

THE LAW
REPUBLIC Ajikistan

On environmental protection

This Law defines the legal basis of the state policy in the field of environmental protection and is aimed at ensuring sustainable socio-economic development, guarantee human rights to a healthy and favorable environment, strengthening the rule of law, prevention of the negative impact of economic and other activity on the environment, the organization of rational use of natural resources and environmental safety.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic Concepts

In this Law the following basic concepts:

- Environment - human environment, a set of components of the environment, natural and natural-anthropogenic objects, as well as man-made objects;
- **Man-made object** - the object created by man for his social needs and not having the properties of natural objects;
- **Biological diversity** - the variability among living organisms from all sources, including terrestrial and aquatic ecosystems and the ecological complexes of which are living organisms; this includes diversity within species, between species and of ecosystems;
- **favorable environment** - the environment, the quality of which the second ensures stable functioning of natural environmental systems, natural and man-made objects Rodney;
- **Damage to the environment** - human-induced negative changes in the environment - pollution, depletion of natural resources, damage, degradation of ecological systems;
- **State arboretum** - a group of plantation, is a scientific, cultural and historical value, the natural types of landscape flora;
- **Pollutant** - a substance sludge and mixtures of substances, the amount and (or) Concentration of Kotor's exceeds established for chemicals, including radioactive, other substances and microorganisms standards and has a negative impact on the environment;
- **Pollution** - entry into the environment of potentially dangerous chemical and biological substances, radioactive materials, wastes of production and consumption, as well as the environmental impact of noise, vibration, magnetic fields and other harmful physical effects;
- **Buffer zone** - part of terrestrial and air space, created with a view to reducing the external negative influences around the specially protected natural areas;
- **sanitary protection zone** - Natural areas Predna for ensuring the required hygiene standards of detention, to the aerial layer of the atmosphere concentration of pollutants, protection of water sources, reducing the negative impact of power lines on the surrounding population;
- The quality of **the environment** - the environment, which is characterized by physical, chemical, biological and other parameters, and (or) their totality;
- **Components- environment** - land, subsoil, soil, surface and ground water, air, flora, fauna and other organisms and the ozone layer of the atmosphere and near-Earth space to smichesko providing a total favorable conditions for the existence of life on Earth;
- Control of **environmental protection (environmental control)** - a system of measures aimed at the prevention, detection and suppression of violations of legislation in the field of environmental protection, enforcement sub ektami economic and other figures nosti requirements, including standards and regulations in the area environmental protection;
- **The Red Book** - a set of information about rare, threatened or endangered species of plants and animals, the assertion ble in the legislation of the Republic of Tajikistan, in order to introduce the regime of special protection and the subsequent reproduction;
- **Limit the use of natural resources** - limit the number of withdrawals and consumption of natural resources, emissions of harmful substances into the environment, sets in order to conserve, natural resources and their rational use th, prevention and. prevent negative impacts;
- **Limits on emissions of pollutants and microorganisms (hereinafter - emission limits)** - limitation of emissions of polluting substances and microorganisms in the environment, set the duration of the measures for the protection of the environment, including the implementation of the best available technologies, in order to achieve standards in environmental protection;
- **Monitoring of the environment (environmental monitoring) is a complex** The system of observation, evaluation and forecasting edited presumably, to changes of the environment under the influence of natural and anthropogenic factors;
- Standards **in the field of environmental protection (hereinafter - environmental regulations)** - the established environmental quality standards and norms of permissible influence on her, under which provide favorable for human life environment, stable functioning of natural ecological systems and biodiversity;
- **norms of permissible anthropogenic load on the environment** - standards established in accordance with the allowable

cumulative effect of all sources on the environment and (or) the individual components of the natural environment in pre affairs of specific areas under which ensured stable functioning of natural ecological systems and biodiversity ;

- **specially protected natural zones** - areas of land, water and water space above them, where are n rirodnye complexes and objects, they eyuschie special environmental, scientific, cultural, aesthetic, recreational and Wellness itelnoe value, and which have of becoming law removed completely or in part from economic use and for which a special regime of protection;

- **Environmental protection** - a system of state and public measures etc. avovogo, economic, social, technological, educational and international, aimed at ensuring the harmonious interaction between society and nature, based on the preservation and restoration of the environment, natural resources management, improvement I the quality of the human environment, the prevention and the prevention of the negative impact of economic and other activities on the environment and the elimination of its consequences;

- **Environmental impact assessment** - activity for the identification, analysis and accounting of direct, indirect and other impacts on the environment of the planned economic and other activities with a view to deciding on the possibility or impossibility of its implementation;

- **Natural and man-made object** - natural object changed as a result of economic and other activities, and (or) an object created by a person possessing the natural properties of the object and having a protective and recreational value;

- **Natural object** - the natural ecological system, natural landscape and their constituent elements, preserved its natural properties;

- **Natural complex** - a complex cially Prilozhen and naturally interconnected natural objects combined geographical and other relevant characteristics;

- **The natural landscape** - the territory, the cat oraya not undergone changes as a result hozjajstven tion and other activities and is characterized by a combination of specific T ipov topography, soils, vegetation, formed in uniform climatic conditions;

- **Natural resources** - natural ingredients, etc. irodnoy environment, natural and man-made, but of natural objects for human consumption (solar energy, intraterrestrial heat ATMOS Fern air, land, water, forest and mineral resources are expected radioactive .materialy, flora and fauna. their derivatives and other natural goods);

- **Use of natural resources** - economic and other (including the military) activities carried out with the use of department GOVERNMENTAL natural resources, as well as the impact of the activity on the environment;

- **The polluter** - natural or legal person acting as the initiator of the customer or economic or other activities, to interact with the environment and natural resources;

- **Environmental protection system** - a set of government programs, activities and standards of the authorized state body for environmental protection, infrastructure units and other elements, a network of existing environmental institutions and organizations irrespective of their organizational and legal forms of ownership, aimed at realization of state policy environmental, united to address common goals and objectives, to increase the contribution of this sector in socio-economic development, environmental safety and human-friendly environment;

- **Technological norm** - The specification of permissible emissions and discharges of substances and microorganisms, which is set to I fixed, mobile and other sources, processes, equipment and reflects permissible mass emission of substances and microorganisms into the environment per unit of output;

- **Ozone layer - the** layer of the atmosphere at an altitude of 7-8 km at the poles and 17-18 kilometers at the Equator plan Ety high molecular centralized, impermeable to UV rays, harmful to living organisms from space;

- **Ecological system (ecosystem)** - a unified, stable, self-sustaining, self-regulating within a specific (local) section of the biosphere set of living and non-living components of the environment, linked metabolism, energy and information;

- **Environmental information** - any information in written, visual, acoustic, electronic or any other material form on the state of the environment and its components, as well as the interaction between these components, factors, such as substances, energy, noise, radiation, actions, including administrative measures, environmental agreements, legislation, plans and programs on the environment, costs and revenues and other economic analyzes and forecasts that are used in decision-making on the environment;

- **Environmental security** - the state protection of the vital interests of the individual, society and the environment from the threats arising from man-made and Natural ences on the environment, including those caused by calamities and disasters, including natural;

- **Environmental risk** - ver oyatnost of the event, having n eblagopriyatnye consequences for the environment of the swirling caused by the negative impact of economic and other activities of natural and man-made disasters;

- **Environmental impact assessment** - establishment of compliance or of discrepancies between project or other documentation requirements zakonodat elstva environmental protection and rational use of natural resources th at, including technical regulations;

- **Environmental audits** - a kind of figure, comprising Ia correspondence analysis and reporting of the economic subject to the current legislation, normative - methodical, guidance and regulatory documents in the field of environmental protection to natural resources;

Article 2. Legislation of the Republic of Tajikistan on environmental protection

Tajik legislation on environmental protection is based on the Constitution of the Republic of Tajikistan and consists of this

Article 3. Scope of this Law

1. This law regulates the relations connected with the interaction between society and the environment arising from the wasps uschestvlenii economic and other activities related to environmental ronment in the Republic of Tajikistan.
2. The issues of protection and use of land, mineral resources, water, air, flora and fauna, including forests, and environmental objects having special ecological, scientific and cultural value, specially protected natural areas in the part not regulated by this Law, governed by the relevant laws and taken on the basis thereof and in accordance with it normative legal acts of the Republic of Tajikistan.
3. The relations arising in the field of environmental protection, to the extent necessary to ensure the sanitary-epidemiological security of the population, governed by the laws of the Republic of Tajikistan on Sanitary and Epidemiological Safety and protection of health, as well as other acts of Legislative atelnymi Republic of Tajikistan aimed at ensure an enabling environment for the person.

Article 4. State policy in the field of environmental protection

1. To implement the state policy in the field of environmental protection, a system of environmental protection of the Republic of Tajikistan and its activities are directed at ensuring the rights of citizens to a healthy and prosperous environment.
2. The organizational basis of the state policy in the field of environmental protection are programs, strategies and plans for the protection of the environment, developed by the authorized state body of the Republic of Tajikistan in the field of environmental protection, approved by the Government.

Article 5. Basic principles of environmental protection

Economic and other activities of public authorities of the Republic of Tajikistan, individuals and legal entities, have an impact on the environment is based on the following principles:

- The rule of the Constitution and legislation of the Republic of Tajikistan in the field of environmental protection;
 - The priority of the protection of human life and health, observance 'of his right to a healthy environment;
 - Restoration, conservation and environmental management in order to raise living standards, ensure a favorable environment for work and recreation;
 - Science-based combination of legal, environmen eskih, economic and social the interests of man, society and the state, to take effective measures in order to achieve sustainable development;
 - Payment for use of natural resources and redress Reda caused to the environment;
 - Independence of the control in the field of environmental protection;
- presumption of ecological danger of planned economic and other activities;
- Assess the impact on the environment when making decisions on the implementation of economic and other activities;
 - Priority preservation of natural ecological systems, natural landscapes and natural complexes;
 - The admissibility of the impact of economic and other activity on the environment, based on the requirements in the field of environmental protection;
- Mandatory participation of public authorities, public and other non-profit associations, legal entities and individuals in the protection of the environment;
- respect for the right of everyone to receive accurate information about the state of the environment, as well as citizens' participation in decision-making concerning their rights to a healthy the environment, in accordance with the legislation of the Republic of Tajikistan;
- promote and support the cooperation of social organizations and citizens with public authorities on issues of environmental protection and rational use of natural resources;
- Inevitability of punishment for violation of legislation in the field of environmental protection;
 - The organization and development of environmental education, upbringing and formation of ecological culture;
 - International cooperation.

Article 6. Objects of Environmental Protection

1. Protection from zag pollution loads, damage, damage, depletion, destruction and other negative effects of economic and other activities of individuals and entities subject to:
 - earth, its resources, the soil;
 - Surface water and groundwater;
 - The atmosphere, the ozone layer;
 - Flora and fauna, including forests, in all their diversity of species and their gene pool;
2. Special protection shall be subject to state natural reserves, including biosphere reserves and their buffer zones, state nature reserves, natural monuments, natural, national and dendrology parks, botanical gardens, other natural complexes and objects having special e environmental, scientific, historical кул ьтурное, эстетическое, рекреационное, оздоровительное и иное ценное значение, а также редкие или находящиеся под угрозой исчезновения объекты растительного и животного мира, другие организмы и места их обитания и произрастания.
3. Special protection areas are also subject to the formation of ground waters (river valleys, cones, piedmont shelves), a rare geological and mineralogical discovered of education, paleontological objects and other subsoil portions of special scientific, cultural

and other value, coastal strips and water protection zones (strip) of water bodies, fishery ponds, protective forest belts and other areas in accordance with the legislation of the Republic of Tajikistan.

Article 7. The programs, concepts, strategies and action plans in the field of the environment

1. For the organization of a focused and effective action to ensure a favorable environment quality, stable ivogo management, environmental security, implementation of international environmental conventions and agreements recognized by Tajikistan are developed programs of concepts, strategies, and based on these action plans to measures for environmental protection and sustainable management and restoration of natural resources, improve the environment for the long term.

In order to avoid duplication and maximize opportunities for the implementation of the provisions of two or more international environmental conventions and agreements recognized by Tajikistan, may develop common programs, concepts, strategies and action plans,

2. Government programs, concepts, strategies and action plans developed by the authorized state body in the field of environmental protection, with the participation of relevant ministries and agencies, as well as the public and approved by the Government of the Republic of Tajikistan.

3. The action plans for the protection of the environment are developed based on the state of socio-economic development and on the basis of scientific research aimed at solving problems in the field of environmental protection.

4. Legal entities and individual control ividualnye entrepreneurs engaged in economic and other activities that have a negative impact on the environment are required to plan and implement measures to protect the environment in the order established by normative acts of the great vovymi the Republic of Tajikistan.

Chapter 2. The executive bodies of state power in ENVIRONMENTAL

Article 8. Competence of the Government of the Republic of Tajikistan in the field of environmental protection

The competence of the Government of the Republic of Tajikistan in the field of environmental protection include:

- Determination of the state policy in the field of environmental protection;
 - Determination of the procedure development and approval of regulations and requirements in the field of environmental protection to economic and other activities;
 - Promotion of scientific, technical developments and research in the field of environmental protection, environmental safety and sustainable management of natural resources, prevention and prevention of environmental degradation:
- establishment of the amount and order of payment for use of natural resources and pollution of the environment surrounding the s;
- Approval of the State Environmental Protection Fund;
 - Establishing the procedure and conditions of compulsory environmental insurance natural and legal persons;
 - Determination of the order of organizing and conducting the state ecological expertise and the procedures for assessing the impact of a proposed activity on the environment;
 - Received yatie decisions on the use of natural resources, the conclusion of agreements and contracts, including concessions;
 - Approval of programs, concepts, strategies and action plans for environmental protection, by national calculations and reports on the state of the environment, as well as the schemes of complex use, reproduction and protection of natural resources, the order of conducting the state cadastres of natural resources;
- funding and logistical support activities to protect the environment and within the limits established by the state budget;
- The establishment of the structure, content and order of the state monitoring of the environment and natural resources, the formation of the state system of observations of the state of the environment and maintenance of the system;
 - utverzhdenie list of groups of products, works and services in the field of environmental protection, subject to mandatory standardization and certification;
 - Approval of the list of environmental objects having special ecological, scientific, historical and cult urnoe value, the organization of state reserves, the second-State national and natural parks and other protected natural areas;
 - Determination of the procedure and conditions for the collection, analysis, compilation, reporting and maintenance of state statistics in the field of environmental protection;
 - Establish procedures for state control in the field of environmental protection;
- definition of the authorized state body of the Republic of Tajikistan in the field of environmental protection and the adoption of its position;
- Other powers in accordance with this Law and other legal acts of the Republic of Tajikistan.

Article 9. Powers of the authorized state body in the field of environmental protection

1. The powers of the authorized state body of the Republic of Tajikistan in the field of environmental protection of tnosyatsya:

- Implementation of a unified state environmental policy and integrated management in the field of environmental protection and app management of natural resources, coordination of ministries, departments, individuals and legal entities;
- State control in the field of efficient use of natural resources and environmental protection, as well as objects of economic activity and other activities, regardless of ownership and subordination;
- Development of draft laws and other normative legal acts of the Republic of Tajikistan in the field of environmental protection, as well as monitoring their implementation;
- development and adoption of standards, state standards and other regulatory documents in the field of environmental protection and

use of natural resources;

- The development of programs, concepts, strategies and action plans on environmental protection, national reports and reports on the state of the environment, as well as the schemes of complex use, reproduction and protection of natural resources, participation in their implementation;
 - Participation in the development and implementation of inter-state and regional environmental programs;
 - Participation in the implementation of environmental and other measures to improve the environment, including in the areas of environmental disasters;
 - Organizing and conducting the state environmental review of the proposed activity;
 - Implementation of actions stipulated by the legislation of the Republic of TAJIKISTAN to bring the perpetrators to administrative minutes and other types of liability;
 - Supply and court actions for damages caused by the results in the violations of the legislation of the Republic of Tajikistan in the field of environmental protection, as well as mandatory payments for environmental pollution and other negative impacts on it;
 - Develop proposals for the formation of protected areas, management of such zones, control their protection and use;
 - Participation in the organization, implementation and development of environmental education and the formation of ecological culture of the Republic of Tajikistan;
 - Limitation, suspension and Termination of the established procedure of economic and other activities carried out in violation of the laws of the Republic of Tajikistan in the field of environmental protection;
 - Organization and implementation of state monitoring of environment. Expected to provide the public service environmental monitoring;
 - Informing the public of information on the state of the environment in the territory of the Republic of Tajikistan in the prescribed manner;
 - It free from the ministries, departments, enterprises, institutions and organizations, environmental information;
 - Development and maintenance of the Red Book of the Republic of Tajikistan, the approval status and the composition of its permanent committee;
 - Issuance of licenses for certain activities in accordance with the Law of the Republic of Tajikistan "On licensing of certain activities";
 - The establishment of the Republic of Tajikistan for the subjects of limits and quotas for use of natural resources, including fauna and flora, forest products, air emissions, discharges into water sources, land surface and underground strata and waste disposal;
 - Issuance of permits for the collection, transportation across the border and disposal of production and consumption, emissions and placement of pollutants in the environment, water well drilling and targeted use of natural resources;
 - Organization and carrying out of environmental certification of the environment, natural resources, products and raw materials, industrial and consumer waste, processes and services, aimed at ensuring environmental safety and the prevention of harm to the environment:
 - The establishment and approval of payments for use of natural resources, pollution and waste disposal;
- coordination of activities of other authorized state bodies for the protection of the environment and natural resources;
- The establishment and maintenance of the state cadastre of natural resources inventory and assessment of natural resources;
 - International cooperation in the field of environmental protection, environmental safety, the study ie, compilation and dissemination of int'l experience, ensuring compliance with obligations of the Republic of Tajikistan in accordance with international legal acts in the field of environmental protection, recognized by Tajikistan;
 - Collection and processing of environmental information, preparation and publication of national reports and reports on the state of the environment;
 - Performance of other functions to ensure effective protection of the environment and use of natural resources within its jurisdiction.

2. Enforcement of the authorized state body in the field of environmental protection in matters within its competence, necessary for individuals and legal entities and may be appealed in accordance with the law.

Article 10. Powers of local authorities in the field of environmental protection

1. Local representative bodies of state power within their powers:

- Outline the main directions for the protection of the environment and use of natural resources and maintain environmental programs in their respective territories;
- claim expenses for the protection and improvement of the environment as part of local budgets;
- Hears reports of the heads and other officials of the local executive bodies of state power, bodies of central executive bodies of state power and the udarstvennoy, enterprises, organizations and institutions on the state of environmental protection and use of natural resources;
- Nestles within its authority binding regulations on environmental sanitation, protection, reproduction and rational use of natural resources, protection of the environment's objects of special ecological, scientific and cultural value.

2. Local executive authorities within their powers:

- Carry out state control in the field of environmental protection and regulate the use of natural resources;
- Organize the development and implementation of programs and action plans for environmental protection and prirodopolzovaniyu in their respective territories, carry out construction and reconstruction of environmental protection;

- Make proposals to the authorized state body in the field of environmental protection on the protection of environment objects of special ecological, historical, scientific and cultural value, as well as the organization of specially protected natural areas;

- Promote the protection of the environment and environmental education of the population;
- Exercise other powers provided by the legislation of the Republic of Tajikistan.

Article 11. The powers of self-government of settlements and villages in the area of environmental protection

Governments of towns and villages within the powers established by the legislation of the Republic of Tajikistan, to enforce laws and other normative legal acts of the Republic of Tajikistan and the decision of the authorized state body in the field of environmental protection and public participation in addressing issues in the field of environmental protection.

CHAPTER 3. RIGHTS AND DUTIES OF CITIZENS. NGOs and other NON-PROFIT ORGANIZATIONS IN THE FIELD OF ENVIRONMENT

Article 12. The rights and duties of citizens in the field of the environment

1. Citizens of the Republic of Tajikistan have the right to live in a favorable environment and benefit from the protection of the environment from the negative effects caused by economic and other activities of natural and man-made disasters.

2. Citizens in the field of environmental protection shall be entitled to:

- To create associations and other non-profit organizations operating in the field of environmental protection;
- Apply to the state authorities of the Republic of Tajikistan, local authorities, other organizations and officials to provide timely, complete and accurate information about the state of the environment in their place of residence, measures for its protection, have access to such information and to receive it. A request for environmental information may be refused if its disclosure would have an adverse impact on the protection of state secrets or the rights and interests protected by legislation of the Republic of Tajikistan;

- Take part in meetings, rallies, demonstrations, marches and referenda on issues of environmental protection and in the other, not contradict the legislation of the Republic of Tajikistan;

- Engage in a direct discussion and decision on the draft plans, programs and legislation related to the environment, in the process of environmental impact assessment and other decisions that are important for the environment, transfer any questions, comments, information, research or opinions on these projects, including projects undertaken by them;

- Request a public environmental review and to participate in its performance in the prescribed manner;

- To apply to the central and local public authorities of the Republic of Tajikistan, as well as other organizations with complaints, applications and proposals on matters relating to the protection of the environment, the negative impact on the environment and to receive timely and grounded answers;

- Sue claims for environmental damage, personal property and health;

to insure their life, health and property from the adverse effects of the environment occurring as a result of economic or other activities:

- Citizens of the Republic of Tajikistan also carry out other rights provided for by the legislation of the Republic of Tajikistan.

3. Citizens are obliged to:

- Conserve the environment and natural resources;

- Take care of the environment and natural resources;

- Assist the authorized state body in the field of environmental protection, local public authorities and local governments of settlements and villages in matters of environmental protection;

- To comply with other requirements of the legislation of the Republic of Tajikistan.

4. It is not allowed the use of the citizens of the natural environment to the detriment of the environment, rights and lawful interests of other citizens, enterprises, institutions and organizations.

Article 13. Rights and obligations of public associations and other non-profit organizations in the field of environmental protection

1. Public associations and other non-profit organizations have the right to:

- To participate in the prescribed manner the development, promotion and implementation of the program in the field of environmental protection, to protect the rights and legitimate interests of citizens in the field of environmental protection, to engage citizens on a voluntary basis in the implementation of activities in the field of environmental protection;

- At the expense of own and borrowed funds to carry out and promote activities in the field of environmental protection, restoration of natural resources, environmental security;

- Appeal to the local and central organs of state authorities, government settlements and villages, enterprises, institutions, organizations and officials to receive timely, complete and accurate information about the state of the environment, measures for its protection, the circumstances and facts of economic and other activities that endanger the surrounding environment, life, health and property of citizens. A request for environmental information may be refused if its disclosure would have an adverse impact on the protection of state secrets, or the rights and legitimate interests protected in the order established by the legislation of the Republic of Tajikistan;

- To participate in the established order in the discussion and adoption of economic and other decisions, the implementation of which could have a negative impact on the environment, life, health and property of citizens;

- Appeal to the local and central government authorities, Office of the Republic of Tajikistan, governments towns and villages and other organizations with complaints, applications and proposals on improving the protection of the environment, the negative impact on the environment, and receive timely and grounded answers;

organize and carry out in accordance with established procedure public environmental review, to recommend their representatives to participate in the state ecological expertise;

- Apply to the authorized bodies and the court decisions on the abolition of the design, location, construction, reconstruction and commissioning of the facilities, as well as on the limitation, suspension or termination of the ho economic and other activities have a negative impact on the environment;

- Sue claims for damage to the environment to protect the interests of citizens.

2. Public associations and other non-profit organizations are required to:

- Comply with the requirements of the legislation of the Republic of Tajikistan in the field of environmental protection;

- To assist the public authorities of the Republic of Tajikistan, self-government bodies of settlements and villages in matters of environmental protection

3. Public associations and other non-profit organizations have other rights and bear other obligations provided for by the legislation of the Republic of Tajikistan.

4. Use of public associations and other non-profit organizations the environment at the expense of her rights and legal interests of other natural and legal persons is not permitted.

Article 14 guarantees the rights of citizens and public associations in the field of environmental protection

1. gosu States guarantees citizens and public associations of the implementation of their rights in the field of environmental protection in accordance with the laws of the Republic of Tajikistan.

2. Individuals who impede the implementation of public associations and citizens of their rights and obligations arising from the present yaschego Act, prosecuted in accordance with the legislation of the Republic of Tajikistan.

Article 15 The system of government measures to secure the rights to a healthy environment

1. The public authorities of the Republic of Tajikistan, the governments of settlements and villages, and officials are obliged to provide assistance to citizens, public associations and other non-profit organizations in the realization of their rights in the field of environmental protection.

2. The decision on the placement of objects, economic and other activities which may cause harm to the environment is taken into account the opinion of the population living in the area.

CHAPTER 4. ECONOMIC REGULATION OF ENVIRONMENTAL PROTECTION

Article 16. The methods of economic regulation in the field of environmental protection

1. The objectives of the economic mechanism of environmental protection, I vlyayutsya development of material and moral incentives of ministries and departments, enterprises First, institutions of ORGANIZATION, regardless of ownership and subordination, their employees and citizens in the design, planning and nenii The compensation measures of environmental safety , management, conservation and restoration of natural resources.

2. The methods of economic regulation in the field of environmental protection include:

- Development of public forecasts of socio-economic development on the basis of environmental prediction;

- The development of state programs, concepts, strategies and action plans in the field of environmental protection;

- Development and implementation of measures to protect the environment in order to avoid and prevent harm to the environment;

- The establishment of fees for negative impact on the environment;

- Setting limits, quotas and charging for the use of natural resources, including fauna and flora, forest products, air emissions, discharges into water sources, surface and underground reservoirs, waste disposal and other negative impacts on the environment :

- Economic valuation of natural and natural-anthropogenic objects, as well as the impact of economic and other activity on the environment;

- and other activities (including environmental insurance) aimed at introducing the best, advanced technologies and industries, non-traditional forms of energy, the use of secondary resources and waste management, as well as other effective measures for the protection of the environment;

- Compensation for damage caused to the environment, in the prescribed manner;

- Other methods of economic regulation on a overshenstvovaniyu and effective environmental protection.

3. Economic regulation of environmental protection in accordance with the legislation of the Republic of Tajikistan.

Article 17. Accounting and socio-economic assessment of natural resources

1. The authorized state body of the Republic of Tajikistan in the field of environmental protection together with public authorities and natural resource statistics, are qualitative and quantitative accounting of natural resources, secondary raw materials and by-products of economic and other activities undertaken by their socio-economic assessment.

2. Conducting state inventory of natural resources, specially protected natural areas and objects entrusted to the authorized state body of the Republic of Tajikistan in the field of environmental protection.

Article 18. Financing of the activities of the Environment

Funding for the protection of nature is carried out through the following sources:

- the state budget;
- Voluntary contributions from individuals and legal entities;
- Financial other sources not prohibited by legislation of the Republic of Tajikistan.

Article 19 Limits and quotas on use of natural resources

1. The limits and quotas for use of natural resources are a system of ecological limits and FIR are established for a certain period of natural resources volumes limiting use (of withdrawal) of natural resources, emissions and discharges of pollutants into the environment and disposal of production.

2. Limits and quotas are set for nature prirodop Household users authorized state body of the Republic of Tajikistan in the field of Environmental based on the need to achieve a phased regulatory scope of use of natural resources, maximum permissible emissions and discharges of pollutants into the environment and waste disposal regulations volumes of production, taking into account environmental conditions territory.

Article 20. The fee for the use of natural resources and the negative impact on the environment

1. The fee for the use of natural resources (land, minerals, water, forests and other vegetation, wildlife, recreation and other natural resources) will be charged for:

- The right to use natural resources;
- Use of natural resources within the established limits and quotas;
- Use of natural resources beyond the limits set by the quotas.

2. The fee for a negative impact on the environment will be charged for:

- Emissions, discharges of pollutants, waste disposal and Dru Gia impacts on the environment within the established limits and quotas;

- Emissions, discharges of pollutants, waste disposal and other environmental impacts beyond the established limits and quotas.

3. The procedure for the calculation and the application of fees for use of natural resources and the negative impact on the environment is determined by the Government.

4. Payment for the use of natural resources and the negative impacts on the environment are not wasps vobozhdaet natural resources by the implementation of measures for the protection of the environment and compensation for damage caused to the environment.

Article 21. Environmental protection funds

1. For unforeseen costs associated with the protection and enhancement of the environment, reduction of losses in the environment and compensation for damage to her, created national and local environmental protection funds.

2. These funds are formed by deductions from payments for use of natural resources, payments for emissions (discharges, placement) of hazardous substances into the environment, voluntary donations of individuals and legal entities and other sources.

3. The procedure arr azovaniya and use of environmental protection funds ODA edelyaetsya Government of the Republic of Tajikistan.

Article 22. Insurance fund of environmental protection

1. Insurance environmental protection funds to cover expenses for the recovery of losses in the environmental damages caused to health and property of citizens as a result of Article ihiynyh disasters, accidents to atastrof and other environmental risks.

2. These funds are established by state appropriations, allocations of enterprises, facilities encounter, organizations, regardless of ownership and subordination, as well as donations of citizens.

3. The conditions of insurance, the procedure for making insurance payments and insurance compensation are determined by, in accordance with the laws of the Republic of Tajikistan.

CHAPTER 5. Rationing ENVIRONMENT

Article 23. Normalization of Environmental Quality

1. Normalization of Environmental Quality made in order to establish science-based exposure limits to the environment, ensure environmental safety and public health, the protection of air, water, land, flora and fauna, rational use and reproduction of natural resources.

2. Normalization of Environmental Quality Wed food is a system of standards and quality standards Environmental al developed in accordance with the legislation of the Republic of Tajikistan.

Article 24. Development of standards in the field of environmental protection

Development of standards in the field of environmental protection include:

- Carrying out research work on the justification of standards in the area and the environment;

examination, approval and publication of standards is, in the field of environmental protection in the established order;

- The establishment of bases the development or revision of standards in the field of environmental protection;
- Creation and maintenance of a unified database of information standards in the field of environmental protection;
- Assessment and prediction of environmental, social and economic effects of standards in the field of environmental protection.

Article 25. Environmental Quality Standards

1. Environmental quality standards set for environmental assessment in order to protect human health, the conservation of natural ecological systems, genetic fund of flora and fauna.
2. The quality standards of the environment include:
 - Standards established in accordance with the chemical parameters of the environment, including the maximum permissible concentration of chemical substances, including radioactive substances;
 - Standards established by s in accordance with the physical indicators of environmental environ- ment, including indicators in the equal of radioactivity and heat;
 - Standards established in accordance with the biological indicators of the environment, including species and groups of plants, animals and other organisms used as indicators of environmental quality, as well as the maximum permissible concentration of micro-organisms;
 - Other environmental quality standards.
3. Taking into account the climatic and other features, as well as the special value of individual territories (nature reserves, game reserves, national parks, resorts and recreational areas) for them to set more stringent environmental quality standards.

Article 26. The standards of maximum permissible emissions and discharges of hazardous substances

1. The maximum permissible emis owls and discharges of hazardous substances, including pathogenic microorganisms and other biological pollutants in air, water, soil, established by taking into account their total income from all baa s exclusion of production facilities, inventory of emissions and discharges of hazardous substances for each source of contamination, maximum permissible concentrations of harmful substances in the environment and its background pollution.
2. Emissions and discharges of harmful substances, other substances and microorganisms into the environment within the established norm mativam permissible discharges of substances and microorganisms, limits on emissions and emissions of permitted on the basis of permission of the authorized state bodies s Republic of Tajikistan in the field of environmental protection.

Article 27. The maximum permissible levels of noise, vibration, magnetic fields and other harmful physical impacts's

1. The maximum permissible levels of noise, vibration, magnetic fields and other harmful physical impacts are set at a level that ensures the preservation of health and disability of people, protection of flora and fauna and a favorable environment for life.
2. These standards and methods for their determination are developed and approved by the State Sanitary and Epidemiological Supervision jointly with the authorized state body of the Republic of Tajikistan in the field of environmental protection.

Article 28. The maximum permissible level of radiation exposure

1. The maximum permissible level of safe content of radioactive substances in the environment and food, the maximum permissible level of radiation exposure are set to values that guarantee the health and future generations, conservation of flora and fauna, favorable for life environment.
2. These standards and methods of determining the developed body of state sa sanitary and epidemiological surveillance in cooperation with the authorized state body of the Republic istan in an environmental and approved by the Government of the Republic of Tajikistan.

Article 29. The rules of application of fertilizers, pesticides, insecticides and other chemicals

The rules of application of mineral and organic fertilizers, pesticides, insecticides and other chemicals, and plant growth stimulants in the agricultural, forestry and other sectors of the economy should be set in doses that ensure compliance with the maximum permissible residual quantities of chemicals in food and the human body, as well as protection human health, the genetic fund preservation of flora and fauna.

Article 30. The maximum permissible residual amounts of chemicals and biologically harmful microorganisms in food

1. The maximum permissible residual quantities of hazardous chemicals, pesticides, and biologically harmful microorganisms in foods are established by determining the minimum allowable dose, harmless to human health, for each type of chemicals, pesticides and biologically harmful microorganisms and each type of food.
2. These standards are developed by the state sanitary - epidemiological surveillance of Tajikistan with the requirements of the standards set by legislation of the Republic of Tajikistan and approved by the Government of the Republic of Tajikistan,

Article 31. Environmental Standards

1. In the new technique, technology, materials, substances and other products that could have a harmful impact on the

environment, health and genetic fund of human standards set environmental requirements to ensure compliance with maximum permissible impact on the environment from the process of production, osproizvodstva , storage, transport, use (consumption) and disposal of these materials and products.

2. These standards and methods of their determination and the types of equipment, technology, materials, substances and other products for which they are developed, I shall be approved by the authorized state body of the Republic of Tajikistan in the field of environmental protection and in coordination with the state sanitary and epidemiological supervision.

Article 32. Norms of permissible anthropogenic load on the environment

1. The norms of permissible anthropogenic second load on the environment are set for the subjects of economic and other activities in order to assess and manage the impact of all stationary, re immovably and other sources of impacts on the environment, located within specific areas.

2. Norms of permissible anthropogenic load on the environment shall be established for each type of impact of economic and other activities on the environment and cumulative impacts of all sources located in these territories.

3. In establishing the norms of permissible anthropogenic load on the environment are taken into account the specific features of the environment territories.

Article 33. Standards of Sanitary and protection zones

1. Standards of health, safety and sanitary protection zones established for the protection of reservoirs and other water supplies, spa, medical and improve lnyh zones, settlements and other areas of pollution and other negative impacts.

2. These standards are developed and put into effect by the state sanitation - surveillance and protection of the environment in cooperation with other authorized state agencies.

Article 34. Environmental Certification

1. Environmental certification is carried out to ensure the environmentally sound implementation of economic and other activities of individuals and legal entities.

2. Environmental Certification may be mandatory going voluntarily.

3. Mandatory environmental certification according to the procedure established by the Government of the Republic of Tajikistan.

Chapter 6. The environmental impact assessment and an environmental assessment

Article 35. The environmental impact assessment

1. The environmental impact assessment is carried out in respect of the planned economic and other activity of physical and legal foxes, which may have a direct or indirect impact on the environment, including health.

2. Otsenka impact on the environment is compulsory and is conducted percent eduroy the development of alternatives predesign, including pre-investment and project documentation substantiating plan to directly economic and other activities, with the participation of the public.

3. The list of activities and having seen the material requirements assessment Air Procedure on the environment established by a regulation approved by the Government.

Article 36. Objectives of environmental impact assessment

1. Environmental impact assessment is carried out to verify the validity and relevance of the proposed economic or other activity regulations of the quality of the environment and legislation on environmental protection and ecological safety of the public.

2. It is prohibited construction and commissioning, as well as the implementation of other economic activities without a positive conclusion of the environmental assessment.

3. Objectives and procedure for environmental impact assessment established by the Law of the Republic of Tajikistan "On ecological expertise".

CHAPTER 7. environmental requirements in siting, design, construction, reconstruction, introduction into operation of enterprises, buildings and other facilities

Article 37. General environmental requirements for the location, design, construction, reconstruction and commissioning of enterprises, buildings and other facilities

1. When the location, design, construction, reconstruction, de Input into operation, preservation and liquidation of enterprises, facilities and installations for laying power lines, communications, pipelines, canals, transport and communications, and other objects that have direct or indirect impact on the the environment, must be respected REQUIREMENTS OF Ia Environmental Protection Agency, including human health, provide for measures to protect and improve the environment, rational use and reproduction of natural resources.

2. Violation of the requirements for environmental protection resulted in the suspension or restriction until the elimination of deficiencies or complete termination of the placement, design, construction, reconstruction, commissioning, conservation and liquidation of e NVIRONMENTAL harmful objects, independently of their form of ownership and subordination , as prescribed by the

authorized state body of the Republic of Tajikistan in the field of environmental protection.

Article 38. Requirements for the protection of the environment when placing enterprises, buildings and other facilities

1. When placing the enterprises, buildings and other facilities, regardless of ownership and subordination must ensure that the requirements of environmental protection, rational use and reproduction of natural resources, environmental safety, accounting for the immediate and long-term environmental, genetic, economic, demographic, moral and other consequences of the operation of these facilities.

2. Identification of sites for construction of enterprises, buildings and other facilities, regardless of ownership and subordination, is made in accordance with applicable law and subject to a positive conclusion of the state ecological expertise.

3. When placing buildings, structures and other objects taken steps to comply with the legitimate interests of citizens.

Article 39. Environmental requirements for the construction, reconstruction of enterprises, buildings and other facilities

1. Do the preparatory work on the ground, building, reconstruction of objects, regardless of ownership and subordination, without a positive conclusion of the state ecological expertise. It can not change the approved project or the cost of the work to the detriment of the environment.

2. The works referred to in the environmental section of the project, carried out in the first place.

3. In carrying out the construction work should take measures for the protection and rational use of natural resources, land reclamation and restoration of other natural resources, landscaping and improvement of the environment.

4. Violation of the requirements set out in this article shall entail the suspension of construction works until the elimination of the deficiencies noted by order of the authorized gov't arstvennyh of the Republic of Tajikistan in the field of environmental protection, the state sanitary - epidemiological surveillance, supervision of safe conducting works in industry and mining supervision.

Article 40. Accounting for environmental requirements in the privatization of state property

1. Privatization of enterprises and other facilities shall be based on the results of verification of their ecological states. Check environmental condition of the company or other object provides n Lan privatization carried out by the authorized state body of the Republic of Tajikistan in the field of environmental protection.

2. Funding for treatment and disposal of the company or other object of privatization at the expense of the state and (or) with the consent of the new owner at the expense of:

reinvested the new owner of the company for the construction, reconstruction and technical re-equipment of environmental protection;

- Entering the privatized enterprise or other object in the form of targeted loans, interest-free loans and targeted financing

needs of environmental protection;

- Get aemyh now through the system of environmental insurance;

- Other sources not prohibited by legislation of the Republic of Tajikistan.

Article 41. Observance of environmental claims and liabilities in bankruptcy

1. In the initiation of bankruptcy proceedings against a legal entity - a nature of review of its ecological status.

2. The duty of verification of environmental condition of the company and that object is assigned to the body carrying out sanitation or external control.

3. The inspections are the results Tats economic activity, which led to bankruptcy, as well as compliance with environmental requirements now.

4. In the case of the production of tv e bankrots legal entity - a nature ensured that the interests of creditors of environmental liabilities.

Article 42. Accounting for environmental claims and liabilities in the liquidation and reorganization of legal entities

1. Liquidation and reorganization of the legal entity shall take into account a nature of environmental requirements on the basis of checking the status of the enterprise, with the obligatory reflection of their results in the liquidation balance sheet to be drawn up in the appropriate form of reorganization of the legal entity.

2. Check the ecological state of the liquidated or reorganized legal entity is carried out by the authorized state body of the Republic of Tajikistan in the field of environmental protection.

3. In case of reorganization of the legal entity provided the succession of the new owner for environmental liabilities and compliance with the separation balance sheet.

4. Liquidation of a legal entity made taking into account the interests of creditors of environmental liabilities.

Article 43. Environmental requirements during commissioning of enterprises, buildings and other facilities

1. Start-up companies, and other facilities shall be subject to full compliance with environmental requirements, envisaged by the project, on the acts of acceptance commissions created with the participation of the authorized state body of the Republic of Tajikistan in the field of environmental protection.

2. It is forbidden to put into operation enterprises, structures and other objects, unfunded pollution control, efficient structures and installations for cleaning, decontamination and disposal of hazardous waste, emissions and discharges to the maximum permissible level standards without completing projected work on land reclamation, restoration of other natural resources, improve the

CHAPTER 8. ENVIRONMENTAL REQUIREMENTS OPERATING enterprises, structures and other objects and performing other activities

Article 44. Environmental requirements in the operation of enterprises, buildings and other facilities

1. Enterprises, organizations, institutions and citizens are obliged to take effective measures to comply with the proc eskogo mode and meet the requirements of environmental protection, rational use and reproduction of natural resources and the environment.
2. Enterprises, organizations and institutions to ensure compliance with established standards kaches Twa of the environment on the basis of effective operation of treatment facilities, installations and means of control, decontamination and waste tilizatsii, transition to an ecologically safe technologies and production, and implement measures to protect and restore the productivity natural ecosystems, protection of land, soil, subsoil, water, air, flora and fauna, restoration of natural resources.
3. Violation of the environmental requirements in the operation of enterprises, structures and other objects entails restriction, suspension, termination of enterprises, organizations, agencies or departments, departments, branches, plants for decision of the authorized state body of the Republic of Tajikistan in the field of environmental protection.
4. Pere profiling operations environmentally harmful objects, some of its sections or departments, applying of new technology is made in coordination with the authorized state body of the Republic of Tajikistan in the field of environmental protection.

Article 45. Environmental requirements in agriculture and forestry

1. Individuals and legal entities, the leading agriculture and forestry, are obliged to carry out measures for the protection of soil, water bodies, vegetation, including forests, wildlife from the harmful effects of the elemental forces of nature, the negative impact of technology, chemical and other substances, and other factors worsening the state of the environment and harm human health.
2. cattle farms and complexes, enterprises, processing of agricultural and forestry n roduktsiyu must comply with regulations concerning the sanitary - protection, water protection zones and wastewater treatment plants, excluding the pollution and deterioration of land, surface and underground waters, the loss and depletion of forests and rangelands as well as damage to other components of the environment.
3. Failure to comply with these requirements and harming circle ayuschey environment, including human health, entails the suspension, restriction or termination of environmentally harmful figures nosti agricultural and other facilities on the decision of the authorized state bodies of the Republic of Tajikistan in the field of environmental protection and state sanitary-epidemiological supervision.

Article 46. Environmental requirements during the planning, design and implementation of reclamation work

1. Natural and legal persons in the planning, designing, carrying out reclamation works and operation of drainage systems should take all necessary measures to comply with the water balance, rational use and protection of land, vegetation, including forests, water conservation, prevention of flooding, waterlogging , salinization, soil erosion, prevent the destruction of spawning grounds, feeding grounds, wintering and migration of fish and other harmful effects on the environment.
2. Failure to comply with these requirements will result in the suspension of work on the projects tirovanie, construction or operation of these systems to address shortcomings or cessation of work on the decision of the authorized state body of the Republic of Tajikistan in the field of environmental protection with the simultaneous termination of funding of the institutions of banks.

Article 47. Environmental requirements for energy facilities

1. Placement, design, construction, commissioning enterprises, plants and other energy facilities, as well as dams and reservoirs in accordance with the requirements of Articles 38-45 of this Law.
2. Development of concepts and programs for the development of energy is carried out taking into account the need to reduce the negative the impact of environmental effects and the impact of their energy facilities on the environment, including health.
3. In the location, design and construction of hydroelectric power plants and other energy facilities should be considered the expediency, terrain object location, measures to maximize the preservation of land, forests, mineral deposits, settlements, monuments of nature, history and culture, the effective protection of fish stocks, fertile layer of soil, with clearing and flooding bed reservoirs, to prevent the negative changes in the environment.
4. Nesoblyudenie these requirements entails the suspension design, construction, or the termination of operation of energy facilities to eliminate the deficiencies noted by the decision of the authorized state body of the Republic of Tajikistan in the field of environmental protection.

Article 48. Environmental requirements during design, construction, reconstruction of cities and other settlements

1. Design, construction, reconstruction of cities and other settlements must conform to the requirements of Articles 38-45 of this law and to ensure favorable environmental conditions for life, work and recreation.
2. It is prohibited construction of new and existing business velichenie power facilities, regardless of ownership and subordination in areas where pollution exceeds the standards.
3. When planning and development of cities and other populated areas should be provided water, landscaping, drainage, street Designed to provide coatings, disposal, storage, environmentally friendly sanitary transportation, recycling and disposal, stormwater

drainage and purification.

4. In order to protect the environment around the major cities, industrial centers and major environmental and forest-park are dangerous objects, protection zones, antimud slide protection and bank facilities.

Article 49. Environmental requirements when using radioactive materials

1. The enterpriseprises, organizations, institutions and citizens must be complied with the rules of production, storage, transport, use, recycling, disposal and disposal of radioactive substances (sources of ionizing radiation, nuclear materials), do not exceed the maximum allowable radiation, in cases of " excess immediately inform the authorities of carrying out radiation safety on the elevated radiation levels that are dangerous to the environment and human health, to take measures to eliminate hotbeds of infection.

2. Enterprises, institutions, organizations and citizens who do not ensure compliance with the rules for handling radioactive materials, by the decision of the authorized state body of the Republic of Tajikistan in the field of environmental protection, public sanitary - epidemiological surveillance lose the right to use them or their activities on the use of such materials suspended until the elimination of the identified deficiencies.

3. The importation of radioactive waste and materials, as well as their transit through the territory of the Republic of Tajikistan is prohibited.

Article 50. Environmental requirements when using chemicals and other substances in the economic and other activities

1. Enterprises, institutions and organizations, their officials and citizens are obliged to abide by the rules of production, storage, transport and use of chemicals, crop protection and growth stimulators, mineral fertilizers used in the economic second and other activities to fulfill the established standards for their use and take measures to prevent the harmful effects of their use on the environment, including human health.

2. The authorized state body of the Republic of Tajikistan in the field of environment with Reda in agreement with the authority of state sanitary - epidemiological Hopes pv Tajikistan annually approves a list of chemicals and preparations permitted for import and PPLICATION Rep ubliki in the territory of Tajikistan. Import, manufacture and use of the potential of Pasni chemicals and substances, for the first time imported and used in the Republic of Tajikistan shall be allowed after the necessary environmental and toxic-hygienic studies, hygienic handling, establishing toxic-hygienic and ecological norms and state registration these substances are established by the Government in the Republic of Tajikistan.

3. Do not use toxic chemicals that do not suffer degradation, active influence on the environment, including human health.

4. The rules of environmental protection in order to protect human health from the harmful effects of chemicals th n rimenyaemyh in economic and other activities, approved by the authorized state body of the Republic of Tajikistan in the field of environmental protection in coordination with the state sanitary - epidemiological surveillance of the Republic of Tajikistan.

Article 51. Protection of the environment from the harmful biological effects

1. When locating, designing, builders stve, commissioning and operation of enterprises, with installations and other facilities, regardless of ownership and subordination, have biological effects on the environment, must be respected standards of maximum permissible concentration in the second environment microbes fungi sup mustache and other artificially produced m ikroorganizmov and biological agents that are approved by the state sanitary - epidemiological surveillance.

2. The production, breeding and placement in the environment of biological objects are not peculiar to local nature, and she received kzhe artificial method, and their use is allowed in the presence of the positive conclusion of the state ecological expertise.

3. Individuals and legal entities, affecting or likely biological effects on the environment, is obliged to provide an environmentally s bevre The battery production, creation, storage, maintenance, transportation, use and disposal of microorganisms and biological materials, to develop and implement measures to prevent accidents and disasters , prevention and liquidation of consequences of harmful biological effects on th of circling environment, human health and genetic fund.

4. Monitoring, control and accounting of sources urs nya biological effects on the environment carried out by the state sanitary and epidemiological surveillance.

Article 52. Protection of the environment from noise, vibration, magnetic fields and other harmful physical impacts th

1. Yuridiches Kie and individuals are obliged to take the necessary measures to prevent and eliminate harmful occupational noise, vibration, the negative impact of Oia magnetic fields and other harmful physical impact in industrial, public and residential buildings, the streets, courtyards, squares and other cities settlements in the country, public recreation areas, in public places and breeding of wild animals and birds.

2. Do not exceed the maximum permissible levels of exposure to human health and the environment of industrial and traffic noise, vibration, magnetic fields and other harmful physical effects. Measures to ensure compliance with these standards, developed with the planning and building of cities and other settlements, and designing of construction and reconstruction of enterprises, departments, production lines, the establishment and development of new technology, the design and operation of ground, underground, water and air transport.

Article 53. Protection of the environment when handling waste production and consumption

1. Legal and natural persons necessarily us to take effective action to claim for collection, transportation, disposal, processing, utilization, storage, disposal and contraction scheniyu waste production and consumption, comply with applicable environmental,

sanitary and anti-epidemic rules and regulations.

2. The discharge of industrial waste and untreated sewage into waterways general use dry wash and irrigation Aly Kahn, aquifers, in residential areas, forests and farmland. Places of storage and disposal are determined by the local executive bodies of state power in coordination with the authorized state body of the Republic of Tajikistan in the field of environmental protection, the state sanitary - epidemiological surveillance and geology.

3. No disposal of hazardous waste, including radioactive waste on the territory of populated areas near cities and other settlements, in areas with high population density, rivers, lakes, spa, therapeutic and recreational areas and other places where it can be established danger to public health and the environment. All types of hazardous waste management is carried out in accordance with the legislation of the Republic of Tajikistan.

4. Failure to comply with these rules vpechet a limitation or suspension of the activity of enterprises and other facilities to eliminate violations.

Article 54. Protection of the ozone layer of the atmosphere

Protection of the ozone layer of the atmosphere of the environmentally dangerous changes is provided by regulating the production and use of substances that deplete the ozone layer of the atmosphere, in accordance with the laws of the Republic of Tajikistan.

CHAPTER 9. environmental emergencies and ecological disaster zone

Article 55. environmental emergencies

1. environmental emergencies declared in the territory, where as a result of economic and other human activities or razrushitelnog influence of the elemental forces of nature, watching Xia deep and sustainable tritsatelnye of environmental change, threatening the lives and health of people, preservation of flora and fauna.

2. When environmental emergency st prohibited any activity detrimental to the ROC uzhayuschuyu Wednesday, suspend or limit the work of enterprises, institutions, organizations, departments, units and equipment that have an adverse effect on human health and the er of genetic fund, limited to certain types of natural resources , carried out operational measures for the rehabilitation and restoration of natural resources.

Article 56. Zone of ecological disaster

1. The zones of ecological disaster declared areas with environmental emergencies, where due to unfavorable environmental conditions caused significant damage to the environment, including health and (or) there was destruction of natural ecosystems, environmental degradation,

2. In the zone of ecological disaster, I stopped the activity of economic objects in other than service-related living of the population in the zone, prohibited the construction, reconstruction of commercial facilities, limited creatures enno all Ides of nature, take prompt measures to restore and reproduction of natural resources and improvement of the environment medium.

3. Financing of the activities on improvement of zones of ecological disaster about to harass, primarily at the expense of enterprises, institutions and organizations on whose fault the accident occurred IPT disaster, as well as the target of the state budget and environmental funds.

Article 57. Prevention of accidents and elimination of their adverse environmental impacts

1. In the design and operation of commercial facilities, regardless of ownership and department subordination constant associated with harmful Sports The action on the environment, provides for measures to prevent and prevention of accidents and elimination of their harmful effects on the environment.

2. In order to respond effectively to environmental emergencies, entailing adverse consequences for the environment, developed by local, regional and national plans, which provide activities for the mobilization of forces and resources tv ministers, departments, enterprises, institutions, organizations and the public, together with the authorities Emergency Situations and Civil Defense.

3. To address emergency situations e NVIRONMENTAL a special commission in the prescribed manner.

Article 58. The order of emergency ecological situation and ecological disaster zones

1. environmental emergencies throughout the Tajiks of the camp and its individual parts is declared by the President of the Republic of Tajikistan.

2. The boundaries of ecological disaster zones are set Pr avitelstvom the Republic of Tajikistan on the proposal of the authorized state body of the Republic of Tajikistan environmental protection and public sanitation and epidemiological surveillance.

Article 59. Duties of the enterprises to ensure preparedness to deal with the environmental consequences of accidents

Legal persons, regardless of ownership and subordination, which can in case of emergency situations e NVIRONMENTAL harm the environment and human health, must:

- To have a plan of action in environmental emergencies;
- To create and maintain a constant readiness to special service providing means and material resources for the elimination of the consequences of environmental emergencies.

CHAPTER 10 AND STATE STATISTICS IN THE FIELD OF ENVIRONMENT

Article 60. The information in the field of environmental protection

1. Information on the state of the environment is an open, transparent and shall be published in the media.
2. Never concealment, untimely submission or submission of false information by officials in the field of environmental protection.

Article 61. State statistics in the field of environmental protection

1. State statistics in the field of environmental protection is carried out by the authorized body of the state statistics.
2. Provide INDIVIDUALS and legal persons of the statistical information to public authorities on statistics to a certain extent and in a timely manner is in the form of the state statistical reporting.
3. The minimum set of indicators of the state statistical reporting and the procedure for maintenance of state statistical in the field of environment are determined by normative legal acts of the Republic of Tajikistan.

CHAPTER 11. PROTECTED NATURAL AREAS AND FACILITIES

Article 62 The nature reserve fund of the Republic of Tajikistan;

1. The state natural reserves, including biosphere reserves, nature reserves, national and natural parks, natural monuments, rare or endangered plants and animals, referred to the species listed in the Red Nigua to the Republic of Tajikistan, shall be accorded natural-reserved fund of the Republic Tajikistan and provided special protection of the state in the interests of present and future generations.
2. natural reserve fund is managed and the management of the authorized state body of the Republic of Tajikistan in the field of environmental protection. The procedure of formation, dir Clamps of protection and use, conditions of activity of the specially protected natural areas, as well as conditions of economic figure of the population living in these areas, established by the Law Rep glare of Tajikistan "On specially protected natural territories and objects."
3. Withdrawal of land of natural reserve fund is prohibited, except as provided by the legislation of the Republic of Tajikistan.
4. Earth, on the territory of which there are natural objects of special environmental, scientific, historical, cultural, aesthetic, recreational, health and other value, are under special protection, may not be transferred under the terms of the lease.

Article 63. Protection of rare and endangered plants and animals

1. For the protection of rare and endangered plants and live otnyh established Red Book of the Republic of Tajikistan.
2. Plants and animals belonging to the species listed in the Red Book, without exception, subject to withdrawal of al Ying On economic use.
3. Any activity that leads to a reduction in the number of plants and animals, worsening environment.
4. Enterprises, established Oia, organizations, and other land users, on whose territory there are plants and animals, relating to species listed in the Red Book are required take measures on protection and reproduction of the species of plants and animals.
5. The procedure for the protection of rare and endangered plants, animals and other organisms and maintenance of the Red Book of the Republic of Tajikistan, as well as arrangements for the maintenance of their genetic fund are determined by legislative acts of the Republic of Tajikistan in the field of protection and use of flora and fauna.
6. Imports into the Republic of Tajikistan and export from the Republic of Tajikistan and the transit through the Republic of Tajikistan, the turnover of rare and endangered plants, animals and other organisms, their valuable species, as well as their parts, waste products and recoverable mineral properties are governed by Tajik law.

Article 64. Protection of the Green Fund settlements

1. Green Fund nnyh population is a set of points z Jelenia areas, including those covered with trees and shrubs and areas covered, grassy vegetation.
2. Protection of the Green Fund settlements system involves measures to ensure the preservation and development of the Green Fund, necessary for the normalization of the ecological situation and create an enabling environment.
3. In areas relating to the composition of the Green Fund, prohibited economic and other activities that have a negative impact on these territories and prevents them from exercising the functions of environmental, sanitary and recreational facilities.
4. State regulation in the area of the Green Fund settlements carried out by the local executive bodies of state power in accordance with the legislation of the Republic of Tajikistan.

CHAPTER 12. OBSERVING SYSTEM FOR ENVIRONMENTAL

Article 65. State monitoring of the environment

1. State monitoring of the environment (state ecological monitoring) is carried out in accordance with the legislation of the Republic of Tajikistan in order to monitor the state of the environment, including the state of the environment in the vicinity of sources of anthropogenic impact and the impact of these sources on the environment, as well as to ensure the needs of the state, individuals and

legal entities for reliable information and advance planning for prevention. prevention and (or) reduce the adverse effects of environmental changes.

2. The procedure for the organization and implementation of state monitoring of the environment (state ecological monitoring) established by the Government of the Republic of Tajikistan.

3. Information on the state of the environment, it is modified, resulting in carrying out state monitoring of the environment (state ecological monitoring), used by central and local performers and public authorities of the Republic of Tajikistan for the development of socio-economic development and decision-making respectively, the development of national and targeted programs, concepts, strategies and action plans in the field of environmental protection.

Article 66. The state registration of the objects that have a negative impact on the environment

1. The state registration of the objects that have a negative impact on the environment, carried out by the authorized state body of the Republic of Tajikistan in the area and the environment in order to state environmental control, as well as current and future planning of measures to reduce the negative impact of economic and other activities on the environment.

2. Objects that have a negative impact on the environment, and data on their impact on the environment near railway atomic state statistics.

3. State account objects that have a negative impact on the environment, as well as in the evaluation of this impact on the environment is carried out according to the procedure established by the Government of the Republic of Tajikistan.

CHAPTER 13. CONTROL OF ENVIRONMENTAL PROTECTION

Article 67. Tasks of control in the field of environmental protection

1. The objectives of the control in the environment is to ensure that Central and local public authorities of the Republic of Tajikistan, individuals and legal entities the implementation of legislation in the field of environmental compliance, including specifications and Normative documents in the field of the environment, as well as environmental safety.

2. The control system in the area of environmental protection is made up of state, institutional, industrial and public control.

Article 68. State control in the field of environmental protection

State control in the field of environmental protection is carried out by the authorized state body of the Republic of Tajikistan in the field of environmental protection and local executive bodies of state power in accordance with the legislation of the Republic of Tajikistan.

Article 69. Rights and duties of state inspectors on environmental protection

1. State Inspector of Environment shall have the right in the prescribed manner:

- in order to perform their duties freely visit enterprises, institutions, organizations, irrespective of ownership and subordination, and their corresponding objects, including objects subject to state protection, defense facilities, civil defense, examine documents Laboratories molecular weight analyzes In other materials necessary to carry out their direct duties;

- Checking compliance with the standards in, state standards and requirements of the other Normative documents in the field of environmental protection, wastewater treatment facilities and other detoxifying devices, controls, and implementation of plans and measures for the protection of the environment;

- Checking compliance with the requirements, rules and regulations in the field of the protection of the environment at placing, construction, commissioning, operation and decommissioning of industrial and other objects;

- Checking compliance with the requirements set out in the conclusions of the state ecological examination;

- make claims and to issue binding instructions to individuals and legal entities to eliminate violations of legislation in the area of a circle environment identified in a state environmental control:

- Bring the perpetrators to administrative responsibility to the competent authorities and officials of the materials to hold them to disciplinary, administrative or criminal liability, to sue in the courts for damages caused by the CSO to the environment or human health, offenses in the field of environmental protection ;

- Suspend economic and other activities of natural and legal persons in violation of the legislation in the field of environmental protection. On the basis of such decisions banking institutions cease funding activities suspended until the lifting of the suspension of its organs of state control in the field of environmental protection;

- Wear special clothing with marks of distinction;

- In accordance with the law in the performance of official duties to carry, store and use firearms and special means; exercise other powers provided by the legislation of the Republic of Tajikistan.

2. State inspectors for environmental protection must:

before to anticipate, identify and prevent violations of the law in the field of environmental protection;

- Clarify the violators of the legislation in the field of environmental protection of their rights and responsibilities;

- Required for to comply with the legislation of the Republic of Tajikistan.

3. Decisions of the state inspectors in the field of environmental protection can be appealed in court.

4. State inspectors in the field of environmental protection under the protection of the state and are responsible in accordance

with the laws of the Republic of Tajikistan.

Article 70. The departmental and production control in the field of environmental protection

1. Departmental control in the field of protection of the environment is carried out whirling by ministries and departments, production control - enterprises and organizations and their task is to verify the implementation of plans and measures for environmental protection, rational use and reproduction of natural resources and the environment, comply with quality standards environmental legislation requirements in the field of the environment and the requirements of the authorized state body of the Republic of Tajikistan in the field of environmental protection.

2. The procedure for the organization and operation of departmental and production control governed by the relevant regulatory legal acts of ministries, departments, enterprises, institutions and organizations.

Article 71. Public ecological control

1. Public environmental monitoring carried out by public associations, on their own initiative or at the dog with natural resource and OVOR or an authorized state body of the Republic of Tajikistan in the field of environmental protection and its purpose is to implement the right of everyone to b lagopriyatnuyu environment, the prevention and the prevention of violations of the law of the Republic of T ajikistan in the field of environmental protection.

2. Public sky ecological control is regulated in the legislation of the Republic of Tajikistan.

3. The results of public control in the field of environmental protection provided by the authorized state body of the Republic of Tajikistan in the field of environmental protection, local executive bodies of state power are subject to mandatory review and response.

Article 72 Monitoring in the area of environmental protection by the local executive bodies of state power

Control in the field of environmental protection is carried out by local executive bodies of state power in accordance with the legislation of the Republic of Tajikistan.

Chapter 14. Environmental audit

Article 73. Environmental audit activities

1. In the cases established by the legislation of the Republic of Tajikistan, an environmental audit of economic entities is required. Environmental audits conducted by independent auditors and audit firms on the basis of the contract with the customer.

2. The environmental audit is carried out in accordance with the legislation of the Republic of Tajikistan.

Article 74. The procedure of environmental audit

The procedure and conditions of environmental auditing activities, certification of auditors, environmental audit, rights and obligations, environmental auditors and audit organizations established by the legislation of the Republic of Tajikistan.

Chapter 15. ecological education, education and research

Article 75. The universality, comprehensiveness and continuity of environmental education

1. In order to enhance the EC cal culture of the society and training professionals in the field of environmental protection established the system of universal and comprehensive environmental education, which includes primary, secondary, vocational and higher professional education about, post-graduate professional education, retraining and Prof. essionalnuyu skills development, as well as environmental education s, including through Wed dstva media, museums, libraries, institutions Itury ku, institutions, environmental organizations, sports and tourism.

2. The procedure for the organization and implementation, and environmental education and training is regulated by the Republic of Tajikistan "On ecological education of the population."

Article 76. Scientific research in the field of environment

1. The main tasks of research and development in the field of environmental protection is to ensure a balanced social, economic and environmental development of the Republic of Tajikistan, mouth oychivoe functioning of natural ecological systems, sustainable use of e and reproduction of natural resources, environmental safety and environmental sanitation.

2. Scientific research in the field of the environment are held and to:

- The development of concepts, scientific forecasts and plans for the conservation and restoration of the environment;
- Assess the impact of the negative impact of economic and other activity on the environment;

improvement of legislation in the field of environmental protection, the creation of standards, state standards and other regulatory documents in the field of environmental protection;

- Development and improvement of indicators of a comprehensive assessment of the impact on the environment, ways and methods of their determination;

- Development and creation of the best technologies in the field of Environment al and rational use of natural resources;

- Development of programs for the rehabilitation of areas classified as zones of ecological disaster;

- Development of measures to preserve and develop the natural potential and the recreational potential of the Republic of

Tajikistan:

- For other purposes in the field of environmental protection.

CHAPTER 16. COMPENSATION ENVIRONMENTAL DAMAGE AND DISPUTE RESOLUTION IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 77. The obligation of compensation for damage caused by violation of the legislation in the field of the environment

Enterprises, institutions, organizations and citizens, causing harm to the environment caused by pollution, damage, destruction, damage, irrational use of natural resources, the degradation and destruction of natural ecological systems, natural systems and natural landscapes, and other violations of legislation in the field of environmental protection, We are obliged to reimburse it in accordance with the legislation of the Republic of Tajikistan.

Article 78. The procedure for compensation for damage caused by violation of the legislation in the field of environmental protection

1. Compensation for damage caused to the environment violations of the law, made voluntarily or by a court decision in accordance with the duly approved payments and methods of their calculation, and in their absence -on the actual costs of the restoration of violated On the environment, taking into account incurred damages, including lost profits.

2. On the basis of a court decision environmental damage caused by the violation of legislation on protection of the environment, can be compensated by means of laying on the defendant breached the obligation to restore the environment at the expense of its means, in accordance with the draft recovery work.

Article 79. Compensation for damage caused to citizens from the impact of the environment

1. The damage caused to health and society imu citizens as a result of adverse environmental impact caused by the activity of enterprises, institutions, organizations or individuals shall be compensated in full.

2. Compensation for damages is based on the court decision on the claim of the victim, his family, the prosecutor, authorized by the government body, public association in the interests of the victim.

3. Compensation for damages to citizens suffered as a result of major accidents and disasters as well as natural disasters, shall be in accordance with applicable law.

Article 80 Claims for termination of environmentally harmful activities

Natural and legal persons may submit claims to the court on the termination of environmentally harmful activities that are harmful to health, property and the environment.

Article 81. Settlement of Disputes in the field of the environment

Disputes in the field of environmental protection shall be settled in court.

CHAPTER 17 FINAL PROVISIONS

Article 82 International cooperation in the field of environmental protection

International cooperation in the field of environmental protection is carried out under the laws of the Republic of Tajikistan and international legal acts recognized by Tajikistan.

Article 83. Responsibility for violation of this Law

Natural and legal persons for violation of this Law shall be prosecuted in accordance with the law of the Republic of Tajiks odatelstvom camp.

Article 84. Invalidity of the Law "On Environmental Protection"

The Law of the Republic of Tajikistan "On Environmental Protection", dated 27 December 1993 (Bulletin of the Supreme Council of the Republic of Tajikistan, 1994, № 2, p. 36; Akhbori Majlisi Oli, 1996, № 3, p. 48 ; 1997, №23-24, Art. 333; 2002, №4, Part 1, Art. 245; 2002 .. №11, Art. 708; 2004., №7, Art. 465; 200 "1 of, №6, Art. 440).

Article 85. The order of enactment of this Act

This Law shall enter into force after its official publication.

President

The Republic of Tajikistan

Emomali Rakhmon

g. Dushanbe

August 2 I 201 years

