



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.

Name of officer responsible for
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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

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index/report?reportId=5_9885

