



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues in relation to the combined fifth and sixth periodic reports of Turkmenistan\*

1. The State party is requested to submit in writing additional, updated information, of 10,700 words maximum, by 15 June 2024. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

#### Part I

2. Please explain the measures taken or envisaged to:

(a) Review and bring national legislation and practice, including the decree on the regulation of the Juvenile Affairs Commission of 1967 and the regulations on the guardianship and custody agencies of the Turkmen Soviet Socialist Republic of 1972, into full conformity with the Convention and the Optional Protocols thereto;

(b) Evaluate the implementation of the National Plan of Action on Children's Rights for the period 2018–2022, including its main achievements, and provide information on the level of engagement of civil society organizations and children in the development of the National Plan of Action on Children's Rights for the period 2023–2028;

(c) Identify the proportion of the budget allocated to children and increase the budget allocation for, in particular, health, education, the social sector and vulnerable children, including children with disabilities, ethnic minorities and children living in remote areas of the country;

(d) Improve the systematic collection of disaggregated data on children and the public dissemination of official data and statistics, including the findings of the national census conducted in 2022;

(e) Strengthen the capacity of the Office of the Ombudsman, in particular by increasing its financial and human resources, and ensure that the Office carries out the comprehensive and systematic monitoring of children's rights, including by addressing complaints by children in a child-friendly and sensitive manner;

(f) Raise awareness regarding the Convention and the Optional Protocols thereto, including by disseminating the concluding observations on the combined second to fourth periodic reports of the State party<sup>1</sup> in Turkmen and other local languages to children and the general public and provide training for the officials responsible for the implementation of the concluding observations;

3. Please inform the Committee about measures taken to implement the Committee's previous recommendations<sup>2</sup> on enhancing the efforts of the Interagency Commission on

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\* Adopted by the pre-sessional working group on 8 February 2024.

<sup>1</sup> [CRC/C/TKM/CO/2-4](#), para. 60.

<sup>2</sup> *Ibid.*, para. 9.



Enforcing the International Obligations of Turkmenistan on Human Rights and International Humanitarian Law to coordinate all activities relating to the implementation of the Convention at the cross-sectoral, national, regional and local levels.

4. Please indicate if:

(a) Specific measures have been taken towards eliminating the practices of informal (unregistered) child marriage and unregistered births, including among the Baluch and Nohur ethnic minorities;

(b) Measures have been taken to eliminate cases of lowering the age of marriage;

(c) Awareness-raising campaigns targeted to children, parents and teachers on the extremely harmful effects of child marriage were launched over the reporting period.

5. Please provide updated information on the following:

(a) Measures taken to amend the national legislation, including the Constitution, to ensure the explicit prohibition of all forms of discrimination based on disability, in accordance with international standards;

(b) The enforcement of the anti-discrimination legislation in the State party to prevent discrimination against children in marginalized and disadvantaged situations, including children with disabilities, refugee, asylum-seeking and stateless children and children of various ethnic groups, including Baluch and Nohur;

(c) The application of the best interests of the child in decision-making processes, including by adopting corresponding by-laws, and in administrative, legislative and judicial proceedings;

(d) Reported cases of the death or torture of children in police detention and in the penitentiary system and the number of children who committed suicide in the period 2017–2023;

(e) The approaches of the Government and the Assembly (*Mejlis*) regarding seeking the views of children and adolescents and incorporating them into the prevailing State policies that pertain to children;

(f) Awareness-raising campaigns aimed at officials, parents, children and the general public to encourage the promotion of equality, respect for diversity and the protection of all children from discrimination.

6. Please update the Committee on the measures taken:

(a) To monitor and evaluate the implementation of the National Action Plan for the Elimination of Statelessness in Turkmenistan for the period 2019–2024;

(b) To facilitate the naturalization process for stateless children and their family members who qualify under the Law on Citizenship;

(c) To ensure that freedom of expression, guaranteed in the Law on the Guarantees of the Rights of the Child, is realized in practice;

(d) To safeguard children from censorship and digital surveillance, while ensuring their unrestricted ability to seek, receive and share information and ideas through various platforms.

7. Please provide information on the following:

(a) The actions taken to implement the Committee's previous recommendations<sup>3</sup> on investigations of alleged misconduct by law enforcement officials in all places of detention of children;

(b) The measures implemented to enhance the capacity of the Office of the Ombudsman to conduct visits to child detention facilities, particularly by granting the staff

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<sup>3</sup> Ibid., para. 31.

of the Office access to such facilities and enabling them to accompany the Ombudsman during those visits;

(c) The mechanisms and procedures that have been put in place to ensure the implementation of child-friendly methods for identifying, reporting, investigating and prosecuting cases of child sexual abuse or domestic violence;

(d) The mandate of the on-site commissions for juvenile affairs, introduced by the Ministry of Internal Affairs;

(e) The availability, accessibility and effectiveness of helplines in assisting children who have experienced violence;

(f) The planning and implementation of educational and awareness-raising campaigns focused on child-rights education, with an emphasis on the illegality of corporal punishment, informing children about complaint mechanisms and promoting positive, non-violent forms of discipline.

8. Please describe the measures taken:

(a) To address the increase in the number of children in institutional care, such as through the adoption of a deinstitutionalization strategy;

(b) To support and facilitate family-based care for children whenever possible and to develop a system of foster care for children who cannot stay with their families;

(c) To eliminate the practice of temporarily placing children in children's institutions;

(d) To ratify the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

9. Please provide information on the following:

(a) The development of community-based rehabilitation programmes and home-based care, with a view to reducing the institutionalization of children with disabilities;

(b) The accessibility and provision of specialized support for children with disabilities within the mainstream education system;

(c) Outcomes achieved through the implementation of the Joint Programme on Improving the System of Social Protection through the Introduction of Inclusive Quality Community-based Social Services;

(d) Measures taken to increase the number of psychologists and social workers to support the needs of children with disabilities.

10. Please describe the measures taken or envisaged:

(a) To decrease the neonatal and infant mortality rates;

(b) To increase the number of family doctors, nurses and midwives and to enhance the accessibility of medications, particularly in rural areas;

(c) To improve access for adolescents to sexual and reproductive health services, including safe abortion, and to integrate comprehensive, age-appropriate information on sexual and reproductive health into mandatory school curricula at all levels of education;

(d) To adapt the concept of targeted social support and ensure the availability of social workers in all administrative districts.

11. Please provide information on the following:

(a) Ensuring active child participation in decision-making on environmental issues, including through the dissemination of general comment No. 26 (2023) on children's rights and the environment, with a special focus on climate change;

(b) Protecting children's rights under the National Strategy on Climate Change of 2019;

(c) Adopting a child-centred disaster risk reduction strategy;

(d) Ensuring access to drinking water for the population living in the Aral Sea region, particularly in Daşoguz province.

12. Please provide information on the following:

(a) The development of preschool education, especially in remote and rural areas;

(b) Any measures taken and additional resources allocated to ensure opportunities for education in the mother tongue for children from ethnic minorities, in particular Kazakh and Uzbek children.

13. Please provide information on the measures taken:

(a) To ensure unimpeded access to the territory and to asylum procedures for children and their family members requiring international protection, in particular those from Afghanistan;

(b) To establish a child justice system and to promote diversion from formal justice to restorative justice, with the aim of facilitating the rehabilitation and reintegration of children facing criminal charges before judicial, administrative or other public authorities;

(c) To ensure the well-being and treatment of children in detention, including by ensuring that conditions are age-appropriate and that children are not detained together with adults, and also provide information on the number of children detained and the conditions of detention facilities;

(d) To ensure the provision of State legal assistance for all children facing criminal charges before judicial, administrative or other public authorities;

(e) To enforce the prohibition against child labour, and also provide information on cases of child labour offences, the number of investigations conducted, the findings of violations and the penalties or sanctions imposed.

14. Please provide information on the measures taken to implement the Committee's previous recommendations on the Optional Protocol on the sale of children, child prostitution and child pornography<sup>4</sup> and on the Optional Protocol on the involvement of children in armed conflict, including measures:<sup>5</sup>

(a) To prohibit and criminalize the recruitment and use of children under the age of 18 years in hostilities by both the armed forces of the State and non-State armed groups;

(b) To establish an independent complaint and investigation mechanism in military schools and military academies;

(c) To define and criminalize all crimes under the Optional Protocol on the sale of children, child prostitution and child pornography, in accordance with articles 2 and 3 of the Optional Protocol;

(d) To extend the universal jurisdiction of the State to all offences covered under the Optional Protocols and abolish the requirement of double criminality.

## Part II

15. The Committee invites the State party to provide a brief update, of no more than three pages, on the information set out in its report with regard to the following:

(a) New bills or laws, and their respective regulations;

(b) New institutions and their mandates or institutional reforms;

(c) Recently introduced policies, programmes and action plans and their scope and financing;

(d) Recent ratifications of human rights instruments.

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<sup>4</sup> CRC/C/OPSC/TKM/CO/1.

<sup>5</sup> CRC/C/OPAC/TKM/CO/1.

## Part III

### Data, statistics and other information

16. Please provide consolidated information for the past three years on the budget lines regarding children and the social sectors, indicating the percentage of each budget line in terms of the total national budget and the gross national product. Please also provide information on the geographical allocation of those resources.

17. Please provide updated statistical data, for the past three years, disaggregated by age, sex, ethnic origin, national origin, geographical location and socioeconomic status on the following:

- (a) Complaints received by the authorities, including the Office of the Ombudsman, from children;
- (b) Child rights civil society organizations and their geographical distribution;
- (c) Cases in which the authorities lowered the age of marriage under article 15 of the Family Code;
- (d) Children who have committed or attempted suicide;
- (e) The neonatal and infant mortality rates;
- (f) Cases of violence against children, including abuse, neglect and sexual exploitation and abuse, that have been reported to the authorities, investigated and prosecuted, including information on the sanctions imposed on the perpetrators;
- (g) Children living in poverty;
- (h) Unaccompanied children;
- (i) Children who have been identified as stateless;
- (j) Asylum-seeking, refugee and migrant children;
- (k) Children in military schools and military academies.

18. Please provide updated statistical data, for the past three years, disaggregated by age, sex, ethnic origin, geographical location and socioeconomic background, on the situation of children deprived of a family environment, including the following:

- (a) The number of children separated from their families and the duration of the separation;
- (b) The number of children placed in institutions, the number of institutions and data on the children in each institution;
- (c) The number of children awaiting adoption.

19. Please provide data, for the past three years, disaggregated by age, sex, type of disability, ethnic origin and geographical location, on the number of children with disabilities who are or who have been:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools;
- (d) Attending regular secondary schools;
- (e) Attending special schools;
- (f) Out of school;
- (g) Abandoned by their families.

20. Please provide updated statistical data, for the past three years, disaggregated by age, sex, type of offence, ethnic and national origin, geographical location and socioeconomic status, on children in conflict with the law who were or have been:

- (a) Arrested;
- (b) Referred to diversion programmes;
- (c) In pretrial detention;
- (d) Serving a sentence in detention and the length of the sentence;
- (e) Receiving State legal assistance.

21. Please provide information on how a children's rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and on how those measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

22. Please provide the Committee with an update of any data in the report that may have become outdated by more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.

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