



Office for Democratic Institutions and Human Rights

TURKMENISTAN
PARLIAMENTARY ELECTIONS
15 December 2013

OSCE/ODIHR NEEDS ASSESSMENT MISSION REPORT

20-23 August 2013



Warsaw
12 September 2013

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OSCE/ODIHR Needs Assessment Mission Report

I. INTRODUCTION

In anticipation of an invitation to observe the upcoming parliamentary elections and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (OSCE/ODIHR) undertook a Needs Assessment Mission (NAM) to Ashgabat from 20 to 23 August 2013. The NAM included Nicola Schmidt, Deputy Head of the OSCE/ODIHR Election Department, Tamara Otiashvili, OSCE/ODIHR Election Adviser, and Anna Chernova, Programme Director with the OSCE Parliamentary Assembly (OSCE PA).

The purpose of the mission was to assess the pre-election environment and the preparations for the elections. Based on this assessment, the NAM should recommend whether to deploy an OSCE/ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions and the election administration, as well as with representatives of political parties, media, civil society, and the resident international community. A list of meetings is annexed to this report.

The OSCE/ODIHR would like to thank the Ministry of Foreign Affairs and the OSCE Centre in Ashgabat for their assistance and co-operation in organizing the NAM. The OSCE/ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM.

II. EXECUTIVE SUMMARY

Turkmenistan is a presidential republic, with legislative powers vested in the 125-member parliament (*Mejlis*) and executive powers exercised by the government, led by the president. On 15 December, members of the parliament will be elected in all 125 single-mandate constituencies under a majoritarian system, each returning one deputy. The current government is led by the Democratic Party of Turkmenistan, which has dominated the politics of Turkmenistan for the last two decades.

President Gurbanguly Berdimuhammedov and some 190 members of the Democratic Party of Turkmenistan, who at the same time hold public office, suspended their party membership for the time of the upcoming elections. A newly established party, the Party of Industrialists and Entrepreneurs, is also to contest these elections. While additional candidates from another political party could imply a measure of choice between candidates and could be interpreted as a move towards political pluralism, it is no substitute for a genuinely pluralistic environment which would provide for the functioning of a political opposition to the incumbent authorities. It was not clear how the party platforms would differ, and whether the new party provides a genuine political alternative to the voters.

The upcoming elections will be conducted under the Constitution and a newly consolidated Election Code, which was adopted by parliament unanimously on 4 May 2013. The Code consolidates a number of separate election laws, which were subsequently revoked.

Turkmenistan is party to more than 120 international conventions and agreements. In its recent Universal Periodic Review, the United Nations commended Turkmenistan for accession to several international instruments and efforts to bring legislation in line with treaty obligations. However, it

highlighted a number of key recommendations, including the urgent need to reform legislation to ensure the full enjoyment of the rights to freedom of expression, to freedom of assembly and to freedom of association.

The election administration operates at five levels, headed by the Central Commission for Elections and Referenda (CEC), and includes 6 Regional Election Commissions (RECs), Constituency Election Commissions (CoECs) in each of the 125 territorial constituencies, 74 District Election Commission (DECs) as well as Precinct Election Commissions (PECs). The number of PECs is still to be determined.

All citizens over 18 years of age have the right to vote, except for those recognized as incapable by a court decision as well as those serving a prison sentence irrespective of the gravity of the crime committed. There is no central voter register and each PEC compiles the list of voters for its precinct based on data provided by local authorities. Voters can be added to a supplementary voter list on the basis of their residence and allowed to vote on election day.

Parliamentary elections may be contested by voters who are over 25 years old and have permanently resided in Turkmenistan during the preceding ten years. Nominations can be made by registered political parties, public associations and by groups of voters. Both parties and several public associations announced their intention to nominate candidates to contest these elections.

There are no campaign finance regulations, and elections, including the electoral campaigns of candidates, are financed from the state budget. Election commissions and local authorities are responsible to assist candidates in organizing candidate meetings with voters. In addition, it is not clear whether candidates are allowed to use private funds to print and distribute their campaign materials.

The election campaign starts once candidate registration is completed (5 October for these elections) and ends 24 hours before election day. The CEC is required to provide equal campaign conditions for all candidates. While the campaigning opportunities are limited, the OSCE/ODIHR NAM interlocutors did not raise concerns about their ability to campaign.

The government maintains a monopoly over the media sector. There is no private or independent electronic media and there is only one private newspaper. In recent years, the OSCE has welcomed increased co-operation on media issues with Turkmenistan. However, the media landscape has been repeatedly criticized by the OSCE Representative on Freedom of the Media, who urged authorities to establish a legislative framework to guarantee and safeguard media freedom.

The adoption of the Law on Media in December 2012 marks a positive step in this respect by providing for freedom of the mass media. With continued limitation on access to the Internet and the availability of some websites, television remains the main source of political information. Provisions are in place to provide free airtime on state television to all candidates.

Decisions of election commissions may be appealed to either the superior election commission or the courts, with the Supreme Court as the final instance in all cases. The OSCE/ODIHR has previously recommended addressing the dual system of electoral dispute resolution as it could potentially lead to inconsistencies in decisions.

The Election Code provides for international and citizen election observation, as well as observation by authorized representatives of candidates. Both political parties as well as the public associations informed the OSCE/ODIHR NAM of their intention to observe the upcoming elections.

Turkmenistan marked some improvement in consolidating the legal framework for elections. However, progress still needs to be made in bringing the legal framework in line with OSCE commitments for democratic elections. In addition, given that fundamental freedoms continue to be restricted and that the choice between competing political alternatives is limited in the absence of a functioning opposition, the OSCE/ODIHR NAM does not consider the deployment of an election observation mission, including long-term and short-term observers, to be of added value.

However, mindful of the declared interest of the authorities of Turkmenistan to maintain a dialogue with the OSCE/ODIHR on electoral reform and the interest in expanding co-operation with the OSCE, the OSCE/ODIHR NAM recommends the deployment of an Election Assessment Mission (EAM). This EAM would further review the new legal and administrative framework for elections and also visit some regions of the country to gain a more substantive understanding of its electoral processes. In line with the standard OSCE/ODIHR methodology, a final report would be published approximately eight weeks after the elections, including concrete recommendations to assist Turkmenistan in its stated intention of holding elections according to democratic standards, consistent with its OSCE commitments.

III. FINDINGS

A. BACKGROUND

Turkmenistan is a presidential republic, with legislative powers vested in the 125-member parliament (*Mejlis*).¹ Executive powers are exercised by the government, headed by the president. The current government is led by the Democratic Party of Turkmenistan, which has dominated the politics of Turkmenistan for the last two decades. It is also the only political party represented in the parliament along with representatives nominated by public associations; all initially subsumed under the National Revival Movement (*Galkynysh*).² The absence of political pluralism and the insufficient separation of powers between different branches of government, as well as the need to increase respect of basic fundamental freedoms impede the holding of elections in line with the OSCE commitments and international standards.

The Law on Political Parties was adopted in 2012. Subsequently, the Party of Industrialists and Entrepreneurs was established, originating from the Union of Industrialists and Entrepreneurs.³ While additional candidates from a second political party could imply a measure of choice between individual candidates and could be interpreted as a tentative move towards political pluralism, it is no substitute for a genuinely pluralistic environment which would provide for the functioning of a political opposition to the incumbent authorities. This is due to all movements emanating from the National Revival Movement and expressing support to the president, until recently the leader of the Democratic Party, and a lack of diversity and competition over political platforms.

¹ Parliament convenes only twice a year; the meeting is partly transmitted on state television. It is unclear, how many members of parliament belong to the Democratic Party or to the different public associations.

² The OSCE/ODIHR NAM was not able to establish how many members of parliament belong to the Democratic Party of Turkmenistan and the public associations. Currently the leading public associations are the Trade Union, the Women's Union, the Youth Union, and the Veteran's Union. The National Revival Movement (*Galkynysh*) was dissolved on 15 December 2011.

³ The party was established on 21 August 2012. The Union of Industrialists and Entrepreneurs continues to function.

On 17 August 2013, President Gurbanguly Berdimuhammedov suspended his party membership in the Democratic Party of Turkmenistan, as well as his party leadership. He also encouraged other members who hold government posts to do so. The OSCE/ODIHR NAM was informed that some 190 state and local government officials have suspended their party membership for the upcoming elections. Authorities met with by the OSCE/ODIHR NAM stressed the importance of holding competitive elections in light of the country's commitments to democratic values and noted that, in this context, a 'step-by-step' approach is more applicable for meeting its international obligations.

Turkmenistan is party to more than 120 international conventions and agreements, which include fundamental international human rights instruments.⁴ In its recent Universal Periodic Review the United Nations commended Turkmenistan for accession to several international instruments and efforts to bring legislation in line with its treaty obligations. However, the United Nations highlighted a number of key recommendations, including the urgent need to reform legislation to ensure the full enjoyment of the rights to freedom of expression, to freedom of assembly and to freedom of association.⁵

The OSCE/ODIHR has previously deployed an Election Support Team (EST) for the 11 February 2007 presidential election⁶ and the 14 December 2008 parliamentary elections, and an Election Expert Team (EET) for the 5 December 2010 local elections and 12 February 2012 presidential election. The OSCE/ODIHR did not issue any public statements, but supported the OSCE Centre in Ashgabat in its election-related reporting. Additionally, the OSCE/ODIHR published legal assessments of electoral legislation in 2008 and 2012.⁷

B. ELECTORAL SYSTEM AND LEGAL FRAMEWORK

Parliamentary elections will take place on 15 December. For these elections, the country is divided into 125 single-mandate constituencies, each returning one deputy under a majoritarian electoral system for 5 years. Candidates who receive more than half of the votes cast by voters who participated in the elections are considered elected. If no candidate obtains an absolute majority of votes, a second round is held within two weeks between the two leading candidates. There is no threshold requirement for participation of voters for the elections to be valid.

All elections are primarily regulated by the 2008 Constitution and the 2013 Election Code.⁸ The Code was passed on 4 May 2013 and came into force on 1 July. It consolidates a number of separate election laws, including the Law on Elections of Deputies of the *Mejlis*, and the Law on the Central Election Commission. These laws have subsequently been revoked. The Law on Guarantees of Electoral Rights of the People of Turkmenistan was amended in 2012, however, with only minor changes.

⁴ Most recently Turkmenistan has acceded to the United Nations Convention on the Rights of Persons with Disabilities (in 2008) and its Optional Protocol (in 2010).

⁵ Human Rights Council Working Group on the Universal Periodic Review Sixteenth session Geneva, 22 April – 3 May 2013, http://www.upr-info.org/IMG/pdf/a_hrc_wg.6_16_tkm_1_turkmenistan_e.pdf.

⁶ The OSCE PA also conducted an exploratory field visit during the 2007 presidential election.

⁷ All public reports of the OSCE/ODIHR on Turkmenistan including legal assessments are available at <http://www.osce.org/odihr/elections/turkmenistan>.

⁸ The current Constitution was adopted on 18 May 1992, and has been amended on a number of occasions with the latest amendments adopted on 26 September 2008. These amendments focused on two institutional issues: (a) abolition of the legal authority of the People's Council of Turkmenistan (which used to be the supreme representative body) and the redistribution of its powers between the president and the parliament, and (b) bringing the provisions of the Constitution closer to in line with Turkmenistan's international commitments.

The Election Code will be applied for the first time in the upcoming elections. The OSCE/ODIHR NAM's interlocutors stated that its formulation and subsequent adoption was led by a parliament-initiated working group to address recommendations from previous OSCE/ODIHR legal assessments. Amendments were adopted unanimously; its prompt adoption may put in question the process of discussion of the changes and its inclusivity. While it is welcome that all election-related provisions are now consolidated in one legal instrument, it remains to be seen how it will be implemented.

The legal framework contains an explicit commitment to international norms in the conduct of elections. The Constitution recognizes international treaties Turkmenistan is party to, subject to the primacy of the Constitution itself. The Law on Guarantees of Electoral Rights of the People of Turkmenistan reiterates that Turkmenistan is "a full-fledged subject of the world community and strictly following the principles and norms of international law during elections and referenda."⁹

On 13 January 2012, the Law on Political Parties was adopted. In principle, the adoption of this law is a welcome development. Nevertheless, the new law imposes certain limitations: it limits party membership to adult citizens permanently residing in Turkmenistan; requires that parties should have at least 1,000 members; and prohibits parties to be formed on ethnic or religious grounds, or established by provinces or profession. All political parties are obliged to permit Ministry of Justice representatives to be present at and participate in party activities and are required to invite relevant election commission representatives to activities related to the nomination of candidates.¹⁰

C. ELECTION ADMINISTRATION

The election administration operates at five levels, headed by the Central Commission for Elections and Referenda (CEC), and includes 6 Regional Election Commissions (RECs), including in the City of Ashgabat, 125 Constituency Election Commissions (CoECs), one in each of the 125 territorial constituencies, 74 District Election Commissions (DECs) as well as Precinct Election Commissions (PECs).¹¹

The CEC is a permanent body responsible for the overall conduct of elections as well as to review complaints against decisions of lower-level commissions and to supervise the financing of elections. It is composed of 15 members, each appointed by the president for five-year terms. Members are proposed by political parties and public associations, while the chairperson is confirmed by the parliament. The 6 RECs are also permanent commissions, appointed for a five-year term by the CEC and consist of between 9 and 13 members appointed on the basis of nominations by political parties and public associations.¹² RECs perform mostly administrative and logistical tasks in support of the CoECs, aggregate the voting results in each region (and in the city of Ashgabat), and deliver the CoEC results protocols to the CEC.

CoECs are established 60 days before election day and consist of between 9 and 11 members. They have a wide range of responsibilities, including the registration of candidates, organizing campaign meetings for electoral contestants, and establishing the voting results in the electoral constituency. DECs are composed of between 7 and 11 members and are established 60 days before election day. Their role during parliamentary elections is limited to establishing the PECs and providing operational support. The PECs are responsible for the conduct of election day procedures at polling stations, as

⁹ See Article 11

¹⁰ See the OSCE/ODIHR comments on the Law on Political Parties of Turkmenistan at <http://www.legislationline.org/countries/country/51>.

¹¹ The number of PECs is still to be determined for the upcoming elections.

¹² For all election commissions the number of its members depends on the size of the population in the respective region, constituency, district and precinct.

well as the compilation of voter lists. They are composed of between 5 and 15 members. For these elections, PECs, including those for out-of-country voting, will be established 40 days before election day. All temporary election commissions are appointed based on a similar formula as the one used for permanent election commissions.

The CEC chairperson informed the OSCE/ODIHR NAM that the CEC secretariat is fully staffed and that the CEC has all the required financial resources to administer the upcoming elections. The CEC conducts sessions regularly and its decisions are made public only through the state television channels and newspapers. This does not include the publication of written decisions, which is not required by law. Thus far, the CEC has passed a number of decisions on technical aspects of the elections and approved the action plan for the upcoming elections. Once the CoECs, DEC and PECs are established, the CEC intends to train all members regardless of their previous experience. The action plan also includes voter education programmes.

Voting is conducted in-person at polling stations on election day from 07:00 to 19:00. Those voters absent from their residence on election day have the possibility to vote in advance, starting 10 days before election day. Voters temporarily residing abroad will be able to vote at polling stations established at diplomatic representations of Turkmenistan. Mobile voting is permitted for homebound voters on election day with prior application. In a positive change, voting hours are now stipulated in the Election Code and are not contingent upon the decision of the CEC.¹³ However, the Code leaves a number of aspects of the process under-regulated and thus at the discretion of the CEC.

D. VOTER RIGHTS AND REGISTRATION

All citizens over 18 years of age on election day are eligible to vote. Citizens declared incompetent by a court, as well as those serving a prison sentence irrespective of the gravity of the crime committed, are not entitled to vote. The blanket denial of voting rights of those serving prison sentences lacks proportionality and is not in line with OSCE commitments and international standards.¹⁴

There is no central voter register. Each PEC, ahead of each election, compiles the list of voters for its precinct based on data provided by the local authorities. All citizens enjoying active suffrage rights, who reside on the territory of a respective electoral precinct for at least the last three months, are included in the voter list. The law does not foresee any mechanism to verify voter lists for possible multiple entries, including across boundaries of different electoral precincts, other than the door-to-door checks that are conducted by PECs to update the lists. In addition, voters can be added to a supplementary voter list on election day on the basis of their residence. Collectively, these practices could allow for multiple registrations.

Voter lists are on display for public scrutiny 15 days before election day at the PEC. During this time a citizen has the right to appeal against incorrect inclusion or exclusion from a voter list and also against inaccuracies in the voter's details. Although no final number of voters was provided during the

¹³ In its Assessment of the Electoral Legislation of Turkmenistan, the OSCE/ODIHR had recommended that the hours for voting be expressly stated in the laws. See <http://www.osce.org/odihr/elections/92391>.

¹⁴ Paragraph 7.3 of the 1990 OSCE Copenhagen Document states that the participating States will "guarantee universal and equal suffrage to adult citizens," while Paragraph 24 provides that restrictions on rights and freedoms must be "strictly proportionate to the aim of the law." General Comment No. 25 (1996) to Article 25 of the International Covenant on Civil and Political Rights by the UN Human Rights Committee states that grounds for deprivation of voting rights should be "objective and reasonable" (point 14).

NAM, the CEC informed the OSCE/ODIHR that the number will reach some 3 million voters. For the 2012 presidential election, a total of 2,839,889 voters were registered nationwide.¹⁵

E. CANDIDATE REGISTRATION

In addition to meeting the requirements for being a voter, candidates are required to be at least 25 years old on election day and to have permanently resided in Turkmenistan ten years preceding the elections. A citizen with a conviction that has not been expunged or pardoned is not eligible to run for office.¹⁶

Parliamentary elections may be contested by candidates nominated by registered political parties, public associations and by groups of voters. Groups of voters are required to convene a meeting with the participation of at least 200 citizens with voting rights residing on the territory of the respective constituency, and pass a decision with the support of the majority of those present. Each voter can participate in only one meeting of a group of voters at the time of nomination. Registered political parties and public associations are exempt from a signature collection requirement provided that they submit their party registration documents as required by law.

Candidate nominations are submitted to the CoECs no later than 25 days before election day. CoECs are responsible for checking the eligibility of each candidate. However, the Code lacks details on the candidate registration process, as well as on other procedures, such as the ordering of candidates on the ballot. There is no requirement for gender representation of candidates or elected members of the parliament. However, the majority of interlocutors met with by the OSCE/ODIHR NAM expressed the intention to nominate women candidates. In addition, the Women's Union intends to organize seminars for promoting women's participation in the political process.

Both registered political parties and the public associations met with by the OSCE/ODIHR NAM expressed their intention to nominate candidates for the upcoming parliamentary elections in all constituencies of in the majority of constituencies.

F. ELECTION CAMPAIGN AND MEDIA

The official campaign starts from the day of registration of candidates (5 October for these elections) and lasts until the day before election day. Supervision of the lawful conduct of the campaign falls under the jurisdiction of the election commissions. Election commissions, along with the respective local executive bodies, are to facilitate candidates' meetings with voters. Although no concerns were raised by OSCE/ODIHR NAM interlocutors in this respect, the existing legal requirements and practice can be seen as undue interference of the state in candidates' campaign activities.¹⁷

¹⁵ The total number of citizens residing in Turkmenistan is also unknown. According to the last survey conducted in 1995, there were 4.48 million citizens living in Turkmenistan. The next census was only conducted in December 2012, with the final results to be available at the beginning of 2014.

¹⁶ Paragraph 24 of the 1990 OSCE Copenhagen Document provides that "any restriction on rights and freedoms must, in a democratic society, relate to one of the objectives of the applicable law and be strictly proportionate to the aim of that law."

¹⁷ See of paragraph 7.7 of the 1990 OSCE Copenhagen Document as the participating States commit to "ensure that law and public policy work to permit political campaigning to be conducted in a fair and free atmosphere in which neither administrative action, violence nor intimidation bars the parties and the candidates from freely presenting their views and qualifications, or prevents the voters from learning and discussing them or from casting their vote free of fear of retribution."

There are no provisions to regulate campaign finance. The costs of preparing and holding the elections are covered by the state. A CEC revision group, established in 2011, is mandated to oversee campaign expenditures. However, there are no mechanisms for reporting on any campaign expenditure. In addition, it is not clear whether candidates are allowed to receive donations and spend personal money on their campaign. The OSCE/ODIHR NAM's interlocutors noted that any spending in addition to the funds provided by the state would mean candidates having unequal conditions for campaigning.

The campaign is expected to be moderate. All political parties and public associations met with by the OSCE/ODIHR NAM stated that they plan to campaign primarily through meetings with citizens and only some would consider door-to-door canvassing. Candidates are not allowed to use private funds to print and distribute their campaign materials. The OSCE/ODIHR NAM was informed that these materials, including posters and leaflets, will be prepared by the CEC with funds provided from the state budget. Candidate programmes are expected to vary, depending on the contested constituencies, however they are expected to coincide with the values of the nominating organization and the values and policies espoused by the president.

The government maintains a monopoly over the media sector. Television is the predominant source of political information with seven channels operating nationwide.¹⁸ All electronic media are owned by the state. Out of the 27 national and regional newspapers, only one could be considered private, *Rysga*, which the government first allowed to be published in 2010, by the Union of Industrialists and Entrepreneurs.

While mobile network coverage and communication by mobile phone is expanding and the use of the Internet is reportedly increasing, a number of websites are reportedly blocked, preventing citizens from receiving election-related information from alternative sources. The OSCE Representative on Freedom of the Media (RFoM) stressed that "restrictions to the right to free expression on the Internet are only acceptable if in compliance with international law, necessary in a democratic society, prescribed by law and are in the public interest ... [d]ecisions to block websites should be transparent and well-grounded." The RFoM further asked "governments to consider access to and use of the Internet and its services, including social media and social networks, a human right and promote the universal access to it."¹⁹

In recent years, the OSCE has welcomed increased co-operation on the media issue with Turkmenistan. In December 2012, parliament adopted the Law on Mass Media of Turkmenistan, which provides for freedom of the mass media.²⁰ It includes state policy with regard to the prohibition of censorship and interference in the activities of the mass media. In addition, while previously the president was the founder of all periodicals, now state ministries and public agencies are the founders of national newspapers and magazines. They are also authorized to re-register the editorial boards of these periodicals reflecting the new founding institutions.²¹

Media coverage of elections is regulated by the Election Code, which stipulates equal conditions for all candidates. Each electoral contestant is entitled to free airtime on State radio and television during the campaign period from 19:00 to 23:00. In addition, meetings of candidates and their representatives are to be covered in the main news programmes on television and in the press. All political parties and

¹⁸ These are *Altyn Asyr*, *Ashgabat*, *Miras*, *Ovaz*, *Turkmenistan*, *Turkmenistan Sport* and *Yaslyk*.

¹⁹ Declaration adopted at the 14th Central Asia Media Conference "From traditional to online media: best practices and perspectives" on 5-6 July 2012. <http://www.osce.org/fom/92068>.

²⁰ This law replaced the "Law on Press and Other Mass Media of the Turkmen Soviet Socialist Republic of 1991."

²¹ This change was imposed by a Presidential Resolution from March 2013. For example, the Cabinet of Ministers of Turkmenistan is listed as the founder of the newspapers *Neytralniy Turkmenistan* and *Turkmenistan*, the Democratic Party of Turkmenistan as the founder of the *Galkynysh*.

public associations met with by the OSCE/ODIHR NAM stated their intention to use their share of free airtime on the public broadcaster.

G. COMPLAINTS AND APPEALS

Complaints and appeals are possible to election administration and judicial bodies. The Election Code does not specify a single hierarchical structure for dealing with complaints and appeals. Thus, a complainant has the discretion of filing the complaint either with an election commission or a court, or simultaneously with both. This dual system of electoral dispute resolution could potentially lead to inconsistencies in decisions. The OSCE/ODIHR previously recommended reviewing the current system.

The right to file a complaint is afforded to voters, candidates and their representatives, election commissions, as well as observers and representatives of mass media. Complaints during the preparation of elections are to be considered within three days by both election commissions and courts. This term may be prolonged to five days if required by the circumstances of the case. As per a previous OSCE/ODIHR recommendation, the requirement for the immediate review of complaints lodged on election day or the preceding day was introduced.²²

H. ELECTION OBSERVATION

In accordance with OSCE commitments, the Election Code provides for access of citizen and international observers, as well as for authorized representatives of registered candidates. The right to nominate citizen observers belongs to political parties, public associations and groups of citizens and their applications are sent to the respective REC. International observers are accredited by the CEC upon invitation of the president or the CEC. According to the Election Code, observers should have full access to all stages of the organization and conduct of elections, however, it does not entitle them to obtain a copy of the protocol of election results.

All public associations and political party representatives met with by the OSCE/ODIHR NAM stressed that they intend to carry out election observation in all, or the majority of constituencies. The NAM is not aware of any citizen observer groups intending to observe these elections other than representatives of the electoral contestants. The associations and parties also envisage training programmes for these observers.

IV. CONCLUSIONS AND RECOMMENDATION

Turkmenistan marked some improvement on consolidating the legal framework for elections. However, progress still needs to be made in bringing the legal framework in line with OSCE commitments for democratic elections. In addition, given that fundamental freedoms continue to be restricted and that the choice between competing political alternatives is limited in the absence of a functioning opposition, the OSCE/ODIHR NAM does not consider the deployment of an election observation mission, including long-term and short-term observers, to be of added value.

However, mindful of the declared interest of the authorities of Turkmenistan to maintain a dialogue with the OSCE/ODIHR on electoral reform and the interest in expanding co-operation with the OSCE, the OSCE/ODIHR NAM recommends the deployment of an Election Assessment Mission (EAM).

²² See the OSCE/ODIHR Assessment of the Electoral Legislation of Turkmenistan, <http://www.osce.org/odihr/92391>.

This EAM would further review the new legal and administrative framework for elections and also visit some regions of the country to gain a more substantive understanding of its electoral processes. In line with the standard OSCE/ODIHR methodology, a final report would be published approximately eight weeks after the elections, including concrete recommendations to assist Turkmenistan in its stated intention of holding elections according to democratic standards, consistent with its OSCE commitments.

ANNEX: LIST OF MEETINGS

Ministry of Foreign Affairs

Vepa Hadjiyev, First Deputy Minister
Atageldi Haljanov, Head of International Organizations Department

Ministry of Justice

Mered Taganov, Deputy Minister
Mayagozel Hojamberdiyeva, Head of the Department of Legal Aid
Alevtina Yakubova, Consultant, Department of International Legal Relations and Registration of Public Organizations

Parliament

Akja Nurberdyeva, Speaker
Ahmed Charyyev, Chairperson, Committee on Work with Local Self-Government Bodies
Batyr Berdyev, Chairperson, Committee on International Relations and Inter-Parliamentary Ties

The Central Election Commission for Elections and Referenda

Orazmyrat Nyazlyev, Chairperson
Amangeldi Gandimov, Secretary
Amangeldi Annadurolyyev, Member
Hekimberdi Ovezov, Member
Atadurdy Sahetliyev, Member
Bezirgen Garayev, Member
Dunyagozel Geldimyradova, Member

National Institute of Democracy and Human Rights under the President of Turkmenistan

Yaz Kurbanazarova, Director

Political Parties

Kasymguly Babayev, Chairperson, **Democratic Party of Turkmenistan**
Orazmammed Mammedov, Chairperson, **Party of Industrialists and Entrepreneurs**

Civic Organizations

Maisa Yazmuhammedova, Chairperson, **Trade Unions of Turkmenistan and Women's Union of Turkmenistan**
Ovezmyrat Enermyradov, Chairperson, **Youth Union of Turkmenistan**
Sabir Agabalaev, Program Manager, **NGO Keik Okara**

International Representations

Christopher Hornek, Project Co-ordinator, **OSCE Centre in Ashgabat**
Vardon-Deniz Hoca, Human Dimension Officer, **OSCE Centre in Ashgabat**
Trevor W. Boyd, First Secretary, **Embassy of the United States of America**
Shan Shi, Third Secretary, **Embassy of the United States of America**
Martin Fenner, Deputy Head of Mission, **British Embassy**
Lucie Stepanyan, First Counselor, **Embassy of France**
Gerald Wolf, Deputy Ambassador, **Embassy of Federal Republic of Germany**
Gabriel Mihai Stanica, Counselor, **Embassy of Romania**
Enes Ozbey, Third Secretary, **Embassy of the Republic of Turkey**
Jacinta Barrins, Resident Co-ordinator, **United Nations Development Program**