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Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, at its 73rd session held from 28 July to 15 August 2008, considered the follow-up report submitted by the Government of Turkmenistan (CERD/C/TKM/CO/5/Add.1) pursuant to rule 65 (1) of its rules of procedure.

The Committee welcomes the submission of information, as requested, on the implementation of the recommendations contained in paragraphs 11, 13, 14, 15 and 20 of the concluding observations (CERD/C/TKM/CO/5) adopted by the Committee following the consideration at its sixty-seventh session of the initial to fifth periodic reports of Turkmenistan, submitted in one document.

The Committee appreciates the opportunity thus provided to continue its dialogue with the State party. In this spirit, the Committee would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on action taken on these issues be included in Turkmenistan's sixth and seventh periodic reports, to be submitted in a single document, which has been due since 29 October 2007:

- **Paragraph 11 of the concluding observations:** The Committee welcomes the information regarding the establishment of a State Commission in the Office of the President to review complaints by citizens regarding activities of law enforcement agencies, and equally the establishment of the Interdepartmental Commission on Compliance with International Human Rights Obligations.

H.E. Ms. Aksoltan T. Ataeva,
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In this respect, the State party is requested to provide information on the number and nature of complaints that have so far been brought to the attention of these mechanisms and also on how these complaints have been dealt with. In light of the fact that the State Commission has been created to deal with complaints regarding law enforcement agencies only, the State party is invited to report on measures taken to address inappropriate conduct and statements by public authorities and public institutions generally, and in particular statements promoting or inciting racial discrimination.

- **Paragraph 13 of the concluding observations:** The Committee takes note of the reply that domestic legislation does not provide for 'third generation tests'; that such tests are currently not performed for recruitment purposes and that there are no restrictions on public sector recruitment or on access to higher education on the basis of ethnicity. The Committee would like to invite Turkmenistan to follow-up on the proposal of the Interdepartmental Commission on Compliance with International Human Rights Obligations to collect statistics on the participation of members of ethnic or national minorities in the labour force, in particular in public sector employment, and would wish to be provided with such statistics as soon as they have been established.
- **Paragraph 14 of the concluding observations:** The Committee welcomes the information that Turkmenistan has abolished earlier restrictions on the freedom of movement by way of Presidential Order of 13 July 2007, which abolished the internal visa regime for all citizens of Turkmenistan, including in the border areas. The Committee encourages Turkmenistan to make the necessary amendments to its migration law as soon as possible and would wish to be informed of the outcome of such revision. The Committee expresses regret at the fact that the reply did not address the issue of forcibly displaced populations and reiterates its request to be provided with information about the number and ethnic origin of individuals who have been resettled under the terms of the Presidential Decree of 18 November 2002 and relevant provisions of the Criminal Code, the dates and reasons for their resettlement, and their place of residence prior to and following resettlement.
- **Paragraph 15 of the concluding observations:** The Committee expresses appreciation for the information provided with respect to minority language schools and takes note with interest of the agreements concluded with the Russian Federation and Kazakhstan on the opening of schools for the diasporas concerned. The State party is encouraged to pursue similar initiatives with a view to reopening Uzbek, Armenian and other minority language schools. The Committee furthermore takes note of the reply that Turkmen legislation does not stipulate the wearing of Turkmen national dress by schoolchildren, and that every school has the right to choose its school uniform. The Committee would appreciate being provided with information on the number of schools that have made the wearing of Turkmen national dress a requirement for schoolchildren. The Committee also takes note with interest of the agreement between Turkmenistan and Kazakhstan to increase the range of television broadcasts and newspaper distribution with the aim of preserving a common cultural, educational and information space, and requests the State party to provide information on measures taken by Turkmenistan to facilitate the creation and use by national and ethnic minorities of their own media in their own language.
- **Paragraph 20 of the concluding observations:** The Committee takes note with interest of the reforms in the education sector, in particular that school curricula are devised with due regard to established ethnic traditions, customs and culture and that classes in foreign languages have been introduced countrywide. The Committee furthermore notes with

appreciation the information that, under agreements with a number of foreign countries, graduates from secondary schools can independently enter higher educational establishments in those countries, and requests the State party to provide further information on the extent to which these agreements have benefited students in practice.

Allow me, Excellency, to reiterate the wish of the Committee to pursue its constructive dialogue with your Government, and to underline that the Committee's observations and request for further information are made with a view to assisting your Government in the effective implementation of the Convention.

Yours sincerely,



Fatimata-Binta Victoire Dah
Chairperson of the Committee for the
Elimination of Racial Discrimination