

2024 Trafficking in Persons Report:

Turkmenistan

TURKMENISTAN (Tier 3)

The Government of Turkmenistan does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Turkmenistan remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including by signing and implementing a roadmap of cooperation with the International Labor Organization (ILO), which included the independent observation of the 2023 cotton harvest by ILO observers, an analysis of the labor legislation of Turkmenistan, and recommendations for compliance and alignment with international labor standards. The government also provided funding and in-kind support for anti-trafficking awareness campaigns and established new social worker positions within the Ministry of Labor and Social Protection to provide assistance to vulnerable populations, including trafficking victims. However, during the reporting period there was a government policy or pattern of forced labor; the government continued to direct policies that perpetuated the mobilization of adults and children for forced labor in the annual cotton harvest, in public works projects, and in other sectors. As in previous years, the government did not report any investigations, prosecutions, or convictions; did not hold any officials accountable for their complicity in forced labor crimes; identified no victims; and did not fund any victim assistance programs.

PRIORITIZED RECOMMENDATIONS:

End government policies or actions that compel or create pressure for the mobilization of forced labor, to include eliminating the cotton quota, mandatory participation in public works, and ensure local officials do not impose fees for replacement pickers and for businesses and entrepreneurs to support the harvest. * Continue to grant independent observers full access to freely and independently observe cotton cultivation and deliver an unfiltered report of the annual cotton harvest. * Amend the provision, under Article 8 of the Labor Code, that allows for the mobilization of civilians into public works, which would include cotton harvesting. * Adopt and implement formal SOPs for victim identification and referral to care and train stakeholders on their use. * Vigorously investigate and prosecute trafficking crimes under Article 128 of the criminal code, and seek adequate penalties for convicted traffickers, including complicit officials and those involved in the mobilization of forced labor, which should involve significant prison terms. * Ensure victims are not inappropriately penalized solely for unlawful acts committed as a direct result of being trafficked. * In accordance with the provisions of the 2016 anti-trafficking law, provide victim services directly or by otherwise funding organizations to do so and train relevant government authorities on those provisions. * Finalize, adopt, and implement a NAP and allocate resources for its implementation. * Establish, train relevant personnel on, and implement labor inspection and recruitment oversight protocols to improve forced labor identification and prevention, including during the recruitment of workers by farmers during agricultural harvests. * Train police to detect and investigate sex and labor trafficking crimes under Article 128 of the criminal code.

PROSECUTION

The government maintained negligible anti-trafficking law enforcement efforts. Article 128 of the criminal code criminalized sex trafficking and labor trafficking and prescribed penalties of four to 10 years' imprisonment for offenses involving adult victims and eight to 15 years' imprisonment for offenses involving child victims; these penalties were sufficiently stringent and, with respect to sex

trafficking, commensurate with those prescribed for other grave crimes, such as rape. Article 8 of the Labor Code separately defined “forced or obligatory labor,” to exclude work “which is part of regular civil obligations of citizens,” such as cleaning the streets or cotton picking.

For the fourth consecutive year, authorities did not report initiating any criminal investigations. For the fifth consecutive year, the government did not report prosecutions, and, for the sixth consecutive year, they did not report any convictions. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action. According to government officials and international organizations, trafficking crimes were not reported due to distrust of law enforcement officials and social stigma. In addition, observers reported challenges with the capacity and understanding of trafficking among law enforcement and judicial officials that hindered investigations and led to the misclassification of trafficking crimes. The government continued to implement policies that perpetuated the mobilization of adults and children for forced labor in the harvest of cotton and other agricultural crops, and in public works projects (*subbotniks*), and did not report efforts to end these policies. Despite such policies, government officials minimized the prevalence of internal trafficking, citing the lack of formal complaints or appeals from citizens regarding forced labor. The government did not report any cooperation on international trafficking investigations despite officials’ acknowledgement of cases involving Turkmen victims abroad. The government reported that it administratively penalized 2,090 violations of the Labor Code in 2022, including seven cases involving “prostitution,” five cases for organizing or maintaining brothels, and two cases for “pimping;” however, the government did not provide any further information. Article 8 of the Labor Code separately defined “forced or obligatory labor,” to exclude work “which is part of regular civil obligations of citizens,” which observers noted could be interpreted as cleaning the streets or cotton picking, increasing the vulnerabilities to the mobilization of citizens for agricultural and public works projects at the local levels. The government, in collaboration with international organizations and NGOs, trained law enforcement officials, judges, prosecutors, and airport personnel on prosecution and victim identification.

PROTECTION

The government maintained negligible protection efforts. For the fifth consecutive year, authorities did not identify any trafficking victims. Civil society organizations reported identifying and assisting 37 victims, including 19 male and 15 female forced labor victims and three female sex trafficking victims; three of the forced labor victims were persons with disabilities. All victims were exploited abroad, mainly in Türkiye and the UAE. The government failed to adopt and implement SOPs for victim identification and referral to care developed in partnership with an international organization six years ago; new SOPs were drafted by an international organization during the reporting period and were pending government review. Observers noted that despite the lack of formal victim identification SOPs, some law enforcement, immigration officers, and social services personnel conducted screening for trafficking indicators among vulnerable populations, particularly among returning Turkmen migrant workers at border checkpoints. However, some observers reported victims returning from abroad were interrogated by authorities at airports, which hindered identification efforts. The trafficking law required the government to certify trafficking victims’ official status; however, the government required victims to directly apply for such status, further hindering identification efforts. There was no formal process to guide officials in referring victims to protection services. The Ministry of Labor and Social Protection established and hired 45 new social worker positions to provide assistance to vulnerable populations, including trafficking victims.

The anti-trafficking law required the government to provide a wide range of services to trafficking victims, including shelter, food, medical care, and financial support; however, for the eighth consecutive year, the government did not report providing services to any trafficking victims, nor did it fund international organizations or NGOs to provide such services. Assistance to victims was only provided by international organizations in conjunction with local civil society. NGOs indicated in prior years that some victims were required to pay for their own medical treatment. Civil society

noted the government lacked capacity to assist trafficking victims abroad and were reluctant to assist potential returning victims. An NGO operated separate foreign donor-funded shelters for men and women victims of crime that could also assist trafficking victims, offering psychological and medical services, reintegration support, and legal assistance. Observers noted there were no shelters available to assist child victims of crime, including trafficking, and children were placed in juvenile detention centers.

By law, victims – including those participating in criminal proceedings – were exempt from administrative or criminal liability for unlawful acts committed as a direct result of being trafficked. The legal code guaranteed victims the option to seek employment; required law enforcement agencies to respect their confidentiality; and provided free legal assistance to those applying for official victim status, as well as the option to request temporary residency in Turkmenistan for the duration of relevant criminal proceedings. Due to a lack of formal identification procedures, authorities may have arrested some unidentified trafficking victims, including women in commercial sex.

PREVENTION

The government increased prevention efforts. The government signed a roadmap of cooperation with the ILO during 2023. As part of the roadmap, the government granted the ILO access to independently observe the 2023 cotton harvest. The ILO observation mission reported “direct or indirect evidence of mobilization of public servants” and the participation of children younger than the age of 15 in the cotton harvest. As part of the roadmap, the ILO also reviewed Turkmenistan’s labor legislation for compliance with international labor standards. The government continued to negotiate a roadmap for cooperation with the ILO for 2024-2025 by the end of the reporting period.

The Prosecutor General’s Office (PGO) led the national anti-trafficking commission, which met three times with coordination from an international organization. Observers noted the PGO was not effective in coordinating among the members of the national anti-trafficking commission. The government began drafting a new NAP, in collaboration with civil society, as the prior plan expired in 2022. The government provided funding and in-kind support for anti-trafficking awareness campaigns, including for outgoing Turkmen migrants. The government operated a general hotline to report all crimes, including human trafficking.

International observers reported that the government continued to mobilize thousands of civil servants and employees from private firms to pick cotton during the annual harvest. Observers noted that some government officials threatened farmers, who lease land from the government and are obligated to utilize it for cotton, with penalties, including loss of land, if they did not meet production quotas. Citizens unable to participate in the harvest were allegedly required to hire a replacement worker – or pay a bribe – and threatened with loss of wages or employment. The government reported that farmers are responsible for recruiting cotton pickers in the plot of land provided to them by the government; however, the government did not report any oversight procedures of recruitment processes or how government quotas for cotton production would not compel the mobilization of forced labor. Despite the 2005 ban on using children to pick cotton, the ILO Application of International Labor Standards 2024 Report of the Committee of Experts noted the participation of children younger than the age of 15 in the cotton harvest. Authorities reported the ongoing mechanization process has caused manually harvested cotton to significantly decrease. However, as handpicked cotton reportedly attracts higher prices, some cotton fields are too small for tractors, and farmers prefer manual labor due to high maintenance of the tractors, pressure for handpicking could remain. According to observers, citizens are also mobilized for the harvest of wheat, silk cocoons, and other agricultural crops.

The government did not report efforts to hold accountable labor recruiters or brokers involved in the fraudulent recruitment of workers. The government continued to restrict international and domestic travel of Turkmen nationals; these restrictions may have further incentivized migration through unregulated channels commonly associated with trafficking vulnerabilities. The government did not provide anti-trafficking training to its diplomatic personnel. The government

made efforts to reduce the demand for commercial sex acts, including by conducting regular inspections of places frequented by purchasers of commercial sex.

TRAFFICKING PROFILE:

As reported over the past five years, human traffickers exploit domestic victims in Turkmenistan, and traffickers exploit victims from Turkmenistan abroad. State policies continue to perpetuate government-compelled forced labor; in 2020, 2022, and again in 2023, the ILO Committee of Experts on the Application of Conventions and Recommendations noted the continued practice of forced labor in the cotton sector and the UN Human Rights Committee expressed its concerns regarding the widespread use of forced labor in the cotton harvest during the third periodic report of Turkmenistan in 2023. International observers continue to report that in order to meet central government-imposed production quotas for the cotton harvest, some local government officials force thousands of teachers, medical professionals, utility workers, and other state employees; citizens with alimony debts; as well as vulnerable populations, including migrant workers, some women in commercial sex, and individuals with registered substance abuse disorders, to participate in the cotton harvest without payment or pay for a replacement picker or a bribe, using coerced statements of voluntary participation and, under the threat of such penalties as dismissal, reduced work hours, or salary deductions. Some local authorities reportedly threaten farmers with land expropriation if they attempt to register complaints about payment discrepancies or if they do not meet government-imposed quotas. Absent government measures to prevent, monitor, or address supply chain contamination, some goods containing cotton harvested through the use of forced labor may have entered international supply chains. Media sources report the government compulsorily mobilizes students, teachers, doctors, and other state employees for the harvest of other agricultural crops and public works, such as the planting of trees, cleaning public spaces, and in unpaid support roles during government-sponsored parades and holiday celebrations. Police reportedly conduct sweeps to remove individuals experiencing homelessness and subsequently place them in agricultural work or domestic servitude at the residences of law enforcement-connected families. Media reports noted that some families living in poverty often compel children to serve as porters in local marketplaces and work in agriculture. An NGO reported that some children were forced to work in cotton and potato fields during summer educational camps and throughout the cotton harvest as replacement pickers to support their families. Observers have previously reported that children as young as eight years of age were paid to work as replacement pickers during the cotton harvest. Turkmenistan's very small stateless population – primarily consisting of undocumented residents with expired Soviet nationality documentation – are vulnerable to trafficking. Criminalization of consensual sexual intercourse between men, social stigma, and discrimination make some members of Turkmenistan's LGBTQI+ communities vulnerable to police abuse, extortion, and coercion, and also compound their vulnerability to family-brokered forced marriages that may result in corollary sex trafficking or forced labor indicators. Residents of rural areas in Turkmenistan are at the highest risk of becoming trafficking victims, especially in the construction and domestic service sectors in Ashgabat. Children in child welfare systems, individuals experiencing homelessness, and citizens with criminal records are vulnerable to trafficking.

Turkmen men and women are exploited in forced labor abroad in the textile, agricultural, construction, and domestic service sectors; Turkmen migrant men are also subjected to forced criminality in drug trafficking. Sex traffickers use online platforms and messaging applications to recruit Turkmen women for exploitation abroad. Traffickers, advertise fake job offers and marriage proposals on social media to recruit victims, and take their travel documentation on arrival. Türkiye, Russia, Poland, Kazakhstan, and India are the most frequent destinations of Turkmen victims, followed by other countries in the Middle East, South and Central Asia, and Europe. Due to Russia's war in Ukraine and the difficulties in obtaining a Turkish visa, observers report more Turkmen are seeking job opportunities via irregular migration in Eastern Europe for seasonal and low-skilled work and South Korea and Cambodia for work in the fishing industry. Some Turkmen travel to Uzbekistan for work in construction or transit, facing exploitation risks. Some Turkmen with Russian citizenship are returning to Turkmenistan from Russia to avoid conscription into military service and may be vulnerable to trafficking. Enduring government restrictions on freedom

of movement – preventing citizens from leaving the country, particularly those deported back to Turkmenistan – incentivizes some citizens to pursue irregular migration rife with trafficking vulnerabilities. Government measures limiting certain foreign financial transactions, coupled with travel and entry restrictions, may increase vulnerabilities among Turkmen citizens abroad.