



Global Initiative to
**End All Corporal Punishment
of Children**

**BRIEFING ON TURKMENISTAN FOR THE
COMMITTEE ON THE RIGHTS OF THE CHILD,
PRESESSIONAL WORKING GROUP – June 2014**

*From Dr Sharon Owen, Research and Information Coordinator, Global Initiative
info@endcorporalpunishment.org*

This briefing describes the prohibition of corporal punishment of children in Turkmenistan. The process of verifying that prohibition has been achieved – that it applies to all forms of corporal punishment in all settings, without exception – has taken considerable time. Following a detailed legal analysis prepared by the Global Initiative and shared with the Turkmenistan Government, we received official confirmation that the law is interpreted as prohibiting all corporal punishment, “however light”, in January 2014 (see below, para. 4). We hope the Committee will now:

- **in its List of Issues for Turkmenistan, raise the issue of corporal punishment of children, in particular asking what measures are being taken to implement the prohibition of corporal punishment and ensure corporal punishment is eradicated in practice, including in the home?**
- **in its concluding observations on the state party’s report, welcome the prohibition of all corporal punishment and recommend that efforts be strengthened to ensure the prohibition is implemented, including ongoing public awareness raising among adults and children, professional education and training, and the use of a range of measures to respond to those who continue to inflict corporal punishment on children.**

Prohibition of corporal punishment in Turkmenistan

1 In its concluding observations on Turkmenistan’s initial report in 2006, the Committee on the Rights of the Child noted that the Rights of the Child (Guarantees) Act “seems to prohibit corporal punishment”.¹ We are pleased to be able to confirm that the law does prohibit all forms of corporal punishment in all settings, without exception.

2 The Law on the Guarantees of the Rights of the Child 2002 was adopted by Parliament on 5 July 2002. Article 24 states (unofficial translation):

¹ 2 June 2006, CRC/C/TKM/CO/1, Concluding observations on initial report, para. 46

“(2) Parents (legal representatives) of the child shall care, sponsor, create conditions for growth, development and enhancement of the child, to bring it up in the spirit of humanity

(3) Humiliation of the child’s dignity, corporal punishment, other physical abuse harmful for the child’s mental or physical health are inadmissible.”

3 In 2012, a new Family Code was adopted, article 85 of which reiterates and expands the provisions in the child law, stating (unofficial translation):

“(2) Humiliation of the dignity of the child, intimidation, corporal punishment, other physical abuse harmful for the child’s mental or physical health are inadmissible.”

Article 89 states:

“(2) When implementing parental rights, parents shall not do injury (harm) to the physical and mental health of the child, its moral development. Methods of education shall exclude neglectful, cruel, ... degrading treatment....”

4 In a letter dated 13 January 2014, the Permanent Representative of Turkmenistan to the United Nations Office at Geneva informed the Global Initiative:

“... I am pleased to inform you that the Turkmen national institute for democracy and human rights under the President of Turkmenistan ... confirms that the relevant provisions in the Family Code 2012 and the Law on Guarantees of the Rights of the Child 2002 are interpreted as prohibiting all corporal punishment, however light it may be.”

Briefing prepared by the Global Initiative to End All Corporal Punishment of Children
www.endcorporalpunishment.org; info@endcorporalpunishment.org
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