Turkmenistan condemns racial discrimination and pursues a policy of mutual understanding among people, prevention of any distinction, exclusion, restriction or preference based on race, ancestral, national or ethnic origin. The policy of non-discrimination, consistently conducted in Turkmenistan, is based on the mentality of the Turkmen people, its centuries-old history and traditions of relations with other people.

Since 1991 Turkmenistan confidently follows the path of building a secular, democratic and rule-of-law state for which most important goals are an individual, his/her life, rights and freedoms.

At the present time, under the leadership of the President of Turkmenistan, cardinal changes are being made in the political, economic, social and cultural spheres. Reforms conducted under the direct leadership of the head of state, contribute to the progressive renewal of the entire socio-political system, recognition of the authority of Turkmenistan in the world community.

At the basis of the internal policy of the President of Turkmenistan are the principles of democracy, the rule of law, humanism and justice.

Turkmenistan, which has ratified the fundamental international documents on human rights, strictly adheres to its international obligations, continues to reform the national system for the protection of human rights and persistently and consistently implements the commitments undertaken to the world community.

With regards to racial discrimination matters, Turkmenistan proceeds based on the principles of the Durban Declaration and Programme of Action. At the national level, these principles are supported and take into account both - improving legislation, as well as in enforcing rule of law.

When implementing international human rights standards, including issues of racial discrimination, the Assembly of Turkmenistan actively utilizes the recommendations contained in the Programme of Action and the Summary document, as part of the Durban process against racism, racial discrimination, xenophobia and related intolerance.

On September 14, 2016, within the framework of the meeting of the Council of Elders of Turkmenistan, during one of the session of the Assembly of Turkmenistan, the constitutional law was adopted on approval of the new edition of the Constitution of Turkmenistan. The new edition of the Constitution of Turkmenistan corresponds to the modern stage of development of society and the state. The Constitution strengthens the basic principles of the organization and activities of government bodies, the rights, freedoms and duties of individuals and citizens.

At the constitutional level, the state guarantees "Equality of rights and freedoms of man and citizen, as well as the equality of man and citizen before the law and the court, regardless of nationality, color, gender, origin, property and official status, place of residence, language, attitude to religion, political beliefs or other circumstances" (Article 28 of the new edition of the Constitution of Turkmenistan).

In accordance with article 11 of the Constitution of Turkmenistan, foreign citizens and stateless persons enjoy the rights and freedoms, as well as perform duties in the same way as the citizens of Turkmenistan in accordance with the laws and international treaties of Turkmenistan. Turkmenistan, in accordance with generally recognized norms of international law, provides asylum to foreign citizens and stateless persons in accordance with the procedures established by law.

With the aim of effective protection of the rights and freedoms of citizens, the Constitution of Turkmenistan includes provisions on the authorized representative for human rights in Turkmenistan - the Ombudsman. In particular, article 71, paragraph 17, of the Constitution of Turkmenistan stipulates that the president of Turkmenistan submits proposals to the parliament of Turkmenistan on the election of an authorized representative for human rights in Turkmenistan, article 81, paragraph 8 of the Constitution of Turkmenistan stipulates that the Turkmen parliament, upon the proposal of the president of Turkmenistan, elects an authorized representative for human rights in Turkmenistan.

On November 23, 2016, during one of the sessions of the Assembly of Turkmenistan, the law "On the Ombudsman" was adopted, in which the legislature enshrined a broad character of powers, a high socio-political status, as well as organizational, legal and financial support for his/her activities. In accordance with article 2, the law regulates the relations that arise during the realization of the rights and freedoms of a person and citizen between a citizen of Turkmenistan, regardless of where he is, a foreign citizen or a stateless person located in the territory of Turkmenistan, and state authorities, local self-government and their official representatives.

On March 20, 2017, during the session of the Parliament of Turkmenistan, the Ombudsman of Turkmenistan was elected on an alternative basis and started to exercise his powers.

The foreign policy course pursued by the President of Turkmenistan Gurbanguly Berdimuhamedov aims at enhancing international cooperation, constructive dialogue with all foreign partners, including major international organizations. The policy of the "open door" pursued by the Turkmen leader, the unswerving fulfillment of international obligations and the implementation of generally accepted norms and recommendations of the organs of the UN in the national legislative framework, demonstrate the peacekeeping position of our country in the system of international relations.

In the framework of the large-scale legal reform in our country initiated by the head of state, special attention is given to monitoring of national legislation and preparation of recommendations on improving existing and drafting of new laws, normative legal acts and national programs, taking into account the main provisions of international conventions, ratified by Turkmenistan. As a full member of the UN and a participant in the most important documents for the protection of human rights, Turkmenistan is taking sequential and specific steps to implement the provisions of the UN conventions, paying close attention to ensuring that the legislative framework is in accordance with the norms of international law.

The Government of Turkmenistan implements all necessary practical and legislative measures aimed at eliminating all forms of racial discrimination, inadmissibility of inciting acts against a person or group of persons of a different skin color or ethnic origin.

Turkmenistan has a system of legislative, judicial and practical measures that create reliable legal guarantees for the ban and, if necessary, the intersection of any attempts of discriminatory manifestations on racial or national grounds by any person, including officials, groups or institutions. The principle of non-discrimination for the reasons under consideration and other ones, is the basis for the activities of all higher and local authorities and administration, the electoral system, the organization of law enforcement and judicial bodies, health systems, social security, education and others.

The current legislation of Turkmenistan establishes responsibility for the initiation of national or racial hostility, contempt and the use of violence on the national, racial, religious basis.

During the years of Independence, the national legislative base in this field was supplemented by the laws of Turkmenistan "On emigration", "On citizenship", "On refugees", regulating the legal status of migrants, refugees and stateless persons and guaranteeing their rights and freedoms.

Article 37 of the Turkmenistan Immigration Law (31.03.2012) states that, in accordance with the Constitution of Turkmenistan and other normative legislative acts of Turkmenistan, every citizen of Turkmenistan has the right to freedom of movement, choice of place of residence and place of stay on the territory of Turkmenistan. Restriction of the right of citizens of Turkmenistan to freedom of movement, the choice of place of residence and place of stay within Turkmenistan is allowed on the grounds established by law. Decisions, action or inaction of public authorities, officials, as well as other legal and natural persons, restricting the rights of citizens of Turkmenistan to freedom of movement, the choice and the place of residence on the territory of Turkmenistan, may be appealed by citizens to a higher authority, to a higher official or court.

Paragraph 5 of Article 4 of the Law of Turkmenistan on the Citizenship of Turkmenistan (22.07.2013), states that one of the main principles of Turkmenistan's citizenship is the prevention and reduction of statelessness.

Turkmenistan, demonstrating a firm commitment to the international obligations assumed, actively participates in addressing the issues of migrants, refugees and stateless persons, both nationally and internationally. Turkmenistan, demonstrating a firm commitment to the international obligations assumed, actively participates in addressing the issues of migrants, refugees and stateless persons, both nationally and internationally.

As part of the main international legal instruments of the United Nations, including the Convention on the Status of Refugees and its Protocol, the UN Convention on the Status of Stateless Persons and on the Reduction of Statelessness, our country with its actions confirms its commitment to international obligations, as well as principles of humanism, that are part of the foundation of our state policy.

Turkmenistan became the second home for citizens forced for various reasons to leave their home countries. Following the universally recognized norms of international law and national traditions, here all conditions are created for migrants, refugees and stateless persons.

The following facts confirm this. In 2005, the citizenship of Turkmenistan on a voluntary basis was received by over 13,000 people, among which almost 9,500 were refugees. In addition, more than 3,000 people received a residence permit, of whom 1,800 were also refugees. In 2011 and 2012 citizenship of Turkmenistan was granted to 4,000 people. In 2014 – 786 people. In 2015 additional 361 people, who permanently resided on the territory of Turkmenistan and did not have citizenship, received passports.

Another important step in this direction was the signing by the head of state Gurbanguly Berdimuhamedov on December 9, 2016, the decree on granting of citizenship of Turkmenistan to another 1381 people. There were representatives of more than 20 nationalities among persons who received citizenship.

The state creates all conditions for a decent life for new citizens of the country. The granting of citizenship makes it possible to improve the social status of these people, gives them the opportunity to exercise basic human rights and freedoms along with other citizens of Turkmenistan, and provides access to education, work, medical and other assistance.

Om February 20, 2017, an international meeting was held under the name of “Turkmenistan's successful experience in reducing statelessness” with the participation of heads of diplomatic missions and representatives of international organizations, accredited in Turkmenistan, ambassadors and consuls of Turkmenistan, working abroad, including regional leaders of UNHCR and IOM.

As part of fulfillment of its obligations, provided for by the Convention on the Legal Status of Refugees and on the Status of Stateless Persons, as well as for the enjoyment of all the rights of refugees and stateless persons residing in the territory of the country, a new Presidential Decree issued new certificates and travel documents for stateless persons and refugees. These documents fully comply with the standards of the ICAO (International Civil Aviation Organization).

At the same time, refugees who arrived in our country were provided with housing, work opportunities, while in rural areas they were allocated land plots, their residential and social issues are effectively addressed.

As part of its cooperation with the largest international organizations, Turkmenistan is a permanent member of the Executive Committee of the UN High Commissioner for Refugees and IOM, as well as reasonably positions itself as a strategic participant in global international processes.

Turkmenistan, as a participant of the foundational international documentation on human rights, in accordance with its obligations not only implements their basic principles and provisions in national legislation, but also focuses on the establishment of mechanisms for their safeguarding. During the last few years, a few practical steps in the human dimension have taken place in the country, including the legal, economic, institutional and other measures.

Justice in Turkmenistan is carried out based on equality of rights, freedoms and competitiveness of the parties, as well as based on equality of all before the law and court, regardless of nationality, race, gender, origin, official status, place of residence, language, attitude to religion, political beliefs, party affiliation or lack of belonging to any party, as well as other circumstances not provided for by the laws of Turkmenistan.

The parties have the right to appeal against decisions, sentences and other decisions of the courts of Turkmenistan (the law of Turkmenistan “On the court” dated 08.11.2014, as amended by the laws of Turkmenistan from 28.02.2015, 26.03.2016, 12.09.2016 and 20.03.2017).

According to article 11 of the Civil Procedure Code of Turkmenistan (18.08.2015), civil justice is exercised on the basis of equality before the law and the court. During civil court proceedings none of the citizens can be given preference and none of them can be discriminated against on the grounds of their nationality, race, gender, origin, official status, residential status, language, attitude to the religion, political beliefs, party affiliation or lack of belonging to any party.

According to article 7 of the Labor Code of Turkmenistan (18.04.2009), it is not permissible to restrict labor rights or the obtain advantages based on the nationality, race, origin, official status, place of residence, language, age, attitude towards the religion, political beliefs, party affiliation or the absence of belonging to any party, as well as other circumstances not related to the merit qualities of employees and the results of their work.

The Civil Service of Turkmenistan is based on the principles of the priority of human and civil rights and freedoms, guarantee of their realization, humanism and social justice, rights of the citizens of Turkmenistan's to equal access to public service and advancement in the civil service in accordance with their abilities and professional training (Article 4 of the Law of Turkmenistan on Civil Service 26.03.2016).

In accordance with article 5 of the law of Turkmenistan on the Ethics and Professional Conduct of Civil Servants (26.03.2016), civil servants, conscious of responsibility to society, the state and citizens, must proceed from the assumption that protection, support and service to the person are the main tasks of public authorities, and recognition, observance and protection of human and citizen's rights and freedoms determine the meaning and content of the activities of state bodies and civil servants, contribute to strengthening the unity of the people Turkmenistan, interethnic and inter-confessional accord in the country, respect the state language and other languages, traditions and customs of the peoples of Turkmenistan.

Article 14 of the Family Code of Turkmenistan (10.01.2012) states that a man and a woman who reached the age of marriage, for the creation of a family, have the right to marry, regardless of race, nationality or religion. They enjoy the same rights at the time of marriage, during marital status and during its dissolution.

All children living in the territory of Turkmenistan have equal rights, irrespective of nationality, race, sex, language, attitude to religion, origin, social status, education and place of residence of themselves and their parents, the circumstances of their birth, state of health or other circumstances (Article 77 of the Family Code of Turkmenistan).

Article 3 of the Law of Turkmenistan on State Guarantees of the Rights of the Child guarantees the protection of the rights, freedoms and legal interests of the child. This law also applies to a child of a foreign citizen, a stateless person, a person who is a refugee, a refugee child living on the territory of Turkmenistan.

According to Article 194 of the Family Code of Turkmenistan, foreign citizens and stateless persons enjoy equal rights and bear equal duties with Turkmen citizens in family relations in accordance with the family legislation of Turkmenistan and international treaties of Turkmenistan.

In accordance with article 8, the law of Turkmenistan on Political Parties prohibits the creation and activities of political parties, whose purpose is to violently change the constitutional order, allow violence in their activities, oppose the constitutional rights and freedoms of citizens, propagate war, racial, national, religious enmity, threatening health and moral standards of the people, as well as political parties on national or religious grounds.

According to Article 3 of the Law of Turkmenistan on the Legal Status of Foreign Citizens in Turkmenistan (26.03.2011), foreign citizens in Turkmenistan are equal before the law, irrespective of origin, property and official status, race and nationality, sex, education, residence, language, attitude to religion or other circumstances.

Article 3 of the Migration law of Turkmenistan (31.03.2012) indicates the inadmissibility of discrimination, the infringement of the rights and freedoms of the individual on grounds of origin, gender, race, nationality, language, religion, political and religious beliefs or for other reasons.

The law of Turkmenistan on Freedom of Religion and Religious Organizations (26.03.2016) guarantees the right of everyone to freedom of religion and does not permit discrimination on religious grounds.

In accordance with article 5 of the law, foreign citizens and stateless persons use the right to freedom of religion on an equal basis with citizens of Turkmenistan.

Obstructing the exercise of the right to freedom of religion, including violence against the person, deliberate insulting of the feelings and dignity of citizens in relation to their attitude towards religion, promoting religious superiority, destroying or damaging property or threatening to commit such acts, is prohibited and prosecuted in accordance with the law.

Criminal offense is considered to be direct or indirect violation or restriction of rights and freedoms of man and citizen based on nationality, race, sex, origin, property and official status, place of residence, language, attitude towards religion, political convictions, party affiliation or absence of such affiliation, if these actions have caused grave consequences, the punishment includes correctional labor for up to two years, or imprisonment for up to two years (article 145 Criminal Code of Turkmenistan 10.05.2010; as amended by the law of Turkmenistan on 9.11.2013).

In accordance with article 168 of the Criminal Code of Turkmenistan, genocide, that is, an intentional act aimed at the total or partial destruction of a national, ethnic, racial or religious group by killing members of this group, causing serious harm to their health, forced relocation, forced reduction of childbearing, forced transfer of children or creation of other living conditions, designed for the complete or partial physical destruction of members of this group, is punished by imprisonment from 15 to 20 years.

The same acts, if committed in time of war, are punishable by imprisonment for a period of 15 to 25 years (as amended by the law of Turkmenistan as of November 25, 2015).

The law of Turkmenistan on Public Associations (a new version as of May 3, 2014 as amended by the laws of Turkmenistan as of February 4, 2017) prohibits the creation and operation of public associations aimed at violently changing the constitutional order, damaging the security of the state, allowing violence in their activities, opposing the constitutional rights and freedoms of citizens, propagating war, racial, national, religious enmity, encroaching on Health and morality of citizens, as well as those engaged in extremist activities, art. 7.

According to the law of Turkmenistan on Education (a new version as of May 4, 2013 and as amended by the laws of Turkmenistan as of March 3, 2017), citizens of Turkmenistan are guaranteed the possibility of obtaining education, regardless of nationality, race, gender, origin, property and official status, residence, language, attitude towards religion, political convictions, party affiliation or lack of belonging to any party, age and state of health, art. 4

Education in the spirit of equality of people, regardless of their race, skin color, nationality, is a characteristic of the entire educational system of Turkmenistan. In children's pre-school institutions, in accordance with the programs, skills of equality, friendship and partnership, are developed.

Article 5 of the Turkmen law on Culture (12.03.2010), guarantees to its citizens irrespective of their nationality, race, gender, origin, property and official status, place of residence, language, attitude to religion, political opinion, party affiliation or lack of belonging to any party, the right to participate in cultural activities, the use of cultural organizations, access to cultural values located in state cultural organizations.

Government guarantees to its citizens the right to all kinds of creative activity in accordance with their interests and abilities, to freely choose moral, aesthetic and other values, to protect their cultural identity. The right of the citizen to engage in creative activities can be carried out both at a professional and not professional (amateur) level.

There is a friendly attitude in Turkmenistan towards cultural traditions of all nationalities and ethnic groups. Celebrations of national holidays are welcome. Representatives of all ethnic groups or nationalities enjoy broad opportunities for the development of all forms of creativity.

On an annual basis, as per the Resolution of the President of Turkmenistan, between the workers of culture, art, literature, young performers or gifted children among whom there are representatives of national minorities, a contest under the name “Golden Age of Turkmens” is held.

Every year, according to the Resolution of the President of Turkmenistan in Turkmenistan, various international festivals and conferences are held that promote the mutual enrichment of cultures and the exchange of experience in the field of culture and art among countries and introduction of rich cultural heritage of the Turkmen people to the world.

Turkmenistan maintains and actively develops cultural ties with foreign countries. Many various cultural events are being implemented with international organizations.

Text of the Convention on the Elimination of Racial Discrimination was circulated among masses in the state, Russian and English languages.

In order to further improve the activity of state bodies and public organizations of Turkmenistan on safeguarding human rights and freedoms, implementation of international humanitarian law the laws of Turkmenistan and law enforcement practice, the Resolution of the President of Turkmenistan approved: the national action plan on human rights in Turkmenistan for 2016-2020 years, national action plan on gender equality in Turkmenistan for 2015-2020 years, a national action plan to combat people trafficking the 2016-2018 year.

It is important to note that the drafting of these plans was based on the recommendations of the UN treaty bodies, including the Committee on the Elimination of Racial Discrimination, as well as recommendations made to Turkmenistan during the universal periodic review of 2013, the opinions and suggestions of international partners, civil society and government agencies.

In November 2015 in Turkmenistan, in accordance with Article 9 of the Convention on the Elimination of All Forms of Racial Discrimination, submitted to the UN Committee on the Elimination of Racial Discrimination a joint 8-11 periodic report on the implementation of the provisions of the said Convention. During November 30, 2016 – December 1, 2016, the delegation of Turkmenistan took part in the dialogue in the Committee on the Elimination of Racial Discrimination to consider this report. Currently, work is underway to implement the final recommendations that were made by the Committee.