



Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Turkmenistan*

A. Purpose and general obligations (arts. 1–4)

1. Please explain which steps the State party is taking to harmonize the definitions of children and adults with disabilities and bring those definitions into compliance with article 1 of the Convention.
2. Please provide information about the procedure used by the medical assessment panel for granting the disability status (which is divided into different categories), with special regard to the composition of the panel and whether their “recommendations” can be viewed as binding, as well as legally appealable. Please inform the Committee whether revision of the process based on the human rights model of disability is planned.
3. Please provide information on concrete steps taken to consult with and involve organizations of persons with disabilities and other civil society organizations in the implementation of the Convention.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

4. Please inform the Committee of measures to combat discrimination on the ground of disability, including information on the relevant legal framework and jurisprudence. Please indicate which steps are taken to ensure the provision of reasonable accommodation and to ensure that in law its denial constitutes disability-based discrimination.

Women with disabilities (art. 6)

5. Please provide information about the targeted State programmes promoting equal rights for women and indicate how they have improved the situation of women and girls with disabilities.

* Adopted by the pre-sessional working group at its second session (7–10 October 2014).



Children with disabilities (art. 7)

6. Please provide detailed information about the procedure for informing parents about the opportunities available to consult other parents of children with disabilities and social workers on how to raise children with disabilities. How is the right of children with disabilities to grow up in their families instead of living in institutions ensured?

7. Please inform the Committee of practical support services and advice (social and psychological support) available for families with children with disabilities for early development of those children before they reach school age, both at preschool facilities and home.

Awareness-raising (art. 8)

8. Please provide information on planned or ongoing campaigns aimed at promoting equal rights for persons with disabilities and challenging negative stereotypes. Please inform the Committee about training and awareness-raising activities for civil servants, professionals and experts. In addition, please inform the Committee where the accessible versions (in sign language and other forms) of the Convention are available to the public.

Accessibility (art. 9)

9. Please inform the Committee about the implementation of the Social Security Code and other relevant legislation in order to ensure a barrier-free environment and barrier-free information and communication, transport and services. In addition, please provide data on monitoring mechanisms and sanctions for non-compliance with accessibility standards.

Situation of risk and humanitarian emergencies (art. 11)

10. Please provide more information about the accessible information for persons with disabilities, including in sign language, relevant to situations of risk, humanitarian emergencies and natural disasters, including evacuation plans.

Equal recognition before the law (art. 12)

11. Please inform the Committee of steps taken to replace the substituted decision-making system with the supported decision-making system and how many persons with disabilities are under tutorship, guardianship and wardship (including the percentage of the total number of people with disabilities that they represent).

Access to justice (art. 13)

12. Please provide information about the system applied to ensure the participation and high quality of sign-language interpreters during judicial proceedings.

Liberty and security of the persons (art. 14)

13. Please inform the Committee of the exact definition of “acts endangering the community” (art. 13 of the Psychiatric Care Act) and of cases of persons with psychosocial disabilities who have been committed to a residential psychiatric facility. Please provide information on the procedure and the safeguards available for the person with disabilities during the continuation of their confinement.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

14. Please provide information about measures taken to ensure free and informed consent with regard to treatment, including medication, and to report on violence in institutions.

Protecting the integrity of the person (art. 17)

15. Please inform the Committee about existing safeguards to ensure the prior, fully informed and free consent of a person with disabilities in cases of abortion and sterilization.

Living independently and being included in the community (art. 19)

16. Please provide information on measures taken and outcomes achieved in shifting from institutional care to community-based support services. Please include specific figures on the number of adults with disabilities using community-based and support services in local communities. In addition, please specify what “family-type children’s home” means.

Freedom of expression and opinion, and access to information (art. 21)

17. Please inform the Committee of measures to promote, officially recognize and facilitate the use of sign language and other forms of communication in official interactions and on web pages, including the translation of the Convention into those languages.

Respect for home and the family (art. 23)

18. Please inform the Committee of the availability of services regarding family planning and reproductive rights, including the right to adopt children, to persons with disabilities on an equal basis with others.

Education (art. 24)

19. Please inform the Committee about the newly introduced “Child Friendly Schools” certification package, the new law on education enacted on 4 May 2013 introducing the term “inclusive education”, and the 2014 law on State guarantees of child rights stipulating the creation of conditions for and access to inclusive education. Please provide information on the implementation process of those laws, with special regard to the training of teachers on inclusive education, available funds and the roadmap for introducing such education into general schooling.

20. Please explain the medical assessment panel’s process to determine eligibility to attend mainstream education. Please list the parties involved in the process, and inform the Committee of the extent to which the views of the person with disabilities and the parents of the children are taken into account and of the possibility of appealing the panel’s decisions.

Health (art. 25)

21. Please provide more information on measures to disseminate information on health services in accessible languages and formats, and measures to raise awareness of the human rights model of disability among health personnel. Please report on plans to modernize and improve the health sector while mainstreaming disability as part of those plans.

Work and employment (art. 27)

22. Please explain the meaning of the “unemployable” status used on disability certificates and its consequences. Please report on efforts to include persons with disabilities in mainstream vocational training.

23. Please give details on the obligation mentioned at paragraph 252 of the State report (CRPD/C/TKM/1) that “employers must create special posts for persons with disabilities” and demonstrate that the requirement does not lead to segregation and stigma in workplaces. Please inform the Committee whether people with category I-II disabilities are legally prevented from accepting a job that they are offered, even under the scheme of 5 per cent quota.

Adequate standard of living and social protection (art. 28)

24. Please inform the Committee about the process and achievements in involving persons with disabilities, including families with children with disabilities and women with disabilities, in the general anti-poverty programmes.

Participation in political and public life (art. 29)

25. Please inform the Committee of the right to vote or be elected of persons with disabilities, with special regard to those who are held in detention and have not yet been brought to court.

Participation in cultural life, recreation, leisure and sport (art. 30)

26. Please inform the Committee of measures planned to accede to the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled, and which steps will be taken to implement its provisions.

27. Please provide information on any plans to increase the accessibility of libraries to all persons with disabilities, including those with intellectual and/or psychosocial impairments.

C. Specific obligations (arts. 31–33)

Statistics (art. 31)

28. Please inform the Committee about the implementation, with regard to the Convention, of the State programme on the transition of the State party’s statistical system to international standards for the period 2010–2012.

International cooperation (art. 32)

29. Please indicate in which specific ways the State party makes use of international cooperation to ensure that persons with disabilities play active roles in disability-inclusive development.

National implementation and monitoring (art. 33)

30. Please explain which body is mandated to perform the functions of the focal point under article 33, paragraph 1, of the Convention and whether there are steps to establish and maintain an independent monitoring mechanism in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with the involvement of organizations of persons with disabilities.
