Unofficial translation

LAW OF TURKMENISTAN

On Citizenship of Turkmenistan

CHAPTER I. GENERAL PROVISIONS

Article 1. Citizenship of Turkmenistan

Citizenship of Turkmenistan means a stable legal relation between a person and Turkmenistan expressed in the scope of their mutual rights and obligations.

Article 2. A citizen and a State

1. Turkmenistan as represented by its authorities and officials shall be accountable to each of its citizen. A citizen of Turkmenistan shall be accountable to the State and must abide by the Constitution and laws of Turkmenistan, perform the obligations they provide for, protect the interests of Turkmenistan, it territorial integrity, contribute to strengthening sovereignty and independence of Turkmenistan and defend the constitutional order, respect the official language, culture, customs, traditions and languages of the people of all nationalities who are resident in the territory of Turkmenistan.

2. The State shall ensure establishment of conditions conducive to free development of an individual, protect life, honour, dignity and liberty, security, natural and inalienable civil rights of a citizen.

Article 3. Legislation of Turkmenistan on citizenship of Turkmenistan

1. Legislation of Turkmenistan on citizenship of Turkmenistan shall include the Constitution of Turkmenistan, the present Law and other regulatory acts of Turkmenistan adopted on their bases.

2. If an international treaty of Turkmenistan establishes rules that differ from those stipulated in the present Law, the rules of the international treaty shall be applied.

Article 4. Basic principles of Turkmenistan citizenship

Citizenship of Turkmenistan shall be based on the following principles:

1) every person has the right to citizenship;

2) Turkmenistan citizenship shall be equal to all citizens of Turkmenistan irrespective of grounds for acquiring it;

3) citizenship cannot be granted against the will of an individual;

4) a citizen of Turkmenistan may not be deprived of the citizenship, the right to change

citizenship, be extradited to other State or expatriated from Turkmenistan and denied the right to return to the Motherland;

5) prevention and reduction of statelessness.

Article 5. Citizens of Turkmenistan

1. Citizens of Turkmenistan shall be persons who have possessed Turkmenistan citizenship on the day of the entry into force of the present Law and the persons who have acquired the Turkmenistan citizenship or have the right to retain it in accordance with the present Law.

2. Citizenship of another State of a citizen of Turkmenistan shall not be recognized. If a citizen of Turkmenistan has a citizenship of another State, he or she shall be regarded exceptionally as a citizen of Turkmenistan in accordance with laws of Turkmenistan.

3. Residence of a citizen of Turkmenistan in a territory of another State of itself does not entail loss of citizenship of Turkmenistan.

Article 6. State protection of citizens of Turkmenistan

1. Citizens of Turkmenistan shall be guaranteed protection and auspices of the State in the territory of Turkmenistan, as well as abroad.

2. Turkmenistan, diplomatic representations and consular offices of Turkmenistan in foreign States, as well as their officials are obliged to take all necessary measures so that citizens of Turkmenistan will enjoy opportunities of fully exercising all the rights provided to them by legislation of the State of residence, international treaties, of which Turkmenistan and the State of residence are, in order to protect their rights and legitimate interests in accordance with the existing legislation, and when necessary, to restore infringed rights of citizens of Turkmenistan as.

3. If in a State of residence of citizens of Turkmenistan there are no diplomatic representations or consular offices of Turkmenistan, protection of rights and legitimate interests of citizens of Turkmenistan may be provided by the appropriate authorities of other States in accordance with international treaties of Turkmenistan.

Article 7. Citizenship of Turkmenistan at contraction or dissolution of a marriage

1. Neither marriage nor dissolution of a marriage of a citizen of Turkmenistan with a foreign citizen or a stateless person shall entail the change of citizenship.

2. Change of citizenship by one of the spouses shall not entail the change of citizenship of the other spouse.

3. Dissolution of a marriage shall not entail the change of citizenship of the children who were born or adopted at this marriage.

4. A foreign citizen or a stateless person who entered into marriage with a citizen of Turkmenistan may be granted Turkmenistan citizenship on the basis of a free expression of his or her will and under the conditions provided for by the present Law.

Article 8. Foreign citizens and stateless persons

1. Foreign citizens shall mean the persons who are not citizens of Turkmenistan and have evidence for the possession of the citizenship of any foreign state.

2. Stateless persons shall mean persons who are not citizens of Turkmenistan and who have no proof of possessing the citizenship of any foreign state.

3. Foreign citizens and stateless persons shall enjoy the same rights and freedoms and perform the same duties as citizens of Turkmenistan in accordance with laws and international treaties of Turkmenistan.

4. Foreign citizens who are resident in the territory of Turkmenistan shall be guaranteed the right to apply to diplomatic representations and consular offices of their countries.

Article 9. Documents confirming Turkmenistan citizenship

1. The document confirming Turkmen citizenship shall be the passport of a citizen of Turkmenistan or other document confirming Turkmen citizenship issued by the authorized government agencies of Turkmenistan.

2. The citizenship of the child below the age of 16 shall be confirmed by his or her birth certificate or the passport of one of his or her parents who is a citizen of Turkmenistan.

CHAPTER II. ACQUISITION OF TURKMENISTAN CITIZENSHIP

Article 10. Grounds for acquiring Turkmenistan citizenship

1. Turkmenistan citizenship shall be acquired on the following grounds:

1) by birth;

2) granting of citizenship;

3) restoration of citizenship;

4) on the other grounds stipulated in this Law or international treaties of Turkmenistan.

2. To determine whether a person possesses Turkmen citizenship the regulatory acts of Turkmenistan that were in force when the related circumstances took place shall be applied.

Article 11. Acquisition of Turkmenistan citizenship by birth

1. A person shall be a citizen of Turkmenistan by birth in the following cases:

1) the parents (the single parent) are citizens of Turkmenistan regardless of the place of birth of the child;

2) one of the parents of the child is a citizen of Turkmenistan and the other parent is a stateless person or recognized as missing or his/her whereabouts is unknown irrespective of the place of birth of the child;

3) one of the parents of the child is a citizen of Turkmenistan and the other parent is a foreign citizen provided that the child was born in the territory of Turkmenistan;

4) one of the parents is a citizen of Turkmenistan and the other parent is a foreign citizen, the parents or one of them have been habitually resident in the territory of Turkmenistan by the time of the birth of the child regardless of the place of birth of the child;

5) one of the parents of the child is a citizen of Turkmenistan and the other parent is a foreign citizen provided that both of his/her parents have been habitually resident beyond Turkmenistan by the time of the birth of the child and the child was born beyond Turkmenistan - upon a joint application from the both parents. In case of absence of such an application the child shall acquire Turkmenistan citizenship if the child otherwise would become stateless;

6) the parents (the single parent) of the child who are habitually resident in the territory of Turkmenistan are stateless persons provided that the child was born in the territory of Turkmenistan;

7) the parents (the single parent) of the child who are habitually resident in the territory of Turkmenistan are foreign citizens provided that the child was born in the territory of Turkmenistan and the State, whose citizenship his/her parents (the single parent) possess, does not grant its citizenship to him or her;

8) the parents (the single parent) of the child are the persons whose whereabouts and citizenship are unknown provided that the child was born in the territory of Turkmenistan.

2. In case of recognition of a citizen of Turkmenistan as the father of the child whose mother is a stateless person, the child shall be a citizen of Turkmenistan regardless of the place of birth.

3. The child resident in the territory of Turkmenistan, whose parents are unknown, shall be regarded as born in Turkmenistan and a citizen of Turkmenistan. In case of the finding of at least one of the parents, trustee or guardian of this child his or her citizenship may be changed in accordance with this Law.

Article 12. The grounds for acquiring Turkmen citizenship

1. Turkmen citizenship may by granted to a capable person, who has attained the age of 18 years upon his or her written application if he or she:

1) assumes the responsibility to abide by and respect of the Constitution and laws of Turkmenistan;

2) knows the official language of Turkmenistan within the scope necessary for communication;

3) has been habitually resident in the territory of Turkmenistan for five years;

4) has the legal sources of subsistence.

The period of habitual residence in the territory of Turkmenistan shall not be interrupted if a person has left the territory of Turkmenistan for the period not exceeding three months during one year, with the exception of the cases mentioned in Article 34 of this Law.

2. The period of habitual residence mentioned in Paragraph 3, Chapter 1 of this Article may be shortened or not followed for the following persons:

1) the Turkmen people and their descendants (children, grandchildren, great grandchildren and others);

2) citizens of the former USSR, who have a close relative in Turkmenistan or have arrived for the purpose of habitual residence;

3) the persons who have outstanding services to Turkmenistan, high achievements in science, technology, culture and sport, or have a profession or qualification of state interest to Turkmenistan;

4) the persons who have had the right to Turkmen citizenship before;

5) the persons who are given asylum;

6) the persons who are recognized as refugees in accordance with the law or international treaty of Turkmenistan;

7) the persons who were habitually resident in the territory of Turkmenistan but forcedly resettled from its territory or fled it for political or religious reasons and their descendants.

3. In exceptional cases the President of Turkmenistan shall have the right to grant Turkmen citizenship provided that an applicant complies with Paragraph 1, Chapter 1 of this Article.

Article 13. Restoration of Turkmen citizenship

Turkmen citizenship of a person who ceased to be a citizen of Turkmenistan on the grounds stipulated in this Law may be restored upon his or her written application in case he or she are habitually resident in the territory of Turkmenistan or has an intention to settle in Turkmenistan and under the conditions provided for in Paragraphs 1 and 2, Article 12 of this Law.

Article 14. The grounds for refusing to grant Turkmen citizenship and restore Turkmen citizenship

An application from a person who applied for the granting or restoration of Turkmen citizenship shall not processed if she or he:

1) has committed a crime against peace and security of mankind, war crimes as provided for under international law, is engaged in terrorist activity;

2) advocates forced change of the foundations of the constitutional order of Turkmenistan or

by other actions jeopardises security of the state and health of the people;

3) arouses interstate, national and religious animosity;

4) has provided forged documents or intentionally false information;

5) is convicted of serious and very serious crimes and has an uncancelled or unredeemed sentence for the crime committed;

6) is serving a prison sentence;

7) possesses the citizenship of other state.

CHAPTER III. CESSATION OF TURKMEN CITIZENSHIP

Article 15. The grounds for ceasing Turkmen citizenship

Turkmen citizenship shall be ceased in the following cases:

1) renunciation of citizenship;

2) loss of citizenship;

3) on the grounds stipulated in this Law and international treaties of Turkmenistan.

Article 16. The procedure for renouncing Turkmen citizenship

1. The renunciation of Turkmenistan citizenship shall be effected upon the written application from a citizen of Turkmenistan made in accordance with the procedure established by law.

2. The renunciation of Turkmen citizenship by the child shall be effected by his or her legitimate representatives.

3. The application from a citizen of Turkmenistan for the renunciation of Turkmen citizenship shall not be processed if he or she:

1) is being held criminally liable as a defendant or an effective and enforceable court judgement is rendered on him or her;

2) has an undischarged obligation or an outstanding debt to be paid to the state, natural and legal entities;

3) in accordance with the laws of Turkmenistan, it conflicts with the interests of national security;

4) becomes thereby stateless.

Article 17. Loss of Turkmen citizenship

Turkmen citizenship shall be lost in the following cases:

1) enlistment of a person for military service, for service into security, police, justice agencies, for diplomatic service or for service into other bodies of state power and administration in other state, with the exception of the cases stipulated in international treaties of Turkmenistan;

2) if Turkmen citizenship was acquired as a result of the submission of intentionally false information or forged documents;

3) on the grounds stipulated in international treaties of Turkmenistan.

CHAPTER IV. CITIZENSHIP OF CHILDREN IN CASE OF THE CHANGE OF CITIZENSHIP OF THE PARENTS, ADOPTION AND TRUSTEESHIP (GUARDIANSHIP)

Article 18. The change of citizenship of children in case of the change of citizenship of the parents

1. If the parents (the only parent) of the child acquire Turkmen citizenship or restore Turkmen citizenship, the child shall be regarded as a citizen of Turkmenistan.

2. If the parents (the only parent) of the child renounce Turkmen citizenship or lose Turkmen citizenship, the child shall also renounce Turkmen citizenship if he or she does not become thereby stateless.

3. The citizenship of the child shall not be changed in case of the change of the citizenship of the parents deprived of their parental rights.

Article 19. Citizenship of the child in case of the acquisition of Turkmen citizenship by one of the parents

1. If one of the parents acquires Turkmen citizenship and the other parent retains the citizenship of other state, the child may acquire Turkmen citizenship upon the joint application from the both parents regardless of the place of his or her residence.

2. If one of the parents of Turkmenistan acquires Turkmen citizenship and the other parent continues to be stateless, the child shall become a citizen of Turkmenistan regardless of the place of his or her residence.

Article 20. Citizenship of the child in case of the renunciation of Turkmen citizenship by one of the parents

If one of the parents renounces Turkmen citizenship and the other parent continues to be a citizen of Turkmenistan, the child shall retain Turkmen citizenship or shall renounce Turkmen citizenship upon the joint application from the both parents including the parent who has renounced Turkmen citizenship.

Article 21. Citizenship of an adopted child

1. In case of the adoption of the child who possesses Turkmen citizenship by foreign citizens, the child retains Turkmen citizenship provided that he or she is resident in the territory of Turkmenistan.

2. In case of the adoption of the child who possesses Turkmen citizenship by foreign citizens and his or her residence beyond Turkmenistan, the child shall retain Turkmen citizenship if the state whose citizenship the adopting spouses possess, does not grant its citizenship to him or her.

3. In the case of the adoption of the child who possesses Turkmen citizenship by stateless persons or if one of the adopting parents is a citizen of Turkmenistan and the other adopting parent is a stateless person or a citizen of a foreign state or one of the adopting parents is a citizen of a foreign state and the other adopting parent is a stateless person, the child shall retain Turkmen citizenship.

4. The child who possesses the citizenship of a foreign state or is stateless and adopted by citizens of Turkmenistan shall be regarded as a citizen of Turkmenistan.

5. In case of the adoption by the spouses, one of whom is a citizen of Turkmenistan and the other adopting spouse is a stateless person or they both are stateless persons habitually resident in the territory of Turkmenistan the child who possesses the citizenship a foreign state shall be regarded as a citizen of Turkmenistan.

6. In case of the adoption by the spouses, one of whom is a citizen of Turkmenistan and the other adopting spouse is a citizen of a foreign state the child who possesses the citizenship of other state shall be regarded as a citizen of Turkmenistan by consent of the adopting spouses expressed in writing.

7. In case of the adoption by the spouses, one of whom is a citizen of Turkmenistan the child who is a stateless person shall be regarded as a citizen of Turkmenistan.

8. In case of the adoption by a citizen of a foreign state or a stateless person the child born in Turkmenistan shall retain Turkmen citizenship if in the other case he or she becomes stateless.

9. Renunciation of Turkmen citizenship by the child who possesses Turkmen citizenship shall be effected upon the joint application from his or her adopting parents.

Article 22. Retention of Turkmen citizenship by the child in guardianship or trusteeship

If the both parents or one of the parents of the child resident in the territory of Turkmenistan renounce Turkmen citizenship and are deprived of their parental rights the child shall retain Turkmen citizenship upon the application from his or her guardian or trustee.

Article 23. The necessity of the consent of children in case of the change of their citizenship

In case of the change of citizenship of the parents (the only parent) as well as in case of the adoption of the child aged from 14 to 18 the change of the citizenship of the child shall be permitted exclusively by consent of the child and upon his or her voluntarily written notarially certified application.

CHAPTER V. THE AUTHORITIES OF THE PRESIDENT OF TURKMENISTAN AND GOVERNMENT AGENCIES FOR THE ISSUES RELATING TO TURKMEN

CITIZENSHIP

Article 24. The authorities of the President of Turkmenistan for the issues relating to **Turkmen citizenship**

1. The President of Turkmenistan shall adopt the decisions on the issues relating to Turkmen citizenship.

2. The President of Turkmenistan shall adopt either of the following decisions on the issues relating to Turkmen citizenship:

1) on the granting of Turkmen citizenship, restoration of Turkmen citizenship and cessation of Turkmen citizenship ;

2) on the refusal to process the applications for the acquisition of Turkmen citizenship and restoration of it;

3) on the loss of Turkmen citizenship as provided for in Article 17 of this Law.

3. The President of Turkmenistan shall approve the Regulations on the procedure of considering the issues relating to Turkmen citizenship.

Article 25. The government agencies authorised to consider the issues relating to Turkmen citizenship

The State Migration Service of Turkmenistan, the Ministry of Foreign Affairs of Turkmenistan and diplomatic representations and consular offices of Turkmenistan in foreign states shall be the government agencies of Turkmenistan authorised to consider the issues relating to Turkmen citizenship.

Article 26. The authorities of the State Migration Service of Turkmenistan

The State Migration Service of Turkmenistan shall:

1) accept the applications from the persons who are habitually resident in Turkmenistan on the issues of Turkmen citizenship, check the applications and attached documents in a proper manner and submit them to the President of Turkmenistan for consideration;

2) in accordance with laws of Turkmenistan determine whether a person possesses Turkmen citizenship and issue the relevant certificate;

3) execute the decisions adopted by the President of Turkmenistan on the issues relating to Turkmen citizenship of the persons who are habitually resident in the territory of Turkmenistan;

4) maintain records of the persons habitually resident in the territory of Turkmenistan who have ceased to be citizens of Turkmenistan, have been granted Turkmen citizenship and whose citizenship of Turkmenistan has been restored as well as the persons whose possession of Turkmen citizenship has been determined.

Article 27. The authorities of the Ministry of Foreign Affairs of Turkmenistan,

diplomatic representations and consular institutions of Turkmenistan in foreign states

The Ministry of Foreign Affairs of Turkmenistan, diplomatic representations and consular offices of Turkmenistan in foreign states shall:

1) accept the applications from the persons who are resident beyond Turkmenistan on the issues relating to Turkmen citizenship and in accordance with the procedure established by laws of Turkmenistan, submit these applications and attached documents to the President of Turkmenistan for consideration;

2) on the basis of the written confirmation of the possession of Turkmen citizenship by the persons that are submitted in accordance with the procedure established by laws of Turkmenistan, issue the relevant documents for such persons;

3) execute the decisions adopted by the President of Turkmenistan on the issues relating to Turkmen citizenship of the person who is resident beyond Turkmenistan;

4) maintain records of citizens of Turkmenistan who are habitually resident beyond Turkmenistan;

5) maintain records of the persons habitually resident beyond Turkmenistan who have ceased to be citizens of Turkmenistan.

CHAPTER VI. PROCESSING OF THE APPLICATIONS FOR TURKMEN CITIZENSHIP

Article 28. The procedures for submitting the applications for citizenship

1. The applications for Turkmen citizenship shall be submitted in accordance with the procedure established by law by:

1) the persons who are resident in Turkmenistan - to the State Migration Service of Turkmenistan and its local branches;

2) the persons who are resident beyond Turkmenistan - to the Ministry of Foreign Affairs of Turkmenistan, diplomatic representations and consular offices of Turkmenistan in foreign states.

2. The applications for the granting of Turkmen citizenship, restoration of it and renunciation of Turkmen citizenship shall be submitted to the President of Turkmenistan through the authorised government agencies mentioned in Part 1 of this Article.

3. The applications for Turkmen citizenship of the children and the persons recognized as incapable shall be submitted by their parents or other legitimate representatives.

Article 29. Processing of the documents on Turkmen citizenship

1. The bodies of the State Migration Service of Turkmenistan or diplomatic representations or consular offices of Turkmenistan in foreign states that accept the applications for Turkmen citizenship shall draw their reasonable conclusions on them.

2. The State Migration Service of Turkmenistan, the Ministry of Foreign Affairs of Turkmenistan shall present their conclusions on the applications or their recommendations on the issues relating to Turkmen citizenship and other necessary information to the President of Turkmenistan for consideration and decision.

3. The Citizenship Commission established by the President of Turkmenistan shall process the documents submitted to the President of Turkmenistan and present its proposals for the satisfaction of or the refusal to satisfy an application for the granting of Turkmenistan citizenship or restoration of Turkmen citizenship, renunciation of Turkmen citizenship submitted by each applicant to the President of Turkmenistan for consideration.

4. The Commission shall have the right to address a request to provide the necessary documents and information to the appropriate government agencies and public associations that provide the necessary documents and information within the period established by the Commission.

5. The conclusion on the applications for the renunciation of Turkmen citizenship shall contain the exact information on the issues mentioned in Article 16 of this Law.

Article 30. The acts on Turkmen citizenship

The President of Turkmenistan shall issue the decrees in case of the granting of Turkmen citizenship, restoration of it and renunciation of it and the Resolutions - in case of the refusal to satisfy an application for the granting of the citizenship or restoration of it and in case of the loss of Turkmen citizenship on the grounds provided for in Article 17 of this Law.

Article 31. The period of processing of the applications for Turkmen citizenship

The period of processing the applications for Turkmen citizenship shall not exceed six months from the date of receipt of an application.

Article 32. Reprocessing of the applications for Turkmen citizenship

In case of the refusal to grant Turkmenistan citizenship or restore it and the renunciation of Turkmen citizenship resubmitted applications shall be processed after one year of the adoption of such a decision. In case of the emergence of the consequences which neither have been nor could be known to an applicant, resubmitted applications may be processed earlier.

Article 33. The date of the acquisition or cessation of Turkmen citizenship

1. Turkmen citizenship shall be acquired:

1) on the day of birth, the adoption of the child;

2) on the day of the granting of Turkmen citizenship to the parents of an under age child;

3) from the day of the entry into force of the Decree of the President of Turkmenistan on the granting of Turkmen citizenship or restoration of it .

2. Turkmen citizenship shall be ceased from the day of the entry into force of the decision of the President of Turkmenistan.

Article 34. Determining the period of residence in the territory of Turkmenistan

1. The period of habitual residence in the territory of Turkmenistan mentioned in Paragraph 3, Chapter 1, Article 12 of this Law shall include:

1) the period of military service, if a person has resided in the territory of Turkmenistan before and the period between the day of discharge from the army and the day of arrival in Turkmenistan for the purpose of habitual residence does not exceed six months;

2) the period of study beyond Turkmenistan, if the period between graduation or expulsion from an educational institution and the day of arrival in Turkmenistan does not exceed six months;

3) the period of business leave beyond Turkmenistan, if the period between the end of business leave and the day of arrival in Turkmenistan does not exceed six months.

2. The determination of the six-month period mentioned in Chapter 1 of this Article shall be suspended in case of an illness, natural disaster or for other valid reasons.

3. The period of residence in the territory of Turkmenistan shall not include the period of serving criminal sentences imposed by judicial bodies of other states and the period of stay in the territory of Turkmenistan on business leave, for medical treatment and in other cases of temporary residence.

4. The President of Turkmenistan shall have the right to also recognize other circumstances for the absence of a person in the territory of Turkmenistan and include them in the period of habitual residence in the territory of Turkmenistan.

Article 35. Execution of the decisions on Turkmen citizenship

1. The authorised government agencies that have accepted the applications for Turkmen citizenship shall inform the applicants of the decisions adopted.

2. The persons who have acquired Turkmen citizenship shall receive the passport of a citizen of Turkmenistan in accordance with the procedure established by law.

Article 36. Control of the execution of the decisions on citizenship

The control of the execution of the decisions on Turkmen citizenship shall be exercised by the Citizenship Commission under the President to Turkmenistan.

CHAPTER VII. APPEAL AGAINST THE DECISIONS ON TURKMEN CITIZENSHIP

Article 37. Appeal against the judgments on Turkmen citizenship

1. The decision on Turkmen citizenship may be revised by the President of Turkmenistan.

2. The complaints about the issues relating to Turkmen citizenship shall be lodged with the President of Turkmenistan.

Article 38. Appeal against the actions of government officials relating to Turkmen citizenship

The refusal to accept the applications for Turkmen citizenship, the untimely processing of applications and other actions of government officials which violate the procedure for processing and executing the decisions on Turkmen citizenship may be appealed in accordance with the procedure established by law either to a higher rank government official or in court.

CHAPTER VIII. TRANSITIONAL PROVISIONS

Article 39. Recognition of Turkmen citizenship

All the persons who possessed USSR citizenship and have the confirmation that they resided in the territory of Turkmenistan before October 20, 1992 shall be recognized as citizens of Turkmenistan if they have not submitted a written application for the renunciation of Turkmen citizenship.

Article 40. The rights of the persons who have left temporarily Turkmenistan

1. Citizens of Turkmenistan shall be the persons who have left temporarily Turkmenistan before October 21, 1992 in relation to:

1) compulsory enlistment for statutory military service;

2) enlistment for military service of military servants who have the military ranks of an officer and other military ranks of reserve officers ;

3) labour, business relations or training, medical treatment (regardless of the place of registration);

4) placement for upbringing at state-owned children's institutions, transfer to relatives, guardian or trustee, execution of the duties of a guardian or trustee;

5) placement for the serving of a custodial sentence.

2. Family members who have left temporarily Turkmenistan together with the persons mentioned in Chapter 1 of this Article shall be regarded as citizens of Turkmenistan.

Article 41. The right of choice of citizenship

1. A person who has attained the age of 18 and possesses the citizenship of another state along with Turkmen citizenship, including a person who acquired by birth Turkmen citizenship and the citizenship of another state shall have the right of choice of Turkmen citizenship or the citizenship of another state.

2. The persons who ceased to be citizens of Turkmenistan shall be provided with the residence permit issued by the State Migration Service of Turkmenistan if they continue to reside in Turkmenistan.

3. The procedure for choosing Turkmen citizenship shall be established by laws and international treaties of Turkmenistan.

CHAPTER IX. FINAL PROVISIONS

Article 42. Liability for the violation of this Law

The violation of this Law shall entail the liability in accordance with the procedure established by law of Turkmenistan.

Article 43. Entry into force of this Law

1. This Law shall enter into force on the day of official promulgation.

2. Regulatory acts of Turkmenistan shall be subject to the harmonization with this Law.

3. Before the laws and other regulatory acts of Turkmenistan are harmonized with this Law, they shall be in effect insofar as they do not contradict this Law.

4. The following laws shall cease to be in force

The Law of Turkmenistan On Citizenship of Turkmenistan of September 30, 1992 (The Bulletin of the Mejlis of Turkmenistan, 1992, № 9, p. 71);

Chapter II of the Law of Turkmenistan On the Amendments and Additions to Some Legal Acts of Turkmenistan of June 14, 2003 (The Bulletin of the Mejlis of Turkmenistan, 2003, № 2, p. 10);

Chapter I of the Law of Turkmenistan On the Amendments and Additions to Some Legal Acts of Turkmenistan of June 12 , 2007 (The Bulletin of the Mejlis of Turkmenistan, 2007, № 2, p. 49).

President of Turkmenistan Gurbanguly BERDIMUHAMEDOV

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