

Side event to the Biological Weapons Convention Meetings of Experts
EU Legislative Assistance in BTWC Implementation
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Harmonization of the legislation of the Republic of Tajikistan within the framework of P 53 Project

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NAP of the Republic of Tajikistan on the Implementation of UN Security Council

Resolution 1540 # 54 from February 09, 2016,

**Governmental Decree №54 dated 9 February 2016 on UNSCR 1540
implementation in the country**

- For implementation of its international obligations, the Government of the Republic of Tajikistan created a working group for development and harmonization of the normative-legal acts in accordance with requirements of the **BTWC** and the **CPCW** and UNSCR 1540.
- It includes representatives of all stakeholder ministries and state entities.
- The Working Group reviewed and analyzed legislation, according to the tasks of the project P 53, using questionnaires prepared by VERTIC experts.

Revision of Legislation

- The revision of laws and legal documents related to the **BTWC**, in accordance with the questionnaire, is completed;
- The analysis of gaps related to **BTWC** on legal instruments and laws has been carried out;
- Based on identified gaps and comments of international experts, measures will be taken to harmonize the regulatory framework in accordance with regulations of international conventions.

National measures on application of Alimentarius

The analysis of the Codex Alimentarius showed the absence of the following terminology in legislative documents, such as:

- Antimicrobial drug;
- Resistance to antibiotics;
- Pollutant;
- Critical control point;
- Equivalence;
- Primary production;
- Risk analysis;
- Risk management.

Analysis review of the National Measures on the Implementation of the International Health Regulations (2005) (IHR)

The analysis of national measures on the IHR is also completed in accordance with the list of legislative acts which are defined and there is a need for amendments and changes to be made:

- Customs Code of the Republic of Tajikistan
- The Air Code of the Republic of Tajikistan
- "On the State Frontier of the Republic of Tajikistan"
- "On Protection of the Population and Territory from the Natural and Technogenic Emergencies"
- "On industrial safety of hazardous production facilities"
- "On transport."

- In addition, the list of controlled dual-use goods and technologies has been prepared to facilitate international trade and export controls.

National legislation and export control

- "On Export Control", No. 1168 of December 31, 2014;
- "On Foreign Trade Activity", No. 846 of July 3, 2012;
- "On the licensing system," No. 751 of August 2, 2011;
- "On the use of atomic energy", No. 69 of December 9, 2004;
- "On Radiation Safety", No. 42 of August 1, 2003;
- "On Biological Safety", No. 88 of March 1, 2005;
- "On Security", No. 721 of June 28, 2011;
- "On licensing of certain types of activities", No. 37 of May 17, 2004;
- "On International Treaties of the Republic of Tajikistan", No. 908 of December 11, 1999;
- Customs Code of RT

Law of the Republic of Tajikistan on Biological Safety and Biological Security

- The purpose of this law is to implement the Convention on the Prohibition of Biological and Toxin Weapons and related provisions of United Nations Security Council Resolution 1540 by prohibiting the inappropriate use of controlled biological agents and toxins in any form, as well as improving biosafety and biosecurity, and facilitating the implementation of the Republic of Tajikistan its obligations to prevent the proliferation of weapons of mass destruction.
- Establishes bans on the improper use of controlled biological agents and toxins, as well as related offenses.

continued

CHAPTER 1. GENERAL PROVISIONS

- Article 1. General provisions
- Article 2. Legislation of the Republic of Tajikistan on ensuring Biological Safety and Biological Security
- Article 3. Principles and means for ensuring Biological Safety and Biological Security
- Article 4. Ensuring Biosafety and Biological Security
- Article 5. Indicators and Criteria for Biological Safety and Biological Security

CHAPTER 2. PROHIBITIONS

- Article 6. Prohibition of unauthorized activities related to controlled biological agents and toxins

CHAPTER 3. STATE GOVERNANCE

- Article 7. Power of the Government of the Republic of Tajikistan in the field of ensuring biological safety and biological security
- Article 8. Competence of the authorized state bodies for ensuring biological safety and biological security

CHAPTER 4. ENSURING THE IMPLEMENTATION

- Article 11. Licensing of activities in the field of biological safety and biological security
- Article 12. State registration of biological agents and hazardous objects
- Article 13. Requirements for physical protection of biologically hazardous objects
- Article 14. Transportation of controlled biological agents and toxins
- Article 15. Export, import and transit of controlled biological agents and toxins and dual-use equipment and technologies
- Article 16. Control over the internal transfer of controlled agents and toxins
- Article 17. Requirements for the Packaging and Labeling of Biological Agents and Toxins
- Article 18. Vocational training of managers and responsible persons for biological safety and biological protection

continued

- Article 20. The system for ensuring the response and investigation of biological emergencies
- Article 21. Measures of administrative criminal liability

CHAPTER 5. FINAL PROVISIONS

- Article 22. Application of this Law
- Article 23. Linking laws and other regulatory and legal acts in line with the requirements of this law
- Article 24. Procedure for the Enactment of this Law

Offenses and penalties

The Criminal Code provides for articles

- Article 179. Terrorism
- Article 179¹. Involvement in the commission of crimes of a terrorist nature or other assistance in their commission
- Article 179¹. Involvement in the commission of crimes of a terrorist nature or other assistance in their commission
- Article 179³. Public Appeals for the Committing of Crimes of a Terrorist Nature
- Article 180. Knowingly false report on an act of terrorism
- Article 223. Violation of safety rules in dealing with microbiological and other toxins
- Article 289. Smuggling
- Article 309. Diversion
- Article 397. Production and distribution of WMD
- Article 399. Biocide

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YOUR ATTENTION*