

LAW OF THE REPUBLIC OF TAJIKISTAN

ON ENVIRONMENTAL PROTECTION

(News of the Supreme Assembly of the Republic of Tajikistan, p. 2011, No. 7-8, art. 614; p. 2014, No. 11, art. 669)

(Law of the Republic of Tajikistan dated 27.11.2014 [No. 1160](#) , dated 18.07.2017 [No. 1449](#) , dated 08.06.2022 [No. 1879](#) , dated 08.06.2022 [No. 1880](#))

This law defines the legal basis of the state policy in the field of environmental protection, ensuring sustainable socio-economic development, guaranteeing human rights to a healthy and favorable environment, strengthening the legal order, preventing the adverse impact of economic activity and other activities on the environment, organizing the rational use of natural resources aimed at natural resources and environmental security.

CHAPTER 1. GENERAL PROVISIONS

Article 1. Basic concepts

The following basic terms are used in this Law:

- environment - human habitat, a set of details of the natural environment, natural and anthropogenic objects, as well as anthropogenic objects;
- anthropogenic object - an object created by man to meet his social needs, and it does not have the characteristics of natural objects;
- biological diversity - different forms of living organisms belonging to all sources, including land and water ecosystems and ecological complexes, of which living organisms are a part; this concept includes diversity within a species, between species and ecosystem diversity;
- favorable living environment - living environment, the quality of which ensures stable functioning of natural ecological systems, natural and natural anthropogenic objects;
- damage to the environment - an undesirable change in the state of the environment as a result of its pollution, which causes the degradation of ecological systems and the reduction of natural resources (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*);
- state dendrological park - a group of plants that have scientific, cultural and historical value, natural types of plants of parks and alleys (parks);
- polluting substance - a substance or a mixture of substances whose amount and (or) composition exceeds the standard for chemical substances, including radioactivity, other substances and microorganisms, and has a negative impact on the environment;
- environmental pollution - the introduction of potentially dangerous chemical and biological substances, radioactive substances, industrial and consumer waste into the environment, as well as the impact of noise, vibration, magnetic fields and other negative physical effects on the environment;
- protective zone (buffer) - the territory of the land and part of the space, which is organized around specially protected natural territories in order to reduce adverse external effects;
- protective sanitary zones - natural territories designated to ensure the necessary hygienic standards for the release of pollutants in the surface layer of the atmosphere, to protect water sources, to reduce the negative impact of power transmission lines on the local population;
- quality of the environment - the condition of the environment, expressed by physical, chemical, biological indicators, other indicators and (or) their combination;

- components of the natural environment - the earth, its bottom, soil, surface and underground water, atmospheric air, flora and fauna and other organisms, as well as the ozone layer of the atmosphere and the outer space around the Earth, which in general provide favorable conditions for the existence of life on Earth. ;

- control in the field of environmental protection (environmental control) - a set of activities aimed at preventing, detecting and eliminating cases of violations of legislation in the field of environmental protection, ensuring compliance with requirements, including standards and regulatory documents in the field of environmental protection by the subjects of activity farming, etc.;

- Red Book - a set of data on rare, endangered or endangered species of plants and animals, which is approved for the purpose of introducing a system of special protection and their subsequent restoration in accordance with the procedure established by the legislation of the Republic of Tajikistan;

- the limit of use of natural resources - the maximum amount of extraction and consumption of natural resources, discharge of pollutants into the environment, which is established for the purpose of protecting natural resources, their rational use, prevention and elimination of their adverse effects (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*)

- emission standards of polluting substances and microorganisms (hereinafter - emission and emission standards) - limit of emission and emission of polluting substances and microorganisms into the environment for the period of carrying out environmental protection activities, including the introduction of the best available technologies, in order to achieve environmental protection standards are set;

- environmental monitoring (ecological monitoring) - a complex system of observation, assessment and prediction of changes in the state of the environment under the influence of natural and anthropogenic factors;

- standards of environmental protection (hereinafter - standards of nature protection) - established standards of environmental quality and standards of possible impact on which, if they are observed, a favorable environment for human life, stable functioning of natural ecological systems is ensured, and biological diversity is protected ;

- possible standards of anthropogenic pressure on the environment - standards that are established in accordance with the size of the total possible impact of all sources on the environment and (or) individual details of the natural environment within specific regions, and if they are observed, they ensure the sustainable functioning of natural ecological systems and diversity biologically protected;

- specially protected natural areas - areas of land, water and space in which complexes and natural objects of special importance for the protection of flora and fauna and the environment, scientific, cultural, educational, recreational and health are located and are fully or partially located in accordance with the procedure established by law taken from agricultural use and a special protection system is defined for them;

- environmental protection - a system of state and public activities of a legal, economic, social, technological, educational and international nature, which is aimed at ensuring the harmony of the interaction between society and nature based on the protection and restoration of the natural environment, the rational use of natural resources, improving the quality of the environment human life, prevention and elimination of the negative impact of economic activity and other activities on the environment and elimination of its consequences;

- environmental impact assessment - a type of activity to detect, analyze and calculate the consequences of the direct and indirect impact of the planned economic activity and other activities on the environment in order to make decisions on the possibility or impossibility of its completion;

- anthropogenic natural object - a natural object that has changed as a result of agricultural and other activities and (or) an object created by man, which has the characteristics of a natural object and has recreational and protective significance;

- natural object - natural ecological system, natural landscape and their components that have preserved their natural characteristics;

- natural complex - a set of functionally and naturally related natural objects that are combined with geographical signs and other related signs;

- natural landscape - an area that has not changed as a result of agricultural and other activities and is suitable for certain types of local terrain, soil, vegetation formed in unique climatic conditions;

- natural resources - natural details of the environment, natural and anthropogenic objects used by humans (solar energy, internal heat, atmospheric air, land, water, forest and mineral resources, radioactive materials, flora and fauna and their products, other benefits natural);

- use of natural resources - economic activity and other activities (including military) with the use of certain types of natural resources, as well as the impact of this activity on the environment;

- nature user - a natural or legal person who acts as an initiator or customer of economic and other activities that are compatible with the environment and natural resources;

- environmental protection system - a set of state programs and activities, technical regulations, the authorized state body of the Republic of Tajikistan in the field of environmental protection, its infrastructure units, networks in the field of the environment, regardless of the organizational and legal form and ownership of institutions and organizations operating in the implementation of state policy in the field of environment is aimed at fulfilling the single goals and tasks, increasing the contribution of this field to the socio-economic development of the country, ensuring environmental safety and a favorable environment for humans (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- technological norm - the possible rate of leakage and emission of substances and microorganisms, which is established for stationary (permanent), mobile and other sources, technological processes and equipment, and the possible size of the amount of leakage and emission of substances and microorganisms into the environment at the expense of the product unit reflects the production;

- ozone layer - an atmospheric layer on the surface of the planet at a height of 7-8 km at the poles and 17-18 km at the equator with a high concentration of ozone molecules that does not transmit ultraviolet rays that are harmful to living organisms from space;

- ecological system - a single, stable, independently developing and regulated set of living and non-living details of the environment within a certain area of the biosphere, which are interconnected through the exchange of substances, energy and information;

- environmental information - any information in written, visual, acoustic, electronic or any other material form about the state of the environment and its details, as well as the interrelationship between these details, factors such as substances, energy, sound, radiation, actions, including administrative actions, environmental agreements, legislation, plans and programs related to the environment, costs and revenues and other economic studies and perspectives used in environmental decision-making;

- environmental security - the state of protection of vital interests of a person, society, environment from threats caused by anthropogenic and natural influences on the environment, including natural disasters (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- environmental risk - the possibility of occurrence of a situation that will have an adverse effect on the environment, as a result of the negative impact of economic activity and other negative activities, emergency situations of a natural and man-made nature;

- environmental examination - establishing the conformity or non-conformity of the project document and other documents with the requirements of legislation on environmental protection and rational use of natural resources, including technical regulations (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- environmental audit - analysis of the conformity of activity and reports of the economic entity to the current legislation, regulatory and methodological documents, instructions and regulations in the field of environmental protection and use of natural resources.

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

The legislation of the Republic of Tajikistan on environmental protection is based on the Constitution of the Republic of Tajikistan and consists of this Law, other normative legal acts of the Republic of Tajikistan and international legal acts recognized by Tajikistan (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

Article 3. Scope of this Law

1. This law regulates relations related to the interaction of society and the environment in the process of implementing economic activities and other activities that affect the environment of the territory of the Republic of Tajikistan.

2. Issues of protection and use of land, subsoil, water, atmospheric air, flora and fauna, including biological diversity, forests, as well as environmental objects of special ecological, scientific, historical and cultural value, specially protected natural territories in the part of are not regulated by this Law, they are regulated by the relevant laws and other laws acting on its basis and normative legal acts of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449 , dated 08.06.2022 No. 1880*).

3. Relations in the field of environmental protection in the part necessary to ensure the sanitary-epidemiological safety of the population are regulated by the legislation of the Republic of Tajikistan on the sanitary-epidemiological safety of the population and the protection of public health, as well as other legislative acts of the Republic of Tajikistan aimed at ensuring a favorable environment for humans. regulate.

Article 4. State policy in the field of environmental protection

(*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*)

1. State policy in the field of environmental protection is a set of legal, economic, organizational, educational, cultural, informational, social and infrastructural measures and other measures of state influence to ensure the protection and rational and efficient use of water and land resources, underground resources, air space. , flora and fauna and other natural resources are directed for the benefit of the people.

2. To implement the state policy in the field of environmental protection, the environmental protection system of the Republic of Tajikistan is established, which is aimed at ensuring the rights of citizens to a healthy and favorable environment.

3. The basis of the organization of state policy in the field of environmental protection consists of normative legal acts of the Republic of Tajikistan, including the concept, program, strategy, perspective and action plans for environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

Article 5. Basic principles of environmental protection

Economic activities and other activities of state authorities of the Republic of Tajikistan, self-governing bodies of towns and villages, natural and legal persons that affect the environment are carried out on the basis of the following principles (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) :

- ensuring the supremacy of the Constitution of the Republic of Tajikistan and normative legal acts of the Republic of Tajikistan in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;

- the priority of protecting human life and health, observing the right to a favorable living environment;

- to restore, maintain and rationally use the environment in order to raise the standard of living, to provide a favorable environment for the population to work and rest;
- science-based connection of legal, ecological, economic and social interests of man, society and the state, taking effective measures in order to achieve sustainable development;
- profitable use of natural resources and compensation for damage to the environment;
- independence of control in the field of environmental protection;
- possibility of environmental risk of economic activity and other planned activities;
- assessment of the impact on the environment when making decisions on economic activity and other activities;
- the priority of maintaining ecological systems, landscape and natural complexes;
- the possibility of impact of agricultural activity and other activities on the natural environment, including biological diversity, taking into account the requirements in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- mandatory participation of state authorities, public associations and other non-commercial institutions, natural and legal persons in environmental protection activities;
- observance of the right of every person to obtain accurate information on the state of the environment, as well as the participation of citizens in making decisions related to their right to a favorable environment according to the legislation of the Republic of Tajikistan;
- encouraging and supporting the cooperation of public organizations and citizens with state authorities in matters of environmental protection and rational use of natural resources;
- inevitability of responsibility for non-compliance with legislation in the field of environmental protection;
- organization and development of the system of environmental education, education and formation of environmental culture;
- international cooperation.

Article 6. Objects of environmental protection

1. The following environmental objects are protected from pollution, destruction, damage, reduction, destruction and other undesirable effects of economic activity and other activities of natural and legal persons (*Law of the Republic of Tajikistan dated 08.06.2022 No. 1880*):

- earth, its bottom, soil;
- surface and underground waters;
- atmospheric air, ozone layer of the Earth;
- flora and fauna, including biological diversity, all types of forests, as well as their genetic fund (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) .

2. State natural reserves, including biosphere reserves, protected (buffer) zones, state natural nurseries, natural monuments, natural, national and dendrological parks, botanical gardens, other complexes and natural objects that have a special essence of nature protection, scientific, historical and cultural, have aesthetic, recreational and health benefits, as well as objects of rare or endangered flora and fauna, other organisms and their habitats are under special protection.

3. Objects of special protection include areas of formation of underground water (river valleys, river mouths, mountain shelf), rare geological findings and mineralogical organizations, paleontological objects and other areas of the bottom of the earth that have special scientific, cultural, etc. value, land near the coast. and protection areas of water bodies, ponds of fish farms, forest protection areas and other areas determined by the legislation of the Republic of Tajikistan.

Article 7. Program, concept, strategy, perspective and action plans in the field of environmental protection

(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))

1. In order to organize targeted and effective activities to ensure favorable quality of the environment, sustainable management, environmental security, implementation of the provisions of international environmental conventions and agreements recognized by Tajikistan, programs, concepts, strategies, perspectives, as well as action plans based on them, measures for environmental protection, sustainable and rational use and restoration of natural resources, environmental health for the long-term future are being developed (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*).

In order to eliminate the exact duplication of the same activity and to better use the opportunities for two or more international environmental conventions and agreements recognized by Tajikistan, a single program, concept, strategy, perspective and action plans will be developed (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*).

2. The program, concept, strategy, perspective and state action plans are developed by the authorized state body of the Republic of Tajikistan in the field of environmental protection with the participation of interested ministries and agencies, as well as the community agreement and approved by the Government of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*).

3. Action plans for environmental protection are developed taking into account the state prospects of economic and social development and based on scientific research aimed at solving environmental protection issues.

4. Legal entities and individual entrepreneurs who carry out economic activities and other activities that have a negative impact on the environment are obliged to plan and implement environmental protection activities in accordance with the procedure established by the legal regulations of the Republic of Tajikistan.

CHAPTER 2. STATE MANAGEMENT IN THE FIELD OF ENVIRONMENTAL PROTECTION

(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))

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

The authority of the Government of the Republic of Tajikistan in the field of environmental protection is as follows:

- promotion of state policy in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*);
- establishment of the procedure for development and approval of regulatory documents and requirements in the field of environmental protection in relation to economic activity and other activities;
- stimulation of discovery and scientific, scientific and technical research in the field of environmental protection, ensuring environmental safety and sustainable management of the use of nature, elimination and prevention of environmental degradation;
- establishing the amount and procedure for collecting payments for the use of natural resources (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*);
- removed (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*);
- determination of procedures and conditions of mandatory environmental insurance for individuals and legal entities;

- determining the procedure for organizing and conducting state environmental expertise and procedures for assessing the impact of planned activities on the environment;
- making decisions regarding the use of natural resources, concluding contracts and agreements, including concessions;
- approval of the program, concept, strategy, outlook and action plans for environmental protection, reports and national reports on the state of the environment, as well as comprehensive plans for the use, restoration and protection of natural resources, the procedure for maintaining state cadastres of natural resources (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- financing and material and technical support of environmental protection activities within the scope and volume established by the state budget;
- establishing the structure, content and procedure of state monitoring of the environment and natural resources, forming a state system for monitoring the state of the environment and ensuring the operation of this system;
- approval of the list of groups of products, performance of works and services in the field of environmental protection, which must be standardized and certified;
- approval of the list of environmental objects of special ecological, scientific, historical and cultural importance, creation of state reserves, national, dendrological and state natural parks, as well as other specially protected natural territories (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449 , dated 08.06.2022 No. 1880*)
- determining the procedures and conditions for collecting, analyzing, summarizing, presenting information and promoting state statistics in the field of environmental protection;
- establishment of state control procedures in the field of environmental protection;
- determination of the state authorized body of the Republic of Tajikistan in the field of environmental protection and approval of its regulations (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- performing other powers in accordance with this Law and other normative legal acts of the Republic of Tajikistan.

Article 9. Authority of the state authorized body of the Republic of Tajikistan in the field of environmental protection

(*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*)

1. The authority of the state authorized body of the Republic of Tajikistan in the field of environmental protection includes:

- implementation of state environmental policy and complex management in the field of environmental protection and effective use of natural resources, coordination of activities of ministries and agencies, local government bodies, self-governing bodies of towns and villages, natural and legal persons (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- implementation of state control of the activity of economic objects and other activities, regardless of the forms of ownership and administrative affiliation in the field of environmental protection and rational use of natural resources;
- preparation of the draft law and other regulatory legal acts of the Republic of Tajikistan in the field of environmental protection, as well as control of their implementation;
- development and approval of standards, technical regulations and other regulatory documents in the field of environmental protection and rational use of natural resources (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- development of program projects, concepts, strategies, perspectives and action plans for environmental protection, reports and national reports on the state of the environment, as well as

comprehensive plans for the use, restoration and protection of natural resources, participation in their implementation (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;

- participation in the development and implementation of interstate and regional environmental programs;

- participation in the implementation of nature protection measures and other measures taken to improve the environment, including in areas of environmental disaster;

- organizing and carrying out the state environmental examination of the planned activity;

- carrying out the actions provided for by the legislation of the Republic of Tajikistan in the case of bringing guilty persons to administrative and other responsibility;

- submitting a claim to the court regarding the collection of a fine, compensation for damage caused as a result of non-compliance with the legislation of the Republic of Tajikistan in the field of environmental protection, as well as the mandatory payment of funds for environmental pollution and other types of harmful effects on it;

- development of proposals on the establishment of specially protected natural territories, management of such territories, control of their protection and use (*Law of the Republic of Tajikistan dated 08.06.2022 No. 1880*) ;

- participation in the organization, implementation and development of environmental education and the formation of environmental culture in the territory of the Republic of Tajikistan;

- according to the established procedure, to limit, suspend and terminate the economic activity and other activities that are carried out in violation of the legislation of the Republic of Tajikistan on environmental protection;

- organization and promotion of state environmental monitoring, ensuring the activity of state environmental control services;

- providing the population with information on the state of the environment in the territory of the Republic of Tajikistan in accordance with the established procedure (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;

- free access to environmental information from ministries, departments, local government bodies, self-governing bodies of towns and villages, enterprises, institutions and organizations (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;

- preparation and promotion of the Red Book of the Republic of Tajikistan, approval of the Regulation and the composition of its permanent Commission;

- issuance of licenses for certain types of activities or authorization documents for the promotion of certain activities or activities in the field of environmental protection and use of natural resources in accordance with the procedure established by the laws of the Republic of Tajikistan "On Licensing for Certain Types of Activities" and "On the Licensing System (*Law of the Republic of Tajikistan 18.07.2017 No. 1449*) ;

- for the subjects of the Republic of Tajikistan to establish limits and quotas for the use of natural resources, including objects of flora and fauna, forest products, emissions to the atmosphere, water sources, the surface and its layer, disposal of waste;

- granting permission for the right to collect, transfer and bury industrial and consumer waste, release and dispose of environmental pollutants, drill water wells and target use of natural resources;

- organizing and carrying out environmental certification of environmental objects, natural resources, products, materials and raw materials, industrial and consumer waste, technological processes and services aimed at preventing and eliminating damage to the environment and ensuring environmental safety;

- establishing and confirming the amount of payment of funds for the use of natural resources, pollution of the environment and disposal of waste;

- coordination of activities of other authorized state bodies on environmental protection and use of natural resources;
- creation and promotion of the state cadastre of natural resources, accounting and assessment of natural resources;
- carrying out international cooperation in the field of environmental protection, environmental safety, training, summarizing and publishing international experience, ensuring the fulfillment of obligations of the Republic of Tajikistan in accordance with international legal documents recognized by Tajikistan in the field of environmental protection;
- collection and review of environmental information, preparation and publication of national reports on the state of the environment;
- performing other tasks of ensuring effective protection of the environment and use of natural resources within the scope of their authority.

2. The implementation of the decisions of the authorized state body of the Republic of Tajikistan in the field of environmental protection on issues under its authority is mandatory for natural and legal persons, and it is possible to appeal against them in accordance with the procedure established by law (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

Article 10. Powers of local government bodies in the field of environmental protection

1. Local representative bodies of state power within the scope of their powers:
 - in the relevant regions, they determine the main areas of protection of the natural environment and the use of natural resources and approve environmental programs;
 - approve the costs of environmental protection and health in the local budget;
 - listen to reports of leaders and other officials of local executive bodies of state power, structures of central executive bodies of state power, enterprises, institutions and organizations on the state of environmental protection and use of natural resources;
 - within the scope of their mandate, they adopt obligatory rules of implementation on issues of environmental health, protection, restoration and rational use of natural resources, protection of environmental objects of special ecological, scientific and cultural value.
2. Local executive bodies of state power shall perform the following activities within the scope of their powers:
 - state control in the field of environmental protection and regulation of the use of natural resources;
 - development and implementation of programs and action plans for environmental protection and use of nature in related areas, construction and reconstruction of environmental protection objects;
 - submission of a proposal to the authorized state body of the Republic of Tajikistan on environmental protection regarding the protection of environmental objects that have special ecological, historical, scientific and cultural value, as well as on the establishment of specially protected natural areas (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*, dated 08.06.2022 No. 1880);
 - promotion of environmental protection, carrying out educational activities and formation of environmental awareness of the population;
 - implementation of other powers provided by the legislation of the Republic of Tajikistan.

Article 11. Powers of local and rural self-governing bodies in the field of environmental protection

Self-governing bodies of towns and villages, within the scope of the powers provided by the legislation of the Republic of Tajikistan, ensure the implementation of laws and other normative legal acts of the Republic of Tajikistan and the decisions of the authorized state bodies of the Republic of Tajikistan in the field of environmental protection, as well as the participation of the population in solving issues of improving environmental protection (*Law of the Republic of Tajikistan on 18.07.2017 No. 1449*).

CHAPTER 3. RIGHTS AND OBLIGATIONS OF CITIZENS, PUBLIC ASSOCIATIONS AND OTHER NON-COMMERCIAL ORGANIZATIONS IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 12. Rights and obligations of citizens in the field of environmental protection

1. Citizens of the Republic of Tajikistan have the right to live in conditions favorable to health and life and to use its benefits, to protect the environment from the adverse effects of economic and other activities, natural and man-made emergencies.

2. Citizens have the right in the field of environmental protection:

- establish associations and other non-profit organizations whose activities are related to environmental protection;

- apply to the state authority of the Republic of Tajikistan, local government bodies, self-governing bodies of towns and villages, other organizations and officials to receive timely, complete and accurate information on the state of the environment in their place of residence, measures related to its protection, and such access information. If the disclosure of environmental information has a negative impact on the protection of state secrets or legal rights and interests protected by the normative legal acts of the Republic of Tajikistan, the request may be rejected (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- participate in gatherings, rallies, demonstrations and marches on issues of environmental protection and other events that do not contradict the legislation of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- participate in the process of reviewing projects of plans, programs and legal documents related to the environment, assessment of the impact on the environment and other important environmental issues, present the results of research, suggestions and opinions regarding these projects (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- demand public environmental expertise and participate in its implementation according to the established procedure;

- to address issues related to environmental protection, negative impact on it with complaints, applications and proposals to the state authorities of the Republic of Tajikistan, as well as to other organizations, and receive timely and reasonable answers;

- file a claim to the court for compensation for the damage caused to the environment, personal property and health;

- to insure their life, health and property against the negative impact of the environment caused by economic activity or other activities;

- citizens of the Republic of Tajikistan also exercise other rights provided by the legislation of the Republic of Tajikistan.

3. Citizens are obliged to:

- protect and preserve the environment and natural resources (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- removed (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- assist the authorized state body of the Republic of Tajikistan in the field of environmental protection, local government bodies and self-governing bodies of towns and villages in solving environmental protection issues (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
 - comply with other requirements stipulated by the legislation of the Republic of Tajikistan.
4. The use of natural resources by citizens to the detriment of the environment, rights and interests of other citizens, enterprises, institutions and organizations is not allowed (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) .

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

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

- participate in the development, promotion and implementation of programs in the field of environmental protection in accordance with the established procedure, protect the rights and legal interests of citizens in the field of environmental protection, involve citizens in the field of environmental protection on a voluntary basis;
- carry out and advertise activities related to environmental protection, natural resources restoration, environmental security at the expense of their own funds and the funds involved (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- to local and central government bodies, self-governing bodies of towns and villages, enterprises, institutions, organizations and officials to provide timely, complete and accurate information on the state of the environment, its protection measures, the state and evidence of economic activity and other activities , which threaten the environment, life, health and property of citizens. A request for environmental information may be rejected if its disclosure would have a negative impact on the protection of state secrets or legal rights and interests protected by the procedure established by the legislation of the Republic of Tajikistan;
- in accordance with the established procedure, participate in the discussion and adoption of economic decisions and other decisions, the implementation of which may have a negative impact on the environment, life, health and property of citizens;
- apply to the central and local bodies of state power, self-governing bodies of towns and villages and other organizations and offices of the Republic of Tajikistan with complaints and suggestions on issues of improving environmental protection, negative impact on the environment, receive a timely and justified answer (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- organize and conduct public environmental expertise in accordance with the established procedure, recommend their representatives to participate in the state environmental expertise;
- appeal to the authorized bodies and the court regarding the cancellation of the decision on the design, location, construction, renovation, commissioning of objects, as well as on the restriction, suspension and termination of economic activity and other activities that have a negative impact on the environment. (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- in order to protect the interests of citizens, submit a claim to the court for compensation for damage caused to the environment.

2. Public unions and other non-profit organizations are obliged to:

- comply with the requirements of the legislation of the Republic of Tajikistan in the field of environmental protection;
- to assist the state authorities of the Republic of Tajikistan, self-governing bodies of towns and villages in solving environmental protection issues.

3. Public unions and other non-commercial organizations have other rights and obligations provided for by the legislation of the Republic of Tajikistan.

4. It is prohibited to use the environment by public associations and other non-profit organizations to the detriment of it, the rights and legal interests of other individuals and legal entities.

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

1. According to the legislation of the Republic of Tajikistan, the state guarantees citizens and public associations the implementation of their rights in the field of environmental protection.

2. Persons who prevent public associations and citizens from fulfilling their rights and obligations specified in this Law shall be prosecuted in accordance with the procedure established by the legislation of the Republic of Tajikistan.

Article 15. System of state activities to ensure the right to a favorable environment

(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))

1. The system of state measures to ensure the right to a favorable environment includes a set of organizational, social, economic, technical and technological measures.

2. In order to ensure the right to a favorable environment, the following measures are implemented by the state:

- ensuring environmental safety and improving the quality of the environment;
- stabilization of the environment, protection and preservation of biological diversity, rational use and restoration of natural resources;
- prevention and elimination of damage to the environment and human life;
- ensuring the safe management of activities related to the collection, use, neutralization, transportation and disposal of hazardous waste;
- improvement of methods and technologies of environmental protection and use of natural resources;
- development of the information system and methods of environmental protection control;
- promotion of environmental knowledge and increasing environmental awareness of the population.

3. State authorities, self-governing bodies of towns and villages, officials are responsible for ensuring the rights of citizens to a favorable living environment.

4. Placement of objects whose activities can harm the environment is carried out taking into account the opinions of the population of the relevant region *(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))*.

CHAPTER 4. ECONOMIC REGULATION IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 16. Methods of economic regulation in the field of environmental protection

1. The tasks of economic regulation of environmental protection, the development of material and moral stimulation of the activities of ministries and departments, local government bodies, self-governing bodies of towns and villages, enterprises, organizations and institutions, regardless of the forms of ownership and subordination, their employees and citizens to develop, plan and implement creation of measures for environmental security, effective use, preservation and restoration of natural resources *(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))*.

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

- preparation of the state perspective of economic and social development based on the ecological perspective;
- development of a program, concept, strategy, perspective and action plans in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- development and implementation of environmental protection activities in order to prevent and eliminate damage to the environment;
- establishing the payment of funds for negative impact on the environment;
- establishing limits, quotas and the procedure for collecting payments for the use of natural resources, including objects of flora and fauna, forest products, emissions to the atmosphere, water sources, the surface and its layer, disposal of waste and other types of negative effects on the environment (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- economic assessment of natural and natural anthropogenic objects, as well as the impact of economic activity and other activities on the environment;
- state support of business, innovative and other activities (including environmental insurance) aimed at introducing the best and advanced technology and production, non-traditional types of energy, use of renewable resources and waste treatment, as well as other effective environmental protection measures;
- compensation for the damage caused to the environment in accordance with the established procedure (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;
- other methods of economic regulation of improvement and effective protection of the environment.

3. Economic regulation of environmental protection activities is carried out in accordance with the legislation of the Republic of Tajikistan.

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

1. The authorized state agency of the Republic of Tajikistan in the field of environmental protection, together with the state statistical authorities and nature users, prepares reports on the quantity and quality of natural resources, consumables, as well as non-main products of economic activity and other activities, completes their socio-economic assessment.

2. Development of state cadastres of natural resources, specially protected natural areas is entrusted to the authorized state body of the Republic of Tajikistan in the field of environmental protection (*Law of the Republic of Tajikistan dated 08.06.2022 No. 1880*).

Article 18. Funding of environmental protection activities

Environmental protection measures are financed from the following sources:

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

Article 19. Limits and quotas for the use of natural resources

(*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*)

1. Limits and quotas for the use of natural resources are established for users of nature in order to determine the final dimensions of the use of natural resources, the discharge of pollutants and the disposal of waste in a certain territory and for a certain period.

2. Limits and quotas for the use of natural resources for nature users are established by the authorized state body of the Republic of Tajikistan in the field of environmental protection in order to gradually reach the normative dimensions of the use of natural resources, the maximum possible

discharge of pollutants into the environment and waste disposal, taking into account the ecological situation of the territory. (Law of *the Republic of Tajikistan dated 18.07.2017 No. 1449*).

Article 20. Payment of funds for the use of natural resources and negative impact on the environment

1. Payment of funds for the use of natural resources (land, water, underground resources, forest, flora and fauna, recreational resources and other resources) is collected in the following cases:

- for the right to use natural resources;
- for the use of natural resources within the limits and quotas established;
- to use natural resources more than the established limits and quotas.

2. Payment of funds for negative impact on the environment is charged in the following cases:

- for disposal, emission of polluting substances, placement of waste and other types of impact on the environment within the established limits and quotas (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*);

- for exceeding the established limits and quotas for dumping polluting materials, placing waste and causing other types of impact on the environment.

3. The procedure for calculation and application of the rate of payment of funds for the use of natural resources and negative impact on the environment shall be determined by the Government of the Republic of Tajikistan.

4. Payment of funds for the use of natural resources and impact on the environment does not exempt the users of nature from the implementation of environmental protection activities, compensation for damages caused to the environment.

Article 21. Environmental protection funds

1. Local and republican environmental protection funds will be established for unforeseen costs related to environmental protection and health, restoration of environmental losses and compensation for damages caused to it (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

2. These funds are formed at the expense of funds for the use of natural resources, discharge (disposal, placement) of polluting substances into the environment, paid, voluntary donations of individuals and legal entities and other prohibitions (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

3. The procedure for the organization and use of environmental protection funds is determined by the Government of the Republic of Tajikistan.

Article 22. Environmental protection insurance funds

1. Environmental protection insurance funds are established to cover expenses for restoration of environmental damage, compensation for damage to health and property of citizens as a result of natural disasters, accidents and disasters and other environmental hazards.

2. These funds are established from the state funding, enterprises, organizations and institutions, regardless of their subordination and forms of ownership, as well as from voluntary donations of citizens.

3. The terms of insurance, the procedure for the payment of insurance funds are determined in accordance with the legislation of the Republic of Tajikistan.

CHAPTER 5. REGULATION OF THE ENVIRONMENT

Article 23. Improving the quality of the environment

1. Assessment of the quality of the environment in order to determine the maximum possible level of scientifically based impact on the environment, which guarantees environmental safety and protection of public health, protection of atmospheric air, water, land, flora and fauna, rational use and restoration of natural resources. , is done.

2. Standardization of environmental quality is a system of environmental quality standards, which are developed in accordance with the procedure provided by the legislation of the Republic of Tajikistan (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) .

Article 24. Development of environmental protection standards

The development of standards in the field of environmental protection includes:

- carrying out research-scientific works for the justification of standards in the field of environmental protection;
- carrying out examination, approval and publication of standards in the field of environmental protection in accordance with the established procedure;
- determination of the basis for the development or revision of standards in the field of environmental protection;
- formation and promotion of a single information database of standards in the field of environmental protection;
- assessment and forecasting of ecological, social and economic results of standards in the field of environmental protection.

Article 25. Standards of environmental quality

1. Environmental quality standards are established to assess the state of the environment for the benefit of human health, preservation of natural ecological systems and the genetic fund of flora and fauna.

2. Environmental quality standards include:

- standards established in accordance with the chemical indicators of the environmental situation, including the maximum possible standards for the flow of chemical substances, as well as radioactive substances;
- criteria established in accordance with the physical indicators of the environmental condition, including in accordance with the indicators of the degree of radioactivity and temperature;
- the standards established in accordance with the biological indicators of the environmental condition, including the types and groups of plants, animals and other organisms used as indicators of the quality of the environment, as well as the maximum possible standards for the release of microorganisms;
- other standards of environmental quality.

3. Relatively strict standards of environmental quality are determined for certain areas (reserves, nurseries, national natural parks, recreational and recreational areas) taking into account natural and climatic features, as well as their special value.

Article 26. Maximum possible rates of discharge and disposal of polluting substances

(*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*)

1. The maximum possible rates of discharge and disposal of pollutants, including pathogenic microorganisms and other biological substances polluting the air and water, taking into account the total input of waste from all production facilities, the inventory data of the discharge and disposal of harmful substances from each source of pollution, the maximum possible rates the flow

of polluting substances in the environment and its existing pollution are determined (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

2. It is possible to release and dispose of polluting substances, other substances and microorganisms into the environment within the established limits of possible leakage and disposal of substances and microorganisms based on the permission of the authorized state body of the Republic of Tajikistan in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

Article 27. Maximum possible levels of noise, vibration, magnetic fields and other undesirable physical effects

1. The maximum possible levels of noise, vibration, magnetic fields and other unwanted physical effects are determined to the extent of ensuring the protection of health and working capacity of people, protection of flora and fauna and the environment conducive to life.

2. These criteria and the methods of determining them are developed by the state sanitary and epidemiological control body together with the authorized state body of the Republic of Tajikistan in the field of environmental protection and approved by the Government of the Republic of Tajikistan.

Article 28. The maximum possible criteria for the level of radiation exposure

1. The maximum possible standards of the level of safe content of radioactive substances in the environment and food, the maximum possible level of radiation exposure are determined in such a way that human health and future generations of people, protection of flora and fauna and favorable living conditions are guaranteed.

2. These criteria and the methods of determining them are developed by the state sanitary and epidemiological control body together with the authorized state body of the Republic of Tajikistan in the field of environmental protection and approved by the Government of the Republic of Tajikistan.

Article 29. Standards of use of fertilizers and chemical poisons and other chemical substances

(*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*)

The standards for the use of mineral and organic fertilizers, pesticides, chemical poisons, other chemical substances and means of plant reproduction in the fields of agriculture, forestry and other areas of the economy are established to the extent that the maximum possible requirements for the residues of chemical substances in food and the human body, as well as protection ensure human health, its genetic fund and flora and fauna.

Article 30. Maximum possible levels of residues of chemical substances and biologically harmful microorganisms in food

1. Determine the maximum possible levels of harmful chemical substances, chemical poisons and harmful biological microorganisms in food by determining the minimum possible level harmless to human health for each type of chemical substance, chemical poisons and harmful biological microorganisms and each type of food. will be

2. These standards are developed by the state sanitary and epidemiological control bodies of the Republic of Tajikistan, taking into account the standards stipulated by the normative legal acts of the Republic of Tajikistan and approved by the Government of the Republic of Tajikistan.

Article 31. Environmental standards

1. In the standards for equipment, technology and new materials and objects, other products that can have a harmful effect on nature, health and human genetic fund, environmental

requirements are established, which ensure compliance with the maximum possible standards of impact on the environment in the process of production, restoration, storage, transportation, use (consumption) and destruction of these materials and products should be provided.

2. These standards, the methods of their determination and the types of equipment, technology, materials, substances and other products that are developed for them, are approved by the authorized state body of the Republic of Tajikistan in the field of environmental protection in agreement with the state sanitary and epidemiological control bodies. will be

Article 32. Possible rates of anthropogenic pressure on the environment

1. The possible standards of anthropogenic pressure on the environment for subjects of economic and other activities are established for the purpose of evaluating and regulating the impact of all stationary, mobile and other sources affecting the environment located within a specific area, including biological diversity. (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) .

2. The possible standards of anthropogenic pressure on the environment are established for each type of impact of agricultural and other activities on the environment and the joint impact of all sources located within the territory of this area.

3. When establishing the possible standards of anthropogenic stress on the environment, the environmental characteristics of specific regions are taken into account.

Article 33. Standards of sanitary and protective zones

1. The norms of sanitary, protective, sanitary and protective zones are established for the protection of reservoirs and other sources of water supply, spa areas, treatment and sanitizing areas, settlements and other areas from pollution and other unwanted effects (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ..

2. These standards are developed and implemented by the state sanitary-epidemiological control and environmental protection bodies together with other authorized state bodies.

Article 34. Environmental certification

1. Environmental certification is carried out in order to ensure the economic and other ecologically safe activities of individuals and legal entities.

2. Environmental certification can be mandatory or optional.

3. Mandatory environmental certification is carried out in accordance with the procedure established by the Government of the Republic of Tajikistan.

CHAPTER 6. ENVIRONMENTAL IMPACT ASSESSMENT AND ECOLOGICAL EXPERTISE

Article 35. Environmental impact assessment

Economic activities and other planned activities of individuals and legal entities that directly or indirectly affect the environment, including public health, are assessed.

Environmental impact assessment is a mandatory procedure and is carried out with the participation of the community during the development of any alternative options of the pre-project documents, including before the investment justifying the economic activity and other planned activities.

The list of types of activities and requirements for environmental impact assessment materials is established in the regulations approved by the Government of the Republic of Tajikistan.

3. When establishing the possible standards of anthropogenic stress on the environment, the environmental characteristics of specific regions are taken into account.

Article 36. Environmental expertise

(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))

1. Environmental expertise is conducted to verify the validity and compliance of the economic activity and other planned activities to the requirements of the quality standards of the natural environment, legislation on environmental protection and environmental safety of society.

2. It is prohibited to build, put into use, as well as implement other economic activities without a positive conclusion of the environmental examination.

3. Duties and procedures for conducting environmental expertise are established by the Law of the Republic of Tajikistan "On Environmental Expertise".

CHAPTER 7. ENVIRONMENTAL REQUIREMENTS DURING LOCATION, DESIGN, CONSTRUCTION, RENOVATION, USE DECISION OF ENTERPRISE, CONSTRUCTION AND OTHER FACILITIES

Article 37. General environmental requirements during the location, design, construction, reconstruction, putting into use of enterprises, facilities and other objects

1. During the location, design, construction, renovation, putting into use, temporary suspension (conservation) and dismantling of the enterprise, structures and devices, during the construction of power transmission and communication lines, pipes, channels, transport roads and other objects affecting the environment can have a direct and indirect impact on the environment, the requirements for environmental protection, including the protection of human health, must be met, and measures must be taken for the protection and health of the environment, the rational use and restoration of natural resources (*Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#)*).

2. Violation of environmental protection requirements leads to temporary suspension, limitation or complete termination of the activity of accommodation, design, construction, reconstruction, putting into use, temporary suspension and liquidation in accordance with the order of the state authorities of the Republic of Tajikistan in the field of environmental protection environmentally harmful objects, regardless of the form of ownership and subordination.

Article 38. Requirements in the field of environmental protection during the placement of enterprises, facilities and other objects

1. When locating enterprises, structures and other objects, regardless of the forms of ownership and subordination, compliance with requirements for environmental protection, rational use and restoration of natural resources, environmental safety, taking into account the immediate and distant environmental, genetic, economic, demographic consequences , spiritual and other activities of these objects should be ensured.

2. The construction sites of enterprises, facilities and other objects, regardless of the forms of ownership and subordination, are determined in accordance with the current legislation, if there is a positive conclusion of the state environmental examination.

3. During the placement of buildings, structures and other objects, all possible measures are taken to avoid disturbing the legitimate interests of citizens.

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

1. It is forbidden to carry out on-site preparatory work, construction, repair and reconstruction of objects, regardless of their ownership and ownership, without a positive conclusion of the state

environmental expert. It is not allowed to change the project or the cost of the approved works to the detriment of the environment.

2. The works provided for in the environmental part of the project are carried out first.

3. During the implementation of construction works, measures should be taken for the protection and rational use of natural resources, land reclamation and restoration of other natural resources, improvement of the surroundings and environmental health.

4. Failure to comply with the requirements of this article will lead to the prohibition of construction works until the identified deficiencies are eliminated based on the order of the authorized state body of the Republic of Tajikistan in the field of environmental protection, state sanitary and epidemiological control, safety control of work in industry and mining control.

Article 40. Compliance with environmental requirements during privatization of state property

1. The enterprise and other objects will be privatized, taking into account the results of their environmental status check. The inspection of the environmental status of the enterprise or other object to be privatized is provided for in accordance with the privatization plan and is carried out by the authorized state body of the Republic of Tajikistan in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

2. Measures for cleaning and disinfection of the enterprise and other object of privatization are financed at the expense of the state and (or) with the consent of the new owner from the following prohibitions:

- the amount for the construction, renovation and redevelopment of environmental protection objects reinvested by the new owner of the enterprise;
- at the expense of funds that enter the enterprise and other privatized objects in the form of targeted loans, interest-free loans and targeted financing of needs related to environmental protection;
- from the funds received by the enterprise through the environmental insurance system;
- due to other prohibitions not prohibited by the legislation of the Republic of Tajikistan.

Article 41. Compliance with environmental requirements and obligations during bankruptcy

1. When starting a bankruptcy case against a legal entity - a nature user, its environmental status is checked.

2. The obligation to carry out the inspection of the environmental condition of the enterprise and other bankrupt object is assigned to the bodies that carry out the rehabilitation or the external manager.

3. The object of inspection is the results of the enterprise's economic activity, which caused bankruptcy, as well as its compliance with environmental requirements (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

4. During the consideration of the bankruptcy case of a legal entity-nature user, the interests of creditors regarding environmental obligations are taken into account.

Article 42. Compliance with environmental requirements and obligations during liquidation and reorganization of a legal entity

1. The legal entity - user of nature is dissolved and reorganized, taking into account the environmental requirements, based on the information of the state of the enterprise, with the mandatory reflection of their results in the liquidation balance, which is compiled during the reorganization of the legal entity. 2. The environmental status of the liquidated or reorganized legal entity is subject to inspection by the authorized state body of the Republic of Tajikistan in the field

of environmental protection. 3. During the reorganization of the legal entity, the legal heirs of the new owner will be provided with distribution of environmental obligations in accordance with the balance sheet.

4. The legal entity is liquidated taking into account the interests of the creditors in relation to environmental obligations.

Article 43. Environmental requirements during the use of enterprises, facilities and other objects

1. The enterprise, facilities and other objects will be put into use under the condition of full implementation of the environmental requirements stipulated in the project, in accordance with the documents of the acceptance commissions established with the participation of representatives of the authorized state bodies of the Republic of Tajikistan in the field of environmental protection (*Law State Gazette dated 18.07.2017 No. 1449*).

2. Use of enterprises, structures and other objects that are not equipped with means of environmental pollution control, facilities and necessary equipment for cleaning and disinfection and destruction of harmful waste, discharge and disposal of polluting substances up to the permissible limits, without carrying out design works land reclamation, restoration of other natural resources and environmental health are prohibited.

CHAPTER 8. ENVIRONMENTAL REQUIREMENTS WHEN USING ENTERPRISES, CONSTRUCTIONS, OTHER OBJECTS AND PERFORMING OTHER ACTIVITIES

Article 44. Environmental requirements during the use of enterprises, facilities and other objects

1. Enterprises, organizations, institutions and citizens are obliged to take effective measures to comply with the technological system and fulfill the requirements of environmental protection, rational use and restoration of natural resources and environmental health.

2. Enterprises and organizations and institutions, on the basis of the effective operation of waste treatment facilities, equipment and means of control, disinfection and use of waste, transition to environmentally safe technology and production, comply with the established standards of environmental quality, to protect and restore the productivity of natural ecological systems. , protection of land, soil, underground resources, water, atmospheric air, flora and fauna and restoration of natural resources take measures.

3. Failure to comply with environmental requirements during the use of enterprises, facilities and other objects, leads to the suspension, restriction and termination of the activities of enterprises, organizations and institutions or their workshops, departments, branches and equipment by the decision of the authorized state body of the Republic of Tajikistan in the field of environmental protection becomes

4. The direction of activity of the objects, its separate parts or workshops, the use of new environmentally harmful technology and equipment will be changed in agreement with the authorized state body of the Republic of Tajikistan in the field of environmental protection.

Article 45. Environmental requirements in the field of agriculture and forestry

1. Natural and legal persons working in the field of agriculture and forestry are obliged to protect soil, water bodies, flora and fauna from the harmful effects of natural disasters, undesirable consequences of the use of equipment, chemicals and other factors that worsen the environment and harm human health, take measures (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

2. Livestock farms and complexes, enterprises for the processing of agricultural and forestry products must comply with the requirements of sanitary and protective regulations, water protection zones and waste treatment facilities that cause pollution and degradation of land, surface and underground water, destruction and destruction of forests and pastures, as well as other details of the environment. exclude damage, observe (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) .

3. Non-fulfillment of these requirements and damage to the environment, including human health, will lead to the suspension, limitation or termination of the environmentally harmful activities of the objects based on the orders of the authorized state body of the Republic of Tajikistan in the field of environmental protection and state sanitary and epidemiological control. agriculture, forestry and other objects (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) .

Article 46. Environmental requirements during planning, designing and implementation of reclamation works

1. Natural and legal persons when planning, designing, carrying out reclamation works and using reclamation systems to maintain water balance, rational use and protection of land, vegetation, including forests, economical use of water, prevention of flooding, swamping, salinity, soil erosion , preventing the destruction of places of spawning, rearing, wintering and migration of fish and other harmful effects on the environment, all measures should be taken.

2. Failure to comply with this requirement will lead to the suspension of the design, construction or use of these systems until the deficiencies are eliminated or to the termination of such works, and at the same time to the termination of financing of such works by banking institutions, based on the orders of the authorized state body of the Republic of Tajikistan in the field of environmental protection. becomes

Article 47. Environmental requirements for energy facilities

1. Location, design, construction and commissioning of plants, equipment and other energy objects, as well as dams, dams and reservoirs, shall be carried out in accordance with the requirements of Articles 38-45 of this Law.

2. The development of energy development concepts and programs is carried out taking into account the need to reduce the negative impact of environmental consequences and the impact of energy objects on the environment, including on public health.

3. During the placement, design and construction of hydroelectric power plants and other energy objects, economic necessity, the terrain of the location of the object, more measures to protect land, forests, mines, settlements, natural, historical and cultural monuments, effective protection of fish resources, fertile layer land and avoiding negative changes in the environment should be taken into account when cleaning and filling the reservoir with water.

4. Failure to comply with this requirement will lead to the suspension of design, construction or use of energy facilities until the deficiencies are eliminated based on the orders of the authorized state body of the Republic of Tajikistan in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) .

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

1. Designing, construction, reconstruction of cities and other settlements must comply with the requirements of Articles 38-45 of this Law and provide favorable environmental conditions for the population's life, work, and recreation.

2. The construction of new objects and increasing the capacity of existing economic objects is prohibited, regardless of the forms of ownership and subordination, in areas where environmental pollution exceeds the established standards.

3. During the planning, construction, reconstruction of cities and other settlements, water supply, landscaping, sewerage, construction of street pavements, disinfection, storage, environmentally and sanitary safe transportation, destruction and burial of waste, diverting and cleaning of sewage should be carried out. to be taken into account.

4. In order to protect the environment, around large cities, industrial centers and large ecologically dangerous objects, parks and forests, protective zones, flood protection and strengthening structures are built.

Article 49. Environmental requirements for the use of radioactive materials

1. Enterprises, organizations, institutions and citizens are obliged to observe the rules of production, storage, transportation, use, destruction and burial of radioactive materials (ionizing radiation sources and nuclear materials), not to allow the increase of the maximum permissible levels of radiation, in if it increases, immediately inform the relevant authorities that ensure radiation safety about the high level of radiation, which is dangerous for human health and the environment, and take measures to eliminate the sources of poisoning.

2. Enterprises, institutions, organizations and citizens who do not follow the rules of dealing with radioactive materials, in accordance with the decision of the authorized state body of the Republic of Tajikistan in the field of environmental protection, state sanitary and epidemiological control, are deprived of the right to use this material or their activities related to the use of this material are removed. defects will be stopped.

3. The importation of radioactive waste, as well as their transit through the territory of the Republic of Tajikistan, is prohibited (*Law of the Republic of Tajikistan dated 08.06.2022 No. 1879*)

Article 50. Environmental requirements when using chemicals and other materials in agricultural and other activities

1. Enterprises and institutions, organizations, their officials and citizens are obliged to comply with the rules of production, storage, transportation and use of chemicals, plant protection products and their samples, mineral fertilizers used in agricultural and other activities. , observe the established norms of their use and take measures to prevent their harmful effects on the environment, including human health.

2. The authorized state body of the Republic of Tajikistan in the field of environmental protection, in agreement with the state sanitary-epidemiological control body of the Republic of Tajikistan, annually approves the list of materials and chemical drugs that are allowed to be brought and used in the territory of the Republic of Tajikistan. The import, production and use of potentially dangerous chemical materials, as well as materials imported and used for the first time in the territory of the Republic of Tajikistan, after the necessary environmental and toxic-hygienic research, hygienic regulation of dealing with them, establishment of toxic-hygienic and ecological standards, state registration of these substances is allowed according to the procedure established by the Government of the Republic of Tajikistan.

3. The use of non-degradable toxic chemicals that have a negative impact on the environment and human health is prohibited.

4. Environmental protection rules for the benefit of protecting human health from the effects of harmful chemicals used in agricultural and other activities by the authorized state body of the Republic of Tajikistan in the field of environmental protection in agreement with the state sanitary and epidemiological control body of the Republic Tajikistan are approved.

Article 51. Protection of the environment from harmful biological effects

1. During the placement, design, construction, commissioning and operation of enterprises, facilities and other objects, regardless of the forms of ownership and subordination, which have a biological impact on the environment, the maximum permissible standards of the flow of microbes in the environment, fungal diseases, viruses and other microorganisms and artificially produced

biological materials, which are approved by the state sanitary-epidemiological control body, should be observed.

2. Production, cultivation and placement in the environment of biological objects foreign to the nature of the locality, including those produced by artificial methods, as well as their use is allowed when there is a positive conclusion of the state environmental examination.

3. Natural and legal persons who have a biological effect on the environment or have the possibility of such an effect are obliged to ensure the production, creation, storage, transportation, use and destruction of microorganisms and ecologically harmless biological materials in order to eliminate accidents and disasters. , take measures to prevent and eliminate the consequences of harmful biological effects on the environment and human health and its genetic fund.

4. Observation, calculation of sources and control of the degree of biological impact on the environment is carried out by the state sanitary-epidemiological control body.

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

(Law of the Republic of Tajikistan dated 18.07.2017 No. 1449)

1. Individuals and legal entities are obliged to prevent and eliminate harmful industrial noises and vibrations, negative effects of magnetic fields and other harmful physical effects in industrial, public and residential buildings, in streets, yards, city squares and other populated areas, public recreation areas. , places where many wild animals and birds gather, take necessary measures.

2. It is forbidden to exceed the permissible limits of the level of impact of industrial and transport noise and vibrations, vibrations, magnetic fields and other harmful physical effects on human health and the environment. Measures that guarantee compliance with these standards are provided during the design and construction of cities and other settlements, design, construction and renovation of enterprises, factories, technological lines, construction and mastering of new equipment, during the design and use of surface, underground, water and air vehicles. are done

Article 53. Environmental protection when dealing with industrial and consumer waste

1. Individuals and legal entities are obliged to take effective measures to collect, transport, neutralize, process, use, store, bury, as well as reduce the occurrence of production and consumption waste, and observe the applicable environmental, sanitary-hygienic and anti-epidemic standards and regulations.

2. Disposing of industrial waste and untreated sewage into public reservoirs, storm drains and irrigation canals, underground aquifers, within residential areas, forests and fields is prohibited. Places of waste storage and burial are determined by local executive bodies of state power in agreement with the authorized state body of the Republic of Tajikistan in the field of environmental protection, state sanitary-epidemiological and geological control body.

3. Burying of hazardous waste, including radioactive waste, in the territory of settlements, adjacent to the city and other settlements, densely populated areas, rivers, lakes, sanctuaries, health care and recreation areas, other places that affect human health and the state of the environment. may be dangerous, it is prohibited. All types of transactions with hazardous waste are carried out in accordance with the procedure established by the legislation of the Republic of Tajikistan.

4. Failure to comply with these rules will lead to the restriction or suspension of the activity of the enterprise and other objects until the violation is eliminated.

Article 54. Protection of the atmospheric ozone layer

The protection of the atmospheric ozone layer from ecologically dangerous changes is ensured by regulating the production and use of ozone-depleting substances in accordance with the legislation of the Republic of Tajikistan.

CHAPTER 9. ENVIRONMENTAL EMERGENCY AND NATURAL DISASTER ZONES

Article 55. Environmental emergency

1. In areas where an unfavorable environmental situation has arisen as a result of agricultural and other human activities or the destructive effects of natural forces, where serious and permanent negative changes in the environment have been observed for human life and health, the preservation of flora and fauna, the situation An environmental emergency is declared.

2. During an environmental emergency, any activity that has a negative impact on the environment is suspended or the work of an enterprise, institution, organization, workshop, units and equipment that has a negative impact on human health and its genetic fund is restricted. certain types of nature use are limited, and urgent measures are taken to restore and renew natural resources.

Article 56. Environmental disaster zones

1. Ecological disaster zones are declared to be places of emergency ecological status, where as a result of unfavorable ecological situation, great damage has been caused to the environment, including public health, and (or) natural ecological systems and the environment have been destroyed.

2. In the areas of ecological disaster, the activity of economic objects, except for the objects that are engaged in providing services to the population of this region, will be stopped, the construction and reconstruction of economic objects will be prohibited, all types of use of nature will be strictly limited, for the restoration and renewal of natural resources. and immediate measures are taken to improve the environment.

3. Measures to improve the health of ecological disaster areas are primarily financed by the enterprises, institutions, organizations, due to whose fault an accident or disaster occurred, as well as by the targeted amount of the state budget and nature protection funds.

Article 57. Accident prevention and elimination of its harmful environmental consequences

1. During the design and use of farm objects related to the harmful impact on the environment, regardless of the forms of ownership and subordination, preventive measures are taken to prevent and eliminate the consequences of the accident that are harmful to the environment.

2. In order to effectively deal with environmental emergencies that have a harmful effect on the environment, local, regional and national plans, in which measures to mobilize the forces and means of ministries, offices, enterprises, institutions, organizations and members of the public together with emergency authorities and civil defense are planned and developed.

3. Special commissions will be established to solve the environmental emergency situation in accordance with the established procedure.

Article 58. The procedure for declaring an environmental emergency and areas of environmental disaster

1. The President of the Republic of Tajikistan declares an environmental emergency throughout the republic and its individual localities.

2. Environmental disaster zones and their boundaries are determined by the Government of the Republic of Tajikistan with the proposal of the state authorized body of the Republic of

Tajikistan in the field of environmental protection and the body of state sanitary and epidemiological control in agreement with local authorities (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

Article 59. Obligations of enterprises to be ready to eliminate the environmental consequences of an accident

Legal entities, regardless of the form of ownership and affiliation, which may cause damage to the environment and human health in environmental emergency situations, are obliged to:

- have an action plan in an environmental emergency;
- create special services with the means and material resources to eliminate the unpleasant consequences of an environmental emergency, and keep them in a state of constant readiness.

CHAPTER 10. STATE INFORMATION AND STATISTICS IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 60. Information in the field of environmental protection

1. Information on the state of the environment is open and transparent and is published through mass media.

2. It is forbidden to conceal, not provide on time, or provide incorrect information in the field of environmental protection by officials.

3. The characteristics and procedure for the formation of environmental information, access and the procedure for its presentation are established in accordance with the Law of the Republic of Tajikistan "On Environmental Information" (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

Article 61. State statistics in the field of environmental protection

1. State statistics in the field of environmental protection are conducted by authorized state statistical bodies.

2. Statistical information is provided to the state statistical authorities by individuals and legal entities in a certain amount and for a specified period in the form of a state statistical report.

3. The minimum content of the indicators of the state statistics report and the procedure of state statistics in the field of environmental protection is determined according to the normative legal acts of the Republic of Tajikistan.

CHAPTER 11. AREAS AND SPECIALLY PROTECTED NATURAL OBJECTS

(*Law of the Republic of Tajikistan dated 08.06.2022 No. 1880*)

Article 62. Fund of natural reserves of the Republic of Tajikistan

1. State natural reserves, including biosphere reserves, natural nurseries, national natural parks, natural monuments, rare animals and plants that are in danger of disappearing are included in the Red Book of the Republic of Tajikistan, the Fund of Natural Reserves of the Republic of Tajikistan is established by are specially protected by the state, taking into account the interests of present and future generations.

2. The fund of natural reserves is under the authority and management of the authorized state body of the Republic of Tajikistan in the field of environmental protection. The order of organization, system of protection and use, conditions of operation of specially protected natural areas, as well as conditions of economic activity of the population living in these areas are established by the

Law of the Republic of Tajikistan "On Specially Protected Natural Areas" (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*, dated 08.06. 2022 *No. 1880*).

3. It is prohibited to acquire the lands of the fund of natural reserves, except for the cases provided by the legislation of the Republic of Tajikistan.

4. Lands with natural objects of special importance for nature protection, scientific, historical and cultural, aesthetic, recreational, health improvement and other valuable importance are under special protection and it is forbidden to lease them.

Article 63. Protection of rare plants and animals that are in danger of extinction

1. The Red Book of the Republic of Tajikistan is established for the protection of rare plants and animals that are in danger of extinction.

2. Plants and animals included in the Red Book are taken without exception from agricultural and other uses.

3. Activities that lead to the reduction of these types of plants and animals, the deterioration of their habitat, are prohibited.

4. Enterprises, institutions, organizations and other land users, in whose territory there are animals and plants belonging to the Red Book of the Republic of Tajikistan, must take measures to protect and increase the species of these animals and plants.

5. The procedure for the protection of plants and animals and other rare organisms that are in danger of extinction, the procedure for introducing the Red Book of the Republic of Tajikistan, including the procedure for preserving their genetic fund, are established by the regulatory legal acts of the Republic of Tajikistan in the field of protection and use of flora and fauna.

6. Importing, exporting and transportation (transit) through the Republic of Tajikistan, dealing in plants, animals and other organisms under threat of extinction, their particularly valuable species, as well as their organs, products of vital activity and their beneficial properties regulated by the legislation of the Republic of Tajikistan.

Article 64. Protection of the Green Fund of populated areas

1. The green fund of populated areas consists of a set of green areas, including areas with trees, bushes and grass.

2. Protection of the Green Fund of populated areas envisages a system of activities ensuring the protection and development of the Green Fund, which are necessary for the stabilization of the ecological situation and the creation of a favorable living environment.

3. In the areas related to the Green Fund, it is forbidden to carry out agricultural activities and other activities that harm these areas and disrupt the performance of ecological, sanitary, hygienic and recreational tasks.

4. State regulation in the field of protection of the Green Fund of populated areas is carried out by local executive bodies of state power in accordance with the legislation of the Republic of Tajikistan.

CHAPTER 12. ENVIRONMENTAL OBSERVATION SYSTEM

Article 65. State environmental monitoring

1. State monitoring of the environment (state environmental monitoring) in accordance with the legislation of the Republic of Tajikistan in order to observe the state of the environment, including the state of the environment in the areas where the sources of anthropogenic influence are located and the impact of these sources on the environment, as well as to ensure the requirements of the state, individuals and legal action is carried out with accurate information and

timely planning of measures to prevent, eliminate or reduce the unpleasant consequences of changes in the environmental situation.

2. The organizational, legal and economic bases of providing and conducting environmental monitoring are determined according to the Law of the Republic of Tajikistan "On Environmental Monitoring" (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

3. Information on the state of the environment and its changes obtained as a result of state monitoring of the environment (state environmental monitoring) by the central and local executive bodies of the state government of the Republic of Tajikistan for the development of prospects for economic and social development and decision-making relevant, the development of state and targeted programs, their concept, strategy, perspective and practical plans are used in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*).

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

1. State registration of objects that have a negative impact on the environment by the authorized state body of the Republic of Tajikistan in the field of environmental protection for the purpose of state regulation of nature protection activities, as well as current planning and prospects of activities to reduce the negative impact of agricultural and other activities are carried out to the environment.

2. Objects that have a negative impact on the environment and information on their impact on the environment are subject to state statistical registration.

3. State registration of objects that have a negative impact on the environment, as well as assessment of this impact on the environment is carried out in accordance with the procedure established by the Government of the Republic of Tajikistan.

CHAPTER 13. CONTROL IN THE FIELD OF ENVIRONMENTAL PROTECTION

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

1. Duties of control in the field of environmental protection, including ensuring the implementation of environmental protection legislation, including the requirements of standards and regulatory documents in the field of environmental protection, by the central and local authorities of the Republic of Tajikistan, natural and legal persons, as well as ensuring safety are ecological.

2. The control system in the field of environmental protection consists of state, departmental, 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 procedure established by the legislation of the Republic of Tajikistan.

Article 69. Rights and obligations of state environmental protection inspectors

1. State environmental protection inspectors have the right to:

- for the purpose of performing official duties, to enter enterprises, institutions and organizations, regardless of the forms of ownership and subordination, and objects belonging to them, including objects under state protection, defense objects, civil defense objects without obstacles, with documents, laboratory analyzes and other documents necessary for the performance of their direct duties;

- check compliance with standards, technical regulations and other requirements of regulatory documents in the field of environmental protection, the operation of waste treatment facilities and other disinfection devices and equipment, control tools, as well as the implementation of environmental protection plans and activities (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;

- check compliance with the requirements, norms and rules of the field of environmental protection during the placement, construction, commissioning, use and decommissioning of production objects and other objects;

- check the fulfillment of the requirements indicated in the conclusions of the state environmental expertise;

- to present claims to natural and legal persons regarding the elimination of violations of laws in the field of environmental protection, which were determined during the environmental control, and to issue mandatory orders for their execution;

- to bring the guilty persons to administrative responsibility, to send material to the competent authorities and officials to bring them to disciplinary, administrative or criminal responsibility; submit a claim;

- when individuals and legal entities fail to comply with environmental protection legislation, temporarily suspend their economic and other activities. Based on the decision on temporary suspension of activity, banking institutions stop financing the suspended activity until the authorized body of the Republic of Tajikistan in the field of environmental protection cancels such decisions (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;

- wear special clothes with distinctive signs;

- according to the legislation of the Republic of Tajikistan, take, keep and use firearms and other special tools while performing official duties (*Law of the Republic of Tajikistan dated 27.11.2014 No. 1160*) ;

- perform other powers established by the legislation of the Republic of Tajikistan.

2. State environmental protection inspectors are obliged to:

- to prevent, identify and eliminate violations of the law in the field of environmental protection;

- to explain their rights and obligations to violators of environmental protection legislation;

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

3. Decisions of state environmental protection inspectors can be appealed through a court procedure.

4. State environmental protection inspectors are under the protection of the state and are responsible in accordance with the legislation of the Republic of Tajikistan.

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

Administrative control in the field of environmental protection is carried out by ministries and departments and production control by organizations and enterprises, and their task is to check the implementation of plans and measures for environmental protection, rational use and restoration of natural resources, environmental health, compliance with environmental quality standards, requirements of environmental protection legislation and is the command of the authorized state body of the Republic of Tajikistan in the field of environmental protection.

The procedure for the organization and activity of administrative and production control is regulated in accordance with the normative legal acts of ministries, departments and organizations.

Article 71. Public environmental control

1. Public environmental control is carried out by public associations on their own initiative or on the basis of contracts with nature users or the authorized state body of the Republic of Tajikistan

in the field of environmental protection, and its purpose is to realize the rights of every person to a favorable environment, prevention and elimination of violations of the legislation of the Republic of Tajikistan in the field of environmental protection.

2. Public environmental control is regulated by the procedure established by the legislation of the Republic of Tajikistan.

3. The results of public control in the field of environmental protection, submitted to the authorized state body of the Republic of Tajikistan in the field of environmental protection and local executive bodies of state power, must be discussed and taken into account.

Article 72. Control in the field of environmental protection by 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 AND CHARACTERISTICS OF ITS PASSAGE

(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))

Article 73. Environmental audit

(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))

Environmental audits can be conducted by independent auditors and audit organizations in the form of proactive or mandatory environmental audits in accordance with the procedure established by the legislation of the Republic of Tajikistan on the basis of the contract with the customer *(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))* .

Article 74. Organization of environmental audit, conditions and procedures for its conduct

(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))

Organization of environmental audit, conditions and procedures for conducting it, qualification requirements for auditors and their certification procedure, as well as rights and obligations of environmental auditors and audit organizations are established by the Law of the Republic of Tajikistan "On Environmental Audit" and other normative legal acts of the Republic of Tajikistan *(Law of the Republic of Tajikistan dated 18.07.2017 [No. 1449](#))* .

CHAPTER 15. EDUCATION AND ECOLOGICAL SCIENTIFIC RESEARCH

Article 75. General, comprehensive and systematic environmental education

1. In order to increase the level of environmental awareness of society and the professional training of specialists in the field of environmental protection, a general and complex system of environmental education and training is introduced, which includes primary vocational education, secondary vocational education, higher vocational education, vocational education after higher educational institutions. , professional retraining and professional development of specialists, as well as the dissemination of environmental knowledge, including through the use of mass media, covers museums, libraries, cultural institutions, environmental protection institutions, sports and tourism organizations.

2. The procedure for organization and implementation of environmental education is regulated by the Law of the Republic of Tajikistan "On Environmental Education of the Population".

Article 76. Scientific research in the field of environment

1. The main tasks of scientific research and discoveries in the field of the environment are to ensure the systematic social, economic and ecological development of the Republic of Tajikistan, the sustainable functioning of natural ecological systems, the rational use and restoration of natural resources, the provision of environmental security and the health of the environment.

2. Scientific studies in the field of environmental protection are carried out for the following purposes:

- development of concepts, scientific perspectives and plans for protection and restoration of the environment;

- assessment of the results of the negative impact of economic activities and other activities on the environment;

- improvement of legislation in the field of environmental protection, preparation of norms, technical regulations and other normative documents in the field of environmental protection (*Law of the Republic of Tajikistan dated 18.07.2017 No. 1449*) ;

- development and improvement of comprehensive environmental damage assessment indicators, ways and methods of their determination;

- invention and development of the best technologies in the field of environmental protection and rational use of natural resources;

- development of rehabilitation programs for areas that have been identified as natural disaster areas;

- preparation of activities for protection and development of natural and recreational capacities of the Republic of Tajikistan;

- other purposes of environmental protection.

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

Article 77. Obligation to compensate for damage caused due to non-compliance with the legislation on environmental protection

Enterprises and institutions, organizations, other economic entities and citizens who have caused damage to the environment due to pollution, destruction and destruction, wasteful use of natural resources, destruction of systems, complexes and natural ecological landscapes due to violation of environmental protection legislation , are obliged to compensate for damages in accordance with the normative legal acts of the Republic of Tajikistan.

Article 78. Procedure for compensation for damage caused due to non-compliance with the legislation of the Republic of Tajikistan in the field of environmental protection

1. Compensation for damage caused to the environment due to non-observance of legislation, voluntarily or by a court decision, according to the amount of payment of funds approved by the established procedure and the methods of their calculation, if they are not available, according to the actual costs of restoring the destroyed state. the environment, taking into account the damage caused, including the lost profit, will be compensated.

2. Based on the court's decision, the damage caused to the environment due to non-compliance with the legislation can be compensated by imposing on the defendant the obligations related to the restoration of the damaged state of the environment at his expense, in accordance with the project of restoration works.

Article 79. Compensation for damage caused to citizens due to adverse effects of the environment

1. Compensation for the damage caused to the health and property of citizens as a result of the negative impact of the activities of enterprises, organizations, institutions or individual citizens on the environment shall be compensated in full.

2. Damage compensation shall be compensated in accordance with the decision of the court based on the claim of the injured person, his family members, the prosecutor, the authorized bodies of the state administration, public association in the interest of the injured person.

3. Compensation for damage caused to citizens as a result of major accidents or catastrophes, as well as natural disasters, shall be compensated in accordance with the legislation of the Republic of Tajikistan.

Article 80. Claims on termination of environmentally harmful activities

Individuals and legal entities have the right to submit a claim to the court to stop environmentally harmful activities that harm their health and property, including the environment.

Article 81. Procedures for resolving disputes in the field of environmental protection

Disputes in the field of environmental protection are settled by judicial procedure.

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 on the basis of the legislation of the Republic of Tajikistan and international legal instruments recognized by Tajikistan.

Article 83. Liability for non-compliance with the requirements of this Law

Individuals and legal entities are prosecuted for non-compliance with the requirements of this Law in accordance with the legislation of the Republic of Tajikistan.

Article 84. On repealing the Law of the Republic of Tajikistan "On Nature Protection"

The Law of the Republic of Tajikistan dated December 27, 1993 " [On Nature Protection](#) " (News of the Supreme Council of the Republic of Tajikistan, p. 1994, No. 2, Article 36; News of the Supreme Assembly of the Republic of Tajikistan, p. 1996, No. 3, Article 48; p. 1997, article 245, article 704; 2007, No. 6, Article 440) shall be repealed.

Article 85. Procedure for implementation of this Law

This law shall be implemented after its official publication.

President

Republic of Tajikistan Emomali Rahmon

sh. Dushanbe

August 2, 2011 No. 760

DECISION OF THE ASSEMBLY OF REPRESENTATIVES OF THE SUPREME ASSEMBLY OF THE REPUBLIC OF TAJIKISTAN

On the adoption of the Law of the Republic of Tajikistan "On Environmental Protection"

The Legislative Assembly of the Supreme Assembly of the Republic of Tajikistan decides:

1. The Law of the Republic of Tajikistan "On Environmental Protection" should be adopted.
2. Resolution of the Supreme Council of the Republic of Tajikistan "On the procedure for implementing the Law of the Republic of Tajikistan "On Nature Protection" dated December 27, 1993, No. 905 (News of the Supreme Council of the Republic of Tajikistan, p. 1994, No. 2, Article 37) to be considered invalid.

Chairman

**Assembly of representatives of the Supreme Assembly
Republic of Tajikistan Sh. Zuhurov**

sh. Monday, June 22, 2011, No. 485

DECISION OF THE NATIONAL ASSEMBLY OF THE SUPREME ASSEMBLY OF THE REPUBLIC OF TAJIKISTAN

Regarding the Law of the Republic of Tajikistan "On Environmental Protection"

The National Assembly of the Supreme Assembly of the Republic of Tajikistan considers the Law of the Republic of Tajikistan "On Environmental Protection" and decides:

Support the Law of the Republic of Tajikistan "On Environmental Protection".

Chairman

**National Assembly of the Supreme Assembly
Republic of Tajikistan M. Ubaidulloev**

sh. Monday, July 21, 2011 No. 208