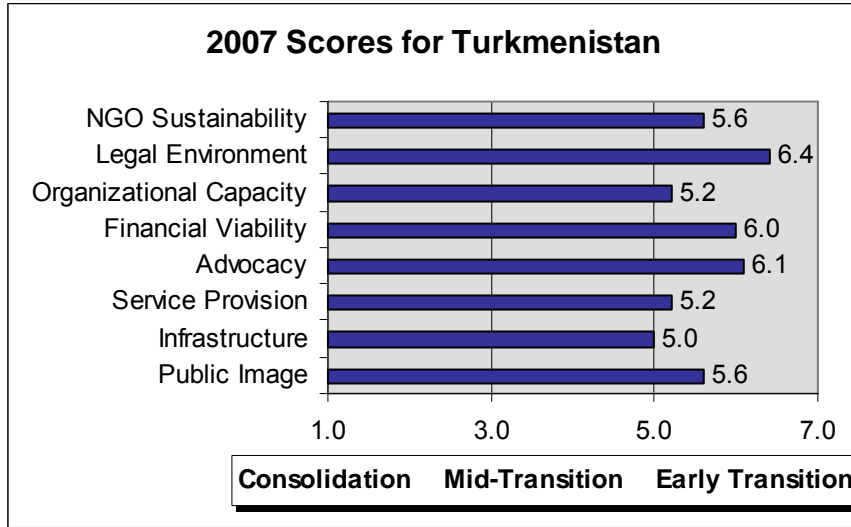


# TURKMENISTAN



**Capital:** Ashgabat

**Polity:**  
Republic-Authoritarian  
Presidential

**Population:**  
5,179,571 (July 2008 est.)

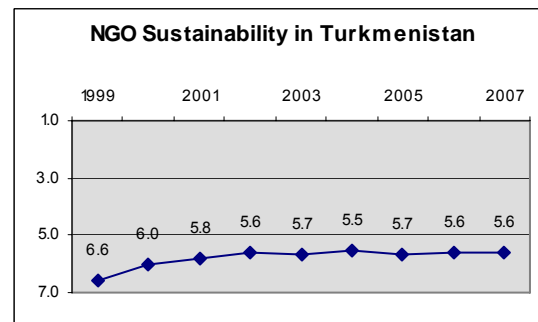
**GDP per capita (PPP):**  
\$9,200 (2007 est.)

## NGO SUSTAINABILITY: 5.6

2007 was marked by tremendous changes in Turkmenistan’s political climate. Following the death of Turkmenistan’s first president, Saparmurat Niyazov, elections for a new president were held with the participation of five candidates. The newly elected President Gurbanguly Berdimuhamedov has initiated significant legislative reforms including a new Social Protection Code, a Law on Farmers’ Associations, a Law on Farming, a Law on Archins (local authorities), and a revised land law. Turkmenistan’s education system was also altered by Presidential decree. Likewise, a special decree was issued to provide Turkmen citizens with more widespread Internet access, and several Internet cafés were opened at a cost of approximately \$3.70 an hour. Additionally, many NGOs have opened centers providing Internet service for their target groups. These trends towards increased modernization, positive indications of reform, and heightened expectations among the populace have resulted in optimism among NGOs and set the stage for improvements to the NGO Sustainability Index in future years.

Despite this optimism, the NGO sector in Turkmenistan continues to operate under difficult conditions. Only approximately 88

NGOs, including GONGOs, are registered in Turkmenistan, no new NGOs have been registered since 2005, and the Ministry of Justice (MoJ) discourages attempts by organizations to register. Many civic groups continue their activities by obtaining patents – licenses allowing individuals to engage in business activities – or registering as for-profit entities. Given this, for the purpose of this report, all civic groups, regardless of their form of registration, are referred to as NGOs. Government-organized NGOs (GONGOs) enjoy more favorable registration and operating conditions and have received direct government support.



The grant registration process has also remained an obstacle. According to the President’s Decree

on Technical Assistance issued in 2003, NGOs must register their grants with the MoJ while state and for-profit entities must register their grants with the Ministry of Finance and Economy. Over the past year, the grant registration process with the Ministry of Finance and Economy has become more complicated, while the registration process with the Ministry of Justice remains difficult.

Registered NGOs focus their activities in such spheres as sports, environmental tourism, social services and education. They successfully cooperate with local government officials in the areas of disabled persons, sports, accounting, and training in various fields. The government did not harass NGOs this year; however, cases did arise in which government employees were warned not to collaborate with NGOs. The

government has also been more neutral in its attitude towards unregistered organizations, a significant improvement over last year's restrictive prohibitions. Additionally, during this past year, the MoJ was less inquisitive about NGO activities, although NGOs continue to inform the government about planned trainings and workshops, as required by the law.

In the summer of 2007, the Government cancelled the "border area permission" system – a holdover from Soviet times which required special permission to enter certain parts of the country. Citizens now have free access to all regions of the country, which has made it easier for NGOs to reach out to remote communities. However, government agencies still continue to maintain a list of persons who are not allowed to leave the country.

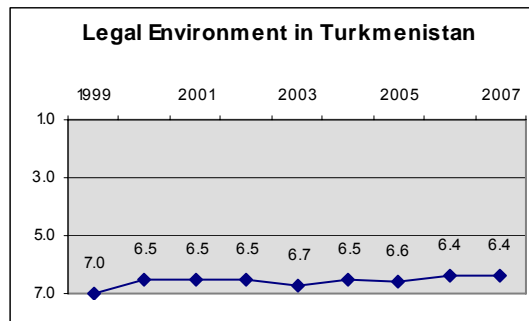
#### LEGAL ENVIRONMENT: 6.4

After the 2003 NGO Law was passed, GONGOs were re-registered, whereas independent NGOs were closed by court decision. The MoJ has not registered any new organizations since 2005 and only a few professional organizations with support from relevant government organizations were able to register with MoJ during 2004-2005.

A few groups, mostly outside of Ashgabat, attempted to register in 2007. Most of these NGOs received "legally correct" refusals. According to NGO experts, the NGO Law itself, although not corresponding to international standards, is not the main obstacle to registration; rather, the bureaucratization of the process is. The final decision on registration is made by a special interdepartmental commission. MoJ officials then prepare an official legal notification, referring to a special "Clarification to the Law," which includes a long list of necessary documents and other requirements for registration. The result is a long back-and-forth correspondence regarding the content and structure of registration documents without any subsequent approval.

For example, one organization was rejected because meeting minutes did not list the

participants' citizenship and full names. In some cases, the only reason cited for refusal is a minor spelling error. NGOs need further explanation of the complex registration regulations; however, the MoJ has not demonstrated any intention to clarify the process. NGO requests for meetings or explanations regarding pending registration applications are ignored, and NGOs feel that it is counterproductive to appeal final decisions.



The government continues to strictly control NGO activities. Since a special Ministry of Foreign Affairs request in 2005 that donors not distribute money, grants have been provided in the form of commodities, which reduces government suspicion and complications with the current exchange rates (the official exchange rate is approximately four times lower than the black market rate). Throughout 2007, the

Ministry of Finance and Economy delayed the registration of submitted projects, seemingly indefinitely. There is also uncertainty about which government entities are responsible for these approvals, as one organization received authorization from the Ministry of Foreign Affairs, rather than the Ministry of Finance and Economy.

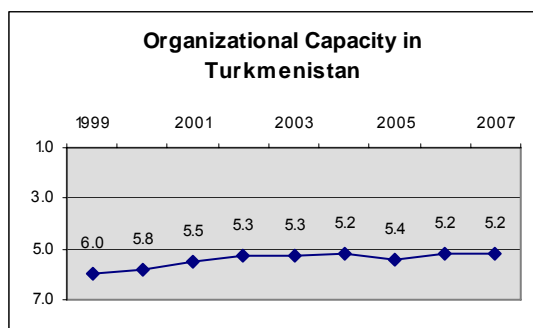
Many NGO activities are also subject to licensing approval, which can also be used to limit NGO activity. For example, educational licenses have not been issued to NGOs until quite recently. Attorneys note that 70 percent of the regulations regarding licensing contradict the Law on Licensing.

There were no cases reported of people being detained for their participation in NGO activities in 2007, although there were a few instances of government officials canceling trainings in velayats (regions). Some activists were threatened with termination from their state jobs if they continued their involvement with NGO activities.

Since the current legal education system is focused on criminal law, there is a lack of qualified attorneys specializing in NGO law. As a result, legal services are only available to a limited number of communities and organizations. Legal services are provided to NGOs, activists and communities in the framework of Counterpart’s USAID-funded Turkmenistan Community Empowerment Program (TCEP). Additionally, a cadre of attorneys was trained in NGO law, advocacy and human rights by OSCE, ICNL, and ABA; these attorneys provide legal services to a number of organizations. Hemayat, Bosphor, Ynam, and the Women’s Resource Centers continue to provide legal services in the regions of Turkmenistan.

Under current law, registered NGOs are exempt from paying taxes on commercial property and rent. Educational activities are immune from taxation.

## ORGANIZATIONAL CAPACITY: 5.2



The gap in capacity between registered and non-registered organizations continues to grow. Registered organizations report growth in their clients and constituencies, while non-registered organizations struggle to survive. While local authorities and even ministries are showing increased support for registered NGOs – especially in the rural areas – unregistered groups lack the funding necessary to develop their organizational capacities and strategic planning as they are unable to officially receive grants.

A few registered organizations have made considerable improvements to their organizational structures, the professionalism of their staffs, strategic planning and operational management, and have developed good reporting and transparency mechanisms. Most non-registered organizations remain characterized by limited memberships and an enduring lack of transparency. NGO leaders agree that the lack of resources to maintain support staff overloads them with day-to-day affairs, distracting them from more strategic work.

With support from international donors, many NGO members and civic actors have had opportunities to foster their professional development. In 2007, NGO members and civic actors participated in training courses and study tours held in the US, Austria, Kazakhstan, and Russia. In December, a group of advanced NGOs participated in a strategic planning training organized by Counterpart International and funded by USAID and the British Embassy.

Staff members of environmental GONGOs have had opportunities to engage in exchange visits with other Central Asian eco-NGOs through a program funded by UNDP. Furthermore, throughout this past year, many organizations

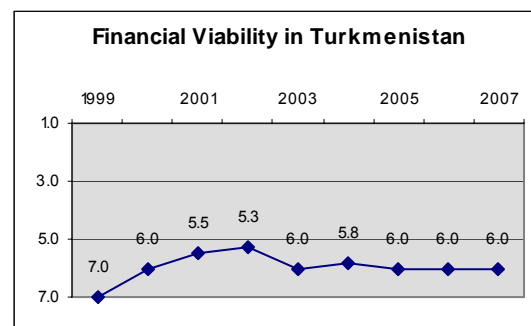
and civic groups received grants from foreign donors that helped them modernize their office equipment, rent office space, maintain communications, and utilize the Internet.

## FINANCIAL VIABILITY: 6.0

While grants remain the main source of funding for NGO activities, the level of dependency on international donors has decreased slightly as many NGOs now attract substantial local support for their grant-funded activities. Community initiatives have received support from local authorities, most often in the form of significant in-kind contributions of construction materials, rental equipment and labor equal to 20 percent to 30 percent of project costs. Corporations, individuals, and even state organizations frequently make donations to NGOs that assist orphanages and disabled persons like the Club of Sportsmen with Muscular-Skeletal Disabilities “PODA,” the Special Olympics, and the Paralympic Committee. Medium and large-scale businesses have demonstrated some interest in philanthropic initiatives, but a lack of legislative incentives prevents the development of a true culture of philanthropy. Government and private businesses continue cooperating with some NGOs as service providers on a contract basis.

Some registered NGOs earn additional money through paid services. The Eco Center, which

operates under a patent, provides management, marketing and human resource consultations; similarly, the Association of Accountants provides professional trainings. Although some registered organizations collect membership fees, this income is insufficient to support any serious activities.



There is a trend towards financial transparency among NGOs. A few organizations such as the Association of Accountants now publish annual reports and hold annual meetings that are open to the public. Keik Okara also produces annual reports, but only for internal use.

## ADVOCACY: 6.1

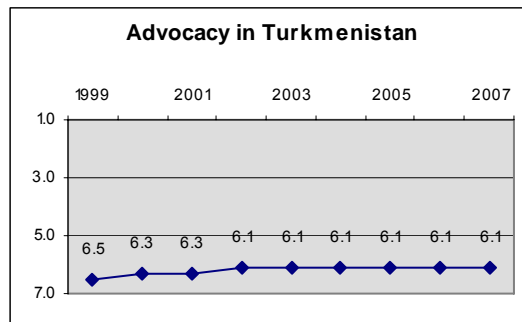
NGOs remain reluctant to conduct national-level advocacy campaigns or take initiative in legislative reforms. However, during this past year, government and Parliament have shown some interest in NGO-organized legislative initiatives, possibly indicating that authorities are beginning to value feedback from the non-governmental sector.

Recently, a group of farmers in cooperation with Ilkinjiler initiated a meeting with members of the Mejlis (Parliament). During the conversation, the group discovered that no individual farmers had been consulted regarding the new Law on Farmers’ Associations. After

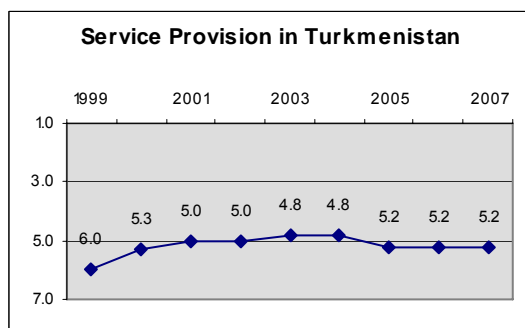
the meeting, Ilkinjiler gathered farmers’ recommendations, submitted two proposals to the Mejlis, and began cooperating with Members of Parliament on agricultural legislative initiatives. The Entrepreneurs Union also regularly interacts with Parliament, providing suggestions to improve economic and small business legislation. The Ministry of Education contacted several NGOs to request materials that would help them introduce interactive educational techniques. There have been some negotiations with NGO Agama about its participation in the creation of a National Emergency Service.

Some activists have successfully advocated for community interests by establishing partnerships with local government officials. Twenty-one communities under the TCEP Program engaged local authorities in community working groups to identify, prioritize and address local issues. The elderly council in one community involved the district administration in discussions about the need to renovate an important road; as a result, local authorities repaired the road. In another community, local authorities provided water pumps to a community project, while the energy department of a third community

contributed to a community project for electric network rehabilitation.



**SERVICE PROVISION: 5.2**



Ynam has a hotline that provides citizens with psychological and legal support, while Medet Education Center focuses on innovative teaching methodologies. Trainings on international accounting standards provided by the Association of Accountants are in high demand among specialists in the accounting field. Lastly, NGOs expanded their informational services as a result of improved and more reliable Internet access.

NGOs continue to provide various services: consultations, legal assistance, trainings, access to information, etc. Some active groups and established Community Resource Points (CRPs) in rural areas provide service in fields such as legal consultations, agribusiness, vocational youth training, civic awareness, and computer and informational support, reflecting an increase in demand for these services in their communities. The unique industrial mountaineering services offered by Agama, which includes cleaning windows, roofs and domes of tall buildings, mosques and palaces, make it the only contractor in this business. Bosphor provides various services for marginalized citizens, including legal services which enable it to represent its clients' interests at court. Keik Okara initiated a new training series on gender issues for local authorities.

Despite these accomplishments, persisting registration and licensing difficulties seriously limit the scope of NGO services. Most NGO service providers are located in the capital area and other urban regions, limiting access to services for rural residents. The number of NGO service recipients remains very low because of the small number of organizations and continuing lack of resources. Most organizations feel that they could expand the scope of their services if there were a more favorable enabling environment, including greater availability of social contracts, easier registration of grants, and simplified licensing procedures.

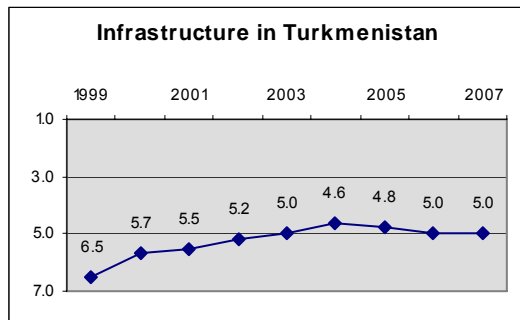
A few registered NGOs indicate that while their services generated some revenues, they still rely on grants to broaden their activities. For many other organizations, donor priorities determine the types of services they provide.

**INFRASTRUCTURE: 5.0**

The network of Civil Society Support Centers, Resource Centers, and CRPs previously established with donor support has increased its

capacity to operate in all regions of Turkmenistan. These centers continue to offer a number of demand-driven services including

legal and other consultations on project design and implementation, trainings, access to information and the Internet, as well as office equipment, libraries, and CD-ROMs.



These resource centers continue to play a pivotal role for people interested in a variety of public activities by providing them with space to meet and discuss their ideas, share opinions, and exchange information. The CRPs no longer receive donor funding, and are demonstrating their sustainability by utilizing local resources such as free rent, volunteer work and the input of

## PUBLIC IMAGE: 5.6

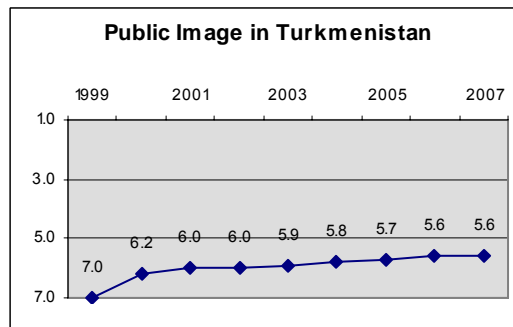
Turkmenistan's mass media has shown some interest in the activities of registered NGOs. Over the past year, Neitralny Turkmenistan and other national and regional newspapers published numerous articles about the NGO sector, while some NGOs even received television coverage of their events. Agama and sports-related NGOs have received the most newspaper coverage.

Public awareness of NGO activity is still inadequately low. Some NGOs remain reluctant to contact journalists and attract media attention, and journalists show no interest in non-registered NGOs. While the activities of registered NGOs have attracted more media coverage, serious analytical articles on the non-governmental sector by journalists and NGO leaders have not been published due to censorship. However, even limited coverage by the mass media helps to improve NGOs' public image and provide citizens with a better understanding of the third sector's role in society.

villagers. Several CRPs organize trainings and other activities for young people – for example, the Yangala Center provides computer workshops for youth and hosts social events, and a resource point in Kaahka provides traffic law classes for teenagers.

There is a strong demand for training and informational materials in the Turkmen language. Counterpart's trainers provide trainings in Turkmen and a few other organizations have started to adapt their training manuals and handouts to the local context.

All civic organizations have friendly relationships with each other and cooperatively exchange information, although these contacts are not always systematic. Because of the small number of NGOs in each sector, there is little incentive to create coalitions or more formal partnerships to support common interests.



A few trainings on public relations have helped NGOs to initiate PR campaigns using materials such as booklets, presentations for donors, etc. Some of them have well-designed web-resources or use an IREX-administered site, where they can create their own web pages.

The government generally remains suspicious of NGOs and continues to monitor and control their activities. However, despite this reluctance, official entities have started to recognize the role of the third sector and its services.