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STATE PARTY EXAMINATION OF TURKMENISTAN'S INITIAL REPORT ON THE OPTIONAL PROTOCOL ON THE SALE OF CHILDREN, CHILD PROSTITUTION AND CHILD PORNOGRAPHY

68TH SESSION OF THE COMMITTEE ON THE RIGHTS OF THE CHILD
12 JANUARY – 30 JANUARY 2015

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Turkmenistan ratified the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography (OPSC) on 28 March 2005. On 14 January 2015, the Committee on the Rights of the Child (the Committee) examined the initial periodic report of Turkmenistan.

Opening Comments

The delegation of Turkmenistan was led by Ms. Lyudmilla Amanniyazova, Deputy Head of the State Statistics Committee. She was supported by a delegation of representatives from the Ministry of Education, the Ministry of Internal Affairs, the Ministry of Healthcare and Medical Industry, the National Institute of Democracy and Human Rights and the Permanent Mission of Turkmenistan to the United Nations Office at Geneva.

Ms. Olga Khazova and Mr. Wanderlino Nogueira Neto, the Country Rapporteurs for the OPSC, welcomed the Turkmen delegation (the delegation).

General Measures of Implementation

Legislation

The Committee recalled the importance to adopt and implement appropriate legislation to prevent the phenomenon of child trafficking. The Committee asked whether there was a special body in charge of the implementation of the OPSC.

Coordination and monitoring

Note: This report is prepared at the discretion of Child Rights Connect. The content is designed to give a summary of the key discussions during the session of the Committee on the Rights of the Child but it is neither an official nor fully comprehensive report. More reports and further information can be found at

www.childrightsconnect.org/index.php/publications-resources/crc#countrysum

The Committee asked whether there was a specific governmental body in charge of the coordination and monitoring of the OPSC.

Dissemination and training

The delegation informed the Committee that lectures on international law, human rights and international treaties were held in relevant institutions. These lectures included planned seminars on different pertinent topics.

Data collection

The Committee encouraged the delegation to provide more detailed data in the State's next report.

Prevention

The Committee asked what preventive measures were taken by the State on the issues covered by the OPSC, in particular in border regions and concerning the tourism and informal economy sectors. The delegation answered that the Ministry of Internal Affairs held lectures for all children in schools to raise awareness as a preventive tool. It further added that preventive work included the training of officials and the distribution of booklets and pamphlets in bus stations and airports.

Prohibition and related matters

The Committee noted that the sale of children, child prostitution and child pornography were not specifically defined in the State party's legislation and asked about the reason why these acts were not criminalised. The delegation underlined that there were no cases of minors being victims of trafficking at the moment, but indicated that sentence for such a crime was imprisonment for duration of eight to 18 years. It clarified that in cases of paedophilia there were two degrees of crime, one for cases involving children victims under the age of 14 and one for those under the age of 18. Only one case of child prostitution had been registered and no cases of child pornography had been reported in 2014.

The Committee recalled the detention of paedopornographic material was usually part of larger traffics and enquired about the monitoring of the Internet to prevent child pornography. The delegation said that a special department of the Ministry of Internal Affairs was in charge of monitoring this phenomenon. It also stated that there were no proven cases of child pornography in the State but that the offence could be punished with imprisonment up to five years.

The Committee observed that according to the Criminal Code of the State party, crimes committed on the State party's territory were brought to justice, unless otherwise provided by bilateral and international treaties.

Protection of the rights of victims

The Committee asked for information on the number of children who fell under the responsibility of each inspector appointed to monitor the issues covered by the OPAC. The delegation said that the number of inspectors was sufficient and covered an appropriate part of the country's territory.

The Committee asked whether there was any programme to protect children victims and witnesses on the issues covered by the OPSC.

International assistance and cooperation

The Committee underlined the need to work with international actors on the issues of the OPSC and asked the delegation if this cooperation had been considered by the State. The delegation replied that there were good contacts with the International Organisation for Migration (IOM) and that cooperation was planned.

Concluding remarks

Ms. Olga Khazova and Mr. Wanderlino Nogueira Neto, the Country Rapporteurs, thanked the delegation and recommended the State party to align the domestic criminal code with the OPSC and to implement legislative reforms on victim and witnesses protection.

The delegation welcomed the Committee's final remarks and acknowledged the need to further work on the legislation of the State to align it with the OPSC.