



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS
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17 May 2018

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, in the course of its 95th session, considered the follow-up report submitted by the Government of Turkmenistan, pursuant to Article 9 (1) of the Convention, and Rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 9, 11 and 13 of the Concluding Observations (CERD/C/TKM/CO/8-11), adopted following the consideration of the State party's combined 8th to 11th periodic reports, at its 91st session held in November/December 2016.

The Committee appreciates the opportunity provided to continue its dialogue with the State party, and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues be included in its 12th and 13th periodic reports to be submitted in a single document by 29 October 2019.

Paragraph 9 of the Concluding Observations. The Committee, while thanking the State party for the information provided on article 177 of the Criminal Code, regrets that this provision, by requiring an element of intent, is not in line with the State party's obligations under article 4 of the Convention. The Committee also regrets the lack of information on the impact of hate speech measures on ethnic and ethno-religious groups. The Committee encourages the State party to align domestic legislation with the Convention, and requests that the State party provide information on the above concerns in its next periodic report.

His Excellency Mr. Atageldi Haljanov
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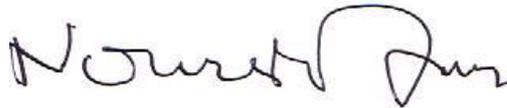
Paragraph 11 of the Concluding Observations: The Committee thanks the State party for the information it provided concerning the Ombudsman. However, the Committee regrets the lack of information on the funding provided to the Ombudsman, and on procedures for her or his dismissal. The Committee requests that the State party provide this information in its next periodic report, on the Ombudsman's ability to receive, examine and act upon complaints concerning individual situations; and on the number and nature of monitoring visits carried out by the Ombudsman. The Committee also requests the State party to clarify whether the President has the power to modify the Ombudsman's monthly reports.

Paragraph 13 of the Concluding Observations: The Committee thanks the State party for the information it provided concerning its laws relating to freedom of religion and political belief. The Committee requests that the State party provide in its next periodic report statistics, disaggregated by religion, on registration applications filed by religious organisations, the number denied, and the grounds for denial. The Committee also requests information on any concrete measures the State party has taken to promote interfaith understanding or dialogue between different ethnic groups.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Turkmenistan, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



Nouredine Amir
Chair

Committee on the Elimination of Racial Discrimination