

LAW OF THE
REPUBLIC OF TAJIKISTAN

ON PUBLIC ASSOCIATIONS

(as worded in Laws No. 384 of 3/20/08, No.
621 of 7/21/10, and No. 962 of 3/19/13 of
the Republic of Tajikistan)

Chapter 1. General Provisions

Article 1. Relations Regulated by this Law

This Law regulates public relationships in connecting with citizens' realization of their right to form public associations and the formation, activity, reorganization, and dissolution of public associations.

Article 2. Scope of this Law's Effect

This Law shall be in effect for all public associations formed in the established manner, excepting public associations (like religious organizations, political parties, professional unions, and other public associations) the formation and operation thereof are regulated by other laws.

Article 3. Republic of Tajikistan Legislation on Public
Associations

The legislation of the Republic of Tajikistan on philanthropic activity is founded on the Constitution of the Republic of Tajikistan and consists of this Law, and other regulatory acts of the Republic of Tajikistan, as well as international regulatory acts recognized by the Republic of Tajikistan.

Article 4. A Citizen's Right to Associate

1. A citizen's right to associate includes the right to voluntarily form public associations for the protection of shared interests and to accomplish shared goals, to participate in existing public associations or abstain from participation therein, as well as to freely cease participating in said associations.

2. A citizen has the right to form public associations on their own, without prior permission from state agencies, as well as participate in such public associations provided that the provisions of the charter thereof are observed.

Article 5. Public Associations

Public associations are voluntary, self-governed, non-profit associations of citizens that have come together due to common interest and the realization of goals indicated in the charter of the public association.

Article 6. Founders, Members, and Participants in Public Associations

1. The founders of a public association are individuals or public associations registered as legal entities that have convened a meeting, conference, general or founder's meeting at which they signed a charter of a public association and formed its governing and internal auditing bodies. Founders of public associations have different rights and obligations.

2. Members of public associations are individuals whose interests in the joint resolution of a given association's mission in accordance with the provisions of its charter shall be determined by individual declaration or relevant documentation. This shall permit the number of members in the public association to be recorded. Members of a public association have differing rights and obligations.

Members of a public association have the right to elect and be elected to the managing and internal auditing bodies of said organization, as well as monitor the activity of the managing body of the public association in accordance with its charter.

Members of a public association have rights and obligations in accordance with the provisions of the public association's charter, and in the event provisions are not met, may be excluded from the public association.

3. Participants of a public association are individuals who actively support

the goals of the given association and (or) its actual activities by participating in its activities without any mandatory documentation of the conditions of their participation, if not otherwise set forth by the charter.

Article 7. Organizational and Legal Forms of Public Associations

Public associations may take the following organizational and legal forms:

- a public organization;
- a social movement;
- a public activity agency.

Article 8. Public Organizations

1. A public organization is established, as a rule, on the basis of membership for joint activity between like-minded citizens to protect common interests and achieve the goals of the charter thereof.

2. The public organization's highest governing body is the meeting, conference, or general meeting. The public organization's management is an elected board answerable to the members of the meeting, conference, or general meeting.

Article 9. Social Movements

1. A social movement is a mass public association consisting of participants that are not members pursuing social and other socially -useful goals that support the participants of the social movement.

2. The social movement's highest governing body is the meeting, conference, or general meeting. A social movement's management is an elected board consisting of no less than ten individuals answerable to the meeting, conference, or general meeting.

3. In the event the social movement is registered with the state, its management shall exercise the rights of a legal entity on behalf of the social movement and perform the obligations thereof in accordance with the charter.

Article 10. Public Activity Agencies

A public activity agency is an informal public association that does not have any members, the manner of formation and activity of which is regulated by the legislation of the Republic of Tajikistan (as worded in Republic of Tajikistan Law No. 384 of 03/20/2008)

Article 11. Coalitions (Societies and Councils) of Public Associations

Public associations have the right to form coalitions (societies and councils) of public associations. Citizens, public associations, legal entities, and state agencies have the right to participate in such coalitions (societies and councils).

Article 12. The Geographical Domain of a Public Association's Activity

1. International, republic-wide, and local public associations have been formed and operate in the Republic of Tajikistan.

2. An international public association is a public association the activity of which occurs in the Republic of Tajikistan and one or more foreign countries, has its representative offices and chapters on the territory of the Republic of Tajikistan and one or more foreign nations, or intends, in accordance with its charter, to have such a structure (as worded in Republic of Tajikistan Law No., 962 of 03/19/2013).

3. A republic-wide public association is a public association that may effectuate its activities in accordance with the goals of the charter thereof on the territory of the Republic of Tajikistan and have chapters and representative offices.

4. A local public association is a public association the activity of which, in accordance with the goals of its charter, is effectuated within the confines of an administrative and territorial oblast, city, or region.

5. Republic-wide and international public associations can use the words "Republic of Tajikistan" and "Tajikistan" in their names without having received special permission from a duly-authorized state agency or payment of any taxes to do so.

Article 13. Public Association Formation and Operating

Principles

1. The activities of a public association are based on the principles of voluntary involvement, equality, self-government, and legality. A public association is free to choose its internal structure, aims, forms, and methods of activity.

2. The activity of a public association should be a matter of public record, and information about its founding and program documents should be freely available.

3. The structure and activity of a public association should comply with democratic norms. The activity of a public association should not violate or curtail the rights and freedoms of persons and citizens enshrined in the Constitution of the Republic of Tajikistan.

Article 14. Limitations on the Formation and Activity of Public

Associations

1. It is prohibited to form or operate a public association that disseminates propaganda fostering racial, nationalistic, social, or religious enmity or makes calls of the violent overthrow of the constitutional system and the organization of armed groups.

2. It is prohibited to create or operate a public association that infringes on the rights and legal interests of citizens, the public health, and the general welfare.

Article 15. The State and Public Associations

1. It is prohibited for governmental authorities and the office holders thereof to interfere in the activities of public associations, just as it is prohibited for public associations to interfere in the activities of governmental authorities and the office holders thereof.

2. The state shall ensure the rights and legal interests of public associations are observed and regulate the provision of any tax or other benefits in accordance with the law.

State support may be expressed as targeted funding (state grants) to specific programs that are beneficial to the public operated by public

associations by their request; by entering into various contracts, including for performing labor and services; by social services procurement processes for implementing various state programs to an unrestricted number of public associations on a competitive basis.

3. Issues that concern the interests of public associations shall be decided by government authorities when provided for by law with the participation of the relevant public associations or with the approval thereof.

4. The legislation of the Republic of Tajikistan on labor and social security applies to those working for hire at the public association.

Chapter 2. Forming Public Associations

Article 16. Forming a Public Association

1. A public association is formed on the initiative of the founders thereof, who must be no less than three individuals.

Besides individuals, legal entities that are also public associations may be founders of public associations.

2. A resolution to form a public association, on the approval of the charter thereof, and on the formation of the managing and auditing bodies shall be made at a meeting, conference, or a general or founders' meeting. Upon passing the specified resolutions, the public association shall be considered to have been formed. Founders which are legal entities participating in the formation of a public association shall, within one month of the formation thereof, present its founding documents for state registration to the registering agency.

3. Public associations shall acquire the rights of a legal entity upon being registered with the state.

4. excluded (as worded in Republic of Tajikistan Law No. 384 of 03/20/2008)

Article 17. Requirements for Founders, Members and Participants in Public Associations

1. Citizens over 18 years of age may be founders, members, or participants in public associations unless otherwise established by this Law.

2. Foreign nationals and stateless persons, just like citizens of the Republic of Tajikistan, can be founders, members, and participants in public associations on condition that they are permanently reside or have a permanent resident status in the Republic of Tajikistan. Instances where the rights of foreign nationals and stateless persons are restricted are established by the

laws of the Republic of Tajikistan, as well as any international and legal acts recognized by Tajikistan.

3. Citizens over 14 years of age may be members and participants in youth public associations.

4. Citizens over 8 years of age may be members and participants in children's public associations.

5. Only adult citizens that are permanent residents of the Republic of Tajikistan may be managers of public associations, as well as members of their auditing bodies.

6. The conditions and manner of obtaining and forfeiting membership, including retiring from membership in a public association at a certain age, shall be defined by the charters of the corresponding public associations.

7. It is not permitted to require individuals to indicate in official documents which public associations they are members of or participate in. A citizen's affiliation with a public association cannot serve as a cause to limit his or her rights and freedoms or as a precondition to provide him or her with any state benefits or privileges.

8. Founders, members, and participants of public associations cannot be:

- government agencies (with the exclusion of those instances set forth in Article 11 of this Law);

- legal entities (with the exclusion of those instances set forth in Articles 6, 11, and 16 of this Law);

- persons which have ties to terrorist, extremist, or separatist organizations established by a court of law.

9. When forming a public association, the founders of a given organization automatically become members thereof in the structure thereof, and therefore acquire the corresponding rights and obligations.

10. When forming a public association with other structures, the rights and obligations of the founders of such organizations shall be indicated in the charters thereof.

Article 18. The Charter of a Public Association

1. The charter of a public association should contain:

- the name, goals of the public association, and the organizational and legal form;

- the structure of the public association, the managerial and auditing

structures of the public association, the territory on which the given association will effectuate its activities;

- the conditions and manner of obtaining and forfeiting membership in the public association, the rights and obligations of the members of the given association (only for associations that create membership);

- the purview and composition of the public association's managing bodies and the life span, authority, and location of the permanent managing body;

- the manner in which amendments and addenda shall be introduced into the charter of the public association;

- the sources of the monies and other assets of the public association, the rights of the public association and the charters and representative offices thereof in terms of managing assets;

- the manner in which the philanthropic organization is to be reorganized or dissolved.

2. The charter of a public association may contain a description of the given organization's insignia.

3. The charter may also contain other provisions related to the activity of the provision that are not in contradiction with the law.

Article 19. The Name and Symbols of a Public Association

1. The name of a public association and the flag, emblem, banners, and other symbols thereof, should they exist, must differ from those belonging to other legal entities, including those that have been dissolved by decision of the court and have ceased operating.

2. The symbols of a public association should not imitate the state symbols of the Republic of Tajikistan or the symbols of foreign nations or violate intellectual property rights. A public association is not permitted to use the image of the state emblem on the stamps and letterhead thereof.

3. The name and symbols of the public association cannot serve as propaganda for the goals and methods of those activities specified in Article 14 of this Law.

4. Public associations have the right to use a citizen's name only with the permission thereof, and in the event of the death of said citizen, on the basis of a notarized will, and in the absence of a will, with the consent of the wife (husband), parents, and adult children of the deceased. If the named individuals cannot be found, the issue of the use of a name of a citizen in name of the public association shall be decided by the association itself.

Article 20. The Manner in Which the Name of a Public
Association is to be Used

1. The official name of a public association should contain an indication of the form thereof and the territory where its activities are effectuated.

2. The name of a public association cannot contain the names of government or state agencies or political parties operating in the Republic of Tajikistan, as well as any political parties that have ceased operating as a result of dissolution due to court order or of their own accord.

Article 21. State Registration of a Public Association

1. In order to be invested with the rights of a legal entity, a public association must register with the state.

2. State registration of a public association is handled by the Republic of Tajikistan Ministry of Justice and the Departments of Justice of the Gorno-Badakhshanskaya Autonomous Oblast and the Oblasts (hereinafter the registering agency).

3. State registration of international and republic-wide public associations, as well as local public associations, which operate within the city of Dushanbe and the cities and regions of the republic, shall be handled by the Republic of Tajikistan Ministry of Justice (as worded in Republic of Tajikistan Law No. 621 of 07/21/2010).

4. The Republic of Tajikistan Ministry of Justice has the following authorities related to registering public associations with the state:

- to effectuate legal audits of the founding documents of republic-wide public associations, local public associations located within the limits of the city of Dushanbe and the cities and regions of the republic, and international public associations located on the territory of the Republic of Tajikistan;

- to effectuate legal audits of the founding documents of the representative offices and charters of republic-wide public associations located within the limits of the city of Dushanbe and the cities and regions of the republic, international foreign public associations in the Republic of Tajikistan, and international public associations located on the territory of the Republic of Tajikistan, as well as the record registration thereof;

- to issue State Registration Certificates of republic-wide public associations and local public associations located within the limits of the city of Dushanbe and the cities and regions of the republic, international foreign public associations in the Republic of Tajikistan, and international public associations located on the territory of the Republic of Tajikistan;

- issue excerpts from the Unified State Register of Public Associations and record registrations of representative offices and chapters of international foreign public associations in the Republic of Tajikistan and international public associations located on the territory of the Republic of Tajikistan;

- to administer the Unified State Register of Public Associations;

- to administer record registration of the representative offices and chapters of public associations;

- to determine procedures for the administration of the Unified State Register of Public Associations and the record registration of representative offices and chapters of public associations;

- to exercise any other authority granted by the legislation of the Republic of Tajikistan;

5. State registration of local public associations located on the territory of the Gorno-Badakhshanskaya Autonomous Oblast and the Oblasts shall administered by the Department of Justice of the Gorno-Badakhshanskaya Autonomous Oblast and the Oblasts.

6. The Department of Justice of the Gorno-Badakhshanskaya Autonomous Oblast and the Oblasts possesses the following authorities in terms of state registration of public associations:

- to effectuate legal audits of the founding documents of public associations located on the territory of the oblasts;

- to effectuate legal audits of the documents of the representative offices and chapters of republic-wide public associations;

- to issue State Registration Certificates of public associations;

- to issue excerpts from the Unified State Register of Public Associations and record registrations of representative offices and chapters of public associations (related to the corresponding territory);

- to administer to the State Register of Public Associations for the corresponding territories;

- to monthly present to the Republic of Tajikistan Ministry of Justice information on the state registration of public association and the record registration of representative offices and chapters;

- to effectuate any other powers provided for by this Law (as worded in Republic of Tajikistan Law No. 621 of 07/21/2010).

7. To register a public association with the state, the following documents must be provided to the registering agency:

- an application signed by the members of the public association's

management indicating their last names, names, patronymics, place of residence, and contact phone numbers;

- the charter of the public association in two copies in the official state language and should the public association so wish, in two copies in the language of international communication;

- excerpts from the minutes of the meeting, conference, or general or founder's meeting that contain information on the formation of the public association, the approval of the charter, and on the composition of the managerial and auditing bodies;

- information on the founders of the public association: for individuals - their last names, names, patronymics, date of birth, place of residence, citizenship (authenticated by their signature), and a copy of their passport or other document confirming their identity; for public associations forming coalitions (societies and councils) of public associations - a copy of the State Registration Certification of the charter for these associations, an excerpt from the minutes of the meeting of the management of the public association, the resolution on the formation of the coalition (society or council) of public associations, as well as a copy of the founding contract;

- a declaration from those individuals/entities specified in Article 19 of this Law on their consent to use the personal name of a citizen in the name of a public association;

- when a public association uses symbols that are protected under Republic of Tajikistan intellectual property and copyright law - documents confirming the right to use them;

- a document on paying state taxes;

- a document on the address (location) of the permanent managing body of the public association;

- minutes from the meetings, conferences, or general or founders' meetings of any structural subdivisions for republic-wide and international public associations.

8. Modifications to the charter of a public association shall be registered with the state in the same manner and within the same frame of time that state registration of a public association is effectuated and acquire legal force at the time of said registration.

9. A state tax shall be collected for the state registration of a public association and any modifications made to its charter in the manner and amount prescribed by the Republic of Tajikistan Law "On State Taxes."

10. State registration of a public association shall be granted within one month from the date all documents specified in this Article have been submitted, and then the public association shall receive a state registration certificate.

Article 21(1) Issuing a Copy of a Public Association State
Registration Certificate

The registering agency shall issue a copy of the State Registration Certificate within 10 days of receiving a request from the public association in the event one is lost or otherwise required (as worded in Republic of Tajikistan Law No. 621 of 7/21/10).

Article 22. Record Registration of Representative
Offices and Chapters of a Public
Association Denial of Record Registration
and Their Dissolution (as worded in
Republic of Tajikistan Law No. 962 of
3/19/13)

1. Representative offices and chapters of a public association, including those of international and foreign public associations in the Republic of Tajikistan, or international public associations located on the territory of the Republic of Tajikistan, must undergo record registration (as worded in Republic of Tajikistan Laws No. 621 of 7/21/10 and No. 962 of 3/19/13).

2. Record registration of representative offices and chapters of a public association shall be granted by the registering agency (as worded in Republic of Tajikistan Laws No. 962 of 3/19/13).

3. The following documents shall be submitted for record registration of representative offices and chapters of a public association:

1) an application for record registration of a representative office or chapter of the public association;

2) notarized copies of founding documents of the public association that intends to open a representative office or chapter;

3) the resolutions of a public association:

a) about opening a representative office or chapter;

b) about approving a Provision;

c) about appointing a manager to a representative office or chapter;

4) the Provision about the representative office or chapter of the public association (as worded in Republic of Tajikistan Law No. 962 of 3/19/13);

5) the power of attorney issued to the manager of the public association's representative office or chapter;

6) the document confirming the location of the public association's representative office or chapter;

7) a receipt or bank transfer order as proof of payment of the state fee in compliance with the legislation of the Republic of Tajikistan (as worded in Republic of Tajikistan Law No. 621 of 7/21/10).

4. The information on the public association's representative offices and chapters shall be entered into the Unified State Registry of Public Association Representative Offices and Chapters (as worded in Republic of Tajikistan Law No. 621 of 7/21/10).

5. Record registration of the public association's representative office or chapter shall be granted within 10 days from the moment the documents specified in this Article are submitted. The public association's representative office or chapter shall be issued a copy of the record from the Unified State Registry of Public Association Representative Offices and Chapters (as worded in Republic of Tajikistan Law No. 621 of 7/21/10).

6. Any modifications to the documents for the public association's representative offices and chapters shall be made in the manner and within the time frames established by this Article (as worded in Republic of Tajikistan Law No. 621 of 7/21/10).

7. Record registration of the public association's representative offices or chapters, including representative offices and chapters of international and foreign public associations in the Republic of Tajikistan, or representative offices or chapters of international public associations located on the territory of the Republic of Tajikistan, may be denied on the following grounds (as worded in Republic of Tajikistan Law No. 962 of 3/19/13):

- s provision on the public association's representative office or chapter violates the Republic of Tajikistan Constitution, provisions of Article 14 of this Law, or other laws and regulations of the Republic of Tajikistan;

- the public association fails to provide a complete list of documents specified by this Law as required for record registration, the information in the submitted documentation is filed incorrectly, or the documentation is submitted to the wrong agency;

- it is discovered that the founding documents as submitted contain inaccurate information.

8. The registering agency shall issue a copy of a Record Registration Certificate for a representative office of chapter of a public association within 10 days of receipt of a request in the event one is lost or should otherwise be required.

9. Should the public association be denied record registration of its representative office or chapter, the applicants shall receive a written notification citing specific provisions of the legislation of the Republic of Tajikistan, the violation of which resulted in the denial of record registration for this public association.

10. A denial of record registration for a public association's representative office or chapter, as well any attempt to circumvent such registration, may be appealed in a court of law.

11. A denial of record registration for the public association's representative office or chapter shall not prevent the public association from resubmitting the documents for record registration provided the issues that resulted in the denial have been resolved.

12. The resubmitted application for record registration for the public association's representative office or chapter shall be reviewed in the manner prescribed by this Law. (as worded in Republic of Tajikistan Law No. 962 of 3/19/13).

Article 23. Denial of a Public Association's State Registration and the Procedure for Filing an Appeal

1. A public association may be denied state registration on the following grounds:

- the public association's charter violates the Republic of Tajikistan Constitution, provisions of Articles 14, 17, and 18 of this Law, or other laws and regulations of the Republic of Tajikistan;

- the public association fails to provide a complete list of documents specified by this Law as required for state registration, the information in the submitted documentation is filed incorrectly, or the documentation is submitted to the wrong agency;

- a previously registered public association is performing its activities under the same name (as worded in the Republic of Tajikistan Law No. 621 of 7/21/10);

- it is discovered that the submitted documents contain inaccurate information;

- the name of the public association is offensive to public morality or the national or religious feelings of citizens.

2. The public association shall not be denied state registration on the ground of its formation being futile.

3. Should the public association be denied state registration, the applicants shall receive a written notification citing specific provisions of the legislation of the Republic of Tajikistan, the violation of which resulted in the denial of state registration of this public association.

4. The denial of a public association's state registration as well any attempt to circumvent such registration may be appealed in a court of law.

5. The denial of state registration shall not prevent the public association from resubmitting the documents for state registration provided the issues that resulted in this denial have been resolved.

The resubmitted application for state registration of a public association shall be reviewed in the manner prescribed by this Law.

Chapter 3. Rights and Obligations of a Public Association

Article 24. Rights of a Public Association

1. In order to achieve its fundamental goals, the public association shall be entitled to:

- freely distribute information about its activities;
- participate in influencing state authorities' decisions in the manner and within the limitations prescribed by this Law and other laws;
- hold meetings, public rallies, demonstrations, marches, and any other public event in the manner prescribed by the Republic of Tajikistan legislation;
- establish media organizations or effectuate publishing activities in compliance with the Republic of Tajikistan legislation;
- represent itself and defend its rights and the legal interests of its members and participants, as well as other citizens before state authorities, organizations, public associations, and courts;
- propose initiatives concerning different public issues and submit their proposals to state authorities;
- receive from state authorities any information necessary to achieve its fundamental goals with the exception of cases specified in the legislation of the Republic of Tajikistan;
- in accordance with the legislation of the Republic of Tajikistan, to effectuate manufacturing and business activities that facilitate the realization

of the goals and mission of its charter, including with the aid of business organizations created for this purpose;

- participate in Tajik and international competitions with the goal of being awarded social services contracts, grants, scholarships, and other privileges permitted by the legislation of the Republic of Tajikistan in order to achieve its fundamental goals;

- enter into research and scientific, economic, financial, and industrial partnerships or contracts for the provision of labor or services designed to achieve its fundamental goals with individuals and legal entities;

- conduct scientific research and run design and engineering programs, perform independent analysis of socially significant projects and programs, and participate in joint committees to evaluate them, provided that these types of activities are specified in the public association's charter and are in compliance with the legislation of the Republic of Tajikistan;

- exercise any other authority granted by the legislation.

2. The rights of public associations established by or with the participation of foreign citizens or persons without citizenship may be limited by laws and international regulations ratified by Tajikistan.

Article 25. Obligations of a Public Association

A public association shall:

- obey the Constitution of the Republic of Tajikistan and other laws and regulations of the Republic of Tajikistan, as well as any international regulations recognized by Tajikistan and the regulations established by its charter;

- annually, before April 1, submit information about its continued activities in the form determined by the Republic of Tajikistan Ministry of Justice to the registering agency (as worded in Republic of Tajikistan Law No. 962 of 3/19/13);

- provide records of resolutions made by the management and executives of the public association, as well as information about its activities, to the registering agency;

- permit the representatives of the registering agency to attend public events organized by the public association;

- assist the representatives of the registering agency in familiarizing themselves with the activities of the public association in terms of it achieving the fundamental goals thereof and complying with the legislation of the Republic of Tajikistan.

Chapter 4. The Property of a Public Association

Article 26. The Property of a Public Association

1. A public association registered as a legal entity may hold title of private ownership to buildings, constructions, facilities, housing, transport, equipment, inventory, property used for educational and health care purposes, monies, shares, securities, and other property necessary to support the activities listed in the charter of this public association.

The public association may also hold title of private ownership on organizations, publishing houses, and mass media established or acquired at the expense of this public association in compliance with the Republic of Tajikistan legislation and the association's charter.

2. The property of a public association shall be protected by the laws and regulations of the Republic of Tajikistan.

3. The law may specify the types of property which, in consideration of national security and public safety or in accordance with international regulations recognized by Tajikistan, cannot be owned by a public association.

Article 27. Sources of Assets of a Public Association

The assets of a public association shall be formed by initial and members' contributions, should such contributions be envisioned by the charter, voluntary and charitable donations, grants, proceeds from lectures, exhibitions, raffles, auctions, sporting and other events conducted by the public association in the manner prescribed by law and its charter, income from entrepreneurial activities, and other legal types of activities.

Article 28. Holders of Property Rights in a Public Association

1. The public organization shall have property rights over the entire property of the public organization. Each individual member of the public organization shall not have property rights over any share of any property owned by the public organization.

2. In public organizations whose representative offices and chapters act based on the provisions and uniform charter of these organizations, the public association as a whole shall hold the property rights (as worded in Republic of Tajikistan Law No. 962 of 3/19/13).

Article 29. Holders of Property Rights in a Social Movement

The rights to property that comes into a social movement's possession, as well as property created and (or) acquired by the social movement at its own expense, shall be exercised by its management on behalf of the social movement.

Article 30. excluded (as worded in Republic of Tajikistan Law No. 384 of 03/20/2008)

Article 31. Entrepreneurial Activities of a Public Association

1. A public association shall perform entrepreneurial activities in compliance with the Civil Code of the Republic of Tajikistan and other legislation of the Republic of Tajikistan.

2. A public association may form business partnerships, communities, or other business organizations, as well as acquire assets intended for undertaking such entrepreneurial activities in the manner prescribed by the legislation of the Republic of Tajikistan.

3. Income from the entrepreneurial activities of a public association cannot be redistributed among its members or participants and must only be used to achieve the goals of the charter thereof. A public association may use its funds for philanthropic purposes, even if this is not specified in its charter.

Chapter 5. Reorganization and Dissolution of a Public Association

Article 32. Reorganization of a Public Association

1. The reorganization of a public association shall be effectuated based on a resolution made at a meeting, conference, or general meeting of the public association. The resolution shall be made in the manner prescribed by the legislation of the Republic of Tajikistan or the public association's charter .

2. State registration of a public association formed by reorganization shall be performed in the manner prescribed by this Law.

3. The assets of a public association that is a legal entity shall be transferred after the reorganization thereof to a newly-established legal entity in the manner set forth by the Civil Code of the Republic of Tajikistan.

Article 33. Dissolution of a Public Association

1. The dissolution of a public association shall be effectuated based on a resolution made at a meeting, conference, or general meeting of the public association in accordance with the charter of this public association or based on a court order in the manner prescribed by this Law.

2. When the dissolution of a public association occurs, any remaining assets shall be used for the purposes set forth by the public association's charter after the demands of its creditors have been satisfied. In the event the public association's charter does not prescribe the manner in which the association's assets are to be disposed of upon its dissolution, the resolution about such disposal shall be made by the same meeting, conference, or general meeting that resolves to dissolve the public association or, in controversial cases, by the court. The resolution about the disposal of remaining assets shall be sent to the registering agency.

3. excluded (as worded in Republic of Tajikistan Law No. 621 of 7/21/2010)

Article 33 (1). State Registration of the Dissolution of a Public Association

1. A meeting, a conference, or a general meeting of a public association that has resolved to dissolve the public association must immediately inform the registration authority of this resolution (as worded in Law No. 962 of the Republic of Tajikistan of 3/19/13).

2. Upon receiving the resolution about the dissolution of a public association, the registering agency shall audit the public association for compliance with dissolution regulations, and upon the completion of the audit enter the information about the ongoing dissolution of a public association into the Unified State Registry of Public Associations.

3. The state registration of the dissolution of a public association requires the following documentation (as worded in Law No. 962 of the Republic of Tajikistan of 3/19/13).

4. At the end of ten days after the initiation of the dissolution, the registering agency must:

- audit compliance with dissolution procedures;

- enter information about the dissolution of a public association into the Unified State Registry of Public Associations;

- issue a copy of the record from the Unified State Registry of Public Associations.

5. A public association and the representative offices and chapters thereof shall be considered dissolved from the moment the corresponding information is entered into the Unified State Registry of Public Associations (as worded in Law No. 612 of the Republic of Tajikistan of 7/21/10).

Chapter 6. Monitoring the Activities of Public Associations

Article 34. Monitoring the Activities of Public Associations

1. The Prosecutor General of the Republic of Tajikistan and the prosecutors reporting to him/her shall monitor the accuracy and consistency with which public associations follow the law.

2. The registering agency shall monitor the compliance of public associations with the goals of the charters thereof.

The registering agency shall be entitled to:

- request documents such as directives, resolutions, and information from the governing bodies of public associations in accordance with Article 25 of this Law;

- send its representatives to public events organized by public associations;

- issue a written warning stating specific grounds to any public association should it be discovered that a public association has violated the legislation of the Republic of Tajikistan or performed activities that conflict with the goals of the charter thereof.

A written warning issued by the registering agency shall be reviewed by the public association within one month.

3. Tax authorities shall monitor the sources of income of public associations, the amounts of funds they receive, and the taxes they pay in compliance with the Tax Code of the Republic of Tajikistan.

4. Public associations' compliance with existing environmental, fire safety, health, and other regulations shall be monitored by authorized state authorities in compliance with the law.

Article 35. Suspending the Activities of a Public Association

1. Should a public association violate the provisions of the Constitution of the Republic of Tajikistan or the legislation of the Republic of Tajikistan or perform activities that conflict with the goals of its charter, the Prosecutor General of the Republic of Tajikistan or the prosecutors reporting to him/her shall issue a written order to immediately eliminate the specified violations to the governing body of this association and a written warning to the registering authority and set the time frame for eliminating the specified violations.

2. Should the public association fail to eliminate the violation that constituted a ground for the issuing the written order and warning within the set time frame, the Prosecutor General of the Republic of Tajikistan or the prosecutors reporting to him/her or the registering agency shall be entitled to file a legal claim petitioning the court to suspend the activities of the public association.

In this event, the court may suspend the activities of the public association for no longer than 3 months.

3. The activities of the public association may also be suspended in the manner and on the grounds prescribed by other laws of the Republic of Tajikistan.

4. The manner in which the activities of the public association are suspended in the event of a declaration of a state of emergency on the territory of the Republic of Tajikistan shall be prescribed by law.

Article 36. Consequences of Suspending Activities of a Public Association

1. In the event a public association has its rights as a founder of mass media suspended, the association shall also be prohibited from organizing and holding meetings, public rallies, demonstrations, marches, or any other public gatherings, and using bank deposits, except for settling business accounts and paying employment contracts, reimbursing for damages caused by its activities, and paying taxes, fees, and fines (as worded in Law No. 962 of the Republic of Tajikistan of 3/19/13).

2. In the event a public association eliminates the violation that served as a ground for the suspension of its activities during the suspension period, it shall resume its activities based on a court order issued by the court that suspended such activities.

Article 37. Grounds for Dissolving a Public Association and
Prohibiting Its Activities

1. Grounds for dissolving a public association and prohibiting its activities include:

- violations of human and civil rights and freedoms by public associations;
- violating the Constitution of the Republic of Tajikistan, constitutional laws, legislation, and other regulations of the Republic of Tajikistan by a public association or systematic performance of activities that contradict the association's charter;
- failure to cease performance of activities that constituted a ground for issuing a compliance order or written warning under Article 35 of this Law.

2. A petition for the dissolution of a public association on the grounds specified in this article shall be filed by a registering agency, the Prosecutor General of the Republic of Tajikistan, or prosecutors reporting to him, regardless of the measures taken in accordance with Article 35 of this Law.

3. A court-ordered dissolution of a public association means prohibition of its activities despite it having a state registration certificate, which also serves as a ground for dissolving all legal entities established by this association, forfeiting the membership in any business associations and commercial partnerships, or cessation of any participation in the activities of other legal entities. A dissolved public association cannot be registered under a different name (as worded by Law No. 962 of 3/19/13).

4. In the event the court has dismissed a petition for the dissolution of a public association or prohibition of its activities, the association shall resume its activities as soon as the court's ruling takes effect.

5. The activities of a public association that is not registered as a legal entity may be prohibited by court order in the manner and on the grounds for dissolving a public association that is registered as a legal entity prescribed by this Law.

Chapter 7. International Ties of Public Associations.

International Public Associations

Article 38. International Ties of Public Associations

1. Public associations of the Republic of Tajikistan, in accordance with their charters, can obtain membership in international public organizations, obtain rights and incur obligations commensurate with the status of international public organizations, maintain international contacts and connections, and implement agreements with foreign public (non-profit and non-governmental) organizations.

2. Public associations of the Republic of Tajikistan can open their own organizations, representative offices, and chapters in foreign countries based on international legal acts recognized by Tajikistan and the legislations of those countries. Public associations that have opened their chapter and representative offices in foreign countries in compliance with Article 12 of this Law are considered to be international in nature and shall obtain a new registration in the manner prescribed by this Law (as worded in Law No. 962 of the Republic of Tajikistan of 3/19/13).

Article 39. Activities of Foreign Public (Non-profit and
Non-governmental) Organizations on the
Territory of the Republic of Tajikistan

1. State registration of foreign public (non-profit and non-governmental) organizations or record registration of their representative offices and chapters on the territory of the Republic of Tajikistan is effectuated by the Ministry of Justice of the Republic of Tajikistan (as revised by Law No. 962 of the Republic of Tajikistan of 3/19/13).

2. In addition to documents specified in Articles 21 and 22 of this Law, state registration of foreign public (non-profit and non-governmental) organizations or record registration of their representative offices and branches on the territory of the Republic of Tajikistan requires documents that prove the legal status of foreign public (non-profit and non-governmental) organizations and are prepared, approved, and submitted by the responsible authorities of a foreign country (as revised by Law No. 962 of the Republic of Tajikistan 3/19/13).

3. The documents specified in Section 2 of this Article shall be authenticated by the consulates of the Republic of Tajikistan unless a different procedure is established by international agreements recognized by Tajikistan.

4. Documents prepared in a foreign language and submitted to the legal authorities must be translated into Tajikistan's official state language and the language of international communication and notarized.

5. After state registration of foreign public (non-profit and non-governmental) organizations or record registration of their representative

offices and chapters on the territory of the Republic of Tajikistan, their full-time personnel must be accredited by the Foreign Affairs Ministry of the Republic of Tajikistan (as revised by Law No. 962 of the Republic of Tajikistan 3/19/13).

6. Public (non-profit and non-governmental) organizations or their representative offices and chapters on the territory of the Republic of Tajikistan shall operate on the territory of the Republic of Tajikistan in compliance with the legislation of the Republic of Tajikistan.

7. Public (non-profit and non-governmental) organizations or their representative offices and chapters that have not obtained state or record registration on the territory of the Republic of Tajikistan are prohibited from performing any activities.

8. The procedure and time frames for record registration of representative offices and chapters of foreign public (non-profit and non-governmental) organizations are specified in Article 22 of this Law and other laws and regulations of the Republic of Tajikistan (as revised by Law No. 621 of the Republic of Tajikistan of 7/21/10).

Chapter 8. Final Provisions

Article 40. Responsibility for Violating This Law

Persons and corporate entities shall be held liable for violating this Law in the manner prescribed by the legislation of the Republic of Tajikistan.

Article 41. Registration of Public Associations Formed Before the Enactment of this Law

1. The provisions of this Law on state registration shall equally apply to public associations formed before the enactment of this Law.

2. The charters of public associations formed before the enactment of this Law shall be brought into compliance with this Law. The charters of public associations, before they have been brought into compliance with this Law, shall be effective only to the extent they are not in contradiction with this Law.

3. State registration of public associations formed before the enactment of this Law shall be renewed no later than January 2008 with the state tax exemption.

4. Public associations that have not renewed their registration by the date specified in this Article shall lose their rights as legal entities, and their registration certificates shall be pronounced null and void by the registering agency. This does not relieve them of the obligations they have undertaken.

Article 42. Repealing the Law "On Public Associations" of the
Republic of Tajikistan

The Law "On Public Associations" of the Republic Tajikistan of May 21, 1998 (Akhbori Majlisi Oli of the Republic of Tajikistan No. 10, Article 139, 1998).

Article 43. Procedure for This Law to Come into Effect

This Law shall come into effect once it has been officially published.

The President
of the Republic of Tajikistan E. Rahmon

The City
of
Dushanbe

May 12, 2007 No. 258

DECREE OF THE UPPER CHAMBER OF
PARLIAMENT (MAJLISI MILLI MAJLISI OLII)
OF THE REPUBLIC OF TAJIKISTAN

On Adopting the Law of the Republic of Tajikistan "On Public Associations"

The Upper Chamber of Parliament (Majlisi Milli of Majlisi Oli) of the Republic of Tajikistan;

1. the Law of the Republic of Tajikistan "On Public Associations" is to be adopted.

2. Decree No 489 "On Adopting the Law of the Republic of Tajikistan "On Public Associations" of February 14, 2007 issued by the Lower Chamber of Parliament (Majlisi Namoyandagon of Majlisi Oli) of the Republic of Tajikistan (Akhbori Majlisi Oli of the Republic of Tajikistan No. 2, Article 105, 2007) shall be considered to have been repealed.

Chairman of the Lower

Chamber of Parliament

(Majlisi Namoyandagon of

Majlisi Oli)

of the Republic of Tajikistan S. KHAIRULLOEV

The City of Dushanbe, April 25, 2007
No. 561

DECREE OF THE UPPER CHAMBER OF
PARLIAMENT (MAJLISI MILLI MAJLISI OLI)
OF THE REPUBLIC OF TAJIKISTAN

On the Law of the Republic of Tajikistan "On Public Associations"

The Upper Chamber of Parliament (Majlisi Milli Majlisi Oli) of the Republic of Tajikistan has reviewed the Law of the Republic of Tajikistan "On Public Associations" and concluded:

the Law of the Republic of Tajikistan "On Public Associations" is to be adopted.

Chairman of

the Upper Chamber of Parliament (Majlisi Milli Majlisi Oli)

of the Republic of Tajikistan Mahmadsaid Ubaydulloyev

The City of Dushanbe, April 30, 2007

No. 310