

LAW OF THE REPUBLIC OF TAJIKISTAN ON THE RED CRESCENT SOCIETY OF TAJIKISTAN

(Akhbori Majlisi Oli of the Republic of Tajikistan, 2010, No. 1, art.)

This Law defines the organizational and legal basis for the activities of the Red Crescent Society of Tajikistan, forms of support for the Society by state bodies of the Republic of Tajikistan and regulates their relationship.

CHAPTER I. GENERAL PROVISIONS

Article 1. Red Crescent Society of Tajikistan

1. The Red Crescent Society of Tajikistan is an integral part of the International Red Cross and Red Crescent Movement, a member of the International Federation of Red Cross and Red Crescent Societies, a voluntary public association, a self-governing, non-profit organization established on the initiative of citizens on the basis of a community of interests to jointly solve development problems and the implementation of the ideas of humanism and care for people by ensuring social protection of citizens, as well as providing support to state bodies and local governments in humanitarian activities.

2. The Red Crescent Society of Tajikistan is recognized as the only national organization of the Red Crescent and carries out its activities on the territory of the Republic of Tajikistan. The names "Red Crescent Society of Tajikistan" and "Red Crescent of Tajikistan" refer to the Red Crescent Society of Tajikistan and are equivalent.

3. The Red Crescent Society of Tajikistan is officially recognized by the Government of the Republic of Tajikistan as a voluntary society according to the Geneva Convention (1949) and assists government agencies in humanitarian activities.

Article 2. Legislation of the Republic of Tajikistan on the Red Crescent Society of Tajikistan

The legislation of the Republic of Tajikistan on the Red Crescent Society of Tajikistan is based on the Constitution of the Republic of Tajikistan and consists of this Law, other regulatory legal acts of the Republic of Tajikistan, as well as international legal acts recognized by Tajikistan. The regulatory and legal framework for the activities of the Red Crescent Society of Tajikistan - the Constitution of the Republic of Tajikistan, the Geneva Convention (1949), Additional Protocols to the Geneva Convention (1977), the Charter of the International Red Cross and Red Crescent Movement, the Charter of the International Federation of the Red Crescent and the Charter of the Red Crescent Society of Tajikistan.

Article 3. Legal Status of the Red Crescent Society of Tajikistan

The Red Crescent Society of Tajikistan is a voluntary republican public association established as a legal entity in the manner prescribed by the legislation of the Republic of Tajikistan based on the community of interests of citizens in order to alleviate human suffering, solving social problems, providing assistance to victims of armed conflicts and persons affected by emergencies and man-made situations, cooperation in fulfilling the tasks arising from the Geneva Convention (1949) and Additional Protocols to the Geneva Convention (1977), dissemination of the ideals of international humanitarian law and the basic principles of the International Red Cross and Red Crescent Movement, as well as public education in the field of healthcare.

Article 4. Charter of the Red Crescent Society of Tajikistan

The Red Crescent Society of Tajikistan has its own Charter and acts in accordance therewith. The Charter of the Red Crescent Society of Tajikistan defines the procedure for its organization, the formation of governing and control bodies, organizational structures, conditions and procedure for admission to membership of this society, the rights and obligations of its members, and also contains other information related to the implementation of its activities. The Red Crescent Society of Tajikistan carries out its activities in accordance with the Charter and approved regulations. The Charter of the Red Crescent Society of Tajikistan is approved by the congress of this Society.

Article 5. Principles of Activities of the Red Crescent Society of Tajikistan

1. In its activities, the Red Crescent Society of Tajikistan is guided by the following fundamental principles of the International Red Cross and Red Crescent Movement:

- humanity - the International Red Cross and Red Crescent Movement created to help all the wounded on the battlefields, without exception, seeks to use its capabilities at the national and international levels to prevent and alleviate human suffering around the globe;

- impartiality - the Movement is free from national, racial and religious prejudices and class political convictions. The Movement seeks to alleviate the suffering of people and is solely guided by their needs, coming to the aid, first of all, of those who are in the most difficult situation;

- neutrality - in order to enjoy universal trust, the Movement does not give preference to either side during hostilities and never intervenes in contradictions of a political, racial, religious or ideological nature;

- independence - the Movement is independent. National societies, fulfilling a supporting role in the humanitarian activities of their countries, as legal entities of their states, must maintain autonomy to carry out activities in accordance with the fundamental principles of the Movement;

- voluntariness - the Movement is voluntary and its purpose is to provide assistance and it is in no way motivated by the desire to obtain benefits;

- uniqueness - there can be only one Red Cross or Red Crescent Society in a country. It must be open to all and carry out humanitarian activities throughout the country;

- universality - the International Red Cross and Red Crescent Movement, made up of societies with equal status and equal responsibility, is worldwide.

2. State bodies of the Republic of Tajikistan, other legal entities, as well as individuals are obliged to respect the principles of the activities of the Red Crescent Society of Tajikistan specified in the first part of this article.

Article 6. Tasks of the Red Crescent Society of Tajikistan

The Red Crescent Society of Tajikistan, both independently and jointly with the state bodies of the Republic of Tajikistan, performs the following tasks:

- providing assistance to state bodies of the Republic of Tajikistan in humanitarian activities;

- providing assistance to state bodies of the Republic of Tajikistan in the fulfillment by the Republic of Tajikistan of international obligations arising from the Geneva Convention (1949) and Additional Protocols the Geneva Convention (1977);

- dissemination of knowledge about international law, principles and ideals of the International Red Cross and Red Crescent Movement;

- participation in the implementation of measures to protect the health of the population on the territory of the Republic of Tajikistan, including those aimed at alleviating human suffering and caring for various categories of the population, as well as the implementation of their programs in the field of education, healthcare and social protection;

- organization on the territory of the Republic of Tajikistan of provision of assistance to victims of armed conflicts and to persons affected by emergencies and man-made situations;

- providing assistance through the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, national Red Cross or Red Crescent Societies of foreign states to the victims of armed conflicts, as well as to persons affected by emergencies in foreign states;

- fulfillment of other tasks arising from the fundamental principles of the International Red Cross and Red Crescent Movement.

Article 7. Main directions of activities of the Red Crescent Society of Tajikistan

To fulfill the tasks specified in Article 6 of this Law, the Red Crescent Society of Tajikistan in accordance with the legislation of the Republic of Tajikistan:

- participates in health education and medical training of the population in providing first aid and

caring for patients at home, contributes to the creation of appropriate services for training personnel in this area, for training personnel who are part of the civil defense;

- cooperates with government agencies to ensure compliance with international humanitarian rights and the protection of the emblem of the Red Crescent;

- uses the emblems of the Red Crescent as a distinctive mark;

- participates in the organization of the donation of blood and its components in peacetime and during armed conflicts, promotes the donation of blood and its components for medical purposes among the population;

- participates in the provision of medical, preventive and social assistance to people in need of it;

- carries out activities for the sale of patient care items and medicines through the pharmacy network of the Red Crescent, provides paid medical and social services for the care of various categories of the population;

- creates a special service to provide assistance to the homeless, refugees and other segments of the population in need of it;

- creates a tracing service to search for missing persons, helps to restore ties between family members separated as a result of armed conflicts, emergencies and man-made situations, and assists in family reunification;

- organizes the reception, storage and distribution of humanitarian aid received from the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, national Red Cross or Red Crescent societies of foreign states and from other sources;

- together with the medical services of the Armed Forces, internal troops of the Ministry of Internal Affairs, border troops and other military formations of the Republic of Tajikistan, as well as with the bodies and divisions of the Committee for Emergency Situations and civilian civil defense formations, provides assistance to the wounded and sick during armed conflicts, creates appropriate services for this purpose;

- together with the bodies and divisions of the Committee for Emergency Situations and Civil Defense, provides assistance to persons affected by emergencies, create appropriate services for this purpose;

- grants permission to use the emblem of the Red Crescent as a distinctive mark and in peacetime as protection;

- provides assistance to state bodies of the Republic of Tajikistan in receiving and accommodating victims of armed conflicts, as well as persons affected by emergencies;

- interacts with the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies, national Red Cross or Red Crescent societies of foreign states to provide assistance to victims of armed conflicts, as well as persons affected by emergency situations, assists these organizations in the implementation of humanitarian activities on the territory of the Republic of Tajikistan and abroad;

- in accordance with the Geneva Convention (1949) and the Additional Protocols to the Geneva Convention (1977) in peacetime creates a material and technical base and provides training for organizing the work of the National Information Bureau, and performs its functions during armed conflicts;

- creates an appropriate service to carry out activities to disseminate among the population of the Republic of Tajikistan information on international humanitarian law and on the fundamental principles of the International Red Cross and Red Crescent Movement;

- carries out publishing activities;

- performs other functions assigned to it by the Geneva Convention (1949), Additional Protocols to the Geneva Convention (1977) and documents of the International Red Cross and Red Crescent Movement, as well as this Law.

Article 8. Information about the Activities

1. The Red Crescent Society of Tajikistan creates conditions for the media for free access to information about its activities and to its annual reports.

2. Comprehensive coverage of the activities of the Red Crescent Society of Tajikistan is a public duty of the mass media.

Article 9. International Cooperation of the Red Crescent Society of Tajikistan

1. The Red Crescent Society of Tajikistan cooperates with the International Committee of the Red Cross, the International Federation of Red Cross and Red Crescent Societies and other international humanitarian organizations, as well as with national Red Cross or Red Crescent societies of foreign states to carry out activities corresponding to its tasks and main directions provided for in Articles 6 and 7 of this Law.

2. The Red Crescent Society of Tajikistan participates in international humanitarian activities carried out in accordance with international treaties of the Republic of Tajikistan, documents adopted within the framework of the International Red Cross and Red Crescent Movement, legislation of the Republic of Tajikistan and the Charter of the Society.

3. Foreign national Red Cross and Red Crescent societies carry out their activities on the territory of the Republic of Tajikistan in accordance with the legislation of the Republic of Tajikistan and the fundamental principles of the international movement of the Red Cross and Red Crescent on the basis of an agreement with the Red Crescent Society of Tajikistan.

Article 10. Use of the Emblem and Name of the Red Crescent by the Red Crescent Society of Tajikistan

The emblem and name of the Red Crescent by the Red Crescent Society of Tajikistan are used in accordance with the procedure established by the Law of the Republic of Tajikistan "On the use and protection of the emblem and name of the Red Cross and Red Crescent in the Republic of Tajikistan."

CHAPTER 2. STATE SUPPORT OF THE RED CRESCENT SOCIETY OF TAJIKISTAN

Article 11. Cooperation of the Red Crescent Society of Tajikistan with State Bodies of the Republic of Tajikistan

1. The Red Crescent Society of Tajikistan, jointly with the state bodies of the Republic of Tajikistan, may conclude agreements that define the main directions and methods of cooperation.

2. State bodies of the Republic of Tajikistan may involve the Red Crescent Society of Tajikistan and its organizational structures to carry out activities corresponding to its tasks and main directions provided for in Articles 6 and 7 of this Law, including on the basis of a state order.

3. If necessary, local executive and representative bodies of state authorities and self-government bodies of a village provide the Red Crescent Societies of Tajikistan with the data at their disposal and necessary to perform the tasks specified in Articles 6 and 7 of this Law.

4. Public authorities are obliged to provide all the data provided for by the Geneva Convention (1949) and the Additional Protocols to the Geneva Convention (1977) in relation to persons protected under the abovementioned Convention and Protocols, within 15 days after the establishment of supervision over these persons.

Article 12. State Support of the Red Crescent Society of Tajikistan

1. Government bodies and self-government bodies of a village in accordance with the legislation of the Republic of Tajikistan in order to assist the Red Crescent Society of Tajikistan in fulfilling the tasks provided for in Article 6 of this Law, provide state support to the Society, including material support and other measures.

2. The exemption of the Red Crescent Society of Tajikistan from paying taxes and customs

duties, as well as subsidizing special programs that meet the objectives of the Red Crescent Society of Tajikistan, are carried out in accordance with the legislation of the Republic of Tajikistan.

Article 13. Financing of the Activities of the Red Crescent Society of Tajikistan

1. The amount of state funding for the payment of membership fees of the Red Crescent Society of Tajikistan to the International Federation of Red Cross and Red Crescent Societies, contributions for the financing of the International Committee of the Red Cross and for the implementation of social state programs is established annually in the Law of the Republic of Tajikistan on the State Budget.

2. State authorities and self-government bodies of a village have the right to finance regional and local organizations of the Red Crescent Society of Tajikistan from local budgets.

3. The Red Crescent Society of Tajikistan may accept donations and assistance in any form from individuals and legal entities in accordance with the legislation of the Republic of Tajikistan.

4. The Red Crescent Society of Tajikistan may acquire, own and dispose of any property that it considers necessary for the realization of its goals and objectives.

Article 14. Provision of Premises for the Red Crescent Society of Tajikistan

The provision of premises and areas to the Red Crescent Society of Tajikistan and its organizational structures to ensure its activities, as well as the placement of management bodies, shall be carried out by local executive and representative bodies of state authorities in accordance with the legislation of the Republic of Tajikistan.

Article 15. Month of the Red Crescent Society of Tajikistan

1. In the Republic of Tajikistan, the Red Crescent Society of Tajikistan annually holds the Red Crescent Month, aimed at spreading the ideas of the International Red Cross and Red Crescent Movement and drawing attention to the programs of this Society. The terms, procedure and conditions of the Red Crescent Month are determined by the Government of the Republic of Tajikistan.

2. In accordance with the program of the Red Crescent Month approved by the Red Crescent Society of Tajikistan and the state bodies of the Republic of Tajikistan, stadiums, parks and other social and cultural facilities may be provided for holding events within the framework of the Red Crescent.

CHAPTER 3. FINAL PROVISIONS

Article 16. Responsibility for Violation of this Law

Individuals and legal entities are held accountable for violation of this Law in accordance with the legislation of the Republic of Tajikistan.

Article 17. Procedure for the Entry into Force of this Law

This Law shall enter into force after its official publication.

President of the Republic of Tajikistan

Emomali Rahmon

Dushanbe, January 12, 2010, No. 592