

Civil Society Inside and Outside Turkmenistan:

Searching for Meaningful Engagement in the Interest of the Turkmen Public

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Abbreviations

ADB - Asian Development Bank

CA - Central Asia

CSOs - Civil Society Organisations

CEDAW - Convention on the Elimination of All Forms of Discrimination Against Women

CESCR - Committee on Economic, Social and Cultural Rights

EU - European Union

ICCPR - International Covenant on Civil and Political Rights

GONGOs - Government-backed NGOs

NGOs - Non-governmental organisations

NHRAPs - National Human Rights Action Plan

NSRCT - National Society of Red Crescent of Turkmenistan

OSCE - Organization for Security and Co-operation in Europe

ODIHR - Office for Democratic Institutions and Human Rights

PAs - Public Associations

PCA - Partnership and Cooperation Agreement

SGDs - Sustainable Development Goals

UN - United Nations

UNECE - UN Economic Commission for Europe

UNHCR - United Nations Human Rights Council

UPR - Universal Periodic Review

USAID - United States Agency for International Development

Executive Summary

Dominated by government-supported NGOs (GONGOs), Turkmenistan's legal and political environment is antagonistic to the independent civic actors, who experience constant state-directed harassment, intimidation, and even persecution.¹ In the meantime, the infrastructure supporting civil society is significantly underdeveloped.

Such an environment forced a range of independent civic actors to leave the country, with some naturally emerging outside Turkmenistan, and playing a crucial role in informing the Turkmen public and the international community on the situation in Turkmenistan. However, these actors, too, face complex challenges, shaped by the state-directed intimidation and absence of international support and funding.

Furthermore, CSOs, both domestic and outside the country, face interconnected challenges, such as lack of government reforms that prevent CSOs becoming independent and self-sustaining, poor supporting infrastructure, weak institutional and operational capacity, financial viability, limited opportunities to improve these capacities, as well as absence of a unified civil society community and action. Poor coverage of civil society activities in national media, apart from a few selected GONGOs, and ongoing internet blockade, contribute to their low public visibility.

As a result, the public in Turkmenistan is left without effective mechanisms and channels to make their concerns and interests heard by the government. Recognising a multitude of factors and developments in the country, this report provides a detailed overview of the challenges and obstructions civil society faces in Turkmenistan and provides recommendations to the government, international institutions, donors, and the civic actors to improve the civic space.

The following are key recommendations proposed to foster healthy and sustainable civic space in Turkmenistan:

- *for government of Turkmenistan to:*

- align the legal framework for NGOs with international human rights standards, cease harassment of activists and journalists, ensure unrestricted access to information, facilitate trilateral dialogue among the government, CSOs, and civic groups, and enhance the capacity of the Office of the Ombudsperson;

- *for the international organisations and donors to:*

- revise the engagement strategy with independent civil society, establish concrete benchmarks for registration, operation of civil society groups, promote dialog between the civil society and the government, consistently advocate for the removal of legal restrictions, increase support and funding for Turkmen civil society, and promote coalition-building and civic education initiatives;

- *for Turkmen civil society to:*

- foster solidarity and trust within civil society, prioritise sustainability, provide unbiased information, and support civic education to engage and inform the Turkmen public.

¹Civicus, "Turkmenistan: New Internet Restrictions, New Cases of Persecution of Outspoken Activists," *Monitor Tracking Civic Space*, May 3, 2021, <https://monitor.civicus.org/explore/turkmenistan-new-internet-restrictions-new-cases-persecution-outspoken-activists/>.

Defining Civil Society

This public brief uses a commonly accepted definition of civil society as “the arena outside the family, the state, and the market, which is created by individual and collective actions, organisations, and institutions to advance shared interests.”²

In addition, this brief identifies the following markers of civil society:

- works in the interest of the public to advance common interests and shared civic values;
- operates independently from the government and for-profit domains;
- may consist of organisations, groups, or other organic formal and informal structures.

The focus on advancing citizen action in the public interest instead of the specific organisational form in which such actions are undertaken, allows delinking from a narrow understanding of civil society as a specific type of institutionalised entity, i.e., Western-style NGO. As such, it best captures the multitude of actors that comprise the Turkmen civil society space, that differ in goals, capabilities, contextual experiences, values, and structures.

Further, this report defines GONGOs as organisations “created by governments to carry out a certain social or political agenda.”³ Though GONGOs operate as independent entities in legal terms, in practice, the government significantly influences their establishment, funding, staffing, and operation. Consequently, they lack autonomy and work along government lines, and do not criticise ineffective policies and practices or avoid politics altogether.⁴

² Suggested by CIVICUS, this definition is commonly accepted by global civil society actors, international institutions, and other stakeholders. CIVICUS is a global alliance of civil society organisations and activists dedicated to strengthening citizen action and civil society throughout the world. Charles Kojo VanDyck, "Concept and Definition of Civil Society Sustainability," *CSIS, Center for Strategic and International Studies*, June 30, 2017, <https://www.csis.org/analysis/concept-and-definition-civil-society-sustainability>.

³ Vincent Cheng, "What Exactly is a GONGO?," *CAPS, Centre for Asian Philanthropy and Society*, accessed March 12, 2024, <https://caps.org/blog/gongo>.

⁴ Natalie Steinberg, "Background Paper on Congo's and Quangos and Wild NGOs," *GPF, Global Policy Forum*, December 2001, <https://www.globalpolicy.org/component/content/article/177-un/31600-background-paper-on-congos-and-quangos-and-wild-ngos.html>.

Legal and Political Context of the Civil Society Development in Turkmenistan

The emergence of Turkmen civil society

Grassroot CSOs and initiatives started to emerge in Turkmenistan in the late 1980s as a result of the perestroika policy. They focused on voicing political, social, and cultural grievances pertinent to the local population, which were neglected by central Soviet authorities. The Agzybirlik⁵ movement, for instance, advocated for reviving the Turkmen culture, elevating the public role of the Turkmen language, and seeking greater political autonomy for Turkmenistan.⁶

On November 12, 1991, Turkmenistan adopted the Law on Public Associations (PA), formally establishing CSOs. The Law defined PAs as any voluntary self-regulatory groups and allowed for the activities of unregistered PAs.⁷ Hundreds of organisations were founded, including Women's and Youth Unions, sports, cultural and professional associations, and voluntary societies.⁸ At the same time, several independent initiatives that focused on vulnerable groups, legal aid, and the environment could also operate and receive donor support without registration. As an example, under the Central Asian Republics' NGOs Support Activity, a program funded by the US Agency for International Development (USAID), over 1200 groups in Central Asia (CA), including Turkmenistan, received training and occasional grants.⁹ Arguably, the government was more tolerant of civil society because having a vibrant CSO sector was an important condition for receiving international assistance.¹⁰

The space for independent civic action, however, quickly narrowed. By 1993, Saparmyrat Niyazov, then country's president, had accumulated overwhelming political powers and established a larger-than-life public presence that tolerated no dissent,¹¹ transitioning Turkmenistan to personalist authoritarian governance.¹² He founded the national movement Galkynysh,¹³ assembling nearly all GONGOs under his direct rule, to expand direct government control over the CSO sector.¹⁴

⁵ Unity from Turkmen.

⁶ Kristina Zakurdaeva, "Страна Потомственных Диссидентов. Национальные Движения в Республиках Накануне Распада СССР. Часть Седьмая: Туркменистан [Country of Hereditary Dissidents. National Movements in the Republics on the Eve of the Collapse of the USSR. Part Seven: Turkmenistan]," *Настоящее Время*, February 17, 2022, <https://www.currenttime.tv/a/ussr-turkmenistan/31707540.html>.

⁷ ICNL (International Center for Non-profit Law), "Civic Freedom Monitor: Turkmenistan," July 12, 2018, <https://www.icnl.org/resources/civic-freedom-monitor/turkmenistan>.

⁸ Roza Kukahmedova, "Overview of NGOs and Civil Society: Turkmenistan," in Charles Buxton (ed.), *ADB, Asian Development Bank*, 2008, <https://www.adb.org/sites/default/files/publication/28973/csb-tkm.pdf>.

⁹ ADB (Asian Development Bank), "Civil Society Brief: Turkmenistan," November 2023, <http://dx.doi.org/10.22617/BRF230564>, p.3.

¹⁰ Kemel Toktomushev, "Civil society, social capital and development in Central Asia," *Central Asian Survey*, Taylor & Francis Journals, vol. 42, no. 4 (October 2023): 710-725 DOI: 10.1080/02634937.2023.2244528.

¹¹ Daniel Kimmage, "Turkmenistan: Looking Back On Niyazov's Legacy," *Radio Free Europe/Radio Liberty*, December 21, 2006, <https://www.rferl.org/a/1073601.html>.

¹² Slavomír Horák, "Turkmenistan at the Last Stage of Perestroika. Determinants of an Authoritarian Path," *Cahiers d'Asie centrale* 26 (2016), published online on November 1, 2017, <http://journals.openedition.org/asiacentrale/3227>.

¹³ Revival from Turkmen.

¹⁴ The Galkynysh Movement contained, for example, the Democratic Party of Turkmenistan, Women's Union, Organization of War Veterans, Magtymguly Youth Union, National Centre of Trade Unions, and other affiliated organisations.

Further crackdown of civil society

The social and political environment in Turkmenistan deteriorated further following the November 2002 assassination attempt on Niyazov, regarded as orchestrated by independent observers. The government initiated “a series of repressive measures that have led to further government control, repression against perceived threats and isolation of Turkmenistan.”¹⁵

The criticism of the government in any form was criminalised, while NGOs became viewed as “dangerous political power creating a negative image of the country.”¹⁶ This antagonism was fuelled further by civil society’s vocal role in ousting authoritarian governments in Georgia (2003), Ukraine (2004), and Kyrgyzstan (2005).¹⁷

In 2003, the Turkmen government adopted a new NGO law,¹⁸ which had an extremely negative impact on CSOs for the years to come. It imposed a range of restrictions: mandatory registration of all groups as NGOs, re-registration of previously registered NGOs, and all foreign or international funding. State authorities also could terminate NGO activities without judicial scrutiny and impose territorial restrictions on NGO activities. For example, only national PAs, having at least 500 founding members, were allowed to work on the national level. The activities of unregistered PAs became a punishable offence.¹⁹

State authorities applied new registration requirements with a selective degree of strictness. GONGOs and “neutral” service-providing NGOs²⁰ easily registered anew,²¹ while CSOs with activities dissenting from government guidelines often failed to re-register.²² The 2003 Law also made it difficult for CSOs to access foreign and international funding, hindering their financial sustainability. Many donors discontinued their support to avoid jeopardising their grantees for unintentionally violating the law.²³ As most NGOs heavily relied on such funding due to weak local philanthropy culture, they had to scale down on their activities, discontinue them altogether, or transform themselves into commercial entities; for example, the Hemayat Legal Services Center, the Women’s Issue Center, Eco Center, and My Right, pursued obtaining patents or registering as commercial entities.²⁴

The arbitrary application of the law has had a negative impact on the number of organisations. Prior to the adoption of the 2003 law there were around 270 NGOs and unregistered initiative groups in Turkmenistan.²⁵ In 2004, there were only 91; by 2010 the number of registered NGOs stood at 99, 3/4 of which were GONGOs, and sports and professional associations.²⁶ In early 2004, the authorities stripped two of the

¹⁵ For more information on the socio-political context in the early 2000s in Turkmenistan, please see the following: Erika Dailey, "Assassination Attempt One Year Ago Altered International Perception of Turkmenistan," *Eurasianet*, November 25, 2003, <https://eurasianet.org/assassination-attempt-one-year-ago-altered-international-perception-of-turkmenistan>.

"Turkmenistan: New Report Condemns ‘appalling’ Abuses amid President’s Personality Cult," *Amnesty International UK*, September 12, 2003, <https://www.amnesty.org.uk/press-releases/turkmenistan-new-report-condemns-appalling-abuses-amid-presidents-personality-cult>.

Bruce Pannier, "Turkmenistan: Attempted Assassination of President Leads to Long List of Suspects," *Radio Free Europe/Radio Liberty*, November 26, 2002, <https://www.rferl.org/a/1101489.html> and "Democratisation and Human Rights in Turkmenistan," *Human Rights Watch*, March 20, 2000, <https://www.hrw.org/news/2000/03/20/democratization-and-human-rights-turkmenistan>.

¹⁶ Todd Anderson and Jennifer Stuart, eds., "The 2003 NGO Sustainability Index for Central and Eastern Europe and Eurasia," *USAID*, June 2004, https://pdf.usaid.gov/pdf_docs/Pnacy893.pdf, p.199.

¹⁷ Polese, Abel and Donnacha ó Beacháin. "The Color Revolution Virus and Authoritarian Antidotes: Political Protest and Regime Counterattacks in Post-Communist Spaces." *Demokratizatsiya* 19 (2011): p.111.

¹⁸ The government also adopted the Resolution on Registration of Public Associations and the Resolution on State Registration of Projects and Programs of Foreign Technical, Financial, Humanitarian Assistance, and Grants.

¹⁹ Anderson and Stuart, "2003 NGO Sustainability Index."

²⁰ For example, Association of Accountants, Keyik Okara, working with refugees and stateless persons, or Agama, working on alpinism and tourism.

²¹ Kukahmedova, "Overview of NGOs," p.3.

²² Erika Dailey, "New Law on NGO Activity in Turkmenistan Greeted with Caution," *Eurasianet*, November 30, 2004, <https://eurasianet.org/new-law-on-ngo-activity-in-turkmenistan-greeted-with-caution>.

²³ Kukahmedova, "Overview of NGOs," p.4.

²⁴ Claire Ehmann et al., eds., "The 2004 NGO Sustainability Index for Central and Eastern Europe and Eurasia," *CSOGeorgia*, May 2005, <https://csogeorgia.org/storage/app/uploads/public/5ce/fa4/501/5cefa45016533410591370.pdf>, p.253.

²⁵ Anderson and Stuart, "2003 NGO Sustainability Index," p.194.

²⁶ Annette Bohr, "Nations in Transit 2012: Turkmenistan," *Freedom House*, accessed March 12, 2024, https://www.freedomhouse.org/sites/default/files/Turkmenistan_final.pdf.

country's long-standing environmental NGOs of their registration – the Dashoguz Ecological Club and the Ecological Club Catena.²⁷

The crackdown on the CSOs, coupled with government mismanagement, corruption, and abuse of office, led to degradation in environmental protection, public health and education, human rights, HIV/AIDS and TB prevention, risk group support, domestic violence prevention,^{28,29} and many other areas.³⁰

Such measures, for example, resulted in Turkmenistan's failure to fulfil its commitments under the Aarhus Convention, Art.3(4) "to provide for appropriate recognition of and support to associations, organisations, or groups promoting environmental protection."³¹ Filed in 2004, and reviewed by the UN Economic Commission for Europe (UNECE) in 2005, 2008, 2011, 2014, 2017, and 2021, the case of Turkmenistan's noncompliance is still *ongoing*, due to the government's failure to remove the provisions of concern³² from the NGO Law.³³

New political leadership, the same troubles

The situation in the CSO sector has not meaningfully improved with the new political leadership in power since 2007. The government kept the restrictive legal and regulatory framework and continued to prioritise GONGOs. In 2010, the Society of Guitarists became the first independent PA to receive registration since 2008.³⁴ NGOs' impact on policy-making was practically non-existent. Their financial and organisational sustainability remained poor.³⁵ This is despite the fact that the 2008 Constitution of Turkmenistan (as revised) affirms the right of citizens to organise themselves into public associations.³⁶

In 2014, the government adopted a new Law on PAs, introducing several improvements: PAs were allowed to carry out entrepreneurial activities and participate in elections, the Ministry of Justice's powers in cancelling PA's registration or suspension of activities were limited; the required number of founders was lowered to 400 to register as a national PA.³⁷ With new amendments the number dropped to 50.³⁸

However, provisions placing barriers to entry and operational activities of CSOs remained in place, such as the prohibition of direct engagement with foreign donors, the obligation to request government approval for any foreign funding, and the prohibition of conducting activities for unregistered PAs. The government also retained its excessive authority, such as overbroad discretion for denying registration, the right to send its representatives to PA meetings or events, and the requirement of mandatory notification about any planned activity.³⁹

²⁷ Dailey, "New Law on NGO Activity."

²⁸ Anderson and Stuart, "2003 NGO Sustainability Index," pp.195-200.

²⁹ Kukahmedova, "Overview of NGOs," pp.3-4.

³⁰ For the overview of the socio-political environment in Turkmenistan in 2006, please consult "Bertelsmann Transformation Index 2006: Turkmenistan Country Report," *BTI-Transformation Index*, https://bti-project.org/fileadmin/api/content/en/downloads/reports/country_report_2006_TKM.pdf.

³¹ UNECE, "ACCC/c/2004/5 Turkmenistan," accessed March 12, 2024, <https://unece.org/acccc20045-turkmenistan>.

³² See Annex 1

³³ Progres.Online, "The Aarhus Convention and Its Significance for Turkmenistan," November 6, 2023, <https://progres.online/society/ecology/the-aarhus-convention-and-its-significance-for-turkmenistan/>.

³⁴ Bohr, "Nations in Transit 2012," p.559.

³⁵ Kukahmedova, "Overview of NGOs," pp.199-204.

³⁶ "Civil Society Brief: Turkmenistan," p.4.

³⁷ Faye Haselkorn et al., eds., "The 2014 CSO Sustainability Index for Central and Eastern Europe and Eurasia," *USAID*, accessed March 12, 2024, https://2012-2017.usaid.gov/sites/default/files/documents/1863/EuropeEurasia_FY2014_CSOSI_Report.pdf, p.229.

³⁸ "Civil Society Brief: Turkmenistan," p.5.

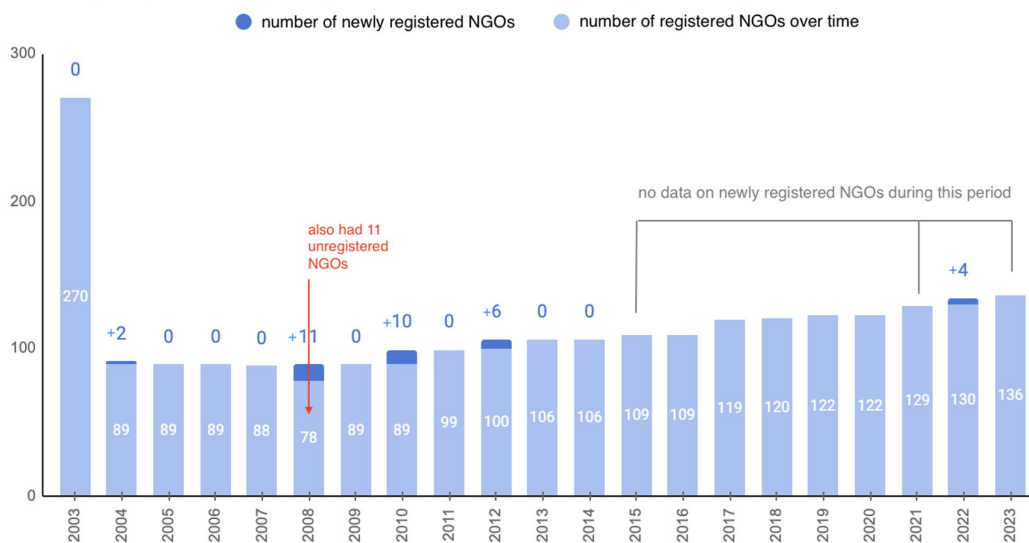
³⁹ Ibid.

As such, the new Law only reinforced the status quo. There were only 106 registered PAs in 2014, 2/3 of which were government-affiliated⁴⁰ and worked only in sanctioned “non-sensitive” areas, such as culture, promotion of national heritage, sports, youth, social rights,⁴¹ and environment (See Graph 1 of CSOs in Turkmenistan over time).⁴²

The PA registration process has grown more complex since the adoption of 2014 Law, and despite legal provisions, can take up to 1 year to complete. This, as a result, led some organisations to register as economic societies under the 2000 Law on Enterprises, since the process is faster and easier.^{43 44}

Graph 1: Number of registered NGOs over time and number of newly registered NGOs

Sources: USAID: NGO/CSO Sustainability Index for CEE and Eurasia, 2003-2014, US Department of State: Turkmenistan Human Rights Report: 2015-2022, and Experts of the CEDAW Questions on CSOs, Turkmenistan, 2023



Since then, the government amended the 2014 Law⁴⁵ and adopted several legal documents, such as laws on Ombudsperson (2016), on Volunteering (2016), on Charitable Activity (2017), on State Youth Policy (2022), and separate laws cover religious organisations, political parties, trade unions, and several government-supported organisations, such as the National Red Crescent Society (NSRCT), Chamber of Commerce and Industry, and Union of Industrialists and Entrepreneurs.⁴⁶ In addition, the government adopted the National Human Rights Action Plan(s) (NHRAPs) for 2016-2020⁴⁷ and 2021-2025,⁴⁸ all of which committed to improving the situation in the civil society sector.^{49 50}

⁴⁰ Ibid.

⁴¹ Areas of engagement include the right to adequate standard of living, including food and housing, to health, to education, to social security, to work.

⁴² Haselkorn et al., "CSO Sustainability Index 2014."

⁴³ Most economic societies pursue business activities, but they can also opt for non business activities, such as social service provision or work with youth, women, and other vulnerable groups.

⁴⁴ "Civil Society Brief: Turkmenistan," p.4.

⁴⁵ in 2017, 2020, 2021, and 2023

⁴⁶ "Civil Society Brief: Turkmenistan," p.4.

⁴⁷ "National Human Rights Action Plan (NHRAP) for 2016-2020," UNDP, n.d., https://www.undp.org/sites/g/files/zskgke326/files/migration/tm/NHRAP-2016_Three-Languages_Full-pack.pdf.

⁴⁸ "National Human Rights Action Plan (NHRAP) for 2021-2025," UNDP, n.d., <https://www.undp.org/sites/g/files/zskgke326/files/migration/tm/National-Plan-on-Human-Rights-in-Turkmenistan-for-2021-2025.pdf>.

⁴⁹ "Civic Freedom Monitor: Turkmenistan."

⁵⁰ BTI, "Turkmenistan Country Report 2022," *Bertelsmann Transformation Index*, 2022, <https://bti-project.org/en/reports/country-report/TKM>.

The 2016-2020 NHRAP, for example, envisaged an analysis of NGO-related legal and regulatory acts and their amendment in compliance with the International Covenant on Civil and Political Rights (ICCPR) to create “favourable conditions for registration, operation, and development” of NGOs.⁵¹ Regardless of several CSOs being reportedly involved in the process of amending the law,⁵² the following 2021-2025 NHRAP still identified the need for improving the legislation on NGOs in line with the UN Human Rights Committee (HR Committee) recommendations.⁵³

Turkmenistan’s obligations under international bodies

The lack of progress in the NGO legislation is also reflected in the comments from other relevant UN Committees. As a UN member state, Turkmenistan has committed to upholding fundamental human rights principles. This includes ratifying a number of core international human rights treaties, such as the above-mentioned ICCPR,⁵⁴ which obliges Turkmenistan to respect the civil and political rights of its citizens, including the right to life, freedom of religion, freedom of speech, freedom of assembly, electoral rights and rights to due process and a fair trial.⁵⁵

Turkmenistan ratified the ICCPR in 1997 and the due date to submit its first ICCPR report⁵⁶ was August 1998, yet it was only submitted in January 2010.⁵⁷ Turkmenistan’s third reporting session was in 2023 and the HR Committee in its concluding observations on the third periodic report of Turkmenistan recommended the government of Turkmenistan to “refrain from the persecution, intimidation, harassment or imprisonment of civil society representatives and their relatives who peacefully exercise, among other rights, their freedom of expression in Turkmenistan and abroad.”⁵⁸ They also recommended revising national regulations such as the 2014 Voluntary Association Act and Act on the Organization and Conduct of Assemblies, Rallies, Demonstrations and Other Mass Events to bring them in line with the relevant articles of the ICCPR.⁵⁹

These concerns are echoed in a number of other human rights mechanisms Turkmenistan is part of, including the Universal Periodic Review (UPR) in 2023.⁶⁰ The Committee on Economic, Social and Cultural Rights (CESCR)⁶¹, the ICCPR⁶² and the Committee on the Elimination of Discrimination against Women

⁵¹ “NHRAP” 2016-2020, p.64.

⁵² Igor Kaganovskiy, “Изменения в Законе Туркменистана ‘Об Общественных Объединениях’ и Их Практическая Реализация Представителями Гражданского Общества и ОО Туркменистана [Changes in the Law of Turkmenistan ‘On Public Associations’ and Their Practical Implementation by Representatives of Civil Society and NGOs of Turkmenistan],” *Ynam Info*, February 25, 2021, <http://www.ynam.info/blog/izmeneniya-v-zakone-turkmenistana-ob-obshhestvennyh-obedineniyah-i-ih-prakticheskaya-realizaciya-predstaviteliyami-grazhdanskogo-obshhestva-i-oo-turkmenistana/>.

⁵³ “NHRAP” 2021-2025.

⁵⁴ International Covenant on Civil and Political Rights, G.A. res. 2200A (XXI), 21 U.N. GAOR Supp. (No. 16) at 52, U.N. Doc. A/6316 (1966), 999 U.N.T.S. 171, entered into force Mar. 23, 1976.

⁵⁵ Ibid.

⁵⁶ United Nations Human Rights Treaty Bodies. UN Treaty Body Database: Reporting status for Turkmenistan, CCPR, https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=TKM&Lang=EN.

⁵⁷ United Nations Human Rights Committee. Consideration of reports submitted by States parties under the Covenant: Initial periodic report, Turkmenistan. CCPR/C/TKM/1, February 10, 2010 <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsu%2BQCGi7BpU%2ByFnbJWmpGrUM7pzFUX6STWiObaToQ8j8QeeF9VwRmRmmNwdU57PRpaU%2FhrfcBDGDy2Ud%2Fpj5fseuJu0XQIEOZP1vfJnK8pS>.

⁵⁸ United Nations Human Rights Committee. Concluding observations on the third periodic report of Turkmenistan: International Covenant on Civil and Political Rights. CCPR/C/TKM/CO/3, April 12, 2023 <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsu%2BQCGi7BpU%2ByFnbJWmpGrUdyauYaz%2B9veqs%2BzXLE0rubSnZKMPbm1FPnVY0RUeLmX7f0q0Vh1f2vLb2YtLm%2F%2FxFxLWECGU12dPato4yuiPZj6>.

⁵⁹ Ibid.

⁶⁰ United Nations Human Rights Council. Universal Periodic Review: Turkmenistan. Report of the Working Group on the Universal Periodic Review, 55th Session, 22 December 2023, <https://www.ohchr.org/en/hr-bodies/upr/tm-index>.

⁶¹ United Nations Committee on Economic, Social and Cultural Rights. Concluding Observations on the Second Periodic Report of Turkmenistan: International Covenant on Economic, Social and Cultural Rights. E/C.12/TKM/CO/2, October 31, 2018 <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=4slQ6QSmIBEDzFEovLCuW03A33tcdQ330CHkuB%2BgNuq51ZqtSNOq62w0Ss6LZevKy4S2u4eJPEA1KsReQYsFa08K%2F9nGJ5AOIT5VjAYLSrmkL6H7sgMvSDVVHayUWv5%2F>.

⁶² United Nations Human Rights Committee. Concluding Observations on the Third Periodic Report of Turkmenistan: International Covenant on Civil and Political Rights. CCPR/C/TKM/CO/3, April 12, 2023 <https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2FPPRiCAqhKb7yhsu%2BQCGi7BpU%2ByFnbJWmpGrUdyauYaz%2B9veqs%2BzXLE0rubSnZKMPbm1FPnVY0RUeLmX7f0q0Vh1f2vLb2YtLm%2F%2FxFxLWECGU12dPato4yuiPZj6>.

(CEDAW),⁶³ expressed concerns about unreasonable and burdensome registration requirements for NGOs as well as restrictions on their activities; the Committees were equally concerned about the absence of independent human rights organisations reflected by the lack of alternative reports received by the Committees from domestic CSOs on the progress in implementing relevant UN Conventions that Turkmenistan is party to.

The Committees recommended the government of Turkmenistan to revise the legislation and bring it to full compliance with relevant international human rights standards, remove restrictions, and seek greater cooperation with independent civil society groups, including in preparing related policies and programmes and the next periodic report.⁶⁴

In addition, as a member of the Organization for Security and Co-operation in Europe (OSCE) Turkmenistan has commitments to respect human rights, the rule of law, and democracy. According to the OSCE “at the heart of every democratic society is a vibrant civil society. Human rights are most likely to be secured when citizens, individually or collectively, are able to hold their government to account.”⁶⁵ While these commitments are not formally legal, they are nevertheless politically binding. When violated, the OSCE representatives alert relevant authorities as it was done by Teresa Ribeiro, the OSCE Representative on Freedom of the Media, who visited Turkmenistan in June 2023. She highlighted several challenges to media freedom in Turkmenistan, such as restrictions on the free flow and limited access to information, both online and offline, shortcomings in the media legislation, the role of independent public service media, concerns related to the safety of journalists and the need to strengthen a safe environment for media workers. She urged the Turkmen authorities to uphold the commitments of the OSCE regarding freedom of expression and media freedom.⁶⁶

In its bilateral relations with the European Union (EU) Turkmenistan is also expected to respect human rights to qualify for economic benefits. Yet, Turkmenistan remains the only Central Asian (CA) country without a Partnership and Cooperation Agreement (PCA), which would have expanded the country’s economic relations (e.g. energy) and provided access to the EU market.⁶⁷ The PCA, signed in 1998, awaits European Parliament ratification pending Turkmenistan’s fulfilment of concrete human rights benchmarks.⁶⁸ The authorities of Turkmenistan are expected to ensure unhindered access to alternative sources of information, end the persecution of independent journalists, civil society activists and human rights activists based in- and outside the country, guarantee freedom of assembly and remove restrictions on the operation of NGOs and end arbitrary travel bans. These issues were also raised during the EU’s annual Human Rights Dialogue with Turkmenistan, held in Brussels on December 18, 2023. Furthermore, on January 17, 2024 members of the European Parliament approved a resolution on revising the EU Central Asia Strategy, adopted in 2019.⁶⁹ While the resolution highlighted opportunities for political and economic cooperation with CA, it also highlighted the dire situation with human rights and fundamental freedoms in the region.

⁶³ United Nations Committee on the Elimination of Discrimination against Women. Concluding Observations on the Sixth Periodic Report of Turkmenistan: Convention on the Elimination of All Forms of Discrimination against Women. CEDAW/C/TKM/CO/6, February 19, 2024, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CEDAW%2FC%2FTKM%2FCO%2F6&Lang=en

⁶⁴ Ibid (CESCR 2018, ICCPR 2023, CEDAW 2024).

⁶⁵ OSCE (Organization for Security and Co-operation in Europe), “Common Responsibility: Commitments and Implementation,” 2006, <https://www.osce.org/files/f/documents/c/1/22912.pdf>.

⁶⁶ OSCE, “OSCE Representative on Freedom of the Media Concludes Official Visit to Turkmenistan,” July 11, 2023, <https://www.osce.org/representative-on-freedom-of-media/548341>.

⁶⁷ Progres.Online, “The Frenemy Relationship Status of Turkmenistan and the EU,” August 14, 2023, <https://progres.online/society/the-frenemy-relationship-status-of-turkmenistan-and-the-eu/>.

⁶⁸ European Parliament, “Texts Adopted - EU Turkmenistan Partnership and Cooperation,” September 12, 2018 https://www.europarl.europa.eu/doceo/document/TA-8-2018-0337_EN.html?redirect.

⁶⁹ European Parliament, “Texts Adopted - EU Turkmenistan Partnership and Cooperation,” January 17, 2024, https://www.europarl.europa.eu/doceo/document/TA-9-2024-01-17_EN.html#ref_12_1.

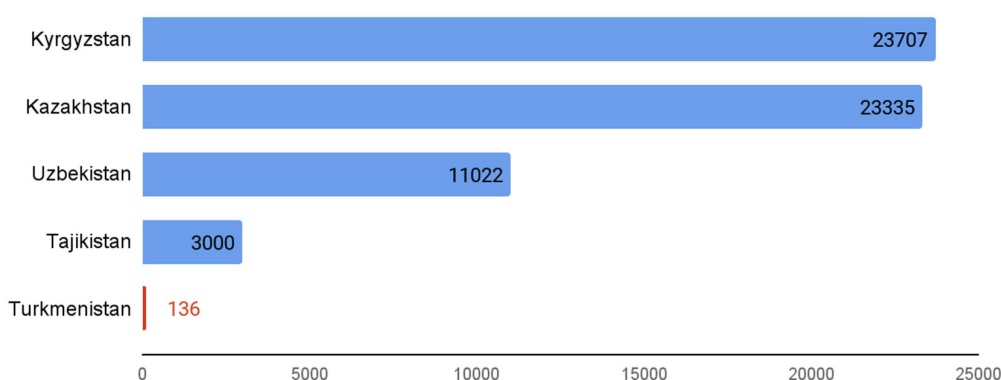
While these international instruments oblige and encourage Turkmenistan to ensure an enabling environment for civil society actors, they nevertheless fall short in changing the status quo in the country. The space for civil society remains restricted while the appropriate international standards are superficially applied.

Current landscape of CSOs

Turkmenistan has the lowest number of active registered NGOs in Central Asia. As of 2023, there are only 136 of them,⁷⁰ with only four new unspecified PAs registered in 2022.⁷¹ 40% of all PAs are sports associations, the rest focus on economic, creative, scientific, ecological, disability, women, youth and other issues.⁷² And no international CSO is known to be registered in Turkmenistan, although a few organisations implement programs through locally based partners.⁷³ To compare, as of 2024, Kyrgyzstan, with roughly the same population number as Turkmenistan, has 174 times higher number of registered PAs (Graph 2).^{74 75 76 77}

Graph 2: Number of registered NGOs in Central Asian countries as of 2024

Source: ICNL, International Center for Non-profit Law



As of today Turkmenistan has not provided any SDGs data related to CSOs development, for goals 17 and 16.⁷⁸ In the meantime, Turkmenistan consistently performs low in international indexes measuring political and societal transformations and freedoms indicating civil society's overall poor health. For example, Turkmenistan scored the lowest on both civil society and democracy level for the 2023 Nations in Transit report,⁷⁹ and the lowest for political rights, civil liberties and NGO environment in the 2023 Freedom in the

⁷⁰ United Nations Human Rights Office of the High Commissioner, "Experts of the Committee on the Elimination of Racial Discrimination Commend Turkmenistan's Cooperation with the United Nations, Ask Questions on Civil Society Organisations Representing Ethnic Minorities and Measures to Prevent Statelessness," August 22, 2023 <https://www.ohchr.org/en/news/2023/08/experts-committee-elimination-racial-discrimination-commend-turkmenistans-cooperation>.

⁷¹ U.S. Department of State, "2022 Country Reports on Human Rights Practices: Turkmenistan," n.d., <https://www.state.gov/reports/2022-country-reports-on-human-rights-practices/turkmenistan/>.

⁷² Civicus, "Turkmenistan: UN Human Rights Body Issues Important Findings as the Authorities Continue to Reign in Dissent," *Monitor Tracking Civic Space*, June 6, 2023, <https://monitor.civicus.org/explore/turkmenistan-un-human-rights-body-issues-important-findings-as-the-authorities-continue-to-reign-in-dissent/>.

⁷³ "Civil Society Brief: Turkmenistan," p.5.

⁷⁴ ICNL, "Civic Freedom Monitor: Kazakhstan," August 4, 2023, <https://www.icnl.org/resources/civic-freedom-monitor/kazakhstan>.

⁷⁵ ICNL, "Civic Freedom Monitor: Kyrgyzstan," February 6, 2024, <https://www.icnl.org/resources/civic-freedom-monitor/kyrgyz>.

⁷⁶ ICNL, "Civic Freedom Monitor: Uzbekistan," November 24, 2023, <https://www.icnl.org/resources/civic-freedom-monitor/uzbekistan>.

⁷⁷ ICNL, "Civic Freedom Monitor: Tajikistan," January 17, 2024, <https://www.icnl.org/resources/civic-freedom-monitor/tajikistan>.

⁷⁸ Indicators:

17.17 Encourage and promote effective public, public-private and civil society partnerships, building on the experience and resourcing strategies of partnerships;

16.5 Substantially reduce corruption and bribery in all their forms;

16.6 Develop effective, accountable and transparent institutions at all levels; and

16.7 Ensure responsive, inclusive, participatory and representative decision-making at all levels.

⁷⁹ Freedom House, "Turkmenistan: Nations in Transit 2023 Country Report," n.d., <https://freedomhouse.org/country/turkmenistan/nations-transit/2023>.

World report.⁸⁰ Similarly, based on the CIVICUS Monitor⁸¹ Turkmenistan consistently positions as a ‘Closed’ country,⁸² indicating complete closure in law and in practice of civic space, where fear and violence prevails, any criticism of the government is severely punished and has no media freedom.⁸³

GONGOs and their Preferential Positioning

The government’s unwillingness to improve the environment for the civil society benefits the government and the narrow cluster of GONGOs that follow its guidance and act as conduits of its interests. Indeed, GONGOs are the most visible and best positioned of all domestic CSOs; they receive preferential treatment in the form of social provision contracts, office spaces,⁸⁴ equipment, and public coverage. The government’s opaque budget practices make it difficult to estimate the extent of this support as no data is available.

GONGOs are often used in state-sponsored events to demonstrate public support of government initiatives, programs, and the top political leadership’s overall policy course.⁸⁵ They also help the government in shaping public discourse within specific social groups in its interest as they monopolise areas of public life due to de facto obligatory membership, i.e., youth.^{86 87} They refrain from criticising the government’s ineffective or harmful policies and practices, and instead, retransmit its narratives of being the primary public service provider and protector of public interest, including through public events praising government “achievements”.^{88 89}

The government also uses GONGOs to improve its international legitimacy, particularly against the backdrop of international criticism of violations of civil and political rights. GONGO’s visibility helps mimic civic activism and the government’s cooperativeness, openness, and democratisation efforts, muddling the voices of legitimate civil society actors. Its representatives, for example, show support of state policies when participating in international forums⁹⁰ or publishing articles in national and foreign media outlets.⁹¹ In the meantime, GONGOs’ activities are featured in the government’s reports, such as 2023 Voluntary National Review which highlights the work of the Women’s Union as part of advancing gender equality.⁹²

The status quo with the preferential treatment of GONGOs does not serve the interests of Turkmen society. GONGOs engage with the public through a top-down and strictly “sectoral” approach. This hinders strong

⁸⁰ Ibid.

⁸¹ Civicus Monitor, “Methodology,” <https://monitor.civicus.org/about/how-it-works/methodology/>.

⁸² There is complete closure - in law and in practice - of civic space. An atmosphere of fear and violence prevails, where state and powerful non-state actors are routinely allowed to imprison, seriously injure and kill people with impunity for attempting to exercise their rights to associate, peacefully assemble and express themselves. Any criticism of the ruling authorities is severely punished and there is virtually no media freedom. The internet is heavily censored, many websites are blocked and online criticism of power holders is subject to severe penalties. See in “Ratings,” *Civicus Monitor*, <https://monitor.civicus.org/about/how-it-works/ratings/>.

⁸³ Civicus Monitor, “Turkmenistan: Latest Updates,” n.d., <https://monitor.civicus.org/country/turkmenistan/>.

⁸⁴ TURKMENISTAN.RU, “Общественные Организации Туркменистана Получили Новое Офисное Здание [Public Organizations of Turkmenistan Received a New Office Building],” July 26, 2017, <https://www.turkmenistan.ru/ru/articles/42760.html>.

⁸⁵ Turkmenistan Altyn Asyr, “Создан Высший Представительный Орган Народной Власти – Халк Маслахаты Туркменистана [The Supreme Representative Body of People’s Power - the Halk Maslakhaty of Turkmenistan - was created],” January 21, 2023, <https://www.turkmenistan.gov.tm/ru/post/69346/sozdan-vysshij-predstavitelnyj-organ-narodnoj-vlasti-halk-maslahaty-turkmenistana>.

⁸⁶ BTI - Transformation Index, “BTI 2022 Country Report - Turkmenistan,” n.d., https://bti-project.org/fileadmin/api/content/en/downloads/reports/country_report_2022_TKM.pdf, p.31.

⁸⁷ Ogulgozel Rejperova, “Задачи Молодёжной Организации Туркменистана Обсудят На Очередном Съезде [The tasks of the Youth Organization of Turkmenistan will be discussed at the next Congress],” *Turkmenistan Altyn Asyr*, August 30, 2022, <https://turkmenistan.gov.tm/ru/post/65817/zadachi-molodyvozhnoj-organizacii-turkmenistana-obsudyat-na-ocherednom-sezde>.

⁸⁸ Naval secondary school of Turkmenbashi, “A Propaganda Meeting Was Held among the Students of the Marine Secondary Professional School in Turkmenbashi on the Occasion of Naming the Year 2023 as «Happy Youth with Arkadag Serdar»,” <https://dohom.edu.tm/en/news/94>.

⁸⁹ Ministry of Foreign Affairs of Turkmenistan, “An Event Dedicated to the Role of Turkmen Women in Public and State Activities Was Held,” April 6, 2023, <https://www.mfa.gov.tm/en/news/3717>.

⁹⁰ Journal of the United Nations, “Speech by the Chairman of the Women’s Union of Turkmenistan Ms. Atayeva Gurbangul at the 65th Session of the UN Commission on the Status of Women,” March 25, 2021, https://estatements.unmeetings.org/estatements/31.0070/20210325/fNqPLiKLGpBI/P2crd83ulOb3_ru.pdf.

⁹¹ Almost exclusively these media outlets are from “friendly” or like-minded authoritarian states.

⁹² United Nations Turkmenistan, “Voluntary National Review 2023 Turkmenistan,” n.d., <https://turkmenistan.un.org/sites/default/files/2023-07/VNR-2023%20Turkmenistan%20Report%20EN.pdf>.

connections with the local communities and leaves certain social groups without representation and channels to communicate their grievances to the state in a constructive way. For example, there are no registered PAs in Turkmenistan representing ethnic or religious minority groups.⁹³ The community of independent civic activists inside the country is represented by a small group of citizen activists and journalists who are subjected to continuous pressure, intimidation, and even criminal prosecution from the government.^{94 95 96}

It is not to conclude that GONGOs only play a negative role. They do conduct activities and provide services that support certain groups (e.g. people with disabilities) or reduce short-term tensions.^{97 98 99} Ideally, if self-sufficient, GONGOs could also negotiate greater self-governance from the state, promote social cooperation initiatives, and bridge state and social interests.¹⁰⁰

Turkmen CSOs Outside Turkmenistan

Turkmen civil society outside Turkmenistan started to form in the mid-1990s when independent civic activists and political and intellectual dissidents were forced to emigrate and work in exile. Furthermore, a sizable number of civil society actors and groups have organically emerged outside Turkmenistan, particularly in recent years, denoting a growing interest among the Turkmen diaspora community in civic activism and collective action.

This civic space consists of human rights-focused organisations and defenders, independent media, citizen journalists, bloggers, analytical, awareness-raising, and public education initiatives, experts, and academics, to name but a few. Some of these CSOs are officially registered where they are based, while others continue to work as informal online and offline groups and individuals. Commonly identified as “independent” Turkmen CSOs in exile by international actors, these groups are more vocal in demanding democratic reforms, transparency and accountability from the Turkmen government, and in exposing its shortcomings.

Thus, unsurprisingly, the government views CSOs outside Turkmenistan as a threat seeking to challenge its authority by exposing its mismanagement, and opaque and corrupt practices. Consequently, authorities do not publicly acknowledge these groups or look for opportunities to engage constructively with them.

In recent years, the government has intensified its repressive efforts in silencing independent critical voices and limiting their activities and outreach through intimidation, harassment and verbal and physical abuse including of relatives residing in Turkmenistan. Authorities also use formal and behind-the-scenes arrangements to urge foreign law enforcement officials, particularly in Turkey, to pressure, detain, and deport activists to Turkmenistan.^{101 102}

While previously the government focused primarily on critics of the country’s top political leadership, now it goes after nearly any civil society representative spotlighting systemic problems in almost any area of domestic public life. The government is particularly “sensitive” about activities in the areas of gender-based

⁹³ "Experts Commend Turkmenistan's Cooperation with the United Nations."

⁹⁴ Human Rights Watch, "World Report 2023: Rights Trends in Turkmenistan," January 20, 2023, <https://www.hrw.org/world-report/2023/country-chapters/turkmenistan>.

For similar examples of government pressure and criminal prosecution of individual activists in Turkmenistan, please refer to the cases of Murad Dushemov, Nurgeldy Halykov, Mansur Mingelov, Hursanay Ismatullayeva, Soltan Achilova, Pygamberdy Allaberdyev.

⁹⁵ *Turkmenistan: Nations in Transit 2023*.

⁹⁶ *Turkmenistan: Nations in Transit 2018*.

⁹⁷ United Nations in Turkmenistan, "A Strategic Partnership," October 2015, https://procurement-notice.un.org/view_file.cfm?doc_id=66250.

⁹⁸ United Nations Turkmenistan, "'Different but Equal' Overcoming Bias and Barriers for People with Disabilities in Turkmenistan," July 6, 2023, <https://turkmenistan.un.org/en/239035-%E2%80%9Cdifferent-equal%E2%80%9D-overcoming-bias-and-barriers-people-disabilities-turkmenistan>.

⁹⁹ United Nations Turkmenistan, "Powerful Women and Girls from Turkmenistan Advocate for Gender Equality and Women Empowerment in Turkmenistan," March 23, 2023, <https://turkmenistan.un.org/en/225736-powerful-women-and-girls-turkmenistan-advocate-gender-equality-and-women-empowerment>.

¹⁰⁰ Wu, Fengshi. "Environmental GONGO Autonomy: Unintended Consequences of State Strategies in China." *The Good Society* 12, no. 1 (2003): 35-45. <https://doi.org/10.1353/gso.2003.0031>.

¹⁰¹ *Turkmenistan: Nations in Transit 2022 and 2023*.

¹⁰² "World Report 2023: Rights Trends in Turkmenistan."

violence, discrimination against women, human rights violations, environmental, public health, social and economic issues, and those publicising the government's failure to respond to its citizens' needs. .

In 2020 the authorities pressured and intimidated organisers and participants of public rallies held in Turkey, and online and offline critics of the government's flawed response to the devastating hurricane that hit parts of Turkmenistan in April 2020 as well as of the government's inadequate response to the COVID-19 pandemic.¹⁰³

Independent CSOs played a critical role in informing the domestic public and international community about the COVID-19 pandemic-related developments in Turkmenistan, through which they hold the Turkmen government accountable for its policy of COVID-19 denial. CSOs continuously monitored and updated on the situation via interviews and advocacy campaigns, including targeting international institutions, confronted misinformation (e.g., state-directed), collected primary data, and published several extensive reports on the issue.^{104 105 106 107}

However, the government's designation of these groups as "pariahs" hinders their ability to form lasting partnerships with international institutions or donors and expand their resource base. International institutions and donors, particularly those in Turkmenistan, are hesitant to support and engage with these groups openly. They also refrain from straightforward criticism of the government's repressive actions towards these groups, and seek not to spur the pushback from authorities that almost certainly will lead to the discontinuation of their work inside Turkmenistan.

As such, independent CSOs often find themselves sidelined and disempowered and without channels to advocate for their cause vis-à-vis the government. The example above shows that these CSOs have significant potential to positively contribute to resolving societal concerns and issues in Turkmenistan. Under current conditions, however, this potential remains significantly untapped.

Divisions between CSOs

The majority of independent CSOs and activists, both long-established and emerging ones, divide into groupings and perpetuate the atmosphere of mutual accusations and distrust. Squabbles, such as accusations of "opportunism", damage the reputation of civil society in the eyes of the public, allowing its critics to frame these narratives as power struggles between a small cloak of groups and individuals contesting for self-serving influence or recognition from the international community. The distrust also exists between CSOs inside and outside Turkmenistan, leading to lack of cooperation and partnerships.

The situation is worsened further by the hostile environment, limited funding and lack of strategic programs or grants from international donors supporting solidarity building and partnership links between Turkmen CSOs, including those inside the country.

The atmosphere of unhealthy competition, distrust, and lack of solidarity makes it harder for CSOs to unite efforts to effectively advocate for change on the national and international levels, to engage with international institutions and donors, and to build public trust in civil society as a viable alternative to the current state monopoly. Coalition-building is twice as important for Turkmen CSOs given that there is still a small number of them.

¹⁰³ International Partnership for Human Rights (IPHR) and Turkmen Initiative for Human Rights (TIHR), "Closed Civic Space in Turkmenistan Widening Crackdown on Dissent," June 2021, <https://www.iphronline.org/wp-content/uploads/2021/06/CLOSED-CIVIC-SPACE-IN-TURKMENISTAN-JUNE-2021-1.pdf>.

¹⁰⁴ IPHR and TIHR, "Human rights impact assessment of the covid-19 response in Turkmenistan," July 2020, <https://www.iphronline.org/wp-content/uploads/2020/07/Covid-19-Turkmenistan-report.pdf>.

¹⁰⁵ Turkmen.News, "Survival of the Fittest," May 2021, <https://en.turkmen.news/spotlight/turkmenistan-covid-report/>.

¹⁰⁶ Aynabat Yaylymova, "COVID-19 in Turkmenistan: No Data, No Health Rights," *Health and Human Rights* 22, no. 2 (December 2020): 325-327, PMID: 33390720; PMCID: PMC7762906. <https://pubmed.ncbi.nlm.nih.gov/33390720/>.

¹⁰⁷ Catherine Putz, "Death and Denial in Turkmenistan," *The Diplomat*, August 19, 2020, <https://thediplomat.com/2020/08/death-and-denial-in-turkmenistan/>.

Current challenges impact the young and emerging Turkmen civil society activists harder than more mature and advanced groups. Yet, for the Turkmen civil society community to remain sustainable and have prospects to expand further, it is crucial to ensure that these newcomers stay engaged for the long haul. Such an atmosphere also disables any possibilities for knowledge transfer, between long-established and emerging CSOs and between those inside and outside the country. Support of generational change in the civil society space is an important element of CSO activities, including in Central Asia, which brings tangible improvements. In Kazakhstan, for example, various CSOs, such as Erkindik Qanaty¹⁰⁸ and MISK¹⁰⁹ provide specialised training for emerging activists and human rights defenders,¹¹⁰ enabling them to apply for mini-grants and initiate projects.¹¹¹

Current Challenges in Operational Activity

The overwhelming majority of Turkmen CSOs, both inside and outside the country, have underdeveloped overall organisational capacity. The main issues¹¹² are undertraining and lack of skills in modern management techniques, fundraising, strategic planning, volunteer management, and communications, including via social media.¹¹³

Low visibility

The very few CSOs inside Turkmenistan have and maintain updated websites and/or social media accounts showcasing their work. Few CSOs inside Turkmenistan prepare and publish public reports about their work, providing information about projects, community impact, strategic vision and planning, fundraising, and other aspects. If they are published, there are often questions on the quality of such reports. For example, less than a third of the 2022 annual report of the NSRCT provides an out-of-context overview of the organisation's line of work. The rest is the president's portrait and quote, a calendar, and a section for note-taking.¹¹⁴

Most often, one can find information about local CSOs and their work only in short posts on partner or donor organisations' websites, i.e., UN agencies in Turkmenistan,¹¹⁵ and the UN or government reports to international bodies.^{116 117} And as it was mentioned earlier, GONGOs have other significant avenues to spotlight themselves, though it is not clear whether the public is aware of their existence and their work.

CSOs outside Turkmenistan overall are better organised, experienced and better equipped in this regard. This is especially true about the more advanced and mature CSOs that are well-recognized by international stakeholders and institutions, and in the Turkmen diaspora community, e.g., the Turkmen Initiative for Human Rights (Chronicles of Turkmenistan), Turkmen.news, Azatlyk Radiosy, Turkmen Helsinki Foundation for Human Rights, and Saglyk. These CSOs maintain regularly updated websites and social media accounts. Their representatives attend international forums, including as speakers, collaborate with international NGOs to prepare reports on Turkmenistan, prepare alternative reports to the UN Human Rights

¹⁰⁸ Wings of Liberty form Kazakh.

¹⁰⁹ Youth Information Service of Kazakhstan.

¹¹⁰ The project is supported by the European Union, other partners include Prague Media School and Free Press Eastern Europe, <https://ozgeris.org/en>.

¹¹¹ For example, Support of National Endowment for Democracy, "School of Human Rights: Project ," MISK, <https://ozgeris.org/en>.

¹¹² Although this assessment was first elaborated in 2014, the same issues persist to this day exemplified by the lack of progress in any area.

¹¹³ Haselkorn et al., *CSO Sustainability Index 2014*, 230.

¹¹⁴ National Society of Red Crescent of Turkmenistan (NSRCT), "Annual Report 2022," n.d., https://www.tgymj.gov.tm/libraries/report_2022.pdf.

¹¹⁵ Examples include: the work of Yenme in supporting persons with disabilities: 'Different but Equal' 2023 and the work of Yenme, Taze Zaman, Mashgala in combating human trafficking: "World Day against Trafficking in Persons Observed in Turkmenistan in Turkmenistan," *United Nations Turkmenistan*, August 2, 2023, <https://turkmenistan.un.org/en/240671-world-day-against-trafficking-persons-observed-turkmenistan>.

¹¹⁶ "Voluntary National Review 2023 Turkmenistan," p.39.

¹¹⁷ "A Strategic Partnership."

Council, provide inputs and commentaries to foreign media, international institutions and NGOs, human rights watchdogs, the academic community, and foreign policymakers.

In contrast, emerging CSOs and individual activists lack the same level of public and international visibility, hindering their outreach. Arguably, this can be attributed to a lack of a clearly identified target group or area of activity, budget and/or operational constraints, lack of skills in public communication and the use of media or online tools, or capacity issues.

Nonetheless, due to government actions, the wider public inside Turkmenistan has little to no awareness about the existence, purpose, or activities of most independent CSOs to form an opinion about them.

Control of the media and Internet

Turkmen authorities use a variety of means to restrict access to independent information. All broadcast and print media in the country are subjected to censorship. The government uses the media to disseminate information about positive developments in the country and achievements of the government.¹¹⁸ As such, there is no coverage of independent CSOs and their work in national media as if they do not exist.

The government also tightly controls the online space. Internet access is heavily censored, unreliable, and expensive, while its physical infrastructure is underdeveloped, aside from Ashgabat. The access to independent Turkmen media outlets, i.e., Chronicles of Turkmenistan, Turkmen.news, Azatlyk Radiosy, majority of foreign media outlets, human rights websites, nearly all major social media platforms, messengers, and video hosting sites, particularly those platforms used by independent CSOs, is arbitrarily blocked by the government.¹¹⁹

In recent years, the authorities have also intensified their crackdown on VPNs and other internet circumvention tools that allow its users to bypass online censorship to access independent information.^{120 121} In October 2022, Turkmen.news reported that around 3 billion IP addresses had been blocked by authorities to eradicate the use of circumvention tools, which is nearly ¾ of all available IP addresses.¹²³ The use of “uncertified” encryption programs is a criminal offence with up to seven years imprisonment.¹²⁴ The government is also developing “an autonomous national digital network,”¹²⁵ raising further concerns that it seeks to disconnect the Turkmen public from the global internet.

The government’s repressive control of the media and Internet negatively affects Turkmen CSOs both inside and outside the country. It curtails the opportunities of these groups and emerging CSOs and activists to reach out to target groups and stakeholders inside Turkmenistan to promote their work and improve public trust in civil society and its utility.

Government restrictions on information flow in Turkmenistan limit public access to diverse views, hindering awareness on crucial issues like the COVID-19 pandemic. This deprivation extends to scarce online

¹¹⁸ IPHR and TIHR, “Joint Submission for the United Nations Universal Periodic Review (UPR) of Turkmenistan: 44th Session Session of the UPR Working Group, November 2023,” March 2023, <https://www.iphronline.org/wp-content/uploads/2023/04/Joint-UPR-report-on-Turkmenistan-March-2023.pdf>.

¹¹⁹ “Turkmenistan: New Internet Restrictions.”

¹²⁰ Медиазона Центральная Азия, “Turkmen.News: В Туркменистане Заблокировали Доступ к Сервисам Cloudflare, с Помощью Которых Работали Две Трети Сайтов в Стране [Turkmen.News: Turkmenistan Blocked Access to Cloudflare Services, Which Two Thirds of the Websites in the Country Used],” July 14, 2022, <https://mediazona.ca/news/2022/07/14/cloudflare>.

¹²¹ Eurasianet, “Turkmenistan: Net Loss | Eurasianet,” August 1, 2023, <https://eurasianet.org/turkmenistan-net-loss>.

¹²² IPHR, “Turkmenistan: Increasing Internet Censorship and Ongoing Persecution of Dissent, despite Welcome Releases,” January 15, 2023, <https://www.iphronline.org/turkmenistan-increasing-internet-censorship-and-ongoing-persecution-of-dissent.html>.

¹²³ Turkmen.News, “В Туркменистане заблокировали ¾ интернета,” April 13, 2023, <https://turkmen.news/v-turkmenistane-zablokirovali-tri-chetverti-interneta/>.

¹²⁴ Adalat ministrligi, “ЗАКОН ТУРКМЕНИСТАНА: О Правовом Регулировании Развития Сети Интернет и Оказания Интернет-Услуг в Туркменистане [LAW OF TURKMENISTAN: On Legal Regulation of the Development of the Internet and the Provision of Internet Services in Turkmenistan],” *Hukuk maglumatlar merkezi*, December 20, 2014, <https://minjust.gov.tm/ru/hukuk/merkezi/hukuk/404>.

¹²⁵ Chronicles of Turkmenistan, “Кабмин: Посольство в Катаре, Пропагандистский Инфоцентр и Автономная Сеть, «не Связанная с Интернетом» [Cabinet of Ministers: Embassy in Qatar, Propaganda Information Center and Autonomous Network “not connected to the Internet”],” December 10, 2022, <https://www.hronikatm.com/2022/12/propaganda-autonomous-internet/>.

resources in the Turkmen language, hampering local literacy and citizen engagement, ultimately impeding informed decision-making and accountability.

Long-term strategic planning, financial viability

Few CSOs inside Turkmenistan engage in long-term and strategic planning due to limited financial viability and challenges in securing multi-year funding. There are limited opportunities to diversify sources of income beyond government or donor support. The local culture of philanthropy and corporate social responsibility programs are still weak due to lack of tax incentives, and partnerships between businesses and CSOs are rare. Small and medium-sized enterprises form the majority of the private sector and often lack resources for social projects. Yet, private sector philanthropy is slowly beginning to form, by providing donations to PAs.¹²⁶

There is no information online about CSOs fundraising campaigns or charity events. Some organisations, however, do receive in-kind support from communities or individuals, e.g., Yenme, receiving donations of used items to distribute among the people in need.¹²⁷

Some CSOs generate revenue by operating social enterprises, such as Yenme sewing and selling reusable grocery bags, or the economic society Dap-Dessur producing baby kits, and Bosfor offering fee-based training. Some CSOs operate by generating income through membership or service fees. However, such membership fees or similar contributions are insufficient to cover organisational costs if collected.¹²⁸

For most CSOs inside Turkmenistan, foreign and international funding remains the primary source of support. Such a model has several drawbacks, however. Dependency on a single income stream is a financial sustainability risk and vulnerability. Changes in the political environment may result in scaling down or discontinuing support. Donors may also shift their priorities and strategies that can fall beyond the scope of the NGOs, making them ineligible for funding.¹²⁹

According to the Asian Development Bank (ADB) most organisations in Turkmenistan are project-funded and they lack longer-term fundraising and communications strategies to ensure their sustainability.¹³⁰ In this respect, GONGOs are better positioned to diversify their resources, given their size and ties with the government. For example, the NSRCT's primary sources of funding in 2022 came from membership fees, donations, renting of premises, and conducting paid courses on first aid.¹³¹ Similarly, apart from very few CSOs, such as Keyik Okara or NSRCT, there is little information about work involving volunteers, indicating organisations' poor capacity in recruiting and managing volunteers and having an established network of dedicated followers and supporters. Nevertheless, the ADB states because CSOs are generally exempt from income tax, they rarely shut down because of financial difficulties.¹³²

Civil society infrastructure

The infrastructure that facilitates CSOs development, connection to key stakeholders, and influence on a national level is poorly developed in Turkmenistan. There is a near complete lack of capacity-building training and access to international networking, and knowledge transfer, including with Turkmen CSOs outside the country, regional, and international CSOs. Domestic CSOs, especially provincial, also have limited or no access to relevant information (i.e., legal, technical), knowledge base, consultations, the

¹²⁶ "Civil Society Brief: Turkmenistan," p.7.

¹²⁷ Ibid.

¹²⁸ Ibid.

¹²⁹ Forus, "Toolkit: EXPLORING NEW FUNDING APPROACHES FOR CIVIL SOCIETY," April 2020, <https://www.forus-international.org/en/pdf-detail/75922-exploring-new-funding-approaches-for-civil-society>.

¹³⁰ "Civil Society Brief: Turkmenistan," p.7.

¹³¹ *Annual Report 2022*, NSRCT. NSRCT has long been in a privileged position in relations with the state, which also led to corruption.

¹³² "Civil Society Brief: Turkmenistan," p.7.

Internet, or other resources.¹³³ However, the ADB states, unlike local CSOs, national ones are significantly better organised with national and regional offices, well equipped and have skilled staff, whereas local CSOs, based outside the capital, lack necessary skills and human resources and struggle with keeping employees due to limited funding.¹³⁴

The baseline indicator of domestic CSOs' constrained organisational capacity is the restrained scope of activities and geographical outreach. Apart from the main GONGOs, CSOs do not have local branches or the capacity to carry out projects in different parts of the country. Nearly all CSOs are based and operate in Ashgabat, less so in a few selected cities and areas, such as the Ahal region, or Mary, Turkmenabat, and Turkmenbashi. For instance, out of 12 pilot specialised social services launched as part of a CSO-government partnership in 2021, only a third were coordinated by CSOs – 3 in Ashgabat and 1 in Turkmenabat.¹³⁵

Other capacity building issues

Many CSOs and activists that are outside of Turkmenistan lack focus on specific topics and issues. Majority base their work and discourse around the “anti-regime” narratives, focusing on criticising the president, his relatives, and the political elite. While it is crucial to expose corrupt practices in political leadership, such an approach risks sidelining key topics like gender equality, minority issues, public institutions' effectiveness, and services such as education, health, and environmental protection, which deserve individual attention in public discourse. There is also a lack of analytical depth which is evident in the scarcity of reasoned discussions and constructive criticism backed by data-driven research.

Naturally resulting from the impaired capacities, CSOs in Turkmenistan also lack solutions for sufficient impact, including in expanding its support base inside and outside Turkmenistan. CSOs currently demonstrate lack of maturity to take activism to the next level of action. Meanwhile, the lack of discussions based on qualified and reliable information reinforces the culture of poor media and information literacy. CSOs also lack capacity to offer evidence-driven policy reforms that could lay the foundation for long-term transformative changes within the society.

CSOs and the absence of international cooperation

Government restrictions and the underdeveloped and tightly controlled CSO sector result in a limited number of foreign and international donors willing to operate in the country. The UN in Turkmenistan, for example, identified 15 embassies and international organisations as partners for its programme implementation, funding, and financing in 2021, and in 2022 only 16.^{136 137}

It needs to be noted that not all of the donors provide financial support or engage with local CSOs. Due to limited data, it is difficult to calculate the exact number of supporting entities. These institutions face the challenge of identifying partner CSOs with relevant competencies that could ensure timely and proper implementation of deliverables. Given stringent foreign funding requirements and the government's overall suspicion of such assistance, donors almost exclusively partner with GONGOs or other PAs affiliated with them to guarantee the timely and successful implementation of projects.

¹³³ USAID (United States Agency for International Development), “2014 CSO Sustainability Index for Central and Eastern Europe and Eurasia,” https://2012-2017.usaid.gov/sites/default/files/documents/1863/EuropeEurasia_FY2014_CSOSI_Report.pdf, pp.228-234.

¹³⁴ “Civil Society Brief: Turkmenistan,” p.7.

¹³⁵ Turkmenportal, “12 Pilot Specialized Social Services at the Community Level Launched in Turkmenistan: Society,” November 24, 2021, <https://turkmenportal.com/en/blog/41804/12-pilot-specialized-social-services-at-the-community-level-launched-in-turkmenistan>.

¹³⁶ U“2021 UN Turkmenistan Annual Results Report,” March 2022, https://turkmenistan.un.org/sites/default/files/2022-05/UNCT_CountryReport2021_EN_web%20final_1.pdf.

¹³⁷ United Nations Turkmenistan, “Annual Report 2022,” March 2023, https://turkmenistan.un.org/sites/default/files/2023-05/UN_AnnualReport_2022_EN.pdf.

To form positive relationships, a range of international donors identify state institutions as “strategic partners” in implementing their programmatic activities, including those focused on supporting civil society. For example, USAID identifies “ministries, governmental organisations” as one of the partners in its Democracy, Human Rights, and Governance program, although highlighting the autocratic political system and structural government shortcomings.¹³⁸

Similarly, the UN in Turkmenistan, comprising 19 UN specialised agencies, in its 2022 Annual Report underlined that the government of Turkmenistan remained its primary strategic partner.¹³⁹ The UN in Turkmenistan identified 23 government agencies and only 9 NGOs in 2021¹⁴⁰ and 21 government agencies and 15 NGOs in 2022 as partners in implementation, funding, and financing.¹⁴¹

Such support of civil society is linked to partnership with government institutions, and their approval only benefits the government and a select number of “loyal” CSOs. It limits the scope for genuine challenge of the government's approach, particularly when the government's actions worsen the situation, and contributes to public disillusionment with civil society perceived as ineffective, corrupt, and driven by self-gain.

It negatively impacts independent CSOs outside the country in particular, limiting their growth opportunities, as they are excluded from CSO-international partner engagement because they are not “physically present” and registered in Turkmenistan. In turn, this creates a vicious cycle: constrained donor and engagement opportunities prevent these independent CSOs from emerging and becoming self-sustainable to conduct activities targeting the Turkmen public at home; consequently, they cannot expand on their work; in turn, this serves as the ground for not being considered for funding, closing the circle.

This situation is worsened further by international donors’ limited, inconsistent, or otherwise absent approach in urging and pressuring the Turkmen government to implement meaningful democratic reforms, to remove restrictions to entry and operational activity of CSOs, and to establish working mechanisms for trilateral dialogue and engagement between CSOs inside and outside the country and the Turkmen government.

It is critically important that international donors and partners use the viability of the CSO sector and transparency of CSO activities as the benchmark when discussing current and prospective cooperation options with the Turkmen government. Independent reports, including those prepared by CSOs outside Turkmenistan, clearly indicate that the lack of a vibrant and independent CSO sector leaves the government mismanagement, abuse of office, corruption, and discriminatory practices unchecked, resulting in regress in many areas of public life. Furthermore, the current socio-political and socioeconomic environment demonstrates that present project activities are substandard in addressing the root causes of societal problems.

To conclude, civil society in Turkmenistan faces a range of complex and interconnected challenges:

- the absence of meaningful government reforms in removing legal and practical barriers preventing the CSOs from becoming independent and self-sustainable;
- government's intolerance of independent CSOs and repressive actions targeting activists;
- poor supporting infrastructure (support organisations, information, resources);

¹³⁸ USAID, “Turkmenistan: Democracy, Human Rights, and Governance,” n.d., <https://www.usaid.gov/turkmenistan/democracy-human-rights-and-governance>.

¹³⁹ “Annual Report 2022.”

¹⁴⁰ “2021 UN Turkmenistan Annual Results Report.”

The list of partner PAs: Union of Industrialists and Entrepreneurs, National Red Crescent Society, Nature Protection Society, Women's Union, Youth Organization, Keyik Okara, Beyik Eyyam, Blind and Deaf Society, and Yenme.

¹⁴¹ “Annual Report 2022.”

The list of PAs, same as above plus: Ynam, Central Physical Sports Culture of Disabled People, Center for Support of Disabled People, Ynanch Vepa, Yalmy Yegendesh, Mashgala, and Dap Dessur.

- weak institutional and operational capacity, financial viability, and lack of or limited opportunities to improve these capacities;
- fractionating tendency resulting in the absence of a unified civil society community and action;
- poor coverage of civil society activities in national media, apart from a few selected GONGOs, resulting in their low public visibility;
- Internet restrictions limiting their engagement with the domestic public;
- other challenges, such as lack of specialisation, public education component, and scalable and impactful solutions.

Recommendations

Based on the challenges we recommend

to the Government of Turkmenistan to:

- amend¹⁴² the 2014 Law on Public Associations and bring the Law in line with Art. 19, 21, 22, and 25 of the ICCPR, and the OSCE/ODIHR-Venice Commission Guidelines on Freedom of Association (2015),^{143 144} and
- remove Art. 65 from the Code of Turkmenistan on administrative offences;¹⁴⁵
- release¹⁴⁶ civil society activists and citizen journalists from detention;
- end the practice of persecution, intimidation, harassment or imprisonment of civil society representatives and their family members in Turkmenistan and abroad;
- stop the practice of arbitrary travel bans imposed on human rights defenders, journalists, lawyers;¹⁴⁷
- ensure¹⁴⁸ uncensored and unhindered access to various sources of information, including the Internet and foreign media, to bring it in line with Art. 19 of the ICCPR and the UNHCR General Comment 34;
- reform GONGOs to ensure their organisational and operational autonomy:
 - create a regularly updated and publicly accessible register of Turkmen CSOs;
 - ensure transparency in allocating funds and other government support to civil society actors;
 - establish a platform for continuous trilateral dialogue between the government and the Turkmen CSOs inside and outside Turkmenistan;
- support international interaction and networking of domestic CSOs;
- strengthen¹⁴⁹ the capacity of the Office of the Ombudsperson in line with the Paris Principles, including ensuring its broad cooperation with civil society.¹⁵⁰
- fulfil its international obligations under the International Covenant on Civil and Political Rights and the OSCE commitments relating to freedom of assembly and association.

to the international institutions and donors

with the government to:

- demand compliance with various international human rights treaties that Turkmenistan has ratified including ICCPR, Convention Against Torture, CESCRC as well as membership commitments in the UN and the OSCE.
- set tangible improvements in the civil society sector as a precondition/benchmark when deciding the extent of engagement with the government; notably: the government fulfilling the UN Committees'

¹⁴² Pursuant to the recommendations of the three UN Committees as part of Turkmenistan's UPR (2023), and the UN Economic Commission for Europe under the Aarhus Convention (para 52 (a, b), 53) (2021), on CESCRC (para 13), ICCPR (para 47), CEDAW (para 29).

¹⁴³ OSCE, "Joint Guidelines on Freedom of Association," January 1, 2015, <https://www.osce.org/odihr/132371>.

¹⁴⁴ United Nations, "International Covenant on Civil and Political Rights," OHCHR: United Nations Human Rights Office of the High Commissioner, March 23, 1976, <https://www.ohchr.org/en/instruments-mechanisms/instruments/international-covenant-civil-and-political-rights>.

¹⁴⁵ See footnote 150.

¹⁴⁶ Pursuant to the recommendations of the UNHRC (para 43) (2023).

¹⁴⁷ Ibid., (para 21 (c), 35)

¹⁴⁸ Pursuant to the recommendations of the UNHRC (para 43 (a, b)) (2023).

¹⁴⁹ Pursuant to the recommendations of the UNHRC (para 7) (2023).

¹⁵⁰ Ibid., (7, d).

recommendations and establishing effective dialogue with the based-abroad Turkmen civil society actors;

- urge the government to ensure citizens' access to information of public interest and concern and improve its practices in providing detailed and credible government data on these issues;
- set responsiveness to the real needs of local communities as benchmarks when designing projects and delivering assistance inside Turkmenistan, including in cooperation with GONGOs;
- set tangible improvements in GONGOs' institutional and operational autonomy as precondition/benchmark when assessing prospective engagement with them.

to the international institutions and donors

with civil society to:

- expand programs of direct financial and technical support to domestic and based-abroad Turkmen civil society actors, refrain from applying geographical presence and registration status in Turkmenistan as conditions for receiving such support;
- expand the overall engagement with based-abroad Turkmen civil society, particularly in assessing the quality of government reforms and designing own programmatic activities;
- support coalition and solidarity-building projects/activities between Turkmen civil society actors, including with the civil society groups inside the country;
- support civil society's civic and public education project activities, i.e., online knowledge hubs or educational platforms on topics of public importance in the Turkmen language;
- support civil society's capacity-building and networking activities responsive to their specific needs, i.e., capacity to carry out data-driven and evidence-based policy research.

to the Turkmen civil society

inside the country to:

- urge the government to ensure overall unhindered access to information online and offline, especially on topics/issues of public interest and importance, and the development of open register of NGOs to improve civil society's public image and visibility;
- advance the development of constituency-based project activities and their geographical representativeness to better align them with the actual needs and concerns of local communities, especially outside major urban areas;
- communicate to international institutions' local offices the need to refine their current approach to be more responsiveness to local pressing needs, including in developing the infrastructure supporting civil society;
- develop and support civic and public education project activities, particularly on topics of public importance and concern.

outside the country to:

- take concrete steps to improve solidarity and mutual trust within the civil society community, support developing a platform for dialogue, knowledge transfer, coordinating actions, and unifying efforts to better leverage awareness-raising and advocacy actions, including in engagements with international institutions, donors, and foreign policymakers;
- specialise by identifying a clear focus of activities and investing efforts in deepening expertise in specific or interconnected areas to provide qualified inputs and policy recommendations;

- prioritise improving self-sustainability and capacity-building, improving strategic, management, and communication skills, and field-relevant competencies, i.e., crafting proper policy proposals, lobbying, campaigning, etc.;
- advance the culture of evidence-based and data-driven substantive research to offer unbiased, non-politicised, and qualified information to inform the public and policy-making;
- develop clear outreach activities to improve public perceptions about civil society and its role to expand the support base;
- develop and support civic and public education project activities to foster well-informed and engaged Turkmen public with clearer understanding of democratic values and civic engagement.

Annex 1:

Provisions of concern:

The Law on Public Associations:

- Art. 1-4 allowing for the creation of PAs only by citizens of Turkmenistan; no mention of foreign citizens and stateless persons as founders or members of PAs;
- Art. 7 (2) outlawing unregistered public associations and their activities;
- Art. 9 establishing “minimum number” of founding members requirements: at least 50 for international and national-level PAs, and at least 5 for regional (covering several administrative units) and local (one velayat) PAs;
- Art. 20 establishing mandatory registration with the Ministry of Justice (MoJ), (7) requiring registration of changes and additions to the founding documents;
- Art. 22 providing unclear grounds and wide discretion to the government authorities in denying registration;
- Art. 27 requiring public associations to provide information to MoJ: (2) about their activities, (3) about decisions of their governing bodies, (4) about changes and additions in the founding documents, (5) register with the MoJ projects and programs of donated foreign technical, financial, humanitarian support and grants, and provide interim and final reports on implementation of such projects;
- Art. 32 allowing the MoJ (2) send its representatives to participate in PAs meetings;
- Art. 34 providing disproportionate discretion to suspend the activities of PAs, i.e., if activities do not match the stated objectives in founding documents

Code of Turkmenistan on Administrative Offences:

- Art. 65 on establishing fines for:
 1. avoiding mandatory registration and conducting activities as unregistered PA;
 2. disseminating information about such PAs;
 3. financing such PAs;
 4. not registering receiving foreign financial or other forms of assistance.¹⁵¹

¹⁵¹ Adalat ministrligi, “Кодекс Туркменистана Об Административных Правонарушениях [Code of Turkmenistan on Administrative Offenses],” *Hukuk maglumatlar merkezi*, January 1, 2014, с изменениями и дополнениями в 2023, <https://minjust.gov.tm/ru/hukuk/merkezi/hukuk/604>.

Annex 2: On Registration of PAs

*Excerpts from the Law on Public Associations*¹⁵²

(Articles on registration process)

CHAPTER I. GENERAL PROVISIONS

Article 8. Principles of creation and activities of public associations

1. Public associations are created and operate on the basis of the principles of voluntariness, equality, self-government, legality and transparency.
2. Public associations are free to determine their goals, forms and methods of activity, as well as their internal structure.
3. Participation or non-participation of a citizen in the activities of a public association cannot serve as a basis for restricting his rights and freedoms or providing him with advantages.
4. The activities of public associations must be open, and information about their constituent documents must be publicly available.

Article 9. Types of public associations

1. International, national, territorial and local public associations are created and operate in Turkmenistan.
2. A public association created in Turkmenistan is recognized as international if, in accordance with its charter, at least one of its structural units is created and operates in foreign countries, an organisation, a department (branch), or a representative office.
3. An international public association can be created if there are at least 50 founders.
4. National public associations can be created if there are at least 50 founders, and their activities, in accordance with their statutory goals, extend to the entire territory of Turkmenistan.
5. Territorial public associations include associations whose activities, in accordance with their statutory goals, extend to the territory of several administrative-territorial units of Turkmenistan.
6. Local public associations include public associations whose activities, in accordance with their charters, extend to the territory of one velayat or city with the rights of a velayat and state significance of Turkmenistan.
7. Territorial and local public associations can be created if there are at least five founders.

CHAPTER III. CREATION OF PUBLIC ASSOCIATIONS

Article 18. Procedure for creating public associations

1. Public associations are created on the initiative of their founders.
2. Decisions on the creation of a public association, on the approval of its charter and on the formation of governing and control and audit bodies are made at a congress (conference) or general meeting.
3. The legal capacity of a public association as a legal entity arises from the moment of state registration with the Ministry of Adalat of Turkmenistan and the entry of data about it into the Unified State Register of Legal Entities.

¹⁵² Adalat ministrligi, “Закон Туркменистана Об общественных объединениях [Law of Turkmenistan On Public Associations],” *Hukuk mağlumatlar merkezi*, May 3, 2014, с изменениями и дополнениями от 04.02.2017 г. № 503-V, 22.08.2020 г. № 266-VI, 05.06.2021 г. № 386-VI и 03.06.2023 г. № 28-VII, <https://minjust.gov.tm/ru/hukuk/merkezi/hukuk/604>.

Article 20. State registration of public associations

1. State registration (hereinafter referred to as registration) of public associations is carried out by the Ministry of Adalat of Turkmenistan in the manner established by the legislation of Turkmenistan.
2. Public associations are subject to mandatory inclusion in the Unified State Register of Legal Entities in the manner established by the legislation of Turkmenistan.
3. To register a public association, the following documents are submitted:
 - 1) a statement signed by members of the governing body of this public association indicating their last names, first names, patronymics, years of birth and place of residence;
 - 2) the charter of the public association in two copies;
 - 3) minutes of the founding congress (conference) or general meeting, containing information on the creation of a public association, on the approval of its charter and on the formation of governing and control and audit bodies;
 - 4) information about the founders;
 - 5) document confirming payment of the registration fee;
 - 6) a document confirming the provision of a legal address to the public association.
4. To register an international public association, in addition to the documents listed in part three of this article, a document is required confirming the creation of its structural unit - organisation, department (branch), representative office in foreign countries - in accordance with its charter.
5. Documents are submitted for registration within one month from the date of the founding congress (conference) or general meeting of the public association.
6. Registration of public associations is carried out within twenty-five calendar days from the date of submission of the documents listed in this article.
7. Changes and additions to the charters of public associations, as well as changes in facts that are subject to registration, are registered in the same manner and within the same time frame as the public associations themselves, and acquire legal force from the moment of registration.
8. For registration of a public association, subsequent changes and additions to its charter, registration fees are charged in the manner and amount provided for by the legislation of Turkmenistan.
9. Registration of children's public associations is carried out after the election of at least one citizen who has reached the age of majority to their governing bodies.

Article 22. Refusal to register a public association

1. A public association may be denied registration if:
 - 1) the charter of the public association contradicts the Constitution of Turkmenistan, the provisions of this Law and other regulatory legal acts of Turkmenistan;
 - 2) a public association with the same name was previously registered in the territory within which this association operates;
 - 3) a complete list of constituent documents is not provided or they are not drawn up in the proper manner;
 - 4) it is established that the constituent documents submitted for registration contain deliberately false information;

- 5) a name of the public association offends the morality, national and religious feelings of citizens.
2. In case of refusal to register a public association, the applicant is informed about this in writing, indicating the grounds for refusal to register.
3. Refusal to register a public association is not an obstacle to re-submitting documents for registration, provided that the grounds that caused the refusal are eliminated.
4. Consideration of a repeated appeal and a decision on it are made in the manner prescribed by this Law.

Article 23. Appeal against refusal to register public associations

A decision to refuse registration of a public association may be appealed to a court.

Registration process in practice and operational bureaucracy:

To register as a public association, founders must apply to the Ministry of Justice (MOJ), where the application will be reviewed, and can be followed with additional time consuming clarifications, edits, and etc. After MOJ, the application is then sent to internal and interministerial commissions for review and approval. Rejection for PA registration without explanation can occur, and while appeals are legally possible, they are rarely successful.¹⁵³

Once the PA is registered and operates, every year the MOJ inspects PA's activities and finances, which must be properly documented. Such inspections are usually followed with a request for an external audit. This is also often required in case of receiving a grant from an international donor. Accounts of economic societies can also be inspected by the Tax Services Office of the Ministry of Finance and Economy, however audits of economic societies are rare. In addition, the 2022 amendment to the Law on Auditing Activities makes audits optional for companies with annual profits under TMT1 million.^{154 155}

All PAs are exempt from income taxes from membership and charitable contributions, donations, and inherited property according to the 2004 Tax Code. The Code provides additional tax benefits for organisations working people with disabilities, or focusing on educational services, or have a religious focus. Those PAs registered as economic societies are exempt from revenue taxes on statutory activities and operational expenses or on assets received in the framework of humanitarian, financial, and technical assistance projects funded by foreign governments and international organisations.¹⁵⁶

PAs receiving funding from foreign sources must register the nature and amount of funding with the MOJ, while economic societies must register such income with the Ministry of Finance and Economy. Grant registration documents have to be submitted to local authorities to obtain their permission for project implementation and/or operate in remote rural locations or areas with restricted access.¹⁵⁷

¹⁵³ "Civil Society Brief: Turkmenistan," pp.4 - 6.

¹⁵⁴ Equals to USD 285,000 based on the official exchange rate USD 1 = 3.5 TMT.

¹⁵⁵ "Civil Society Brief: Turkmenistan," pp.4 - 6.

¹⁵⁶ Ibid.

¹⁵⁷ Ibid.

Annex 3:

Name of organisation	Area of work	Online or Offline Address
NGOs inside Turkmenistan		
Women's Union of Turkmenistan	Gender equality, women's rights	100 Archabil Ave, Ashgabat, Turkmenistan https://zenan.gov.tm/
Chamber of Commerce and Industry of Turkmenistan	Economic development	143 Chandybil Ave, Ashgabat, Turkmenistan https://www.cci.gov.tm/
Center of the Trade Unions of Turkmenistan	Labour unions	104 Garashsyzlyk Ave, 744000 Ashgabat, Turkmenistan https://tkamm.gov.tm/tm
Magtymguly Youth Organisation of Turkmenistan	Youth	67 B Karryeva, Ashgabat, Turkmenistan https://yashlar.gov.tm/
Union of Industrialists and Entrepreneurs of Turkmenistan		
National Red Crescent Society of Turkmenistan	Social security, public health care, education of the young, etc.	2022 St, 116/1b, 7744000 Ashgabat, Turkmenistan https://www.tgymj.gov.tm/tm/
Blind and Deaf Society of Turkmenistan	Support to persons with disabilities	49 Kekilov St, Ashgabat, Turkmenistan Email: bdst@online.tm http://tkkj.co.tm/
Ynam Info	Provide free legal consultations on social issues	Mir 2/1, House 21, Apt 121, Ashgabat, Turkmenistan Email: ynam_club@rambler.ru http://www.ynam.info/
Yenme	Social support to persons with disabilities, orphans, and other vulnerable groups, and their rehabilitation	Instagram account: https://www.instagram.com/yenme.tm/ Email: overcoming.tm@gmail.com
Keyik Okara	Community-based social services, prevention and response to domestic violence (hotline), support to stateless persons	93 Turkmenbashi Ave, Ashgabat, Turkmenistan Email: keik_okara@mail.ru Instagram account: https://www.instagram.com/keyikokara/
Beyik Eyyam	Social service delivery, consultative help	72 Gurbansoltan Eje St, Turkmenabat City, Turkmenistan Instagram account: https://www.instagram.com/beyik_eyyam/
Centre for the Support of Persons with Disabilities	Support to persons with disabilities	Instagram account: https://www.instagram.com/centr_poddejki_invalidov_tm/
Union of Industrialists and Entrepreneurs	Represent interests of the Private sector	174 A Niyazov Ave, Ashgabat, Turkmenistan https://www.tstb.gov.tm/
Nature Protection Society of Turkmenistan	Environment	23/1 Kosaeva St, Ashgabat, Turkmenistan Email: egf2002@mail.ru
Yash Tebigatchy	Environment	Buzmeyin District, Gurtly 42, Ashgabat, Turkmenistan
Yashyl Shohle	Environment	n/a

Agama alpinist club	Alpinist club, environment	Ashgabat, Turkmenistan
Union of Economists of Turkmenistan	Support to startups	1972 Atatürk St, 82 Berkarar Business Center, Ashgabat, Turkmenistan
Hunarli Buhgalter	helps authorities and businesses with financial reporting standards and accounting methodologies.	1951 St, Apt 1, Ashgabat, Turkmenistan
Central Physical and Sports Club of the Disabled of Turkmenistan	Support to persons with disabilities	245 Niyazov Ave, Ashgabat, Turkmenistan
Ynanch Vepa	One UNDP news story mentions that it is an analytical agency	6 Gorogly St, Ashgabat, Turkmenistan
Ynamly Yegendesh	Operates hotline (Ashgabat) for people at risk of victims of human trafficking	33 N. Gullayev St, Ashgabat, Turkmenistan Email: ynamlyegindesh@gmail.com
Ynamly Durmush	Consultation and social assistance to women, youth, farmers, and entrepreneurs	Etrap Berkararlyk, Yylday Durdyev 48, Ashgabat, Turkmenistan
Taze Zaman	Also hotline, human trafficking projects	Turkmenabat City, Turkmenistan
Mashgala	Migration, human trafficking	51A Mollanepesa St, Mary City, Turkmenistan Email: bazar1985@inbox.ru
Dap Dessur	An organisation supporting young people and women through diverse skill development programs and projects	
Eko-durmush	Environment	32/11 Magtymguly Ave, Dashoguz City, Turkmenistan
Tebigi Kuvvat	Environment	
Makhtumkuli Youth Union of Turkmenistan	Support to youth	
Bosfor, Part of Magtymguly Youth Union	Support to youth	73 Mahtymkyli Ave, Ashgabat, Turkmenistan https://en.bosfor.info/
Turkmen civil society based-abroad		
Azatlyk radiosy	Media	https://www.azathabar.com/
Turkmen.news	Media	https://turkmen.news/
Chronicles of Turkmenistan	Media	https://www.hronikatm.com/
Turkmen Initiative for Human Rights	Human rights protection	https://www.hronikatm.com/
Turkmenistan Helsinki Foundation for Human Rights	Human rights protection	https://tmhelsinki.org/en
Saglyk	Public health, gender equality	https://www.saglyk.org/

Progres Foundation, Progres online	Online analytical journal focusing on socio-economic issues	https://progres.online/
Hak Hukuga Dayanch	Protecting the rights of Turkmen labour migrants in Turkey	
Rights and Freedoms of Turkmenistan Citizens, Turkmen Yurt TV	Human rights, media	https://turkmenyurt.tv/
Gundogar	Media	https://gundogar.media/
Jora	Women's health, gender equality	https://www.instagram.com/joralar/
Demokratiya Watan Türkmenistan (DWT) or Democratic Choice of Turkmenistan	People's movement	Website of the leader: https://kurbanovmurad.com/ Youtube channel of the leader: https://www.youtube.com/@kurbanovmka/videos
HSM News, Türkmenistan - HSM	Media, online platform for political discussions	https://habar.halkynsesi.media/ https://www.youtube.com/@halkynsesi/videos