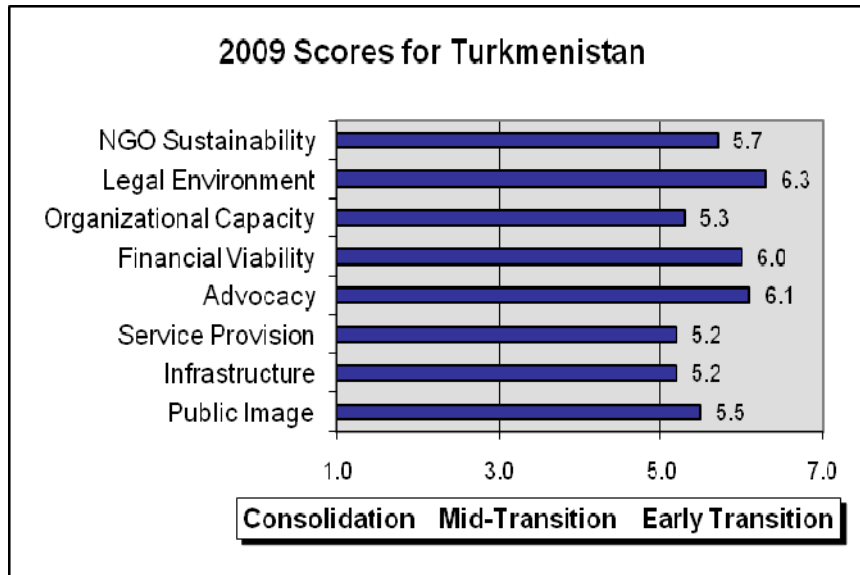


## TURKMENISTAN



**Capital:** Ashgabat

**Polity:**  
Republic

**Population:**  
4,940,916 (July 2010 est.)

**GDP per capita (PPP):**  
\$6,900 (2009 est.)

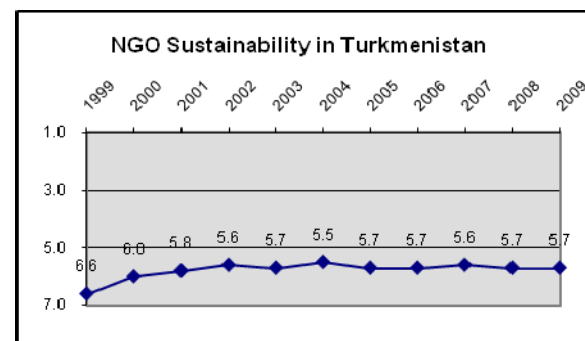
### NGO SUSTAINABILITY: 5.7

Several trends and factors, some of them contradictory, influenced NGO sustainability in Turkmenistan. Visible changes in the legal environment raised the NGO sector's expectations, and NGOs showed a growing understanding of laws and took them more seriously. A newly adopted Law on State Support of Small and Medium Entrepreneurship provided some groups with the option to register as for-profit juridical entities. Regional NGO support centers lost their financial support and legal status due to the withdrawal of Counterpart International from Turkmenistan following the completion of its activities.

No NGOs were registered in 2009. As in previous years, eighty-nine organizations are on the Ministry of Adalat (Ministry of Justice) list of registered NGOs; about thirty of these are sports organizations. Only five or so registered organizations meet the definition of NGO. The notorious provision on the number of members or participants required for registration (500 for national organizations and fifty for international organizations) continues to restrict the creation of new entities. The arbitrary behavior of some officials continues to create barriers for repeat registration applicants. Since it is comparatively

easy to register an enterprise, some informal groups prefer to form "economic societies."

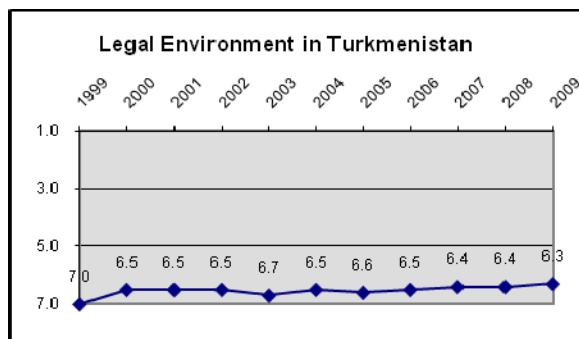
Nonetheless, changes in the legal framework for NGOs are in the air. The government continues to adhere to its intentions to bring its legislation into compliance with international standards. A two-day roundtable on the improvement of NGO legislation organized by USAID, ICNL, the Turkmen National Institute for Democracy and Human Rights (NIDHR), and the Ministry of Foreign Affairs of Turkmenistan reviewed the best international models and prepared recommendations on changes to the 2003 Law on Public Associations (NGO Law) for the Mejlis (parliament). The new version of the law is anticipated in 2010.



With no legal status and no financial support, the Civil Society Support Centers must consider their futures. Some of the CSSCs reorganized into private enterprises of individual ownership, like the CSSC in Dashoguz, and continued rendering services, albeit at market prices. Some CSSCs are trying to register as economic societies. Others, such as the CSSC in Lebap,

have collapsed under the pressure of circumstances. As a result of the CSSCs' reduced services, Resource Centers and Community Resource Points found themselves without access to the Internet and information, and initiative groups and local NGOs lost their networks.

### LEGAL ENVIRONMENT: 6.3



The new Law on State Support of Small and Medium Entrepreneurship was adopted in 2009, providing the possibility for organizations to register relatively easily as for-profit entities. Lachin Ay, Ajaip Dunia, and Hemayat operate as economic societies providing social services. Lachin Ay and Ajaip Dunia have tried to register as NGOs, but have been unable to do so. Hemayat has been registered as an economic society since its founding. NGOs may establish enterprises and acquire assets for carrying out entrepreneurial activity.

Though the NGO Law generally allows registration, it is not easy for an organization to register due to the provision requiring a minimum number of 500 members or participants for national organizations and fifty for international organizations. In addition, many government officials are averse to NGOs, lack understanding of their role, and continue to create barriers to registration. Many NGOs find their applications are either turned down or the process is dragged out for years without resolution. The Ministry of Adalat (Ministry of Justice) did not report registering a single NGO in 2009.

Another flaw of the NGO Law is the provision restricting local NGOs' operations to a defined geographical area. Officials force NGOs to register as local entities instead of national NGOs and to narrowly define their scope. Accountants of Turkmenistan, which re-registered as the Union of Professional Accountants, became a local organization during re-registration, excluding many professional accountants in the provinces. NGO Agama, which is registered in Ashgabat as a local organization, cannot involve activists in the provinces despite its capacity to do so.

At a two-day roundtable on the improvement of Turkmen NGO legislation, representatives of government institutions and NGOs reviewed Turkmen legislation and recommended updating laws and procedures for registering NGOs. The amended NGO Law may come out in the spring of 2010.

Understanding of the law and the importance of legality in NGOs' operations has increased within the NGO sector. Many leaders and activists are trying to become familiar with relevant laws and norms and seeking help from legal experts, overcoming prior ignorance and fears of local bureaucrats.

The existing Tax Code is favorable to NGOs. All grants are tax-exempt. The law specifies that NGOs have the right to engage in entrepreneurial activities if the income from these activities goes toward the objectives stated in their statutes. Educational activities are specifically exempt from tax, but require a license, which is difficult to obtain. Four years after its initial application, the economic society Hemayat obtained a license to teach subjects

such as strategic planning, accounting, and financial management.

Civic groups obtain legal information directly from ICNL and the American Bar Association.

### **ORGANIZATIONAL CAPACITY: 5.3**

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Many NGOs are actively seeking to build their local constituencies. Both registered and informal groups work intensively with local clientele on their activities. Many initiative groups can easily recruit and engage volunteers.

NGOs are limited to the very narrow aims and target groups specified in their statutes. NGOs such as Agama, for instance, have the capacity to broaden their constituencies but the “geographic factor” in the law restricts the involvement of people from other areas. In addition, the requirement that NGOs comply strictly with the terms of their charters hampers some NGOs, like Lachin Ay and Ajaip Dunia, which lack charter provisions explicitly authorizing growth of their constituencies.

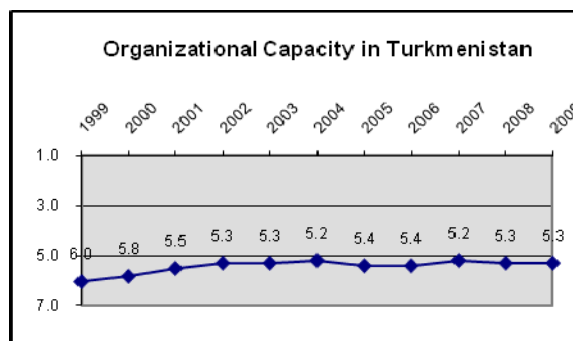
Local authorities’ interest in NGO initiatives varies significantly from region to region, and heavily depends on individual officials and their personal attitudes towards NGOs.

Most NGOs have clearly defined missions, but the majority of their activities are grant driven. NGOs often implement projects beyond their missions, tailoring projects to donors’ priorities. Salaries of permanent staff depend on the availability of grant funds. There are no structures such as boards of directors in NGOs because the Ministry of Justice must approve NGOs’ internal governance structures.

Many initiative groups received training on strategic planning and contend that they are capable of applying these tools in their operations. They cannot do long-term planning, however, due to the uncertainty of their

NGOs may also access legal information through Bosfor, which provides free access to its legal library and renders consultations.

situation. The majority of NGOs implement day-to-day activities and develop strategy simultaneously.



NGOs are trying to operate in an open and transparent manner, allowing contributors and supporters to verify the appropriate use of funds. Agama and several informal groups produce annual financial reports which are shared with members and participants at annual meetings.

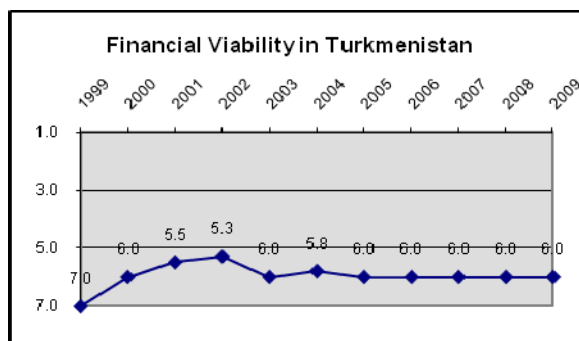
Currently, there are no designated training providers for NGOs. Hemayat obtained a license to teach strategic planning, accounting, and financial management, and may provide training for NGOs and their members. The majority of NGOs cannot afford this service, however.

The majority of NGOs have basic office equipment, including relatively new computers and software and functional fax machines, but updating available equipment remains a challenge. Internet cafes are in all provincial centers, but many districts do not have these facilities, to say nothing about villages. Internet speed remains slow and relatively expensive.

## FINANCIAL VIABILITY: 6.0

The world financial crisis affected Turkmenistan, though to a lesser degree because of the role of hydrocarbon resources in its economy. Some grantmaking organizations lessened their activities due to the reduction of grant budgets, and the small pool of funding for the NGO sector became even smaller. Some large foreign businesses, however, became more active in the country and are interested in engaging in philanthropic activity.

Most NGOs still rely on donor grants. The number of in-country donors is low, fueling competition both between and within NGOs and informal groups, and resulting in a reluctance to share plans and projects. International donors operating in the country seek to distribute their available funds between GONGOs, NGOs, and informal groups. For example, World Bank grant winners included the Turkmen Society of the Blind and Deaf, the Lebap branch of the Public Union for Nature Protection of Turkmenistan, NGO Agama Club, and Lachin Ay. The average grant amount was approximately \$6,000.



The NGO sector seeks to establish relations with different donors in order to ensure diversity of funding, but is becoming more aware that dependence on donors will not produce sustainability. Many NGOs and initiative groups seek support from local authorities and businesses. Typically community civic groups

are able to raise some funds for specific activities. Cultivating relations with potential local donors is still not a regular practice, however.

Individuals and medium-sized and large businesses sometimes make donations to NGOs, but a lack of legislative incentives discourages businesses from making regular donations. There is little potential for legislation to improve in this area.

Some NGOs charge membership fees. The concept that NGOs should provide services free of charge prevails both among NGOs and the public. Agama and Keik Okara continue to charge for services to cover costs associated with organizing mountain climbing expeditions, and earn money from industrial alpinism. The law provides that NGOs have the right to engage in entrepreneurial activities if the income supports the objectives stated in their statutes, but requires NGOs to establish enterprises for carrying out entrepreneurial activity. Those NGOs such as Agama and Polyot that realize that they should charge fees for services are attempting to form enterprises to receive income legally.

Government and private businesses continue contracting some NGOs as service providers. As a rule the government gives contracts to GONGOs, such as the Union of Entrepreneurs and Industrialists, Youth Organization, Women Society, or Nature Protection Society. Usually GONGOs implement joint projects with the government and a UN agency or other donor. The plan of cooperation between Turkmenistan and the UN often drives such initiatives. Registered NGOs have the right to compete for a government contract if it is published, but such announcements are rare.

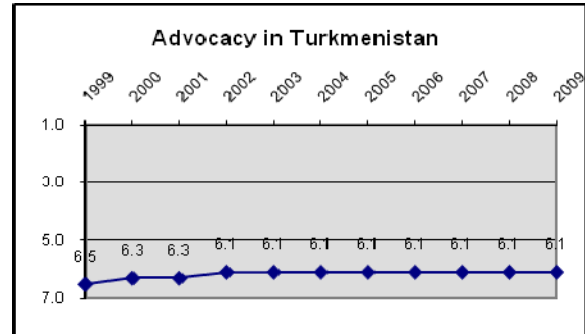
## ADVOCACY: 6.1

Currently, NGOs implement almost no advocacy activities. A major challenge for NGOs is their inability to express opinions on issues of public concern because the government does not tolerate the slightest criticism.

A roundtable in January continued the previous year's dialogue on the interaction between NGOs and government in the reform process. This was followed by a roundtable in September on improvements to legislation for NGOs. Government officials together with NGO participants, including the Union of Manufacturers and Entrepreneurs, the National Center of Trade Unions, the Women's Union of Turkmenistan, and Magtymguly Youth Union of Turkmenistan, reviewed the legislation pertaining to NGOs and recommended changes to the laws and registration procedures which were given to the Mejlis (parliament).

Women's Union of Turkmenistan, a GONGO, organized a national forum entitled "Business Opportunities for Rural Women" together with UNDP in February to provide a venue for government representatives, NGOs, UN agencies and project beneficiaries to discuss

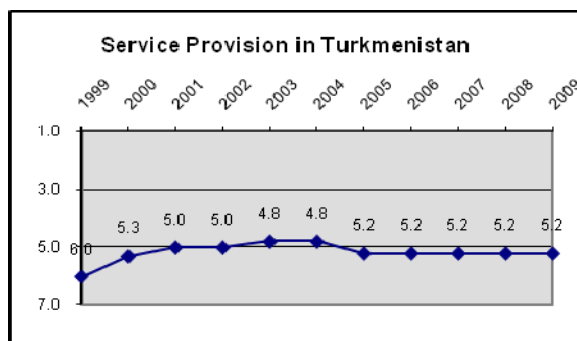
ways of improving the business environment for rural women.



In November Keik Okara carried out the action "Together against Gender Violence" with the financial support of the UNHCR Office in Turkmenistan. Volunteers implemented the activity and involved about fifty young people. In addition, representatives of other NGOs such as Lachin Ay, Agama, and the National Red Crescent Society took part.

The USAID Turkmenistan Community Empowerment Program, which promoted social partnerships between communities and local governments, completed its activities.

## SERVICE PROVISION: 5.2



NGO service provision is heavily dependent on donor grants and sometimes the needs of NGOs' clientele may lose priority. Each year donors notify grantees of their current priorities, and grant seekers have to adjust their planned projects or sometimes change their target groups in order to win grants and continue their

operations. There has been no needs assessment of potential target groups for NGO services.

Currently several organizations are working in the sphere of human rights at the national level. The activities of Bosfor are targeted at raising the legal awareness of the population. With the support of the U.S. and UK embassies, Bosfor organized several seminars on legal issues throughout the year and maintained a legal library with free access to documents and legal counseling.

Lachin Ay worked with teenagers on the development of life skills, and organized a summer camp for children and youth with the support of the International Organization for Migration (IOM) and the World Bank. A World

Bank grant allowed Agama to conduct seminars on social leadership and involve youth in its activities. An initiative group provided support to vulnerable populations.

Keik Okara formed a joint venture that provided new sewing, carpet weaving, and metal workshops for young people to generate income for former refugees living in a school in Mary province. Local authorities provided newly renovated premises to accommodate the workshops and U.S. State Department funding paid for the equipment.

Civil Society Support Centers and their network of Resource Centers and Community Resource

Points provided legal consultations, advice on projects and activities, training, and access to information and the Internet. Until September they held regular discussion groups with NGO representatives and community members. The closing of Counterpart International affected the CSSCs' legal status; CSSCs found themselves in limbo and reduced or fully ceased their activities. Resource Centers and Community Resource Points lost technical and financial support they had received through the USAID Community Empowerment Program, as well as access to the Internet, which they used to have through the CSSCs.

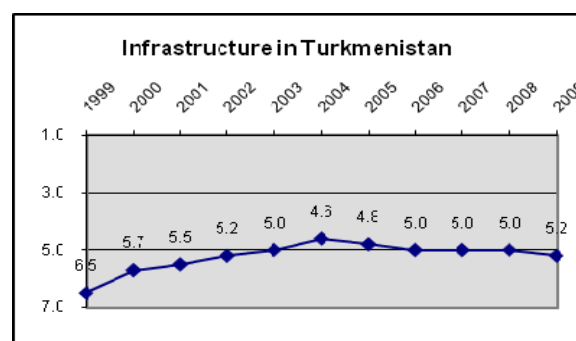
## INFRASTRUCTURE: 5.2

In general the NGO sector is small and not cohesive. No organization or network is able to take responsibility for promoting the sector's interests. Interaction and information sharing between NGOs take place through personal relations. 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. NGOs and informal groups compete for grants and are reluctant to share new plans and ideas.

No designated center or organization is focused on promoting development of the NGO sector or providing technical support. A few support centers such as those sponsored by the OSCE, the U.S. Embassy, and the UN Library in Ashgabat provide limited services including Internet access. The UN Library charges for Internet access hourly. Due to the heavy use of the U.S. Center, it allows only thirty minutes per visitor. The provincial towns do not enjoy such services. No organization provides information, technology, training and technical assistance for communities.

The countrywide network of CSSCs, Resource Centers and Community Resource Points experienced a significant blow when they lost their financial support and legal status. While the CSSCs are thinking about their futures and exploring different models in order to survive

and continue providing their services, the Resource Centers and Community Resource Points either maintained very limited services such as photocopying, or ceased to function and collapsed. The closure of the USAID Community Empowerment Program was particularly felt in rural communities, where rural youth had enjoyed different activities and training organized by Resource Centers and Community Resource Points.



International donors' shift in focus from NGO capacity building to community development is affecting NGOs. NGOs sense a lack of interest among the international community in NGOs and their development. There are no local community foundations that provide grants to NGOs or re-grant international donor funds.

Although there are capable local NGO management trainers in Turkmenistan, there is

no institutional training provider either in the capital or other cities to provide advanced specialized training in areas such as strategic management, accounting, financial management,

fundraising, volunteer management, or board development. Hemayat may start providing training for the NGO sector if NGOs can afford its services.

## **PUBLIC IMAGE: 5.5**

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Turkmenistan’s mass media provides little coverage of NGO activities. Traditionally, sporting events organized by NGOs are covered in the newspapers. In spite of strict censorship, references to NGOs appear relatively often in the media, usually due to the presence of international donors, UN agencies and authorities at NGO events. For example, the media covered the roundtables on NGO legislation, as well as the participation of NGOs in the “Business Opportunities for Rural Women” forum organized by UNDP. Keik Okara enjoyed media coverage of its action “Together against Gender Violence,” and other NGOs that participated in the event also received coverage.

GONGOs like the Youth Organization and the Women’s Association of Turkmenistan appear regularly in the media. The government still prefers dealing with GONGOs rather than with NGOs despite its growing realization of the NGO sector’s role in society. In a sign of a warming in its attitude towards NGOs, the government invited Agama to participate in a tourism exhibition in the National Exhibition Center.

Generally NGOs do not promote their activities through the media, but some NGOs place ads in newspapers to raise public awareness about their activities. For example, Bosfor and Keik Okara placed such ads throughout the year. Bosfor’s attempt to put an ad about its legal library in Neutral Turkmenistan failed, however, when the NGO was unofficially advised to abandon the advertisement so as not to incur undue scrutiny by the authorities.

The government controls all media in Turkmenistan, and the level of media interest in the activities of the NGO sector will change only when the media starts to see the government adopt a more favorable attitude. The anticipated changes in legislation related to the NGO sector may create the potential for closer cooperation with the media.

