

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/TKM/CO/2)

TURKMENISTAN

(...)

C. Principal subjects of concern and recommendations

(...)

Incommunicado detention and enforced disappearances

(...)

10. The Committee reiterates its recommendations (see CAT/C/TKM/CO/1, para. 15) that the State party should:

(a) **Put an end to incommunicado detention and ensure that all persons held incommunicado are released or are allowed to receive visits from their family members and lawyers;**

(b) **As a matter of priority, inform the Committee of the fate and whereabouts of all persons convicted and imprisoned for allegedly attempting to assassinate the former President;**

(c) **Take the measures necessary to ensure prompt, impartial and thorough investigations into all outstanding cases of alleged disappearance and prosecute those responsible, notify the relatives of the victims of the outcomes of such investigations and prosecutions, and provide remedy, as appropriate.**

(...)

Arbitrary arrest, imprisonment and alleged torture and ill-treatment of human rights defenders and journalists

(...)

12. The Committee welcomes the verbal assurances provided by the representative of the State party at the fifty-ninth session of the Committee that persons who have provided information to and cooperated with the Committee will not be intimidated, threatened or face any reprisals by the Government of Turkmenistan, in the light of article 13 of the Convention. The State party should:

(a) **Ensure that human rights defenders and journalists are able to conduct their work and activities freely in the State party;**

(b) **Release from detention human rights defenders and journalists who have been imprisoned and are in detention as retaliation for their work;**

(c) **Investigate promptly, thoroughly and impartially all allegations of harassment, arbitrary arrest, torture and ill-treatment of human rights defenders and journalists, including those cited above involving Mr. Annamuradov, Mr. Annaniyazov, Mr. Nepeskuliev and Mr. Achilova, ensure their access to legal counsel, prosecute and punish appropriately those found guilty and provide redress to the victims.**

(...)

National human rights institution

(...)

16. The Committee reiterates the recommendation contained in its previous concluding observations that the State party should proceed with the establishment of a genuinely independent national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) (see CAT/C/TKM/CO/1, para. 12). The Commissioner on Human Rights (Ombudsman) should have the competence to hear and consider complaints and petitions concerning individual situations, to monitor detention facilities and to make the results of its investigations public. The State party should ensure the implementation of the institution's recommendations with respect to awards of redress to victims and the prosecution of perpetrators, as well as the provision of adequate resources for its operation. The Committee further recommends that the State party make public the draft act on the Commissioner for Human Rights in order to facilitate the consideration of comments and input.

(...)

Follow-up procedure

41. The Committee requests the State party to provide, by 7 December 2017, information on follow-up to the Committee's recommendations on incommunicado detention, on informing the Committee about the fate and whereabouts of all persons held incommunicado or who have been disappeared, on the intimidation, reprisals, threats and arbitrary arrests and imprisonment of human rights defenders, journalists and their relatives in retaliation for their work, and on the establishment of a genuinely independent national human rights institution in accordance with the Paris Principles (see paras. 10, 12 and 16 above). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.

(...)