

Translated from Russian

INFORMATION

relating to paragraph 11 of General Assembly resolution 59/36 of 2 December 2004

1. The Republic of Tajikistan takes the view that the rules of international humanitarian law must be strictly observed. A number of activities are pursued in the Republic in this connection.

2. Since 2 June 1999 the Republic has had a Governmental Commission on the implementation of international humanitarian law, chaired by the Deputy Prime Minister (who is responsible for the military and for the law enforcement authorities). This Commission is a permanent consultative inter-agency body, and was established to coordinate the activities of ministries, State committees and departments, local government authorities, enterprises, institutions and organizations in performing the international legal obligations of the Republic arising from the 1949 Geneva Conventions, the 1977 Additional Protocols to those Conventions and other international treaties in the field of international humanitarian law.

The Commission's principal duty is to further compliance with the international legal obligations of the Republic of Tajikistan relating to international humanitarian law.

The Commission has the following functions:

- to assist in bringing the legislation of the Republic of Tajikistan into line with the provisions of international treaties in the field of international humanitarian law to which the Republic is a party;
- to assist, according to established procedure, in the ratification of international treaties on international humanitarian law or in the Republic's accession to them;
- to further the effective implementation of the relevant provisions of agreements concerning international humanitarian law;
- to study and appraise the status of the Republic's national legislation as regards its conformity with the rules of international humanitarian law;
- to draft legislation for the Republic to implement the rules of international humanitarian law;
- to evaluate the effectiveness of the Republic's participation in the 1949 Geneva Conventions, the 1977 Additional Protocols and other international treaties in the field of international humanitarian law;
- to consider proposals from interested bodies and to prepare advisory opinions on the position to be taken by the Republic of Tajikistan in relation to issues of international humanitarian law;
- to consider and prepare advisory opinions on draft international treaties and normative legal instruments of the Republic of Tajikistan;
- to coordinate the work of interested bodies on the implementation of international humanitarian law;

- to assist in disseminating knowledge of international humanitarian law;
- to provide interested bodies with information about international humanitarian law;
- to monitor compliance with the Commission’s decisions;
- to cooperate and collaborate with State authorities, private sector associations and other non-governmental institutions in the Republic, with the International Committee of the Red Cross and with other international organizations in developing international humanitarian law;
- to carry out research and prepare reports and proposals on the application and future development of international humanitarian law;
- to take part in developing teaching programmes on international humanitarian law for all levels of general and vocational education, for military staff training courses and training courses for law enforcement agencies, as well as for courses for staff of law enforcement agencies responsible for applying international humanitarian law;
- to prepare and submit to the Government of the Republic of Tajikistan an annual report on the status of and general trends in the Republic’s performance of its international obligations in the field of international humanitarian law.

3. The Republic of Tajikistan collaborates actively with the International Committee of the Red Cross (ICRC).

In Tajikistan, the following legal instruments govern the use and protection of the emblem of the Red Cross and other emblems and insignia:

- (a) The Criminal Code of the Republic of Tajikistan (1998);
- (b) The Law of the Republic of Tajikistan on the use and protection of names and emblems of the Red Cross and Red Crescent in the Republic of Tajikistan (2001);
- (c) The Law of the Republic of Tajikistan on trademarks and service marks (2007);
- (d) Resolution No. 28 of 4 February 2002 of the Government of the Republic of Tajikistan “On measures to implement the Law of the Republic of Tajikistan on the use and protection of emblems and names of the Red Cross and Red Crescent in the Republic of Tajikistan”.

It should be pointed out that national law does not permit the use, on the territory of the Republic, of the designations “Red Cross” and “Red Crescent” in the names of legal persons or in trademarks and service marks or for other purposes not in accordance with the principles of the International Red Cross and Red Crescent Movement.

4. Breaches of the norms of international humanitarian law either in international or in non-international conflicts are offences under the criminal law of the Republic of Tajikistan and are punishable as such.

No offences of this nature are committed in Tajikistan.

5. The Republic of Tajikistan was represented at the Wellington Conference on Cluster Munitions which took place in the city of Wellington, New Zealand, from 18

to 22 February 2008 and which was also a continuation of the dialogue among the countries which had joined in the Oslo Process in February 2007. The Conference discussed the draft Convention on Cluster Munitions. Tajikistan expressed its support for the Wellington Declaration on cluster munitions which was adopted at the Conference. The draft Convention on Cluster Munitions was approved, and the Convention adopted, at the Diplomatic Conference on Cluster Munitions which took place from 19 to 30 May 2008 in Dublin, Ireland.

It should be noted that a Centre on Mine Issues has been set up and is in operation in Tajikistan. It is engaged in studying and analysing the issues relating to accession by Tajikistan to the above-named treaty.

This Centre, together with the Government's Commission on the implementation of international humanitarian law, is making a significant contribution to the implementation of the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, of 18 September 1997.

6. International humanitarian law is taught as an optional subject in the law departments of the Republic's leading universities.
