

Law of Turkmenistan

“On the National Red Crescent Society of Turkmenistan”

(“Neutral Turkmenistan”, No. 8 (26880) dated January 7, 2012; Vedomosti of the Mejlis of Turkmenistan, 2012, No. __, Art. __)

This Law defines the legal basis for the activities, as well as the principles, tasks, rights and obligations of the National Red Crescent Society of Turkmenistan.

CHAPTER I. GENERAL PROVISIONS

Article 1. Basic Concepts

The following basic concepts are used in this Law:

- 1) The International Red Cross and Red Crescent Movement - an organizational form of constant interaction between the International Committee of the Red Cross, the Red Cross or Red Crescent Societies recognized by it and the International Federation of Red Cross and Red Crescent Societies in order to most effectively carry out their humanitarian activities;
- 2) The International Committee of the Red Cross - an international organization whose goals and objectives are exclusively humanitarian in nature and are to protect the life and dignity of people affected by armed conflicts and provide assistance to them;
- 3) The International Conference of the Red Cross and Red Crescent - an international conference of representatives of the constituent parts of the International Red Cross and Red Crescent Movement and representatives of the states-parties to the Geneva Conventions dated August 12, 1949 (hereinafter referred to as the Geneva Conventions) and Additional Protocols thereto dated June 8, 1977 (hereinafter - Additional Protocols);
- 4) The International Federation of Red Cross and Red Crescent Societies - an international non-governmental humanitarian organization created to internationally coordinate the humanitarian activities of the Red Cross and Red Crescent Societies and consisting of all Red Cross or Red Crescent Societies recognized by the International Committee of the Red Cross.

Article 2. National Red Crescent Society of Turkmenistan

1. The National Red Crescent Society of Turkmenistan (hereinafter referred to as the Society) is recognized as the only independent public organization in Turkmenistan operating in accordance with the legislation of Turkmenistan and on the basis of the principles of the International Red Cross and Red Crescent Movement throughout the country.
2. The Society is a member organization of the International Red Cross and Red Crescent Movement and a member of the International Federation of Red Cross and Red Crescent Societies.
3. In order to fulfill the goals and objectives stipulated by this Law and the Charter, the Society creates its local divisions (branches).
4. The names “Türkmenistanyň Gyzyly Ýarymaý milli jemgyýeti” (National Red Crescent Society of Turkmenistan), “TGÝMJ” (NRCST) and “Türkmenistanyň Gyzyly Ýarymaýy” (Red Crescent of Turkmenistan) are equivalent.
5. The Society provides assistance to government agencies in humanitarian activities carried out in the country.

Article 3. Legislation of Turkmenistan on the Society

1. The legislation of Turkmenistan on the Society is based on the Constitution of Turkmenistan and consists of the Law of Turkmenistan "On Public Associations", this Law, and other normative legal acts of Turkmenistan regulating the Society's activities.

2. If an international treaty of Turkmenistan establishes rules other than those provided for by this Law, then the rules of the international treaty shall apply.

Article 4. Legal Status of the Society

1. The Society - a voluntary, self-governing, non-profit public association based on membership and voluntariness, created in the manner prescribed by the legislation of Turkmenistan, on the initiative of citizens on the basis of a community of interests for the implementation of activities to protect the life and health of people, provide social assistance, assistance to persons affected by emergencies, to cooperate in solving problems arising from the Geneva Conventions and Additional Protocols thereto, to promote international humanitarian law and the Fundamental Principles of the International Red Cross and Red Crescent Movement, as well as to educate the population in the field of healthcare.

2. The Society is a legal entity; it is responsible for its obligations with all property belonging to it. The organizational and legal form of the Society is a public organization.

3. The Society has the right to open settlement, currency and other accounts in banking institutions of Turkmenistan, to carry out transactions on these accounts, to use seals, stamps and other details indicating its name in its activities in the manner prescribed by the legislation of Turkmenistan.

4. The Society has the right to cooperate with national Red Crescent and Red Cross societies of foreign states and international humanitarian public organizations, as well as to conclude agreements with them in the manner prescribed by the legislation of Turkmenistan.

5. The legal capacity of the Society as a legal entity starts from the moment of state registration with the Ministry of Justice of Turkmenistan and entry into the Unified State Register of Legal Entities.

6. The Society may have flags, emblems and other distinctive marks. The symbols of the Society are approved at the Congress of the Society.

Article 5. Membership in the Society

1. Unless otherwise established by the legislation of Turkmenistan, citizens of Turkmenistan who support the higher causes of the Red Cross and Red Crescent, regardless of nationality, race, gender, origin, property and official status, place of residence, language, attitude to religion, political beliefs, party affiliation or lack of membership in any party may be members of the Society. This right is exercised freely, without any prior permission.

2. The Charter of the Society determines procedure and conditions for joining and terminating membership, including withdrawal and expulsion from membership.

Article 6. Members of the Society

1. Members of the Society may be citizens and legal entities - public associations of Turkmenistan that support the goals, objectives, main areas of activity or specific actions of the Society.

2. Participation in the activities of the Society and its divisions (branches) is carried out on the basis of an agreement (contract) on cooperation concluded between the Society and its respective divisions (branches) and each member separately, in accordance with the Charter of the Society.

Article 7. Charter of the Society

1. The Society independently develops and approves its own Charter, structure and Regulations on its divisions (branches), as well as organizes its activities, holds meetings, conferences, congresses and other relevant events.

2. The Charter of the Society is approved at the Congress of the Society in accordance with the legislation of Turkmenistan.
3. The Charter of the Society must provide for:
 - 1) the name, goals and objectives of the Society;
 - 2) the procedure and conditions for the establishment of the Society, admission to membership in the Society and termination of membership, the rights and obligations of members;
 - 3) the territory within which the Society carries out its activities;
 - 4) the organizational structure of the Society, its governing and internal control bodies;
 - 5) the procedure for the formation and powers of the governing bodies of the Society, the terms of their powers;
 - 6) the location of the permanent governing body of the Society;
 - 7) the procedure for scheduling meetings of the governing bodies of the Society and making decisions by them;
 - 8) sources of formation of funds and other property of the Society, rights and obligations of the Society and its structural divisions for property management;
 - 9) the procedure for making additions and changes to the Charter of the Society;
 - 10) the procedure for paying membership fees;
 - 11) the procedure for liquidation, reorganization, termination of the Society's activities, as well as the distribution of property remaining after its liquidation.
4. The Charter may contain other provisions related to the activities of the Society that do not contradict the legislation of Turkmenistan.

Article 8. Basic Principles of Activities of the Society

1. The Society carries out its activities, excluding any discrimination on the basis of nationality, race, gender, origin, property and official status, place of residence, language, attitude to religion, political beliefs, party affiliation or lack of membership in any party of a person and a citizen, and is guided by such Fundamental Principles of the International Red Cross and Red Crescent Movement (hereinafter - the Movement), as humanity, impartiality, neutrality, independence, voluntariness, unity, universality.
2. State bodies of Turkmenistan, other legal entities, regardless of their organizational and legal forms and forms of ownership, as well as individuals, are obliged to respect the Society's adherence to the principles specified in part one of this article.

Article 9. Goals and Objectives of the Society

1. The Society was created to provide humanitarian, medical and social, rehabilitation and other assistance to people in need of it.
2. The Society independently, as well as in cooperation with state bodies of Turkmenistan, in accordance with the legislation of Turkmenistan, performs the following tasks:
 - 1) assists the state bodies of Turkmenistan in humanitarian activities;
 - 2) assists the state bodies of Turkmenistan in the fulfillment of international obligations arising from the Geneva Conventions and Additional Protocols thereto;
 - 3) participates in the implementation of measures aimed at deployment of state and national programs, protecting the health of the population, including alleviating the suffering of people and providing assistance to various segments of the population, as well as the implementation of own programs in the field of education, healthcare and social protection in the territory of Turkmenistan;
 - 4) participates in providing assistance to victims of emergencies on the territory of Turkmenistan;

- 5) through the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, national Red Cross or Red Crescent Societies of foreign countries, provides assistance to people affected by emergencies in foreign countries;
- 6) promotes knowledge of international humanitarian law, principles and goals of the Movement;
- 7) ensures the implementation of other tasks arising from the principles and goals of the Movement, consistent with the legislation of Turkmenistan, as well as the Charter of the Society.

Article 10. Main Directions of Activities of the Society

In order to fulfill its tasks, the Society, in accordance with the legislation of Turkmenistan:

- 1) participates in sanitary propaganda, in teaching the skills of providing first aid, methods of caring for patients at home, creates appropriate services and trains specialists for this activity, participates in the training of people who are members of civil defense associations;
- 2) participates in the organization of blood donation by promoting the donation of blood for medical purposes among the population;
- 3) participates in the provision of medical and social assistance to people in need of it;
- 4) in accordance with the legislation of Turkmenistan, carries out activities for the sale through the pharmacy network of the Society of medical products and medicines necessary for the treatment of patients, provides medical and social services to various segments of the population;
- 5) if necessary, creates special services to provide assistance to refugees and various segments of the population;
- 6) creates a search service for the purpose of searching for missing persons, provides information assistance to restore communication between family members separated from each other as a result of armed conflicts, emergencies and in peacetime, assists in family reunification;
- 7) organizes the reception, storage and distribution of humanitarian aid received from the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, national Red Cross and Red Crescent Societies of foreign states and other sources;
- 8) organizes the collection of charitable donations from the population and legal entities of Turkmenistan in order to provide assistance to people affected by emergencies in Turkmenistan or foreign countries;
- 9) in order to provide assistance to people affected by emergencies, cooperates with the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, national Red Cross and Red Crescent Societies of foreign states, assists these organizations in their humanitarian activities on the territory of Turkmenistan and beyond;
- 10) in accordance with the Geneva Conventions, creates a material and technical base and provides training for specialists to organize the work of the reference service;
- 11) carries out activities to promote knowledge of international humanitarian law and the Fundamental Principles of the Movement among the population of Turkmenistan;
- 12) assists state bodies in the implementation of international humanitarian law in the educational systems of Turkmenistan at various levels;
- 13) participates in the development of decisions of state bodies in accordance with the Fundamental Principles of the Movement in the manner prescribed by the legislation of Turkmenistan;
- 14) takes initiatives on issues of public life and submits proposals on them to state bodies within the limits of its competence;
- 15) participates in the implementation of international and regional programs of the Movement;
- 16) carries out publishing and research activities;
- 17) in accordance with the legislation of Turkmenistan, performs other functions assigned to it by the Geneva Conventions and Additional Protocols thereto, as well as by this Law and the Charter of the Society.

Article 11. International Cooperation of the Society

1. To carry out activities consistent with its own goals and objectives, as well as the main areas of activity provided for by this Law, the Society cooperates with the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and other international humanitarian organizations, as well as with national Red Cross and Red Crescent societies of foreign states.

2. The Society participates in international humanitarian activities carried out in accordance with the legislation and international treaties of Turkmenistan, documents and programs adopted within the framework of the Movement.

Article 12. Emblem of the Society

1. The emblem of the Society is an image of a red crescent with the "Türkmenistanyň Gyzyl Ýarymaý milli jemgyýeti" (National Red Crescent Society of Turkmenistan) inscription on a white background.

2. The Society's emblem (reduced in size) as a distinctive mark may be:

- 1) installed on buildings (except for the roof of buildings) and premises used by the Society, on vehicles belonging to it, as well as in places where any property of the Society is stored;
- 2) used by the Society in carrying out its activities, holding solemn, mass events (familiarizing the population with the activities of the Society, promoting knowledge about international humanitarian law and the Movement);
- 3) reproduced in accordance with the procedure established by the legislation of Turkmenistan in information and other printed materials produced by the Society, as well as in products manufactured by it or by its order;
- 4) applied to humanitarian cargo sent by the Society;
- 5) used by members of the Society, its employees, as well as, with the permission of the Society, by participants in its activities.

Article 13. Use of the Red Crescent Emblem by the Society

The procedure for the use and protection of the Red Crescent and Red Cross emblems, distinctive signals, as well as the names "Gyzyl Ýarymaý" (Red Crescent) and "Gyzyl Haç" (Red Cross) is determined in accordance with the legislation of Turkmenistan regulating the use and protection of the Red Crescent and the Red Cross emblems.

**CHAPTER II. INTERACTION OF THE SOCIETY WITH STATE BODIES OF TURKMENISTAN.
STATE SUPPORT OF THE SOCIETY****Article 14. Interaction of the Society with State Bodies of Turkmenistan**

1. The Society interacts with the state bodies of Turkmenistan within the framework of its Charter.

2. The Society, in cooperation with the state bodies of Turkmenistan, can conclude agreements and contracts, which determine the main directions and methods of cooperation.

3. The Society and its structural divisions jointly with state bodies and public associations of Turkmenistan participates in the implementation of activities corresponding to its goals and objectives, as well as the main areas of activity, which are provided for by this Law.

4. Interference of state bodies and their officials in the activities of the Society, as well as interference of the Society in the activities of state bodies and their officials, shall not be allowed, except for cases stipulated by the legislation of Turkmenistan.

Article 15. Property of the Society

1. The Society owns, uses and disposes of the property and funds belonging to it. The property of the Society is protected in accordance with the legislation of Turkmenistan.
2. The Society may own buildings, structures, housing stock, vehicles, equipment, inventory, cultural, educational and recreational property, funds, shares, other securities and other property necessary for the material support of the activities determined by the Charter of the Society, as well as intellectual deliverables.
3. The property of the Society in accordance with its charter purposes may also be subordinate institutions, publishing houses, mass media, created and acquired at the expense of its own and other funds.

Article 16. Sources of Formation of the Property of the Society

1. The sources of the formation of funds and other property of the Society:
 - 1) membership fees;
 - 2) voluntary monetary and property contributions and other charitable donations, wills, gifts from citizens of Turkmenistan, foreign citizens and stateless persons, as well as legal entities;
 - 3) income from exhibitions, lotteries, auctions and other events held by the Society;
 - 4) income from the implementation of programs, projects, from the publication and sale of own periodicals, printed materials related to the activities of the Society;
 - 5) income from non-commercial activities of the Society, provision of services and performance of work, publishing, cultural and educational activities;
 - 6) other receipts not prohibited by the legislation of Turkmenistan.
2. In accordance with the legislation of Turkmenistan, the Society can carry out non-commercial entrepreneurial activities, the income from which is not distributed among the members of the Society and participants in its activities and is used solely for the implementation of the charter purposes of the Society.
3. The Society is not responsible for the obligations of its members and participants in its activities, and the members of the Society and participants in its activities are also not responsible for the obligations of the Society.
4. The Society can create enterprises, as well as acquire property intended for conducting non-commercial business activities. The activities of the enterprises of the Society shall be related to the fulfillment of the goals and objectives of the Society.
5. Funds and other property of the Society cannot be distributed among its members and are used only for the purposes and tasks stipulated by the Charter.

Article 17. State Support of the Society

1. In accordance with the legislation of Turkmenistan, state bodies of Turkmenistan may provide the Society with financial, material and other support to fulfill the tasks provided for by this Law.
2. State support can be expressed in the form of targeted financing of certain socially useful programs of the Society; concluding contracts for the performance of work and the provision of services; implementation of various state programs.
3. Citizens, organizations and officials, within the limits of their powers established by law, provide support to the Society in the implementation of its tasks, its employees and persons carrying out its assignments.
4. Any actions that interfere with the activities of the Society stipulated by this Law are prohibited.

Article 18. Procedure for the Payment of Taxes and Fees by the Society

The procedure for payment by the Society and its subordinate legal entities of taxes, customs and other fees is determined by the legislation of Turkmenistan.

Article 19. Benefits Provided to the Society in Emergency Zones

In emergency situations, employees of the Society and humanitarian aid cargoes in accordance with the legislation of Turkmenistan are delivered to the emergency zone by the government transportation means free of charge.

Article 20. Provision of Buildings to the Society

Buildings, premises and areas to the Society and its organizational structures to ensure their activities and the location of management bodies are provided free of charge.

Article 21. Assistance by the Mass Media in the Activities of the Society

The Society provides the media with information about its activities. State mass media publish information on the activities of the Society in accordance with the legislation of Turkmenistan.

Article 22. Suspension, Reorganization and Termination of the activities of the Society

Suspension, reorganization and termination of the activities of the Society are carried out in accordance with the legislation of Turkmenistan.

CHAPTER III. FINAL PROVISIONS

Article 23. Responsibility for Violation of This Law

Violation of this Law entails responsibility in the manner prescribed by the legislation of Turkmenistan.

Article 24. Entry Into Force of This Law

This Law shall enter into force on the day of its official publication.

President of Turkmenistan
Gurbanguly Berdimuhamedow
Ashgabat,
22 December, 2012
No. ___-IV