

AVANCE QUESTIONS TO TURKMENISTAN- ADDENDUM

DENMARK

- When do you expect to adhere to OPCAT?
- Severe restrictions of the right to freedom of belief, expression, association and peaceful assembly persist in Turkmenistan. What initiatives will be taken and when by the Government of Turkmenistan to ensure the freedom of expression to avoid a repetition of the death in custody by Ms. Ogulsapar Muradova, former journalist for Radio Free Europe?
- Serious discrimination against ethnic minorities persists in Turkmenistan including government agents' use of torture, persecution and forced displacement and resettlement of members of ethnic minorities. To what extent does the Turkmen State Commission to review complaints regarding activities of law enforcement agencies deal with and resolve cases, including ensuring compensation, based on ethnic discrimination? The Government is kindly asked to provide statistics in this regard.
- CEDAW and CRC remain seriously concerned about the prevalence of violence against women and children and the lack in national Turkmen legislation to criminalize these offences. What initiatives will the Government of Turkmenistan take – and when - to ensure the protection of women's and children's fundamental rights, not least by making violence against women and children, including marital rape and corporal punishment, criminal offences?

GERMANY

- In 2006 CRC expressed its deep concern about indications that torture and ill-treatment of detainees, including human rights defenders and even children, is widespread and used both as an interrogatory method and as an additional punishment after confessions were made. CRC recommended to Turkmenistan to ensure that any statement made as a result of violence or coercion will be qualified as inadmissible evidence. CRC furthermore recommended among other measures to thoroughly investigate all allegations of torture and ill-treatment and to assure that the perpetrators are rapidly brought to justice. How did Turkmenistan follow up on this?

LATVIA

- According to the information by the Office of the UN High Commissioner for Human Rights, 63 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering recent visit of the Special Rapporteur on freedom of religion or belief (4 -10 September 2008) and despite the pending requests by several Special Rapporteurs to visit Turkmenistan - would your country consider

extending a standing invitation to all special procedures of the Human Rights Council in the future?

NETHERLANDS

- The High Commissioner for Human Rights has made the recommendation to establish an independent, national institute for human rights, according to the “Paris principles”. Does the Turkmen government plan to establish such a body?
- Many detentions in Turkmenistan have been critically assessed in the past by the international community and circumstances of many prisoners remain unclear. Are there plans to review these cases to find out if justice has been done?
- What measures is Turkmenistan taking to prevent torture in prisons and detention centres?
- Although the law allows for the free establishment of parties or non-governmental organisations, the limited number of actually registered NGO’s indicates that this is difficult in practice. Will there be any reform in the registration process to make it easier for organisations to register?

SWEDEN

- While certain progress has been made in the democratisation of Turkmenistan, serious human rights violations have been reported, especially concerning freedom of opinion and expression as well as freedom of assembly. Reports show that persons critical of the government, human rights defenders as well as civil society organisations reportedly are likely to be arbitrarily detained and face difficulties in carrying out their activities. Could the government please identify any measure taken to uphold the respect the right of opinion, freedom of expression and freedom of assembly?
- Consensual sexual activity among persons of the same sex is forbidden by law in Turkmenistan. Are there any initiatives planned by the government of Turkmenistan to repeal that law? Are there any initiatives by the government of Turkmenistan to end discrimination in general and against LGBT persons?
- Turkmenistan is a state party to the Convention against Torture, but has not signed the Optional Protocol to the Convention. International organisations indicate that the use of torture in places of detention is common. Could the government of Turkmenistan elaborate on its view of signing the Optional Protocol to CAT, and on what measures it is taking to eliminate the occurrence of torture and other cruel, inhuman or degrading treatment or punishment in places of detention?
