

(official version)

Law of the Republic of Tajikistan on Public Associations

Chapter 1. General Provisions

Article 1. Relationships, regulated by this Law

This Law regulates social relations in regard to the exercise by citizens of their right to unite in public associations, set up, implement activities, reorganize and liquidate public associations.

Article 2. Applicability of this Law

This Law applies to all public associations set up in compliance with the established procedure, except for certain public associations (i.e. religious organizations, political parties, trade unions and other public associations) which may be established and function under special laws.

Article 3. Legislation of the Republic of Tajikistan on public associations

The legislation of the Republic of Tajikistan on public associations is based on the Constitution of the Republic of Tajikistan and consists of the present Law, other legal acts and regulations of the Republic of Tajikistan and international instruments recognized by Tajikistan.

Article 4. The right of the citizens to form associations

1. The right of citizens to form associations shall include the right to establish voluntary public associations for the purpose of protection of their common interests and attainment of common goals, to join existing public associations or refrain from joining them, and to withdraw from such organizations without any hindrance.
2. Citizens are entitled to forming public associations independently, without any prior permission from any government agency, and joining such public associations on the basis of compliance with their rules and charters.

Статья 5. Definition of a public association

A public association shall be deemed a voluntary, self-governed, not-for-profit association of individuals established on the basis of their common interests to pursue

their common goals declared in the charter of a public association.

Article 6. Founders, members and participants in a public association

1. Founders of a public association are natural persons and public associations – legal entities that convened a congress (conference) or general (constituent) meeting to adopt the charter of the public association and form its governing and audit bodies. Founders of a public association shall have equal rights and bear equal obligations.

2. Members of a public association are natural persons whose interest to commonly pursue objectives of the public association in accordance with its charter is formalized by appropriate individual applications or documents that allow for keeping record of the number of the association's members. Members of a public association shall have equal rights and bear equal obligations.

Members of a public association have the right to elect and be elected to governing and audit bodies of the organization, and control the activity of governing bodies of the public association in accordance with its charter.

Members of a public association enjoy their rights and bear obligations in accordance with the requirements of the charter, and may be expelled from the public association in a manner established by the charter for a failure to comply with these requirements.

3. Participants in a public association are natural persons who share the goals of the organization and/or its activities, take part in its activity without any compulsory formalization of conditions for such participation, unless otherwise provided for by the charter.

Article 7. Organizational and legal forms of public associations

A public association may be formed in one of the following organizational and legal forms:

- public organization
- public movement
- body of public initiative

Article 8. A Public Organization

1. A public organization is, as a rule, a membership-based public organization established on the basis of joint activities for the purpose of protecting common interests and attaining constituent goals of the citizens who joined the association.
2. The highest governing body of a public organization is its congress, conference or general meeting. The standing governing body of a public organization is an elected collegiate body that reports to the congress, conference or to the general meeting.

Article 9. A Public Movement

1. A public movement is a mass public association, which consists of participants and *is not* membership-based, pursuing socially valuable and other beneficial goals supported by the participants in the public movement.

2. The highest governing body of a public movement is its congress (conference) or general meeting. The standing governing body of a public movement is an elected collegiate body consisting of no less than ten persons and reporting to the congress, conference or the general meeting.

3. In the event of the state registration of a public movement, its standing governing body shall exercise the rights of legal entity on behalf of the public movement and shall carry out its responsibilities in compliance with its charter.

Article 10. A Body of Public Initiative

1. A body of public initiative is a public association, which is not membership-based, pursuing a goal of jointly addressing various social issues facing citizens at their place of residence; its activities are aimed at meeting the needs of citizens whose interests are related to attaining constituent goals and implementing programs of the body of public initiative in the locality where it was established.

2. The body of public initiative is formed at the initiative of the citizens interested in resolving the issues mentioned in Section 1 of this Article; it shall carry out its activities on the basis of self-governance and in compliance with the charter adopted at the founder's meeting. A body of public initiative does not have any higher governing agencies or organizations. As a rule it is referred to as "makhallin (neighborhood) council", "makhallin committee", "apartment complex committee", etc.

3. A body of public initiative is a non-formal public association and shall not be subject to the state registration; upon being established, it shall submit a written notification to a local body of state executive power.

Article 11. Unions (alliances, councils) of public association.

Public associations shall have the right to establish unions (alliances) of public associations. The membership in the said unions (alliances, councils) may include individual citizens, public associations, legal entities and government agencies.

Article 12. Territorial scope of operation of public associations.

1. International, republican and local public associations may be established and operate in the Republic of Tajikistan.

2. An international public association is an association which operates within the territory of the Republic of Tajikistan and one or several foreign states, has its own branches and representative offices on the territory of the Republic of Tajikistan and in one or several foreign states, and intends to maintain such structures in conformity with its charter.

3. A national public association is a public association which, in accordance with its statutory goals, may carry out its activities on the territory of the Republic of Tajikistan

and have its branches and representative offices.

4. A local public association is a public association which, in accordance with its statutory goals, operates within an administrative area such as region (*oblast*), city or district.

5. Republican and international public associations may use names such as “the Republic of Tajikistan” or “Tajikistan” or derivative words and phrases in their own names without any special permission from a competent government authority and without payment of any duty.

Article 13. The principles governing the establishment and operation of a public association

1. Activities of a public association shall be based on principles of voluntary participation, equality, self-governance and adherence to law. Public associations shall be free to choose their internal structure, goals, forms and methods of operation.

2. Public associations shall operate openly; any information regarding their founding documents and policy statements shall be publicly accessible.

3. The structure and activities of a public association shall comply with the democratic standards. A public association’s activities shall not infringe on the human and citizen’s rights and freedoms guaranteed by the Constitution of the Republic of Tajikistan.

Article 14. Restrictions on establishment and operation of public associations

1. Establishment and operation of public associations advocating racial, national, social and religious enmity or inciting a violent overthrow of the constitutional order or organization of military groups, shall be prohibited.

2. Establishment and operation of public associations, which infringe on the rights and legal interests of citizens, present threat to people’s health of people or public morality, shall be prohibited.

Article 15. The State and public associations

1. Government authorities or their officials are prohibited from any interference in the operation of public associations, and public associations are equally prohibited from any interference in activities of government authorities or their officials.

2. The State shall secure the rights and legitimate interests of public associations and regulate tax or other benefits and preferences granted to them via relevant legislation.

The State may provide support by allowing special funding (government grants) on request from public associations to help them implement certain programs that are useful to society; by making any contracts, including contracts for any works or services; or by soliciting tenders from an unrestricted number of public associations to implement various government programs identified as necessary to society.

3. Any issues that affect the interests of public associations, as provided for by the law, shall be resolved by government authorities in consultations or in coordination with appropriate public associations.

4. The legislation of the Republic of Tajikistan on labor and social insurance shall be applicable to hired administrative staff of public associations.

Chapter II. Establishment of public associations

Article 16. Establishment of public associations

1. Public associations are established on the initiative of no less than three natural persons (individuals) - the founders.

Alongside physical persons, the founders of a public association may include legal entities – public associations.

2. A resolution in regard of establishing a public association, adopting its charter and forming its governing and auditing bodies shall be adopted by a congress, conference, a general or constituent meeting. A public association is considered established as of the time the above resolutions have been adopted. Founders of a public association, established in the form of a legal entity, are required to submit the constituent documents to the registration authority for the state registration within one month upon setting up the association.

3. A public association acquires the right of a legal entity as of the time of its state registration.

4. A body of public initiative shall be established at the initiative of a majority of residents at the respective place of residence.

Article 17. Requirements in regard to founders and members of, participants in public associations

1. Citizens aged 18 or older may become founders, members or participants in public associations, unless otherwise provided by this Law.

2. On the par basis with citizens of the Republic of Tajikistan, foreign nationals or stateless persons may become founders, members or participants in public associations, provided that they have a permanent residence in the Republic of Tajikistan. Any

restrictions imposed on these rights of foreign nationals or stateless persons shall be established by laws of the Republic of Tajikistan or international instruments recognized by the Republic of Tajikistan.

3. Citizens aged 14 or older may become members or participants in youth public associations.

4. Citizens aged 8 or older may become members or participants in children's public associations.

5. Only adult citizens who have a permanent residence in the Republic of Tajikistan may be managers of public associations or members of their audit bodies.

6. Conditions and procedures for acquiring or discontinuing membership, including discontinuing membership in a public association due to age, shall be established by charters of respective associations.

7. There shall be no requirement to indicate one's membership or participation in any public associations in any official documents. Affiliation of citizens with any public association may not serve a reason for restriction of their rights and freedoms or a prerequisite for granting any benefits or preferences to them by the State.

8. The following may not be the founders or members of and participants in public associations:

- government agencies (except for the case stipulated in Article 11 of this Law);
- legal entities (except for the cases stipulated in Articles 6, 11 and 16 of this Law);
- persons whose connections with terrorist, extremist or separatist organizations, have been proven in the court of law.

9. In the event when a public association is established in the form of a public organization, the founders of the said organization shall automatically become members in the association and acquire corresponding rights and duties.

10. In the event when a public association is established in another form, rights and duties of its founders shall be described in its charter.

Article 18. Charter of a public association

1. The charter of a public association shall include the following:

- name, goals, organizational and legal form of the public association;
- structure, managing and audit bodies of the public association; its territorial scope of activities.
- conditions and procedures for acquiring or discontinuing membership in the public association, rights and obligations of its members (only for those

organizations which have membership);

- competence of and procedure for establishing governing bodies of the public association, terms of their authority, and location of a permanent governing body;
- charter amendment procedure;
- sources that may contribute to the development of financial assets and other property of the public association, and the rights of the public association, its subsidiaries and branches to manage the said property;
- the procedure for reorganization and/or liquidation of the public association.

2. The charter of a public association may include a description of its symbols.

3. A charter may also include other provisions pertaining to operation of the public association and consistent with the legislation of the Republic of Tajikistan.

Article 19. Name and symbols of a public association

1. The name of a public association and its flag, emblem, ensigns and other symbols, if available, shall be different from names and symbols of other legal entities, including those which were liquidated by a decision of a court or which discontinued their operation.

2. Symbols of a public association shall not be similar to the State symbols of the Republic of Tajikistan or symbols of foreign states and shall not infringe on the intellectual property right. Images of the State Coat of Arms may not be used on seals or letterheads of public associations.

3. The name and symbols of a public association may not be used to advocate goals and methods of action described in Article 14 of this Law.

4. A public association shall be entitled to using a citizen's name as part of its own name only with the citizen's consent or based on his/her notarized will after his/her death or, if a will is not available, with the common consent of his/her spouse, parents and adult children. If there are no such persons, a public association may use a citizen's name in its name at its own discretion.

Article 20. The procedure for using a name of a public association.

1. The official name of a public association shall include a reference to its legal form and territorial scope of activities.

2. The name of a public association shall not contain any references to the names of the state authorities, government agencies and political parties existing in the Republic of Tajikistan, or the political parties whose activities have been terminated pursuant to their liquidation by a decision of a court of law or a voluntary dissolution.

Article 21. State registration of a public association

1. In order to acquire the rights of a legal entity, a public association shall be subject to the state registration.

2. The state registration of a public association is carried out by the Ministry of Justice of the Republic of Tajikistan, Justice Department in Gorno-Badakhshansk Autonomous Region (Oblast) and the Department's agencies in oblasts (hereinafter "the registration authority").

3. The state registration of national and international public associations as well as local public associations which, according to their charters, operate in Dushanbe city and districts of national subordination is carried out by the Ministry of Justice of the Republic of Tajikistan.

4. The state registration of local public associations in Gorno-Badakhshansk Autonomous Region and in oblasts is carried out by Justice Departments in Gorno-Badakhshansk Autonomous Region and in oblasts.

5. The following documents shall be submitted to the registration authority for the state registration of a public association:

- an application signed by members of the permanent management body of the public association with their full names (surname, first name, and patronymic), place of residence and contact telephone numbers on it;
- the charter of the public association in two copies in the state language and also, at the choice of the public association, in two copies in the language of international communication;
- an excerpt from the minutes of the founding congress (conference) or general meeting with the information on the establishment of the public association, approval of its charter and creation of its management and audit bodies;
- information about the founders of the public association: for natural persons – full name, date of birth, place of birth, citizenship (confirmed by their signature) and a copy of the passport or any other identity document; for a public association in the form of a Union (alliance) of public associations – a copy of the certificate of state registration of the charter of this association, an excerpt from the minutes of the meeting of the authorized governing body of the public association with the decision to establish a union (alliance) of public associations, and a copy of the founding agreement;
- application from the persons listed in Article 19 of this Law stating their consent to the use of a citizen's personal name in the name of the public association;
- documents confirming the right to use symbols protected by the intellectual property and copyright legislation of the Republic of Tajikistan, if applicable.
- document confirming the payment of the state duty;
- contact information that includes the address (location) of the permanent management body of the public association;
- minutes of the founding congresses (conferences) or general meetings of subdivisions - for a national or international public association.

6. Amendments to charters of public associations shall undergo the state registration in the same manner and within the same timeframe as the state registration of a public association and become legally valid upon such registration.

7. A state duty is charged for the state registration of a public association and amendments to its charter in the manner and amount established by *The Law of the Republic of Tajikistan on the State Duty*.

8. The state registration of public associations is carried out within one month after submission of all documents listed in this article. A state registration certificate is issued to a public association which has been registered as a legal entity.

Article 22. Registration of branches and representation offices of public associations for record-keeping purposes

1. Branches and representation offices of a public association shall be subject to registration for record-keeping purposes.

2. Branches and representation offices of a public association are registered for record-keeping purposes by the registration authority.

3. The registration for record-keeping purposes is carried out in the manner and within periods established by the legislation for registration of legal entities.

Article 23. Denial to register a public association and the grievance procedure.

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

- the charter of the public association is inconsistent with the Constitution of the Republic of Tajikistan, Articles 14, 17 and 18 of this Law, or laws on certain types of public associations;
- the package of documents submitted for the state registration, as required by this Law, is incomplete, or the documents are not executed in full, or submitted to a wrong authority;
- a previously registered public association with the same name operates within the same territory;
- if established that the submitted founding documents contain invalid information;
- name of the public association is offensive to the morality or national and religious feelings of citizens.

2. A public association may not be refused the state registration for the reason of inexpediency of such association.

3. In the event when a public association is denied the state registration, the applicants are notified in writing of the denial and specific provisions of the legislation of the Republic of Tajikistan, the violation of which resulted in the denial to register the organization.

4. A denial to register a public association or avoidance of such registration may be appealed to a court.

5. A denial to register a public association does not prevent it from resubmission of documents for the state registration after the inadequacies which had resulted in the refusal are rectified.

A resubmitted application for the state registration of a public association is processed in the manner established by this Law.

Chapter III. Rights and responsibilities of a public association

Article 24. Rights of a public association

1. For the implementation of its statutory goals, a public association, which has a status of a legal entity, shall have the following rights:

- freely disseminate information on its activity;
- participate in the drafting of decisions by government and regulatory authorities in the manner and within the scope established by this Law and other laws;
- hold meetings, rallies, demonstrations, processions and other public events in compliance with the procedure established by the legislation of the Republic of Tajikistan;
- establish mass media and undertake publishing activities in compliance with the legislation of the Republic of Tajikistan;
- represent and protect its rights and legal interests of its members and participants or other citizens before government and regulatory authorities and public associations;
- fully exercise their mandates as established by the laws on certain types of public associations;
- put forward initiatives on various aspects of community life and submit proposals to government and regulatory authorities;
- obtain information from government and regulatory authorities as may be necessary for the implementation of statutory goals, except for the cases established by the legislation of the Republic of Tajikistan;
- in compliance with the legislation, engage in manufacturing and other economic activities that facilitate their statutory goals and objectives, in particular, through any commercial organizations established for that purpose;
- for the purpose of implementation of their statutory activity, participate in national and international tenders for government contracts to implement social projects, grants, stipends and other preferences not prohibited by the legislation;

- for the purpose of implementation of their statutory activity, enter into agreements with natural persons or legal entities for scientific, economic, financial and industrial cooperation, provision of services and performance of works;
 - in compliance with the legislation, carry out scientific projects, research and development, public assessments of projects and programs important for the society and participate in joint review boards for such projects and programs, provided that such activity is anticipated in their charters;
 - exercise their mandates as provided for by the legislation of the Republic of Tajikistan.
2. The exercise of these rights by public associations established by or together with foreign citizens and stateless persons may be restricted by the laws or international instruments recognized by the Republic of Tajikistan.

Article 25. Obligations of a public association

1. A public association shall have the following obligations:
- comply with the legislation of the Republic of Tajikistan and international instruments recognized by the Republic of Tajikistan as may be applicable to its activity, and provisions of its charter and other founding documents;
 - submit a notification of continued statutory activity to the registration authority annually by 1 April, providing an updated information on the actual location of its permanent management body, its name, and the association's leaders;
 - on request of the registration authority, submit decisions of its management bodies and executive officials or their annual and quarterly reports with the information submitted to tax authorities;
 - allow access for representatives of the registration authority to any mass events held by the public association;
 - provide assistance to representatives of the registration authority in familiarization with the activity of the public association in the context of its statutory goals and in compliance with the legislation of the Republic of Tajikistan.

Chapter IV. Property of a public association. Management of assets of a public association.

Article 26. Property of a public association

1. A public association, which has a status of a legal entity, may own premises, buildings, constructions, residential properties, transport, equipment, inventory, items used for cultural, educational and recreational purposes, monetary assets, stocks, other securities and other property as may be necessary to ensure logistical support of its activity as described in its charter.

A public association may also own institutions, publishing houses or mass media established or purchased with the funds of this public association in conformity with the legislation of the Republic of Tajikistan and its own charter.

2. Property of a public association shall be protected in conformity with the norm-setting legal acts of the Republic of Tajikistan.

3. The Law may establish types of property which, for the reasons of state or public security or in accordance with international instruments recognized by the Republic of Tajikistan, may not be owned by a public association.

Article 27. Sources of forming assets of a public association

Assets of a public association shall be formed on the basis of admission and membership fees if provided for in the charter; voluntary contributions and donations; grants, proceeds from lectures, exhibitions, lotteries, auctions, sport and other events held in conformity with the established procedures and the charter of the public association; proceeds from commercial and other activities of the public association which are not prohibited by the law.

Article 28. Subjects of ownership rights in a public organization

1. A public organization is the owner of all of its property. Individual members of a public association have no ownership rights to any share in the property of the public association.

2. In public organizations, whose branches and representation offices operate under their own guidelines and under a charter which is common for these organizations, the property is owned by the public organization.

Article 29. Subjects of ownership rights in a public movement.

The governing bodies of a public movement shall exercise the right of ownership over the assets contributed to the public movement, created and/or purchased by the public movement with its own resources.

Article 30. Ownership rights in a body of public initiative.

Ownership rights in a body of public initiative shall be regulated by the Civil Code of the Republic of Tajikistan.

Article 31. Business activity of public associations

1. A public association may carry out business activities in accordance with the Civil Code and other laws of the Republic of Tajikistan.
2. In accordance with the procedure established by the legislation of the Republic of Tajikistan, a public association may establish business partnerships, companies and other business organizations, and acquire property designated for business activity.
3. Proceeds from business activity of a public association may not be redistributed among members or participants in this association and shall be used only for the implementation of their statutory goals. Public associations may use their funds for charitable purposes even if such use is not anticipated in their charters.

Chapter V. Reorganization and liquidation of a public association

Article 32. Reorganization of a public association

1. A public association is reorganized by decision of its congress (conference) or general meeting. The procedure for adoption of such decision is established by the legislation of the Republic of Tajikistan or the charter of the public association.
2. The state registration of a public association established through reorganization shall be carried out in the manner established by this Law.
3. Property of a public association, which has the status of a legal entity, is transferred upon its reorganization to new legal entities established in the manner provided for by the Civil Code of the Republic of Tajikistan.

Article 33. Liquidation of a public association

1. A public association is liquidated by a decision of its congress (conference) or general meeting in the manner established by its charter or by a decision of a court on the grounds and in the manner provided for by this Law.
2. When the claims of creditors have been satisfied, any property that has not been disposed upon the liquidation of the public association shall be disposed for purposes envisaged by the charter of the public association. If the charter does not address the issue of property disposal upon liquidation of the public association, the decision shall be made by the congress (conference) or general meeting together with the decision of liquidation or, in disputable situations, by a court. The decision regarding the disposal of the remaining property shall be forwarded to the registration authority.
3. The state registration of a liquidated public association is carried out in the manner provided for by *The Law of the Republic of Tajikistan on the State Registration of a Legal Entity*, allowing for any specific aspects of such registration as provided for by this Law.

Article 34. Control over the activities of public associations

1. The control over the exactness and uniformity of a public association's compliance with the law shall be exercised by the Prosecutor General of the Republic of Tajikistan and prosecutors reporting to his office.
2. The registration authority monitors activities of public associations to ensure consistency with their statutory goals. The registration authority may:
 - in conformity with Article 25 of this Law, request of the management bodies of public associations to provide their administrative paperwork, resolutions and other information;
 - have its representatives participate in mass events held by public associations;
 - in finding any noncompliance with the legislation of the Republic of Tajikistan by public associations or in finding any activity inconsistent with their statutory goals, give a written warning to the management body of these public associations providing reference to specific reasons for such warning.The written warning made by the registration authority shall be examined by the public association within one month.
3. Tax authorities monitor the sources of income of public associations, amounts of their receipts and taxes paid in accordance with the tax legislation of the Republic of Tajikistan.
4. Competent government authorities oversee and monitor public associations for compliance with the existing environmental, fire, epidemiological norms and standards.

Article 35. Suspension of a public association's activities

1. In the event when a public association violates the Constitution of the Republic of Tajikistan and legislation of the Republic of Tajikistan or commits actions inconsistent with its statutory goals, the Prosecutor General of the Republic of Tajikistan or prosecutors reporting to his Office shall contact the governing body of the public association in writing, demanding an immediate remedy, issue a warning to the body of registration, and set the deadline for the said remedy to be effectuated.
2. In the event when the violations identified in a relevant written statement or written warning have not been rectified within the established period, the Prosecutor General of the Republic of Tajikistan or prosecutors reporting to his Office or the registration agency may file a case with a court of law requesting suspension of the public association's activities.

In the aforementioned event, the court may suspend activities of the public association for a period of up to three months.
3. Activities of a public association may also be suspended in the manner and on the grounds provided for by other laws of the Republic of Tajikistan.

4. The procedure for suspension of activities of a public association in case of announcement of the state of emergency in the Republic of Tajikistan is established by the law.

Article 36. Consequences of the suspension of activity of a public association

1. In the event of the suspension of a public association's activities, its rights of a founder of any mass media shall be suspended; it shall also be prohibited from organizing and holding meetings, rallies, demonstrations, processions or any other public events, participating in elections, using bank accounts for the purposes other than making payments related to its business activity and employment contracts, compensation for damages caused by its acts, and payment of taxes, duties or fines.

2. In the event when a public association remedies the violation for which its activity was suspended within the established period of suspension, it may resume its activity pursuant to a decision of the court that issued the suspending order.

Article 37. Grounds for liquidating or banning a public association

1. A public association may be liquidated or its activity may be prohibited on the following grounds:

- the public association has violated rights and freedoms of the human being and the citizen;
- the public association has violated the Constitution of the Republic of Tajikistan, constitutional laws, laws or other regulations, or carried out systematic activities inconsistent with its statutory goals; or
- the public association has failed to remedy violations specified in the written notification or warning as provided for in Article 35 of this Law.

2. A petition to a court of law requesting liquidation of a public association on the grounds listed in this article is submitted by the registration authority or the Prosecutor General of the Republic of Tajikistan or his respective subordinate prosecutors regardless of whether the measures provided for by Article 35 of this Law have been effectuated.

3. The liquidation of a public association by a decision of a court implies a ban on its activity regardless of the fact of its state registration. A liquidated public association may not be registered under any other name.

4. In the event when a court of law turns down the petition requesting liquidation of a public association or prohibiting its activities, the association may renew its activities after the court decision takes effect.

5. Activity of a public association, which has no status of a legal entity, may be prohibited by decision of a court of law in the manner and on the grounds provided for by this Law for the liquidation of a public association which has the status of a legal entity.

Chapter VII. International ties of public associations. International public associations.

Article 38. International ties of public associations

1. Public associations of the Republic of Tajikistan, pursuant to their charters, may join international public organizations, have rights and obligations according to the status of these international public organizations, maintain direct international contacts and relations, enter into agreements with foreign public (not-for-profit and non-governmental) associations.
2. Public associations of the Republic of Tajikistan may establish their branches and rep offices in foreign states in compliance with international instruments recognized by the Republic of Tajikistan and laws of those states. Public associations which established their branches and representation offices in foreign states pursuant to Article 12 of this Law are recognized as international public associations and shall re-register accordingly as provided for by this Law.

Article 39. Activities of public (not-for-profit and non-government) organizations of foreign states in the Republic of Tajikistan

1. The state registration of public (not-for-profit, non-government) organizations of foreign states, or registration for record-keeping purposes of their branches and representative offices on the territory of the Republic of Tajikistan, shall be carried out by the Ministry of Justice of the Republic of Tajikistan.
2. Besides the documentation listed in Article 21 of the present Law, the state registration of public (not-for-profit, non-government) organizations of foreign states, or registration for record-keeping purposes of their branches and representative offices on the territory of the Republic of Tajikistan, requires submission of documents confirming the legal status of public (not-for-profit, non-government) organizations of foreign countries, executed, authenticated or submitted by competent government agencies of the respective foreign country.
3. The documents, specified in Section 2 of this Article, shall be legalized by the Consulate Services of the Republic of Tajikistan, unless international covenants of the Republic of Tajikistan stipulate a different procedure.
4. For the purpose of submission of documentation to the agencies of the Department of Justice, documents executed in a foreign language shall be translated into the state language of Tajikistan and the language of international communications, and shall be duly notarized.
5. Upon the state registration of public (not-for-profit, non-government) organizations of

foreign states, or registration for record-keeping purposes of their branches and representative offices on the territory of the Republic of Tajikistan, their personnel shall get accredited with the Ministry of Foreign Affairs of the Republic of Tajikistan.

6. Public (not-for-profit, non-government) organizations of foreign states, or their branches and representative offices on the territory of the Republic of Tajikistan shall carry out their activities in the Republic of Tajikistan in conformity with the laws of the Republic of Tajikistan.

7. Any activities on the territory of the Republic of Tajikistan of public (not-for-profit, non-government) organizations of foreign states or their branches and representative offices, which have failed to undergo the state registration, shall be prohibited.

Chapter VIII. Concluding provisions

Article 40. Liability of public association for noncompliance with this Law

Natural persons and legal entities shall be liable for noncompliance with the legislation of the Republic of Tajikistan pursuant to this Law and other laws of the Republic of Tajikistan.

Article 41. Registration of public associations established prior to the inurement of this Law.

1. Provisions of the current Law dealing with the state registration of public associations shall be applicable to public association established prior to the inurement of this Law.
2. Charters of public associations established prior to the inurement of this Law shall be brought to conformity with the provisions of this Law. Until the time when the charters have been brought to conformity with the provisions of this Law, they should only be deemed as valid inasmuch as they do not contradict the requirements of this Law.
3. The state re-registration of public association established prior to the inurement of this Law shall be carried out no later than September 1, 2007; the state duty shall not be levied.
4. A public association that fails to complete the re-registration procedure within the time frame established in this Article shall lose its status of a legal entity; its registration certificate shall be deemed as null and void pursuant to the decision of the registration agency. Such a development shall not relieve a public association of its obligations and liabilities.

Article 42. Regarding the Law of the Republic of Tajikistan “On Public Associations” losing validity.

The Law of the Republic of Tajikistan on Public Associations (Akhbor Majlisi Oli Respubliki Tajikistan, 1998, No.10, p.139) shall be regarded as the one that has lost its

validity.

Article 43. Regarding the inurement of this Law

This Law shall take effect as of the date of its official publication.

President of the Republic of Tajikistan

E. Rakhmonov