

DISCLAIMER: This document was produced in 2005 and is a summary of the laws of Algeria that appertain to international parental child abduction, contact and relocation as they were at that time. **reunite** International Child Abduction Centre cannot vouch for the accuracy of this information for use in litigation and it is not intended to provide case specific advice.

## **TURKMENISTAN**

### **Overview**

Turkmenistan became part of the Soviet Union in 1925 and gained independence in 1991. As a result Turkmenistan has been greatly influenced by the secular Russian legal system. A Constitution was promulgated in 1992, which is the supreme law of the land. Article 1 reads that Turkmenistan is a democratic, law-based and secular State. The majority of the population are Muslim, mainly sunni, and the remainder are Christian.

We were unable to obtain full information on this country.

### **Court Structure**

There are 3 levels of court. At the lowest level are the Trial Courts, which have jurisdiction over civil, criminal and administrative matters. At the next level are the Appeal Courts and at the apex of the system is the Supreme Court. This court is divided into civil criminal and military chambers. Outside this system are the Military Courts and the Supreme Economic Court.

### **Custody and Guardianship**

Article 25 of the Constitution reads that men and women have equal rights in family relations and parents or guardians have the right and obligation to raise their children, care for their health, development and education, prepare them for labour, and to instil culture and respect for law in them.

### **Non-Muslim Family Law**

There are no separate family laws for the different religious groups.

## **Nationality**

The Citizenship Law 1992 reads in Article 9 that dual nationality is recognised. According to Article 12 a child born to Turkmen parents acquires Turkmen nationality regardless of the country of birth. The child with one parent of Turkmen nationality acquires Turkmen nationality if born in Turkmenistan or if born outside Turkmenistan but one or both parents had permanent residence in Turkmenistan at the time of birth. If neither parent has permanent residence in Turkmenistan the citizenship of the child is determined with the agreement of the parents, expressed in written form. If one parent has Turkmen nationality and the other parent is unknown or stateless then the child acquires Turkmen nationality. Article 14 reads that a child born in Turkmenistan whose parents do not have citizenship but are permanent residents, acquires Turkmen citizenship.

## **International Law**

Turkmenistan acceded to the UN Convention on the Rights of the Child in 1993 and to the Hague Convention on the Civil Aspects of International Child Abduction in 1998.

## **Contacts**

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