

**Permanent Mission of Turkmenistan  
To the United Nations**

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The Permanent Mission of Turkmenistan to the United Nations presents its compliments to the Secretary-General of the United Nations, and in reference to the latter's note LA/COD/2 dated 9 April 2010, has the honour to transmit herewith information from the Government of Turkmenistan, for inclusion in the report of the Secretary-General regarding the General Assembly resolution 63/125 of 11 December 2008 entitled "Status of Protocols Additional to the Geneva Convention of 1949 and relating to the protection of victims of armed conflicts".

The Permanent Mission of Turkmenistan to the United Nations avails itself of this opportunity to renew to the Secretary-General of the United Nations the assurances of its highest consideration.

New York, 7 June 2010

H.E. Mr. Ban Ki-moon  
Secretary-General  
United Nations  
New York

*Translated from Russian*

## Annex 2

Information provided by the Government of Turkmenistan on General Assembly resolution 63/125 of 11 December 2008 entitled "Status of the Protocols Additional to the Geneva Convention of 1949 and relating to the protection of victims of armed conflicts"

Upon obtaining independence and the status of permanent neutrality, Turkmenistan adopted the Declaration on international obligations in the field of human rights and freedoms and the Declaration on the foreign policy course of Turkmenistan in the twenty-first century based on permanent neutrality and the principles of peaceableness, good-neighbourliness and democracy, and thereby set its independent course towards resolving humanitarian issues.

The international community has witnessed the radical, broad-ranging reforms carried out by the President of Turkmenistan, Gurbanguly Berdimuhamedov. The current period of the country's development is characterized by transformation in the political, economic, social and cultural spheres. The reforms, introduced under the direct leadership of the head of State, have promoted progressive renewal of the entire social and political system and recognition of the authority of neutral Turkmenistan by the entire world community.

The constructive foreign policy maintained by the President of Turkmenistan is a key and reliable factor in ensuring that Turkmenistan will successfully implement the international obligations it has assumed in the field of human rights.

Turkmenistan recognizes the key importance of the generally accepted norms of international law and has ratified more than 100 conventions, including 40 fundamental international agreements on human rights.

They include:

- the International Covenant on Economic, Social and Cultural Rights;
- the International Covenant on Civil and Political Rights;
- the Convention against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment;
- the Convention on the Elimination of All Forms of Discrimination against Women and the Optional Protocol to that Convention;
- the Convention on the Elimination of All Forms of Racial Discrimination;
- the Convention on the Rights of the Child;
- the Convention on the Rights of Persons with Disabilities;
- the Convention relating to the Status of Refugees; and others.

Besides those international human rights documents, Turkmenistan adhered on 10 April 1992 to the basic four Geneva Conventions of 1949 for the protection of war victims and the two Additional Protocols to the Conventions of 1977.

Over the years since independence Turkmenistan has adhered to a number of other international instruments in the field of humanitarian law:

- the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects and two protocols to the Convention: Protocol I on Non-Detectable Fragments and Protocol II on Prohibitions or Restrictions on the Use of Mines, Booby-Traps and Other Devices;
- the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction of 1993;
- the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction of 1997;
- the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; and others.

Turkmenistan, as a State that constantly supports all initiatives that promote a peaceful world order, condemns wars, international terrorism and the arms race. This was clearly demonstrated when on 24 October 2005 Turkmenistan associated itself with the Joint Declaration to support initiatives on the part of international organizations to combat the proliferation of weapons of mass destruction and ratified the Agreement between Turkmenistan and the International Atomic Energy Agency on safeguards relating to the Treaty on the Non-Proliferation of Nuclear Weapons and the Additional Protocol to the Treaty. Turkmenistan is party to the International Convention for the Suppression of Terrorist Bombings, the International Convention against the Taking of Hostages, the Convention for the Suppression of the Financing of Terrorism, and the International Convention for the Suppression of Acts of Nuclear Terrorism.

Key factors in the implementation of the provisions of those international instruments in the field of humanitarian law are the legislative and measures adopted by the Government and Parliament of Turkmenistan.

The President of Turkmenistan has declared the country's unswerving intent to fulfil all international obligations.

In accordance with the obligations it has assumed in the field of international humanitarian law, Turkmenistan has adopted various laws, namely, the Act on the legal regime at times of national emergency (23 August 1990), the Act on mobilization and preparation for mobilization in Turkmenistan (10 December 1998), the Act on the use and protection of the symbols of the Red Crescent and the Red Cross (7 July 2001, and the Act on civil defence (29 November 2003).

In conformity with the Constitution of Turkmenistan, the country's neutral status and the international obligations of Turkmenistan, the Act of Turkmenistan on the use and protection of the symbols of the Red Crescent and the Red Cross establishes the regime and rules for the use of and legal protection of the symbols of the Red Crescent and the Red Cross.

The Criminal Code of Turkmenistan devotes significant attention to humanitarian law, in particular in its special Chapter 21, which deals with responsibility for crimes against the peace and security of humanity, including the crimes of war propaganda (article 167), genocide (article 168), mercenary activity (article 169) and assault on internationally protected persons (article 170).

In order to ensure effective protection of the emblem of the Red Cross and Red Crescent and the names "Red Cross" and "Red Crescent", the Criminal Code of Turkmenistan provides for criminal responsibility for the illegal use of the symbols of the Red Cross and Red Crescent (article 225).

In 2009, the President of Turkmenistan signed the Military Doctrine of independent and permanently neutral Turkmenistan, which developed the provisions of the Framework Plan for the national security of Turkmenistan and the Declaration on the foreign policy direction of Turkmenistan in the twenty-first century based on neutrality and the principles of peaceableness, good-neighbourliness and democracy. The doctrine is defensive in nature, which flows from the careful combination in its provisions of a firm and consistent commitment to general security and peace with a determination to defend national interests and ensure the military security of the country. The legal foundation is provided by the Constitution of Turkmenistan, the Constitutional Act of Turkmenistan on the permanent neutrality of Turkmenistan and other laws and normative acts of Turkmenistan, as well as by international treaties to which Turkmenistan is party in the field of ensuring military security.

Turkmenistan actively supports initiatives on the part of the international community aimed at ensuring regional and global security, the integrity of which depends on intercommunication in multiple directions. This includes the military, political, economic, social, environmental, energy, agricultural and water aspects of security, which lie at the heart of general security.

In December 2007, at the suggestion of Turkmenistan and pursuant to a resolution of the United Nations General Assembly, a regional Centre for Preventive Diplomacy in Central Asia was opened in Ashkhabad. The Centre, which is the first United Nations body of its kind, is destined to become an important and effective tool for early warning, prevention of conflicts and dispute settlement in the region.

The development of constructive dialogue with the European Union is also one of the priority interests of Turkmen foreign policy. The exchange of visits at the highest level and contacts of a political, economic and cultural nature have served as the basis for the opening of the Europe House in Ashkhabad.

The development and realization of the rules and principles of humanitarian law are the task of the National Red Crescent Society, founded in 1926. In 1995, the National Society joined the International Federation of Red Cross and Red Crescent Societies. The structure of the National Red Crescent Society embraces the entire country and has more than 150,000 members and volunteers, who participate actively in its activities.

The priority tasks of the National Society include to disseminate information about international humanitarian law and the basic principles of the International Red Cross and Red Crescent Movement; to trace family ties and reunify families; to teach the population how to act in emergency situations and during natural disasters and how to administer first aid in various situations; to cooperate with State agencies in protecting the health and well-being of citizens by providing information on hygiene and health and social support to the most vulnerable layers of the population; and to help prevent various diseases, including tuberculosis, drug addiction and HIV/AIDS.

The National Society regularly conducts informational seminars on the bases of international humanitarian law and the correct use of the Red Crescent emblem

for the benefit of cadets, students and teachers, as well as specialists from interested ministries and departments.

At present serious efforts are underway to include the bases of international humanitarian law in the programmes of educational establishments. The educational programme of the Turkmen State Medical Institute, for instance, now includes topics relating to international humanitarian law, in particular the role, tasks, rights and obligations of medical staff in situations of armed conflict.

One of the important activities of the National Red Crescent Society is to raise the level of knowledge among the population by issuing annual reports, informational bulletins, booklets and textbooks.

As examples, one can cite booklets such as *War and the Law* and *The Emblems of the International Red Crescent and Red Cross Movement* and the textbook *Rights and Obligations of Medical Personnel in Armed Conflict*, which have been issued in the national language and in Russian.

All of the multi-faceted humanitarian work of the National Society is based on the Strategy of the National Society for 2007 - 2010 and the strategy of the International Red Cross and Red Crescent Movement.

In cooperation with the International Committee of the Red Cross (ICRC) a constructive dialogue has been engaged in Turkmenistan on current issues of humanitarian law.

On 23 February 2010 a three-day forum was held involving the leaders of the national societies of Central Asian countries.

The meeting was organized by the National Red Crescent Society of Turkmenistan with the support of the ICRC and the International Federation of Red Cross and Red Crescent Societies of Central Asia.

Participants in the forum included representatives of the ICRC area office in Central Asia, the ICRC regional delegation, the regional delegation of the International Federation of Red Cross and Red Crescent Societies of Central Asia and leaders of the national societies of five States in the region: Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan.

The forum summed up the joint work of the ICRC in 2009, exchanged experiences, indicated areas for future cooperation and set priorities for work on various issues.

In order to establish the legal status of the National Red Crescent Society of Turkmenistan and regulate the social relationships associated with the National Society's humanitarian work in Turkmenistan and abroad, including the form of its cooperation with State bodies and the management of the National Society along with the Presidential Turkmen National Institute for Democracy and Human Rights, a draft Act is being prepared on the National Red Crescent Society.

Furthermore, with the help of experts from ICRC, work is underway on draft Regulations for an interdepartmental working group on implementation of international humanitarian law and on developing an educational programme for the study of international humanitarian law in the educational institutions of the country.

On 18 January 2010 the Ministry of Foreign Affairs of Turkmenistan, the Presidential Turkmen National Institute for Democracy and Human Rights and the ICRC organized a round table on the legal bases and practical measures for implementing the norms of international law in the national legislation of Turkmenistan with the participation of representatives of Parliament, various ministries and departments, higher educational institutions and the mass media.

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