



Women: Turkmenistan's second-class citizens

Equal only to injustice and vulnerable to arbitrariness

***Norwegian Helsinki Committee Submission to the 53rd Session of the
UN Committee on the Elimination of Discrimination against Women***

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I. Introduction

The report submitted by the government of Turkmenistan to the UN Committee on the Elimination of Discrimination against Women (CEDAW) released for general distribution in March 2011,¹ aims at illustrating the legislative, judicial, administrative and other measures taken by the state to comply with the Convention on the Elimination of All Forms of Discrimination against Women,² ratified by Turkmenistan in 1996. The Optional Protocol to the Convention³ was ratified by Turkmenistan in 2009.

Principles outlined in the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) are reflected in several codes and acts in Turkmenistan, latest in the new version of the Constitution adopted in 2008, articles 19 and 20, and in the State Guarantees for Gender Equality Act adopted in 2007.

However, as shown in this report, the situation for women in Turkmenistan today is far from the international standards outlined in CEDAW and ratified by Turkmenistan. Additionally, lack of reliable statistics and the authorities' repressive actions to any activity in civil society complicate work to monitor, evaluate or improve the situation from within.

Turkmenistan is also the country in the former Soviet Union which remains the most inaccessible to international human rights organizations and monitoring groups. On the global level, the country ranks at the bottom of all major indexes in the sphere of democracy and human rights.

The Economist Democracy Index ranks Turkmenistan as number 165 of 167 countries, better only than Chad and North Korea.⁴ Reporters without Borders places it as number 177 of 179 in their Press Freedom Index,⁵ while the Freedom House Index gives it the worst score possible, 7.0.⁶

This report contradicts much of the content of the State report of Turkmenistan.⁷ That is because this report is based on real incidents in the daily life in Turkmenistan. It is the result of independent research of several Turkmen citizens who are concerned with the situation in the country. They carried out their work under difficult working conditions in an atmosphere of strong control by the authorities. There is significant government repression towards every citizen in the country, in particular towards those who speak out about unacceptable conditions or document such violations. Asking or responding to questions that are related to the government's performance constitutes a danger not only for the interviewer or the interviewee as Turkmenistan practices collective punishment and would punish a whole family for the statements made by one family member. For security reasons, sources will therefore not be disclosed in this report.

¹ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/G11/416/10/PDF/G1141610.pdf?OpenElement>

² <http://www2.ohchr.org/english/law/cedaw.htm>

³ <http://daccess-dds-ny.un.org/doc/UNDOC/GEN/N99/774/73/PDF/N9977473.pdf?OpenElement>

⁴ http://www.sida.se/Global/About%20Sida/S%C3%A5%20arbetar%20vi/EIU_Democracy_Index_Dec2011.pdf

⁵ <http://en.rsf.org/press-freedom-index-2011-2012,1043.html>

⁶ http://www.freedomhouse.org/sites/default/files/inline_images/Table%20of%20Independent%20Countries%2C%20FIW%202012%20draft.pdf

⁷ Combined third and fourth periodic report of Turkmenistan to the CEDAW <http://daccess-ods.un.org/TMP/9225575.92391968.html>

The research was carried out in the complete absence of any access to other research, information from state actors, or official statistics that would reflect the life in Turkmen society. There are also few international sources of information, as international actors are denied access to the country. In Turkmenistan there is no access to official statistics on the social, economic, demographic or ecological state of the country. Any statistical information is included in the list of state secrets and kept undisclosed behind a range of stamps. These statistics are rarely announced, and if there are exceptions, few believe in them as they are aware of the government's urge to make everything appear in a better way. It is therefore safe to say that statistics presented by the government are far from reality.

It is particularly difficult to obtain concrete indicators as to any aspect of women's life in Turkmenistan. All numbers in this report that illustrate any indicators are a result of practical work, research of the actual situation and represent approximates as there were no possibilities to carry out any open and free research according to established scientific standards. For example, when this report states that 35% of women are subject to domestic violence on a regular basis, this number is based on on-the-ground research and meetings. When assessing the accuracy of this report, the working conditions should be taken into consideration.

As the Turkmen activists who courageously carried out the research regrettably cannot present a report themselves due to security concerns, the Norwegian Helsinki Committee submits this report, based on the material collected by them, for the review of Turkmenistan at the 53rd session of the UN Committee on the Elimination of All Forms of Discrimination against Women. Also, due to the policy of the Turkmen authorities, the Norwegian Helsinki Committee has not been allowed to enter the country for any separate research. However, we have verified information to the largest extent possible through meetings and interviews outside the country's borders.

II. Recommendations

The authorities have to be pressured to some kind of action to address the situation described in this report. However, there are few forces inside the country that can fulfil this task. Too much has been done to remove the good powers from the society, those who could stand up for their independent point of view, dissenting with the authorities. Over the last two decades these progressive forces have been persistently and methodically eradicated, and people are intimidated. Years of repression towards civil society activists, their close ones, their friends and acquaintances have had a silencing effect. The few initiatives inside the country that are able to work for change are in strong need of help from international actors.

Political and economic international pressure can change the situation, put pressure on the authorities to stop the actions of the repressive machinery against dissenting activists and the country's own general population. International public opinion should be activated, criticising the authorities' discriminatory practices towards women, and demanding real reforms that will improve women's situation rather than cosmetic reforms.

The authorities have to develop, adopt and implement state targeted programs in the support of women. They have to develop efficient strategies, mechanisms and procedures, and create a

particular organ which is specialised in the defence of women's rights. Neither the current Interdepartmental Council nor the Women's Union are such organs.

The large government spending on pompous constructions allows for uncontrolled excavation of government funds rather than social support for the population. Public media articles like "today in Turkmenistan we are building about 2227 objects worth \$ 48 billion U.S." ⁸ demonstrate the large sums in question that are available and could be spent on social reform.

To the government of Turkmenistan

- Create positive political and economic preconditions facilitating the genuine implementation of the requirements for non-discrimination of women in all spheres of life;
- Create a system for collection of data on the most relevant aspects of women's life with the aim to evaluate the real situation for women and track the development of the situation in the future;
- Develop a program for education and professional training for law enforcement agencies: judges, lawyers and prosecutors, police officers, in order to firmly entrench a legal culture supportive of women's equality and non-discrimination in the country;
- Take action in education at all levels, starting from an early age, aimed at the development of curricula that promote gender equality and challenge gender stereotypes;
- Undertake awareness-raising campaigns aimed at overcoming the stereotypes about the role of women in society and the family that contribute to the perpetuation of hidden forms of direct and indirect discrimination against women and girls;
- Take effective measures to eliminate discrimination against women who belong to ethnic and national minorities, who actually suffer from multiple forms of discrimination, and provide for the implementation of targeted policies and programs;
- Take measures to improve women's access to education, in particular women belonging to ethnic minorities;
- Develop a national program to help women from socially disadvantaged groups;
- Create a national public organ on women's rights and the fight against discrimination, for example an equality ombudsperson institution;
- Allow women to establish their own independent social organizations and to operate freely;
- Modify the existing legislation governing the activities of NGOs by softening the requirements for registration of public organizations, as well as regarding registration of projects and programs with foreign support;
- Develop a national program to support small and medium sized businesses aimed at developing women's entrepreneurship and involvement in the business, develop a national women's micro-credit program and increase women's participation in this sphere;
- Develop national programs in the field of employment, including provision of unemployment benefits, retraining, education, and provision of other state social support for unemployed women as well as men;

⁸ «Neutral Turkmenistan» № 177-180, published 09. 07. 2011.

- Take steps to ensure that medical services are available to all women, making them free of cost for poor women. In the framework of these measures there should be regular collection of information and monitoring of the situation in the field of maternal and child health;
- Adopt a specific law on domestic violence which provides special legal mechanisms and procedures of protection and assistance to female victims of violence and opens for criminal investigation on those accused of actions of violence;
- Set up a separate structure within the police and the prosecution, providing assistance to victims of violence, including domestic violence;
- Conduct training and education of specialists, psychologists and lawyers for work with victims of violence, protection of their interests and assistance, as well as work with the perpetrators to prevent repeated actions;
- Conduct special training for law enforcement officers in combating violence against women;
- Develop a national program to provide state support for women victims of violence, including opening and equipping state centres, shelters, which provide assistance;
- Develop national programs to promote healthy lifestyles and create favourable conditions for women to refrain from drugs;
- Develop national programs for social assistance and support to women suffering from drug addiction. Provide them with treatment using the latest techniques and technologies, encouraging the creation and expansion of a network of civil society women's organizations working in this field;
- Develop a program of rehabilitation and economic empowerment of women exploited in prostitution, including an integrated approach to the provision of alternative educational and economic opportunities to facilitate their reintegration into society without prostitution.

To the international community

- Criticise openly the authorities' discriminatory practices towards women;
- Demand real reforms, including establishing effective complaints mechanism, that will improve women's situation and react to and criticise cosmetic reforms;
- Let the authorities of Turkmenistan understand that their statistical data is insufficient and of little use in national as well as international consideration of progress or deterioration.

To international companies operating in Turkmenistan

- Be mindful of their presence in a country inaccessible for most international organisations and promote respect of human rights including gender equality;
- Ensure that staff, local as well as international, has access to basic human rights, and underline publicly the importance of these rights for their continued investment;
- Adhere to the UN's Global Compact⁹ principles, including: Principle 1: Businesses should support and respect the protection of internationally proclaimed human rights; and Principle 2: make sure that they are not complicit in human rights abuses;

⁹ <http://www.unglobalcompact.org/>

- Contribute to the general advancement of human rights and rule of law in Turkmenistan through their activities, and in particular highlight the participation and promotion of women in the company;
- Where governments are large shareholders refrain from influencing this government's foreign policy, which too often softens criticism of Turkmenistan;
- Even though Turkmenistan is not yet part of the Extractive Industries Transparency Initiative *EITI*¹⁰, aim to promote its principles of transparency and anti-corruption.

III. Constitutional, legislative and institutional framework

Turkmen legislation has no norms that discriminate women. On the contrary, legal provisions are aimed at the elimination of discrimination of women in all fields of life, on overall protection and include various measures that appear to guarantee liability for any violation of these rights. These provisions are repeated in many laws, and lately new provisions aimed at obtaining equality between men and women and eradicating gender discrimination were highlighted in the State Guarantees for Gender Equality Act.¹¹ However, neither the old nor the new laws improve the situation in practice, rather, the stark contrast between what is guaranteed by law and what is experienced in real life remains.

The laws that defend women's rights create a good-looking, though fake, façade of good intentions towards women's freedoms and equality in society. However, behind this façade there is an unironed, harsh and harmful environment where many women do not live freely, but survive. Taking into consideration the current economic and political situation, the realisation of these apparently good intentions is unattainable for Turkmen women in general. The legislation stipulates for example the creation, adoption and existence of state programs to protect gender equality, to protect motherhood and childhood, and measures to facilitate their implementation¹², but few if any have even heard mention of any such programs, not to mention anyone benefiting from them.

According to the Government of Turkmenistan, the Interdepartmental Council has carried out a range of seminars with the participation of a wide range of non-governmental organisations in preparation for the report to the CEDAW. However, except from the government-controlled Women's Union, Makhtumkuli Youth Association and the National Trade Union Centre, no other organisations were included or even informed of any such events. Judging from the report, the work of this Council is not transparent, and the general population is poorly informed about its existence. Neither the composition nor the budget of the Council is known.

The two legal initiatives described in the state report in fact demonstrate the lack of state guarantees in practice. The State Guarantees for Gender Equality Act adopted on 14 December 2007, guarantees certain rights for women. However, in 2012, there are still no signs of any state programs for promotion of equal rights for women; promotion of maternal and child welfare; fostering of

¹⁰ <http://eiti.org/>

¹¹ State Guarantees for Gender Equality Act, № 154 – III, from 14. 12. 2007.

¹² Articles 19-21 of the State Guarantees for Gender Equality Act, № 154 – III, 14.12.2007.

women's balanced development; or support and cooperation with voluntary organisations. Similarly, the President's State Commission for the review of complaints by citizens concerning actions by law enforcement agencies was established on 19 February 2007, but until today nothing is known about the composition, work or results of this commission, not to mention that the general population is unaware of its existence.

The Labour Code's article 241 and the Criminal Code's article 152 guarantee women's participation in the labour force. However, there are no concrete measures taken to ensure that these provisions or the provisions that are supposed to improve the social and economic situation of women are adhered to. As will be discussed below, neither article 14 nor several other alluring provisions of the Code on Marriage and the Family are adhered to in practice.

The Criminal Code of Turkmenistan stipulates liability for causing injuries, torture, various degrees of assault (mild, moderate, severe), murder, abuse, and slander. However, there is no provision on domestic violence in the Criminal code, and there is no separate law that prohibits violence against women.

Turkmenistan's Women's Union is the only organisation listed by the government of Turkmenistan as working against discrimination of women. It is fully under control by the government, and funded by the government. Still, most of the women population are unaware of its existence, and those who do know are not provided with any consultations or any kind of assistance. Any organisation that wants to work in the sphere of women's rights for some reason has to do it under the auspices of this union.

IV. Stereotypes and harmful practices

Compared to men, women carry a double work load. Firstly, most women are the main bread winners for themselves, their children and their families. Men of working age constitute the larger part of the prison population, and doing time in prison they are not able to support their families. The majority of drug addicts and alcoholics are men; the compulsory military service removes a large part of the male working population from the labour market, and these factors have a significant influence on the high death rate in the male population. As a consequence of all these factors, male main bread winners are significantly fewer than female. At the same time, the woman is not lifted of the responsibility for the traditional domestic work. The women also give birth, raise the children, carry out the domestic household work, serve all members of the family and are the protectors of the domestic hearth.

In Turkmen families there has always been a significant difference in the upbringing of boys and girls. From the earliest age girls are taught to work, carry out domestic household tasks, cook, clean, do needlework, embroidery, or sewing, and girls learn how to weave carpets and rugs. From childhood it is imprinted into their minds that women have a secondary status to men. Similar perceptions about the role of women are cultivated in the consciousness of the boys. Girls learn to obey men from childhood, including same-age boys, brothers and their friends. At the same time boys are allowed to do whatever they want, they are completely free from any domestic work and grow up in an atmosphere of permissiveness and lack of supervision. Even if it has become more common recently

that also boys have to work in the field or in the bazaar, it is none the less incomparable to the work load on girls.

In every Turkmen family it is expected from the very beginning that a girl will leave the family only when she gets married. Her fate is determined in advance. It is not a coincidence that the Turkmen have the following proverb that accurately describes the attitude towards girls and women: *A woman without a husband is a horse without bridle*. A girl is thus brought up so that it will be easier for her in a new family of strangers, and the family therefore gives her an upbringing as if she was already living in a house of strangers, forcing her to carry out a heavy work load. Most Turkmen women distinguish themselves by an incredible work capacity, diligence and patience. These values are in particular cultivated by elderly female family members, and the authority of the elders is undisputable in Turkmen families.

Most that is possible for men is inaccessible for women. A husband can pose what in his view is a completely reasonable question, namely to terminate the marriage if the wife cannot have children, or if she only gives birth to girls. This is the case even if most wives adhere to public perceptions, stereotypes and the husband's expectations, and keep having children until they have a boy. Furthermore, many husbands influenced by national traditions and the predominant mentality, do not see anything wrong in leaving a wife who is ill, or marrying a younger and healthier woman when simultaneously living with her. He is after all a man and needs a healthy wife who can serve him. On the other hand, a woman cannot leave her husband or exchange an old or ill husband; she will be considered a fallen woman not worthy of any respect.

This attitude will also reflect on her children. Turkmens by tradition consider that the offspring of a woman with bad reputation is unclean, *kharam-zada*, and this will without exception influence their future destiny. Even amongst their own relatives such children are considered outcasts. Such perceptions do not only determine the position of women in relation to men, but also determine her role in the family. Most people, women as well as men, share the common understanding that women do not only have to work more than men; they also have to work for men's benefit.

These perceptions unavoidably become the base for behaviour stereotypes, and the model of the family system reproduces the pyramid of power in society, where the women's role is determined from the very beginning. Recent high-level statements by President Gurbanguly Berdymukhammedov testify to this: "Girls need to learn the basics of sewing, carpet weaving, cooking; in short, everything that a future house wife needs to know... The boys have to plant trees and learn carpentry and other work skills".¹³ Again, the girls' predetermined fate is to become a housewife.

Thus, there is a determined labour division according to gender. The perception of what is women's work and what is men's work is moulded in people's conscience from childhood. An example of this is the latest development where the many construction sites of the capital now have more local workers without capital residence permit, something that used to be prohibited. Obviously, the men are construction workers, constitute the technical personnel, supervisors and engineers, whereas

¹³ «Neutral Turkmenistan» № 192 from 23.07.2011.

women are waitresses, dishwashers and cleaners. All that a woman does at home – cleaning, washing, serving all members of the family, is the same that she is doing in the society.

Many women support this division of labour in society, and consider it correct. They agree to stay home as long as the husband supports her and the family. But also amongst them there are women who do not have the possibility to be only house wives, as they have nobody to support them. This is for example widows, or those who have husbands in prison, who have drug addicted or alcoholic husbands, or those who never had any husband. These women also have to feed themselves and their families. The government has to a certain extent facilitated labour for men by allowing Turkmen to work at the many constructions sites instead of Turks. At the same time they do not seem to bother engaging themselves with the necessity to facilitate work places also for women.

In many ways the current situation is a continuation of the so-called policy of emancipation of women that was widely practiced in the Soviet Union, where women were given the possibility to work equally as men and receive equal salary. Back then, there was a certain balance between men and women in relation to earning money and supporting their families. However, also then there was a certain gender-based division in labour. Men worked mainly under dangerous, hard working conditions, night time and overtime. And also in the spheres where there was a majority of women workers, the head of department was more often a man. In the factories and plants, agricultural sector and other organisations and institutions where most of the employees were female, the head of department, head of the sector and the foremen were always male.

In the criminal sphere both then and now, the simple actors have been women. Taking into consideration the latest political and economic situation, women constitute around 90% of the drug trafficking, prostitution and other crime. In general, women do not end up in these spheres out of expectations for a good life. Old traditions from the Soviet times, when the punishment for women was much milder than for men, play a considerable role. A woman who is involved in drug smuggling for example, is more likely to get a milder sentence than a man. They are more often included in amnesties or pardoned just because they are women, and normally have underage children dependent on them. Men aim at not getting involved in this dangerous business directly, but engage women. Also in other spheres the criminals make use of the possibility for milder sentences for women to make money.

Many men did not manage to adapt to the changes after the collapse of the Soviet system. After the breakdown of the Soviet government and the former economic model, most of the existing production was closed down, and many men found themselves unemployed. They did not only lose the material base for their life, but also got in exchange an incredible psychological stress. The normal way of life was gone. People lost the moral and the material life basis. There was a reconsideration of values, poverty and unemployment rose, the quality of medical services and other facilities decreased, and many men could not find their place in the new reality. They turned out to be the weakest link and the burden of life and existence of children and family was taken by the women.

Discrimination of women occurs also in case of the widespread government demolition of houses in the capital and the regions. Economic compensation for demolished houses is not paid to anyone, and it has long been known that when any house is demolished, it is necessary to pay bribes to

ensure you will be provided with a flat in one of the new buildings. If not, you will be compensated with a flat far from the centre, in the suburb, or old flats from the home fund where it is impossible to live without major overhaul. Furthermore, this overhaul will have to be paid by the new owner, in contradiction with the law.

However, women who live in their husbands' flats but for various reasons are not registered there will not be compensated with space in the new flat. It is government policy that even if a woman is part of a legalised marriage, as long as she is not registered in the flat; she will not be counted for in the new flat. There are many cases where new housing is provided for the husband and the children, and not for the wife. Often the reason for not having a registration is not lack of effort from the woman's side, but that the authorities refused her registration. Women have tried to turn to the court with complaints where they have asked for the acknowledgement of the right to live with their husband, in order to later use this court order to register with him. But such complaints are no longer received by the courts, and the women end up without registration.

The number of female students has decreased significantly lately. Most of the students are male. Higher education in Turkmenistan is for free, whereas specialised secondary schools require a fee. Education has none the less become expensive as the sums for bribes to enter into any higher education institutions have raised to several tens of thousands of US dollars. Many families cannot afford to educate their children on equal grounds. So when they have to decide where to spend money for education, there is a natural preference for the sons. As in earlier times, parents are wondering why any girl should study as she is only going to get married and have children and will not graduate anyway.

Furthermore, the authorities regularly hinder their citizens, including women, from studying abroad. To obtain this goal they make use of bureaucratic novelties on the necessity of various certificates and permissions, *spravkas*. Again there are plenty of opportunities for corruption.

A similar opportunity for corruption is the freshest novelty, the secret order not to give women driver's license. The aim is to reduce the number of women behind the wheel, arguing that women's nature does not allow them to drive a car; they have slow reaction, they are not attentive, get confused in unexpected situations and would even let go of the wheel in panic.

The question of women's dress continue to be a subject of state politics on the highest government level, and seems to outbid most of other challenges in Turkmenistan. A certain form of dress-code for girls, young women and women has been developed and now resemble a uniform more than a dress. It should be national, though subject to certain modifications over time, and is now in practice different from the pure national dress in historical understanding. For example, the fabric, the sewing technique, and the length of the dress and *balaken*-special trousers that girls and women have to wear, have changed. But in general, this clothing has remained distinctly regulated. So girls, irrespective of nationality, have to come to school only wearing long green straight-cut dresses covering the ankles, and the sleeves shall also cover the wrists – dresses with short sleeves are not allowed. The embroidery on the chest shall be small and modest. Her hair shall be gathered in two plaits, not one, and of course accompanied by the skull-cap *takhya*. If the girl comes to school wearing anything else than this attire, she will not be let into the school.

The somewhat older female students have to wear a burgundy dress from panne velvet, a fabric popular with Turkmens since Soviet times. Sometimes they are allowed to wear a blue dress, but the burgundy dress is preferred. On this dress it is allowed to wear long, beautiful and expensive embroidery from neck to waist. She shall have two plaits and the skull-cap *takhya* with embroidered ornamental pattern. Judging from the pattern one can easily see whether the skull-cap is meant for a boy or a girl, unlike earlier, when these skull-caps were sown with similar patterns, and did not differ by gender. The students' dresses shall also be long, covering the arms to the wrists and the legs to the ankles, even to the soles, which is welcomed also for smaller girls. Female students have to appear at the institute in these clothes, if not she will not be let in. This is particularly scrupulously adhered to in the higher education institutions.

Adding to this dress-code, the first pages of the official newspapers also print statements by the President, where he states it correct for young brides-to-be to wear national dresses at their wedding instead of the white European dresses that have become so popular of late.

Married women have to appear in state institutions in dresses with embroidery from neck to waist, with the same length on dress and sleeves as the younger girls. Women are allowed to wear dresses of different fabric, but the panne velvet is preferred, in particular on festive occasions. A married woman has to wear a shawl on her head, tied in a particular way so that it covers her hair. The national Turkmen dress is traditionally considered by the population to be very beautiful, original and distinctive, but with the current state policies there is a growing discontent in the population.

No similarly strict and detailed dress-code for men exists, though also the men have to wear the *takhya* and long sleeves no matter the temperature.

Religious beliefs have played a distinct and significant role in the situation for women, even if Turkmens traditionally used to practice an adapted, moderate Islam. Taking into consideration the nomadic life style, they were never orthodox believers. For objective reasons nomads are not capable of following all of Islam's religious canons in detail, and this influenced the religious expressions of the Turkmen. Turkmen traditions, customs and common law, *adat*, had a more significant influence on their life than did the religious beliefs.

The national mentality, traditions and customs regulating women's role in the family often had a preferred position compared to the religious dogmas. As an example, Turkmen women never wore the *parandja*, *chador* or similar veils. Girls did not cover their faces before marriage, and only wore the traditional skull cap *takhya*. After marriage women had to cover their head with a scarf that completely covers the hair and neck and one end covering the mouth, called *yashmak*. But the married woman was expected to cover her mouth (*yashmak*) only in front of her mother-in-law, the older brothers of her husband and other elder men.

However, many of the norms of Islam that are followed by the majority of the country's population are based on women's secondary role. According to these norms, the woman has to subordinate herself to the man without question, obey him and aim to fulfil all his wishes. Furthermore, also here the men are using the religious postulates to their benefit – referring to them when they gain from it, happily forgetting about them when they do not. Hence, many men lift off themselves the obligation to support the family, but maintain the role as head of the household. Women and not men support approximately 80% of the families, even if the canons of Islam say the opposite should be the case.

Muslim religious understanding of the woman's role in the family has also influenced the attitude of many men to consider the woman as his property. If the property does not suit him anymore, is old or not exactly how he would prefer it to be, he can easily get rid of it or exchange it. If the woman does not obey her husband, she can be beaten. For many men precisely their interpretation of religious beliefs are the driving force in opening for and using violence against women, in particular if this woman is his wife. They consider such behaviour correct and see nothing wrong in it.

A final image illustrates the role of women in the Turkmen society. The president, during the inauguration this year, appeared with his family consisting only of males. These photos are available all over the world, and there is not one single woman present – no mother, no wife, no daughter-in-law. It seems these men were not born by women, or these women do not exist at all, they are relieved of their voter rights, or there is merely no place for them next to the men.

V. Violence against women

Violence against women is a significant problem in Turkmenistan. At the same time it is one of the most difficult problems to solve, as it is hushed up both inside the government as well as on the side of the female victims of the violence. The government does not acknowledge the existence of violence against women. According to official numbers there are only single cases of violence against women, and as such there is no reason to pay any attention to this phenomenon. Violence against women is in fact quite widely distributed, but as it is not accepted in the national mentality to talk about such things, there is an understanding that there are only a few such cases. Meanwhile, women subject to violence or harassment have nowhere to turn, and there is no one who can protect them.

Domestic violence against women is quite common. In general, the female victims do not try to protect themselves and their interests. There is also the psychological aspect, as victims of domestic violence are prone to blaming themselves and their "improper behaviour". They think that what they did or said in one way or the other angered their husband, and therefore defend his behaviour and blame themselves. It is evident that a woman in such a situation will never tell anyone about what is going on, and will try to hide incidents of violence convincingly. In addition, the common understanding that it is embarrassing and shameful to "carry the garbage out of the hut" as the Russian proverb goes, plays a central role.

The public opinion, as always established long time ago and based on national mentality, traditions and customs, sees nothing wrong in this practice. There are all kinds of things going on in families, and a woman would not be a woman unless she was enduring and patient. Furthermore, this common understanding is more likely to blame the woman for the violence than to pity her, not to mention help or protect her. A woman victim of domestic violence will more often be left on her own with her problems, and even relatives including sometimes the parents, will not only refrain from helping her, but will also aim to stay away from interfering in the situation at all.

Public opinion and condemnation of divorce is the most significant obstacle for women subject to domestic violence. Also, some women have no choice but to endure the beatings and the harassment from her husband, as they are economically and materially dependent on him. Others do

not have anywhere to go or anywhere to stay if she wants to leave her husband. A third group will endure because of her children, so that they at least will have the possibility to grow up and be raised in a complete family, with their own father. There are also those who no matter what love their offender and are prone to do anything to forgive him. The behaviour of most of the women victims of domestic violence is characterised by two factors: keep silent and endure.

Taking into consideration these aspects, there are many cases of violence, but not many speak of them and they rarely become known. Even the few women who do decide to talk about it, for example to a psychologist, decide not to turn to the law enforcement agencies, and the few who do turn to these agencies often withdraw their claims after a while. Many beg the police officer to return the claim to them, as they have “forgiven their husband”.

A significant obstacle for the victims that are prepared to take the case to the court is the lack of understanding from the side of the police officers. They are more often men, neither ready nor capable of understanding the woman. The police officers are more often moved by some male solidarity or an illusion that if a woman is subject to violence in the family or elsewhere, she is to blame. Such officers do not only lack sympathy, but also fail to fulfil their direct obligations as law enforcement officers to protect women’s rights and bring to responsibility the person guilty of criminalised actions of violence according to the Criminal Code.

In particular it is hard for the women who are married to men with high state positions, who are government bureaucrats or work in the law enforcement agencies. These women find themselves twofold without rights and protection. Men in these positions have a significant network and much power. For a woman it is hard even to imagine that she will be successful if she turns to the police for protection from the husband’s attacks. She does not have any faith in any positive result and very rarely makes any attempt to resort to any legal means of protection. There are also many known cases when wives, who themselves are administrative employees of the law enforcement agencies, have done nothing to protect themselves from their husband’s violence.

There have been many claims from female victims of violence that in particular police officers in the lower ranks acted improperly. They laugh, some of them openly side with the husband and even announce that if he is beating her, then there is a reason, she deserved it, and she should obey her husband next time. Such attitudes demonstrate the lack of preparedness of law enforcement officers to work with these cases. Many consider domestic violence cases trifles not deserving of any attention. There are even those who, on such a claim by a woman, get annoyed that they have to get involved in family rows and waste time on that. They are of the opinion that it is not worth the energy, and many police officers do their utmost to make the victim withdraw her complaint.

The response and treatment the victims face at the police station is one side of the problem. The other is that government structures seem to assume that the low number of reports of domestic violence means that there is no such problem. They do not strive to take any measures to eliminate actions of violence, or to protect the victims of such violence. Meanwhile, preliminary numbers show that 35% of women are subject to domestic violence on a regular basis. These numbers include not only those subject to physical violence, but also those who experience psychological pressure, humiliation and insults and other forms of psychological abuse. This is particularly common in

families where there is a drug-addicted husband, son or brother. As drug addiction is widely common in Turkmenistan, the prevalence of domestic violence is also not rare.

Anything said in public about violence against women is concerning cases that take place outside the family. Even so, there is no separate law prohibiting violence against women. Legislation stipulates mechanisms and procedures aimed at this purpose, but they are not effective for the reasons listed above. There are no state programs that aim at fighting violence against women, no state crisis centre that offers help and protection to victims, and no prepared specialists in the law enforcement agencies that could work with these questions and defend the rights of the victims. None of this contributes to the elimination of all forms of discrimination or violence against women in Turkmenistan.

VI. Nationality

Women of national minorities suffer from twofold discrimination – both as women and as members of a minority group.¹⁴ For women who represent national minorities any higher education in any Turkmen university is out of reach. They are simply not accepted to studies because they are not Turkmen. The background is a secret order that has been strictly enforced for many years. Similarly, any education takes place in Turkmen, and if you return to Turkmenistan with a diploma from abroad, you have to take an oral exam in Turkmen as part of the approval process.

The few women who do enter into higher education institutions are not allowed in if they are not dressed in national Turkmen dresses. A woman does not only have to be dressed in the Turkmen national dress, but her head should also be covered with a scarf, and if it is a girl, she has to wear the national embroidered skullcap *takhya*. Dressed any other way, no unauthorised persons or even students are allowed to appear in the university. The male students are not forced to wear national dress, like the national trousers *balaki*, Turkmen folk-shirt with the appropriate embroidery, robe, the skull-cap on the bald head and finally the sheepskin cap-*telpek*.

For women in general it is difficult to obtain a position in any government organ, institution or agency with power; for women who belong to any of the national minorities almost impossible. Again there is a secret order prohibiting hiring minority women to any positions with any sort of power. As noted above, mainly men work in such positions. If there is a choice between a woman and a man to any position, the latter would always be preferred, in addition to the preference for Turkmen nationals.

There is also a widespread practice of discrimination of people with dual citizenship of Russia and Turkmenistan. The government had announced that people, who obtained their Russian citizenship before the entry into force of Turkmenistan's new Constitution that prohibits dual citizenship, would be able to maintain the right to have both citizenships. However, in practice, these people are not able to get the new biometric Turkmen passport, and they are not able to find a job neither in the state services, nor in any state institution, undertaking or organization. Government politics seems

¹⁴ Minorities in Turkmenistan are Russians, Uzbeks, Kazakhs, and others.

aimed at ousting these people from the country through these unprecedented discriminatory practices. The main objective seems to be to remove any person who has the possibility of freedom of movement to leave the country anytime without the permission of the government.

VII. Employment

Women's standing in the labour force is characterised by two factors. Constituting the larger part of the population in general, they make up for the main part of the working population in most of the labour spheres. In industries such as education, healthcare, service, agriculture, trade, financial services, food service, textile industry, carpet weaving or utilities, women account for more than half of the workers, and in many, two thirds. In the few remaining factories and plants, such as dairies, bakeries, meat processing plants, textile mills and most of the poultry farms, the main part of the staff are women. In agriculture, sowing, weeding and harvesting of cotton, vegetables and greens, the number of female employees is almost 80%. Women in practice constitute all of the low-paid and low-qualified labour, excluding construction work, geological exploration, and gas and oil production.

On the other hand, men constitute most of the managers and decision makers. In the security services, courts, police, prosecution, and local government *khyakimliks*, there are mainly men, accompanied by the occasional female secretary or administrative personnel. The structure of the labour force is such that the majority of the working age population and labour force are women, whereas those who are granted the possibility and access to make decisions in this sphere are men. The men have thus concentrated all the powers in their hands; both political and economic.

The critical economic situation in the country complicates the observation of gender equality, and any benefits aimed at employed women. Previously, the maternity leave was according to the law 100% of the salary the woman earned until the maternity leave started. Today, according to the 2007 Social Security Code, this payment is determined based on the cost of salary funds in public sector enterprises and institutions, providing the employer with the possibility to pay the very minimal sum, if paying at all. In Soviet times, the leave for child care up to 1.5 years was partially paid, from 1.5 to 3 years of age the leave was not paid, but the mother's work place remained. The current legislation does not stipulate any payment for child care until 3 years, but the work place should remain.

Few women make use of this leave. Firstly, they will not have any means to support their family during the leave. Secondly, they understand that it is not very likely that their work place will remain if they return after three years' child care leave. On some occasions in government institutions, it can be possible to make use of the arrangement that your job is kept. But in private enterprises this is even less of a possibility. It is therefore hard for women to make use of this right in enterprises, institutions or organisations under any kind of ownership.

The government welfare payment which is guaranteed for women on child care leave is so small, and the process to obtain it very bureaucratic with a long list of required certificates and other documents, that there is no real help in it for the women. In practical terms, in approximately 95% of the cases, women who have given birth and are on maternity leave, return to work after a month or two depending on their recovery, so that she will not lose her place of employment that is feeding

her family. Under the development of market economy which gives priority to profit, the rights of working mothers is not given weight.

In order for all guarantees and welfare payments for working women to be realised in practice, it is not enough to pass legislation. The positive conditions that can allow for the realisation of the intentions must also be present. In fact, the legal norms that are supposed to protect the rights for working women, may actually work against them. According to the law, women have the right to a paid maternity leave during pregnancy and birth; child care leave; and in most instances the firing of pregnant women and women with children up to three years is prohibited. Also, it is prohibited to include women in overtime work, night-time work or in dangerous working conditions. Knowing this, employers strive to not hire women at all, though none of them will say that the reason for not hiring is that she is a woman. The employers will present other excuses, like there is no place, the vacancy is already filled, her professional experience is not satisfactory etc., despite the direct prohibition on such discriminatory practice.

For pregnant women and women with small children it is almost impossible to find work. Pregnant women are not hired even in government institutions. As soon as an employer discovers that a female employee is pregnant, he will strive to fire her on any grounds. Many women are forced to hide their pregnancy from the employer as long as possible, so that he will not fire her until she has reached the period when she is entitled to a leave. As a result they have to carry out work that is harmful and even prohibited for pregnant women for medical reasons. This is particularly common in the agricultural industry and service industry. Ignoring the medical recommendations, the women work in harmful working conditions, carry out heavy lifting, they work night time and overtime, knowing that this can affect negatively on their own and the foetus' health, lead to unwanted and negative consequences for the pregnancy, hard and complicated labour, and threats to the normal development of the child. Priority is to keeping their work as they need to live and feed their families.

Employers understand that if a woman employee is pregnant, he has to pay her maternity leave. Even if this payment can be made as small as the employer wants, the better option is to avoid paying anything at all. There is a similar situation for women with small children, who more often go on temporary leave as small children more often get ill. This is also not advantageous for the employer, and is also one of the reasons for not hiring women. This is the case even as the temporary leave has not been paid for a long time already with the private enterprises, and in government institutions this payment is very low.

In this regard the new labour code reflects the real situation as the stipulated requirements are of a rather vague content, and include little more than general terminology. Previously, the payment for an employee on temporary leave was determined according to his or her workload. Now, as very few received any payment anyhow, this norm is absent. If an employee does receive anything, it is only in state-owned enterprises. But also there, the amount of payment for sick leave is determined according to the salary savings funds, and does not follow any agreed percentage.¹⁵ Most of employees do not take sick leave. They understand that the employer does not need a sick employee, and if the employee gets sick, he or she will more often be fired immediately. It is

¹⁵ Article 154 of the Labour Code of Turkmenistan of 18.04.2009, in force 01.07.2009.

therefore not advantageous neither for the employees nor the employer to use the possibility of sick leave.

In a situation of mass unemployment, where more than half of the work force is unable to find formal work, the oversupply of work force is obvious. Even to get an underpaid, low-qualified job, one is dependent on cronyism, connections, acquaintances, relatives and money to pay the necessary bribe. There are no unemployment benefits. There are no state programs in the field of employment, requalification of workers, training, or any sort of economic or social support to the unemployed. Under such circumstances an employer of any legal status has more beneficial conditions than those being unemployed. The employer can always fire anyone without any trouble as there is a long line of potential workers waiting outside, ready to work for even less beneficial conditions. Nobody is protected from arbitrary termination, in particular not women.

The new labour code in fact includes norms that benefit employers. For example, the following deadlines are established if an employee turns to the court or commission with labour related conflicts: An employee who disputes the termination of the work agreement should within one month after he is given a copy of the order to terminate the work agreement submit all documents to the court. An employee in other labour related conflicts should submit all documentation within three months from the day when the employee was informed of or should have understood the violations of his rights. For the employers, in conflicts related to the compensation of material loss, there is a one year deadline from the day the employer discovers the damage caused by the employee.¹⁶

As it turns out, the weakest party, the employer, is given a one or three month deadline to complain on the actions of the employer, whereas the stronger party is given a whole year. In practice, the following is more likely to take place: If an employee is fired for any reason, the employer normally would not provide any of the necessary documentation on time; neither the settlement, the labour book, copies of hiring and firing from work, or copies of the work contract. As a result, the employee does not have time within one month or even three to prepare all the necessary documentation. Whereas the court has the possibility to postpone the deadline this rarely happens, and the judges do not accept any complaints after the deadline has passed.

Even if the employee makes it before the deadline and is successful in filing a complaint, his case might not be found to meet all requirements. Approximately 85% of the cases that reach the court are rejected. In general, however, even positive decisions do not benefit the employee in practice. If the employee has managed to cancel the unfounded termination and returns to work, the employer will soon find other reasons and justifications to fire him, and aims at getting rid of him with all possible means. Understanding this, most of the workers never turn to the courts, and the number of such petitions has been very low lately.

Many women and young girls are also hired without any kind of contract, especially if they have arrived from another part of the country and do not have residence permit *propiska* in the current place of employment. Many employers make it appear as they are doing these women a favour and hire them out of pity, since hiring someone without local residence permit is prohibited by law. In

¹⁶ Article 382 of the Labour Code of Turkmenistan of 18.04.2009, in force 01 07.2009.

addition, the girls and young women that are hired in this way are in general all good-looking. Later, when they have worked there for a certain time, it turns out that the girls are paid much less than agreed, or they are required to carry out work that was not agreed upon when they were hired. If the girl does not agree with these changes, she will immediately be fired. In such cases they have no way to claim their rights as they do not have any contract and nothing can be proven on the employer's original intentions. Law enforcement agencies openly protect the private businesses within their jurisdiction and are not a realistic remedy for these women. In many cases these girls are not paid anything for their work.

Establishing a private enterprise could be the way out for independent women, but this sphere is difficult also for men, as business in the country is under strong pressure from basically all government structures. To establish your own business enterprise it is necessary to possess several beneficial factors and conditions, such as kinship with bureaucrats, connections, network and money. Also after the successful establishment of one's own enterprise, in order for any kind of private enterprise to work efficiently, the owner has to keep feeding a whole range of bureaucrats. Every month bribes are given to various levels of various structures, so that they will allow you to keep working and do not close your business for some reason. A range of structures have the right to carry out inspections and close the business. These are the KNB (National Security Committee), the local authorities the *kyakimlik*, the police, the Prosecutor General's Office, tax inspections, sanitary-epidemiological control, fire inspection and in some cases even the building management.

Those who manage to obtain some sort of success are in very high risk of losing their business. The larger income any business makes, the larger are the chances that it will be taken from you. There are many examples where someone was given the opportunity to develop and invest, and then required to write the successful and thriving business over to relatives or acquaintances. In case of rejection, the owner would be put behind bars and subject to the kind of pressure one can encounter there. In order to regain freedom, the owner would give away his business anyhow. That is as far the government protects private property rights.

The lack of respect for private property is also illustrated by the widespread illegal removal of TV-antennas, air conditioners and heating systems from private houses. These objects are removed without the owners' permission, sometimes even without their knowledge. In burning heat, people are forced to move the air conditioning system from the outside of the building where it apparently hampers the façade, to the staircase, where the air gets unbearable from the engines and the result inefficient. Wooden window frames are removed without permission and replaced with plastic frames in a similar way. Even where there are plastic frames already, they are removed and replaced with plastic frames from the one company that has provided the neighbouring plastic frames so that all windows in the apartment building look the same. The risk of losing what you have invested increases with the size of the investment.

For women it is particularly difficult to be engaged in business under such circumstances taking into consideration their double workload in society and in the family. Most of the larger and medium size business is concentrated in the hands of men, and most women engage in small size business. Women's business mainly consists of the baking and sale of bread at the bazaar and preparation and sale of various kinds of domestic products like carpets, slippers, embroidery etc. They also boil corncobs or prepare other foodstuffs and sell it at the bazaar. There is no government support for

the development of various forms of small size business and in practice there is no private entrepreneurship in the country. No programs for support of small and medium size business are developed, adopted or exist and there is no program for micro credit loans for women. Any kind of loan is dependent on the strong traditions of corruption and nepotism that normally work to the benefit of men. Again, despite the existing guarantees, women are subject to discrimination also in the field of private entrepreneurship.

The authorities have failed to create the necessary political and economic preconditions for the actual realization of women's labour rights as guaranteed by them. Government institutions represented by law enforcement agencies do not defend women's labour rights. At the same time there is not a single independent labour union that defends the labour rights of women. There are also no women's organisations that defend the rights of working women. The rules of the wild market prevail, and quick profit by any means trump the laws that protect working women.

In fact, these laws are not only not guaranteed in practical terms, but also work against women as the employers in their urge to not fulfil the requirements rather aspire to not hire women at all. As a result, women are on the one hand not guaranteed the rights in the law, but are on the other hand also discriminated against because the laws do guarantee some rights. Many women do still manage to get jobs, soon understanding that they will not be granted any of the benefits stipulated in the law, but in the existent labour market they agree as they have no other choice.

VIII. Health

The situation regarding treatment and protection of women's health is far from satisfactory. More or less all available medical services in the country are only accessible upon payment. Furthermore, in most of these situations, additional pocket money to all medical workers is necessary in order for them to carry out their assigned medical tasks. In addition to this, patients themselves have to buy necessary medication and medical equipment, including surgical dressing and simple antibacterial equipment. There is no free medical treatment. The few single standing cases of free medical aid are so rare and poor that they do not benefit anyone and do not alter the overall picture.

The level of medicine is very low as there are few, if any, qualified medical experts in the country. The on-going drainage from Turkmenistan of remaining specialists of various fields includes many doctors. The fact that the Russian Federation is in need of doctors also has an impact, as in Russia doctors are provided with work, accommodation and a decent salary. This offer had a significant impact on the number of high-qualified doctors in Turkmenistan, the number of which is almost zero now. Those who have stayed behind are all specialists educated during the Soviet times, they are popular with the patients, but there are few left of them as well.

The new personnel educated in the higher education institutions of Turkmenistan, who spent most of their study time singing, dancing, standing in live corridors welcoming government officials, filling stadiums during holidays and planting trees, can hardly be called personnel. The level of their training and knowledge is so poor that people are reluctant to trust their health to them. Any person in need of medical care therefore strives to make the most of all connections and network in order to localise a trustworthy specialist, and only then turns to him.

Many of Turkmenistan's citizens have taken to travel to Iran for the purpose of medical care. They camouflage their journeys as tourist trips, but upon arrival in Iran they go to the hospital and undergo treatment with Iranian doctors. According to people who have done so, the doctors and medium rank medical personnel are no more caring or responsible than in Turkmenistan, and they also expect the necessary bribe in order to put the intravenous line correctly and remove it at the correct time, or to make a proper injection. But people go through this as Iran after all has proper specialists who know what they are doing. A growing concern, however, is reports that people upon their return to Turkmenistan find that also a kidney was removed during surgery.

A person with more means would travel to Russia for qualified specialists. The part of the population who lives in the border areas with Uzbekistan even travel there for treatment. Many of the medical centres in Turkmenistan are supplied with the newest, most modern medical equipment, but this does not help the situation when the personnel do not know how to operate it or how to interpret the results obtained. In many hospitals even in the capital, the facilities are dismal. The patients do not only have to bring their own medicines and medical material, they also have to bring their own bed sheets. Patients do not have drapes, but sleep directly on the blanket cover. In forty degrees' heat, the air conditioning is not working and everything in the concrete buildings heats up like on a frying pan. Wintertime, on the other hand, it is very cold. Such conditions are hard to endure even for healthy persons, not to mention persons in need of medical care.

Dismal conditions in medicine are bound to influence women's health in particular. Even during the Soviet times, when Turkmenistan got extensive help in the health services for women and children, maternal and infant mortality was among the highest in the Soviet Union, only second to Tajikistan. Many subjective and objective factors influenced on this, including climate, very warm summers, predisposition to spreading of various infections, and lack of high-quality drinking water. The subjective factor is the fact that many women according to customs and seeds decided to treat themselves at home, based on their illiteracy. Many did not trust the medical workers and did not turn to them in time to get help.

Two decades since the collapse of the Soviet Union, the situation has become even direr. In addition to the unavoidable factors described above, there are the fee-for-service medical services, lack of qualified specialists, dismal facilities in medical institutions, and widespread poverty. Finally, the country's medicine market is almost completely consisting of counterfeit medicines. Counterfeits congest all of the country's market, ranging from groceries to hygienic equipment. Information about standards of production or hygiene is not open or available to anyone, whereas in many cases the counterfeit products are the only ones available.

Pregnant women about to give birth in the maternity ward have to buy and arrange for all the medicine and medical equipment assigned by the midwife who will assist in the birth. In addition, they also give money in order to make sure the hospital does not do a caesarean section, as the midwives are not able to deliver any births that have some sort of anomaly. They prefer, after a short consultation, to just carry out a caesarean. This practice prevails despite the fact that women over most of the world even in difficult delivery prefer to give natural birth, and there are modern methods and medicines for this. The practice of curettage of the woman after the childbirth is also widespread, as the placental expulsion does not take place with many until the following day. All this eloquently illustrates the level of obstetrics in the country.

In the rural areas the situation is even direr. Taking into consideration that the level of maternal and child deaths was high even in Soviet times, these indicators today are likely to be even higher when also other factors play a central role and women prefer to return to the practices of their great-grandmothers in childbirth and upbringing. But information on these problems is hushed up, and no official statistics can be trusted in this area either. Statements from the government that the number of complications in pregnancies has been reduced by 11% and complications at births by 10% are redundant when there are no reliable official statistics that illustrate the initial situation or any potential progress. Similarly, the lack of reliable official statistics on the prevalence of for example tuberculosis or HIV/AIDS is an obstacle to the mapping of the situation or any potential health campaigns. The medical organisation Doctors without Borders reacted to the government practice of deliberate manipulation of health statistics it found itself part of, and withdrew from the country in December 2009.¹⁷

Trustworthy statistics on the number of HIV and AIDS from sexual transmission is absent, and the current picture is far from the problem-free situation the government is presenting. The prevalence of HIV and AIDS is linked to the increasing occurrence of prostitution, and there are no tendencies that this phenomenon will decrease. There are known cases when a mother would offer her own daughter as a prostitute. Within the prostitution business there are also the same society layers as elsewhere in the society. Some prostitutes offer themselves to foreigners, and their prices are higher than those who would be willing to sell themselves for a loaf of bread. The number of HIV and AIDS is increasing also along with the increase of drug abuse in the female population, a tendency that is already well-established in the male population. Now this infection has started to spread also among women, including teenagers and smaller girls. This is hard to avoid as the drug market is overfilled from whole caravans of drugs that pass the borders unhindered despite the occasional shooting by border guards. There is no effective barrier to stop the drug transport.

The abundance of drugs is also illustrated by the raise in the number of young smokers in particular who have switched to marijuana after the prohibition on the sale of nicotine cigarettes came into force in spring last year. Marijuana cigarettes are much cheaper than normal cigarettes, costing 20 *manat* (7USD) a pack. Instead of carrying out a reasoned policy aimed at eliminating this evil, the actions of the government rather lead to an increase in the number of drugs and drug addicts in the country. Sending the drug addicts to detoxication and prophylactic centres is not effective as there is no effective treatment there, relatives rather report of humiliation and degrading facilities. Drug addicts therefore, depending on their family's resources, do their own treatment, but rarely with any positive result. They are left on their own with their problems.

State programs aimed at the protection of women in such situations do not exist. No measures are undertaken in order to address the economic causes for drug addiction amongst women. There are no programs aimed at the development and implementation of measures that would reduce prostitution or at least its causes. There are no state programs on the rehabilitation or reintegration

¹⁷ Doctors without Borders Special report, «Turkmenistan's Opaque Health System», 12 April 2010. <http://www.doctorswithoutborders.org/publications/reports/2010/MSF-Turkmenistan-Opaque-Health-System.pdf>

of prostitutes or drug addicted women. No assistance is offered to those who are suffering from HIV-infection or AIDS, as the official point of view is that only a couple of such cases exist. The doctors are even prohibited from reaching such a diagnosis, especially as there are other diseases with similar symptoms, less stigmatising for the government.

Statistics on tuberculosis are hushed up and not published. The number of people suffering from tuberculosis was high even in the Soviet Union, when there was a targeted fight and preventive measures against the illness. Tuberculosis was widespread in the country due to the fact that people according to customs preferred to undergo treatment with natural medication or so-called “wise men”, and not go to the state doctors. Taking into consideration the positive natural conditions, like hot climate, abundance of vegetables and fruit and many sunny days a year, the level of people infected with tuberculosis in particular in the Turkmen population was high. Since the collapse of the Soviet Union, nobody has been involved in any process to lower the number of infected, there were and are no state programs, and the government prefers to hide the statistics instead.

Prevalence of tuberculosis, being a social illness, illustrates low living standards in a country. And this standard has definitely decreased in the 20 years since independence. Unemployment has led to an increase of poor people, whose diet consists of tea and *churek*, the national bread. Mothers report that their 18-year old sons are not accepted to the compulsory military service in view of physiological underdevelopment, their physical development is more equal to that of a 10-year old. They grew up without proper food, calories, vitamins, and basic nutrition that is necessary for normal human growth and development. Under such living conditions, the number of people infected with tuberculosis has also increased, but again, these numbers are kept secret. If any official statistics is published in international reports, they do not reflect the truth. Instead of carrying out preventive measures and fight with the occurrence of this infectious disease, the authorities hide and polish the real situation. Doctors without Borders, which was the only institution working to fight the multi-resistant tuberculosis in the country, was forced to leave Turkmenistan in 2009, due to the restrictive working conditions that did not allow the organisation carry out its work in an effective way.

In Turkmenistan there is only one hospital for people with psychiatric illnesses, located in Dashoguz. Relatives report that the conditions there are unbearable, facilities poor and the attitude from the staff inhuman. No treatment is provided. There are reports that women who do not have any relatives or other visitors die suspiciously fast. One example is a woman who was married away, but after two years ran back to her mother with severe personality issues, hearing voices and hiding in the wardrobe. A doctor diagnosed her with schizophrenia and recommended hospitalisation. The mother had no choice but to send her to the hospital and visited her daughter there regularly over a period of almost 12 years. When the mother passed away, the daughter died two months later. This is not a single standing incident, though there is no open information about these cases. It seems that with the lack of resources, equipment and medicines, the hospital administration sees no reason to spend time and resources on those patients that, put bluntly, nobody cares about.

The level of medicine in the country is also illustrated by the ignorance of fundamental sanitary-hygienic norms. For example, over six months last year, entire residence areas of the capital Ashgabad were affected by bedbugs. As can be expected, the source of their occurrence is not known. Some say that this outbreak came from imported Iranian furniture, others from Chinese goods. No matter the origin, taking into consideration the strict control on Turkmenistan’s borders, it

is curious how the sanitary-epidemiological services could allow non-controlled goods that do not correspond with sanitary requirements and standards appear in the country. It seems corruption played the main role, leaving the general population as the victim.

Sanitation of flats takes place only upon request by the owner, and also upon their own payment. Those who are not capable of paying will keep living with the bedbugs and the bugs will again spread over the whole building. The inefficiency of such sanitation procedures is no novelty to the population of Turkmenistan who do not expect any assistance from the side of the authorities.

IX. Marriage and family life

Many Turkmen girls and women want and search for the possibility to marry a foreigner, even a non-Moslem, as long as he has a secure material situation and they could create a family together. However, the government is interfering also in this matter, by creating obstructions of legal character. In order to register a marriage with a female citizen of Turkmenistan, a foreigner has to prove that he has lived on the territory of Turkmenistan more than a year and that he owns private property, which they are allowed to by law. However, the foreigner is not able to purchase the property, as there is a secret order that prohibits notarial offices from issuing dealings of purchase and sale of housing in the case where one of the parties is a foreigner. People have to get married abroad, but the government of Turkmenistan does not approve of such marriages. In order to do the compulsory legalization of the marriage in Turkmenistan one has to fulfil the criteria above that in reality are impossible to fulfil. The result is a Catch 22 of human rights violations and legal violations.

The situation for marriages between Turkmen citizens and foreigners in the provinces bordering Uzbekistan, the *velayats* of Lebap and Turkmenabad, has taken a new form. There have been reports from women and men, husbands and wives, who have been deported from Turkmenistan to Uzbekistan. The reasoning seems to be that since their marriage is not legalized and approved by Turkmenistan, they are found by authorities to reside in Turkmenistan illegally. In practical terms families are torn apart based on governmental interference in the private lives of its citizens. At present the situation has reached the stage where it is hard for a girl or woman to find a companion at all, as drug addiction, alcoholism, unemployment and poverty is widespread.

Many men get married mainly because it is beneficial for economic reasons, so if the girl or woman is poor, it is even harder for her to find a companion. In such a situation a certain competition for men has developed among the women of Turkmenistan. It is also quite common that a man who has a good material standing, lives with several women. One of them is the registered wife, and the other lives with him as a kept woman or a lover. The arrangement is no secret, and the women involved are fully aware and agree with it. Many openly engage in such relations. Hence, a phenomenon of hidden polygamy has spread widely, despite being prohibited by law. This implies that if the man is rich, he is capable of supporting not only one wife (family), and he takes advantage of this. He would then engage in a registered, formal marriage with one of the women, and arrange a religious marriage, *nika*, with the other.

Such arrangements are not frowned upon or judged by public opinion. According to independent experts in the country, there are no known cases that anyone has been sentenced for polygamy over

the last years. There is a criminal responsibility for it in the law, but in practice this law is not applied. This is understandable taking into consideration the widespread poverty and competition amongst women for the “real men”. One can only fight with polygamy by improving the economic situation, increase the living standards for the population, present women with a real possibility to realize their rights, and achieve real gender equality. Then the objective conditions for polygamy will cease to exist and broaden. This practice also illustrates that the situation for women in the family and society has a second-rate, subordinate position to men.

Many women strive to keep their status as married women at any cost. It is common that women who are economically dependent on their husbands do not leave them. However, in Turkmenistan, even the women who are the main breadwinners in the family will not separate from their husbands. They prefer to stay and feed their husbands, seeing as for the most of the society, a woman without a husband is bad, and often leads to the perception that she is a party girl, an accessible girl, and this influences negatively not only on her situation, but also on her children. In society the perception of a *divorcee* implies that she is also most likely a prostitute, so women both dependent and independent of their husbands, prefer to have some sort of husband, no matter his qualities.

The perception of a divorcee as a prostitute persists in society amongst women as well as men. It is not a coincidence that most of the women who travel abroad for work are divorced women, widows or women with a disabled husband. These women have no other option than to make a living in any way possible, even criminal. If these women have children, they stay under the supervision of her mother or any other female relative. However, even if the children are under some sort of supervision, in practical terms these children are left on their own as the behaviour of their mother is not accepted. They do not get any stable family upbringing, not to mention any maternal care and affection. The children are supervised, nothing more.

In the case of divorce, many women are not able to physically leave their ex-husband, in that they keep living in the same flat they shared before the divorce. Also after the divorce, the husband has the right to keep living in the flat with his wife, even if it is established that she for example was subject to constant violent abuse from the husband. Further, even if the flat should be divided between the spouses after divorce as according to the law, this does not solve the question of protection of the woman. If the flat is divided in two there are still areas that both sides have the equal right to use – the corridor, the bathroom and the kitchen. As a result the divorce does not only not solve the problem, it even exacerbates it as former spouses who have to continue living together will face serious challenges.

A divorced couple is often forced to live together due to the peculiarities of the Turkmen property market. Instead of selling a flat, one would find someone who is willing to exchange your flat with theirs. However, in this case the divorced couple would have to find two people in two separate flats willing to move together with only one flat in exchange. This is not a very likely outcome. In fact, even in the rare case of divorce, the law cannot protect the woman from a violent husband, even an ex-husband.

X. Political participation

According to official numbers, Turkmenistan's president was elected with 97% of the vote in February 2012. The country had one party until recently, when the additional Agrarian party was created by the President. Core opposition politicians are in exile or in prison, and what is left of civil society is under strict control by the government and security services. The practice of collective punishment silences any criticism. Under such circumstances genuine participation in politics is a distant goal for any citizen in Turkmenistan, not to mention for women. Even participation in organisational life is difficult.

Turkmenistan has an abundance of secret orders that are strictly followed and obeyed, unlike the official laws. For example, women are not allowed to freely organise in women's organisations, as not one women's organisation has been registered. It is not acceptable to work without registration as it is considered illegal and harsh measures are undertaken if such activities are discovered. All public women's organisations and groups for some reason have to be registered under the auspices of the Women's Union of Turkmenistan named after Kurbansoltan *eje*, as departments in the framework of this organisation. The existence of structures separate from these women's groups is forbidden, again according to secret orders. Thus, there are no independent officially registered women's organisations in the country that could work for the advancement of women's rights.

The Women's Union exists merely pro forma, calling itself a civil society organisation, but in fact being a specifically created state structure. All appointments to this organization are made only after informing and receiving approval from the authorities. The mandate and all its activities are approved in a similar way. This so-called civil society organization is financed by the government; its expenses are included in the state budget, as reflected also in the state media. The authorities are reluctant to allow any independent women's organisations working in the country, as it would be harder to control them. In addition, independent organisations would facilitate a growing self-realisation amongst women, and activation of the female population in defence of their rights and interests.

In theory, the Women's Union was established to represent and defend women's interests. However, from the very beginning, this aim has been merely a veil that in no way facilitates the implementation of the Women's Convention. Even in the period when the Women's Union actually received women to hear their problems and concerns, no actual assistance was provided after such consultations. The organisation has always existed and still exists merely as a façade to show the world that the women of the country have their own organisation, whereas it in fact neither represents nor defends their rights.

Turkmenistan has not got one single organisation, no single government or civil society organ that represents or defends the rights of women of various society levels, national minorities etc. Women remain discriminated in society, and any prospect to obtain equal rights between men and women remains distant. In Turkmenistan women and men have equality in only one field – they are equal to injustice and vulnerable to arbitrariness, from which no one in Turkmenistan is safe.