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COMMITTEE ON ECONOMIC, SOCIAL
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IMPLEMENTATION OF THE INTERNATIONAL COVENANT
ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under
articles 16 and 17 of the Covenant

Addendum
TAJKISTAN*

[Original : Russian]
[12 May 2005]

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Article 15

737. Under articles 30, 40 and 41 of the Constitution, every citizen has the right to make use of information media, the right to take part freely in the cultural life of society and in creativity to make use of artistic, scientific and technical achievements, and the right to education. Cultural and spiritual values are protected by the State. Intellectual property is protected by the law.

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763. The application of scientific progress is regulated by the Science and State Scientific and Technical Policy Act (arts. 3 and 11).

Article 3. General provisions concerning those carrying out scientific and technical activity

764. Scientific and/or technical activity shall be carried out in accordance with the procedure laid down in the present Act, by individuals who are citizens of Tajikistan, and also by foreign citizens and stateless persons in the context of the rights laid down in the legislation of Tajikistan, and by corporate bodies provided that their articles of association contain provision for scientific and/or technical activity.

Article 11. Main purposes and principles of State scientific and technical policy

765. The main purposes of scientific and technical policy are the development, rational distribution and effective use of scientific and technical potential, enhancement of the contribution of science and technology to the development of the economy, the pursuit of the most important social tasks, the introduction of progressive structural transformations in the field of material production, the raising of its effectiveness and the competitiveness of production, improvement of the environmental situation and protection of the information resources of the State, strengthening of the defensive capacity of the State and the security of individuals, society and the State, and strengthening of the links between science and education.

766. State scientific and technical policy is implemented on the basis of the following principles:

- Recognition of science as a socially significant sector which defines the level of development of the productive forces of the State;
- Openness and the use of various forms of public consultation in selecting priority areas in the development of science and technology and the evaluation of scientific and technical programmes and projects whose implementation is carried out on a competitive basis;
- Guaranteeing the development of fundamental scientific research as a matter of priority;
- Integration of scientific, technical and educational activities through various forms [of] participation by workers, students and research students in educational institutions offering higher vocational training in scientific research and experimental projects by means of the creation of science teaching complexes in educational establishments offering higher vocational training, scientific organizations within the academy of sciences which enjoy official status, and also scientific organizations in ministries and other State agencies;
- Support for competition and business activity in science and technology;
- Focusing of resources in priority areas in the development of science and technology;
- Fostering of scientific, technical and innovative activity by means of economic and other incentives;
- Development of scientific, technical and innovative activity through the establishment of State and scientific centres and other machinery;
- Development of international scientific and technical cooperation.

767. Tajikistan is a party to international conventions, including the Aarhus Convention. The Aarhus Convention, on access to information, public participation in decision-making and access to justice in environmental matters, is a new type of environmental agreement and directly relates to relations between society and government bodies.

768. The right to exchange information on scientific progress is guaranteed in article 9 of the Science and State Scientific and Technical Policy Act: “Those engaged in scientific

and/or technical activity have the right to exchange information, except for information containing data subject to State, official or commercial confidentiality.”

769. Protection of nature is the duty of everyone (Constitution, art. 4).

770. Laws and programmes for the protection of the environment occupy a special place in protection of the right to life.

771. Section IX, chapter 24, of the Criminal Code is devoted to offences against environmental security, in connection with the infliction of harm to the health and life of the population. Chapter 7 of the Code of Administrative Offences is devoted to administrative offences in the field of the environment, for which administrative liability is laid down. The Nature Protection Act, the Air Protection Act, the Minerals Act, the Specially Protected Nature Areas Act, the Industrial and Consumer Wastes Act, the Hydrometeorology Act and the Land Code, the Water Code, the Forestry Code and the Air Code have been adopted.

772. The country’s legislation sets out the main areas of public participation in addressing environmental problems and access to information relating to protection of the environment.

773. By decision No. 534 of 30 December 1996, on measures for the implementation of the State Ecological Programme, the Government approved the State Ecological Programme for the period to 2008. The State Programme of Environmental Education for the period to 2010 was approved by the Government in decision No. 93 of 23 February 1996.

774. In 2002 the Government adopted a strategy for the reduction of poverty. This instrument was the first to address socio-economic and environmental issues in an integrated manner.

775. A national blueprint for the rational use and protection of water resources has been drawn up. On 22 April 2003, Act No. 20, the Environmental Assessment Act, was adopted.

776. On 31 August 2001, on the initiative of President E.S. Rakhmonov of Tajikistan, the United Nations General Assembly adopted a resolution declaring the year 2003 International Year of Freshwater. The Government adopted a decision on the holding of an international forum on the problems of freshwater and rational use of water resources in Dushanbe in September 2003. The forum adopted a decision to declare the period 2005-2015 “Water for life” decade. This initiative was endorsed by the United Nations in December 2003.

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794. The right to make use of the results of scientific progress is laid down in the Civil Code and in the Science and State Scientific and Technical Policy Act.

795. Article 18 of the Civil Code, “Legal capacity of citizens”, and article 19, “Content of the legal capacity of citizens”, guarantee, inter alia, the freedom necessary for scientific research and creative activity:

“Article 18.

“The capacity to possess civil rights and bear obligations (civil legal capacity) is acknowledged equally for all citizens.

“The legal capacity of each citizen arises at the time of birth and ceases upon death.”

“Article 19.

“Under the law, citizens may own property, including foreign currency, both within and outside Tajikistan; inherit and bequeath property; freely move around the country and choose their place of residence; freely leave and return to the country; engage in any activity which is not prohibited by law; set up corporations independently or jointly with other citizens and corporations; carry out any transactions not prohibited by law and enter into obligations; enjoy the right of intellectual property over inventions, literary, scientific or artistic works, or other results of intellectual activity; demand compensation for material or moral injury; and possess other property and individual rights.”

796. The same topic is addressed in the Science and State Scientific and Technical Policy Act:

“Article 3. General provisions concerning those carrying out scientific and technical activity

“Scientific and/or technical activity shall be carried out in accordance with the procedure laid down in the present Act, by individuals who are citizens of Tajikistan, and also by foreign citizens and stateless persons in the context of the rights laid down in the legislation of Tajikistan, and by corporate bodies provided that their articles of association contain provision for scientific and/or technical activity.

“In pursuance of the present Act, State bodies shall:

“• Guarantee creative freedom to those carrying out scientific and/or technical activity, granting them the right to choose the direction and methods of scientific research and experimental projects;

- “• Guarantee protection from unfair competition to those carrying out scientific and/or technical activity;
- “• Acknowledge the right to justified risk in scientific and/or technical activity;
- “• Guarantee freedom of access to scientific and technical information, except in cases specified in the legislation of Tajikistan in respect of State, official or commercial confidentiality;
- “• Guarantee the training, further training and retraining of scientific workers and specialists in State scientific organizations;
- “• Guarantee the funding of projects implemented on the instructions of the State.”

“*Article 7. Administration of scientific and technical activity*

“Administration of scientific and/or technical activity shall be jointly based on the principles of State regulation and self-administration.

“The State authorities, scientific organizations, organizations providing scientific services and organizations in the social sphere shall, within their sphere of competence, define appropriate priority areas for the development of science and technology, set up systems of scientific organizations, and carry out intersectoral coordination of scientific and/or technical activity, the development and implementation of scientific and technical programmes and projects, the development of modes of integration of science and production, and realization of the achievements of science and technology.

“Scientific and/or technical activity is managed in such a way as not to violate creative scientific freedom.”

797. In 2002 workers in the Academy of Sciences proposed 11 products for use, and activities for a total of 57,800 somoni were carried out under contract. Extra-budgetary grants totalling 160,500 somoni were used to fund scientific research. Two patents were granted.

798. Scientists in Tajikistan are carrying out scientific research jointly with foreign scientific organizations. Scientific institutions within the Academy of Agricultural Sciences are cooperating with four international centres and the United Nations food programme, as well as:

- The International Centre for Agricultural Research in Dry Areas (ICARDA) in Aleppo, Syrian Arab Republic, to study generic resources and set up gene banks for local plants (cereal crops, leguminous crops, vegetables, watermelons, melons and gourds and fodder crops), and to study soil and water resources;
- The International Maize and Wheat Improvement Centre (CIMMYT) in Mexico, to study world collections of agricultural crops and create starting material and new varieties of cereal crops suitable for conditions in Tajikistan;

- The International Plant Genetic Resources Institute (IPGRI) in Rome, Italy, to study the genetic resources of woody forest crops;
- The International Crop Research Institute for the Semi-arid Tropics (ICRISAT) in Hyderabad, India, to study genetic resources and create new varieties of oilseed crops (groundnuts) suitable for conditions in Tajikistan.

799. In addition, scientific institutions within the Academy of Sciences are jointly working with the United Nations food programme to study the genetic resources of agricultural livestock and create gene banks for local species in Tajikistan, and study relations between livestock and nature.

800. New wheat varieties (Norman-37, Tasikar-35, Somoni and President) and barley varieties (Azal, etc.) were developed and introduced following joint work with international scientific centres.

801. A number of new varieties and strains of groundnuts and other agricultural crops are undergoing testing in State breeding centres.

802. Recommendations have been drawn up for the development of arid regions of the country (Beshkent, Karalang, etc.) and the growing of agricultural crops in arid conditions.

803. At present Tajikistan is cooperating in various ways with foreign foundations and organizations in the field of culture: The cultural fund of Japan allocated a grant of US\$ 450,000 to support the orchestra of the S. Aini State Academic Theatre, Opera and Ballet. The following grants were allocated by the Soros Foundation:

- US\$ 1,000 (2001) and US\$ 12,040 (2002-2004) to the Firdousi National Library;
- US\$ 4,000 (2002) for the Rudaki National Museum of History and Local Lore in the city of Penjikent;
- US\$ 4,300 (2002) for the central library in the city of Vakhdat;
- US\$ 146 (2002) for the museum in the city of Vakhdat;
- US\$ 4,000 (2003) for the A. Lokhuti central library in the city of Dushanbe;
- US\$ 4,000 (2004) for the M. Mirshakar national children's library;
- The Swiss development agency allocated a grant of US\$ 500 to the M. Mirshakar national children's library in 2001.

804. Tajikistan's international cultural and scientific links are being constantly broadened. In the past five years these links have been particularly intensively developed in the fields of education, science and technology, taking the form of bilateral and multilateral agreements and other forms of cooperation. Cooperation is being expanded with such international organizations as UNESCO, WIPO and the Soros and Eurasia foundations, and projects have been carried out with their help in the field of education, science and culture, with the participation of scientists and teachers from higher educational establishments in Tajikistan.

805. In 2001, 4,876 books on various scientific topics (political science, economics, diplomacy, jurisprudence, reference works, art, etc.) were donated by the Soros Foundation to libraries in Tajikistan.

806. A number of joint measures have been taken in the past two years using grants received, and newly published books have been sent free of charge to libraries.

807. Information centres, computer sections and electronic libraries have been opened in the national library and in the T. Asiri public library.

808. Institutes within the Academy of Sciences carried out the following projects and allocated the following grants with support from international organizations: With support from the American National Geographic Society in the United States, staff from the Botanical Institute took part in a Tajik-American expedition to the Pamir and the basin of the river Varzob, accompanied by two American botanists - Isan Ali Al-Shekhbaz, the head of the department of Asian flora, and James Solman, the head of the herbarium in Missouri Botanical Garden. A total of 300 leaves of herbs collected during the expedition were sent to these gardens. US\$ 12,000 was allocated for the expeditions. Under the "PharmAll" project (Institute of Tissue Culture in Gatersleben, Germany), work has begun to set up a collection of varieties of Allium (onions) in the Dushanbe and Khorog botanical gardens, Varzob mountain botanical station and PBI support centre in Jilandakh. As part of this project, and with a grant from the Volkswagen Foundation, graduate student P. Kurbanova pursued practical work to set up a databank of plants in the Allium species. Scientific equipment (a microscope, a digital camera and computers) was obtained, and several field trips by institute staff to various areas of Tajikistan were organized. €7,000 was allocated for this project. In 2002 the laboratory of experimental ecology and biological methods in the Institute of Zoology and Parasitology received a grant of US\$ 4,000 from the international non-governmental organization Mercy Corps, which was used to obtain bio-pesticides and test them semi-industrially against vegetable and cereal crop pests.

809. The Institute of Plant Physiology and Genetics received the following grants:

1. The laboratory of physiology and genetic selection carried out work under grant No. 20014 JB from the Civilian Research and Development Foundation on the use of the fungus *Triticeae Dimort* to create pathogen-resistant cereal crops. The amount of the grant was US\$ 42,000. The sum of US\$ 13,000 was received in 2003. This grant was used to organize a scientific mission by laboratory head S. Naimov to Kansas Agricultural University in the United States to carry out joint work, and a mission to Moscow to participate in the third international Russia-Iran Conference. An appliance for electrophoresis of proteins was purchased for US\$ 2,800.
2. The laboratory of the biochemistry of photosynthesis carried out work under an ISESCO project on analysis of plant communities in Tajikistan and forecasting of changes in them as a result of human impacts.

3. Institute staff took part in the following: an international conference on carbon exchange in the ocean and climate organized by NATO; the third General Assembly of the Association of Asian Academies of Science and a conference on biotechnology (Jerusalem, Israel); a NATO conference on integration of science and technology systems of central Asian Republics in the Western world (Ankara, Turkey), using a NATO grant; and a training course on potato production, storage and seed management (Wageningen, Netherlands). In 2002 the Academy of Sciences of Tajikistan engaged in cooperation with scientific institutions in CIS countries and further afield.

810. The Institute of Mathematics supported scientific links with the V.A. Steklov Mathematical Institute, the computer centre, the Institute of Market Problems in the Russian Academy of Sciences, the Institute of Hydrodynamics, the Institute of Water and Ecological Problems in the Siberian section of the Russian Academy of Sciences and the M.V. Lomonosov Moscow State University.

811. As part of this cooperation joint scientific research was conducted, scientific publications were issued and scientific information was exchanged.

812. Under a bilateral agreement, the S.U. Umarov Physical and Technical Institute is carrying out work in the laser optical acoustics laboratory of the physics faculty of Lomonosov University on the problem of thermal non-linearity in photo-acoustic experiments.

813. During a scientific mission at the Institute of Molecular and Atomic Physics in the National Academy of Sciences of Belarus, the laboratory of molecular spectral analysis carried out joint experimental research into the influence of high pressures (up to 200 atmospheres) on the transformation of contours of infrared absorption bands and the combinational dispersion of the light of complex multiatomic molecules.

814. Also in the framework of the Navruz regional experiment, the S.U. Umarov Physical and Technical Institute carried out joint research with the Sandia National Laboratories in the United States, the Institute of Physics of the Academy of Sciences of Kyrgyzstan, the Institute of Nuclear Physics in the National Nuclear Centre in Kazakhstan and the Institute of Nuclear Physics in the Academy of Sciences of Uzbekistan.

815. Staff from the laboratory dealing with renewable energy sources and study of materials visited the Institute of Engineering Sciences and Technology in Topi, Pakistan, to continue joint work on the problem of the use of non-traditional sources of energy, in particular, in processing organic wastes into biogas and using organic semiconductors.

816. The Nikitin Institute of Chemistry continued work with the Institute of Pharmacology of the Russian Academy of Medical Sciences, inter alia in developing a technology for obtaining new pharmaceuticals using chemical synthesis and natural compounds. Joint research was carried out in geochemistry and analytical chemistry with

GEOKHIRAN and the Institute of Plant Chemistry of the Academy of Sciences of Uzbekistan in the study of medicinal plants.

817. Staff of the Institute of Geology maintained close scientific contacts with colleagues from geological institutes in the CIS countries, including the All-Russian Institute of Mineral Raw Materials in Moscow; the Amalgamated Institute of Geology, Geophysics and Mineralogy of the Siberian section of the Russian Academy of Sciences in Novosibirsk; St. Petersburg State University; the Geological Institute of the Russian Academy of Sciences; staff of the Institute of Palaeontology of the Russian Academy of Sciences; the All-Russian Geological Institute in St. Petersburg; and the A.P. Vernadsky Institute of Geochemistry of the Siberian section of the Russian Academy of Sciences in Irkutsk.

818. The Institute of Earthquake-proof Construction and Seismology cooperated with institutions in the academies of sciences and scientific research institutes in CIS countries - Russia, Uzbekistan, Kazakhstan, Kyrgyzstan and Armenia.

819. The Institute of Earthquake-proof Construction and Seismology cooperated with the Embassy of Japan in Tajikistan in monitoring the construction of facilities being built or reconstructed with financial support from the Embassy of Japan under grant aid to small-scale projects. As part of this cooperation the Institute monitored the construction, repair and reconstruction of six buildings, including three schools, a training centre, a boarding school for blind children and a family medicine outpatient centre.

820. The Institute of Mathematics maintained scientific links with overseas centres and scientists in the United States, Germany, Romania, Greece, Poland, China, Japan, Canada, Slovenia, Slovakia, Israel, the Islamic Republic of Iran, etc.

821. Staff from the Institute of Astrophysics are members of various international scientific organizations; seven of them are members of the International Astronomical Union, the European Astronomical Society, the Euro-Asian Astronomical Society, the American Geophysical Union, etc. 822. Scientific links were maintained with the international Committee on Space Research (COSPAR), and also with scientists in the Russian Federation (the D.K. Shternberg State Astronomical Institute in Moscow State University) and in Germany (M. Planck Institute for Extraterrestrial Physics).

823. The library of the Institute continued to receive various foreign astronomical periodicals under an agreement with the International Astronomical Union.

824. The Botanical Institute cooperated with the Institute of Botany and Plant Introduction of the Ministry of Science and Higher Education of Kazakhstan, the Botanical Institute of the National Academy of Sciences of Ukraine, the Missouri Botanical Garden in the United States and the Institute of Tissue Culture in Gatersleben, Germany.

825. The Institute of Zoology and Parasitology maintains traditional scientific links with zoological and parasitological institutions in Russia (the Zoological Institute of the Russian Academy of Sciences, the Institute of Parasitology of the Russian Academy of Sciences, the All-Russian Institute of Vegetable Cultivation and the All-Russian Institute of Plant Protection) and other CIS countries.

826. The Institute of Plant Physiology and Genetics maintained contacts with the K.A. Timiryazev Institute of Plant Physiology in the Russian Academy of Sciences.

827. Joint work continued on photosynthesis of genotypes of the cotton plant with the Institute of Genetics and Experimental Plant Biology of the Academy of Sciences of Uzbekistan and the Uzbek cotton-breeding centre.

828. The Pamir Biological Institute cooperated with the Institute of Soil Science and Photosynthesis of the Russian Academy of Sciences, the K.A. Timiryazev Institute of Plant Physiology of the Russian Academy of Sciences, the Institute of Plant Protection and the Institute of Agricultural Microbiology of the Russian Academy of Agricultural Sciences, Tomsk State University, the Almaty central library system, the Mountain Botanical Garden of the Dagestan Scientific Centre of the Russian Academy of Sciences, the Institute of Cell Biology and Genetic Engineering of the National Academy of Sciences of Ukraine, the V.R. Williams All-Russian Scientific Research Institute on Fodder, the Institute of Plant Chemistry of the Academy of Sciences of Uzbekistan, the VILAR company and the Scientific Research Institute on Formation in Moscow.

829. For many years the Institute of Gastroenterology has maintained scientific contacts with the I.M. Sechenov Moscow Medical Academy, the Russian Medical University and the Pharmacology Department of the Scientific Research Institute on Experimental Medicine of the Russian Institute of Medical Sciences.

830. The laboratory of physiological and genetic selection of the Institute of Plant Physiology and Genetics has been included in the Tajikistan national programme for selection and seed management of wheat under the auspices of the German technical centre and CIMMYT.

831. Staff of the Pamir Biological Institute maintain scientific links with botanical gardens in Germany (in Bielefeld and Bayreuth), the Missouri Botanical Garden in the United States and the Pakistan Institute of Entomology and Ecotoxicology.

832. The Institute of Gastroenterology continued working contacts with the company "Gedeon Richter", and issues relating to cooperation for the approval of new medicines used in gastroenterology were examined.