



**COUNTRY BASELINE UNDER THE ILO DECLARATION ANNUAL REVIEW (2000-2008)<sup>1</sup>: TURKMENISTAN**

***THE EFFECTIVE ABOLITION OF CHILD LABOUR (CL)***

*Note: This draft baseline is waiting for Government's approval*

<b>REPORTING</b>	<b>Fulfillment of Government's reporting obligations</b>	YES, but ONLY ONCE under the 2001 Annual Review (AR).		
	<b>Involvement of Employers' and Workers' organizations in the reporting process</b>	NIL		
<b>OBSERVATIONS BY THE SOCIAL PARTNERS</b>	<b>Employers' organizations</b>	NIL		
	<b>Workers' organizations</b>	NIL		
<b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b>	<b>Ratification</b>	<b>Ratification status</b>	Turkmenistan has ratified neither the Minimum Age Convention, 1973 (No.138) (C.138) nor the Worst Forms of Child Labour Convention, 1999 (No.182) (C.182).	
		<b>Ratification intention</b>	NIL	
	<b>Recognition of the principle and right (prospect(s), means of action, basic legal provisions)</b>	<b>Constitution</b>	NIL	
		<b>Policy, legislation and/or regulations</b>	2001 AR: <b>Legislation:</b> According to Government: An Act of 23 March 2000 confirmed the legislative programme of the President and an Act concerning fundamental safeguards of the rights of the child had been included in the legislative programme of the second <i>Madzhlis</i> . The Government also indicated that work was in progress on a new Labour Code.	
		<b>Basic legal provisions</b>	The Labour Code (section 33.1-2 and 6; sections 179-180; section 183; section 190; and section 241).	
		<b>Judicial decisions</b>	NIL	
		<b>Exercise of the principle and right</b>	<b>Compulsory Education</b>	NIL

<sup>1</sup> Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: information provided by the Government under the Declaration Annual Review, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: [www.ilo.org/ilolex](http://www.ilo.org/ilolex)

		<b>Minimum age</b>	<p><b>2001 AR: The general minimum age for admission to employment or work is 16 years for both boys and girls (section 179 of the Labour Code).</b> However, the Government stated that the prior written consent of one parent (or his/her guardian) allowed a person who has reached 14 to be employed. Legislation on general minimum age does not cover home work</p> <p><b>Hazardous work: 18 years old for both boys and girls (section 241 of the Labour Code)</b> According to Government: The Cabinet of Ministers establishes a list of tasks involving dangerous types of work from which young persons under the age of 18 are barred.</p>
<b>EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT</b>	<b>Exercise of the principle and right</b>	<b>Worst forms of child labour</b>	NIL
		<b>Special attention to particular situations</b>	NIL
		<b>Information/Data collection and dissemination</b>	NIL
	<b>Monitoring, enforcement and sanctions mechanisms</b>	<p><b>2001 AR:</b> According to Government: A contract of employment with a worker under 18 years may be revoked at the request of the authorities responsible for monitoring the implementation of labour legislation, if continuation of the contract would jeopardize the health of the worker or be detrimental to his or her legal interests (section 190, Labour Code). The dismissal of young workers who are under 18 years of age is subject to the agreement of the Commission for Minors' Affairs.</p>	
	<b>Involvement of the social partners</b>	NIL	
	<b>Promotional activities</b>	<p><b>2001 AR:</b> According to Government: There is a national programme since 2000 that aims to establish a new Labour Code taking into account a modern legal basis for industrial relations and provisions to ensure that the rights of the child are strictly observed.</p>	
	<b>Special initiatives/Progress</b>	NIL	
<b>CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT</b>	<b>According to the social partners</b>	<b>Employers' organizations</b>	NIL
		<b>Workers' organizations</b>	NIL
	<b>According to Government</b>	NIL	
<b>TECHNICAL COOPERATION</b>	<b>Request</b>	NIL	
	<b>Offer</b>	NIL	

<b>EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS</b>	<p><b>2008 AR:</b> The ILO Declaration Expert-Advisers (IDEAs) noted that Turkmenistan was the only country that had failed to report under the 2008 Annual Review (Cf. Paragraphs 7 and 53 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p><b>2007 AR:</b> The IDEAs were concerned at the failure to report by Turkmenistan (and three other countries). They encouraged it to continue their efforts to report (Cf. Paragraph 51 of the 2007 Annual Review Introduction – ILO: GB.298/3).</p>
<b>GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS</b>	NIL