

## **Statement on Turkmenistan: the rights of LGBT people, freedom of association and HIV programming in the country.**

The statement is delivered on behalf of ECOM - Eurasian Coalition for Health, Rights, and Gender and Sexual Diversity's alternative report. ECOM is a non-governmental membership association working with lesbian, gay, bisexual and transgender (LGBT) communities in Eastern Europe and Central Asia.

LGBT people have no opportunity to be involved in national consultations as Turkmenistan is a country where homosexuality remains illegal and punished with up to three years in prison.

This statement focuses on the human rights violations against the LGBT community in Turkmenistan. The second issue is focused on the lack of HIV services and policies available in the country.

In Turkmenistan, hate speech against the LGBT community is distressingly common, perpetuating an environment of hostility and prejudice. The government's lack of action to protect the rights of LGBT individuals only exacerbates this situation. The state actively endorses homophobia and transphobia through its policies.

Moreover, criminalization of same-sex sexual conduct in Turkmenistan is a grave violation of human rights. This has resulted in severe and widespread discrimination and persecution against LGBT individuals, including arbitrary arrests, beatings, extortion, and blackmail. LGBT individuals are forced to live in secrecy and isolation, fearing violence from their families, communities, and even the authorities.

The situation for lesbian, bisexual, and trans women is equally concerning. Although same-sex relationships among women are not explicitly outlawed, trans women can be imprisoned due to lack of legal gender recognition

Lesbian, bisexual, and trans women face stigmatization, discrimination, and oppression due to their gender, sexual orientation, and gender identity. Their unique experiences and needs are often overlooked, limiting access to necessary resources, services, and support. We must

emphasize the intersectionality of their challenges and work towards providing them with the representation and support they deserve.

It is impossible for LGBT communities in Turkmenistan to organize due to persecution from the state authorities and restrictive limitations for civil society organizing.

## **RECOMMENDATIONS**

Despite numerous recommendations from previous cycles to decriminalize sexual relations between people of same sex and to adopt policies to promote non - discrimination of lesbian, and trans people, the government has not taken substantial steps in this direction. It is essential for Turkmenistan to:

- Abolish laws criminalizing same-sex conduct, introduce anti-discrimination laws;
- Provide accessible, quick and transparent procedure of legal gender recognition;
- Strengthen laws against gender-based violence, promote gender equality in education and employment, and improve women's access to justice.

## **HIV and freedom of assembly**

The lack of transparency in reporting HIV cases is deeply concerning. Many cases remain unregistered, leading to difficulties in accessing medical treatment and stigma for people living with HIV. The government's inadequate support for prevention efforts and limited access to antiretroviral therapy contribute to this problem. The rights of LGBT individuals must be recognized, and appropriate HIV prevention and treatment measures should be implemented without further delay.

While advocating for the rights of LGBT individuals, we must acknowledge that their struggles are intertwined with the overall climate of rights violations in Turkmenistan. The constitution and law of the country proclaim the freedom of peaceful assembly, yet the government's actions have hindered progress with civil society organizing. The freedom of association, equally essential for civil society and democracy, is also restricted.. Foreign assistance is controlled through the Ministry of Foreign Affairs, while unregistered NGO activity is met with fines, short-term detention, and property confiscation. Administrative barriers further

impede NGOs from attempting to register, curtailing their ability to contribute positively to society.

## **RECOMMENDATIONS**

Six recommendations related to HIV were given to Turkmenistan during the previous UPR cycle. None of them included recommendations for working with key populations, such as gay and bisexual men, sex workers, and people who use drugs. It is essential for Turkmenistan to

- Ensure access to antiretroviral therapy, prevent new HIV infections, and guarantee healthcare, social services, and employment opportunities without discrimination based on sexual orientation and gender identity;
- Enhance transparency and accountability, specifically to implement transparent social welfare programs and support NGOs to address social issues;
- Promote an independent judiciary and legal aid services to ensure access to justice for all citizens;
- Lift restrictions on media outlets and internet freedom to foster an environment of open dialogue and free expression.