

[Tajik]

Coat of Arms of Tajikistan

Finance Ministry
Of the Republic of Tajikistan

3, Prospekt Akademikov Rajaboevykh, Dushanbe 734025 Min_fin@tojikiston.com www.minfin.tj [RHS address, nos. repeated]
Tel: (992 37) 221-14-17,
Fax: (992 37) 221-33-29

31 December 20122, No. 7/6-788

**To Chair of the EITI Board
Clare Short**

Re: Application for EITI candidate status to be granted to the Republic of Tajikistan

Dear Ms Short,

Allow me to take this opportunity to assure you of my profound respect and gratitude for your support and assistance in the process of introducing the Extractive Industries Transparency Initiative (EITI) in Tajikistan, which will enable the country's wealth of natural resources to be used for its sustainable economic growth and to reduce poverty.

I should like to bring to the notice of the EITI Board that the Government of Tajikistan has adopted the 31 August 2012 packet of documents, "On the signing up of the Republic of Tajikistan to the Extractive Industries Transparency Initiative", has identified a government champion of EITI introduction and envisages the creation of a multilateral EITI Council and the drawing up of a work plan for 2012-2014.

The composition of the EITI Council of Tajikistan has recently been decided and confirmed, a chair of the EITI Council has been appointed, three Council sessions have been held and a work plan for EITI implementation in Tajikistan has been drawn up.

At the same time, on 12-14 November 2012, as part of the measures being taken to reform the country's mining sector, the Government of Tajikistan, represented by the Finance Ministry of the Republic of Tajikistan, held a conference in partnership with the World Bank, the Open Society Institute and the German Agency for International Cooperation (GIZ) on promoting the Extractive Industries Transparency Initiative (EITI) in Tajikistan for representatives of state structures, extractive industry companies and civil society organizations.

During the conference, Deputy Finance Minister of the Republic of Tajikistan Sh.K. Sakhibov delivered the official announcement on behalf of the Government of the Republic of Tajikistan on the country's signing up to the Extractive Industries Transparency Initiative.

Bearing in mind that Tajikistan has met all the preliminary conditions for obtaining EITI candidate status, we are forwarding for your consideration the application from the Republic of Tajikistan to sign up to the EITI. The request contains a packet of documents in Russian.

The Finance Ministry of Tajikistan as the authorized authority of the Government of Tajikistan asks that the possibility of granting Tajikistan EITI candidate status be considered at the February session of the EITI Board.

This will give us the opportunity to mention this move in the Message of the President of Tajikistan to the country's Parliament in April 2013, together with specific instructions to all interested parties to ensure the EITI's successful introduction in Tajikistan.

Please accept assurances of my highest regard,

Signature

S.M. Najmiddinov
Finance Minister
Of the Republic of Tajikistan



РОҶБАРИ
ДАСТҶОҲИ ИҶРОИЯИ ПРЕЗИДЕНТИ
ҶУМҲУРИИ ТОҶИКИСТОН
—
РУКОВОДИТЕЛЬ
ИСПОЛНИТЕЛЬНОГО АППАРАТА ПРЕЗИДЕНТА
РЕСПУБЛИКИ ТАДЖИКИСТАН

Бахши Мушовирӣ давлатии Президенти
Ҷумҳурии Тоҷикистон онд ба сӯбасати иқтисодӣ
шинос карда шавад.

✓ Вазорати молия (даъват)
Кумитаи давлатии сармоягузорӣ ва
идораи амволи давлатӣ

Барои корбарӣ ва пешниҳод.

Ба Сағов О.А.
Чаборов О.А.

А. Абдуллоев
М. Абдуллоев
Барои корбарӣ

№ 55526 (12.7.6)
19-06-2011

ДАВЛАТОВ

Аширов Ф.К.

The World Bank
INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT
INTERNATIONAL DEVELOPMENT ASSOCIATION

Shevchenko 91-10 Street
World Bank Dushanbe Country Office
Tajikistan

Tel: (992-372) 21-07-56, 21-03-81
Fax: (992-372) 51-00-42

August 1, 2011

Mr. Akil Akilov
Prime Minister of the Republic of Tajikistan
Prime Minister's Office
Dushanbe
REPUBLIC OF TAJIKISTAN

Dear Mr. Akilov:

*Aide Memoire – Mining Sector
Extractive Industries Transparency Initiative*

*Ague and Seminar on the Implementation of the
Transparency Initiative in Tajikistan, Dushanbe,
July 10-13, 2011*

We are pleased to enclose with the Aide Memoire of the World Bank mission on the mining sector and a seminar regarding the implementation of the Extractive Industries Transparency Initiative (EITI) in Tajikistan, held on July, 12 2011 in Dushanbe.

The seminar was organized and conducted as a result of close cooperation among three parties - the World Bank, the Government of Tajikistan, represented by the State Committee on Investments and State Property Management and the Ministry of Finance, and the Open Society Institute.

The Extractive Industries Transparency Initiative is the widely-accepted international framework for strengthening transparency and accountability in the extractives sector. It is unique in terms of bringing together representatives from three different groups - private sector, civil society and Government - to work together, through the verification and full publication of company payments and government revenues from oil, gas, and mining.

During the seminar, the Government of the Republic of Tajikistan made an official public statement of its intention to implement EITI in Tajikistan, which is the first of the five criteria for accession to the EITI, as per the rules of the Initiative. The remaining four criteria include the following: 1) the Government's intention to work with all stakeholders, 2) the appointment of a person responsible for implementation, 3) putting together a working group of stakeholders, 4) drafting, approval and publication of a work plan to implement the initiative.

Adherence to and implementation of EITI is crucial for Tajikistan's economic and social development. Recent reforms in the minerals sector have the potential of generating new investment. EITI may bring many benefits to Tajikistan: an improved investment climate, a signal to international investors that the government has a clear commitment to transparency and good governance, and strengthened accountability vis-a-vis the people of Tajikistan.

ВАЗОРАТИ МОЛИЯ
P.B. № 21707
25 03 2011 г.
ҶУМҲУРИИ ТОҶИКИСТОН

1928

We are grateful to the Government of Tajikistan for the support of this seminar, the interest that was expressed in implementing the EITI in the country, and commitments to take on the necessary steps required for an official acceptance of Tajikistan as an EITI candidate.

The World Bank has strong experience in EITI implementation around the globe, providing technical assistance to EITI and supporting EITI dialogue in countries that are just considering becoming a part of the initiative. The World Bank stands ready to support EITI in Tajikistan in all activities related to the adoption of the EITI, as was stated during the seminar.

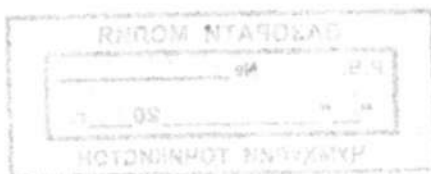
We highly appreciate the support from the Government of the Republic of Tajikistan in conducting of seminar and the important decisions reached regarding adherence to the EITI and hope for further cooperation in this regard.

Sincerely,

Saodat Bazarova
Acting Country Manager
World Bank Tajikistan Country Office
Republic of Tajikistan

Cc:
Mr. Asadullo Gulomov, Deputy of Prime Minister of RT
Mr. Safarali Najmiddinov, Minister, Minister of Finance RT;
Mr. Davlatali Saidov, Chairman, State Committee for Investment and State Property Management
Mr. Jorg Frieden, Executive Director, the World Bank

Cc: Olive, Karaev, Jumaeva (ECCTJ), Konishi, Teymourian, Gafurova, Engelhardt, Houdart (ECCU8), Pugachevsky, De Sa, Ravat, Djuraev (SEGOM); Zaidi



23/10/11



РОҶБАРИ
ДАСТҶОҲИ ИҶРОИЯИ ПРЕЗИДЕНТИ
ҶУМҲУРИИ ТОҶИКИСТОН

РУКОВОДИТЕЛЬ
ИСПОЛНИТЕЛЬНОГО АППАРАТА ПРЕЗИДЕНТА
РЕСПУБЛИКИ ТАДЖИКИСТАН

Бахши Мушовири давлатии Президенти Ҷумҳурии
Тоҷикистон оид ба сиёсати иқтисодӣ шинос карда шавад.

✓ Вазорати молия (даъват)

Вазорати рушди иқтисод ва савдо

Вазорати энергетика ва саноат

Кумитаи давлатии сармоягузорӣ ва

идораи амволи давлатӣ

Саридораи геология

Ҷихати татбиқ намудани нақшаи
амалӣ гурӯҳи корӣ таъсис дода, тибки
тартиби мукаммалгардида ҷорачӯӣ
намоед. Аз натиҷааш ба Ҳукумати
Ҷумҳурии Тоҷикистон маълумот манзур
намоед.

Ба Сатҳи О.А.
Ҷабборов О.А.

№ 5588 (12.2.6)

М. ДАВЛАТОВ

21.10.11

Матлубович
барои коркарди
23

Зукуров А.

Оид ба ТШСИ
корро таъсис
намоед. Матлубов
ба вазорату идораҳо
ирсод намоед.

21.10.11

22078

ВАЗОРАТИ МОЛИЯ
№
20 10 2011 г.
ҶУМҲУРИИ ТОҶИКИСТОН

Бо эҳтиром.

Вазир

С. Начипов

ПРЕЗИДЕНТИ
№ 9828
03.10.2011
САХИФА
ШУЪБАИ УМУМИЯ
ТОҶИКИСТОН

ВАЗОРАТИ МОЛИЯ
ҶУМҲУРИИ ТОҶИКИСТОН



МИНИСТЕРСТВО ФИНАНСОВ
РЕСПУБЛИКИ ТАДЖИКИСТАИ

734025, Душанбе, х. Ах. Раҷабовых, 3
тел.: (992 37) 221-14-17,
факс: (992 37) 221-33-29

Minfin@tojikiston.com

www.minfin.tj

734025, Душанбе, пр. Ах. Раҷабовых, 3
тел.: (992 37) 221-14-17
факс: (992 37) 221-33-29

“ 30 ” 09 2011 с. № 7-5/563

Ба Роҳбари Дастҷоҳи Иҷроияи
Президенти Ҷумҳурии Тоҷикистон
Давлатов М.С.

ба (на) № _____ аз (от) “ _____ ” 20 _____ г.

Мӯхтарам Матлубхон Султонович,

Вазорати молияи Ҷумҳурии Тоҷикистон дар яқоягӣ бо Кумитаи давлатии сармоягузорӣ ва идораи амволи давлатӣ супориши Шумо аз 19 августи соли 2011 № 55526 (12.2-6) вобаста ба арзномаи хотиравии Бонки Умумичаҳонӣ оид ба семинар дар мавзӯи Ташаббус оид ба шаффофияти соҳаи истихроҷ, ки 12 июли соли ҷорӣ дар шаҳри Душанбе гузаронида шуд, мавриди омӯзиш қарор дода, қайд менамоед, ки татбиқи Ташаббуси мазкур ҷихати беҳтари намудани фазои сармоягузорию кишвар ва зиёд гардидани даромадҳои бучети давлатӣ аз истифодаи қаъри замин метавонад мусоидат намояд.

Ташаббус оид ба шаффофияти соҳаи истихроҷ стандарти байнал-милалӣ қабулшуда буда, хусусияти хоси он бо роҳи наҷри пурра ва шаффофӣ маълумот оид ба пардохтҳои ширкатҳои соҳаи коркарди кӯҳӣ ва воридоти даромад ба Бучети давлатӣ аз бахши истихроҷи қанданиҳои фонданок мебошад, ки барои рушди иқтисодӣ ва иҷтимоии Ҷумҳурии Тоҷикистон аҳамияти муҳим дорад. Инчунин, татбиқи ТШСИ ҷихати ҷалби сармоягузорию хориҷӣ ба соҳаи истифодаи қаъри замин мусоидат хоҳад намуд.

Бинобар ин, вобаста ба масъалаи мазкур, 23 сентябри соли 2011 дар Вазорати молия бо намояндагони Бонки Умумичаҳонӣ ва Институти «Чомеъаи кушода» Бунёди мадал-Тоҷикистон вохӯрӣ гузаронида шуд. Дар вохӯрӣ қайд гардид, ки ташкилотҳои байналмилалӣ мазкур оид ба ҷорӣ намудани ин Ташаббус дар як қатор мамлакатҳои ҷаҳон бо пешниҳоди кӯмаки техникаю молиявӣ таҷрибаи қалон доранд ва омодаанд Тоҷикистонро ҳаматарафа дар раванди ҷорӣ намудани Ташаббуси мазкур дастгирӣ намоянд.

Аз ин лиҳоз, пешниҳод менамоем, ки дар назди Вазорати молия аз ҳисоби намояндагони Вазоратҳои рушди иқтисод ва савдо, молия, энергетика ва саноат, Кумитаи давлатии сармоягузорию ва идораи амволи давлатӣ, Саридораи геологияи назди Ҳукумати Ҷумҳурии Тоҷикистон ва бахши хусусии истихроҷи қанданиҳои фонданок оид ба татбиқ намудани Ташаббуси гурӯҳи корӣ таъсис дода шавад ва он нақшаи амалӣ татбиқи Ташаббусро таҳия намуда, барои баррасӣ ба Ҳукумати Ҷумҳурии Тоҷикистон пешниҳод намояд.



THE WORLD BANK

Working for a World
Free of Poverty

NEWS RELEASE

News Release

2011/07/ECA

Tajikistan holds a seminar on the Extractive Industries Transparency Initiative

Dushanbe, July 12, 2011 – A Seminar organized by the World Bank Group in cooperation with the Open Society Institute (OSI) on the discussion of the Extractive Industries Transparency Initiative (EITI), took place in Dushanbe on July 12, 2011. The event was organized in close coordination with the Ministry of Finance and the State Committee on Investments and State Property Management and was formally opened by Mr. Asadullo Gulomov, the First Deputy Prime Minister of the Republic of Tajikistan. It has attracted participants from the government of Tajikistan, line ministries and agencies, other countries such as Mongolia and Kyrgyzstan, as well as international organizations and local civil society organizations.

The Extractive Industries Transparency Initiative, EITI, is the widely-accepted international framework for strengthening transparency and accountability in the extractives sector. It was launched in 2002, and is currently implemented in 35 countries across the globe. It is unique in terms of bringing together representatives from three different groups - private sector, civil society and Government - to work together, through the verification and full publication of company payments and government revenues from oil, gas, and mining.

Adherence to and implementation of EITI is crucial for Tajikistan's economic and social development. Recent mining reforms and mineral discoveries are likely to significantly expand the extractive sector in Tajikistan. Yet, these resources are not renewable and therefore need to be managed very carefully. In this context, EITI will bring many benefits to Tajikistan: an improved investment climate, a signal to international investors that the government has a clear commitment to transparency and good governance, and strengthened accountability vis-à-vis the people of Tajikistan.

In order to formally be accepted as an "EITI candidate" country, Tajikistan will have to fulfill a number of requirements, including a formal public announcement, a firm commitment to working with the civil society, establishment of a Multistakeholder group, appointment of an "EITI Champion" to pilot the initiative, and publication of a workplan.

EITI practitioners from the region – Azerbaijan, Mongolia, Kazakhstan and Kyrgyzstan – participated in the event. All rich in mineral resources, these countries have gained important experience in EITI implementation, including managing a Multistakeholder group, report scope and publication, and validation, and have come to share that experience with their counterparts in Tajikistan. Just last month, a 5-member delegation from Tajikistan traveled to Kyrgyz Republic to attend the Second EITI Global conference and learn from experience of neighboring countries that have been implementing the initiative. This exchange with other countries that are a part of EITI serves an important purpose of helping Tajikistan draw on their lessons.

The seminar covered information on the background of EITI, mining sector development in Tajikistan, EITI implementation experience from Azerbaijan, Kazakhstan, Kyrgyz Republic, and Mongolia, and the

particular roles that each stakeholder in the process (i.e. Government, private sector and civil society) plays in the implementation of the initiative.

The World Bank has strong experience in EITI implementation around the globe. Appointed as administrator of a Multidonor Trust Fund that has nearly US\$50 million in contributions from 14 donors, the World Bank currently works in 50 countries worldwide to provide technical assistance to EITI and to support EITI dialogue in countries that are just considering becoming a part of the initiative. The particular role of the World Bank in EITI was covered during the event, which stands ready to support EITI in Tajikistan.

Contacts:

In Washington: Elena Karaban, (202) 473-9277, ekaraban@worldbank.org;

In Dushanbe: Dilya Zoirova, (992-372) 21 07 56, 21 67 43, dzoirova@worldbank.org

For more information about the World Bank's work in Tajikistan, please visit: www.worldbank.org/tj

Visit us on Facebook: <http://www.facebook.com/worldbank>

Be updated via Twitter: <http://www.twitter.com/worldbank>

For our YouTube channel: <http://www.youtube.com/worldbank>

**INTRODUCTION OF THE EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI) IN TAJIKISTAN. SEMINAR
FOR MEMBERS OF THE MULTILATERAL WORKING GROUP.**

26 November 2011

Dushanbe, Tajikistan

Trainers:

Karybek Ibraev, head of the EITI Secretariat, Kyrgyzstan

Anton Artemyev, programmes director, Soros Foundation-Kazakhstan

Venue: RT Finance Ministry

10:00 – 10:10	<p>Introductory remarks</p> <p>TIMUR AVGANOV, Head of the Main Department of Government Debt and State Assets at the RT Finance Ministry</p> <ul style="list-style-type: none"> • Aims and objectives of the seminar • Presentation of the trainers • Presentation of the agenda
10:10 – 10:30	<p>Meeting the participants</p> <ul style="list-style-type: none"> • Discover extent of participants’ awareness of the EITI process and regulations • Expectations of the seminar • Clarify questions to be answered by the seminar
10:30 – 11:30	<p>I. Beginning-to-end review of EITI implementation. EITI sign-up stage.</p> <ul style="list-style-type: none"> • Familiarize seminar participants with the full cycle of EITI implementation (from sign-up to report preparation and validation) • Focus participants’ attention on EITI sign-up requirements 1-5 (essential for a country to obtain candidate status) • Examples of personal experience of EITI implementation in Kyrgyzstan and Kazakhstan, illustrating typical opportunities and challenges that occur at the sign-up stage
11:30 – 12:00	<p>II. Legal basis for EITI implementation</p> <ul style="list-style-type: none"> • Present seminar participants with recommendations for giving the EITI legal status, taking into account the experience of Kyrgyzstan and Kazakhstan
12:00 – 12:30	<p>Coffee Break</p>
12:30 – 14:00	<p>III. Forming a multilateral group and the procedures for its activities</p> <ul style="list-style-type: none"> • Familiarize seminar participants with what the International Board requires of multilateral groups • Familiarize seminar participants with the principles of the formation and activities of multilateral groups in Kyrgyzstan and Kazakhstan

	<ul style="list-style-type: none"> • Discuss the draft provision on a multilateral group, drawn up by Tajikistan's NGO Coalition • Jointly develop recommendations on the formation of and decision-making procedures for an EITI multilateral group in Tajikistan
14:00 – 15:00	Lunch
15:00 – 16:30	<p>IV. Work plan and EITI budget implementation for 2012</p> <ul style="list-style-type: none"> • Familiarize seminar participants with what the International Board requires of work plans • Familiarize seminar participants with the specifics of EITI implementation work plans in Kyrgyzstan and Kazakhstan • Jointly develop a first draft EITI work plan in Tajikistan and suggest recommendations for its subsequent improvement
16:30 – 17:00	Coffee break
17:00 – 17:45	<p>V. From candidate country to fully compliant country</p> <ul style="list-style-type: none"> • Propose a series of practical follow-up steps required for Tajikistan to obtain candidate country status • Jointly develop several strategic aims and objectives for the activity of the multilateral group in the period after candidate country status is obtained
17:45 – 18:00	<p>Summing up ALL PARTICIPANTS</p>

Government of the Republic of Tajikistan

DECREE

31 August 2012

No. 449

Dushanbe



Ҳукумати Ҷумҳурии Тоҷикистон
ҚАРОР

Правительство Республики Таджикистан
ПОСТАНОВЛЕНИЕ

от 31 августа 2012 года
ш. Душанбе

№ 449

On signing-up of the Republic of Tajikistan to the Extractive Industries Transparency Initiative

In accordance with Article 21 of the Republic of Tajikistan Constitutional Law «On the Government of the Republic of Tajikistan» and for the purposes of improvement of the governance methods in the extractive industries, improvement of the investment climate in the country, strengthening fight against corruption, encouragement of the civil society to control the budgetary receipts from the activities connected with development of natural resources, the Government of the Republic of Tajikistan hereby decrees as follows:

1. Approve the attached draft Announcement of the Republic of Tajikistan Government «On signing-up to the Extractive Industries Transparency Initiative» (Appendix 1).
2. Appoint the Ministry of Finance of the Republic of Tajikistan to be a leading authority for implementation of the Transparency Initiative in the extractive industries of Tajikistan.
3. Establish the EITI Council consisting of representatives from the governmental bodies with involvement of representatives from the extractive industry and

civil society organisations of Tajikistan interested in EITI implementation on the parity principles.

4. Approve the Composition and Statute of the EITI Council of Tajikistan (Appendices 2 and 3).

5. The EITI Council of Tajikistan to:

- develop, within two-months time, a draft Workplan of EITI implementation in the Republic of Tajikistan for 2012-2014 in accordance with the EITI requirements and submit it for approval by the Government of the Republic of Tajikistan.

- take measures for setting-up a permanent Tajikistan EITI Secretariat.

6. The Ministry of Finance together with the Ministry of Economic Development and Trade and the State Committee for Investments and Administration of State Property of Tajikistan shall be charged with taking necessary measures in order to provide budgetary financing for EITI implementation under the medium-term Program of Government expenditures and attraction of financial and technical assistance from international organisations, financial institutions and donor countries.

7. The Ministry of Foreign Affairs of Tajikistan shall, in accordance with the established procedure, notify the EITI International Secretariat in Oslo (Norway) of this Decree.



Chairman

Government of the Republic of Tajikistan

Emomali Rakhmon

Appendix 1

Approved by
the Decree of the Government
of the Republic of Tajikistan
of « 31 » August 2012, No. 449

Announcement
of the Government of the Republic of Tajikistan
on Signing-Up to the Extractive Industries
Transparency Initiative

The Government of the Republic of Tajikistan, for the purpose of larger-scale integration in the world economy, is consistently undertaking reforms in the priority industries with resulting significant improvements in the business environment and investment climate.

Inclusion of Tajikistan, for a second year in a row, in the top ten reformer countries was explained by the World Bank in the «Doing Business» report as follows: «In Tajikistan, in spite of all difficulties and effects of the global financial crisis, steady growth has been observed, with improvement of the people's wellbeing».

These positive changes have become possible due to the political will of the President of the Republic of Tajikistan, well-coordinated work of the government bodies and active participation of representatives from the civil society and private sector.

The reforms were aimed at improvement of business openness, streamlining of the regulatory approval system, better access to investments as well as improvement of tax administration and investors' protection.

There is a trend in the country towards development of better relationships between the governmental bodies, civil society and business community; and publicly voiced commitments of the government are stimulating competitive environment for business participants.

The legal framework of the mining sector is undergoing continuous improvements in order to provide and observe the rights and obligations of all process participants and align such rights and obligations with the international standards.

An important step in this direction should become the state policy aimed at accessibility of information on the natural resources as an important factor of the national economy growth and attracting investments.

The subsoil sector may become a driving force of our country's industrial development and attraction of significant investments.

The Government of Tajikistan shares and accepts the EITI principles and thinks that its implementation will contribute to better management of the extractive industries and more favourable investment climate for effective use of natural resources.

The Tajikistan Government hereby declares its firm commitment to the principles and letter of the Extractive Industries Transparency Initiative proclaimed in October 2002 at the Global Summit for sustainable development, is

willing to give full support to implementation thereof and intends to take important steps in order for Tajikistan to sign up to this global initiative.

The Government of the Republic of Tajikistan hereby confirms its willingness to cooperate with the civil society, international organisations and extractive companies within the EITI framework and invites them to cooperate in its implementation.

Appendix 2
Approved by
the Decree of the Government
of the Republic of Tajikistan
of « 31 » August 2012, No. 449

Composition
of the Council of the Extractive Industries Transparency
Initiative in the Republic of Tajikistan

- Deputy of the Tajikistan Minister of Finance –
The Chairman of the EITI Council;
- Representative of the Tajikistan President's Administration;
- Representative of the Tajikistan Ministry of Economic
Development and Trade;
- Representative of the Tajikistan Ministry of Justice;
- Representative of the Tajikistan Ministry of Energy and
Industry;
- Representative of the Tajikistan State Committee
for Investments and Administration of State Property;
- Representative of the Central Department for Geology
with the Tajikistan Government;
- Representatives of the extractive industry enterprises –
6 representatives;
- Representatives of the Tajikistan Coalition of Civil
Society Organisations «Transparency for Development» –
6 representatives.

Appendix 3
Approved by
the Decree of the Government of
the Republic of Tajikistan
of « 31 » August 2012, No. 449

Statute of the Council of the Extractive Industries
Transparency Initiative of the Republic of Tajikistan

I. General Provisions

1. The Council of the Extractive Industries Transparency Initiative of the Republic of Tajikistan (hereinafter referred to as «the Council») is established for the purpose of EITI implementation and represents an advisory body exercising general supervision, coordination and consultation assistance on the matters of EITI implementation in the Republic of Tajikistan.

2. In the performance of its activity the Council shall be governed by the Tajikistan Constitution and Laws, the Tajikistan President's Decrees and Orders, the Tajikistan Supreme Body ("Majlisi Oly») and Tajikistan Government's Decrees and Orders as well as other regulatory acts of Tajikistan and this Statute.

II. Principal Duties and Functions of the Council

3. The main objectives of the Council:

- review and control of the EITI implementation measures;
- development of proposals and recommendations on EITI implementation in Tajikistan;
- procurement, through a tender process, of an international auditor for preparation of a consolidated report in accordance with the EITI criteria, for each calendar year;
- review, discussion and approval for publication of the EITI consolidated reports;
- procurement, in accordance with an established procedure, of experts and scientists, including those from abroad, for performance of expert assessments of EITI implementation in Tajikistan;
- interactions with the central and local authorities, organisations of all forms of ownership, civil society and entrepreneurial associations, international organisations operating in Tajikistan and international community for the purpose of EITI strengthening and further development;
- development and submission for review by the state authorities and Tajikistan Government of proposals and recommendations for further improvement of the state policy in the mining sector.

4. The main functions of the Council:

- assessment of the existing and potential obstacles to improvement of transparency in the extractive industries including analysis of regulatory legislative acts, institutional and regulative issues in the extractive industries, financial and other restrictions;

- development of the EITI Workplan for Tajikistan, with clear measurable targets, work schedule and realistic assessment of the risks and limitations by the government agencies and extractive enterprises as well as proposals for amending this Workplan as necessary;

- submission, at the time determined, of the Workplan as well as the proposals for changes thereto for review by the Tajikistan Government;

- drafting of the Memorandums of Understanding between the enterprises, civil society organisations, entrepreneurial associations, national and local state authorities;

- approval of competitive tenders results for selection of the auditors for annual reconciliations of data of the extractive enterprises and state bodies reports;

- approval of competitive tender results for selection of an independent Validator;

- engaging donor assistance and other resources for EITI implementation in the Republic of Tajikistan.

III. EITI Council composition and establishment procedure

5. In accordance with Appendix 3 to this Decree, the EITI Council shall include representatives of the state authorities, civil society organisations and extractive enterprises and shall be established through an open and transparent procedure.

6. The Tajikistan Minister of Finance shall be appointed as the Chairman of the EITI Council.

IV. The Council Chairman's Authorities

7. Performs the overall management of the Council activity.
8. Determines the agenda and procedures for the Council meetings based on presentation by the Tajikistan EITI Secretariat.
9. Convenes extraordinary Council meetings.

V. Organizing the Council activity

10. The Council meetings are the main form of the Council activity.
11. The Council meetings shall be conducted as and when necessary but in any case at least once a calendar quarter and shall be considered as having taken place in case of presence of one third of the Council members.
12. The Council resolutions shall be passed by the majority vote and issued in the form of the Minutes containing proposals and recommendations to the Tajikistan Government and other state authorities responsible for EITI implementation.
13. Organisational support of the Council activity shall be provided by the Tajikistan EITI Secretariat representing a permanent working body.
14. The EITI Secretariat structure and manning shall be determined and approved by the director of the authorized governmental body responsible for EITI implementation and as nominated by the EITI Council.
15. The authorized governmental body responsible for EITI implementation in Tajikistan shall provide premises for holding the Council meetings and office space for the Secretariat's day-to-day activity as well as material and financial support of its activity for EITI implementation in Tajikistan.

VI. Authorities of the Tajikistan EITI Secretariat

16. The Tajikistan EITI Secretariat functions:

- data acquisition and analysis of the EITI reports issued by the governmental bodies and extractive enterprises;
- development and realisation of the strategy of communications with the civil society for the purposes of popularization of the EITI principles, dissemination of the EITI reports and Minutes of the EITI Council meetings;
- analysis and preparation of recommendations for provision of comprehensive EITI data, both in the national and Russian languages, and presentation thereof at the Council meetings
- interactions with the EITI International Board in Oslo (Norway) for the purpose to achieve Tajikistan's EITI compliance
- launch and due maintenance of the EITI Secretariat web-site, on-going updating thereof and enabling its interactive operation regimes;
- provision of consultations on EITI issues and support of partnership relations with representatives of the state institutions, extractive companies, civil society associations, media, local authorities and other stakeholders for the purpose of explaining the EITI principles;
- preparation of the Memorandums of Understanding and Cooperation between the Tajikistan EITI Secretariat, civil society organisations and extractive enterprises;

- development of a regulatory framework in order to achieve compliance of the EITI reports with the International Accounting Standards;
- organisational support of the tenders for procurement of an international auditing firm with the purpose to prepare an EITI consolidated report for a particular year;
- monitoring of current activity and assessment of EITI impact on the social and economic development of the Republic of Tajikistan;
- publication of reports and analytical materials, both in the National and Russian languages.

Approved by
Deputy Finance Minister
of the Republic of Tajikistan
Chairman of the EITI Council
[signature] R. Khakimov
17 September 2012

MINUTES No.1/449
of the
session
of the
Extractive Industries Transparency Initiative
Council
of the
Republic of Tajikistan

13 September 2012

Dushanbe

In attendance were Deputy Finance Minister and Chairman of the EITI Council R.A. Khakimov, representatives of ministries and departments, representatives of enterprises in the extractive industries and of civil society.

Representatives of the following international organizations took part in the session: the World Bank, the Open Society Institute Assistance Foundation-Tajikistan and the German Agency for International Cooperation (GIZ).

Agenda

1. Formation of the Council and approval of Council members
2. Drawing up a draft work plan for implementing the initiative in 2012-2014

The report was presented by RT Deputy Finance Minister R.A Khakimov who noted that the process of adopting the EITI in Tajikistan was an important step, enabling the country's wealth of natural resources to be used for its sustainable economic growth. Targeted work by government structures, civil society and the private sector, with the active involvement of international organizations, would be required to achieve the set objectives.

The following addressed questions on the agenda: from civil society – T. Azizova and Sh. Juraeva; from the enterprises – Kh. Khalikov and A. Ismatov; and from government structures, Yu. Majidov, F. Soliev and M. Abdullaeva.

It was decided:

1. Given that all parties had submitted nominations to create the EITI Council of the Republic of Tajikistan, to consider the Council formed and to approve the list of its members.
2. To use the draft work plan for 2012-2014 drawn up by the multilateral working group as a basis and, after further refinement, to submit it for EITI approval.
3. Following the drafting of the work plan, to embark on the procedure of drawing up Tajikistan's application for EITI candidate country status.

Also, the international organizations proposed holding a seminar on the role and significance of the EITI for representatives of the interested parties, particularly those from enterprises in the extractive industries.

Summing up the first organizational session of the Council, Chairman of the Working Group and Deputy Finance Minister of the Republic of Tajikistan R.A. Khakimov noted the importance and significance of Tajikistan adopting the Extractive Industries Transparency Initiative and urged all members of the EITI Council to carry out all the measures planned in good time and to a high standard.

Executive Secretary: T. Avgonov [signed]

[UOE\EITI – session minutes\ta_minfin@mail.ru]

Approved by
Deputy Finance Minister
of the Republic of Tajikistan
Chairman of the EITI Council
[signature] R. Khakimov
17 September 2012

MINUTES No.2/449
of the
session
of the
Extractive Industries Transparency Initiative
Council
of the
Republic of Tajikistan

13 September 2012

Dushanbe

In attendance were Deputy Finance Minister and Chairman of the EITI Council R.A. Khakimov, representatives of ministries and departments, representatives of enterprises in the extractive industries and of civil society.

Representatives of the following international organizations took part in the session: the World Bank and the Open Society Institute Assistance Foundation-Tajikistan.

Agenda

1. Discussion of the draft work plan on EITI implementation for 2012-2014.
2. Preparations for holding an EITI conference.

Deputy Finance Minister of the Republic of Tajikistan and EITI Council Chairman R.A. Khakimov gave the opening address, noting that the first steps in the EITI adoption process in Tajikistan had been taken. An EITI Council had been set up and a work plan drafted and preparations were under way for a conference on EITI adoption in Tajikistan. At the same time, he asked all parties to accelerate work to achieve the set objectives.

The following addressed questions on the agenda: from civil society – T. Azizova and Sh. Juraeva; from the enterprises – B. Bobokhonov; and from government structures M. Abdullaeva.

[UOE\EITI – session minutes\ta_minfin@mail.ru]

It was decided to:

1. Disseminate the latest version of the draft working plan on EITI implementation in 2012-2014 to all members of the EITI Council.
2. Take all measures necessary to hold a successful conference on EITI adoption in Tajikistan. Invite all interested parties to take part in the conference and to set the date for the conference as 12-14 November 2012.

The international organizations adopted a decision to fund the holding of the EITI conference.

Summing up the Council session, Mr. R.A. Khakimov noted the importance and significance of *** and urged all members of the EITI Council to carry out the planned measures in good time and to a high standard.

Executive Secretary

[signed] T. Avgonov

[UOE\EITI – session minutes\ta_minfin@mail.ru]

Approved by
Deputy Finance Minister
of the Republic of Tajikistan
Chairman of the EITI Council
[signature] R. Khakimov
26 November 2012

MINUTES No.3/449
of the
session
of the
Extractive Industries Transparency Initiative
Council
of the
Republic of Tajikistan

26 November 2012

Dushanbe

In attendance were Deputy Finance Minister and Chairman of the EITI Council R.A. Khakimov, representatives of ministries and departments, representatives of enterprises in the extractive industries and of civil society. A quorum of more than two-thirds of the EITI Council took part in the session.

Also taking part were representatives of the following international organizations: the World Bank and the Open Society Institute Assistance Foundation-Tajikistan.

Agenda

1. Results of the EITI conference.
2. Further work on the draft work plan on EITI implementation in 2012-2014.
3. Drawing up of the draft Application by the Republic of Tajikistan to sign up to the EITI.

The following addressed questions on the agenda: from civil society – Sh. Juraeva and A. Shukurov and from the government structures R.A. Khakimov, M. Abdullaeva and P. Akhmedova.

Deputy Finance Minister of the Republic of Tajikistan and EITI Council Chairman R.A. Khakimov thanked everyone for the success of the EITI conference at which Tajikistan Government's official statement on signing up to the EITI was read out.

At the same time, taking into account the parties' proposals and remarks regarding the draft work plan on EITI implementation in Tajikistan, it was proposed to set up a separate group to finalize work on the draft work plan.

Also, the parties agreed to set up a working group to draw up the draft Application by the Republic of Tajikistan to sign up to the EITI.

It was decided to:

1. Set up a working group to draft the definitive version of the draft work plan on EITI implementation in 2012-2014.

2. Set up a working group to draw up the draft Application by the Republic of Tajikistan to sign up to the EITI. Set the date for submitting the application as the end of December 2012.

Summing up the Council session, Mr. R.A. Khakimov set the date for submitting the Application by the Republic of Tajikistan to sign up to the EITI as the end of December 2012 and to do everything possible to obtain candidate status at the February session of the EITI board.

Executive Secretary

T. Avgonov [signed]

[UOE\EITI – session minutes\ta_minfin@mail.ru]

It was decided to:

1. Disseminate the latest version of the draft working plan on EITI implementation in 2012-2014 to all members of the EITI Council.
2. Take all measures necessary to hold a successful conference on EITI adoption in Tajikistan. Invite all interested parties to take part in the conference and to set the date for the conference as 12-14 November 2012.

The international organizations adopted a decision to fund the holding of the EITI conference.

Summing up the Council session, Mr. R.A. Khakimov noted the importance and significance of *** and urged all members of the EITI Council to carry out the planned measures in good time and to a high standard.

Executive Secretary

[signed] T. Avgonov

[UOE\EITI – session minutes\ta_minfin@mail.ru]



Fundamentals of EITI

November 12, 2012, Dushanbe

Venue: Metropolitan Business Center (Home wedding), st.M. Tursunzoda, 27a. Ori entir opposite Slavic University

Contact: Jahangir Nigmatov

918-645630, 935816190

8:30	Registration	
9:00	Welcome and introductions	Galib Efendiyev Ingilab Akhmedov Fuat Rasulov
9-15	Fundamentals of EITI: requirements, mechanisms and benefits	Ingilab Akhmedov
9:45	Tasks within the framework EITI (group work)	Ingilab Akhmedov, Fuat
10.30	Coffee and tea	
10-45	EITI: The process and stages	Ingilab Akhmedov
11:15	Preparation of the workplan for the MSG (group work)	Ingilab, Fuat
12:30	Lunch	

13:30	Analysis of the EITI report	Galib Efendiyev
14:30	Assessment of the quality of EITI reports (group work)	Ghalib, Fuat
15:30	Coffee and tea	
15:45	Practical experience of the EITI in the private sector of the Kyrgyz Republic	Rysbek Toktogul
16.15.	Action plan (action plan) of each of the parties (group work)	Ingilab, Ghalib
17:00	Finish	



Branch Office of the International Organization of
Open Society Institute - Assistance Foundation in
Tajikistan



PROGRAMME

Eurasia Transparency Network: 8th Regional Meeting

Hotel Tajikistan Conference Hall, Dushanbe, Tajikistan 13-14 November 2012

Monday 12th November

Participants arrive

Informal dinner together at **7pm** at Hotel Tajikistan

Tuesday 13th November (Day one)

TIME	ACTIVITY	SPEAKER / MODERATOR
08:00 - 08:30	Registration	
08:30 – 09:00	Welcome and Opening speeches	
	Government	Mr. Najmiddinov S., Minister of Finance
	World Bank	Ms. Marsha M. Olive, Country Manager
	OSI AF in Tajikistan	Ms, Zuhra Halimova, Executive Director
	EITI International Secretariat	
	GIZ Representative	Ms. Dyveke Rogan, Country Manager
09:00-09:40	EITI Statement from Tajikistan government	Mr. Najmiddinov S., Minister of Finance

09:40-10:00	Achievements which have been made by Tajikistan	Mr. Timur Avganov, Ministry of Finance
10:00-10:20	EITI: Strategy review and a future of EITI	Mr Dorjdari, Ms. Dyveke Rogan, Ms. Marinke Van Riet, Mr Sabit Bagirov
10.20 - 10.35	Reforms for the sustainable development of the Mining Industry	Mr. Gary McMahon, consultant, World Bank
10:35 - 10:50	Regional Program: Mineral Resources for development	Mr. Goertz Rainer, Country Director GIZ
10:50-11:10	Electricity sector of Tajikistan. Do the EITI principles could be incorporated to the electricity sector?	Bakhadur Khabibov, Consumer Union of Tajikistan
11:10-11:30	Coffee break	
11:30 – 12:30	Country presentations on EITI in each countries : Azerbaijan Kazakhstan Kirgizia Mongolia Ukraine Questions and answers	
12:30 - 14:00	Lunch	
14:00 – 15:00	Beginning of the PWYP Regional Meeting Country Updates (15 minutes per country) Poster sessions : <i>lessons learned, new trends and plans for future</i>	
15:00 – 15.30	Coffee break	
15.30 – 16.00	Vision 20/20: the new PWYP strategy: <i>reporting back from Amsterdam</i>	Marinke van Riet PWYP with Aziya Kurmanbayeva member of the Global Steering Committee
16:00 – 17:00	What does the new PWYP strategy mean for the region/coalitions: PWYP a la carte? <i>An open discussion and brainstorm or group work</i>	Galib Efendiev RWI and Aziya Kurmanbayeva

Tuesday 13th November (day two)

TIME	ACTIVITY	SPEAKER / MODERATOR
09:00 – 10:30	The future of the EITI: what can CSOs in the region do regionally and nationally? <i>Although this was discussed in Almaty I think it is relevant to hear what happened in Lusaka (next EITI board meeting) and we have other groups in Dushanbe</i>	Dorjdari and Marinke Van Riet
10:30 – 11:00	Coffee Break	
11:00 – 12.30	Using other sources to increase transparency: Updates on: Open Government Partnership (updates from Albania, Azerbaijan, Mongolia, Ukraine), Contract transparency and monitoring (Azerbaijan, Mongolia) EU Transparency and Accounting Directives/Dodd-Frank	RWI, OSF Kazakhstan
12.30 – 13.30	Lunch	
13:30 – 15:00	Break-out sessions: 1. <i>Budget monitoring</i> 2. <i>Social expenditure monitoring</i> 3. <i>Sub-national work</i> 4. <i>Transit revenues</i> <i>Suggestions for set-up or alternatives???</i>	
15:00 – 15:30	Coffee break	
15:30 – 17:00	Eurasia Regional Network Management: ways forward on communication	
17:00 – 17:30	Summing up and Close	



Шўъбаи Ташкилоти байналмилалӣ
Институти «Чамъияти Кушода» - Бунёди Мадад дар Тоҷикистон
Branch Office of the International Organization of
Open Society Institute - Assistance Foundation in Tajikistan

Тоҷикистон, ш. Душанбе, кӯч. Бохтар 37/1, Маркази тичоратии «Вафо», ошёнӣ 4, 734003 • тел.: (992 47) 4410744, 4410746 • факс: 4410729 • e-mail: osi@osi.tajik.net • web: www.soros.tj
37/1 Bokhtar St., Business Center "Vefa", Dushanbe, Tajikistan, 734003 • Tel.: (992 47) 4410744, 4410746 • Fax: 4410729 • e-mail: osi@osi.tajik.net • web: www.soros.tj

Press-release as of November 9, 2012 y.

Workshop on Extractive Industries Transparency Initiative (EITI) and the eighth annual regional meeting of the global network of NGOs "Publish What You Pay" (PWYP)

On November 13, 2012, Branch Office of the International Organization of the "Open Society" Institute - Assistance Foundation in Tajikistan, in partnership with the World Bank, the German Society for International Cooperation (GIZ) and the Ministry of Finance of RT is conducting a seminar on the Extractive Industries Transparency Initiative (EITI) for government officials, companies in the extractive industries and civil society organizations. The event is aimed at the prospects of EITI implementation in Tajikistan, as well as studying Azerbaijan, Kazakhstan, Kyrgyzstan, and Mongolia experience on promoting extractive industries transparency initiatives in their countries.

The Extractive Industries Transparency Initiative (EITI) - is a widely accepted international standard that promotes revenue transparency in extractive industries. The initiative has three major components, namely, - efforts to ensure that all parties are benefiting from the extraction of natural resources, a coalition of governments, companies and civil society organizations, and the standard of publishing data on payment by companies and disclosure of data on revenues by governments. Thus, the EITI promotes governance in natural resources rich countries through the verification and publication of all data on company payments and governments' revenues, received from extraction of oil, gas and other mineral resources.

The Republic of Tajikistan began the process of joining the Initiative in June 2011. In August 2011, 21 civil society organizations expressed their commitment to the EITI and established a coalition of civil society organizations "Transparency for development." In order to prepare the country for this initiative, a working group from the relevant ministries, civil society and companies was established based on the order of the government. The developed set of documents, including a draft Government decree on the country's accession to the EITI, was approved on August 31, 2012.

One of the criteria for obtaining the status of "candidate" is a public statement of the government, which is expected at the upcoming seminar, including the expression of a strong commitment to working with civil society and the private sector. In addition, the opportunity will be given to learn about the experience of other countries, discuss the current state of affairs in Tajikistan and the next steps to join this initiative.

Tajikistan's joining to the EITI will enable improvement of the investment climate and raise the profile of country, which adheres to the transparency and accountability in income and effective spending. Besides, once Tajikistan becomes EITI member it will have good opportunities to increase the transparency of revenue in the state budget and control over its efficient use, attract foreign investment, create new jobs and additional sources of income for various strata of the population. *Detailed information on EITI is available on the following web site: www.eiti.org*

In the afternoon of the same day and on 14th of November, it is planned to hold the 8th Annual Regional Meeting on **Publish What You Pay (PWYP)**, which will be attended by participants from 6 countries. During this working meeting, issues of closer regional cooperation between civil society representatives will be discussed to ensure the disclosure of data on income and contracts in the extractive industries. Also, the strategy of activity of this social network and issues related to activation participation of civil society at the national and international levels will be discussed to promote international EITI standards and "Open Government Partnership» (OGP). Issues on monitoring of the budget, social

spending, local income and income from transit operations will be discussed during the sessions of the working meeting. According to the results of the working meeting, recommendations will be developed to improve the efficiency of activity in this global network*.

The beginning of this event: Seminar on EITI – 13th of November, at 9.00

PWYP Regional Meeting – 13th of November, at 14:00

The venue: Conference hall in Tajikistan hotel

For more information, contact the coordinator of the "Initiative of transparency and accountability", OSI-AF Nigmatov Jahongir either by phone: **441 07 28, 441 07 45, 227 55 58** or by email: jahongirn@osi.tajik.net

- **Publish What You Pay (PWYP) (Публикуй то, что платишь) – a global network of civil society organizations, merged based on the intention to provide the conditions for oil and gas and mining sectors to form the basis for the development and improvement of living conditions of ordinary citizens in resource-rich countries . PWYP conducts public advocacy and campaigns activities on issues of disclosure of data on revenues and contracts in the extractive industries. Detailed information on PWYP can be found at: <http://www.publishwhatyoupay.org/>*

The practice of civil society's participation in various government working groups.

Judicial and Legal Reform Programme

A government working group was set up in 2010 to produce a new judicial and legal reform for a period of three years. At our initiative, representatives of civil society and lawyers were brought into the working group. As a result, a programme was adopted in which many points had been put forward by representatives of civil society. At present, many international organizations and civil society work primarily in these areas (the new law on the legal profession, the new law on the Constitutional Court, the creation of family courts, several aspects of the juvenile judiciary, a more humane criminal code etc.)

Regulation on the Migration Service

At the beginning of 2011, an RT Government Decree created from scratch a Migration Service (hereafter, the MS) that was subordinate to the Government. (Previously, it had been a subdivision of the Interior Ministry but had been disbanded). Once the MS was set up, civil society was actively involved in its development. The first draft document was drawn up by the MS itself and distributed to civil society and several public hearing about it were held. The outcome was the adoption of a document that took many recommendations from civil society into account.

UPR

In October 2011 Tajikistan reported back to the United Nations Human Rights Council on the UPR (Universal Periodic Review) procedure. A coalition was set up to draft an alternative report for the UN Human Rights Council, which, throughout the entire process of drafting the report, held consultations with the government working group on the main problems facing the country. As a result, the UPR was presented and, once the state had had time to deal with adopting the recommendations of UN member states, civil society was actively involved in the process of discussing them, facilitating the state's adoption of all the recommendations. Most recommendations were adopted as a result of this intervention. Certain points in the ratification of international documents were not achieved because of the lack of a clear vision and the need for documents.

Criminal Code Article on "Torture"

Following numerous national and international civil society campaigns against torture, the Government proposed that the country's Parliament adopt of an article on "Torture" for Tajikistan's Criminal Code. A preliminary draft was submitted to civil society for comment. The international experts who had been brought in gave their opinion as to whether the new article complied with the UN Convention Against Torture (Article 1). The article was duly amended and adopted by parliament as fully compliant with Article 1 of the Convention.

A more humane Criminal Code

A government working group for a more humane Criminal Code was set up in 2009 and is reviewing the provisions of the code. At our initiative, representatives of the legal profession were brought into the working group and are providing their view of the humanization of the Criminal Code. To date, a number of changes introducing lighter sentences for economic crimes have been introduced. A draft of the general part of a new Criminal Code has been drawn up and work to improve the special part is ongoing.

Changes to the Tax Code

Changes were made to the republic's Tax Code in 2011, in the part related to monthly remuneration of labour. This is determined by the relevant bodies in Tajikistan. Pursuant to these changes, all organizations, irrespective of their type of ownership, had to pay payroll taxes on the basis of the region's average monthly wage, including all types of contracted services. Public organizations also had to pay for contracted services on the basis of these new norms. This would have left many contractors out of work since the minimum remuneration for many contracts was far lower than the average monthly wage. Civil society came fairly rapidly on board, discussed the changes, prepared a case study

and sent a letter to the Government. As a result, clarification was obtained from the Tax Committee that the said innovation did not apply to public organizations.

Citizen participation in the budget process

In 2011, the Local Self-Government Programme was able to put forward the idea that the RT Finance Ministry's Instruction on the formulation of local budgets should include a provision on ensuring local budget transparency and involving citizens in that process. Under the Instruction, local authorities are obliged when formulating their budgets to hold budget hearings in which the public may take part in order to ensure that the process of local budget formulation and adoption is transparent. In this connection, in June 2011, the programme set up a working group, involving representatives of state and public organizations, which set about producing a manual on holding public budget hearings in accordance with the RT Finance Ministry instruction. Pilot regions are currently studying and validating the manual.

Conclusion

Overall, civil society is very frequently involved in drafting specific documents that may change state policy on a particular human right. Particularly of late, the state authorities have become far more open to including representatives of civil society. For example, the new law on the legal profession is currently being drawn up, with the official participation of two representatives of civil society. In most cases, the proposals and comments of civil society are included in the final version of documents although some are not included when the Government adopts the documents. The arrangements for civil society participation are fairly clear cut but insufficient decision-making authority sometimes prevents results being fully achieved.

The state does not put particular pressure on civil society. Civil society is making fairly active use of the mechanisms for taking part in the legal and political life of the country except where matters are linked to terrorism or extremism to which there is almost no access.

Case study of the freedom of Public Organizations in the Republic of Tajikistan to perform their statutory activities

The legislation of the Republic of Tajikistan on public associations, which takes the Constitution of the Republic of Tajikistan as its basis and consists of the Republic of Tajikistan Law “On public associations” No. 258 of 12 May 2007, as well as other regulatory legal acts of the Republic of Tajikistan and international regulatory legal acts recognized by Tajikistan, clearly and unequivocally establishes the following fundamental factors in the creation and operation of public associations in the Republic of Tajikistan:

- 1) A public association – is a voluntary, self-governing, not-for-profit association of individuals who have come together on the basis of their common interests to pursue the objectives set out in the public association’s charter. (Article 5)
- 2) Any citizen has the right independently to establish voluntary public associations to protect common interests and achieve common objectives without prior permission from the state authorities and to join existing public associations on condition of compliance with the provisions of their charters or to refrain from so joining, as well as to leaving these associations without hindrance. (Article 4)
- 3) The activities of a public association are based on the principles of voluntary participation, equality, self-government and lawfulness. A public association is free to determine its own internal structure, its goals and the forms and methods of its activities. (Article 13)
- 4) The activities of a public association must be open to the public and information about their founding documents and manifestoes must be accessible to the public. (Article 13)
- 5) The structure and activities of a public association must conform to democratic norms. The activities of a public association shall not violate or restrict the human and civil rights and freedoms guaranteed by the Constitution of the Republic of Tajikistan. (Article 13)
- 6) The creation and activities of public associations, promoting racial, ethnic, social or religious hatred or calling for the violent overthrow of constitutional order or the organization of armed groups are prohibited. (Article 14)
- 7) The creation and activities of public associations encroaching upon citizens’ rights and legitimate freedoms or posing a threat to people’s health or public morality are prohibited. (Article 14)
- 8) **The state authorities and their officials are prohibited from interfering in the activities of public associations. (Article 15)**
- 9) Issues affecting the interests of public associations in circumstances prescribed by law shall be dealt with by state and government authorities with the participation of the relevant public associations or with their agreement. (Article 15)
- 10) Employed members of staff of public associations are covered by the labour and social insurance legislation of the Republic of Tajikistan. (Article 15)
- 11) Public associations have the right to submit proposals to the state authorities and to take part in drafting the decisions of state authorities, to receive information from the state authorities enabling them to perform their statutory duties, to propose initiatives on various aspects of

the life of society, to represent and defend their own rights and the legitimate interests of their members or participants and those of other citizens in the state authorities, organizations, public associations and the courts. (Article 24)

- 12) Pursuant to their charters, public associations in the Republic of Tajikistan may join international public organizations, acquire rights and accept obligations appropriate to the status of those international public organizations, maintain direct international contacts and relations and enter into agreements with foreign public (non-for-profit and non-governmental) organizations. (Article 38)
- 13) Public associations of the Republic of Tajikistan may set up their own organizations, subsidiaries and representative offices in foreign states on the basis of international legal acts, recognized by Tajikistan and the legislation of these states. (Article 38)
- 14) Public (non-for-profit and non-governmental) organizations of foreign states or their subsidiaries and representative offices on the territory of the Republic of Tajikistan conduct their activities there in accordance with the laws of the Republic of Tajikistan. (Article 38)

At the same time, the legislators of the Republic of Tajikistan have very clearly defined the obligations of a public association (Article 25):

- 1) To comply with the Constitution of the Republic of Tajikistan and other regulatory legal acts of the Republic of Tajikistan, and international regulatory legal acts recognized by Tajikistan and the provisions laid down by its charter;
- 2) By 1 April each year to provide the registration authority with information about the continuation of its statutory activities, indicating the current location of its governing body and its name, and information about the leaders of the public association;
- 3) To submit the decisions of the public association's governing bodies and officials and information about its activities as requested by the registration authority;
- 4) To give representatives of the registration authority access to mass events being held by the public association;
- 5) To assist representatives of the registration authority familiarize themselves with the activities of the public association linked to achieving its statutory goals and complying with the legislation of the Republic of Tajikistan.

The activities of a public association may, therefore, be suspended in the following circumstances:

- 1) If the public association violates human and civil rights and freedoms;
- 2) If the public association violates the Constitution of the Republic of Tajikistan or the constitutional laws, laws and other regulatory legal acts of the Republic of Tajikistan or if the public association systematically engages in activities that run counter to its statutory goals;
- 3) Failure to submit information on the continuation of its statutory activities, indicating the current location of its governing body and its name, and information on the leaders of the public association by the required deadline (before 1 April every year);
- 4) If a state of emergency is declared in the Republic of Tajikistan.

Suspension of the activities of a public association, except when a state of emergency has been declared in the Republic of Tajikistan, and the dissolution of a public association are possible **only if a court so decides** (Article 35) in order to satisfy a petition to that effect from the Prosecutor-General of the Republic of Tajikistan or prosecutors subordinate to him, or from the registration authority – the Justice Ministry of the Republic of Tajikistan. (Article 35)

At the same time, as a preliminary, in the event that a public organization is found to have violated provisions of the Constitution of the Republic of Tajikistan or the legislation of the Republic of Tajikistan, including the law “On public associations”, and/or performed actions that run counter to its statutory goals, the Prosecutor-General of the Republic of Tajikistan or prosecutors subordinate to him are **obliged to submit an instruction in writing to the governing body of the public organization to take immediate remedial action and a written warning to the registration body, the Justice Ministry of the Republic of Tajikistan, and to set a timeframe for the violations to be remedied.** (Article 35)

If, within the set period of suspension, the public association remedies the violation that led to its activities being suspended, the public association resumes its activities as decided by the court that suspended its activities. (Article 36)

Therefore, having analysed the legislative bases for the activities of public associations in the Republic of Tajikistan and on the basis of practical experience of monitoring the activities of public associations in the Republic of Tajikistan, it must be noted that public associations are free to carry out their activities within the legal environment of the Republic of Tajikistan, are independent of representatives of the state authorities and local government and have an active role in reforming the system of state administration and legislation and are making an invaluable contribution to developing our country’s democratic principles of existence.

Ministry of Finance of the Republic of Tajikistan

DECREE

13.09.2012

Dushanbe

59

On the implementation of the Resolution of the Government of the Republic of Tajikistan dated 31 August 2012, #449, entitled "On the membership of the Republic of Tajikistan in the Executive Industries Transparency Initiative", according to Section 11 of the Regulations of the Ministry of Finance of the Republic of Tajikistan.

Decree:

1. Appointment of the Deputy Minister of Finance of the Republic of Tajikistan, R. A. Hakimov, to carry out the duties of Director of the Council of the Extractive Industries Transparency Initiative for the Republic of Tajikistan.
2. Appointment of the Head of the Administration for Budgetary Policy in the field of economics, T. Y. Afghonov, to carry out the duties of Executive Secretary of the Council of the Extractive Industries Transparency Initiative for the Republic of Tajikistan.
3. Appointment of the Deputy Minister, R. A. Hakimov, to control the said decree.

Minister

S. Najmiddinov

Ministry of Justice of the Republic of Tajikistan

734025, Dushanbe, 25 Rudaki Avenue, Tel.: (992 37) 2214405, Fax: 2218066

5-5-932

dated 13.09.2012

Ministry of Justice
Republic of Tajikistan

To # 7-6/553
dated 06.09.2012

The Ministry of Justice of the Republic of Tajikistan, having reviewed your letter, proposes the Head of the Department of International Cooperation with legal responsibility for membership of the Republic of Tajikistan in international organizations, Ahmedova Parvona Rashidzoda, as the candidate to become a member of the Council of the Extractive Industries Transparency Initiative.

Minister

R. S. Mengliev

**HEAD OF THE INSTITUTE OF GEOLOGY,
UNDER THE AUTHORITY OF THE
GOVERNMENT OF THE REPUBLIC
OF TAJIKISTAN**

734025, Republic of Tajikistan, Dushanbe, 27 Mirzo Tursunzoda St.
Tel.: (992 37) 2211901; Fax: (992 37) 2272729; Email: dushanbeggu@mail.ru

21-1370 dated 13.09.2012

Ministry of Finance
Republic of Tajikistan

M. Afghonov

For management

The Head of the Institute of Geology, under the authority of the Government of the Republic of Tajikistan, proposes the Deputy Director of the Institute of Geology, Abdulloeva Marhabo Muzaffarovna, as the candidate to become a member of the Council of the Extractive Industries Transparency Initiative.

Director

Ibrahim Azim

Zuhurov A.

17.09.12

TRANSPARENCY FOR DEVELOPMENT

Coalition of CSOs of Tajikistan

Dated 12 September 2012

**To the Ministry of Finance
of the Republic of Tajikistan**

Dear T. Afghonov,

This is to inform you that the Coalition of Social Organizations of the Republic of Tajikistan, "Transparency for Development", has proposed and accepted 6 candidacies to become members of the Council of the Extractive Industries Transparency Initiative for the Republic of Tajikistan:

1. Aliakbar Abdulloev
2. Tojinisso Azizova
3. Shahlo Juraeva
4. Anna Shukurova
5. Dilshod Alimov
6. Zarina Halikova

Sincerely,

A. Abdulloev,
Coalition Secretary

**MINISTRY OF ENERGY AND INDUSTRY
OF THE REPUBLIC OF TAJIKISTAN**

734012, Dushanbe, 22 Rudaki Ave.

Fax: (810992-37) 2218281

Tel: (810992) 2216797, 2218889

E-mail: minenergoprom@mail.tj

22.1-2342, dated 12.09.2012

Ministry of Finance

Republic of Tajikistan

To #7-6/556

Dated 06.09.2012

The Ministry of Energy and Industry of the Republic of Tajikistan, on the grounds of Appendix 2 of the Resolution of the Government of the Republic of Tajikistan, dated 31 August 2012, # 449, entitled "On the membership of the Republic of Tajikistan in the Extractive Industries Transparency Initiative " and the letter of the Ministry of Finance of the Republic of Tajikistan, dated 24 September 2012, # 7-6/553, proposes the following candidacies from the Ministry and from companies as senior officials to become members of the working group of the Council of the said Initiative:

- A. Kasirov - Deputy Director of the Administration, Director of Mining and Valuable Metals at the Ministry of Energy and Industry of the Republic of Tajikistan;

- B. Bobokhonov (R. Davlatshoeva) - representative of the company "Zarafshon";

- B. Majidov (S. Aliev) - representative of the company "Aprelevka";

- H. Kholikov (T. F. Kirillova) - representative of the company "Anzob";

- A. Ismatov (I. Safarov) - representative of the company "Pakrut".

Deputy minister

H. Mahmadulloev

**STATE COMMITTEE ON THE INVESTMENT AND
MANAGEMENT OF STATE
PROPERTY OF THE REPUBLIC OF TAJIKISTAN**

734025 Republic of Tajikistan, Dushanbe, 27 Shotemur St. Tel: (+992-37) 221-86-59,
221-57-29, 221-89-43; Fax: (+992-37) 221-57-29; Email: info@gki.tj, web: www.gki.tj

13.09.2012

2-5-7/3014

Ministry of Finance
Republic of Tajikistan

To # 7-6-553

Dated 6 September 2012

The State Committee on the Investment and Management of State Property of the Republic of Tajikistan, on the grounds of Appendix 2 of the Resolution of the Government of the Republic of Tajikistan, dated 31 August 2012, # 449, entitled "On the membership of the Republic of Tajikistan in the Extractive Industries Transparency Initiative ", proposes the candidacy of Masrur Sharifi, Director of the Administration of the Implementation of Investment Activity, to become a member of the Council of the Initiative.

Senior Deputy Director

S. Rahmatboev

**MINISTRY OF ECONOMIC DEVELOPMENT
AND TRADE OF THE REPUBLIC OF TAJIKISTAN**

734002, Republic of Tajikistan, Dushanbe, 37 Bokhtar St.

Tel./Fax: (99237) 2273434; 2214623; 2215132, www.medt.tj

07/2, 454 dated 13.09.2012

Ministry of Finance

Republic of Tajikistan

To #7-6/553

Dated 6 September 2012

The Ministry of Economic Development and Trade, having participated in Council's first session, which was founded on the grounds of Appendix 2 of the Resolution of the Government of the Republic of Tajikistan, dated 31 August 2012, # 449, entitled "On the membership of the Republic of Tajikistan in the Extractive Industries Transparency Initiative ", proposes the candidacy of Soliev Farrukh, Director of the Administration of Economic Reforms and Trade and Credit Relations.

Deputy Minister

S. Nazriev

Ministry of Finance of the Republic of Tajikistan

DECREE

13.09.2012

Dushanbe

59

On the implementation of the Resolution of the Government of the Republic of Tajikistan dated 31 August 2012, #449, entitled "On the membership of the Republic of Tajikistan in the Extractive Industries Transparency Initiative", according to Section 11 of the Regulations of the Ministry of Finance of the Republic of Tajikistan.

Decree:

1. Appointment of the Deputy Minister of Finance of the Republic of Tajikistan, R. A. Hakimov, to carry out the duties of Director of the Council of the Extractive Industries Transparency Initiative for the Republic of Tajikistan.
2. Appointment of the Head of the Administration for Budgetary Policy in the field of economics, T. Y. Afghonov, to carry out the duties of Executive Secretary of the Council of the Extractive Industries Transparency Initiative for the Republic of Tajikistan.
3. Appointment of the Deputy Minister, R. A. Hakimov, to control the said decree.

Minister

S. Najmiddinov

**Tajikistan Extractive Industries Transparency Initiative (TJ-EITI)
Work Plan 2012-2014**

№№	Goal	Tasks	Actions	Deadlines	Responsible authority	Anticipated outcome (Measurement of Achievement)	Estimated Costs (US dollars)
1	Arranging joint activities for organizations interested in EITI	Creation of a Coalition of Civil Society Organizations, Tajikistan	Meetings, conventions, round tables held for representatives of civil society	Completed	Civil society	Coalition regulation, members' mutual understanding memorandum	
		Increasing civil society representatives' awareness of EITI principles and the advantages of implementation for Tajikistan	Holding seminar for representatives of civil society involved in EITI in Tajikistan	Work in progress	Civil Society Coalition	Number of seminars, reports on training sessions, seminars	
		Establishing multilateral dialogue between interested parties on the start of EITI implementation in Tajikistan	Creating Interdepartmental working group on the start of EITI implementation in Tajikistan, company and civil society representatives taking part	Completed	Finance Ministry	Decision by deputy prime minister of Tajikistan	N/A
		Preparations to begin EITI implementation in Tajikistan	Holding regular sessions of interdepartmental working group	Completed	Finance Ministry	Minutes of sessions	N/A
		Increasing extractive industry company representatives' awareness of EITI principles and advantage of implementation for Tajikistan	Holding seminar on EITI for representatives of extractive industry companies	Completed	Open Society Institute	No fewer than 20 company representatives trained	

		Increasing civil servants' awareness of EITI principles and the advantages of implementation for the country	Holding seminar on EITI for civil servants	Completed	Open Society Institute	15 civil service representatives trained	N/A
		Creation of an EITI information portal in Tajikistan	Discussion of conceptual design, content; search for funding; domain name purchase; contracts entered into with designers		EITI Council	Website	2 000

		Government statement on signing up to EITI	Drafting and approval of text of Government Statement on Tajikistan signing up to EITI	Completed	Working group	Government approves statement	N/A
			Determining forms and methods of making statement	Completed on 1. 11.12	Working group	Government makes statement public	N/A
		Appointment of Republic of Tajikistan authorized representative on EITI implementation	Appointing senior executive as authorized representative of Government of Republic of Tajikistan	Completed, August 2012	Government of Tajikistan	Authorized representative on EITI implementation appointed by RT Government Decree	N/A
			Official statement by Government or Government's authorized representative	Completed	Government of Tajikistan or Government's authorized representative	Text of statement read out at national conference, published in the media, posted on the Government website (also in English), copy sent to International Board	N/A
			Presenting Tajikistan Government statement EITI International Board meeting	Q1 2013		Statement presented at EITI International Board meeting	5 000

Obtaining candidate-country status

	Statement of intent to work with public organizations and companies	Ноябрь 2012	Government of Tajikistan or Government's authorized representative	Text of statement read out at national conference, published in the media, posted on the Government website (also in English), copy sent to International Board	N/A
Republic of Tajikistan Government Decree on EITI Implementation in Tajikistan	Official confirmation of intent to cooperate closely with civil society and companies	Completed on 3 August 2012	Government of Tajikistan	Commitments to cooperate with civil society, companies on parity basis included in Government statement on EITI	N/A
National conference on EITI	Holding national conference on EITI	Completed on 1 November 2012	All interested parties	Companies express commitment to EITI implementation in Tajikistan	
Creation of Tajikistan National Council on EITI Implementation	Creating National Council on EITI implementation in Tajikistan	Completed	Government	Government decree	N/A
	Drafting and approval of documents regulating National Council activities	Completed	Government	Government decree	N/A
	All interested parties delegate representatives to National Council	Completed	3 parties	Council list	N/A
	Holding National Council sessions	Work in progress	Finance Ministry	Session minutes	N/A
	Creating a Secretariat, the permanent body of the National Council		Finance Ministry	Decision by the authorized authority	200 000

National Council on EITI Implementation in the Republic of Tajikistan begins work	Regulation on National Council defines Secretariat's operating procedures	Completed	Finance Ministry	Decision by the authorized authority	N/A
	Determining mechanisms and sources for funding National Council Secretariat activities		EITI Council	Operating procedures determined, Secretariat created and staff approved, premises and	N/A
	Appointment of Head of the National Council Secretariat		EITI Council	Council minutes	N/A
	Recruitment of staff of National Council Secretariat		EITI Secretariat	Contracts	45 000
	Study of compliance with environmental protection requirements in population centres closest to extraction	H2 2013	Coalition members	Study report	5 000
	Study of legislation on extractive industries	H1 2013	Coalition members	Study report	10 000
	Study of factors restricting the development of civil society as this affects EITI	H2 2013	Coalition members	Study report	6 000
	Work plan on EITI implementation in Tajikistan drafted and approved	Drafting of 2012-2014 work plan on EITI implementation and its agreement with EITI International Secretariat		EITI Council	Draft work plan drawn up and agreed with EITI International Secretariat
Reporting form and instructions for use drafted	Creating (expanded) accountability working group, increasing its potential, drafting 2011 reporting form and instruction for use, coordination with National Council and forwarding for Government approval	Декабрь 2013	EITI Council	Government confirms reporting form	N/A

3

Drafting the first EITI report

Government approves reporting form	Study of list of mineral producers to reveal major payers and formulate materiality threshold proposals. National Council confirms materiality threshold.	Декабрь 2013	Working Group on Accountability. National Council	National Council approves materiality threshold	N/A
Data on mineral producers compiled	Form sent to extracting companies with instruction for use	Февраль 2014	Geology Department, Energy and Industry Ministry	Data compiled	N/A
Data on mineral producers' revenue compiled	Reporting form and instruction for use sent to authorized authorities working with mineral producers	Февраль 2014	EITI Secretariat	Data on mineral producers' revenue compiled	N/A
Technical specification for data reconciliation drawn up	Accountability Working Group draws up technical specification and forwards it for National Council approval	Апрель 2014	Accountability Working Group. National Council.	Technical specification confirmed	N/A
Seminars held for mineral producing companies' financial officers and representatives of state authorities involved in data submission	Training session programme drawn up, participants and trainers decided, training sessions held	May-August 2014	EITI Council	Number of training sessions, participants	20 000
Companies selected after data reconciliation	Call to tender published, tender commission set up, applications received and considered, winner chosen	Q3 2014	EITI Council	Tender results announced	N/A
Data reconciliation and draft report for 2012	Company carries out reconciliation, finds and studies discrepancies, prepares a draft report and sends it for consideration by the National Council Accountability Working Group. National Council confirms report or confirms it after further work.	Q3 2014	компания по сверке, совет по ИПДО	Report	65 000
Reconciliation report published	Report in 3 languages (Tajik, Russia and English) published in at least 1,000 copies, in the official media and on the EITI website	Q4 2014	EITI Council	Report published in 3 languages	5 000
Media seminars	In Dushanbe and other major cities of Tajikistan	Н1 2013	EITI Council	Seminar reports	10 000

Promoting the EITI	Awareness-raising seminars for the general public in the regions	Across Tajikistan	Июль 1905	EITI Council	Seminar reports	4 500
	National conference held to present report for 2012, 2013	All interested sides to take part	Июль 1905	EITI Council	Report published in 3 languages	10 000
						382 500



Sources of funding	Comments
Open Society Institute	
Open Society Institute	
Open Society Institute	

Open Society Institute	
World Bank	

World Bank	

Open Society Institute, World Bank, GIZ	
Multi-Donor Trust Fund (World Bank)	

Authorized Government Agency, Multi-Donor Trust Fund	
Multi-Donor Trust Fund (World Bank)	
Open Society Institute	
Open Society Institute	
Open Society Institute	

Multi-Donor Trust Fund (World Bank)	
Multi-Donor Trust Fund (World Bank)	
Multi-Donor Trust Fund (World Bank)	
Multi-Donor Trust Fund (World Bank)	
Институт открытое общество	

Институт открытое общество	
Multi-Donor Trust Fund (World Bank)	