strict observance of human rights by the state, and on the other hand, the comprehensive implementation of these work brought positive outcomes. Based on this, and with the aim of continuing these activities, the plans for the coming years were approved by special Resolutions of the esteemed President of Turkmenistan last year. These included the “National Action Plan for ensuring gender equality in Turkmenistan for 2021-2025”, “National Action Plan for 2021-2024 for the implementation of the Strategy of Turkmenistan for preventing violent extremism and countering terrorism for 2020-2024”, “State Programme in the field of state youth policy of Turkmenistan for 2021-2025”, “Action Plan for the implementation of the “State Programme in the field of state youth policy of Turkmenistan for 2021-2025”.

It should be noted that, as in previous years, during the reporting period, effective work was carried out in the country within the framework of these programmes to ensure and protect civil, political, economic, social and cultural rights of man and citizen. The state fully finances and conducts large-scale activities to implement measures related to improving the standard of living of the population, creating enabling conditions for human development. As stated above, all national strategies implemented in the country were aimed at achieving the Sustainable Development Goals.

Last year, we witnessed the Constitutional reform, which has become an important step in the democratization of society, symbolizing the socio-political development of the country. Guided by the centuries-old experience of the people in governing the state, at the meeting of the Halk Maslahaty (People’s Council) held in last September, important tasks were identified to improve the activities of the representative legislative body of state power. In particular, the draft Constitutional Law of Turkmenistan “On Amendments and Additions to the Constitution of Turkmenistan” prepared by the Constitutional Commission - which effectively performed activities during the past reporting year - was presented at the regular meeting of the Halk Maslahaty of Turkmenistan. This document included the norms related to the creation of a bicameral structure of the legislative representative body of state power and the tasks facing it. The participants of the meeting unanimously approved the draft law and it was submitted to the Mejlis of Turkmenistan for consideration. The Mejlis of Turkmenistan adopted this Constitutional Law.

The transition to a bicameral parliamentary system in our country is based on historical experience of the Turkmen people, legal traditions, as well as the best practices of the parliaments of the countries of the world.

A number of events of international significance marked the past year with the motto “Turkmenistan is the homeland of Neutrality” were held in our country. The entire Turkmenistan’s population solemnly celebrated a significant date in their independent history – the Day of Neutrality. Last year, this holiday was particularly significant, because it marked the twenty-fifth anniversary of the establishment of the status of permanent neutrality of our country by a Resolution of the United Nations General Assembly. This was a real diplomatic victory for the young Turkmen state, which gained its independence in those challenging years. As we can understand, twenty-five years is a sufficient period not only to assess the effectiveness of the doctrine for the foreign policy of Turkmenistan, but also to make sure that the chosen path was correct.

The reporting year was also marked by important developments in the context of international cooperation on human rights. Having said that, it would be appropriate to note the first significant event of the past year, namely, the International Conference on “Turkmenistan and International Organizations: Cooperation for Peace and Development”. Held, in January, it demonstrated a high level of mutual understanding between our country and international organizations in determining the goals and objectives of cooperation. Within the framework of the conference, twelve documents were signed between the Turkmen side and the specialized UN agencies. One of the signed

documents was a Work Plan for 2020 between the Office of the Ombudsperson and the Representative Office of United Nations Children's Fund in Turkmenistan. These documents set out new tasks for partnership between Turkmenistan and the UN in such important areas as ensuring the rights of the young generation, their health, education, comprehensive development, along with strengthening the system and mechanisms of gender equality, expanding the availability of high-quality information framework.

Last year, the International Day of Neutrality was celebrated in our country with great achievements in all areas. The exhibitions and conferences held in the first days of December and dedicated to the political and economic successes, demonstrated to the whole world the achieved milestones. Within the framework of these events, dozens of project documents, agreements, and work plans were signed between the ministries and branch departments of the country and the representative offices of specialized UN agencies in Turkmenistan. In particular, the Office of the Ombudsperson and the UNDP Country Office in Turkmenistan signed the project on "Improving the institutional capacity of the Office of the Ombudsperson of Turkmenistan for 2021-2022", and the Work Plan for 2021 between the Office of the Ombudsperson and the UNICEF Office in Turkmenistan.

One of the main events dedicated to the 25th anniversary of the permanent neutrality of Turkmenistan was the International Conference on "The Policy of Neutrality and its Significance in Maintaining and Strengthening International Peace, Security and Ensuring Sustainable Development". Heads and representatives of reputable international organizations attended the conference. Topics and speeches included issues of peace, security, sustainable development, the fight against the challenge of our time - the coronavirus pandemic and respect for human rights. The speakers gave a comprehensive assessment of the status of neutrality of Turkmenistan, hailing its importance in establishing friendly, mutually beneficial relations in the international space.

The description of the work carried out by our country within the framework of reputable international organizations, which implemented a peaceful foreign policy and a stable domestic policy, should begin with the election of Turkmenistan as Vice-President of the 75th session of the UN General Assembly. The election of our country as Vice-President of the UN General Assembly for the sixth time was a clear evidence of the high international authority of Turkmenistan, the great support for the foreign policy of the esteemed President of Turkmenistan based on the principles of positive neutrality, peacefulness, good-neighborliness and broad international cooperation.

At the 75th anniversary meeting of the UN General Assembly, Turkmenistan continued to work on the practical implementation of international initiatives and proposals of the President of Turkmenistan to address issues high on the regional and international agenda. At this meeting, the esteemed President of Turkmenistan Gurbanguly Berdimuhamedov outlined the priority positions of the country on key contemporary issues by video link. One of them was the proposal to consolidate efforts in the fight against the pandemic, which posed a threat not only for the health of the Turkmen people, but also for all mankind. For instance, the following international initiatives were put forward, such as the establishment of a Special Programme of the World Health Organization for the Study of the coronavirus genome, the development of a multilateral mechanism to combat pneumonia and the creation of a Methodological Centre for the treatment and prevention of acute diseases.

The work carried out last year in the framework of cooperation with international organizations, included the expansion of the scope of activities carried out in Turkmenistan with reputable international organizations in the humanitarian sphere, and more precisely, in the field of human rights and freedoms. Last year, two meetings of the Inter-departmental Commission on the

Implementation of International Obligations of Turkmenistan in the area of Human Rights and International Humanitarian Law were held with the participation of representatives of international organizations in our country. The joint discussion of the tasks to be implemented had shown, on the one hand, Turkmenistan's commitment to international obligations in ensuring human rights and freedoms, and, on the other hand, the country's open actions in these issues.

The establishment of the mandate of the Representative of the UNHCHR Regional Office in Ashgabat served as the evidence of increased cooperation with this international organization. It should be specifically noted that last year, in cooperation with specialized UN agencies, a draft National Action Plan on Human Rights for 2021-2025 was planned to develop and approve. The plan attached a special priority to the further development of the Ombudsperson's Office and the expansion of its cooperation with international organizations, which would facilitate increasing the opportunities for independent implementation of human rights protection in the country. The expansion of cooperation of this independent human rights institution with international organizations is described in more detail in the relevant chapter of the report. One of the activities carried out by the Ombudsperson in accordance with the approved Work Plan for the past year was the creation of an Expert Council. In accordance with article 44 of the Law of Turkmenistan "On the Ombudsperson", in order to provide advice an Expert Council may be established under the Ombudsperson, consisting of persons with the required knowledge of human and civil rights and freedoms. In connection with the emergence of various issues since the beginning of the Ombudsperson's activity, in order to discuss these issues with experienced experts, to further improve the activities on protection of human rights and freedoms, work was carried out to create an Expert Council, namely, to develop a draft Regulation on the Expert Council.

In addition, within the framework of full compliance with the provisions of the Law on the coverage of the activities of the Ombudsperson and in connection with the work carried out in the country on the transition to the digital system, the relevant work was carried out on the creation of the website of the Office of the Ombudsperson.

The above provides an opportunity to be familiarized with the situation of ensuring guaranteed legal rights and freedoms of human and citizen in the country, the practical implementation of these rights and freedoms, in particular, the ongoing large-scale work and the mechanisms employed for this purpose. Despite the above, in some cases there were facts that required further improvement of the activity. More details about this, as well as about the work carried out by the Office of the Ombudsperson, will be discussed in the following chapters of the Report.

Chapter II. Civil and political rights

As noted in previous reports, Turkmenistan has ratified the International Covenant on Civil and Political Rights and its Optional Protocols in order to ensure that the country complies with international civil and political human rights law. As it is widely known, the main requirement after the country's accession to international documents is the fulfillment of the international obligations stipulated by them. In this case, the mandatory condition was the implementation of the norms of the documents in the national legislation. Turkmenistan, after becoming a party to the said Covenant and its Optional Protocols, implements all their norms in its national legislation, starting with the norm aimed at the abolition of the death penalty.

This work was continued in 2020, in particular, the legal framework for the implementation of civil and political rights and freedoms of the people had been consistently improved. As an example, the improvement of the Criminal Procedure Code of Turkmenistan, the Criminal Code of Turkmenistan,

the Code of Administrative Offenses of Turkmenistan, the Electoral Code of Turkmenistan, the Laws of Turkmenistan “On Migration”, “On the Migration Service”, “On the Court”, “On the Prevention of Offenses”, “On Public Associations” could be mentioned. One of the basic political rights of a person is his right to vote and to be elected. The right of every citizen to take part in governing society and state affairs directly or through freely elected representatives, as well as the right to elect and be elected to state and local government bodies, is guaranteed and regulated by the Constitution of the country, the Electoral Code and other legislative acts. Last year, the Constitutional Law “On Amendments and Additions to the Constitution of Turkmenistan” provided for the transition of the country’s representative body exercising legislative power to a bicameral system. In addition, the Law of Turkmenistan “On the Milli Gengeshi (Upper Chamber of Parliament) of Turkmenistan” was adopted, which defined the legal basis of the bicameral parliament, in particular, the Halk Maslahaty (People’s Council) and the Mejlis. The Milli Gengesh of Turkmenistan was established for the first time ever in the history of the people of Turkmenistan and is a bicameral representative body exercising legislative power.

There is no doubt that the creation of a quality, new bicameral system of the national parliament, the most effective activity of the legislative power of the state, will create enabling conditions for strengthening the legal framework for the further development of the country.

In accordance with the Law of Turkmenistan “On the Ombudsperson”, along with the approved Annual Work Plan, the Ombudsperson carried out systematic monitoring of the implementation of the rights of persons in pre-trial detention, detention facilities, correctional and other specialized institutions, as a result of which the following was established.

In particular, during the last reporting year, work was carried out in correctional institutions, pre-trial detention centres and specialized rehabilitation centres of the Ministry of Internal Affairs of Turkmenistan to improve the living conditions of persons held in them, including in their places of detention. In dozens of institutions, relevant works were carried out on the construction and reconstruction of buildings, which continued until the end of the year. In accordance with the Order No. 119 of 5 May 2014 of the Ministry of Internal Affairs of Turkmenistan “On issues of food and other material and social security of persons in correctional institutions, pre-trial detention centres and specialized rehabilitation centres”, work was underway to provide persons held in these institutions with food including vegetable products, clothing, bedding and necessary household accessories, goods and cleaning products, heating in the winter season.

During the inspection of the work carried out on the observance of the health protection of persons held in correctional institutions, pre-trial detention centres and specialized rehabilitation centres, as well as full compliance with sanitary standards, it was found that the institutions had undertaken the necessary measures in full to prevent the acute infectious disease COVID-19 and other diseases.

In particular, in order to prevent a new coronavirus infection, the causative agent of pneumonia, work had been performed on ventilation (hourly) in the sleeping and working rooms of persons held in these institutions, disinfection of hands with disinfectants (*Steriderm solutions*, *Hlorgeksidin*), regular lubrication of the nasal cavity with ointments (*oksolinic*, *acyclovir*), measurement of body temperature with mobile devices designed for this purpose, regular washing of floors, walls, doors with disinfectants, fumigation of premises with *yuzarlik* (*Peganum harmala/harmala shrub*).

Also, on the basis of a specially concluded agreement with the Sanitary Epidemiological Service of the Ministry of Health and Medical Industry of Turkmenistan (MoHMI), work had been established to check every ten days the caloric content of prepared dishes, the microbiological, physico-

chemical composition of potable water, research to identify bacteria of the *Escherichia coli* group, prevention of infectious diseases, and every three days special work and monitoring was carried out aimed at daily and thorough decontamination. During the year under review, work was regularly carried out to improve the activities of the penitentiary system, training courses, workshops, and meetings were held to improve the knowledge of the system's employees in the field of international human rights standards. The personnel of all correctional institutions, pre-trial detention centres, and specialized rehabilitation centres received 84 hours of service and combat training, and eight workshops were held in the Department for the Execution of Punishments under the Ministry of Internal Affairs. These workshops were organized not only by national experts, but also by international organizations. For example, two workshops were organized by the International Red Cross Office in Turkmenistan, and workshops by the Coordinator-Resident of the United Nations together with the Ministry of Health and Medical Industry of Turkmenistan.

It was established that the Ministry of Internal Affairs received 10 appeals from persons held in correctional institutions, pre-trial detention centres, and specialized rehabilitation centres, which were subject to appropriate checks, during which the facts specified in them were not confirmed.

Focusing on correctional facilities and ensuring the rights of convicted persons, it should also be noted that guided by the humane policy pursued by the esteemed President of Turkmenistan Gurbanguly Berdimuhamedov, thousands of convicted persons are pardoned annually; they are released from punishment and return to their family homes, thereby creating opportunities for atonement. Guided by the principles of mercy and humanism of our great ancestors, in order to further strengthen the harmony and unity of the Turkmenistan society and every family, this humane action was held three times last year, when the 25th anniversary of the permanent neutrality of Turkmenistan was celebrated. Based on the Decrees of the esteemed President of Turkmenistan, a total of 4,299 convicts, including 217 foreign citizens, were pardoned.

In view of ensuring civil and political human rights in our country, it is necessary to inform on the following. Every year, guided by the principles of humanism and virtue of our ancestors and based on the generally accepted norms of international law on protection of human rights and freedoms, taking into account the freedom of choice of citizenship, and in accordance with the Law of Turkmenistan "On Citizenship of Turkmenistan", the esteemed President of Turkmenistan signs Decrees on the admission of thousands of people to citizenship. This tradition was continued last year-the year of the celebration of the 25th anniversary of the permanent neutrality of Turkmenistan. Namely, based on the Decree of the esteemed President of Turkmenistan, representatives of 19 nationalities or 2,580 people permanently residing in our country became citizens of Turkmenistan. In addition, in accordance with the Decree of the esteemed President, 874 persons who were citizens of 11 states and representatives of 31 nationalities had been granted residence permits. Work consistently carried out in this area to improve the legislation and the practical implementation of its provisions. As an example, the entry into force in July 2020 of the Law of Turkmenistan "On Acts of Civil Status", adopted in 2019, should be given. This law serves as another legal safeguard for the registration of all children born on the territory of our country, regardless of the status of their parents.

As can be seen, the work carried out in our country in this area was evidence of the effectiveness of the implementation of the measures provided for in the "National Action Plan for the Elimination of Statelessness in Turkmenistan for 2019-2024", approved by the Decree of the esteemed President of Turkmenistan Gurbanguly Berdimuhamedov.

During the reporting period, the Office of the Ombudsperson received a total of 65 written and 37 oral appeals related to their civil and political rights. These appeals were handled in accordance with the law, and the applicants were provided with appropriate oral explanations and written answers.

Based on the monitoring the political and civil rights of citizens in the country and the activities carried out by the Ombudsperson to assist in the observance of these rights, we propose the following:

- *continue to conduct effective and regular workshops to raise awareness of international human rights standards among employees of correctional institutions, pre-trial detention facilities, and specialized rehabilitation centres, including with international organizations, as well as jointly with national human rights institutions;*

- *continue to work and keep under systematic control compliance with labour legislation in relation to persons held in correctional institutions, pre-trial detention centres, specialized rehabilitation centres, in particular, compliance with safety standards and industrial sanitation, payment of wages, carrying out work to protect their health, providing sports facilities suitably equipped in order to create opportunities for physical exercise, organizing special cultural facilities for leisure;*

- *continue to carry out the specific work provided for in the recommendations based on the results of the inspection carried out by the Ombudsperson in these institutions in 2019;*

- *strengthen control over the thorough study of citizens' complaints regarding dissatisfaction with investigative actions on criminal acts or initiated criminal cases, compliance with the constitutional rights of citizens by the investigative bodies during the investigation;*

- *ensure that citizens' appeals regarding civil rights, or rather their rights to move within the country, leave the country and return to the country, are considered in accordance with the procedure established by law in essence and in time.*

Chapter III. Economic, social and cultural rights

In the year of the broad celebration of the 25th anniversary of the country's status of neutrality, which was held in Turkmenistan under the motto "Turkmenistan is the homeland of Neutrality", significant milestones were achieved in the economic, social and cultural spheres. There is no denying that these achievements serve as a source of ensuring guaranteed economic, social and cultural rights of citizens. When considering any area, it can be stated that the basis for positive success in this area is the perfect legal framework, regulated in accordance with the call of the time, domestic policy and international relations of the country. These requirements are definitely fully respected while ensuring the economic, social and cultural rights of the country's citizens.

It is well known that the last year was not easy, and despite the economic difficulties due to the COVID-19 acute coronavirus infectious disease that spread throughout the world, positive outcomes were achieved in the country's economy. Over the past year, the laws regulating the activities of the economic, social and cultural spheres have been improved, along with the practical implementation of the objectives set out in the national plans and programmes in these areas. As for the improvement of laws, 57 laws were adopted during the year, the main part of which was aimed at regulating the activities of the economic, social and cultural spheres. For instance, the Laws "On

Electronic Document, Electronic Document Management and Digital Services”, “On Environmental Information” were adopted. Dozens of laws regulating the work of the economic, social and cultural areas were improved in line with modern requirements through amendments and additions. National plans and programmes, which included important goals of our time in these areas, were also adopted.

For example, in order to successfully address the objectives outlined in the “Programme of the President of Turkmenistan for the Socio-Economic Development of the country for 2019-2025”, to further strengthen and ensure sustainable growth of the economic capacity of the state, and for the organized implementation of measures to reduce the impact of the complicated conditions of the world economy on the economy of our country, the Decree of the President of Turkmenistan approved the “National Programme for Reducing the Complicated Conditions of the World Economy on the Country's Economy and the Sustainable Development of the National Economy for 2020-2021”.

In the past reporting year, due to the transition to the digital economy and the establishment of the information society, consistent industrialization, the transition to a market economy, and the development of entrepreneurship, special attention was paid to enhancing human resources. The necessary conditions were created to ensure the employment of the population, primarily, for the employment of graduates of higher educational institutions. In particular, the Basic Law provides for the right of everyone to work, to choose a profession, occupation and place of work at his or her own discretion. These rights are reflected in certain laws, and national plans and programmes implement them into practice. In the past year, the laws related to labour were improved by introducing amendments and additions to some of them. Thus, the Law of Turkmenistan “On Guarantees of the Youth’s Rights to Work” was amended and supplemented, providing for the interests related to labour activity of young people. A relevant addition was made to the Labour Code of Turkmenistan. In particular, the provision was included that if an employee was unable to perform his/her labour duties due to circumstances beyond the control of the parties, his/her labour relations should be considered as continued during the period when he/she could not perform his her labour duties. In such cases, the payment of wages and other payments shall be carried out in accordance with the legislation of Turkmenistan. The introduction of this provision served as another reliable safeguard of the right of citizens to work. At the same time, this served as a basis for preserving the jobs of people who had previously left the country for various reasons and were unable to return to the country due to certain restrictions related to the fight against the pandemic of the COVID-19 acute infectious disease. This is one of the examples of ensuring human rights in our country during the fight against the pandemic of an acute infectious disease. It should also be stressed that the comprehensive implementation of the rights of our citizens to work within the framework of long-term national plans brought positive results. In order to enhance this results, it is important to emphasize the significance of the work carried out within the “Programme for improving the sphere of labour employment and creating new jobs in Turkmenistan for 2015-2020”, “Programme for improving the system of employment of young professionals in Turkmenistan for 2018-2020” and the Action Plan for the implementation of the latter.

Due to the work carried out based on the Programmes, the Union of Industrialists and Entrepreneurs of Turkmenistan united more than 30 thousand representatives of private businesses operating in almost all sectors of the economy. The members included 4,776 women; in the reporting year 1,504 entrepreneurs were admitted to membership, of which 294 were women. It is also worth noting that last year 2,205 jobs were created in the private sector. In addition, maintaining the level of labour activity of the population last year was recognized as an integral part of the social strategy of the country. According to the updated data, as a result of the systematic monitoring by the Office of the

Ombudsperson of the work carried out in this direction, during 2020, out of 35,644 persons registered in connection with the search for work by the institutions of labour and social security of the population, 18,016 were employed, that is more than 50 %. Also it should be emphasized that fifty of them were persons with disabilities.

In order to fully ensure the rights of citizens to work, Turkmenistan has joined the key conventions of the International Labour Organization (ILO) and is committed to the norms of these international documents. In the last reporting year, Turkmenistan submitted a report on the measures taken for the period up to 2020, related to the provisions of the ILO Conventions, namely the Convention 111 - on discrimination in employment and occupation, the Convention 100 - on equal remuneration for men and women for work of equal value.

As seen from the above, in the reporting year, significant work was carried out in the country to ensure the constitutional right of every person to work. At the same time, a certain part of the citizens' appeals received by the Office of the Ombudsperson was appeals on labour issues. For example, in the reporting year, 47 written appeals or 16% of the total number of them were received on labour issues, and 29 oral or 12.8% of the total number of appeals. The main part of them is related to employment. Appeals were handled in accordance with the procedure established by law, followed by explanatory responses, 4 of the considered written appeals were satisfied. Three people were brought to disciplinary action following to handled complaints.

The issue of social protection of the country's population is among the priority vectors of state policy. In this context, it should be noted that Turkmenistan is a state that guarantees the social security of every person. This is enshrined in the constitutional norm. The Code of Turkmenistan on Social Protection of the Population and other laws also regulate the right of citizens to social protection. Laws in this area are systematically improved in accordance with the socio-economic development of the country, the call of the time and generally accepted standards. The practical implementation of the legal guarantees of citizens for social protection can be seen, for example, in the "Programme of the President of Turkmenistan for the Socio-Economic Development of the country for 2019-2025" and a dozen other long-term programmes that are effectively implemented in our country. A clear confirmation of this is the funds allocated annually from the state budget to the social security sector. For instance, 2,197,877.5 thousand manats were allocated from the state budget for 2020, of which 2,196,495.0 thousand manats, or 99.9 % were spent.

It is worth noting here that elections to the UN Economic and Social Council were held on 21 April 2020. As a result, Turkmenistan was elected to two of its important structures: a member of the UN Commission on Social Development for 2021-2025 and a member of the UN Commission on Science and Technology for Development for 2021-2024. This is evidence of the recognition by international organizations of the positive impact of effective socio-economic transformations on the level of social population development.

The small number of appeals received by the Office of the Ombudsperson on this issue was considered the result of the implementation of the rights of our citizens in the country to social and economic security of any person in any situation. In particular, during the reporting period, the Office of the Ombudsperson received a total of one written appeal and five oral appeals, which were considered in accordance with the requirements of the law.

The measures provided to the population in the field of health care and medical services, take into account the best international practices, the cardinal reforms in this important area, the introduction of advanced methods of treatment of diseases and their prevention, the training of highly qualified

medical workers, and all measures aimed at the further development of medical science, and are effectively implemented on the basis of the “Saglyk/Health” State Programme and other dozens of programmes aimed at improving health care activities. For example, large-scale comprehensive activities are currently being implemented to improve the health care system and modernize its structures. As a result, it contributes to improving the health of the population, preventing various diseases, and increasing the average life expectancy. Such long-term documents as “The National Programme for Healthy Nutrition of the population of Turkmenistan for 2020-2025” and the Action Plan for its implementation, “The National Programme for 2018-2022 for the Protection of Mental Health in Turkmenistan”, and the Action Plan for its implementation, “The National Strategy for Increasing Physical activity of the Population in Turkmenistan for 2018-2025”, “The National Programme for the Prevention of Harmful Effects of alcohol in Turkmenistan for 2018-2024”, “The National Programme for 2017-2021 for the Implementation of the WHO Framework Convention on Tobacco Control in Turkmenistan”, “The Programme for the Prevention and Treatment of *Diabetes mellitus* for 2016-2020”, “The Joint Action Plan for the Prevention of the Spread of Tuberculosis for 2020-2024”, “The National Programme for the Support and Development of Sports and Physical Education for 2011-2020”, aimed at protecting the health of mothers and children in our state, “The National Strategy of Turkmenistan for Early Child Development for 2020-2025” serve as tools for effective work in this direction. In addition, national laws related to strengthening and protecting the health of citizens and preventing diseases were consistently improved. Examples of this were the Laws of Turkmenistan “On Environmental Information”, “On Physical Culture and Sports”, “On Amendments to the Law of Turkmenistan “On the Protection of health of people”, adopted in the last reporting year. The annual allocation of large amounts of public funds for the health sector of the country, in which the health of citizens is identified as an important priority, acts as a financial source for the effective implementation of programmatic work. In the past 2020, 2,175,600.5 thousand manats were allocated in total to this sphere, of which 2,172,947.3 thousand manats were spent, or 99.9%. This showed that all planned activities in the health care, despite the global financial crisis, were fully funded. In this context, it should be noted that the large amounts of public funds allocated annually, were spent for the constructing and putting into operation hospitals, health homes, sanatoria that met international standards and were equipped with high-quality equipment, not only in the capital of the country but in the regions. The work is underway to modernize existing health institutions. This work was consistently implemented in 2020. For example, an International Burn Centre equipped with the cutting-edge technologies and state-of-the-art methods of treatment, an Aesthetic Centre where conditions were created for providing to citizens high-quality cosmetic services in all areas of beauty and aesthetics, an Infectious Diseases Clinic in the village of Yzgant, Geokdepe etrap, a new sanitarium in the settlement of Bagabat near Ashgabat were put into operation.

The work carried out in the national health care is recognized at the international level. In this area the country’s partners are the structural units of the United Nations, chiefly the World Health Organization. It is also important to note the election of Turkmenistan as a member of the Executive Board of the World Food Programme for the period 2020-2022, the UN Commission on Population and Development for 2020-2024, and the UN Commission on Narcotic Drugs for 2020-2023.

In the last reporting year, the work carried out in the field of healthcare was enhanced, namely, the requirements for preventive activities were increased.

The year 2020 has revealed the need for urgent organization of activities to combat the new challenge of our time that put humanity at risk - the acute infectious disease COVID-19. As part of the fight against this challenge, prompt timely measures were taken in the country. First, the Extraordinary Commission of Turkmenistan on Combating the Spread of Diseases was established.

The Commission included the heads of relevant ministries and branch departments, local executive bodies.

Along with other important work carried out in the country jointly with the WHO, experts from the WHO Europe Technical Advisory Group were invited to the country last summer. In the city of Ashgabat, as well as in the Lebap and Balkan welayats, the experts during 10-day mission were familiarized with the work carried out in this direction and the operational preventive measures taken in the event of the spread of infectious diseases. At the briefing held following the visit, the preventive measures taken in the country to combat this threat were noted.

From the first days of the spread of acute infectious coronavirus disease in the world and the registration of the first cases in other countries, the Ombudsperson, being aware of the global situation, kept under constant control the observance of human rights in the country in this regard. In order to prevent infringement of human rights related to measures to combat this acute infectious disease, a Special Plan of the Ombudsperson's Office was approved by the order of the Ombudsperson, which provided for a number of measures. In accordance with the Plan, control measures were exercised over the implementation of preventive measures to combat this acute infectious disease primarily in places, where citizens were in special need of assistance. Namely, the homes for the persons with disabilities and elderly were visited, as well as an orphanage located in Ashgabat. During the inspections, no cases of violations of rights were identified. Oral recommendations were issued on the preparation of certain documents in accordance with the requirements of the legislation. Systematic checks of the work of checkpoints located on the territory of Ashgabat were carried out. During the regular monitoring of the observance of human rights during the work carried out by the MoHMI and the implementation of preventive measures to combat acute infections, the following was revealed. Mainly in public places and on urban passenger transport, disinfection works were carried out on a comprehensive basis. Constant monitoring of communications between welayats (regions) had been established, in particular, the work of departments for the inspection of citizens and documents on their health status had been established at the welayats' borders. The necessary medicinal, decontaminating, disinfecting preparations for fighting diseases and bacteria along with personal protective equipment, etc. have been produced on a regular basis. Systems for the diagnosis of acute COVID-19 infection have been purchased in sufficient quantities, and applied. The country had established the production of respiratory protective masks, protective and disinfectant products, as well as protective suits for medical workers. Special return flights were organized for Turkmenistan's students studying in countries with a difficult epidemiological situation related to the acute infectious disease COVID-19, and other citizens. One more fact should be noted. The outreach work focusing on the prevention of infectious diseases was carried out on a regular basis in the media and on the ground.

During the past year, the Office of the Ombudsperson received only three written and two oral appeals on health issues from citizens, which were handled in accordance with the requirements of the law.

Creating opportunities for the full realization of citizens' rights to science and education, improving the activities of scientific and educational institutions in accordance with international standards is one of the priority vectors of the state policy. Due to the great attention paid to the development of the scientific and educational sphere in the country, the material and technical base of scientific and higher educational institutions was consistently strengthened. The example of this is financial resources allocated annually from the state budget for the development of the relevant material and technical base, improving the quality of education. In the past 2020, 6,037,669.3 thousand manats

were earmarked in the state budget for the development of this sphere, of which 6,033,935.0 thousand manats, or 99.9%, were spent.

While the systematic improvement of the laws regulating the activities of this sphere in the country provides the legal basis for conducting the educational activities aligned with the times, the concepts, programmes, and plans implemented in this area formed the basis for an effective systemic modernization of the activities.

During the past year, the implementation of citizens' rights to education was also monitored, and a review of the work was made.

The right of every person to receive education, as well as the obligation of general secondary education, the right to receive it free of charge in state educational institutions is guaranteed by the Basic Law. Based on that, the state ensures everyone's access to the choice of vocational education in accordance with his or her abilities. The legislative acts regulating the activities of the education system were consistently improved. For example, the introduction of amendments to the Law of Turkmenistan "On Education", which defined the legal basis of the educational sphere, had consolidated the right of citizens to receive education not only in state educational institutions, but also in other educational institutions on both a paid and free basis. Long-term educational development programmes were effectively introduced. In the last reporting year, these works were continued.

In order to increase the importance of education and bring its quality to the world level, work has begun on the introduction of a digital system. As part of the implementation of the Concept for the Development of the Digital Economy in Turkmenistan for 2019-2025, technological upgrading of all sectors was envisaged at the state level. In this context, attention was paid to improving the system of training highly qualified specialists who were fluent in the digital system, as well as developing a set of measures toward this aim. The approval by the Decree of the esteemed President of Turkmenistan of the Concept for the Development of the Digital Education System and the Action Plan for its implementation was aimed at performing comprehensive work in this area.

Great importance was attached to the development of higher educational institutions that train highly educated specialists for various sectors of the national economy. In the 2020-2021 academic year, 14,337 young people became 1st-year students; 2,950 people more than in previous year.

In the 2020-2021 academic year, 9,490 students were admitted to secondary vocational educational institutions. Currently, there are dozens of secondary vocational educational institutions, which are given great attention. They promote the staffing of ministries and branch departments with specialists educated from special secondary vocational schools in such areas as pedagogy, medicine, culture and art, finance and economics, trade, banking, transport, agriculture, tourism, oil and gas and chemistry.

Increased attention was paid to the quality of education in the country's secondary schools and the material and technical support of schools. Schools are equipped with computer technologies, laboratory equipment, multimedia and language facilities, and are being connected to the Internet. The school curriculum includes such relevant subjects as fundamentals of economics, computer science, design, and cultural heritage of Turkmenistan, world culture, ecology, information and communication, innovative technologies, modeling, graphics.

There are 184 specialized schools for teaching computer science, nature, exact sciences and humanities, foreign languages, namely English, Russian, German, French, Italian, Chinese, Japanese, Korean, Arabic, Persian and Turkish, which are located not only in the capital, but also in the regions of the country.

In the last reporting year, the number of specialized secondary schools was expanded. In particular, a specialized complex comprised of educational school for 720 students and a preparatory preschool for 320 children was put into operation in the capital. All conditions were created for students and young children in this specialized complex, in accordance with the Concept of an Innovative Teaching Method.

In accordance with national principles and best international practices, the scientific and methodological content of curricula, textbooks and manuals is being improved. The digital educational system is consistently developing. It includes the provision of all areas with the electronic information base. In 2020, in accordance with the Decree of the Head of state, an Innovative Information Centre of the Ministry of Education was established and the “Concept for Improving the Teaching of subjects in natural and exact sciences in Turkmenistan” was approved, followed by an Action Plan for its implementation.

As noted above, important documents adopted by the esteemed President of Turkmenistan were aimed at reforms in the national education system. One of them was the “Programme for Improving the Activities of Preschool Institutions in Early Development and Improving the readiness of children for school in Turkmenistan for 2020-2025”. This document included important measures aimed at the harmonious physical, spiritual and moral development of children from an early age, and provided for the effective implementation of these measures. In the last reporting year, they were put into practice.

Our country was developing cooperation in the implementation of international standards with international organizations, mainly with the United Nations agencies, for example with UNDP, UNFPA, UNICEF, UNESCO. In particular, joint projects and work plans were effectively implemented. All these activities were aimed at creating the necessary conditions for modern education and improving the educational level of the younger generation.

During the past year, there were appeals on labour issues in the field of education. Because they dealt with labour issues, they are covered in the section of the Report on labour rights. In addition, in view of the fact that the Office of the Ombudsperson in the reporting year did not receive appeals related to education, we state that this fact confirms the absence of issues related to education and upbringing of the younger generation in the country.

The Constitution of the country guarantees the right of every person to participate in cultural life, freedom of artistic, scientific and technical creativity. In addition, dozens of laws define the legal basis for the activities of the cultural sphere, creating all the opportunities for the realization of cultural rights by every person living in our multi-ethnic country, including by representatives of other ethnicities.

Due to monitoring the observance of the cultural rights of citizens in the past year, which was held under the motto “Turkmenistan is the homeland of Neutrality”, it was established that large-scale work was carried out in the field of culture. This work was carried out within the framework of such documents as the “Programme for the Development of the Cultural Sphere in Turkmenistan for 2019-2025”, “The State Programme for the Scientific Study and Promotion of the national cultural

heritage in Turkmenistan for 2016-2021”, “The State Programme for the Collection, Accounting, Study and Protection of the National Intangible Heritage of Turkmenistan for 2015-2020”. It should be noted primarily that for the implementation of these complex tasks, the development of the cultural sphere, 528,412.3 thousand manats were allocated from the budget last year, of which 526,672.8 thousand manats were spent, that is 99.7 %. This indicator demonstrated that the activities of this area were sufficiently funded by the state and these funds were utilized in full.

It is widely known that the work of the cultural sphere is multifaceted. On the one hand, this is due to the creation of enabling conditions for people to exercise the right to participate in cultural life, to use the achievements of science, to protect their copyrights, to engage in scientific and creative activities; on the other hand, it is the protection, study, restoration of historical and cultural monuments of the country, the identification of unexplored objects - this is the promotion of the cultural riches of our national heritage. Due to the ongoing work in this direction last year, numerous monuments previously unaccounted for were identified and taken into account. Previously 1,397 monuments were registered in the State Register of the National Historical and Cultural Heritage of Turkmenistan, by now their number reached 1,422.

Every year at the end of June, a professional holiday of representatives of the culture is widely celebrated. Last year, the Cultural Week, which is a cultural event organized on a phased basis in the welayats of the country on the occasion of the Day of Workers of Culture and Art and Poetry of Magtymguly Pyragy was officially held. In addition, the ceremony of awarding honorary titles to workers of culture, art and creative workers of Turkmenistan, the ceremony of awarding the winners of the competition of the President of Turkmenistan “Türkmeniň Altyn asyry/Golden Age of Turkmenistan” among workers of culture and art, young performers and gifted children, was celebrated.

Representatives of various nationalities living in the country actively participated in these events. Some of them realized their rights to freely engage in culture, art, and creativity; others were inspired by the performances of cultural and art workers, and realized their right to cultural leisure.

Turkmenistan acceded dozens of international treaties related to culture, including those related to the protection of cultural rights of citizens, the protection of cultural values, historical monuments. All these activities were continued last year. In August last year, Turkmenistan joined the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled (MVT) (2013)”. By joining this agreement and the practical implementation of its norms will allow citizens of this group to get access to published information, published works, and facilitate the possibility of using them and participating in the cultural life of society, enjoying art.

In the reporting year, certain practical steps were taken toward international cooperation on freedom of speech and freedom of the media. A clear confirmation of this was the signing by the State News Agency of Turkmenistan (TDH) with the largest news agency of India “Asian News International” of a Memorandum on the exchange of news, as well as a Memorandum on the exchange of news through diplomatic channels with the Republican Enterprise “Belarusian Telegraph Agency”. As for international relations in culture, it should be highlighted that a large number of events were held last year in cooperation with some countries. The events were aimed at ensuring the cultural rights of the multinational people of Turkmenistan.

In the past year 2020, the Office of the Ombudsperson received appeals on housing and labour issues related to culture. These appeals by affiliation are covered in the relevant section of the

Report on Housing and Labour Issues. During the reporting period, there were no complaints of infringement of cultural rights.

The Basic Law of the country guarantees the right of citizens to comfortable housing. This rule is fully reflected in other legislative acts. The laws regulating the legal basis of housing relations are being constantly improved in accordance with international standards, as well as in accordance with the call of the time.

Comfortable living conditions are imperative for the life of every person. Creating these conditions for citizens is one of the priorities of the country's policy. The work carried out in the state to provide housing for citizens of the country may serve an example for the world. The construction and commissioning of multi-apartment residential buildings with all amenities for persons with disabilities and other particularly needy persons in the capital and welayats of the country from state funds, is evidence of the full realization of the right to housing of certain groups of citizens. In addition, the construction of multi-storey (apartment) residential buildings with all amenities from the funds of ministries and branch departments, the conditions created to provide them to people working in them based on long-term concessional loans, is aimed at providing citizens with comfortable housing by the state. This work was carried out on a systematic basis and within the framework of a number of socio-economic programmes, namely the new version of "The National Programme of the President of Turkmenistan for the Transformation of Social and Living conditions of villages, towns, cities of etraps and etrap centres for the period up to 2020", "The Programme of the President of Turkmenistan for Socio-Economic Development of Turkmenistan for 2019-2025", "The National Programme of Socio-Economic Development of Turkmenistan for 2011-2030". Over the past year, hundreds of residential buildings, including those with increased comfort conditions, were put into operation throughout the country, thus providing thousands of families with modern housing. This is an example of how the residents of cities and villages were provided with modern housing and their other housing and social conditions were consistently improved.

Despite the above, the major part of the appeals received by the Office of the Ombudsperson consisted of housing issues. More precisely, during the past year, 65 written appeals or 22.1% of the total number of received appeals and 70 oral appeals or 31.0% of the total number were received. They related to issues of improving housing conditions, obtaining registration (*propiska*). The appeals were handled in accordance with the Law, resulting in four written appeals being satisfied. Despite the big work carried out in the country to ensure their rights to comfortable housing, a certain percentage of annual appeals of citizens related to this issue. At the same time, one of the reasons for this, was the violation of the law in the exercise of their rights by citizens themselves, the other reason was the illegal actions of the relevant responsible persons. Specific information about this could be found in the relevant chapters.

Summing up the chapter of the Report devoted to the economic, social and cultural rights of citizens, it should be said that in the past 2020, despite the economic crisis in the world, and because of challenges for international economic relations, caused by the acute coronavirus infection spread throughout the world, our country allocated in total 73.1% of the state budget expenditures for the social sphere and public services, and 99.9% of it were spent.

However, in order to eliminate situations leading to the appeal of citizens, we recommend as follows:

- ***taking into account the phased construction of high-comfort residential buildings commissioned by ministries and departments, in order to avoid dissatisfaction with the distribution of this housing, strengthen control over the priority of employees of these***

institutions, thoroughly analyze the need for housing and other situations, in accordance with the requirements of laws;

- *in order to increase the opportunities for citizens to exercise their right to work, to carry out systematic monitoring of the activities of the Departments and Units of Labour and Provision of the population with employment under the Ministry of Labour and Social Protection of Population of Turkmenistan; the accuracy of information about vacancies provided to them by organizations and enterprises, and the outcomes of issued work assignments to citizens registered for the purpose of job search;*
- *strengthen control over the provision of employment, primarily, for young professionals, graduates of higher educational institutions according to issued assignments;*
- *in order to continue the implementation of international obligations on the rights of people with disabilities, to ensure their rights, to strengthen control over ensuring accessibility requirements for them, in particular, in buildings, transport and other areas of social services;*
- *in order to improve the capabilities of people with disabilities, using the services of sign language interpreters, subtitles and Braille, to establish the availability of published information, creative productions, and TV shows.*

Chapter IV. Analysis of handling appeals of citizens

As defined in the Law of Turkmenistan “On the Ombudsperson”, the Ombudsperson's activities supplement the existing state remedy for human and civil rights and freedoms and in their activities are guided by the Constitution of Turkmenistan, the said Law and other regulations and international treaties of Turkmenistan. The Ombudsperson carries out her activities within her competence and one of the main functions is to handle appeals from citizens of Turkmenistan, and from foreign citizens, stateless persons located on the territory of Turkmenistan, against actions and decisions of officials and organizations related to violation of their rights and freedoms guaranteed by the Constitution, other regulations and international treaties of Turkmenistan.

The fifth chapter of the Law provides for the procedure, conditions, terms of handling complaints and decisions taken on complaints, requests of the Ombudsperson for assistance in verifying the complaint, recommendations, along with her rights and obligations to facilitate the restoration of violated human and civil rights and freedoms.

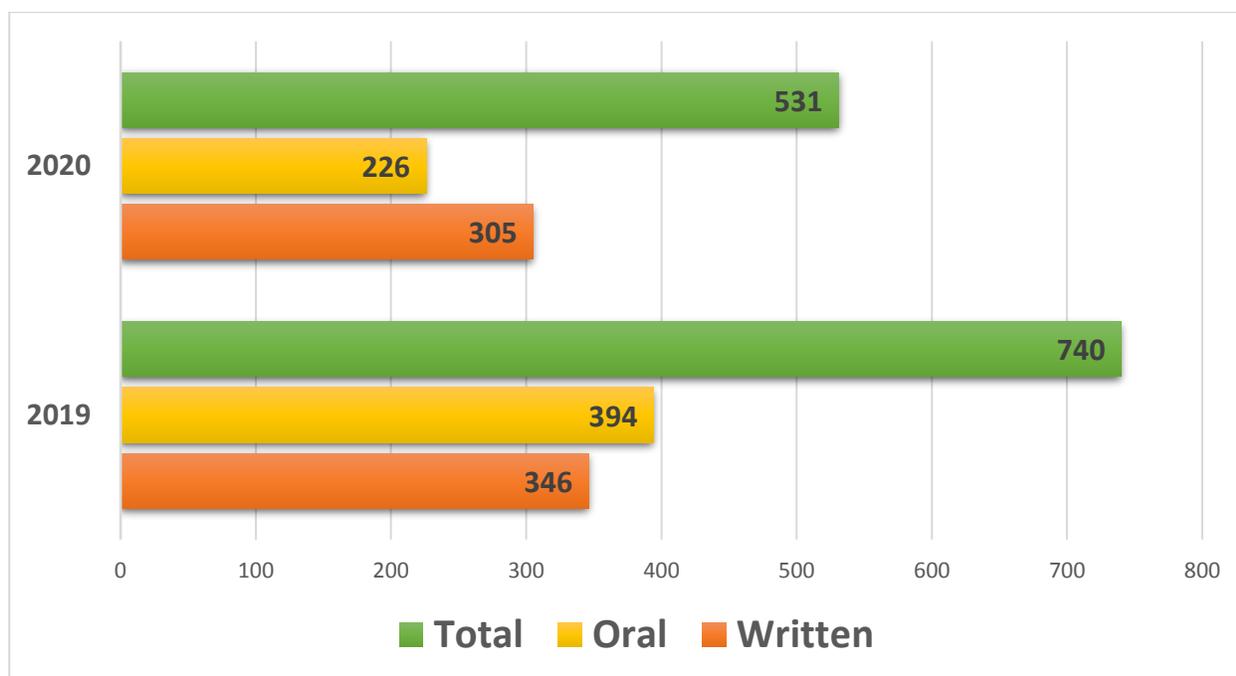
We shall focus now on the work carried out by the Ombudsperson during the past 2020 in accordance with these standards, namely on the analysis of activities on citizens’ appeals.

During the analyzed period, the Office of the Ombudsperson received 305 written and 226 oral appeals, which were registered in accordance with the established procedure and appropriate work was carried out on them.

The following table shows the quarterly figures for appeals:

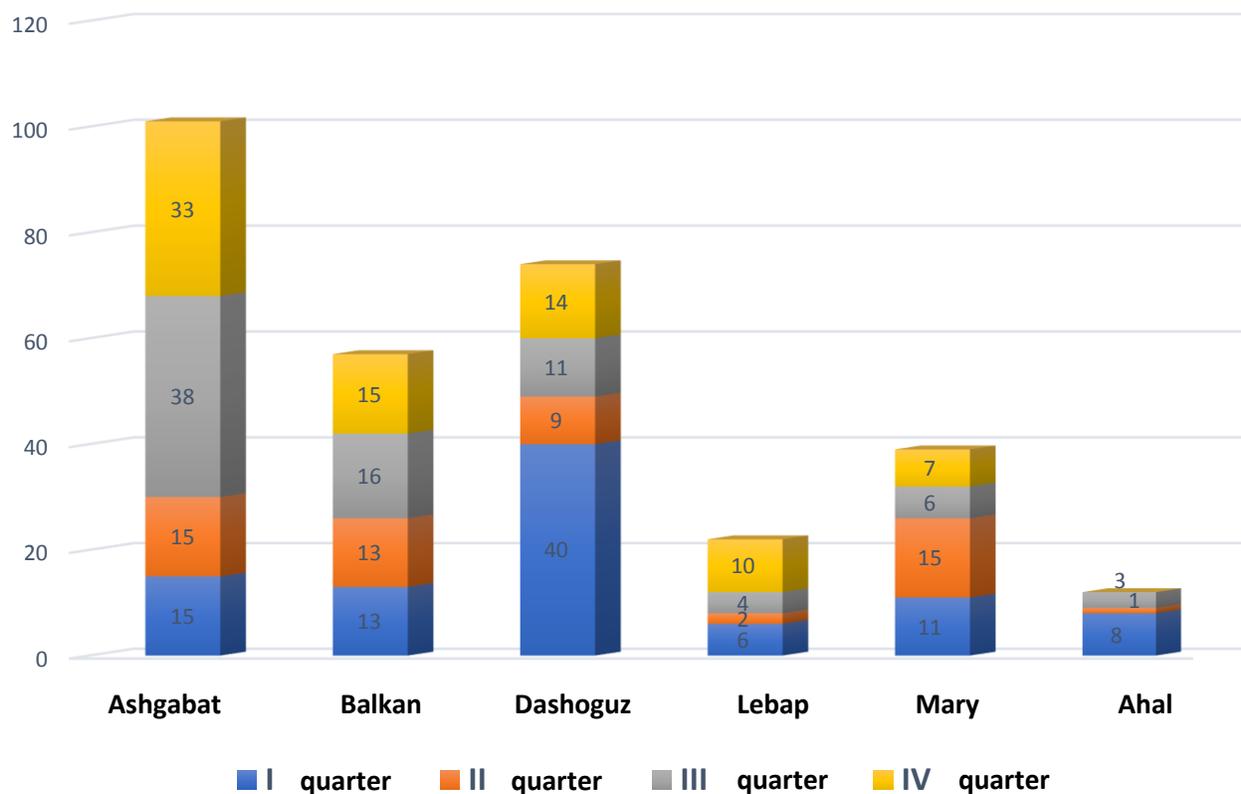
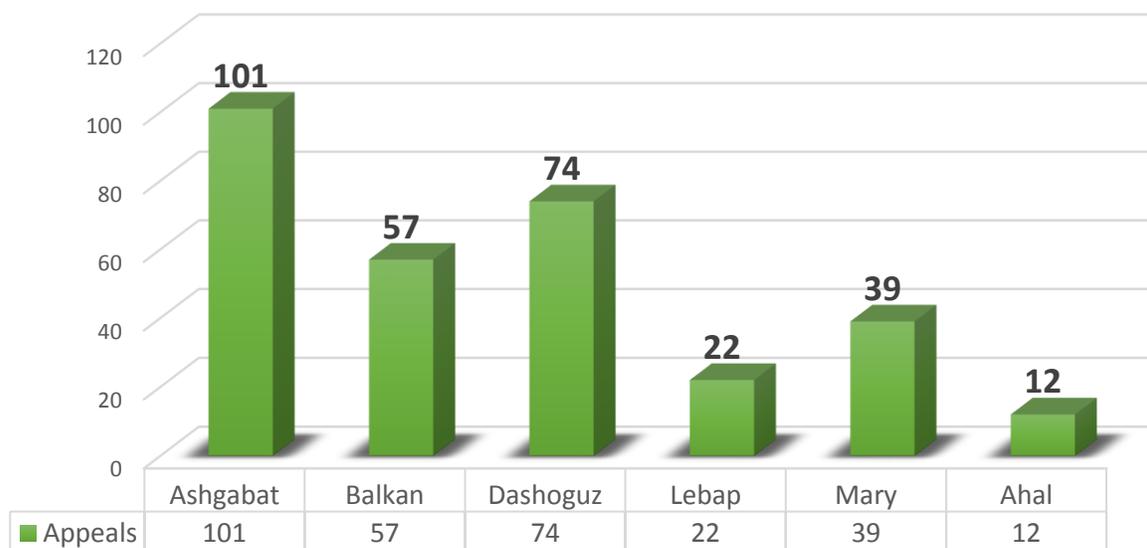
№	Type of appeal	I quarter	II quarter	III quarter	IV quarter	Total
1.	Written appeals	93	55	78	79	305
2.	Oral appeals	127	57	12	30	226
3.	Total No of appeals	220	112	90	109	531

As can be seen from the above figures, the number of written appeals received during the second quarter last year decreased, then in the following quarters their number increased, while the number of oral appeals in the second and third quarters decreased, and in the last quarter their number increased.



The following chart shows the results of the analysis of the received written requests by region:

Written appeals 2020



As can be seen from the analysis, as in previous years, the majority of written appeals received by the Office of the Ombudsperson, in particular, 101 appeals or 33.1% were received from residents of Ashgabat. 74 appeals or 24.3% came from residents of Dashoguz welayat, 57 or 18.7% from Balkan welayat, 39 or 12.8% from Mary welayat, 22 or 7.2% from Lebap welayat, and 12 or 3.9% from Ahal welayat.

As defined in the Law, when applying to the Ombudsperson, privileges or restrictions for citizens on any grounds shall not be allowed. These norms are defined in article 21 of the Law of Turkmenistan

“On the Ombudsperson” and they are strictly observed. In this context, when monitoring the number of citizens who applied to the Office of the Ombudsperson in writing, including collectively, an analysis of indicators by region, by place of residence, by gender and nationality was carried out, and their results are shown in the following Table:

№	Regions	Total	including		Nationality										
			fem ale	male	Turkmen	Russian	Baluchi	Uzbek	Azerbaijani	Ukrainian	Armenian	German	Tatar	Persian	Lak
1	Ashgabat	129	100	29	80	25		2	5	4	3	1	8	1	
2	Balkan	76	51	25	56	16			3						1
3	Dashoguz	108	50	58	88	1		19							
4	Lebap	100	23	77	94			6							
5	Mary	141	79	62	88	16	29		5	1			2		
6	Ahal	12	9	3	10	2									
7	Turkmeni stan	566	312	254	416	60	29	27	13	5	3	1	10	1	1

As can be seen from the above figures, representatives of various nationalities apply to the Office of the Ombudsperson with written complaints. The Law of Turkmenistan “On the Ombudsperson” stipulates that the office work of the Ombudsperson shall be conducted in the state language of Turkmenistan, and applicants have the right to apply to the Ombudsperson in their native language or another language they speak. In this case, the answer was given in the state language with a translation into the language the applicant spoke.

Citizens raise various issues in their appeals. Their content was also analyzed, as follows:

№	Issues	Regions						Total	Ratio % to total appeals
		Ashgabat	Balkan	Dashoguz	Lebap	Mary	Ahal		
1	Housing law	33	7	12	1	9	3	65	22,1%
2	Disagreement with court ruling	8	6	5	3	5	1	28	9,5%
3	Execution of court decrees	5	2		1		1	9	3,0%
4	Migration issues	9	1	11	7	3		31	10,5%
5	Labour law	6	20	18	1	1	1	47	16,0%
6	Land law (lease, land plot)	1		5		2		8	2,7%
7	Inheritance right			1				1	0,4%
8	Guardianship					1		1	0,4%
9	Illegal actions of law enforcement officers	7	2	2	1	1		13	4,4%
10	Military service				1			1	0,4%
11	On criminal cases and criminal offences	3		3	1	3	2	12	4,1%
12	General Pardon	3	2		1		2	8	2,7%
13	Social security					1		1	0,4%
14	Right to protection of health			2		1		3	1,0%
15	Banking issues	1	2		2	1		6	2,0%
16	Other	22	12	14	3	8	1	60	20,4%
	TOTAL:	98	54	73	22	36	11	294	100%

Due to the fact that out of 305 appeals received by the Office of the Ombudsperson, 12 were submitted repeatedly before receiving a response to the first similar appeal of a citizen, they were handled in combination with the previously received ones and the issues raised in them were not included in the figures. However, in one appeal two questions were raised, and due to the fact that each of them was considered separately, the total number of questions was not 293, but 294.

The analysis shows that the main part of written appeals, i.e. 65 appeals or 22.1% related to housing issues; 47 or 16.0% - labour law; 31 or 10.5% - migration issues; 28 or 9.5% - disagreement with court rulings; 13 or 4.4% were about dissatisfaction with the illegal actions of law enforcement officers; 9 or 3.0% - about the execution of court decrees; appeals for pardon, lease issues and land plots - each 8 or 2.7%; complaints concerning banking issues - 6 or 2.0%; statements written on criminal cases and criminal acts -12 or 4.1%; on the right to health protection - 3 or 1.0%. On social security issues, on the right of inheritance, on guardianship and military service - one appeal on each or 0.4%, 60 appeals on other issues or 20.4%.

When analyzing other issues, it was established that they were related to citizens' dissatisfaction with the actions of managers or officials, the payment of wages by individual enterprises, the recovery of debt, property, family or neighborhood conflicts, clarification of legislation, requesting documents from organizations, carrying out repairs at the place of residence or installing electricity, assistance in obtaining fodder for livestock, as well as with dissatisfaction with the answers given to appeals and other various questions.

After receiving a complaint, the Ombudsperson makes a decision on it. In particular, if it meets the requirements of the Law on the procedure, the deadline for filing and its content, a decision is made to accept it for handling. In case of non-compliance with specified requirements by law - to refuse to accept it for handling or to explain to the applicant about remedies for his/her rights and freedoms. Thus, the accepted appeals were handled in the appropriate order and the applicants received answers to them. If the appeal was not accepted for further proceedings, then the notification of this was sent to an applicant within the five days prescribed by law. For a certain part of the appeals, the complainants were given recommendations and explanations about the remedies to protect their rights and freedoms.

After a comprehensive study of the issues raised in the accepted appeals, they, based on article 27 of the Law of Turkmenistan "On the Ombudsperson", were sent to the competent authorities, local self-government bodies and officials to assist in verifying the facts indicated in them. After reviewing the results of the verification indicated in the received responses, the applicants were given answers.

Also during the analyzed period, two recommendations were sent to the relevant authorities based on Article 30 of the Law of Turkmenistan "On the Ombudsperson".

In addition, some of the appeals sent to assist in their verification were granted, and they are reflected in the chapter of the report on the requests and recommendations of the Ombudsperson. Some citizens' appeals were sent for consideration by affiliation and responses were given to citizens about the outcome. Most of the appeals for handling by affiliation were referred to the Chairman of the Supreme Court of Turkmenistan.

The following table contains the results of the analysis based on the handling of appeals received by the Office of the Ombudsperson disaggregated by region:

№	Region	Accepted for handling	Referred to institutions for consideration, including			Incl. satisfied	Responded with advice	Not considered	Including				Pending at the end of the year
			By affiliation	Article 27	Article 30				No signature	Repeated	Beyond competence	Violation of time limits	
1	Ashgabat	37	1	35		2	45	16	2	5	8	1	3
2	Balkan	23	1	21	1	4	16	15	2	7	6		
3	Dashoguz	23	2	20	1	5	31	19	1	9	9		1
4	Lebap	8	1	6		2	9	5	2	2	1		
5	Mary	16	1	15		2	11	9	5	2	1	1	1
6	Ahal	4		4		1	5	2	2				
7	Turkmenistan	111	6	101	2	16	117	66	14	25	25	2	5

Thus, during the reviewed period, responses to 117 or 38.4% of the 305 written appeals received by the Office of the Ombudsperson were sent to citizens with recommendations on remedy concerning their rights and interests. Such responses help, as a rule, the applicants to act legally to resolve issues arisen.

According to the above review, 111 or 36.4% of the total number of written appeals were accepted for handling during last year. 101 or 33.1% of which were sent to the authorized bodies on the basis of Article 27 of the Law to assist in verifying the facts indicated in them; for two appeals on the basis of Article 30 recommendations were issued and six appeals were referred to by affiliation. Thus, out of 111 appeals accepted for handling, 106 were considered, of which 16 or 15.0% were satisfied, and at the end of the year, five appeals remained pending.

In addition, the Office of the Ombudsperson addressed one appeal pending from the year before last, and 17 appeals in total were satisfied during the reviewed period.

The analysis of the considered and satisfied appeals can be found in the chapter of the report on “Appeals and recommendations of the Ombudsperson”.

These figures disaggregated by region were also analyzed. 3 appeals out of 101 received from Ashgabat were handled by combining, and so out of 98 appeals 35 or 35.7% of the appeals were sent to the authorized bodies based on Article 27 of the Law of Turkmenistan “On the Ombudsperson”. 33 of them were handled and corresponding responses were received, two appeals or 6.1% – satisfied; one appeal was referred to by affiliation to the Supreme Court of Turkmenistan and was considered on the merits of the case and a response was received. In relation to one appeal, the competent authorities requested the relevant documents, and it is pending. Thus, at the end of the reporting period, three appeals remained pending. Of the 57 appeals received from the Balkan welayat, three were considered by combining, and of the remaining 54 appeals, 21 or 38.9% of the appeals, based on Article 27 and one appeal for Article 30 of the above-mentioned Law with suggestions of a recommendatory nature, were sent to the competent authorities. Out of the 22 handled appeals, 4 or 18.2% were satisfied, one appeal by affiliation was sent to the Supreme Court of Turkmenistan.

One appeal out of 74 received from Dashoguz welayat was considered by combining, thus 20 or 27.4% of the 73 appeals based on Article 27 and one appeal based on Article 30 were sent to the competent authorities. Of which 20 were considered and 5 or 25.0% of them received satisfactory conclusions, two appeals were sent by affiliation and one appeal remained pending at the end of the reporting period.

Of the 22 appeals received from the Lebap welayat, 6 or 27.3% were referred to the competent authorities on the basis of Article 27 of the Law, which were further considered; one or 16.7% of the appeals was satisfied, one was sent by affiliation to the Supreme Court of Turkmenistan, which resulted in a corresponding response. One appeal was checked jointly with the Office of the Ombudsperson and a satisfactory decision was taken.

4 of the 39 appeals received from the Mary welayat were handled by combining; out of 35 appeals 14 appeals or 40.0% were sent to 15 competent authorities based on Article 27 of the Law, i.e. due to the request of separate handling of the two issues specified in one complaint, it was sent to two different bodies, and as a result of consideration of 13 appeals out of 14, two appeals or 15.4% were satisfied, one appeal was sent by affiliation and one was pending at the end of the reporting period.

Of the 12 appeals received from the Ahal welayat, one was handled by combining; of the 11 appeals four or 36.4% were sent to the competent authorities on the basis of Article 27 of the Law, and according to the results of their consideration, one or 25.0% of the appeals was satisfied. According to the appeals sent to the competent authorities, appropriate responses were received and the applicants received answers with outcomes. Thus, at the end of 2020, four of the total number of appeals sent to the relevant authorities based on Articles 27 and 30 of the Law, remained pending.

As can be seen from the analysis, out of the total number of appeals received, 66 or 21.6% were left without handling, in particular, 25 or 37.9% of non-handled appeals were repeated appeals that based on paragraph 4 of Article 22 of the Law of Turkmenistan “On the Ombudsperson”, were left without consideration. Moreover, based on paragraph 3, Article 21 of the Law, 14 or 21.2% of unsigned appeals were not handled; 25 or 37.9% of appeals concerned issues beyond the competence of the Ombudsperson; 2 or 3.0% of appeals were submitted to the Ombudsperson in

violation of the terms of appeal, about which the applicants were given responses within the 5-day period provided for by the Law.

The report notes that after the Ombudsperson accepted the received appeals, requests for assistance in verifying the information contained in them or recommendations were sent; some of them were sent to the competent authorities by affiliation. The below table contains the results of the analysis of the appeals handled by the bodies they were referred to.

№	Institution	Referred to	Including			Violation of the deadline	Reminders sent	Satisfied	Appeals pending	
			By affiliation	Article 27	Article 30				Art. 27	Art. 30
1	General Prosecutor's Office of Turkmenistan	23		23		6	1	4		
2	Ministry of Internal Affairs of Turkmenistan	16		16		2		1	1	
3	Supreme Court of Turkmenistan	4	4							
4	State Migration Service of Turkmenistan	11		11		1				
5	Ministry of Justice of Turkmenistan	2		2				1		
6	Ministry of Defence of Turkmenistan	3	1	1	1					
7	Ministry of Labour and Social Protection of the Population of Turkmenistan	5		5				2		
8	Ministry of Education of Turkmenistan	3		2	1					
9	Ministry of Healthcare and Medical Industry of Turkmenistan	3	1	2						

10	Central Bank of Turkmenistan	4		4		3	4			
11	Turkmenbashi Oil Refinery Complex	2		2				1		
12	Ministry of Agriculture and Environmental Protection of Turkmenistan	2		2						
13	Ministry of Culture	3		3		1		1	1	
14	State Committee for TV, Radio broadcasting and Cinematography of Turkmenistan	1		1						
15	Hyakimlik of Ashgabat	6		6		4		1		
16	Hyakimlik of Balkan welayat	8		8		7	4	1	1	
17	Hyakimlik of Dashoguz welayat	6		6		5	2	1	1	
18	Hyakimlik of Lebap welayat	1		1		1	1	1		
19	Hyakimlik of Mary welayat	6		6		6	5	1		
	TOTAL:	109	6	101	2	36	17	15	4	

The figures show the number of received appeals. From the total number of written appeals accepted by the Office of the Ombudsperson, 101 were sent to the relevant authorities based on Article 27 of the Law of Turkmenistan “On the Ombudsperson”, two sent appeals were based on Article 30 of the said Law with an indication of the terms of their consideration. Six appeals were sent for consideration by affiliation. The responses to the appeals sent by affiliation based on Article 30 of the Law were received in a timely manner. However, out of 101 appeals sent to the competent authorities to assist in their consideration, four remained pending at the end of the year, and for 36 appeals or 37.1% of the 97 handled, responses were received in violation of the deadlines set by the Ombudsperson. When analyzing the appeals for which the responses were given in violation of the deadlines, it was found that the deadlines for consideration of some of them were missed for good reason, that is, due to the need for additional or special verification.

For example, it is shown that six of the 23 appeals sent to the Prosecutor General's Office of Turkmenistan based on Article 27 of the Law with a request for assistance in verifying the facts indicated in the appeals, were answered late. However, the postponement of the review period was

justified due to the additional checks carried out on all of them. Four of these appeals were satisfied, one of which resulted in a criminal case and the legal rights of the citizen who applied, were restored. One such example was the collective statement referred to the hyakimlik of the Lebap welayat, the response to which was received with a missed deadline. However, the missed deadline for its consideration was deemed justified, due to the requirement for additional verification, and as a result, a satisfactory response was received.

In view of the requirement of a special check, in violation of the established deadlines, the Office of the Ombudsperson also considered the appeal of a resident of the Lebap welayat Sh. A. on the housing issue, as a result of which his appeal was satisfied, and he was notified in writing.

In a number of cases, citizens' appeals were considered untimely due to the irresponsible approach of the heads of organizations and institutions to the consideration of the appeals sent to them within the specified period, as well as the incomplete study of their content. Such a circumstance led on the one hand to a violation of the terms of consideration of citizens' appeals by the heads of organizations, and consequently by the Ombudsperson, and on the other hand to repeated appeals of citizens on the same issue.

Focusing the attention of the relevant heads to such circumstances, 17 written reminders were sent during the reviewed period.

An example of this was the complaint of D. B., a resident of the Mary welayat, with a request for assistance in drawing up a state act on the land plot he resided on. The complaint with a letter No. 1/03 of 06.01.2020 based on Article 27 of the Law was sent to the hyakimlik of the Mary welayat. Because there was no response about the results of the inspection, the Ombudsman's Office in turn did not respond to the complainant in a timely manner. It led to a repeated appeal of the citizen on the same issue. A reminder was sent to the hyakimlik of the Mary welayat, indicating this and attaching the repeated appeal of the citizen D. B.

Despite the fact that the appeals were referred to the hyakimlik of the Mary welayat and a response was requested, the Office of the Ombudsperson received a letter from the hyakimlik of the Sakarchage etrap, Mary welayat No. 28/13 dated allegedly 7 days late, that is, of 02.02.2020. It stated that the appeal for assistance in the registration of a state act for the land plot on which D.B. and his brother A.B. resided, addressed to the Office of the Ombudsperson, was considered by the relevant specialists of the Department of Land Management and Sakarchage town gengeshlik (local authority). The staff of the Ombudsperson's Office informed the responsible employees of the welayat hyakimlik about this fact through the means of communication and drew their attention to the fact that the procedure and terms of consideration of the applicants' complaints had to be observed in the future. The Office also requested the results be reported. Only after that, the appeal of citizen D.B. was considered. Thus, the response to this request was received after 3 months and 20 days.

As mentioned in the report, there were cases when the letters received on the considered appeals of citizens did not address the main issues specified in them, but contained answers of a superficial nature.

For example, the appeal of a resident of Ashgabat, E. A., accepted for handling by the Office of the Ombudsperson, for assistance in providing housing, as he was left without parental supervision and returned from an auxiliary boarding school, based on Article 27 of the Law of Turkmenistan "On the Ombudsperson", along with a letter No. 1/206 of 14.05.2020, was sent to the hyakimlik of Ashgabat with a request for assistance in verifying the facts specified in the appeal.

The letter of the hyakimlik of the city of Ashgabat, No. 31/1ýoh, dated 08.06.2020, sent to the Office of the Ombudsperson, stated that the applicant's appeal on the basis of the Resolution of the President of Turkmenistan on 20.01.2017 "On the construction of housing for disabled people and persons in special need of social protection in the welayats and the city of Ashgabat" had been taken into account and its issue would be considered in accordance with the housing legislation.

However, it was established that based on that Resolution, construction began on one 4-storey 48-apartment residential building in each welayat of the country and Ashgabat in January 2017. The completion was scheduled for December of the same year, and the Commission for the distribution of housing in this house, established by the Resolution of the hyakimlik of Ashgabat No. 1613 of 09.12.2017, decided to allocate 48 apartments to disabled people and people in special need of social protection. In this connection, by the Resolutions of the city hyakimlik No. 606 of 05.04.2018 and No. 898 of 12.05.2018, warrants were issued for 48 apartments in the house No. 37, built on the territory of the Berkararlyk etrap of the city. The referred Resolution was an act of one-time action in fact.

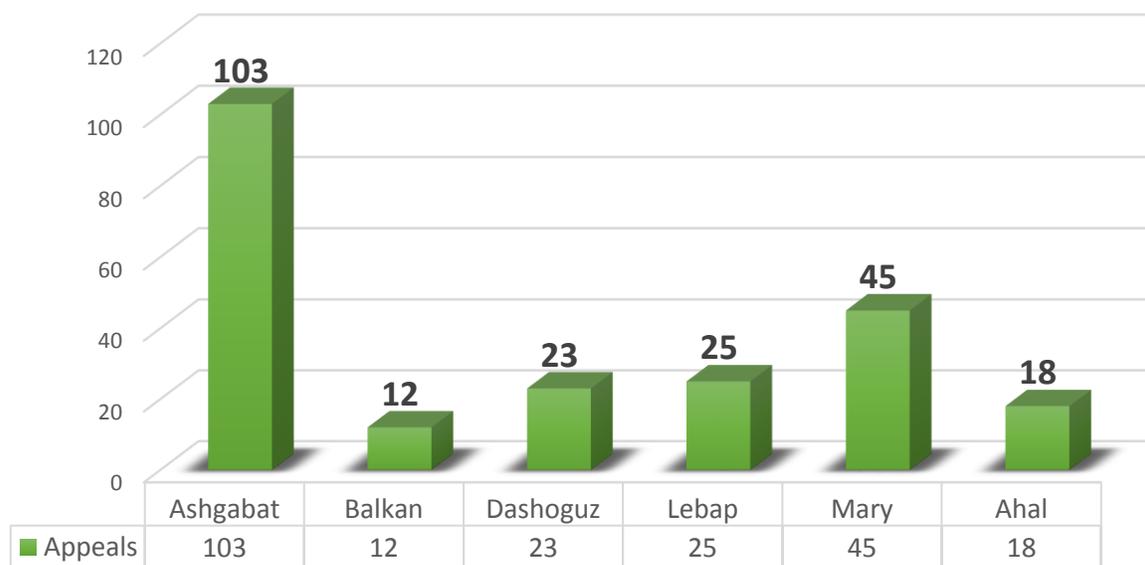
Thus, the responsible employees of the city hyakimlik were notified via means of communication about an incorrect answer that was sent to the Office of the Ombudsperson referring to the already executed Decree of the President of Turkmenistan and about the need for a comprehensive approach to the citizens' appeals. In this relation, a letter was sent to the hyakimlik of Ashgabat with the request to consider the appeal and study the necessary documents, by way of requesting them from the relevant organizations on the basis of paragraph 4, part 1, Article 69 of the Housing Code of Turkmenistan and to respond as soon as possible. At the same time, not violate the terms of consideration of citizens' appeals established by law.

The complaint of the resident of Lebap welayat O.K. was accepted for proceeding. It concerned assistance in clarifying the reasons for refusal of her leaving Turkmenistan and terms of the restrictions. The complaint in accordance with Article 27 of the Law of Turkmenistan "On the Ombudsperson" was sent to the State Migration Service of Turkmenistan with the letter No. 1/399 of 30.09.2020 on assisting in a full verification of the claims from the complaint. The letter No. 102/10-740 of 13.10.2020 sent by the Migration Service to the Office of the Ombudsperson only stated that the citizen O. K. was restricted from traveling outside the country. Because the citizen in her complaint asked for assistance in clarifying the reason for the refusal and the terms of the restriction, indicating a violation of her right to leave Turkmenistan, a letter was sent again to the Migration Service, stating that the precise issue raised in the complaint should be responded.

One of the institutions that allowed superficial handling of the issues raised in citizens' appeals, as well as violation of their terms of handling, was the Central Bank of Turkmenistan. Thus, during the reviewed period, out of four appeals sent for their consideration, in accordance with Article 27 of the Law, three were answered in violation of the deadlines and four reminder letters were sent to them.

During the reviewed period, the Office of the Ombudsperson registered 226 oral appeals and analyzed them by region.

Oral appeals 2020

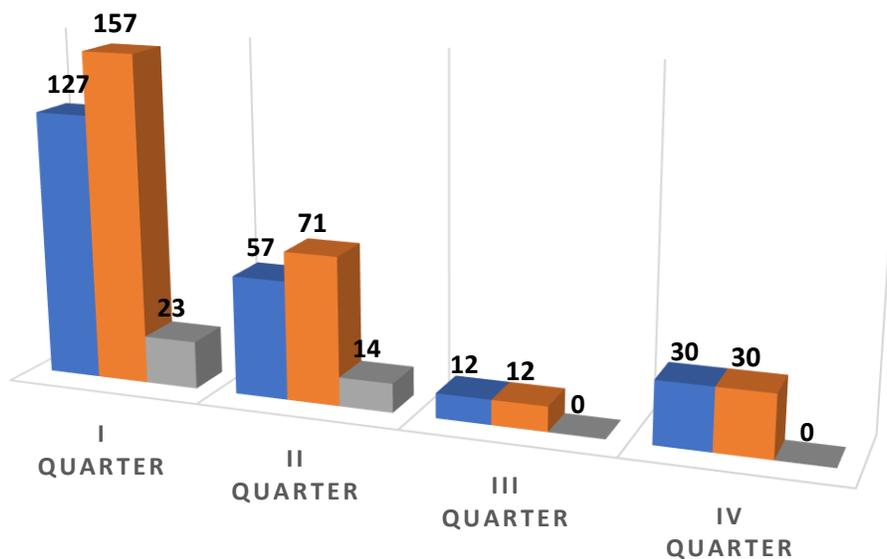


TOTAL

226

According to the figures, 103 appeals or 45.6%, in particular, their main part originated from Ashgabat and one of the reasons to that was the location of the Ombudsperson's Office in the centre of the capital Ashgabat, which proves its accessibility for people. Moreover, these appeals were reviewed on a quarterly basis and by the number of applied citizens, which are shown in the following chart.

■ No of appeals ■ No of complainants ■ No of collective appeals



TOTAL

226

270

37

As can be seen from the analysis, 226 oral appeals were registered during the year. As a result of the disaggregation by gender, nationality and other characteristics, it was found that out of 270 citizens who applied, 166 were women and 104 were men who represented various nationalities. Of these, 196 were Turkmens; 29 were Russians; 18 - Uzbeks; 11 - Azerbaijanis; 6 - Armenians; 4 - Tatars; 3 - Baluchis; the remaining 2 were Laks and 1 was a Persian.

Analysis of appeals based on national or other grounds confirms the fact that equal opportunities for all to exercise their rights were created.

The oral appeals were also analyzed based on the issues raised in them as follows:

№	Issues	Total	Ratio % to total appeals
1	Housing law	70	31,0%
2	Disagreement with court ruling	25	11,1%
3	Migration issues	18	8,0%
4	Labour law	29	12,8%
5	Land law (lease, land plot)	10	4,4%
6	Illegal actions of law enforcement officers	8	3,5%
7	Criminal cases and criminal offence	9	4,0%
8	Social security	5	2,2%
9	Right to health protection	2	0,9%
10	Banking issues	11	4,9%
11	Implementation of court decrees	1	0,4%
12	Guardianship	1	0,4%
13	General Pardon	2	0,9%
14	Other	35	15,5%
	TOTAL:	226	100%

As the analysis shows, the majority of oral appeals related to housing issues, i.e. 70 of the total number of appeals or 31.0%, labour issues – 29 or 12.8%, disagreement with court rulings – 25 or 11.1%, migration issues – 18 or 8.0%, banking issues – 11 or 4.9%, land law – 10 or 4.4%, criminal cases and criminal acts – 9 or 4.0%, dissatisfaction with the illegal actions of law enforcement officers – 8 or 3.5%, social security – 5 or 2.2%.

The remaining issues related to one or two subjects, and 35 related to other issues, in particular, citizens' dissatisfaction with the actions of heads of organizations or officials, debt recovery, property or family conflicts, conflicts with neighbours, clarification of legislation, and dissatisfaction with the answers received at the place of appeal, and other issues.

As noted above, the Ombudsperson carried out her activities based on the approved Annual Work Plan, which, *inter alia*, envisaged a reception of citizens with oral complaints outside the Office and organized in Ashgabat and the Ahal welayat. These receptions of citizens were organized in the premises of hyakimliks of the etraps (districts) of Ashgabat and the Ahal welayat together with

members of the working commissions specially created based on the Resolutions of hyakimliks “On the creation of a special Working Commission on citizens’ appeals”. Announcements about the reception of citizens were placed in the local media, in particular, newspapers.

Thus, the receptions of citizens were organized in the premises of the hyakimlik of Ak Bugday etrap, Ahal welayat; twice in the hyakimlik of Ashgabat, in its building of “Mekan köşgi” and the premises of the hyakimlik of Bagtyyarlyk etrap. The majority of the appeals on the ground related to housing, labour and land issues. Handling these issues on the ground rendered practical for making appropriate decisions.

Despite the fact that almost from the beginning of the reviewed year, all over the world, including in our country, there were obstacles related to the fight against the COVID-19 pandemic, oral appeals of citizens continued. The reception of citizens in the Office of the Ombudsperson was conducted according to the approved schedule, and advice was given to their oral appeals and via the communication system.

As a result of the analysis of the Ombudsperson’s activities during 2020 on handling citizens’ appeals, it was found that despite the recommendations given in the Ombudsperson’s Report on the outcomes of 2019 on compliance with the norms provided for by law when handling citizens’ appeals, as well as sending letters to the heads of ministries and departments, the hyakims of welayats and the city of Ashgabat with these recommendations and receiving responses to them, the work had been established in accordance with the requirements. Unfortunately, in some places, the violation of the requirements of the legislation on handling citizens’ appeals still takes place. In order to prevent the occurrence of dissatisfaction on the part of citizens and their repeated appeals, to assist in full compliance with the requirements of the law when considering these appeals, we suggest the following:

- despite the receipt of appeals from citizens or from the authorized bodies, organize and keep under systematic strict control the effective consideration of citizens’ complaints within the time limits and in accordance with the procedure provided for by law;

- due to the fact that the ratio of written and oral appeals and the receipt of repeated appeals from citizens of Ashgabat in relation to the country does not decrease, to prevent and eliminate systematic violations of laws by the city’s Hyakimlik when considering citizens’ complaints, as well as appeals of authorized bodies on citizens’ complaints;

- in connection with the change in the administrative-territorial division of Ashgabat, in order to eliminate the issues of priority for improving housing conditions, systematically analyze the order of citizens in queue in the Departments for Housing distribution in the hyakimliks of the etraps of Ashgabat.

Chapter V. Activities of the Ombudsperson to help improve the national legislation of Turkmenistan

Historic steps in improving the country’s legislation marked the year of the celebration of the 25th anniversary of the permanent neutrality of Turkmenistan under the motto “Turkmenistan is the homeland of Neutrality”. At the meeting of the esteemed President of Turkmenistan Gurbanguly Berdimuhamedov with the members of national Parliament on 11 February 2020, the main activities of the parliament were discussed. At the same time, specific initiatives were put forward to further strengthen the legal framework for the positive transformations being carried out in the country, to

improve the national legislation that meets the call of the time and to develop regulations aligned with the generally accepted norms of international law.

One of the main goals of the year was to improve legislation in the implementation of the initiatives for constitutional reforms, which were launched on September 25, 2019 at the Halk Maslahaty (People's Council) of Turkmenistan, in order to strengthen the role and expand the powers of the national parliament. In this context, the Constitutional Commission established by the decree of the head of state for the development and consolidation of proposals on amendments and additions to the Constitution of Turkmenistan and the working group under it consistently carried out its activities.

The issue of establishment of a bicameral system of the National Parliament went through public discussions. On 25 September 2020, the Halk Maslahaty (People's Council) of Turkmenistan approved the Constitutional Law of Turkmenistan "On Amendments and Additions to the Constitution of Turkmenistan" and the Mejlis of Turkmenistan adopted it.

The Ombudsperson and representatives of the Office participated at the meetings of the Constitutional Commission and its working group held during the year as members of the Commission and put forward their proposals.

The Ombudsperson, taking part in other events held by the Mejlis of Turkmenistan in accordance with the annual legislative plan, exercised her powers to assist in improving the human rights legislation of Turkmenistan.

During the reporting year, the Mejlis of Turkmenistan adopted 57 laws in total, which consisted of new laws, new versions of laws, as well as laws on amendments and additions to existing laws. In particular, while adopting such Laws of Turkmenistan, as "On Electronic Document, Electronic Document Management and Digital Services", "On Environmental Information", "On Crime Prevention", "On Physical Education and Sports", "On international humanitarian assistance in an emergency", "On the Consular Service", a number of amendments and additions were made to other existing laws and work to improve the legal framework of the country continued.

It should be specifically noted that as a result of the adoption of the Constitutional Law "On Amendments and Additions to the Constitution of Turkmenistan" and the transition of the legislative body to a bicameral system, a draft was developed, and later the Law of Turkmenistan "On the Milli Gengeshi (Upper Chamber of Parliament) of Turkmenistan" was adopted, which defines the legal basis of the two chambers.

The improvement of legislation was not limited to bringing it in line with the demands of times or the norms of international law, and was guided by such principles of our ancestors as mercy, humanity and virtue. Guided by these principles, in the past year, when improving the existing Codes, namely, when preparing a draft new version of the Criminal Code of Turkmenistan, initiatives were put forward to humanize it, in particular, decriminalizing a number of norms regarding non-socially dangerous actions and their transition from criminal liability to administrative liability. The Ombudsperson's Office supported the proposal on humanizing the criminal legislation.

During the past year, representatives of the Office of the Ombudsperson, as members of the working groups established in the Mejlis of Turkmenistan, continued to actively participate in the meetings on the preparation of: draft new versions of the Administrative Procedure Code of Turkmenistan, the

Arbitration Procedure Code of Turkmenistan, the Civil Code of Turkmenistan, the Code of Administrative Offenses of Turkmenistan, the Law of Turkmenistan “On Countering the Legalization of Proceeds from Crime, the Financing of Terrorism and the Financing of the Proliferation of Weapons of Mass Destruction”. In order to improve other effective laws in accordance with international practice and the current requirements, they participated in meetings on draft laws “On Amendments and Additions to certain legislative acts of Turkmenistan”.

As noted in the Reports of the Ombudsperson on her activities and on the situation with human rights in the country, the legislative framework of the country was consistently improved and strengthened. Many new laws were adopted, amendments and additions were made to current laws with the aim of safeguarding human and civil rights and freedoms in accordance with the current requirements. Despite this, the Ombudsperson’s Office in its line of work received responses mainly to citizens’ appeals from ministries, branch departments and local government bodies, which contained references to regulatory legal acts that did not coincide with the current laws. In order to eliminate such situations, we recommend:

- line ministries and branch departments, local state authorities and local self-government bodies should carry out thorough work to bring regulatory legal acts into full compliance with the norms of the current legislation;

- strengthen control over bringing regulatory legal acts of line ministries, departments, state authorities and local self-government bodies into compliance with the current legislation.

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

In accordance with the Law of Turkmenistan “On the Ombudsperson”, one of the functions of the Ombudsperson shall be to promote public awareness of the various types and mechanisms of protection of human and civil rights and freedoms. The Ombudsperson's facilitation in raising public awareness of human rights and freedoms shall be carried out through public speaking at various public events and mass media, and the publication of reports.

Over the past year, the Ombudsperson's activities on participation in public events continued. For example, the Ombudsperson, within her powers, participated in the meetings of the Interdepartmental Commission on Ensuring the Implementation of Turkmenistan’s International Obligations on Human Rights and International Humanitarian Law and expressed her opinion on various issues put on the agenda of the meetings and aimed at ensuring human rights and freedoms, including on gender equality, maternal and child health, ensuring the rights of people with disabilities, preparing new national programmes and plans, on the activities of the Commission on Juvenile Affairs and the improvement of its legal framework, and on other important issues.

On 16 May 2020, on the occasion of the double holiday celebrated in the country - the Day of the Constitution of Turkmenistan and the State Flag, a scientific and practical conference on “The Constitution of an independent, permanently Neutral Turkmenistan and the State Flag of Turkmenistan: statehood, justice, peace and development” was held. The Ombudsperson participated in this event and made a presentation on “The Constitution of Turkmenistan, the State Flag are the sacred values of the Turkmen people”.

Representatives of the Office of the Ombudsperson took part in the seminar on “Social and legal significance of the humane principles of the Constitution of Turkmenistan”, organized by the Ministry of Justice of Turkmenistan in honour of this important celebration.

On 9 December 2020, the Ombudsperson took part in the international exhibition dedicated to the 25th anniversary of the permanent neutrality of Turkmenistan and within its framework made a presentation at the scientific conference on “Historical decisions of the Halk Maslahaty (People’s Council) of Turkmenistan and the main objectives of ensuring state development”.

On 10 December 2018, the “Global Compact for Safe, Orderly and Legal Migration” was adopted in the city of Marrakech, Kingdom of Morocco, approved by Resolution 71/195 of the UN General Assembly. To prepare a voluntary review of the state on the implementation of this treaty at the national level, a working group was established consisting of relevant ministries, state institutions and public organizations of the country. During the reporting year, the staff of the Ombudsperson’s actively participated in the meetings of the established working group and assisted in the preparation of the review on human rights and freedoms.

To develop the draft “State Programme on State Youth policy of Turkmenistan for 2021-2025”, a working group consisting of representatives of relevant ministries and branch departments of the country was established. During the past year, a representative of the Office of the Ombudsperson regularly participated in the meetings of the working group to discuss the Regulations on the working group, its work plan (“Roadmap”), as well as international experience in the field of youth policy and other appropriate issues.

In accordance with the approved Annual work plan of the Office of the Ombudsperson, seminars and meetings were organized in higher educational institutions of the country as part of the functions of promoting awareness and outreach to the population on human and civil rights and freedoms.

Thus, the Office of the Ombudsperson continued to conduct seminars for students of the Academy of Public Service under the President of Turkmenistan. At the seminars, the participants were familiarized in detail with the content of the annual Report on the activities of the Ombudsperson for 2019, compiled as a result of a review of the situation with human rights and freedoms in the country, with ensuing recommendations.

In addition, in the Scientific and Methodological Centre for SDGs of the Institute of International Relations under the Ministry of Foreign Affairs, the staff of the Office of the Ombudsperson held several seminars on the topic “A Fair Society is the Guarantor of Sustainable Development. The UN Goals”.

As known, every year the Ombudsperson submits a report as information to the President of Turkmenistan on her activities and the situation in the country in the field of human rights and delivers this report to the Mejlis of Turkmenistan. In this regard, the Ombudsperson took part in the meeting of the Mejlis of Turkmenistan of the tenth convocation and, in accordance with the agenda, made a report on the activities of the Ombudsperson for 2019 and the human rights situation in the country.

In order to make the report available to the public through the mass media, the Annual report of the Ombudsperson is published on the pages of electronic newspapers of the State News Agency of Turkmenistan “Turkmenistan Today” (www.tdh.gov.tm) and the “Golden Age” (www.turkmenistan.gov.tm).

In order to comply with the requirements of the Law of Turkmenistan “On the Ombudsperson”, in particular, regular coverage of the work carried out by the Ombudsperson, as well as in accordance with the Decree of the President of Turkmenistan “On the Establishment and Introduction of an Electronic Document Management System and Internet websites in Turkmenistan”, approved on 27 February 2020, the Office of the Ombudsperson worked during last year on the creation of an Internet website and planned its introduction as of the beginning of 2021.

Articles were published in various newspapers and magazines that revealed the mechanisms of protection of human rights and freedoms in Turkmenistan, the country's multi-faceted work on the promotion of democratic values, describing the ongoing reforms and democratic transformations. The third issue of the journal “Democracy and Law”, issued by the Institute of State, Law and Democracy of Turkmenistan, published an article by the Ombudsperson on “The Development of statehood, democracy and international relations”.

The newspapers “Türkmenistan” and “Нейтральный Туркменистан” published an interview organized on the International Children’s Day, conducted jointly with the Ombudsperson and the UNICEF Representative in Turkmenistan on children’s rights, coordination of efforts in this area, goals and opportunities for cooperation. The Ombudsperson’s articles on the broad rights of children and their strict observance in our country were also published in the newspaper “Nesil” on “The Legal guarantees of a bright future for happy children” and in the magazine “Güneş” on “In the interests of happy little children”.

Moreover, during the holidays celebrated throughout the country on unprecedented successes and socio-political events, the staff of the Ombudsperson's Office published a number of articles in newspapers and magazines on the protection of human rights and freedoms.

Based on the results of the Ombudsperson's participation in public events during the last year and the implementation of activities to promote public awareness on human rights, we concluded that it was necessary to systematically carry out work to raise awareness and outreach to the population and the relevant responsible officials. Therefore, we recommend the following:

- supporting the recommendations made in previous years, in order to carry out regular and systematic work to raise awareness and outreach to the population and relevant responsible officials on human rights, to propose to develop and approve, as appropriate, a single State Programme that provides for specific activities on the part of ministries, branch departments, welayat, etrap, city hyakimliks, law enforcement agencies, the media, public organizations.

Chapter VII. International co-operation

The year 2020, which was held under the motto “Turkmenistan is the homeland of Neutrality”, has become yet another year of historical achievements for our country. The past year in the sense of international significance was remembered primarily by its jubilees and anniversaries. Turkmenistan has widely celebrated its 25th anniversary of permanent Neutrality, which allowed our country to convey to the world community its high achievements, democratic reforms and peacemaking foreign strategy. Last year, the United Nations, the most reputable global organization, a reliable partner of Turkmenistan, celebrated its 75th anniversary. The UN mission, namely the pursuit of a stable and secure world, the promotion of human rights and the building of a more fair world is compliant with the mission of our country.

At the beginning of the past year, on 14 January an International conference on “Turkmenistan and International Organizations: Cooperation for peace and development” dedicated to the celebration of the 25th anniversary of the permanent neutrality of Turkmenistan was held with the participation of the esteemed President of Turkmenistan Gurbanguly Berdimuhamedov and many leaders and representatives of international organizations.

At the forum, in his speech, the President of Turkmenistan conveyed the message of great importance on the status of permanent neutrality for the Turkmenistan people and that the celebration of the 25th anniversary would be a landmark event. During his speech, the esteemed President of Turkmenistan repeatedly highlighted the fact that the policy of positive neutrality of our country, which incorporates the principles of peace, non-interference in the affairs of other states, their sovereignty and territorial integrity, and non-participation in international military organizations and treaties, remained unchanged.

This policy of positive neutrality in turn was highly appreciated by the international community, and the highly reputable UN agencies, the OSCE and the European Union have rendered broad support to it.

The conference provided a good platform for discussions to review in a comprehensive manner the accumulated experience of cooperation between Turkmenistan and international organizations, as well as to announce new joint projects and plans.

Thus, twelve Annual Work Plans for 2020 were signed between the relevant ministries and departments of Turkmenistan and UN agencies. Among such signed documents was the Annual Work Plan for 2020 on “Protection and promotion of the rights of the child” between the Office of the Ombudsperson of Turkmenistan and the United Nations Children's Fund (UNICEF).



Signing of the Annual Work Plan 2020

Notwithstanding ambitious projects and plans, last year the humanity faced the global challenges – the emergence and spread of the new coronavirus infection COVID-19. Nevertheless, despite the global shock of the world community, given the seriousness of the new threat, which had a detrimental impact on all spheres of human life, and its rights and freedoms, Turkmenistan had followed a comprehensive approach by making consolidated decisions to counter this threat.

The global pandemic has required society to take a fresh look at the universal way of life. Taking precautions, social distancing has moved many work processes to the digital field through video conferencing on online platforms. However, the transition to digital activities did in no way slow down the frequency of events, workshops, seminars and “round tables”. It can be stated that at the end of the reporting year their number steadily increased.

It is worth noting that international cooperation on human rights was stipulated by a separate section of the Annual Work Plan of the Ombudsperson, according to which a number of activities were planned with international organizations and interstate bodies for the protection of human and civil rights and freedoms, cooperation with national human rights institutions of other states, to exchange experience and best practices.

In connection with the circumstances that faced the world, later a separate Order of the Ombudsperson approved an Action Plan to be implemented in the context of countering the pandemic of coronavirus infection COVID-19. Within the framework of this Plan, a number of measures were envisaged to ensure and respect human rights in the context of the fight against the COVID-19 coronavirus pandemic. Those included systematic monitoring of human rights and prevention of human rights violations, monitoring of the activities of state bodies implementing relevant preventive measures, etc.

Prior to the adoption of restrictive measures, in January 2020, a joint meeting of the Ombudsperson of Turkmenistan with the heads of UN agencies in Turkmenistan was held under the leadership of the UN Permanent Coordinator in Turkmenistan, Ms. Elena Panova, the UNDP Acting Permanent Representative in Turkmenistan, Ms. Natia Natsvlishvili, the UNICEF Representative in Turkmenistan, Ms. Christine Weigand and her Deputy, Mr. Siraj Mahmudlu, the UNFPA International Programme Officer Ms. Jennet Appova, and the Regional Representative of the Office of the UNHCHR for Central Asia, Mr. Ryzsard Komenda to discuss issues related to the coordination of the development of joint cooperation for the coming year.



Meeting with the Heads of UN agencies in Turkmenistan

Holding such a joint meeting at the beginning of the year with all the heads of UN agencies at once provided an excellent opportunity to identify and plan priority areas of cooperation for the upcoming 2020, develop common approaches to the protection of citizens' rights, as well as allow agencies to keep abreast of the goals and objectives set together with the Office of the Ombudsperson. This certainly helped in the preparation and coordination of projects and activities for the future. The heads of the UN agencies expressed their great desire and urge to increase cooperation with the Office of the Ombudsperson on human and civil rights and freedoms, including through the implementation of new joint projects and plans.

At the end of January 2020, the staff of the Ombudsperson's Office took part in an event organized by the UNDP in Turkmenistan, during which experts from the UNDP regional offices conducted an assessment of the activities and results of the work of the UNDP in Turkmenistan for the period 2016-2018. The work resulted in several recommendations, including on further cooperation and assistance to the Office of the Ombudsperson through professional development and exchange of experience with similar institutions in the region.

As it was noted, due to the expiration of a cycle of a number of international documents, the outgoing year 2020 was marked by the signing and adoption of a number of new important documents. Thus, among such significant documents, the Framework Programme of Cooperation on Sustainable Development between the Government of Turkmenistan and the United Nations for 2021-2025 was adopted on 14 March. Heads and representatives of a number of ministries and departments of Turkmenistan, including the Ombudsperson of Turkmenistan, as well as heads and representatives of diplomatic missions and international organizations accredited in Turkmenistan, representatives of public organizations, local and foreign journalists, attended the signing ceremony.

The new Framework Programme was designed to promote a wide range of outcomes, including the promotion and protection of human and civil rights. At the same time, it is worth noting, the document implied the participation of more UN structures in the implementation of these objectives.

On 28 April 2020, the staff of the Office of the Ombudsperson participated in a "round table" for consultations and discussions at the national level on the draft new Country Programme of cooperation between the Government of Turkmenistan and UNDP for 2021-2025. The draft Programme derived from the Framework Programme of Cooperation on Sustainable Development between the Government of Turkmenistan and the United Nations for 2021-2025. The consultations highlighted the Country Programme's focus on the SDGs, with a particular focus on strengthening the rule of law and protecting human rights, and improving people's well-being.

Representatives of the Office of the Ombudsperson also took part in similar consultations on the document of the next Country Programme between the Government of Turkmenistan and UNICEF for 2021-2025, which were held several times during the reporting year. As a result of such consultations, the country documents reflected the basic and target indicators of outcomes and outputs with relation to the activities of the Ombudsperson's Office.

Among the important innovations in the reporting year, which should be highlighted, was the practice of joint meetings of the Interdepartmental Commission on the Implementation of Turkmenistan's International Obligations on Human Rights and International Humanitarian Law (IDC) with international organizations. In this context, the Joint Action Plan of the IDC and the UN Office in Turkmenistan for 2020 was adopted, which defined specific tasks for its practical implementation.

Holding such joint meetings with specialized UN agencies and other reputable structures allowed to discuss in detail a wide range of issues of the implementation of human rights and international humanitarian law, in particular, the development of new National action plans and the evaluation of completed ones, the preparation of National reports to UN Committees, Turkmenistan's accession to other international conventions and their optional protocols, and capacity-building in the field of human rights education.

In this regard, it is necessary to stress the importance of the joint meetings of the Interdepartmental Commission, at which the Ombudsperson of Turkmenistan also participated within her competence, expressing her point of view on significant issues on the agenda from the position of an independent human rights institution.

In parallel, throughout the year, a representative of the Ombudsperson's Office, as a member of the Working Group of the interdepartmental Commission on Ensuring the Implementation of Turkmenistan's Obligations on Human Rights international and International Humanitarian law participated in meetings, workshops and consultations.

On 2 June 2020, in the Office of the Ombudsperson, the Ombudsperson of Turkmenistan and the staff, in cooperation with UNDP in Turkmenistan and the UNHCHR in Central Asia, held a videoconference with experts from the Asian-Pacific Forum of National Human Rights Institutions (APF), represented by Ms. Roslyn Noonan and Mr. Pip Dargan, with the aim of technical consultations on the accreditation process carried out by the Global Alliance of National Human Rights Institutions (GANHRI).

This meeting presented a good opportunity to enhance further cooperation on the study of accreditation process in the GANHRI and in its further implementation. The meeting resulted in the project document on "Improving the institutional capacity of the Office of the Ombudsperson of Turkmenistan" between the Office of the Ombudsperson of Turkmenistan and UNDP in Turkmenistan, which was later adopted.



Videoconference with the experts of the NHRI Asian-Pacific Forum (APF)

Within the framework of the National Response Plan to the socio-economic impact of the global pandemic jointly developed by the Government of Turkmenistan and the UN Country Office, and timely adopted, phased meetings of the joint working group of the UN agencies and relevant ministries and departments of Turkmenistan began to discuss the progress of its implementation. Representatives of the Ombudsperson participated in these meetings as a member. During the year, four meetings that worked out the Socio-Economic Response Plan were held at certain intervals. The plan comprised five areas of work, including in the area of ensuring and protecting human rights.

On 18 June the Ombudsperson of Turkmenistan, as part of the Delegation of Turkmenistan, took part in the regular session of the Dialogue on Human Rights “Turkmenistan - the European Union”. The session was held in the format of a videoconference in the premises of the Ministry of Foreign Affairs of Turkmenistan. The European side was represented at the meeting by the Acting Head of the Central Asian Department of the European Foreign Policy Service of the EU, Mr. Philippe van Amersfoort, and the Head of the EU Delegation to Turkmenistan, Diego Ruiz Alonso. During the meeting, the Delegation had a constructive exchange of views on pressing issues of human rights and international humanitarian law, and the Ombudsperson of Turkmenistan informed on the activities of the Office over the past year and provided her vision for expanding cooperation and rendering assistance from the EU to the independent institution.

From June to July 2020, representatives of ministries and departments, including the Office of the Ombudsperson, participated in a series of online video conferences organized on the initiative of the Permanent Mission of Turkmenistan to the UN Office in Geneva and dedicated to special procedures and cultural human rights. Experts from the Office of the Special Rapporteur at the UNHCHR Mr. Joan Bouchard and Ms. Dragana Corljan highlighted the nature of cultural human rights, their implementation in different countries of the world, as well as the working mechanism and special procedures. During the online conferences, the participants stressed that Turkmenistan had established a reliable legal framework for the protection and promotion of cultural human rights. On 30 June 2020, the Representative Office of the IOM in Turkmenistan held a meeting of the working group on the implementation of the National Action Plan to Combat Human Trafficking, where representatives of the Ombudsperson were invited. The purpose of this meeting was to discuss priorities and a “roadmap” for the implementation of the NAP on Human Trafficking for 2020-2022.

In continuation of the online meetings organized by the Permanent Mission of Turkmenistan to the UN Office in Geneva with experts from international organizations, on 27 and 29 July, a meeting was held between the expert of the UN Working Group on Enforced or Involuntary Disappearances Mr. Henrikas Mickevicius and representatives of relevant ministries and departments of Turkmenistan, including the Ombudsperson. Within the framework of the two-day meeting, the practice of visiting the working group’s countries, its mandate and working methods were discussed.

On 4 August, with the assistance of the IOM, the first meeting of the Interdepartmental Working Group on the Implementation of the Global Compact on Migration (GCM) was held in Turkmenistan in the video conference format. The purpose of the meeting was to discuss the mechanism of implementation and reporting within the framework of the GCM, the priorities of the working group’s actions and the opportunities of the UN Network for the implementation of the GCM in Turkmenistan.

In September, under the auspices of the IOM, the staff of the Ombudsperson's Office participated in a regional meeting dedicated to the launch of the IOM regional project on “Mitigating the Socio-Economic Impact of the COVID-19 pandemic on migrants and communities in Central Asia and the Russian Federation”.

On 25 August 2020, the “Safe Migration in Central Asia” Programme of the USAID, together with the UNODC in Turkmenistan, held a webinar on the elimination of forced labour and human trafficking in the framework of Target 8.7 of the SDGs, which was attended by representatives of the Ombudsperson. During the webinar, examples of successful and advanced approaches in the fight against forced labour and human trafficking at the regional and international levels were considered.

As part of the joint work plan for 2020 on the “Protection and promotion of the rights of the child” of the Office of the Ombudsperson and the Representative Office of the UNICEF in Turkmenistan, an online seminar on the procedure for submitting an alternative report to the Committee on the Rights of the Child was held on 21 August, with the participation of the UNICEF expert Ms. Nevena Shakhovich, and the OHCHR expert Mr. Artur Yatsevich. Within a short course, the experts looked into the procedure for preparing an alternative report, technical aspects and best practices.

As part of the same plan, on 21 October 2020, the Office of the Ombudsperson, together with the UNICEF and the OHCHR Regional Office for Central Asia, held an online workshop to raise awareness among ministries and agencies on the importance of the role of the Ombudsperson's Office in monitoring human rights, including those of children, during the COVID-19 pandemic. The workshop heard best practices in implementing the Ombudsperson's mandate to protect and promote the rights of the child in the context of the pandemic, as well as specific examples from countries in the Pacific region.

Also, in October, with the assistance of the UNICEF in Turkmenistan, an international expert presented the results of the review of the legislation of Turkmenistan on the subject of child rights for members of the Mejlis of Turkmenistan and members of the working group of the Inter-departmental Commission on the Implementation of International Obligations in the area of Human Rights and International Humanitarian Law, which includes representatives of the Ombudsperson. The review rendered very useful in the preparation of the state's combined Fifth and Sixth Periodic Report on the implementation of the Convention on the Rights of the Child (CRC) and its Optional Protocols for submission to the UN Committee on the Rights of the Child.

In the same month, the staff of the Ombudsperson's Office, as part of representatives of various departments and institutions of the country, participated in a working meeting with experts of the UNESCO. The experts informed about the procedural arrangements for accession to the Convention on the Protection and Promotion of the Diversity of Cultural Expressions; its goals and objectives. During this meeting, the parties discussed a wide range of related issues.

The activities of the Ombudsperson of Turkmenistan to promote and ensure human rights and freedoms were inextricably linked with the work of foreign human rights institutions. This, in turn, allowed for the use of international platforms for discussing human rights mechanisms, reviewing the human rights situation in the region, as well as understanding and applying the positive experience of human rights protection.

Thus, on 3 July 2020, an online meeting of the heads of National Human Rights Institutions – NHRIs and Human Rights Commissioners (Ombudspersons) within the framework of the Central

Asian NHRI Initiative (CASI-NHRI) was held. The Regional Office of UNHCHR for Central Asia and the UNDP Istanbul Regional Hub organized it. The topic of this meeting was the discussion of a highly relevant issue related to the implementation of human rights in connection with the COVID-19 pandemic. During the meeting, the Ombudsperson made a report on the measures taken by Turkmenistan to counteract the importation of virulent coronavirus infection, and shared the experience and information about the practical steps her Office had taken during the global pandemic to protect and promote human and civil rights and freedoms in Turkmenistan. The meeting contributed to more active interaction between CA NHRIs and the implementation of the “roadmap” within the framework of the regional CASI-NHRI platform.



Online meeting of the CA NHRI Heads within the framework of the NHRI Central Asian Initiative (CASI-NHRI).

On 17 November 2020, the Ombudsperson of Turkmenistan participated and gave a presentation at the IV International Scientific and Practical Conference on “Problems of Human Rights Protection in the Eurasian Space: exchange of best practices of Ombudspersons” by videoconference held under the auspices of the Commissioner for Human Rights of the Russian Federation. The Ombudspersons of 18 countries and representatives of reputable international organizations for the protection of human rights attended the conference, during which the participants discussed the new realities of human rights in the context of the COVID-19 pandemic.

In her presentation, the Ombudsperson of Turkmenistan widely highlighted the measures taken in Turkmenistan during the COVID-19 pandemic, the plans adopted and implemented, the creation of enabling conditions for citizens by improving legislation, including labour legislation, the gradual return of citizens from abroad, and the activities of the Ombudsperson's Office during the global pandemic to monitor the observance of human rights, including vulnerable groups of the population. All participants of the event stressed the importance of observing international standards of human rights and freedoms during the adoption of restrictive measures.

Later, on 11 December 2020, the Ombudsperson of Turkmenistan took part in an International online conference on “Digitalization of the Ombudsperson's activities: innovative mechanisms for

ensuring and protecting human rights and freedoms”, dedicated to the 25th anniversary of the Institution of the Ombudsperson of the Republic of Uzbekistan and the International Human Rights Day. The conference was organized by the Office of the Commissioner for Human Rights (the Ombudsperson) in the Oliy Majlis (Parliament) of the Republic of Uzbekistan.

At the conference, the Ombudsperson of Turkmenistan emphasized that in modern times, digitalization of activities was an urgent need and an effective management tool, a benchmark for the effectiveness and quality of work. The Ombudsperson of Turkmenistan informed the participants about the planned transition to digital activities of Turkmenistan in accordance with the “Concept of Digital Economy Development in Turkmenistan for 2019-2025”, and about the work on digitalization carried out in her Office.

In continuation of the joint plans outlined during the reporting period with international partners, in November 2020, the Office of the Ombudsperson, together with UNICEF, with the participation of an international expert, held a two-day workshop on children's access to justice for law enforcement agencies and other ministries and agencies dealing with children's rights. Regional structures of law enforcement agencies working on issues of juvenile justice also joined the seminar via videoconference. During the workshop participants discussed various issues related to children's access to justice, such as international trends and best practices in the field of national integrated child protection systems, child-friendly practices in conducting investigative actions, rehabilitation of children in conflict with the law, divergence, etc.

On the World Children's Day, on 20 November a thematic online event was held. Representatives of national partners and UNICEF in Turkmenistan presented a detailed overview of joint achievements for 2020 in various areas of health, education, social and child protection. Representatives of the Ombudsperson participated in this event.

In November 2020, with the assistance of UN agencies and with the involvement of UNFPA's international expert Dr. Katerina Shalayeva, several series of online meetings of the working group, which included the Office of the Ombudsperson, on the development of the draft “State Programme of Youth Policy for 2021-2025” were held. During the workshops, the working group members got acquainted with the international expertise in the development of youth policy, considered the main components such as guidelines, key concepts, main goals, priority areas, clusters and driving elements of the implementation of youth policy.

During the reporting period, the Ombudsperson continued to actively cooperate with the OSCE Centre in Ashgabat, as one of the main international partners.

Thus, on November 25-26, 2020, the Office of the Ombudsperson, together with the OSCE Centre in Ashgabat and with the support of the OSCE Office for Democratic Institutions and Human Rights (ODIHR), held two-day series of webinars on “Strengthening Cooperation in the Promotion and Protection of Human Rights”, in which members of the Mejlis, representatives of various ministries and departments of the country, the bar association were invited to participate. The webinar was joined by OSCE international experts Mr. Sasa Jankovic, who previously served as the Serbian Ombudsperson for two years, and Ms. Susan Atkins, who also previously served as the UK Military Complaints Commissioner. They shared international experience of cooperation between national human rights institutions (NHRIs) with government agencies and reviewed the models of NHRIs.

In her opening remarks, the Ombudsperson noted the constructive relationship between the Office of the Ombudsperson and the OSCE Centre in Ashgabat, from the very beginning of its establishment,

and highlighted the importance of holding such events and capacity-building meetings for representatives of state bodies for the promotion and protection of human rights.

Within the framework of the webinars, the staff of the Ombudsperson's Office together with international experts discussed very topical issues facing the Commissioner for Human Rights during the COVID-19 pandemic. Sessions on the activities of the Business Ombudsperson, best practices of models for the establishment of similar institutions in other countries, their roles and functions were specifically looked into. It would be appropriate to say here that the previous report of the Ombudsperson for 2019 recommended exploring the possibility of creating an independent human rights body on business issues.



Series of webinars on “Enhancing collaboration on human rights promotion and protection in Turkmenistan”

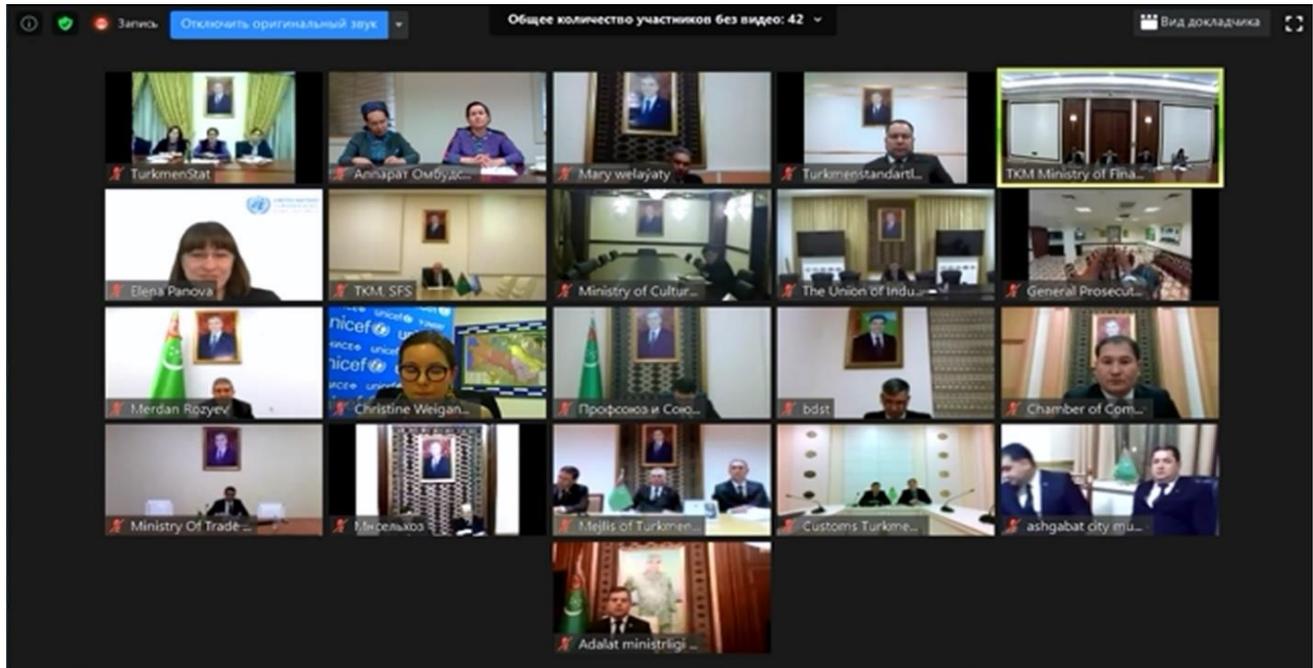
Throughout the year, representatives of the Ombudsperson's Office actively participated in the activities organized by the OSCE Centre in Ashgabat, such as “Seminar on Age and Gender sensitive Criminal Justice Responses to Terrorism”, “Promoting the Modernization of Journalistic Education”, “Multilingual Education as a tool for managing diversity, improving academic performance and social integration”, “Supporting Development of the Penitentiary Systems in Turkmenistan”.

In addition, on 20 November 2020, the staff of the Ombudsperson, together with representatives of some law enforcement agencies and educational institutions, participated in an online meeting organized by the EU Liaison Office in Turkmenistan in accordance with the EU - Central Asia Regional Programme on the Rule of Law, which was initiated in five Central Asian countries and implemented by the Council of Europe.

During the meeting, the national partners, together with representatives of the Council of Europe, discussed the needs of the target groups of legal professionals, their priority areas of human rights training through the HELP program. It was also emphasized that this programme would result in the

further strengthening of human rights, the rule of law and democracy in the countries of Central Asia.

At the end of November 2020, the Ombudsperson took part in the regular meeting of the national working group held jointly with the UN on the implementation of the SDGs in Turkmenistan. The participants of the working group were familiarized with the global trends that directly affect the implementation of the SDGs. UN Assistant Secretary-General for Economic Development Mr. Elliot Harris presented the essential outcomes of the report on “Shaping the Trends of our time”. During the meeting, it was stressed that Turkmenistan had improved its reporting in global databases. At the same time, the joint work planned for the creation and implementation of a national database on the SDGs would be critical.



Meeting of the National Work Group on SDG implementation in Turkmenistan

On 8 December 2020, representatives of the Office of the Ombudsperson participated in the launch of the new Regional programme on the “Spotlight Initiative” for Central Asia and Afghanistan, which aims to combat and eliminate violence against women and girls. In December, representatives of the Office participated in an online meeting of the technical working group on combating human trafficking in Turkmenistan, organized by the Regional Office for Central Asia of the UNODC, as well as in an online briefing of the OSCE Centre in Ashgabat on the Plan of projects to be implemented by the Government of Turkmenistan jointly with the OSCE Centre in Ashgabat in 2021.

A kind of culmination of the year was the solemn celebration of the 25th anniversary of the permanent neutrality of Turkmenistan and the International Day of Neutrality, in honour of which the International High level conference on “The Policy of Neutrality and its Significance in Ensuring International Peace, Security and Sustainable Development” was held on 12 December. The forum was attended by high-ranking leaders of renowned international organizations: UN Secretary-General Antonio Guterres, Secretary-General of the Organization of Islamic Cooperation Youssef Bin Ahmed Al-Usaimin, Secretary-General of the Shanghai Cooperation Organization

Vladimir Norov, and Chairman of the Executive Committee-Executive Secretary of the Commonwealth of Independent States Sergey Lebedev were heard through video addresses. The speakers gave an objective and comprehensive assessment of the fundamental importance of the neutral status of Turkmenistan, the merits of our Motherland in the development of friendly and mutually beneficial relations in the international arena.

The second half of the International Conference continued in the format of plenary sessions, where the Ombudsperson of Turkmenistan made an address at the session on “The Humanitarian Dimension of Neutrality – contribution to sustainable development and the 2030 Agenda”. In her speech, the Ombudsperson emphasized the inseparability of the status of neutrality of our country with human rights, and that their provision was one of the most important principles of the Turkmen state.

It should be noted that in commemoration of the anniversary holiday, since the first days of December, conferences and exhibitions dedicated to the political and economic achievements of our country in various fields have been actively held. The signing ceremonies of project documents were held during twelve days between the ministries and departments of Turkmenistan with foreign partners and international organizations.

On December 11, the Ombudsperson of Turkmenistan participated in the signing of the Project Document on “Improving the Institutional Capacity of the Office of the Ombudsperson of Turkmenistan” between the Office and UNDP in Turkmenistan, as well as the Work Plan for 2021 between the Office of the Ombudsperson and the UNICEF in Turkmenistan. The signing of these documents was the result of various meetings and consultations held during the year, and the hard work of the parties.

At the end of the reporting year, on 16 December the first meeting of the Steering Committee, including the Ombudsperson, for the implementation of the “Framework for Cooperation on Sustainable Development between Turkmenistan and the United Nations for 2021-2025” was conducted. Heads and representatives of more than 30 relevant ministries and departments, as well as UN agencies attended the meeting. The meeting summed up the main achievements of the Framework of Partnership for Development between Turkmenistan and the United Nations for 2016-2020, and outlined the next steps in the implementation of the new Framework.

As a conclusion of the meeting, the Steering Committee reached agreement on further work on the development of a “roadmap”, joint annual work plans for its five outcomes, and a funding strategy to support the implementation of the Cooperation Framework and the 2030 Agenda in Turkmenistan.

On the same day, political consultations were held between Turkmenistan and the USA, during which the Delegation of Turkmenistan, headed by the Minister of Foreign Affairs of Turkmenistan, with the participation of the Ombudsperson of Turkmenistan and the Delegation from the USA, had a thorough exchange of views on many aspects of humanitarian cooperation, including in the protection of human and civil rights and freedoms.

At the end of the year, on 23 December the Ombudsperson of Turkmenistan met with the representative of the US Agency for International Development in Turkmenistan (USAID), Ms. Nino Nadiradze, the Director of the Safe Migration in Central Asia Project, Ms. Eleanor Valentine, and the representative of the UNODC in Turkmenistan. During the meeting the parties discussed further cooperation in the field of combating human trafficking and forced labour.



Turkmenistan - USA Political consultations

Thus, international cooperation in the reporting year contributed to the strengthening of constructive relations with international partners, national human rights institutions of other states and increased the effectiveness of its activities. The Ombudsperson will continue to develop cooperation with all interested partners, exchange experience in human rights protection and implement it in the planned projects and activities. In line with the above and in order to facilitate the implementation of international human rights obligations, we recommend:

- *continue to study the recommendations of the UN treaty bodies and take the necessary measures to implement them;*
- *carry out the necessary work on the issue of inviting UN special rapporteurs in certain human rights areas to the country.*

Chapter VIII. Requests and recommendations of the Ombudsperson

As already mentioned in the Report, the Ombudsperson, within her competence, considers appeals from citizens of Turkmenistan about actions and decisions of officials and organizations related to violations of their rights and freedoms guaranteed by the Constitution, other regulations and international treaties of Turkmenistan. Consequently, one of her main functions is to promote respect for human, civil rights, and freedoms and restore the violated rights. At the same time, the Ombudsperson considers complaints against decisions or actions (inaction) of state authorities, local self-government bodies, officials, civil servants, if the applicant has previously appealed against these decisions or actions (inaction) in an administrative or judicial procedure, but does not agree with the decisions taken on the complaint. The Ombudsperson, after accepting a complaint for processing in accordance with the procedure established by the Law of Turkmenistan “On the Ombudsperson”, in accordance with Article 27 of the Law, has the right to apply for assistance in its verification to the competent state bodies, local self-government bodies and officials. This article stipulates the provision that the Ombudsperson must be informed within the time limit set by him/her about the results of the audit and the measures taken to identify violations of the applicant’s rights. When establishing the fact of violation of human and civil rights and freedoms, the

Ombudsperson, based on Article 30 of the Law, may apply to the authorized state bodies or officials with a recommendation to consider the complaint within a month and report on the measures taken.

During the period under review, relevant letters were sent to the competent authorities regarding certain appeals accepted for handling by the Office of the Ombudsperson. In particular, based on Article 27 of the Law, requests for assistance in their verification and proposals were sent in accordance with Article 30 of the Law. Besides, based on Article 18 of the Law of Turkmenistan “On the Ombudsperson”, the Office of the Ombudsperson, together with employees of the relevant structures, conducted checks on the appeals. The relevant conclusions were made based on some of them.

We would like to draw attention to some of the requests that were verified and received satisfactory responses.

During the verification following the request of the Ombudsperson, there were cases when the citizens’ right to work, guaranteed by the Constitution of Turkmenistan, the Labour Code of Turkmenistan, and other regulations, were not ensured in full and without ground, which led to their appeal to various organizations.

For example, a resident of the Balkan welayat T.G. systematically addressed various organizations for employment. Because she could not get a job, T.G. applied for assistance in finding employment. Based on Article 27 of the Law, the appeal was sent to the Ministry of Labour and Social Protection of the Population of Turkmenistan and due to its consideration, the citizen was temporarily employed as an assistant teacher by the Order No.73 of 22.07.2020 of the Head of the Day-care Centre No. 3 of the Turkmenbashi etrap.

Another example was the appeal of M. B., a resident of the Ahal welayat, for assistance in finding employment, given that her husband was receiving treatment for a mental illness and she had two young children dependent on her. The appeal, based on Article 27 of the Law, was referred to the Ministry of Labour and Social Protection of the Population of Turkmenistan and based on the results of the work carried out by the Department of Labour and Employment of the Population of the Serahs etrap (district), Ahal welayat, the citizen was sent to work in the Department of “Döwletabatgazçykyryş/Dowletabadgazextraction” and by Order No.10 of 06.02.2020 this Department temporarily employed her as a cleaner.

This fact may also indicate that the work on labour issues was in the focus of attention of the relevant organizations, as albeit they were temporarily employed, the citizens did not address the Office of the Ombudsperson anew.

There have also been cases of violations of the rights of citizens to work due to the heads of certain organizations/institutions or officials who performed their duties not in accordance with the law, or used their official powers illegally.

As an example of this, we could cite the appeal of D. N., a resident of the Dashoguz welayat, about her dismissal from work due to illegal actions of G. B., who temporarily served as chairman of the Consumer Society of Gyrogly etrap. The complaint, based on article 27, was sent to the Prosecutor General’s Office of Turkmenistan. As a result of its consideration, it was established that D. N. was illegally dismissed from work in violation of Articles 42-44 and 54 of the Labour Code of Turkmenistan. The Prosecutor’s Office of the Dashoguz welayat sent a submission to the Consumer Society of etrap Gyrogly and by the order of the Society No. 27 of 24.03.2020, the citizen was reinstated as a technologist-laboratory assistant of the bakery shop. In addition, in accordance with

part 1, Article 304 of the Code of Administrative Offences of Turkmenistan, administrative proceedings were initiated against the responsible employees of the Society G. B. and Sh. M., who allowed the illegal dismissal of D. B., and on 20.04.2020, they were fined 500 manats each.

In the following example, a citizen in her complaint indicated that due to illegal actions of the head of the organization in which she worked, her labour rights were violated. As a result of the inspection, it was found that her labour rights were not violated, but there were indeed violations on the part of the manager.

In particular, in her complaint, E. A., a resident of Mary welayat, stated that she had been unlawfully dismissed from her job and that the law enforcement agencies did not take legal actions on her complaints about violations committed by the responsible official of the Bayramaly etrap hospital and the heads of other health institutions of the etrap. The complaint, based on Article 27 of the Law, was sent to the Prosecutor General's Office of Turkmenistan. During the inspection it was established that at the suggestion of the responsible official D. M. of the specified hospital, for participation in sports events organized in the country, money was collected from hospital employees, and 10 bicycles were purchased for the hospital; money was collected from employees for growing silkworms allocated to the hospital, conducting *sadaka* (memorial services), which in turn led to discontent among the employees. Based on the submission of the Prosecutor's Office of the Mary welayat on 27.05.2020, D. B. was dismissed from his post, but the facts about the violation of the labour rights of the citizen E.A. and other facts specified in her complaint were not confirmed. Thus, this complaint was partially satisfied and a corresponding response was sent to the citizen about the results of the inspection.

Esteemed President of Turkmenistan Gurbanguly Berdimuhamedov creates all conditions for young people to work, gain experience in the specialties they have acquired. A clear example of this is the "Programme for Improving the System of Employment of young professionals in Turkmenistan for 2018-2020", approved by the Decree of the esteemed President.

Despite this, there were cases when managers did not make appropriate conclusions, which led to violations of the rights of young professionals who had received education in their chosen specialty and were beginning their career.

For instance, in his appeal, a resident of the Dashoguz welayat M. N. indicated that the place of working out (internship) during the next two years after graduation, where he was sent after graduating from a higher educational institution, did not correspond to his specialty, in addition, there was no position where he was supposed to work. Taking into account the above, the citizen asked for assistance in changing the place of internship. First, based on Article 30 of the Law, a suggestion was sent to the Ministry of Education of Turkmenistan; then, based on Article 27 of the Law, an appeal was referred to the Ministry of Culture of Turkmenistan. As a result of its consideration based on the Regulation of the President of Turkmenistan "On Employment of Graduates of Higher and Secondary Vocational Educational Institutions" No.1113, approved on 03.02.2019, which regulated the procedure for employment, by the Order of the Minister of Culture of Turkmenistan No. 229-O of 13.10.2020, the place of work of M. N. was changed and he was referred to the Dashoguz welayat branch of the State Committee of Turkmenistan for Television, Radio Broadcasting and Cinematography for a two-year internship period.

The analysis of citizens' complaints, as noted in the above chapters, showed that they mainly concerned housing issues. Superficial study of citizens' complaints on these issues at the local level and receiving unsatisfactory answers led to their appeals to higher authorities, including the

Ombudsperson, but the results of checks on them show that their issues were ultimately resolved on the ground.

For example, the appeal of A. K., a resident of the Dashoguz welayat, requesting assistance in providing housing instead of dilapidated housing, which was subject to demolition, had been sent to the Prosecutor General's Office of Turkmenistan in accordance with Article 27 of the Law. An inspection showed that, despite the conclusion of the Research Institute of Earthquake-resistant Construction of the Ministry of Construction and Architecture of Turkmenistan in 2018, based on the analysis of the (*cited*) "unsatisfactory" technical condition of the residential building, the hyakimlik of Dashoguz city, Dashoguz welayat had not yet carried out the necessary work to strengthen the load-bearing capacity of the house, to prevent possible severe consequences. The Prosecutor's Office of Dashoguz city sent a submission on the elimination of the revealed violations to the hyakimlik of Dashoguz city, and the relevant Deputy Chairman of the Cabinet of Ministers of Turkmenistan was informed on this fact. As a result of the consideration of the submission, it was reported that the issue of citizen A. K. was taken under control and, if possible, he would be provided with the appropriate housing. It was also reported that the Housing and Maintenance Trust was carrying out repair work on the overlap of his two-room apartment. This appeal remains under the control of the Ombudsperson.

Also, the Ombudsperson received collective appeals related to the housing issues, in particular, the appeals indicated that their issues were not considered by the relevant organizations on the ground.

For example, a collective appeal (8 citizens) written by the residents of the house No. 1 on Altyn Asyr Street in the Kenar village of Turkmenbashy, Balkan welayat, about the destruction of the load-bearing capacity of the house due to the fact that for a long time no major repairs were carried out in their residential building. Based on Article 27 of the Law the appeal was sent to the Turkmenbashy complex of oil refineries. According to the results of its consideration, it was reported that at a meeting with the residents of the house, they were informed that the Kenar Enterprise for the storage and shipment of petroleum products concluded an agreement No. 485 of 23.07.2020 with the Balkan Specialized Department on carrying out major repairs in the specified residential building and repair work would begin in the near future.

Also, the appeal of residents of houses 25/4, 5, 6, 7, 7a, 16 (collective, total of 62 people), located on S. Nyyazov Avenue in the city of Bayramaly, Mary welayat, with a request for assistance in carrying out works on the improvement of the territories adjacent to their homes and paving the roads, based on Article 27 of the Law, was sent to the hyakimlik of Mary welayat. As per the results of the consideration of the appeal, work was carried out to clean the territories around residential buildings, lighting was installed, the roads were partially paved with gravel, and measurement works were carried out for their asphaltting. During the meeting with residents, they were explained that the roads would be paved provided there were sufficient financial resources.

Another appeal written by residents of the house No. 71 on A. Nyyazov Avenue in Ashgabat (8 citizens) with a request for assistance in eliminating the disorder allowed by owners of a cafe located near their apartment building, based on Article 27 of the Law, was sent to the hyakimlik of Ashgabat. As a result of consideration of the appeal, the cafe functioning in the house 55/2 on the A. Nyyazov Avenue of the city, was inspected by hyakimlik specialists, and an order was given to its owner S.P. to eliminate the identified shortcomings and install a smoke vent, so as not to cause inconvenience to residents, which was further executed.

The collective appeal of the residents of the Dovletly etrap, Lebap welayat (41 citizens) for assistance in installing a pump for drainage water on the drainage channel flowing through the territory of their village, based on Article 27 of the Law, was sent to the hyakimlik of the Lebap welayat. During the inspection, it was found that the water flows by gravity into the water dam "Burguçy", located on the territory of the village where the applicants lived. Their request was satisfied by installing 2 water-powered motors for *irrigation* of the cultivated areas and two "NDN" brand water pumps at the 355th dam of the "Yylgynagyzakabaulanyş/Potable water" Department.

The above, in particular the collective appeals and the confirmation of the facts indicated in them, serve as an example of the violation of the legal rights of not one person, but a collective of citizens.

The analysis of complaints also showed that citizens also addressed various other issues, and the superficial consideration of their issues on the ground led to a violation of the rights and legitimate interests of citizens.

For instance, a resident of the Dashoguz welayat M. D. appealed with a request to provide assistance in relation with the fact that for a long time he could not legally register in his name the land plot of 0.32 hectares allocated to him. Based on Article 27 the appeal was sent to the hyakimlik of the Dashoguz welayat. Consideration of the appeal based on the Resolution of the hyakim of Boldumsaz etrap (district) resulted in issuing a state certificate to the citizen for the right to own a land plot.

A resident of the Balkan welayat, D. S., in her appeal indicated that her husband returned disabled from the Chernobyl nuclear power plant accident, and she was a disabled person of the 2nd group. In this regard, she requested assistance in purchasing animal feed from two vegetable oil production plants located in their city. Her appeal was sent to the hyakimlik of the Balkan welayat based on Article 27 and as a result, D. S. was provided with 2 tons of fodder, and the provision of fodder on a monthly basis was organized in an appropriate manner.

In some cases, in their appeals citizens without specifying a situation in their case, informed that the organizations to which they appealed, allegedly had not resolved their issues, thus infringing their rights and those of family members. However, in the course of the verification of the appeals, cases were revealed of their own violations or that they did not even apply to the authorities in question.

For example, the appeal of a resident of the Lebap welayat, M. V. about the illegal accusation of her husband S.J. of theft by the Police Department of the Halach etrap, stated that the relevant authorities did not take measures according to the law. Referring to Article 27, the complaint was sent to the Prosecutor General's Office of Turkmenistan. During the inspection, it was established that a resident of this etrap R. D. addressed the etrap Police Department with the statement on theft of the engine and the regulator relay from his motorcycle of "Urals" brand parked on the street. Consequently, in the course of the operational work carried out, it turned out that S. J., the husband of the applicant M. V., appropriated the above-mentioned spare parts for a total of 245 manats and following the talk with him, returned the spare parts. He explained that he disassembled and took the spare parts of the motorcycle belonging to R. D., because of R.D.'s debt to him, which was returned during the inspection. In view of the fact that the secret seizure of spare parts by the husband of M. V. from the owner of the motorcycle was connected with a long-standing dispute over a debt issue between them, as well as taking into account their return and the insignificant cost of spare parts and the settlement, on the basis of paragraph 2, part 1, Article 31 of the Criminal Procedure Code of Turkmenistan, the initiation of a criminal case was refused due to the lack of *corpus delicti*. In addition, due to the procrastination in reviewing the case and the untimely decision on it, by Order

of the head of the Etrap Police Department, the inspector of the criminal investigation department B.K. was severely reprimanded.

The appeal of a resident of Ashgabat, S. M., about the delay by the relevant authorities in restoring the passports lost by her and her daughter, as well as not issuing passports to her adult sons, based on Article 27, was referred to the Ministry of Internal Affairs of Turkmenistan. During the inspection, it was established that the mayor of Balkanabat once issued the citizen a passport and a stamp was put about her registration at a certain address at which she used to live in this city. While currently residing in Ashgabat, she never applied to the appropriate body, in particular, the Police Department of the city of Balkanabat, on the issue of restoring the lost passports of her and her daughter G. M., as well as obtaining passports for her sons G. M. and A. M. According to the results of the check, the citizen and her daughter were issued new passports to replace the lost ones, passports were issued to her sons, and it was recommended to contact the appropriate body on the issue of registration.

Some of the complaints received by the Ombudsperson expressed citizens' dissatisfaction with the work of law enforcement agencies, and confirmed that the employees of these bodies did not consider their complaints to the above-mentioned bodies in a timely and appropriate manner.

For example, in her appeal. A.Y., a resident of Dashoguz welayat, stated that the law enforcement bodies did not take a proper action on her claim that her daughter, who had been deceived by a citizen M.D., who forced her to borrow money from people and did not return it, ended up in a desperate situation and committed suicide. The appeal based on Article 27 was sent to the Prosecutor General's Office of Turkmenistan and, based on the results of the verification, the facts indicated by the citizen in her appeal were confirmed. In relation to M. D. on 31.10.2020, a criminal case was initiated under paragraphs "b,c", part 2, Article 228 and part 2, Article 106 of the Criminal Code of Turkmenistan. On that very day, he was taken into custody and investigative actions were conducted.

It should also be noted that if on the appeals received for handling by the Office of the Ombudsperson and referred to other institutions based on Article 27, the final results were not achieved as a result of their consideration, they remained under the control of the Ombudsperson until the final resolution of the issues specified in the appeal was attained.

In particular, a collective appeal (28 people), residents of the dayhan (farmers') association "Hakykat" of the Yolotan etrap, Mary welayat, contained a request for assistance in the proper provision of electricity; and a collective appeal (31 people), residents of the village of Gulistan gengeshlik, Shabat etrap named after Gurbansoltan-eje, Dashoguz welayat for assistance in the proper provision of electricity, potable water, based on Article 27 were sent to the hyakimliks of Mary and Dashoguz welayats, respectively, with a request for assistance in verifying the facts indicated in the statements. On the issues indicated by citizens in both appeals, the both hyakimliks of welayats held meetings with residents and gave explanations that the design and estimate documentation for the construction of the specified facilities were under development. In accordance with the "Programme of the President of Turkmenistan for the Socio-Economic Development of the country for 2019-2025", the plans for the coming years would include these works. Thus, in view of the fact that final decisions as to citizens' appeals had not yet been made, the Ombudsperson's Office sent letters to the hyakimiliks of Mary and Dashoguz welayats stating that these pending appeals were under the control of the Ombudsperson. In order to prevent repeated appeals, additional information was requested as to the specific deadlines for resolving the issues indicated in

the appeals. In the responses to the citizens, it was indicated that their appeals were under the control of the Ombudsperson's Office.

In addition, in accordance with Article 18 of the Law of Turkmenistan "On the Ombudsperson", the Office of the Ombudsperson conducted joint checks on some appeals. The following request was checked together with the staff of the relevant structures of the Prosecutor General's Office of Turkmenistan.

The appeal of Sh.A., a resident of the Lebap welayat, was accepted for handling. He informed that a residential house built with the use of a long-term soft loan in the Halach etrap, Lebap welayat was taken away from him on the basis of forged documents and illegally registered to a citizen of M.H. A check was carried out according to the facts given in the appeal.

During the inspection, it was found that despite the large number of citizens who needed to improve their housing conditions, there was no queue of residents wishing to purchase housing under construction on the territory of the etrap from bank loans. At the request of a resident of the etrap Sh.A. in the hyakimlik of the Halach etrap on the registration of the above-mentioned house and land plot, a state act was issued in his name. He made a preliminary 10% payment for a residential house; concluded an agreement with the Construction Unit No. 8 of the Halach etrap of "Lebapgurluşyk/Lebapconstruction" about the purchase and sale of a residential building; he, resided in it with family, paid for all communal services in a timely manner and worked in an Individual Enterprise "Pisseli". Despite all these facts, without notifying Sh. A., the Special Commission of the etrap hyakimlik for the distribution of housing built with long-term bank loans based on the decision of the general meeting, which indicated that he allegedly did not work and was not solvent, terminated a tripartite agreement, canceled the decision to allocate him a land plot, and sold the residential house to M. H., a resident of the city of Turkmenabat.

Having established that the hyakimlik of the Halach etrap did not meet the requirements of the Resolutions of the President of Turkmenistan "On the Development of Mechanisms for issuing loans to citizens of Turkmenistan secured by real estate" No. 9361 of 11.01.2008 and "On the Construction of Private Housing and its distribution in Turkmenistan" No. 13792 of 08.08.2014, and violated the right of citizen Sh. A., the Prosecutor's Office of the Lebap welayat sent a submission to the hyakimlik of the Halach etrap on full and strict compliance with the requirements of the specified resolutions. The submission prescribed to take concrete measures to eliminate the violations identified during the inspection; to cancel the illegal decision of the hyakimlik; to bring to disciplinary responsibility the responsible employees of the hyakimlik who committed a violation of the law in accordance with the procedure established by law. As a result, in accordance with the Resolution No. 11/454 of 07.12.2020 of the hyakim of Halach etrap, a state act issued for a citizen of M.H. was recognized as invalid, and also in accordance with the Law, the land plot with an area of 0.16 hectares, located at the address of the village "Berkarar Zaman", Garabekevul Street, 5 was assigned to the name of Sh. A., and the heads of departments of the etrap hyakimlik M.A. and H.A., who committed a violation of the law, were reprimanded.

Also, based on Article 30 of the Law of Turkmenistan "On the Ombudsperson", recommendations were sent to the Ministry of Defense of Turkmenistan on the appeal of a resident of the Balkan welayat T.M. on the housing issue, as well as to the Ministry of Education of Turkmenistan on the appeal of a resident of the Dashoguz welayat M.N. on the labour issue. These recommendations were considered and, in accordance with the information received, responses were sent to the applicants.

In addition, a number of complaints on housing issues from residents of the city of Ashgabat, based on Article 27 of the Law of Turkmenistan “On the Ombudsperson”, with an appeal for assistance in verifying the facts indicated in the complaints, were sent to the hyakmlik of Ashgabat. Given that the hyakimlik did not respond within the time limits specified in the letter by the Ombudsperson, and some appeals were not considered on their merits, notifications were sent, but even in this case no final responses were received. Therefore, on 25 December 2020, referring to Article 30 of the Law, the Ombudsperson sent a recommendation to the hyakim of Ashgabat to take measures as regards to the responsible officials. Due to the monthly time limit for consideration, the matter was pending and it was not included in the reporting period.

In the relevant chapter of the Report, it was stated that one of the main activities of the Ombudsperson was to promote international cooperation on human rights. Due to receiving appeals from authorized representatives for human rights of other countries, the need arose to consider issues on the territory of Turkmenistan. The appeals received from them were accepted for handling and the Ombudsperson, within her powers, carried out appropriate work on them. There were satisfied appeals among them.

During the reporting year, two appeals were received from the Human Rights Commissioners of other countries, which are still under the control of the Ombudsperson because the relevant work continues on them.

This chapter, devoted to the Ombudsperson’s appeals and proposals, described the work to prevent human rights violations, and to show through the examples given that satisfactory decisions were achieved due to consideration of appeals and focusing on the committed violations.

Chapter IX. Conclusions

The Report on the activities of the Authorized Representative for Human Rights in Turkmenistan – the Ombudsperson for the past year, 2020 on the situation in the country in the field of human rights, has become the fourth since the establishment of the Ombudsperson. It highlighted the work carried out based on the “Work Plan of the Office of the Ombudsperson for 2020”, approved by the Ombudsperson within her legal powers. The Report, as the title implies, along with an overview of the human rights situation in the country, presented the activities of the Ombudsperson with specific examples. Based on the above, one can get acquainted with the measures taken to address citizens’ appeals to the responsible officials on the violations committed, the restoration of the rights of citizens as a result of the work carried out. The results of the Ombudsperson's activities in such key areas as the development of international cooperation in the field of human rights, assistance in improving national legislation, and increasing knowledge and awareness on human rights were also presented. The proposals of the Ombudsperson on improving the activities in the relevant areas and strengthening monitoring and control prepared as a result of this work, were placed at the end of each chapter.

Having read the above, one can see that the country carries out large-scale work to ensure human rights. At the same time, the repetition of certain offenses takes place. These offenses are mainly related to the issues of consideration of citizens’ appeals in accordance with the procedure and terms established by law, as well as the essence of their content. The reports of the Ombudsperson for previous years issued relevant recommendations on the organization and monitoring according to the requirements in relevant areas and human rights observation.

Special letters were sent to the relevant heads of ministries and sectoral departments, and responses were received that work would be established to prevent the offenses specified in the letters and control over the issues in question would be ensured. As can be seen from the Report, despite the above, violations still take place in these sectors.

At the end of the report, we express our confidence that the responsible officials of state authorities and local self-government bodies, having read this report, which described the activities of the Ombudsperson of Turkmenistan for 2020, will draw conclusions on the results of work and comments made in the context of protecting and promoting human and civil rights and freedoms in the country, and will further contribute to ensuring the rights of people within their powers.

The Ombudsperson assures that, taking advantage of the political and material opportunities created by the state in the exercise of the powers of this independent organization, whose activities are aimed at strict observance of human rights in the country, and also, in close agreement with the staff of the Office, will carry out work within the powers stipulated by the Law of Turkmenistan “On the Ombudsperson”, to improve the activities of the Office in accordance with the requirements of international standards, in particular, according to the requirements of the Paris Principles of Independent Human Rights Institutions.