



Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment

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Summary record of the 1483rd meeting*

Held at the Palais Wilson, Geneva, on Tuesday, 22 November 2016, at 3 p.m.

Chair: Mr. Modvig

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* No summary record was issued for the 1482nd meeting.

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 19 of the Convention *(continued)*

Second periodic report of Turkmenistan (continued) (CAT/C/TKM/2; CAT/C/TKM/Q/2 and Add.1)

1. *At the invitation of the Chair, the delegation of Turkmenistan took places at the Committee table.*
2. **Mr. Hudaynazarov** (Turkmenistan), responding to questions raised at the 1480th meeting, said that the bill on the Office of the Ombudsman, which was soon to be adopted by Parliament, met international standards, and the revised Constitution included provisions for the appointment of the Commissioner for Human Rights. The bill had been drafted on the basis of international practice and standards, with the help of representatives of the United Nations Development Programme (UNDP) and the Office of the United Nations High Commissioner for Human Rights (OHCHR) and other experts. The Office of the Ombudsman would be independent of the Government and able to examine any issue it saw fit. It would be given adequate funding and the appointment process would be open and transparent, with the Commissioner free to appoint enough staff to meet the needs of the work. It would collaborate freely with both State bodies and civil society. Its mandate would meet international requirements and encompass the right to make unannounced monitoring visits to places of detention run by government agencies, correctional and other specialized bodies, including places where persons were held in pretrial detention by the Armed Forces and other military bodies. It could also require the heads of government agencies to provide any documents or other materials needed for it to fulfil its functions.
3. Turkmenistan had adopted a number of national human rights plans and programmes in recent years, including on gender equality, human rights and human trafficking. In that connection, the National Plan of Action for Human Rights 2016-2020 provided for invitations to be sent to the United Nations Special Rapporteurs, and consultations to that end would be held with OHCHR.
4. A National Action Plan on Combating Human Trafficking, drafted in collaboration with the representative of the International Organization for Migration in Turkmenistan, had been adopted in March 2016. A new Trafficking in Persons Act, which was based on international legal standards and took account of recommendations made by the Organization for Security and Cooperation in Europe (OSCE) in respect of the 2007 Act it replaced, had been passed by Parliament in October 2016. It provided for victims of trafficking to be exempted from administrative and criminal liability for any illegal acts resulting from their status and allowed them to request physical, psychological and financial compensation for harm caused, as well as social rehabilitation and other assistance. It made special provision for child victims of trafficking and laid down liability for those responsible for human trafficking or related offences. Four cases related to human trafficking had been investigated over the previous two years: four persons had been convicted as a result and were serving prison sentences for sending women abroad.
5. The revised version of the Constitution contained provision for anyone, including victims of torture, to request compensation before the courts for material or moral harm caused by the illegal actions of State or other bodies, including the bodies leading a criminal investigation, illegal detention, remand, placement in a specialized medical facility, conviction or use of compulsory medical measures, violation of privacy or disclosure of personal or family secrets.
6. The 2003 Counter-terrorism Act was to be revised to take account of the improved methods used in combating terrorism. No complaints concerning any violation of the

legislation had been received since the submission of the periodic report in 2015. Parliament had also adopted legislation to combat money laundering and the financing of terrorism in 2015. It had been drafted on the basis of international practice and recommendations made by the Financial Action Task Force, and had received approval from that organization and the Eurasian Group on Combating Money-Laundering and the Financing of Terrorism.

7. Pursuant to articles 82 and 394 of the Code of Criminal Procedure, all children under the age of 16 who were involved in criminal proceedings as victims or witnesses must be accompanied by a teacher during questioning; whenever necessary, the child's parents or other legal representatives must also be contacted and could, with the permission of the court, put questions to the victim or witness. The Constitution guaranteed every person the right to legal assistance, provided by lawyers or other authorized persons, at any time in the legal proceedings, in certain cases free of charge. Lawyers were permitted to participate in legal proceedings not only from the time of detention, but from the time of questioning of a suspect or, in the case of an accused person, from the time of accusation; in the case of detention or remand, the lawyer could participate from the time that a detention report was drawn up or the person was taken into custody. In many cases, the participation of a lawyer was mandatory, and lawyers could visit their clients in detention without any restrictions.

8. Legislation allowed the criminal investigation agencies to detain a person where there was a well-founded suspicion (eyewitness report, or clear indications of the crime about his or her person, dwelling or vehicle) that he or she had committed a crime and had attempted to flee or did not have a permanent place of residence or his or her identity could not be established. Such detention could be applied for a period of up to 72 hours without the authorization of a court or, with the permission of a procurator and when remand measures had been adopted, for up to 10 days from the time of detention. In the case of a juvenile, such measures could only be applied when justified by the seriousness of the crime. In all such cases, a report was drawn up giving the grounds, date, time and place of detention, and the person's family or close relatives and, in the case of a juvenile, his or her parents or guardians, were informed within 24 hours of the place of detention. In the case of a foreign national, the embassy or consular services of the State concerned would be informed. The delegation would welcome any suggestions from Committee members on ways of improving the relevant legislation.

9. Remand in custody could be adopted to stop a suspect from fleeing or preventing the truth being established. Places of detention were monitored in accordance with the law by the procuratorial services, which reviewed any complaints from detainees and verified compliance with the law on conditions of detention and the provision of medical and other care.

10. Under the revised Constitution and other legislation, all persons were guaranteed freedom of thought and expression; no one might prevent them from expressing or disseminating their opinions, nor oblige them to do. Media outlets could be set up by government authorities, local authorities, political parties and other social organizations, legal persons, individuals aged 18 or over or associations of such persons acting in compliance with the law. The many non-governmental media outlets in the country belonged to political parties, voluntary organizations, youth organizations and entrepreneurs' associations, among others.

11. The Internet Regulations and Services Act guaranteed the right to freely search, receive and disseminate information, with the exception of State secrets. It detailed the rights and responsibilities of journalists and thus fully guaranteed the independence of the media. The Code of Administrative Offences established liability for violations of the rights of journalists and penalized any refusal by an official to provide information requested in line with legislation.

12. Turkmenistan was studying the question of recognition of the competence of the Committee to receive and consider communications from States parties and individuals, including in the light of the constructive discussions it had held with the Committee. It was also studying the possibility of acceding to the International Convention for the Protection of All Persons from Enforced Disappearance and the Rome Statute of the International Criminal Court.

13. **Mr. Hojamgulyyev** (Turkmenistan) said that judges were appointed for a five-year term by the President and could be released from their duties only in cases provided for by law and on the basis of a decision of the Commission on Certification. Judges were independent and subordinate only to the Constitution and the law. Any interference in their activities was prohibited and punishable under the law. Although their term of office was laid down in the Judges Act, consideration was currently being given to the experience of other countries in respect of whether judges should be appointed with no specified length of mandate.

14. When the Criminal Code had been revised in 2010 with a view to making it less severe, many offences, such as slander and insult, had been transferred to the Code of Administrative Offences. In many cases imprisonment had been replaced by non-custodial measures such as punitive deduction of earnings, fines, suspended sentences, or deferred sentences for pregnant women and women with children under the age of 8. The President also decreed several amnesties each year for persons imprisoned, notably those who had repented of their actions, made reparation for injury caused and resolutely embarked on the path to reform.

15. The fact that very few non-guilty verdicts were handed down was a result of the strengthened requirements during the preparatory stages of proceedings. In deciding whether to accept a case for court hearing, a judge would check whether there was sufficient basis for it to be considered. Where there was the slightest doubt in respect of the comprehensiveness and objectivity of the inquiry, it would be sent back to the procurator for further investigation. An accused person could only be declared innocent if found not guilty on all counts of the charge.

16. Complaints from individuals about the activities of the law enforcement agencies were considered by a dedicated commission which based its work on the Constitution and other legislation. It had received 349 complaints over the first 10 months of 2016, but none had concerned the use of torture or other cruel measures during inquiries or legal proceedings.

17. The new version of the Constitution prohibited torture, the use of violence or other inhuman or degrading treatment or punishment, and medical, scientific or other experiments on a person without his or her consent; it provided that statements made as a result of the use of mental or physical pressure or other unlawful methods had no legal force as evidence; and that a person could not be found guilty solely on the basis of an admission of guilt. The principle of presumption of innocence was also laid down in the Code of Criminal Procedure.

18. **Ms. Berdiyeva** (Turkmenistan) said that Turkmenistan was committed to meeting all its obligations under international law, including with regard to the human rights of persons deprived of their liberty. In order to improve prison conditions it had adopted the Penal Enforcement Code in 2011, which had been reviewed by international experts in the light of international standards. A yearly plan of action for the enforcement of the Code was drawn up in cooperation with the International Committee of the Red Cross (ICRC) regional delegation. Prisoners had adequate accommodations, access to sanitary and hygiene facilities, heat and ventilation and good lighting. The space allotted per prisoner was 3 square metres in prisons, 4 square metres in correctional colonies, and 5 square

metres for women, juveniles and prisoners in secure hospitals. Her Government was making a significant effort to build new facilities, renovate virtually all existing facilities and improve medical services. Between January 2012 and June 2016 some US\$ 61 million had been spent for that purpose. New facilities included: a remand centre, BL-D/5, in Balkan Province; an accommodation block at remand centre AK-D/1; and a clinic at the MR-K/16 facility in Akhal Province.

19. A further US\$ 285,585,000 had been budgeted for a new 90-hectare women's colony in Dashoguz Province, where all women prisoners were housed; the colony had begun operations in October 2013. The facility was modern and included a heating and ventilation system. There were separate quarters for pregnant women and newborns and a mother-and-child unit where mothers could live with their children under the age of 3. Appropriate care was available for pregnancy, childbirth and the puerperal period.

20. Prisoners were provided with hygiene items, clothing, food, bedding, medical care and furniture in accordance with Ministry of Internal Affairs directives. The Presidential Decision of 11 April 2014 likewise established standards with regard to the diet and living conditions of detainees. Men, women and juveniles were housed in separate quarters.

21. Prisoners worked either in eight large factories that produced clothing, bedding, badges, uniforms, etc., or in smaller workshops that produced bricks, toilet paper, etc. That provided detainees with job experience and the opportunity to acquire skills. They received a salary and could contribute to State pension and benefits schemes.

22. She stressed that at no time had any detainees been subjected to compulsory medical treatment or experimentation. Detainees, including those in remand or pretrial detention, received adequate medical care, organized in cooperation with the local health authorities. Detainees had the right to see a doctor, even a doctor of their choice. There were medical units at each facility and specialized care was available as necessary at the MR-K/15 secure hospital. The new Dashoguz women's colony had modern facilities equipped to test for and treat tuberculosis. Nearly US\$ 1.8 million had been allocated for up-to-date medical equipment.

23. Pursuant to article 43 of the Penal Enforcement Code and Ministry of Internal Affairs directives, a central register was kept of pertinent information concerning each detainee, including information relating to his prosecution and sentence.

24. With a view to preventing torture a significant investment was being made to install audio and video recording equipment in police facilities, remand centres and prisons. There were currently 1,925 video cameras and 196 audio recorders in 18 prisons. Audio and video recording facilities that could not be interfered with by the investigators or officials involved were being installed in interrogation rooms. Detainees also had the right to meet in private with or make phone calls to family and friends.

25. There was currently no specific offence of domestic or sexual violence in Turkmen legislation, but unlawful acts committed in the domestic context were criminalized under the Criminal Code, including degradation, humiliation, cruelty and bodily injury. In conformity with its obligations under the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol thereto, a National Plan of Action for Gender Equality 2015-2020 had been launched in January 2015. A working group made up of representatives of law enforcement, NGOs and international organizations had been created to survey stakeholders, gather information and improve the implementation of the plan.

26. Ministry of Internal Affairs workplans had been modified to incorporate data collection and gender-sensitive issues. For example, in 2016 local police would twice implement an initiative called "The Family" for a month, during which they would conduct

checks at the homes of persons who had committed an offence against a family member to undertake prevention work with that individual. The results of that intervention would be shared; antisocial families would be placed on a special register. Adult members of those families would be warned against breaking the law and informed of the legal consequences of any violation. Local and provincial police units, in cooperation with the Turkmenistan Women's Union, had organized lectures in enterprises and educational establishments to provide women with advice on such topics as "My family, my fortress", "My friendly, happy family", "The sanctity of the family begins with marriage", "A girl's honour is her people's honour" and "Equal rights of men and women".

27. Gender-specific training had been provided to personnel of institutions who worked with women detainees. The Ministry of Internal Affairs Institute was reviewing its training courses on employment and family and administrative law as well as the programmes of the faculty of law and specialized institutions to include such issues as: equality of the sexes, violence against women and children; legal rights of victims of violence; duties of police officers when making an arrest as well as duties of protection and assistance; and dealing with cases of violence against women and children.

28. In the previous five years more than 200 staff and students had received training on the Convention against Torture, interviewing techniques and the treatment of detainees. Staff working with detainees were trained in the rights of detainees, recognizing signs of torture, the provisions of international human rights instruments including the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty. The Ministry of Internal Affairs had organized 55 national courses attended by more than 400 staff as well as 74 local courses attended by more than 1,500 staff. Training on international standards was organized in cooperation with international partners, for example ICRC. Between 2012 and 2016, 24 international training events had been organized, attended by 200 Ministry staff and participants from other countries. General training for law enforcement and correctional staff as well as the military included awareness of international human rights standards and relevant domestic legislation. Basic human rights training at the Ministry Institute included 54 hours of courses in third year; law students had more than 300 hours of human rights instruction.

29. Places of detention were regularly monitored by the Oversight Commission of the Penal Correction Department; the Commission had made nine inspection visits since the beginning of 2015. In that same period the Commission had received 23 communications from prisoners on issues relating to their transfer to other colonies or to their medical care. Transfers occurred for many reasons, for example on account of a prisoner's antisocial behaviour or hostility towards other inmates, the proximity of a colony to the place of residence of a prisoner's relatives or owing to climatic conditions. All 23 applications had been granted.

30. The Ministry of Internal Affairs cooperated closely with ICRC and OSCE on issues relating to access for representatives of international organizations to all places of detention. Each year, the Government of Turkmenistan and the ICRC regional delegation drew up an action plan as part of their cooperation in the area of prisons. ICRC representatives had been making humanitarian visits to various institutions of the prison system since 2011. Between 2011 and 2014, six such visits had taken place. There had also been visits by representatives of OSCE, diplomatic missions, UNDP and the Council of Europe. Those representatives had been able to visit all premises and meet with detainees and staff and had generally found that the facilities met international standards. They had noted the organization of the correctional facilities and the use of video surveillance. Recommendations made had for example been taken into account in building the new women's colony in Dashoguz. Work was under way on the preparation of a draft

memorandum of understanding between the Government of Turkmenistan and ICRC on cooperation and humanitarian activities for persons deprived of their liberty. Those efforts would be coordinated, including in the area of monitoring, with the national Red Crescent Society.

31. Detention facilities were not overcrowded. The women's colony had a capacity of 2,500 inmates but currently held only 1,800; juvenile facilities had a capacity of 300, but there were currently only 80 detainees. The Ministry of Internal Affairs was working to combat tuberculosis in its detention facilities as part of the National Tuberculosis Prevention and Control Programme through the implementation of disease management measures, including for multi-resistant strains of tuberculosis. Special ventilation systems had been installed in wards housing detainees with active tuberculosis at the MR/K-15 prison hospital. Treatment was also available for detainees suffering from alcoholism or drug or substance addiction.

32. Between the beginning of 2015 and June 2016 the Ministry of Internal Affairs had received 14 complaints from prisoners' relatives concerning ill-treatment of their convicted family members by prison officers. The complaints related to more severe punishment than that ordered by the courts, failure to hand over food parcels or frequency of family visits. An investigation had been conducted into each complaint, and in no instance had the claim of ill-treatment been corroborated.

33. With regard to the death in custody of the journalist Ogulspar Muradova, a post-mortem examination had concluded that she had committed suicide. Accordingly, there had been no criminal investigation and her body had been handed over to her family.

34. **Mr. Haljanov** (Turkmenistan), referring to the alleged use of forced labour during the cotton harvest, said that agriculture represented 5.7 per cent of gross domestic product; his Government was making significant investments to help farmers and small businesses modernize their operations and create jobs. Low-interest loans were available to them and subsidies and tax breaks were provided to wheat and cotton farmers. There were 515 cotton-growing associations representing more than 2,000 farms and 260,000 farmers. He stressed that there was no forced labour; forced labour was prohibited by the Labour Code and the Constitution. Employment of minors, or students during the academic year, was likewise prohibited by law; an employer found guilty of employing a minor under 18 could face a fine or administrative suspension for up to three months.

35. Turkmenistan fully implemented International Labour Organization (ILO) standards. It had submitted its report to the 105th Session of the International Labour Conference in June 2016, which described its implementation of the ILO Abolition of Forced Labour Convention, 1957 (No. 105). Collaboration between ILO and the Ministry of Labour and Social Protection, the industrial association, the Turkmenistan Women's Union and the trade union confederation had been strengthened. In February 2016 there had been a meeting between the ILO Director-General and a representative of the Ministry of Foreign Affairs; in September round tables had been organized on the topic of international labour standards.

36. Turning to individual cases mentioned by the Committee, he said it had been found that Altymurad Annamuradov had been receiving treatment for a heart condition for several years. He had died at home on 4 September 2016 and the cause of death given on his death certificate had been heart failure. Additional information on the case of Annakurban Amanklychev had been provided in the report and replies to the list of issues. He had been released from prison in February 2013 following a presidential pardon. During his detention, he had received 17 visits from family members and 30 food parcels, and had not been subjected to any torture or cruel treatment. Mr. Khadziev had also received a presidential pardon. He had not been granted any compensation because, under the relevant legislation,

he had been criminally liable and had been sentenced in accordance with the offences he had committed following a conviction on the basis of the evidence; his detention could thus not be considered to have been arbitrary. The Committee had been provided with information on the case of Saparmamed Nepeskuliev on several occasions. He had received regular family visits as well as three emergency visits and four food parcels from his sister in 2016. Background information on the case of Gulgeldy Annaniyazov had been provided in the replies to the list of issues. He was currently serving his sentence. He had illegally travelled to Moscow and Norway, where he had lived for some time before returning and illegally crossing the Turkmen border in June 2008. He had received one food parcel while in custody and there had been no requests on the part of friends or family to visit him.

37. The Government attached great importance to effective interaction with leading foreign media outlets and was planning the integration of national media outlets into the global information space. Comprehensive measures were being taken to develop the mass media, and significant changes had been made within a short period of time. Twenty-five international correspondents were accredited in Turkmenistan, most of them based in Ashgabat; there were also other journalists accredited to work in Turkmenistan but based in neighbouring countries. The Ministry of the Interior had accredited general major information agencies, such as Reuters. It was therefore not appropriate to talk of the State party's isolation from the outside world.

38. More detailed information could be provided in writing on the cases of Bahram Hemdemov and Mansur Masharipov. There were, unfortunately, citizens who did not wish to fulfil their constitutional duty to their country by carrying out military service. Efforts were being made to improve conditions for persons engaged in military service. Public, civil society and youth organizations and municipalities worked to raise awareness of that constitutional duty. The Constitution provided for freedom of religion and there was no State religion. Unregistered religious activity was unlawful and subject to administrative proceedings. There were currently 130 religious organizations officially registered in Turkmenistan, 106 of which were Muslim and the remainder Christian or of other religions.

39. **Ms. Gaer** (Country Rapporteur) said that, although some progress had been made since the Committee's previous dialogue with the State party in 2011, many of the same concerns, particularly in relation to the lack of information on individual cases, remained. She would be interested to know whether the State party had any intention of extending an invitation to the Special Rapporteur on torture and the Working Group on Arbitrary Detention to visit the country and, if so, when. She would welcome clarification of whether the President would have the authority to appoint and dismiss the Ombudsman and whether or not the consent of the Parliament was required. She wondered whether the State party had given any consideration to publishing the bill on the Office of the Ombudsman and inviting experts to comment on it. Welcoming the fact that the Ombudsman would have the power to visit all places of detention unannounced, she asked whether he or she would be able to speak privately with detainees and receive any complaints of torture. She wondered whether the representatives of ICRC had the opportunity to speak privately with detainees during their monitoring visits.

40. With regard to freedom of expression and the press, the Committee had received many reports that contradicted the information provided by the State party. For example, there were allegations that journalists with Radio Free Europe, one of the only independent media sources operating in the country, faced repeated harassment. She would be interested to know whether there had been any investigation into the case of Soltan Achilova, a Radio Free Europe correspondent who in October 2016 had reportedly been questioned by the police and then assaulted and robbed merely for taking photographs of people queueing outside a supermarket. The Committee would appreciate explicit assurances that the State

party would not engage in reprisals against individuals the Committee had mentioned during the dialogue or who had submitted information to the Committee.

41. She would be interested to know whether the Government had opened an investigation into the allegations of arbitrary detention and torture against Annakurban Amanklychev and Sapardurdy Khadziev. She wondered whether autopsies were routinely carried out following deaths in custody and whether, in the case of Ogulsapar Muradova, her family had been provided with a copy of her autopsy report. Had there been any investigation into her claims of ill-treatment and into the reports of kidnapping, torture and death in relation to the case of Altymurad Annamuradov? She wondered whether Saparmamed Nepeskuliev's sister had been allowed to visit him when she had dropped off food parcels for him. She wished to know in which prison he was being detained and whether there had been any investigation into the reports that he appeared to have been beaten in prison in September 2015. She enquired whether Boris Shikhmuradov was still alive and, if so, his whereabouts, and would also welcome information on Batyr Berdyev.

42. She would welcome clarification of whether any new asylum seekers had been registered in Turkmenistan in the reporting period and statistics on the number of applications accepted, rejected and pending.

43. **Mr. Zhang** (Country Rapporteur) requested confirmation that judges were appointed by the President and disqualified by the Judicial Commission. He noted with satisfaction some of the improvements made to the prison system and the good record-keeping on prisoner visits and food parcels. He also welcomed the efforts made in reducing the number of stateless persons in Turkmenistan. However, he expressed concern at reports that no asylum seekers had been officially registered since 2005, and that despite the further deterioration of the security situation in Afghanistan in 2015, access to the territory had not been granted to any persons approaching the border to seek protection. The Committee had learned that, due to lengthy and burdensome procedures, some 6,000 citizenship applications were pending a decision by the authorities. The Committee therefore recommended that the Government should ensure birth registration for all children born in the State party, regardless of the citizenship or documentation status of their parents, fully implement the new Citizenship Act and adopt a strategic plan to facilitate the naturalization of refugees and stateless persons to reduce their risk of falling victim to inhuman or degrading treatment. He wondered whether the State party would consider establishing a system for sharing statistical and other information on persons of concern to the Office of the United Nations High Commissioner for Refugees (UNHCR).

44. **Mr. Bruni** expressed concern at the discrepancies between information provided by NGO sources and by the State party itself when it came to prison conditions. He would be interested to know why the individual space allocated to each prisoner in high-security facilities was only 3 square metres, which was below the accepted minimum international standard. He invited the delegation to comment on NGO reports of medieval conditions and torture in Ovadan Depe prison.

45. **Ms. Belmir** said that she had heard no response to the Committee's call for measures to reduce the excessive amount of time that the law permitted to elapse between a suspect's detention by the police and presentation before a judge, and between such detention and prosecutorial authorization of the deprivation of liberty.

46. Steps should be taken to ensure the independence and impartiality of the judiciary by eliminating the President's responsibility for the appointment and promotion of judges and by guaranteeing the tenure of judges in office.

47. **Ms. Gaer** said that no replies had been received to a number of questions. In paragraph 4 (d) of the list of issues (CAT/C/TKM/Q/2), the State party was asked whether the juvenile justice system had been reformed so that the presence of both a lawyer and a

parent or guardian was required in any case in which a minor was questioned by the police for any reason.

48. During the interactive dialogue, she had asked whether measures had been taken to ensure that allegations concerning the arbitrary detention and torture of Jehovah's Witnesses, including Bahram Hemdemov and Mansur Masharipov, were independently investigated. She had also requested information on whether an investigation had been conducted into reports that five Muslim prisoners had been severely beaten at Seydi labour camp in February 2015 and on whether there were plans to investigate claims that 19 persons suspected of links to the Hizmet movement had been detained without charge and tortured at a pretrial detention facility in Anau in September 2016. An indication of which body was responsible for investigating allegations of torture would be appreciated.

49. She had also asked how often prisoners' requests for medical examinations had been authorized, whether any measures had been adopted to require prosecutors to bring suspects promptly before a judge, whether there were any updates on the timetable for the completion of the memorandum of understanding between the Government and ICRC, and how many women victims of domestic violence had requested and been granted protection orders.

50. She wished to know whether it was true that, since Turkmenistan had declared its independence in 1991, there had not been a single acquittal in a criminal case, so that lawyers instead focused on securing pardons. Any relevant statistics would be welcome.

51. While the appointment of a Commissioner for Human Rights would be a positive step, the figures provided by the delegation with regard to the identification, prosecution and punishment of perpetrators of torture were so low as to raise questions about the effectiveness of the criminal justice system.

52. She would be grateful to learn how the prison authorities would handle a transfer request submitted by Saparmamed Nepeskuliev or, if they were still alive, by Boris and Konstantin Shikhmuradov or Batyr Berdyev.

53. She asked what had been done to ensure independent monitoring of detention conditions and to prevent reprisals against human rights defenders and persons who had cooperated with the Committee.

54. Lastly, she wished to know how the delegation's assertion that the judiciary was independent could be reconciled with the statement to the contrary made by the Assistant Secretary-General for Human Rights, Ivan Šimonović, in 2013.

The meeting was suspended at 5.30 p.m. and resumed at 5.35 p.m.

55. **Mr. Taganov** (Turkmenistan) said that his country had made repeated efforts to reduce statelessness and that, by virtue of its status of permanent neutrality, it treated all applications for citizenship equally. Since 2004, a series of programmes and presidential decrees had led to the granting of citizenship to thousands of individuals, including refugees.

56. In May 2012, the Government, in coordination with the Organization of Islamic Cooperation and UNHCR, had organized an international conference on "Refugees in the Muslim World" in Ashgabat. On 23 and 24 June 2014, the Government had hosted the International Conference on Migration and Statelessness, also in Ashgabat. As a result of the two conferences, long-term decisions had been made and Turkmen citizenship had been granted to hundreds of stateless persons, among others.

57. At the end of 2015, the Government and UNHCR had launched an action plan for joint activities that was designed to, inter alia, guide humanitarian efforts, improve refugee reception facilities and expedite the process of recognizing refugee status.

58. The Government's stance on ratifying the Optional Protocol to the Convention against Torture was the subject of ongoing review.

59. **Mr. Hudaynazarov** (Turkmenistan) said that, pursuant to a national plan for the period up to 2020 that had been established by presidential decree, the Government would encourage visits by special procedures mandate holders.

60. The Commissioner for Human Rights would have the power to inspect places of deprivation of liberty, to speak to detainees individually and to receive and deal with complaints. Parliament had established a working group to draft the bill relating to the Commissioner and to ensure that it met relevant international standards. The group included international experts and representatives of NGOs and political parties.

61. **Ms. Berdiyeva** (Turkmenistan) said that, as stated earlier, 1,925 surveillance cameras and 196 audio recording devices had been installed in 18 detention facilities. Officials responsible for conducting interrogations had no access to recording equipment.

62. The death of Ogulsapar Muradova had been investigated by the public prosecutor's office. An autopsy had revealed no signs of injury other than bruises on the neck that were consistent with hanging. There had therefore been no grounds to launch criminal proceedings. Ms. Muradova's body had been handed over to relatives at the end of the investigation.

63. Saparmamed Nepeskuliev had received three visits from his sister prior to his conviction. Once he had been sentenced, he had successfully requested to be transferred to a prison near his sister's home. No complaints of torture or ill-treatment had been filed with the competent authorities in relation to Mr. Nepeskuliev.

64. Places of deprivation of liberty fell within the purview of the Ministry of Internal Affairs, which made arrangements for visits. When members of ICRC had visited MR-K/16 prison, they had been given the opportunity to interview inmates. The public prosecutor's office was responsible for ensuring lawfulness in detention facilities.

65. A first draft of the memorandum of understanding between the Government and ICRC had been completed. The Ministry of Internal Affairs had sent comments on a number of outstanding issues to ICRC and was awaiting a response. It was impossible to set a date for the signing of the memorandum until full agreement had been reached on all issues.

66. **Mr. Haljanov** (Turkmenistan) said that there was no evidence of police involvement in the assault of journalist Soltan Achilova, who had previously reported on events in Turkmenistan without incident for many years. An investigation would be carried out if Ms. Achilova so requested, but his understanding was that she had not yet done so.

67. A total of 150 persons had been arrested throughout the country on suspicion of links to the Hizmet movement. An investigation had been ordered, but no details were available for the time being. In that connection, although Turkey was a strategic partner, the actions of Turkmenistan were governed by the principle of neutrality.

68. **Mr. Taganov** (Turkmenistan) said that the Committee's comments and recommendations would be taken into consideration and that the constructive dialogue would give fresh impetus to the Government's efforts to implement the Convention, to strengthen the judiciary, to protect human rights and freedoms, and to enhance its cooperation with international organizations.

69. **The Chair** said that he would be grateful for reassurances that the Government would not order, apply, permit or tolerate any reprisals against persons or organizations for having cooperated with the Committee.

70. **Mr. Haljanov** (Turkmenistan) said that there was no cause for concern in that regard and that the participation of NGOs in the reporting process was important.

The meeting rose at 6.05 p.m.