



COMMITTEE ON ENVIRONMENTAL PROTECTION UNDER THE GOVERNMENT
OF THE REPUBLIC OF TAJIKISTAN

The following report is submitted on behalf of the Republic of Tajikistan [name of the Party or the Signatory] in accordance with decision I/8 and II/10

NATIONAL REPORT
THE IMPLEMENTATION OF THE AARHUS CONVENTION
IN TAJIKISTAN FOR 2008 - 2010.

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Dushanbe, 2011.

Question № 1. Provide brief information on the process by which this report has been prepared, including information on which types of public authorities were consulted or contributed to its preparation, on how the public was consulted and how the outcome of the public consultation was taken into account and on the material which was used as a basis for preparing the report.

National report is based on the analysis of relevant laws and regulations, policy documents, plans, policies and declarations, the materials of conferences, seminars and training sessions for the period 2008-2010. National Report was prepared with the help of specialists from ministries and agencies working in the field of environmental protection, as well as representatives of civil society in Tajikistan.

Public authorities:

1. Committee on Environmental Protection under the Government of the Republic of Tajikistan
2. Ministry of Agriculture of the Republic of Tajikistan
3. Ministry of Economic Development and Trade of the Republic of Tajikistan
3. The Ministry of Health of the Republic of Tajikistan
5. Ministry of Energy and Industry of the Republic of Tajikistan
6. Ministry of Justice of the Republic of Tajikistan
7. Ministry of Education of the Republic of Tajikistan
8. Ministry of Land Reclamation and Water Resources of Tajikistan
9. The State Committee for Land Management, Geodesy and Cartography of the Republic of Tajikistan
10. Agency for Statistics under the President of the Republic of Tajikistan
11. Academy of Sciences of the Republic of Tajikistan

For a more complete account of the implementation of the Aarhus Convention, as well as public opinion in preparation of the National Report were participated:

Aarhus Resource Centre under the Committee on Environmental Protection under the Government of the Republic of Tajikistan, supported by the OSCE Centre in Dushanbe;

NGO "Small Earth"

NGO "Noosphera"

NGO "Youth Ecological Center"

NGO "Foundation for Support of Civil Initiatives"

NGO "Youth 21"

NGO "Youth Group on Protection of the Environment Sughd» (YGPE) /

Ecological Information "Aarhus Centre" Sughd

Ecological "Aarhus Centre" in Kurgan-Tube (Environmental Information Centre Aarhus Kurgan-Tube was founded in April 2009 with financial support from the OSCE Office in Tajikistan).

Ecological "Aarhus Centre" in Khorog

Question № 2. Report any particular circumstances that are relevant for understanding the report, e.g. whether there is a federal and/or decentralized decision-making structure, whether the provisions of the Convention have a direct effect upon its entry into force, or whether financial constraints are a significant obstacle to implementation (optional).

The Aarhus Convention was ratified by the Republic of Tajikistan on 9 June 2001. In Tajikistan, for the years of sovereignty were created a political, legislative and institutional frameworks that are conducive to the successful implementation of the core of the Aarhus Convention. The national legislation defines the main directions of public participation in environmental issues, access to information and access to justice in environmental matters and sustainable development.

According to Article 10 of the Constitution of the Republic of Tajikistan, international legal acts recognized by Tajikistan are a constituent part of the legal system and are a priority over national legislation.

In the case of contradiction laws of the republic and recognized international legal treaties, norms and international legal instruments applied.

To the implementation of the Aarhus Convention in Tajikistan, there were some obstacles, including

- Lack of adequate technical base of public structures;
- Lack of cooperation with the media;
- Lack of knowledge of experts on environmental protection in the judiciary;
- Insufficient of resources in the state budget;
- Weakness of specialized institutions for the implementation of the Aarhus Convention, the establishment of precedents for its application in administrative and / or judicial procedure;
- Lack of awareness of citizens and public associations of the need to protect their environmental rights, the lack of practice and precedent of citizens;
- Isolated instances of public hearings, press conferences with the public about the implementation of various projects affecting the environment;
- Insufficient capacity of NGOs to use the experience of other countries, NGOs successfully lobbying for environmental concerns and protecting the environmental rights of their citizens;
- In most cases, the neglect of civil society on environmental issues and environmental protection in relation to their economic problems.

Question № 3. List legislative, regulatory and other measures that implement the general provisions in paragraphs 2, 3, 4, 7 and 8 of article 3. Explain how these paragraphs have been implemented.

In below mentioned of legislations the public access to information and public participation in decision-making on matters relating to nature conservation, defined as a basic principle for the protection of the environment in Tajikistan:

The Constitution of the Republic of Tajikistan

The Republic of Tajikistan Law "On Environmental Protection"

The Republic of Tajikistan Law "On Atmospheric Air Protection"

The Republic of Tajikistan Law "On Ecological Expertise"

The Republic of Tajikistan Law "On the biological safety"

The Republic of Tajikistan Law "On protection of soils"

The Republic of Tajikistan Law "On Wildlife"

The Republic of Tajikistan Law "On specially protected natural areas,"

The Republic of Tajikistan Law "On Environmental Monitoring"

The Republic of Tajikistan Law "On environmental education of the population"

The Republic of Tajikistan Law "On Environmental Information"

The Republic of Tajikistan Law "On Production and Consumption Waste"

The Republic of Tajikistan Law "On Radiation Safety"

The Republic of Tajikistan Law "On Protection and Use of Flora"

The Republic of Tajikistan Law "On the Prohibition of unauthorized collection and sale mummy and mummies containing raw material"

The Republic of Tajikistan Law "On hydro meteorological activity"

Water Code of the Republic of Tajikistan

The Land Code of the Republic of Tajikistan

Forest Code of the Republic of Tajikistan

The Republic of Tajikistan Law "On State Sanitary Supervision"

The Republic of Tajikistan Law "On informatization"

The Republic of Tajikistan Law "On State Secrets"

The Republic of Tajikistan Law " On appeals of citizens"

The Republic of Tajikistan Law "On State Statistics"

The Republic of Tajikistan Law "On press and other mass media"

The Republic of Tajikistan Law "On Public Associations"

The Constitution of the Republic of Tajikistan is determined that the state bodies, public organizations, political parties and officials are obliged to provide every opportunity to receive and access to documents relating to its rights and interests, except as provided by law (Article 25).

Everyone is guaranteed freedom of speech, press, right to use mass media. State censorship and persecution for criticism is prohibited. The list of information constituting state secrets determined by the law "On State Secrets" (Article 30).

Citizens have the right personally or jointly with others to address state bodies (Article 31).

The Constitution of the Republic of Tajikistan guarantees all citizens and stateless persons (article 16), residing in the territory of the republic, regardless of their origin, social status, wealth, race, ethnicity, language, gender, political views, religious beliefs, type of occupation , place of residence and other circumstances, full rights and freedoms (Article 17).

To improve the environmental education of the population The government has taken one of the first in the CIS decision on February 23, 1996 № 93 in Dushanbe, "The State Programme on Environmental Education of the Republic of Tajikistan until 2000 and in perspective till 2010." And

Government Resolution "The State Program on Environmental Education of the Republic of Tajikistan until 2000 and in perspective till 2010." dated October 17, 1996 № 462. Decisions were taken of local government agencies and developed an action plan to implement this program and action plan to implement them on local level (provincial, municipal and regional plans of action). According to the documents of state bodies for nature protection measures were taken to attract the attention of state authorities and public to the problem of environmental education, educational classes began in preschool institutions, schools, introduced the subject of ecology and in all high schools offer classes on ecology and life safety, environmental departments are open in three universities in the country.

In turn, the Resource Centre of Aarhus and Aarhus environmental information Centre Sughd supported the OSCE Centre in Dushanbe, publishes information materials in the form of articles in print media, booklets, brochures are themed documentaries for television broadcast and transmit on the radio, seminars. Thus, the NGO "Youth Group on Protection of the Environment» (YGPE) released a directory of organizations and officials with some environmental information and distributed to 200 people;

- Prepared and published on the air for more than 30 environmental programs "Compass" and "Muhit" on local TV and Sughd TV SM-1;
- Installed and updated regularly (2 times a month), 10 information environmental stand in 8 districts of Sughd;
- Held three media companies: the Taboshar (Radiation Protection), in Kanibodom area (the problem repository of toxic chemicals), Chkalovsk (the problem of MSW (Municipal Solid Waste))
- Issued monthly youth ecological bulletin "Compass," a circulation of about 100 units during the last 4 years;
- More than 1,000 visitors Aarhus Centre in Khujand used free services, resources in obtaining and seeking environmental information through the Internet, library, etc.
- In 2010 - 2011 issued 3 issue of the Journal "ECO Community" edition of 500 pieces each
- Festivals and Contests held on environmental journalism on current environmental issues in Sughd (2008 -2010)
- Conducted 10 seminars on PRTR Protocol in 8 districts of Sughd;

Civil society organizations continuing to cooperate with Committee on Environmental Protection under the Government of the Republic of Tajikistan participate in various programs and projects to implement the exchange of experiences and information.

Question № 4. Describe any obstacles encountered in the implementation of any of the paragraphs of article 3 listed above.

The lack of real financial mechanisms supporting to State programs for the protection of nature impede progress to all tasks identified by the Government. Some items of the program were carried out by companies, organizations, international donors, local businesses, which prevents the sustainability of the implementation of the Aarhus Convention. Also for the full implementation of the Aarhus Convention prevented the following factors:

1. Repeated reorganization of nature protection authorities, which helped to reduce the status of the environmental authorities in the country.
2. Lack of technical equipment of state institutions.

3. Lack of qualification and professionalism of public officials (due to low wages, professionals come to international organizations or travel outside the country, young people are not staying).
4. Low level of awareness of ecological problems in the media and their analysis.
5. Limited technical capacity of public access to electronic media, is also a hard limit electricity supply to all regions of the country, especially in rural areas throughout the year, especially in winter, spring and summer, which also reduces the availability of electronic media.
6. Lack of information capacity and the ability of NGOs working with people and communities to protect environmental rights and advocacy
7. The lack of strong, specialized NGOs working in the field of environmental law.
8. Weak job Aarhus Centre in Dushanbe

Question № 5. Provide further information on the practical application of the general provisions of Convention.

By the Government of the Republic of Tajikistan has adopted and implemented (and implementing) a number of programs and legislative acts in the preparation and implementation of which have been actively involved community organizations.

- State Environmental Program of the Republic of Tajikistan for the period 2009 -2019 years.
- Concept of Environment of the Republic of Tajikistan and its medium-term implementation program for 2010 -2012 years.
- State Program on Environmental Education of the Republic of Tajikistan until 2000 and in perspective till 2010, and is working to organize the drafting of a new program.
- Concept of Transition of the Republic of Tajikistan to sustainable development by 2030
- National Development Strategy to 2015
- Adopted and amended the laws "On Environmental Protection", "On Protection and Use of Animals", "Protection and Use of Flora", "On Atmospheric Air Protection", "On specially protected natural territories", "On Production and Consumption Waste", "On Hydro meteorological Activity", "On Ecological Expertise", "About the Public Associations", "On appeals of citizens", "On Informatization", "On press and other media", "On the Biological Safety", "On environmental education of the population", "On Environmental Monitoring", the Land Code, Water Code, Forest Code.
- In 2010, the new draft Law "On Environmental Protection" adopted in 2011, by the Majlisi Oli of the Republic of Tajikistan.

To implement the Convention in the country, its text has been translated into national language and distributed among different populations. Positive development in the country is the imposition of the public discussion of government documents, such as programs, policies and laws. A number of environmental laws are submitted for public discussion. But, as the bulk of the population does not read newspapers because of their high cost, the discussion does not occur properly.

For successful implementation of the Aarhus Convention, the Government of Tajikistan approved the National Coordinator and the Government Working Group on the Convention in Tajikistan. The working group includes representatives of government, academic and public organizations: the Committee on Environmental Protection under the Government of the Republic of Tajikistan, Ministry of Agriculture, Ministry of Foreign Affairs, Ministry of Health, Ministry of Justice,

Ministry of Education, the State Statistics Committee, State Committee for Land Management, Cartography and Geodesy, Academy of Sciences and NGOs.

Significant contribution to the revitalization of the environmental movement and NGOs was the creation of Eco-network of youth environmental organizations, "Green Patrols" in the regions of Tajikistan. The network is active in the regions with the regional offices of Environment, Youth Committee for the implementation of programs aimed at enhancing adolescents and young adults.

The most active examples of participation in environmental decision-making in recent years show youth environmental organizations in Tajikistan, joined in an informal network. Youth environmental organizations involved in developing and implementing local action plans for the Environmental Protection Agency (NGO "Youth Group on Protection of the Environment» (YGPE) / Environmental Information Centre in Aarhus Sughd), developed three strategies of environmental development in Kairakkum, city Chkalovsk and Jamoat Pallas with the participation of local people and organizations.

- Organized by the office and worked out the position of public environmental monitoring by the Green Patrols Sughd Aarhus Centre in Khujand and the Department on Environmental protection of Sughd region. Conducted more than 10 environmental monitoring in 10 districts of Sughd and presents the results of these reports in a wide range of public areas. In order to implement activities to increase the number of well-informed about the Aarhus Convention in the regions of C. Rumi, Javan, Sarband (Khatlon region) and Dushanbe by the Aarhus Centre in Dushanbe held several meetings with the responsible organizations, including the Department on Environmental protection areas of C. Rumi, Sarband, Javan and agreed plan of action with Hukumats on site.

- Held a series of meetings with experts in the field of environmental protection, agriculture, land reclamation and water management, education, the Ministry of Health, students of Agricultural University, local Hukumat, NGOs and others. Prepared and printed two methods under the name of : 1) "The purpose and functions of Aarhus Convention on the Regulation of stability of environmental protection " 200 pieces 2) Training manuals for the development and training of civil society and a manuals for the trainer to the implementation provisions of the Aarhus Convention.

Participation in youth networks allow groups and organizations to strengthen their capacity to combine their efforts for the massive environmental actions, such as "Earth Day", "World Day for the Preservation of Nature", to involve environmental activity of a growing number of citizens. Environmental dates in Tajikistan noted nationwide. In the global Earth Day march parks held, workshops and public events. After making the World Environment Day in the list of public holidays (without a day off), this date is environmental even wider, with a large number of people, holding of contests, promotions, concerts with artists. To "Earth Day" in 2009 in the reserve "Tigrovaya Balka" conducted environmental action. The action was attended by the most active members of the "Green Patrols". They visited the museum, day of unpaid worked on the reserve. Aarhus Centre Kurgan-Tube were prepared information booklets on three aspects of the Aarhus Convention "Right to Know," "The right to participate", "The right of access to justice" and distributed by Green Patrols among the participant from different regions of Khatlon region, also Aarhus Centre Kurgan-Tube was held an action "Water - the guarantee of health!" involving Green Patrols. The event was held in the mahallas, through which the river flows "Dzhaybor". Conducted a mini-session of the inhabitants of mahallas who live near the river, and distributed flyers highlighting the major water problems and their solutions.

Also carried out the action "We are for clean city!" In Vahdat avenue, where there is a large garbage dump. To residents were given booklets and leaflets, and were carried out explanatory work among the population living near the polygon. It should be noted that most of the activities of the NGOs were funded by international organizations.

In order to implement the Aarhus Convention in the Republic of Tajikistan and the obligations arising under the Convention, to strengthen contacts between the authorities and the public in August 2009 between the OSCE and the Committee on Environmental Protection under the Government of the Republic of Tajikistan has been signed a Memorandum on mutual cooperation and understanding. Agreement has been signed between the UN and the Committee on Environmental Protection to implement sub-project "Development of a national environmental education programs and a national resource centre for environmental education at the Committee on Environmental Protection under the Government of the Republic of Tajikistan."

Question № 6. Give relevant web site addresses, if available:

Resource Centre of Aarhus under the Ministry of Agriculture and Environment developed a website www.aarhus.tj. Unfortunately, this site is now closed. Resource Centre of Aarhus outlines to revive the site in the near future, for which outlines the search financial means.

By the Committee on Environmental protection under Government of the Republic of Tajikistan launched a website where provides information about the activities of the committee, legal acts of the Republic of Tajikistan, information on the conventions ratified by Tajikistan, developed policies and programs, information about public relations, environmental news.

Established and operate a number of websites of other government agencies and nongovernmental organizations in which you can find environmental information:

The Committee on Environmental Protection under the Government of the Republic of Tajikistan:

www.hifzitableiat.tj

Agency for Statistics of the President of the Republic of Tajikistan

www.stat.tj

Agency on Hydrometeorology Republic of Tajikistan

www.meteo.tj

National Convention on Biological Diversity

<http://www.biodiv.tj>

NGO "Noosphere"

<http://www.zakaznik.tj>

NGO "Youth Eco-Center"

www.ecocentre.tj

Information Network CARNet in Tajikistan

www.caresd.net

NGO "Foundation for the Support of Civil Initiatives"

<http://www.fsci.freenet.tj/>, www.caresd.ru

NGO "Youth 21"

www.tabiat.tj

NGO "Youth Group on Protection of the Environment Sughd» (YGPE) / Environmental Information "Aarhus Centre" in Sughd

www.ygpe.tj

Academy of Sciences of Tajikistan

www.ant.tj

Question № 7. List legislative, regulatory and other measures that implement the provisions on access to environmental information in article 4. Explain how each paragraph of article 4 has been implemented.

The main bodies responsible for providing environmental information in Tajikistan are the environmental authorities - Committee on Environmental protection under the Government of the Republic of Tajikistan, Ministry of Agriculture, Ministry of Land Reclamation and Water Resources, Ministry of Energy and Industry of the Republic of Tajikistan, State Committee for Land Management, Geodesy and Cartography Republic of Tajikistan and by other ministries.

Information regarding health, hygiene factors, and other epidemics, usually provided by the Ministry of Health of Tajikistan, separate sanitary authorities. The current law of the Republic of Tajikistan "On nature protection", establishes the right of citizens to a healthy, supportive environment. Article 13 of this Act also provides for the citizens' right to environmental information and in accordance with the Code of Civil Procedure shall have the right to go to court for violations of their rights.

Public organizations are also open to receiving information by citizens.

In the Constitution of the Republic of Tajikistan noted, every citizen is guaranteed freedom of speech, press, the right to use mass media. Governmental censorship and prosecution for criticism are forbidden. The list of information constituting a state secret is defined by applicable law (Art. 30). Tajik Law "On Environmental Review" (April 22, 2003, № 20) governs the general procedure for the organization and conduct of state and public environmental impact assessments, the rights and obligations of the parties involved in environmental impact assessment, establishes the rights of citizens to obtain information on the environmental hazard designed, constructed and operated facilities, adopted on the basis of conclusions and order of appeal dealing with disputes, and establish responsibility for violation of legislation on environmental impact assessment.

Article 4 of the above Act, one of the tasks is the preparation of objective, science-based findings of environmental impact assessment, timely transfer of their to Government and other decision makers on implementation of the object of expertise, to inform interested parties, and citizens.

Tajik legislation on data protection based on the Constitution of the Republic of Tajikistan and consists of the Law "On Protection of Information" (December 2, 2002, № 71), other legal acts of the Republic of Tajikistan, as well as international legal acts recognized by Tajikistan.

Under this law, the object of protection is documented information, in relation to which there are certain rules and restrictions of its use by the legislation of the Republic of Tajikistan, the owner or the owner of such information.

The subjects of legal relations in the sphere of information protection act in the face of state government, individuals and legal persons having, in accordance with the laws of the Republic of Tajikistan the right to establish certain rules and procedures to protect information, as well as restrictions on the handling of information (Article 5 of the Law of the Republic Tajikistan "On the Protection of Information"). Legal subjects, while protecting the information entitled to protection from damage caused by lawful or unlawful actions in the prescribed manner (Article 7).

According to the Law of the Republic of Tajikistan "On the hydro-meteorological activities" (December 2, 2002, № 86) information about the state of the environment and information products are open and accessible, with the exception of information classified by the legislation of the Republic of Tajikistan to the category of restricted access (Article 20). General-purpose information communicated to users in the form of text, tables and graphs on the postal service through the mass media, electronic communications networks, the regime of regular reports or upon request. Specialized information on the state of the environment appears to users on a contract basis.

Republic of Tajikistan Law "On Information" (August 6, 2002, № 40) establishes the right of citizens of the Republic of Tajikistan on the information lays the legal basis of information activities. One of the basic principles of informational relations are guaranteed right to information, transparency, accessibility and freedom of exchange. (Article 4). Also, the subjects of information relations may be other countries, their citizens, legal persons, international organizations, foreign citizens and stateless persons. (Article 7). One of the main directions of state information policy is to ensure timely access to information for citizens. (Article 5).

Article 9 of the Act provides a right to information by creating a mechanism to implement the right to information, state control over observance of legislation on information, the establishment of liability for breach of legislation on information. The state guarantees freedom of information to all citizens and legal persons in the political, economic, cultural, social, spiritual, ecological, scientific, technical, and international spheres of social life within their rights and freedoms of the functions and powers, except in cases envisaged by legislation of the Republic of Tajikistan (Article 11 .)

Also, in accordance with Article 16 of the Law of the Republic of Tajikistan "On Publishing" (December 27, 1993 № 897) and Government Decree "On the rules of accounting publishers and publishing activities of legal entities" (June 30, 2007 № 351), all organizations should have to re-register (license) for 3 months. Validity of the Resolution was extended by the Ministry of Culture of the Republic of Tajikistan to the end of 2007 in accordance with the Decree, all organizations engaged in production of magazines, newsletters and other information products, sold over 100 copies should be re-registered. In case of failure to perform re-publication may be closed.

The question of classifying the information addressed in the Law "On State Secrets" (April 22, 2003. № 4). Thus, Article 6 contains a list of information that can not be classified. Do not be classified information:

- Natural disasters, catastrophes and other extraordinary events that threaten the safety of the citizens that have occurred or may occur;
- State of the Environment and Health, its standard of living, including food, clothing, shelter, health and welfare, as well as socio-demographic indicators, the state of law and order, education and culture of the population;
- The misconduct of government agencies and officials.

Article 3 of the Law of the Republic of Tajikistan "On Sanitary and Epidemiological Safety" (December 8, 2003, № 36) also provides for the right of citizens to information. On the basis of this article can be claimed on the status of habitat, the epidemiological situation, measures to ensure the sanitary-epidemiological well-being, quality of goods, food and drinking water.

Law of the Republic of Tajikistan "On Biosafety" (from March 1, 2005, № 88) also reflects the provisions for public access to information relating to the import of genetically modified organisms. On this issue, environmental NGOs held seminars and workshops, including a seminar on public participation in decision-making on access to information on GMOs.

It should be noted that, in general, for environmental information to state agencies address the representatives of the interested public - environmental non-governmental organizations, students (for writing essays and research papers), journalists, and graduate students. Residents of rural areas primarily consulted the experts on agriculture and farming, as well as on waste management permit for felling of trees. These citizens are sent to experts in the relevant authorities. On-demand requests (written, oral) bodies in due course in accordance with the law on the treatment of citizens decide these questions.

Question № 8. Describe any obstacles encountered in the implementation of any of the paragraphs of article 4. (f) With respect to paragraph 7, measures taken to ensure that refusals meet the time limits and the other requirements with respect to refusals;
(g) With respect to paragraph 8, measures taken to ensure that the requirements on charging are met.

The provision of information by the Government agencies there no problems, although they may be violated deadlines for responses, sometimes not that information provided (although the treatment of citizens in all bodies must be strictly controlled). Nevertheless, legal and information illiteracy, not knowing the scope of the necessary environmental information, reduces the number of citizens with environmental information.

The requested information is not always available in an accessible and understandable form to the user. Processing and categorization of information on today requires not only a great time, financial and human resources, but also knowledgeable, good specialists, i.e., training personnel.

Question № 9. Provide further information on the practical application of the provisions on access to information, e.g. are there any statistics available on the number of requests made, the number of refusals and their reasons?

In the Committee on Environmental Protection under the Government of the Republic of Tajikistan in 10 days considered the letter requests and preparing the information (the answer). In the absence of the necessary information, the request is forwarded to the appropriate division of the Committee. During 2010, the Committee on Environmental Protection under the Government of the Republic of Tajikistan in accordance with the general information department received 215 requests from citizens only, which were given in a timely manner the appropriate answers within the time prescribed by the Committee (from 10 days to 1 month depending on the complexity of the issue) . Total received letters and calls from various organizations, governmental, international, other ministries, departments 3076 pieces (2010).

Implementation of the Convention's provisions on access to information provides a number of social organizations, which in its activities also collected and analyzed relevant environmental information. Thus, the Youth EcoCenter provides information resources of an organization of more than 300 subscribers by e-mailing, printing bulletin "Tabiat" database and web site organization. Organization of the "Little Earth" distributes a newsletter to members of the public, government and international organizations. Information Network CARNet is a popular portal www.caresd.net. From the pages of the portal news sent to more than 500 subscribers. Information on Tajikistan is updated regularly. Interested persons may obtain resource information in a database on NGOs, environmental legislation, the projects and other resource information necessary for the institutional development of civil society.

Question № 10. See answer to question 6.

Question № 11. List legislative, regulatory and other measures that implement the provisions on the collection and dissemination of environmental information in article 5. Explain how each paragraph of article 5 has been implemented.

In the Republic of Tajikistan the Government bodies responsible to the formation of state information resources to meet the information needs of the public and interested parties. The Law of RT "On Information" (August 6, 2001, № 40), states that this Act applies to the relations arising in the implementation by governments, corporations and individuals, regardless of ownership of actions in the field of information, namely:

- Formation and use of information resources through the creation, retrieval, collection, compilation, processing, transmission, distribution, and provide documented information;
- The creation, implementation and use of data processing and transmission of information, databases and data banks, information technology tools;
- Data protection and rights of actors involved in information processing with the use of information technology;
- Administration and management information processes, implementation State policy in informatization.

Currently, each state agency has a database of activities that it carries. In addition, their information is available on its website. Their information resources it provides to users through registration on the site, in the form of electronic media or print media.

According to the Law on Nature Protection of Tajikistan and the provisions of the state organizations, approved by the Government of the Republic, government institutions should implement the following:

- To inform on the status and environmental pollution, environmental conditions at individual sites, the business activities on the environment;
- Notification of emergency situations;
- To inform on the progress of documents in the field of environmental protection;
- Inform about investing in environmental measures and payments for environmental pollution.

The Committee on Environmental Protection under the Government of the Republic of Tajikistan 2010 issued a bulletin on its activities for 2009 and in 2011 on the Committee activities for 2010

Also, all the information available to the Agency on Statistics under the President of the Republic of Tajikistan. Based on annual reports, the Agency publishes an annual report, quarterly newsletters, programs and this printed information as it implements by fee. It also provides a directory of information printed editions, which are scheduled to be published in the new year.

Article 15 of the Law of the Republic of Tajikistan "On the Quality and Food Safety" (May 10, 2002, № 54). given requirements for quality assurance and food safety. Article 16 of the given requirements for quality and safety of new food products, materials and products in their design and implementation in production. Article 17 describes the requirements for quality assurance and food safety, materials and products in their manufacture.

Ministry of Health must review the rules and regulations on the quality and safety of food, materials and products, including dietary and baby foods, food and biological additives to ensure their conformity with generally accepted international standards at least every 5 years. It should be noted that informational materials on the quality of food products imported into Tajikistan has repeatedly published in the media.

Today, on the basis of the Agency for Statistics of the President of the Republic of Tajikistan created a National Interagency Commission on Environmental Statistics. The Commission was established to coordinate the collection of statistics and ecological information from all ministries and departments, enterprises and organizations, as well as improvement of environmental accounting. State Statistics Committee of the RT is collecting information from all businesses and an annual compilation of statistical data available concerning the socio-economic situation of the country. Every 2 years produced a special statistical compilation of "Environmental Protection in the Republic of Tajikistan" where are the statistics for the last five years in the dynamics.

Question № 12. Describe any obstacles encountered in the implementation of any of the paragraphs of article 5.

The main obstacle to the collection and dissemination of environmental information are:

- Weak financial base for the dissemination of information (not sufficient funds for self-publication of statistics and its sale to consumers).
- Lack of budget for upgrading the existing mobile laboratories and purchase new ones.
- Lack of modern technology in the laboratory to collect and analyze data
- Shortage of qualified personnel who can, work with the necessary computer equipment and owning data analysis.
- Lack of skills to use available technology to collect, disseminate and receive information

Question № 13. Provide further information on the practical application of the provisions on the collection and dissemination of environmental information in article 5, e.g. are there any statistics available on the information published?

In Tajikistan, environmental information is disseminated by the Committee on Environmental Protection under the Government of the Republic of Tajikistan through the participation and organization of conferences, seminars, workshops, roundtables and contests eco journalists, meetings with NGOs, etc. are held quarterly press conference where the Chairman of the Committee, and in his absence the Deputy of Chairman with representatives from various media holds a press conference.

In general, for the years 2008 -2010 in Tajikistan has conducted more than 200 events on environmental issues (photo competitions, roundtables and contests on environmental journalism, debate of the bills, etc) 150 publications and 340 presentations took place on radio and television, carried more than 800 seminars and workshops.

Currently, the Committee on Environmental Protection under the Government of the Republic of Tajikistan, Aarhus Centres and NGOs in the country have contributed to population information on environmental issues, necessary for the formation of public awareness and participation in decision-

making. Thus, the Committee is working to create a single database for environmental monitoring. In the Committee for Environmental Protection under the Government of the Republic of Tajikistan established the Environmental Information Centre, which is developing a database of environmental information, the publication of annual environmental newsletter. This Centre via the Internet and by mail (fax) receives environmental information, which is then distributed through the newspaper of the Committee "Navruzgoh" and annual environmental newsletter. This is a reflection of environmental bulletin for the transparency of the Committee's activities in the field of environmental protection.

Resumed publication of the monthly color, illustrated ecological newspaper "Navruzgoh", 1000 copies, printed in good paper. Disseminated informational materials on the regions of the republic form of booklets on the use of waste (compost), and Environmental Education (2008, 2009), the Newsletter for 2009, 2010, etc.

Quarterly Aarhus Centre Kurgan-Tube, in conjunction with the Office of Environmental Information is available Khatlon Environmental Bulletin, 80 copies, which reflects a variety of environmental issues in the region, the news in the field of ecology, management reports of environment protection departments of Khatlon region, the activities of Aarhus Centre, laws and other regulations for the protection of the environment, interesting articles on environmental issues, etc. Newsletter is distributed to departments and agencies pertaining to the protection of the environment, public organizations, workshop participants, visitors center, and students.

Public organizations shall also inform the public through their publications. Thus, the Youth EcoCenter is actively working with councils of mahalla and conducts educational courses on the use of the mechanism of the Aarhus Convention. Was released memo, manual, explaining in detail the mechanisms Convention on Access to Information. The manual was presented pattern forms request information. Youth EcoCenter in 2007, also issued a number of benefits for young people and teachers on education for sustainable development, such as "interesting ecology," "A Handbook for Students of Land", "Climate Change", etc.

As part of advocacy, information of the Aarhus Centre in Sughd in 2008, 2010 years were established more than 10 information booths in the areas of environmental Soghd, more than 20 news programs on radio and TV on topical environmental issues in the region.

Scientists of Academy of Sciences have made the scientific reports at the International Conference "Earth Charter and sustainable development of Tajikistan", as well as in the period 2008 - 2010 he held for more than 30 reports in the media on topical environmental issues, protection of flora and fauna of Tajikistan.

Question № 14. See answer to question 6.

Question № 15. List legislative, regulatory and other measures that implement the provisions on public participation in decisions on specific activities in article 6. Explain how each paragraph of article 6 has been implemented.

According to the Law "On Environmental Protection", citizens of the Republic of Tajikistan have the right to participate and monitor the development, adoption and implementation of decisions relating to the impact on the environment. This right of publication, public discussion of projects on environmentally significant decisions. In 2007, discussions began on the two bills, such as the draft Law of the Republic of Tajikistan "On Specially Protected Areas and Forest Code of the Republic of Tajikistan. Developers with the support of international organizations, the round-table discussion on these draft laws.

In accordance with the articles of Chapter 4, "Ecological Expertise" Law "On Ecological Expertise", non-governmental organizations may participate in the assessment of projects related to environmental issues. Thus, the NGO "Youth Group on Protection of the Environment Sughd» (YGPE) developed three strategies of environmental development in Kairakkum, Chkalovsk Jamoat and Pallas with the participation of local people and organizations

- Service be developed and provision of public environmental monitoring by the Green Patrols Sughd region, Aarhus Centre in Khujand and the Department of Environmental Protection Sughd region.

Conducted more than 10 environmental monitoring in 10 districts of Sughd and presents the results of these reports, a wide range of public areas

- Held 8 workshops on EIA in 8 districts of Sughd;

Aarhus centre of Kurgan-Tube was conducted 4 training on "Assessing the impact of the environment" (EIA) in Kurgan-Tube, Rumi and the Yova area, whose members were among the bodies of local government, representatives of the Office and departments of environmental protection areas listed above, private entrepreneurs, factories and other industrial enterprises, farmers, students, media, NGOs, etc.

Aarhus Centre Kurgan-Tube hold six seminars on the three components of the Aarhus Convention - access to environmental information, public participation in decision-making on environmental issues and access to justice.

Also, article 1 of the Law of RT "On Air Protection" (from February 1, 1996, № 228) provides for the problem of air protection in the form of regulation of social relations in this sphere in order to ensure an enabling environment for human habitation, flora and fauna, preserve the integrity and improvement of air quality, the establishment of state control over the use of the air basin cities and industrial centers, and other localities, the sources of air pollution, as well as strengthening the rule of law in this relationship for the benefit of present and future generations.

The Law "On Air Protection" states the rights and duties of citizens, as well as public participation in the field of air protection. Public organizations are entitled to participate in the activities of air protection. Public organizations established under the Law "On Public Associations" and operate under their charters, which are defined by their tasks based on the Constitution of the Republic of Tajikistan and other laws. As the law changes were introduced concerning the review of local authorities.

Committee on Environmental protection under the Government of the Republic of Tajikistan and Dushanbe Aarhus Centre held for representatives of industrial enterprises in the cities: Dushanbe, Khujand, Tursunzoda, in areas of Hissar, Rudaki Jirgatol seminars on the theme: "The strategy to promote the protocol registers Pollutant Release and Transfer in the Republic of Tajikistan" to the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to justice in environmental matters.

Workshop participants were invited Committee on Environmental Protection of the Government of the Republic of Tajikistan:

- Develop a draft law on environmental monitoring (which was done, the law of the Republic of Tajikistan "On ecological monitoring" was passed by Parliament.

- To improve and strengthen the environmental monitoring;

- To revise and amend the laws and regulations for the organization of departmental control emissions at all sites, as well as access to environmental information.

- To refine the level of requirements of modern European standards, national standards of measurement methods and analysis of emissions;

- To create a national register of releases and transfers from the Aarhus Convention in Tajikistan, etc.

Unfortunately, this item has not yet implemented due to lack of funds for the development of the register.

-Timely inform the public about decisions relating to environmental protection and sustainable development;

- To inform about the environmental projects being implemented in our country, etc.

Also in 2011, held a round table in Kurgan-Tube and seminar in Sarband Protocol "Register of emissions and transfers to the Aarhus Convention", which was attended by representatives of government bodies dealing with environmental protection, law enforcement agencies, Sanitary Epidemiological Service, water utility, media and NGOs. All the participants were handed out to the Guide to the execution of the PRTR Protocol, the text of the Protocol on PRTRs in Russian and Tajik languages.

RT Law "On Wastes of production and consumption" (May 10, 2002, № 44) regulates relations arising in the process of generation, collection, storage, use, transportation, disposal and waste disposal, as well as public administration, supervision and control waste management and is designed to help

prevent the negative impacts of waste production and consumption on the environment and human health when handling them, as well as their involvement in economic and industrial revolution as an additional source of raw materials. Article 17 "Public control over waste management" refers to the fact that public control over waste management carried out by public entities in accordance with their charters and citizens in the community in the manner prescribed by regulations of the Republic of Tajikistan, and includes verification of the requirements.

Unfortunately, for now due to lack of funds in the Republic has not a National Register of waste production and consumption, although it had long been in question. This document should be developed, and this requires support from international financial institutions.

In the Republic of Tajikistan in 2007 adopted a new Law "On Public Associations" (on May 12, 2007, № 258), according to which the associations are created to fulfill and protect the civil, political, economic, social and cultural rights and freedoms and participation in the creation of a sovereign, democratic, secular and unitary state of Tajikistan. Based on this law, non-governmental organizations, as separate legal entities are eligible to participate in the development of public decisions, to take initiatives on various aspects of public life, to make proposals to government agencies, to obtain information from public bodies required to implement the statutory objectives (Article . 24). The State shall safeguard the rights and lawful interests of public associations, and in accordance with the Constitution of the Republic of Tajikistan guarantees the conditions for the performance of authorized tasks.

The Law of RT "On Ecological Expertise" is regulated by the general procedure for organizing and conducting environmental impact assessment, the rights and obligations of the parties involved in environmental impact assessment, establishes the right of citizens to obtain information about environmental hazards designed, constructed and operated facilities, adopted on the basis order appeal findings and dispute resolution, and establishes liability for violation of legislation on environmental impact assessment.

Article 5 provides the principles of environmental assessment, which states that environmental assessment is based on the principles of transparency, public participation, taking into account public opinion. Article 6 states that the Republic of Tajikistan by two types of environmental assessment, one of which is public environmental review.

Public examination is organized and conducted by citizens, community organizations, the main activity of which, in accordance with their charter is to protect the environment, including organization and conduct environmental reviews. Currently, none of the environmental organizations did not conduct public environmental review due to lack of experience and expertise in this area. However, it should be noted that the leaders and specialists of environmental organizations are invited to international projects as a local expert to work on environmental assessment.

Question № 16. Describe any obstacles encountered in the implementation of any of the paragraphs of article 6.

The issue of public participation in decision-making on specific activities hampered by the following objective reasons:

- Inadequate training of NGOs that can work on specific activities
- Lack of human capacity in organizations (experts) or lack of funds to attract highly qualified personnel
- Weak technical and material resources
- Lack of meetings and press conferences on the results of the EIA
- Ignorance of the purpose of and procedures for public hearings on specific activities

Question № 17. Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 6.

One form of public involvement in solving urgent environmental and social issues based on their interests and historical features of the development, as well as national and spiritual values, local customs and traditions is to develop national and regional action plans for environmental protection.

Non-governmental organizations have established mechanisms for cooperation with the Committee on Environmental Protection under the Government of the Republic of Tajikistan, the participation of specialists in various programs, the exchange of experiences and information.

Members of the public participated in the drafting of such documents as the NEAP, REAP, Poverty Reduction Strategy, National Strategy for Sustainable Development, the program "Environment and Security." Since January 2008, is working on a regional project, "Public involvement and support of civil society in implementing the Aarhus Convention." First initiated the development of LEAP in Tajikistan are the NGO "Foundation for the Support of Civil Initiatives" and "Youth EcoCenter." They shared with local governments and authorities developed a number of LEAP which execution was carried out with a significant contribution to communities. During the implementation of LEAP over 4,000 people have access to drinking water, create jobs, planted over 10,000 seedlings to care for them, measures were taken against salinity, cleared more than 40 km. drainage systems, creating new sources of livelihood and jobs in the community.

Aarhus Centre in Sughd - developed 3 Strategies on Environmental Development Kairakkum, Chkalovsk Jamoat and Pallas with the participation of local people and organizations;

- Service be developed and provision of public environmental monitoring by the Green Patrols in Sughd region, Aarhus Centre in Khujand and the Department of Environmental Protection Sughd. Conducted more than 10 environmental monitoring in 10 districts of Sughd and presents the results of these reports, a wide range of public areas

- Held 8 workshops on EIA in 8 districts of Sughd.

Question № 18. See answer to question 6.

Question № 19. List the appropriate practical and/or other provisions made for the public to participate during the preparation of plans and programs relating to the environment. Describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

By order of the President of the Republic of Tajikistan NGO representatives reflecting the interests of the public are members of the governmental working groups on implementation of the conventions ratified by Tajikistan and participate in the development of National Plans of Action for the Protection of the Environment of the Republic of Tajikistan and the Regional Action Plan for Environmental Protection of the Central Asian states (REAP CA).

With the assistance of international organizations are developing and implementing the following programs and projects:

- National Programme of Action to Combat Desertification
- National Report on Climate Change
- National Action Plan on Climate Change
- National Strategy for Biodiversity Conservation
- Self-assessment of national capacities for the three conventions - Climate Change, Biodiversity Conservation and Combat Desertification
- National Action Plan on Sustainable Development in Mountain Regions
- National Report on Sustainable Development of the Republic of Tajikistan
- Poverty Reduction Strategy Paper
- The National Development Strategy for 2015
- Concept of Transition of the Republic of Tajikistan to sustainable development by 2030
- Strategy for environmental development of cities and regions

There is an established practice of including NGOs in the structure, involved in decision-making in the environmental field. Today, every work of the Convention Working Group, which included representatives of NGOs - the Aarhus Convention on the Conservation of biological diversity, climate change, desertification, etc. In accordance with the subject are invited NGOs that specialize in these matters and have experience in this area. If the Interstate Commission on Sustainable Development in Central Asia Regional Working Group is working - NGOs in Central Asia, a Regional Public Council under the ICSD. This has strengthened the cooperation and involvement of the public sector to partner with government agencies to discuss and make decisions on environmental programs and issues in Central Asia and the Republic.

Public of the republic is involved in national processes related to international agreements: The Central Asian Initiative, Environment for Europe, the EECCA Environment Strategy, the WTO and the Environment, Education for Sustainable Development, etc.

In 2009 the Environmental Information Aarhus Centre of Kurgan-Tube, in conjunction with the Office of Environmental Khatlon were held two public hearings.

The first public hearing was held to discuss the draft Law on amendments and addenda to the law of the Republic of Tajikistan "On Nature Protection". At the hearing, representatives of the Office and the departments of Environment, representatives of the regional court, the regional prosecutor's office, regional Khukumat, representatives of NGOs and the media. Following discussion, the participants adopted the resolution.

The second public hearing on "Waste Management" was held with representatives of the Office and the departments of Environment, representatives of regional and city Khukumat, water utility, the private sector, community organizations and the media.

Aarhus Resource Centre in Dushanbe with the Committee on Environmental Protection under the Government of the Republic of Tajikistan in order to prepare the relevant strategic priorities and action plans aimed at implementing the principles and objectives of the Aarhus Convention, taking into account the positive examples of existing practices developed in other countries

- expert assessment was carried out by specialists attracted national documents, policies and programs for the presence of guidelines for writing the National Action Plans;
- Also has studied the experience of international partners in the same direction;
- There have been several meetings involving the public and government to discuss the structure of the Guidelines for writing the NAP of the Aarhus Convention in Tajikistan;
- Two meetings to the public and government agencies were conducted at the stage of presentation of the final document.

Tajik Branch of the Scientific Information Centre of ISDC CA:

- held a seminar with the participation of international experts.
- A search and a list of information sources (statist, institutional, governmental and environmental protection on the SD site environmental conventions to which Tajikistan is the Committee on Environmental Protection under the Government of the Republic of Tajikistan, etc.).
- An analysis of sources of information, held a round table - workshop with stakeholders to discuss the contents of the structure and design of an electronic database.
- The final database was presented among the public, government agencies, at a meeting of the ICSD CA, and transferred to the regions of Tajikistan.

Scientists of the Department of Biological and Medical Sciences of Academy of Science and the National Action Plan for the conservation of snow leopard in Tajikistan.

NGO "Youth of the 21st century," were developed use cases Aarhus Convention in Nosiri Khusraw, Kulyab, Kabodien, Shaartuz, Kurgan-Tube, Khujand, Rasht

NGO "Noosphere" in order to create sustainable mechanisms for capacity development of public involvement in decision-making process on GMOs and awareness seminars, open-lessons. The seminars were attended by representatives of the Academy of Sciences, Committee on Environmental Protection under the Government of the Republic of Tajikistan, the Institute of Genetics and Plant Physiology, Institute of Agricultural Sciences and other environmental agencies and departments, NGOs and the media, schoolboys and students.

Question № 20. Explain what opportunities are provided for public participation in the preparation of policies relating to the environment.

Tajikistan has legislated procedure for public participation in policy-making in the environmental field. The Law on Nature Protection of Tajikistan approved public participation in environmental protection. A tool for public participation in environmental matters is the public ecological expertise developed by government programs and plans, which meets scientific collectives, public associations on their own initiative. Conclusion public ecological expertise becomes legally binding after the approval of the results by state environmental review.

NGO participation in the development of environmental documents takes into account public opinion in the development, adoption and implementation documents.

Creation of the Public Council under the ICSD Central Asia is an important tool in continuing the dialogue of NGOs with the public sector, the involvement of civil society in the process of discussion and implementation of national and regional programs, projects and documents under the NEAP & REAP.

An important step towards the implementation of the Aarhus Convention should be:

- Inclusion of the principle of public access to information on the early stages of development and coordination, and implementation issues of national environmental programs
- Strengthening the coordination of state environmental agencies to the Parliament of the RT and apparatus of the President of Tajikistan,
- Preparation and updating of the electronic catalogs of environmental information, preparation of registers of the range and scope of environmental information held by public authorities with the conditions of its receipt and rejection of the provision,
- Development of the Environmental Code of the Republic of Tajikistan, which will make it possible to harmonize environmental legislation in the Republic of Tajikistan
- Cooperation and collaboration on environmental issues with business structures, commercial agencies, and to obtain information not only from the ministries, but also from public and private enterprises
- Conducting training programs for all stakeholders on EIA and SEA for the population - rights of access to information and justice
- Ensure public participation in decisions on GMOs, exceptions to the Republic of importation of food products without eco-labels.

Question № 21. Describe any obstacles encountered in the implementation of article 7.

- Delayed awareness on the part of government agencies on plans and programs to develop plans, programs and policies
- Comments and proposals submitted by NGOs are not always reflected in the outcome

Question № 22. Provide further information on the practical application of the provisions on public participation in decisions on specific activities in article 7.

Government Decree № 392 of September 2003 established the National Centre for Biodiversity and Biosafety. As part of UNEP / GEF project developed a National Biosafety Framework of Tajikistan. Developed and approved by the Parliament Act of the Republic of Tajikistan on Biosafety, as well as Strategy and Action Plan on Biodiversity for Tajikistan.

Question № 23. See answer to question 6.

Question № 24. Describe what efforts are made to promote effective public participation during the preparation by public authorities of executive regulations and other generally applicable legally binding rules that may have a significant effect on the environment. To the extent appropriate, describe the transposition of the relevant definitions in article 2 and the non-discrimination requirement in article 3, paragraph 9.

In legislation of the Republic of Tajikistan reflected the freedom and human rights that are governed and protected by the Constitution of the Republic of Tajikistan. The Law on Nature Protection of Tajikistan stipulates the right of citizens to participate in environmental decision-making and monitoring of their implementation:

- Tajik citizens are eligible to participate in and control the development, adoption and implementation of decisions related to the impact on the environment.

This right of publication, public discussion draft of environmentally important decisions, conducting environmental assessments of public projects, the responsibility of the competent authorities takes into account the suggestions of citizens, through various forms of public participation in environmental protection.

In recent years, Tajikistan, for public comment draft regulations sent to nongovernmental organizations, associations, nature. Draft legal documents intended for discussion are posted on the pages of national newspapers, as projects can be obtained from the Committee on Environmental Protection under the Government of the Republic of Tajikistan and the Parliament. In the Committee on Environmental Protection under the Government of the Republic of Tajikistan established the legal department, which collects all printed materials (environmental laws, internal documents, policies, international agreements). Access to them is free. Anyone can work with these documents. Also available at the Environmental Information Centre, General division, the International Department and the Aarhus Centre (electronic version).

Also, all the legislative draft are printed in the newspaper of the Committee on Environmental Protection under the Government of the Republic of Tajikistan, also published in national newspapers - in Russian and Tajik Parliament in special newspaper of RT "Sadoi Mardum" can be found at the public library - in the newspaper files in the legal department in the library of the Ministry of Justice, Statistics Agency under the President of the Republic of Tajikistan, in the "Journal of the Majlisi Oli" (Parliament PT), the Library of Parliament, etc.

Question № 25. Describe any obstacles encountered in the implementation of article 8.

- No systematic publication of the draft laws and draft legal acts in the print media
- Late distribution of public authorities - customers and developers to discuss, make changes, additions, draft laws and legal documents of the public concerned.
- Inactivity and the public lack of interest in working together the legal documents and lack of adequate knowledge
- Suggestions from the public were not always taken into account, are sometimes late.

Question № 26. Provide further information on the practical application of the provisions on public participation in the field covered by article 8.

- Central Asian Convention on the Protection of the environment for sustainable development
- Rules on the Implementation of the EIA procedure in Tajikistan
- Law on Hydro meteorological Activity
- Regulation of the Public Council at the ISDC CA

Question № 27. See answer to question 6.

Question № 28. List legislative, regulatory and other measures that implement the provisions on access to justice in article 9. Explain how each paragraph of article 9 has been implemented.

The legislation of the Republic of Tajikistan, international legal acts recognized by Tajikistan are an integral part of the legal system. In the case of laws of the republic recognized international legal norms and treaties, the international legal instruments (Constitution of the Republic of Tajikistan Art. 10).

According to Article 17 of the Constitution of the Republic of Tajikistan "all are equal before the law and the courts," and Article 19 "Everyone is guaranteed judicial protection. Everyone has the right to demand that his case was heard by a competent, independent and impartial tribunal established by law. "

State bodies, public associations, political parties and officials must ensure that every opportunity to receive and access to documents relating to its rights and interests, except as provided by law. (article 25)

The right of citizens to appeal to the state agencies is also enshrined in the Act passed by Parliament December 14, 1996 "On citizens", according to which in case of violation of the rights and interests, and violations of the law, citizens have the right to submit applications, proposals and complaints to state bodies, which required during the month to take the necessary steps to identify violations of the law.

Article 11 of the Law "On Environmental Protection" of the Republic of Tajikistan noted civil rights to health from the adverse effects of the environment. Every citizen of the Republic of Tajikistan has the right to health from the adverse effects of the environment caused by economic or other activities, accidents, catastrophes, natural disasters. This right is ensured by:

- Reimbursement of a court or administrative order damage people's health as a result of environmental pollution and other harmful impacts on her, including the consequences of accidents and catastrophes;
- State and public control over the state of the environment and compliance with environmental legislation, bringing to justice those responsible for violating the requirements of environmental safety.

Article 67 of the same Act provides that perpetrators are brought to administrative responsibility of persons, and submit materials to attract them to disciplinary, administrative or criminal liability, to sue in court for compensation for damage to the environment or human health, environmental law violations.

Similar provisions are noted in the Law of the Republic of Tajikistan "On Radiation Safety" (August 1, 2003 № 42). Article 26 stated that the citizens of the Republic of Tajikistan, foreign citizens and stateless persons residing in the territory of the Republic of Tajikistan shall be entitled to radiation safety. This right is ensured by carrying out a set of measures to prevent the effects of radiation on the human body, ionizing radiation above the established norms, rules and regulations, performance of individuals and organizations involved with the use of ionizing radiation sources, requirements for radiation safety.

The citizens on their rights to ensure radiation safety may apply to public authorities or in court. Only in Sughd over the past 2 years have been filed over 20 complaints to the Department of Environment Sughd and Environmental Information Centre of Aarhus Sughd on radiation safety. Basically, it concerns the state of tailings Taboshar and Chkalovsk (Degmaysk elevation). In the treatment of local residents and organizations requesting information concerning reclamation and restoration of the barrier in these tailings. Also, citizens are asked to strengthen monitoring of the above locations, due to the fact that residents and businesses in waste mined metal, and subsequently sold the radioactive metal from tailings dealers.

Republic of Tajikistan Law "On Ecological Expertise" is regulated by the general procedure for organizing and conducting environmental review, including the public, the role of citizens assign responsibility for violations of legislation on environmental impact assessment on the part of citizens, government agencies and other companies and organizations.

In order to increase awareness of understanding of the requirements of the Aarhus Convention among the judiciary and the Bar of the Republic of Tajikistan, and promoting the development of regulations for the effective implementation of the Aarhus Convention to strengthen the legislative framework on environmental issues in the implementation of the terms of the Aarhus Convention in

Tajikistan Trainings "Raising awareness of judges and lawyers on the application of environmental law"
" Aarhus centre Dushanbe.

Question № 29. Describe any obstacles encountered in the implementation of any of the paragraphs of article 9.

- The lack of precedent lawsuits by public organizations
- Lack of experience on the treatment in the courts by public organizations
- Understand the stereotype "of the judiciary," as "punitive structure"
- Loss of faith on the part of the population in the justice
- Payment of court costs from the plaintiff's
- Fear of losing lawsuits and compensatory mechanisms

Question № 30. Provide further information on the practical application of the provisions on access to justice pursuant to article 9, e.g. are there any statistics available on environmental justice and are there any assistance mechanisms to remove or reduce financial and other barriers to access to justice?

- The legal-governmental organizations on a voluntary basis without any fees may provide a lawyer draw up the documents and pay the costs if their activity is included
- Through the help of international legal NGOs

Question № 31. See answer to question 6.

Question № 32. If appropriate, indicate how the implementation of the Convention contributes to the protection of the right of every person of present and future generations to live in an environment adequate to his or her health and well-being.

The Republic of Tajikistan from the first days of the sovereign existence of taking action to address the balanced economic, social, environmental, national security and democratization. It should be noted that at present environmental issues is a priority for the country and this is clearly reflected in the environmental policy of the President and the Government of the Republic.

The law of the country determined the main directions of public participation in environmental issues, access to information and justice on matters related to environmental protection.

In the development of international cooperation, our republic has become an active member of numerous regional and global organizations and has signed several agreements in the political, economic and environmental areas:

Tajikistan today ratified a number of UN conventions:

- (A) Convention "On Biological Diversity".
- (B) Vienna Convention "On Protection of the Ozone Layer."
- (C) United Nations Framework Convention "On Climate Change."
- (D) Convention "to Combat Desertification."
- (E) The Ramsar Convention "On Wetlands".
- (F) The UN Convention "On the Conservation of Migratory Species of Wild Animals" (Bonn Convention).
- (G) The Stockholm Convention "On Persistent Organic Pollutants."
- (H) Convention "On Environmental Impact Assessment in a Transboundary context."
- (I) The Aarhus Convention "UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters."

With the assistance of international organizations such as OSCE, UNDP, GEF, UNECE, World Bank, ADB, Swiss Agency for Cooperation and the Secretariats of the conventions developed by the activities and policy documents on environmental protection. In the development and implementation

of National Action Plans on international instruments are actively involved representatives of public organizations.

One of the main issues to be resolved for the effective implementation of the Aarhus Convention in our country, is a question of awareness and understanding by public authorities. Implementation of the Aarhus Convention in Tajikistan - a republic steps towards sustainable development. Convention is an important factor for the transparency of state institutions in the field of environmental protection

Government of the Republic of Tajikistan established Government Working Group on the National Programme for the implementation of the Aarhus Convention (on July 3, 2002, № 42) was established, comprising representatives from government, academic and public organizations, such as:

1. Committee on Environmental Protection under the Government of the Republic of Tajikistan
2. Ministry of Agriculture of the Republic of Tajikistan
3. Ministry of Economic Development and Trade of the Republic of Tajikistan
3. Ministry of Health of the Republic of Tajikistan
5. Ministry of Energy and Industry of the Republic of Tajikistan
6. Ministry of Justice of the Republic of Tajikistan
7. Ministry of Education of the Republic of Tajikistan
8. Ministry of Land Reclamation and Water Resources of Tajikistan
9. The State Committee for Land Management, Geodesy and Cartography of the Republic of Tajikistan
10. Agency for Statistics under the President of the Republic of Tajikistan
11. Academy of Sciences of the Republic of Tajikistan

Currently, the Government working group has lobbied to sign several documents in the context of the Aarhus Convention: Central Asian Convention on the Protection of the environment for sustainable development, the Biosafety Protocol (from 22. 10.2003, the, № 932), the Protocol on Pollutant Release and Transfer Registers (PRTR) from 2003. Developed a number of proposals on PRTR. Members of the Working Group are active participants of the Parties to the Aarhus Convention, the preparatory meetings and meetings of the Working Groups on key areas of the Convention: the electronic media, GMOs, PRTR, access to justice.