

**LAW  
OF THE REPUBLIC OF TAJIKISTAN  
ON COMBATING CORRUPTION**

This Law establishes the organizational and legal framework for combating corruption and is aimed at protection of human and civil rights and freedoms, the interests of the state and society, ensuring national security, the normal functioning of state bodies and impartiality in the civil service.

**CHAPTER 1. GENERAL PROVISIONS**

**Article 1. Basic definitions**

The following basic terms are used in this Law:

- corruption is an act (action or omission), committed by a person authorized to perform public functions, or by persons deemed equivalent to such a person, through the abuse of their official position and authority, for their own benefit or the benefit of another person, with the aim of unlawfully obtaining material or non-material benefits, advantages, and other benefits for themselves or for others, as well as personally or indirectly providing material and non-material benefits, advantages, or other benefits to perpetrators of corruption-related offenses for the purpose of inducing them or rewarding them for committing such acts in favor of individuals or legal entities;

- anti-corruption refers to the activities of entities engaged in combating corruption in the areas of prevention, detection, disclosure, inquiry and investigation of corruption-related offenses, as well as bringing offenders to justice, eliminating the causes and conditions that give rise to corruption and addressing the consequences of corruption-related violations;

- corruption-related offenses are offenses established by this Law and other normative legal acts that create conditions for corruption, and which, when committed by subjects of corruption-related offenses, entail disciplinary, administrative, civil, and criminal liability as provided by law;

- The subjects of corruption-related offenses are: a person authorized to perform public functions, that is, a person who holds, on a permanent, temporary, or special authority basis, public offices of state authority or public service positions in accordance with the regulatory legal acts of the Republic of Tajikistan; an official of local self-government bodies of settlements and villages, as well as persons equated to such an official (a person who, in accordance with the procedure established by the regulatory legal acts of the Republic of Tajikistan, is registered as a candidate for elective public office or as a member of public electoral bodies; officials of state economic entities, economic entities in which the state holds at least a fifty percent stake, officials of non-profit organizations, officials of foreign states, international organizations, and their representative offices that have relations with state bodies, officials, natural persons, and legal entities of the Republic of Tajikistan), persons providing public services, natural persons, and legal entities;

- public functions—tasks established on the basis of the Constitution of the Republic of Tajikistan and other normative legal acts of the Republic of Tajikistan, and falling within the authority of the state, its bodies, and persons holding public office;

- use of official position and its opportunities— one-time, repeated, or systematic use of a public office and its opportunities, as well as the establishment of sustained contact with one or more persons authorized to perform public functions, or persons equivalent to them, with other persons or specific groups for the purposes specified in the first paragraph of this article, threatening and causing harm to the interests of the state, and society;

- relatives—spouse, children, father and mother, brothers, sisters, as well as the father and mother, brothers, and sisters children of the wife or husband, uncles, aunts, mothers-in-law, daughters-in-law, sons-in-law, nephews, adoptive parents, adopted children, as well as other persons living together and sharing a common household with a person authorized to perform public functions and persons equivalent to them;

- public interest - any interest established and protected by the legislation of the Republic of Tajikistan;

- personal interest—any interest aimed at satisfying the material and non-material needs of individuals;

- conflict of interest – a situation involving the personal interests of perpetrators of corruption-related

offenses, which, when performing their duties, may give rise to a corruption offense and cause harm to the interests of individuals and legal entities, society, and the state;

- Prevention of corruption means the activities of anti-corruption entities aimed at suppressing, preventing, detecting, registering, disclosing, inquiring into, and investigating acts of corruption, as well as eliminating the causes and conditions that facilitate the commission of corruption-related offenses;

- corruption risks—the likelihood of the presence and emergence of causes and conditions that may contribute to the commission of corruption-related offenses in any form.

### **Article 2. Anti-Corruption Legislation of the Republic of Tajikistan**

The legislation of the Republic of Tajikistan on anti-corruption is based on the Constitution of the Republic of Tajikistan and consists of this Law, other normative legal acts of the Republic of Tajikistan, as well as international legal acts recognized by Tajikistan.

### **Article 3. Scope of application of this Law**

This Law applies to persons committing offenses related to corruption, unless otherwise provided for in international legal instruments recognized by Tajikistan.

### **Article 4. Fundamental Principles of Combating Corruption**

Anti-corruption efforts shall be carried out on the basis of the following principles:

- 1) legality;
- 2) fairness;
- 3) priority of human and civil rights and freedoms;
- 4) equality of all before the law;
- 5) transparency and openness;
- 6) the inevitability of accountability for committing corruption-related offenses;
- 7) prevention and elimination of the consequences of corruption-related offenses;
- 8) ensuring the personal safety and legal safeguards of individuals who assist in combating corruption;
- 9) cooperation between government agencies and civil society institutions.

## **CHAPTER 2. POWERS OF ENTITIES IN THE FIGHT AGAINST CORRUPTION**

### **Article 5. Competence of the President of the Republic of Tajikistan in the field of combating corruption**

The President of the Republic of Tajikistan has the following powers in the field of anti-corruption:

- determines the main directions of state policy on anti-corruption;
- approves the state strategy for combating corruption;
- establishes the National Council of the Republic of Tajikistan on Anti-Corruption, approves its composition and regulations;
- exercises other powers provided for by the regulatory legal acts of the Republic of Tajikistan.

### **Article 6. The competence of the Government of the Republic of Tajikistan in the field of combating corruption.**

The Government of the Republic of Tajikistan has the following responsibilities in the area of anti-corruption:

- carries out the development and implementation of state policy in the field of combating corruption, ensures organizational support, and promotes the development and strengthening of the material and technical base of entities directly engaged in combating corruption;
- exercises other powers, provided for by the regulatory legal acts of the Republic of Tajikistan.

### **Article 7. Entities engaged in anti-corruption activities**

Anti-corruption entities are entities directly combating corruption and entities participating in the fight against corruption.

#### **Article 8. Entities, directly combating corruption**

1. The entities directly combating corruption, are:
  - 1) the Agency for state financial control and anti-corruption of the Republic of Tajikistan;
  - 2) The general prosecutor's office of the Republic of Tajikistan;
  - 3) The ministry of internal affairs of the Republic of Tajikistan;
  - 4) The ministry of defense of the Republic of Tajikistan;
  - 5) The State committee for national security of the Republic of Tajikistan;
  - 6) Agency for drug control under the President of the Republic of Tajikistan;
  - 7) National guard of the Republic of Tajikistan;
  - 8) Customs service under the government of the Republic of Tajikistan;
  - 9) the courts of the Republic of Tajikistan.
2. The heads of anti-corruption agencies are responsible for carrying out anti-corruption tasks.

#### **Article 9. Powers of bodies, directly involved in combating corruption**

1. The Agency for state financial control and anti-corruption of the Republic of Tajikistan has the following powers in the field of anti-corruption:
  - 1) implements state policy in the field of anti-corruption;
  - 2) to combat corruption in all state authorities, local state authorities and self-governing bodies of settlements and villages, public associations, enterprises, institutions and other organizations, regardless of their organizational and legal forms;
  - 3) develops normative legal acts of the Republic of Tajikistan in the field of anti-corruption and submits them to the President of the Republic of Tajikistan and the Government of the Republic of Tajikistan in accordance with the legislation of the Republic of Tajikistan;
  - 4) coordinates the activities of anti-corruption entities in the field of anti-corruption;
  - 5) conducts analytical work and monitors the status of anti-corruption efforts and submits its findings to the relevant state and public bodies for review and action;
  - 6) analyzes corruption risks in all state authorities, local state authorities, and self-governing bodies of settlements and villages, public associations, enterprises, institutions, and other organizations, regardless of their organizational and legal forms, and takes necessary measures;
  - 7) studies the effectiveness of anti-corruption measures and submits proposals for their improvement;
  - 8) identifies and investigates corruption-related crimes and takes effective measures to prevent, detect, and eliminate the causes and conditions that contribute to corruption, as well as the consequences of corruption-related offenses;
  - 9) conducts analysis and coordinates the activities of state bodies in carrying out anti-corruption review of normative legal acts and draft normative legal acts;
  - 10) exercises other powers provided for by the legislation of the Republic of Tajikistan.
2. The General prosecutor's office of the republic of Tajikistan has the following powers in the field of anti-corruption:
  - 1) exercises supervision over the precise and uniform observance and application of laws in the field of combating corruption and takes measures, in accordance with the legislation of the Republic of Tajikistan, in cases where corruption-related offenses are identified;
  - 2) engages in international legal cooperation to provide legal assistance and to extradite (surrender) persons who have committed corruption offenses and are located on the territory of a foreign state, in accordance with international legal instruments recognized by Tajikistan;
  - 3) coordinates the activities of law enforcement agencies in the field of preliminary inquiries and investigations of corruption-related crimes;
  - 4) in the event that factors conducive to corruption are identified in normative legal acts, submits proposals to eliminate such factors to legislative bodies or the State Financial Control and Anti-Corruption Agency;
  - 5) conducts analysis and evaluation of statistical data on the status of anti-corruption efforts;
  - 6) exercises other powers, provided for by the legislation of the Republic of Tajikistan.
3. The powers of the Ministry of internal affairs of the Republic of Tajikistan and the Drug Control Agency under the President of the Republic of Tajikistan in the field of anti-corruption are exercised by taking

measures to prevent and detect corruption-related offenses;

4. The powers of the Ministry of Defense and the National Guard of the Republic of Tajikistan are exercised through the implementation of anti-corruption measures in the sphere of military administration and the Armed Forces of the Republic of Tajikistan.

5. The powers of the State Committee for National Security of the Republic of Tajikistan in the field of anti-corruption are exercised through the implementation of measures to prevent and detect corruption-related offenses that threaten national security.

6. The powers of the Customs service under the Government of the Republic of Tajikistan in the field of anti-corruption are exercised through the adoption of necessary measures to prevent and detect corruption-related offenses during the movement of goods and products across the customs border of the Republic of Tajikistan.

7. The powers of judicial bodies in the field of anti-corruption are exercised in accordance with the procedure provided for by the Constitutional Law of the Republic of Tajikistan "On the courts of the Republic of Tajikistan," this Law and other regulatory legal acts of the Republic of Tajikistan.

#### **Article 10. Entities, involved in combating corruption**

The entities, involved in anti-corruption efforts are:

- 1) The Ministry of justice of the Republic of Tajikistan;
- 2) The Ministry of education and Science of the Republic of Tajikistan;
- 3) The Ministry of health and social protection of the population of the Republic of Tajikistan;
- 4) The Ministry of labor, migration, and employment of the Republic of Tajikistan;
- 5) The Ministry of finance of the Republic of Tajikistan;
- 6) The Accounts chamber of the Republic of Tajikistan;
- 7) The Agency of civil service under the President of the Republic of Tajikistan;
- 8) The State committee for land management and geodesy of the Republic of Tajikistan;
- 9) The Tax Committee under the Government of the Republic of Tajikistan;
- 10) The Committee on Television and Radio Broadcasting under the Government of the Republic of Tajikistan;
- 11) The Agency for public procurement of goods, works, and services under the Government of the Republic of Tajikistan;
- 12) The Communication service under the Government of the Republic of Tajikistan;
- 13) The Execution Service under the Government of the Republic of Tajikistan;
- 14) The Agency for supervision in the field of education and science under the President of the Republic of Tajikistan;
- 15) National Bank of Tajikistan;
- 16) local executive bodies of state power;
- 17) local self-government bodies of towns and villages;
- 18) other state bodies;
- 19) economic entities;
- 20) non-profit organizations;
- 21) representative offices of international organizations operating within the territory of the Republic of Tajikistan;
- 22) individuals and legal entities.

#### **Article 11. Powers of entities, involved in combating corruption**

Entities, involved in anti-corruption efforts, within the scope of their authority, shall regularly conduct anti-corruption awareness campaigns and advocacy, ensure compliance with the requirements of state anti-corruption strategies and programs and analyze activities to identify and prevent the causes, conditions and risks of corruption.

#### **Article 12. National anti-corruption council of the Republic of Tajikistan**

The National anti-corruption council of the Republic of Tajikistan, as an advisory body, is established by the President of the Republic of Tajikistan for the purpose of coordinating the activities of state bodies and civil

society to implement anti-corruption measures and is accountable to him.

#### **Article 13. Public Commission on Corruption Prevention**

1. To prevent corruption at the local level, a public commission on the prevention of corruption shall be established under the local executive body of state power.

2. The model regulations for public commissions on the prevention of corruption attached to local executive bodies of state power shall be approved by the National Anti-Corruption Council of the Republic of Tajikistan.

### **CHAPTER 3. PREVENTION OF CORRUPTION**

#### **Article 14. Prevention of corruption and methods of implementation**

Corruption prevention is one of the measures to combat corruption and is implemented through the following means:

- 1) anti-corruption advocacy and awareness campaigns;
- 2) anti-corruption training and education;
- 3) analysis of corruption risks;
- 4) anti-corruption monitoring;
- 5) anti-corruption review of regulatory legal acts and draft regulatory legal acts;
- 6) measures of state financial control;
- 7) special requirements for candidates for public office and persons authorized to perform public duties;
- 8) barriers to appointment or election to public office and positions equivalent thereto;
- 9) imposition of restrictions on the performance of duties in public offices and positions equivalent thereto.

#### **Article 15. Anti-corruption campaigning and publicity**

1. Anti-corruption advocacy and awareness campaigns are targeted educational measures to combat corruption and are carried out through the media, the Internet, discussions and meetings with the public, and other means provided for by the legislation of the Republic of Tajikistan;

2. Anti-corruption advocacy and awareness campaigns are carried out by anti-corruption entities in accordance with the legislation of the Republic of Tajikistan.

#### **Article 16. Anti-Corruption Education and Training**

1. Anti-corruption education and training are implemented through the introduction of educational programs aimed at acquiring knowledge, skills and a sense of responsibility regarding the prevention, deterrence and detection of corruption-related offenses; fostering an intolerant attitude toward corruption-related offenses within society; and enhancing the level of legal knowledge and culture;

2. Anti-corruption education and training are implemented in accordance with the procedure established by the legislation of the Republic of Tajikistan.

#### **Article 17. Analysis of corruption risks**

1. Corruption risk analysis is conducted to identify the causes and conditions that contribute to corruption or may serve as a basis for it, as well as to develop recommendations aimed at eliminating their effects.

2. The procedure for conducting a corruption risk analysis is determined by the Government of the Republic of Tajikistan.

#### **Article 18. Anti-Corruption Monitoring**

1. Anti-corruption monitoring is conducted in courts and other authorized state bodies through observation, inspection, research, study, analysis, and assessment of corruption offenses, factors contributing to the emergence of corruption, as well as the implementation of strategies, programs, and plans to combat corruption, sociological studies, information on the prevention, detection, registration, elimination, inspections, and audits, and based on the results of the review of corruption offenses.

2. The results of anti-corruption monitoring shall be forwarded to the relevant state and public bodies for

review and action.

**Article 19. Anti-corruption review of normative legal acts and draft normative legal acts**

Anti-corruption review of normative legal acts and draft normative legal acts shall be conducted in accordance with the provisions of the Law of the Republic of Tajikistan “On Anti-Corruption Review of Normative Legal Acts and Draft Normative Legal Acts.”

**Article 20. Measures of state financial control**

1. In order to prevent and detect acts of corruption, financial control measures are applied in ministries, agencies, and other organizations that use budgetary and extrabudgetary funds through the conduct of financial audits.

2. The procedure for exercising state financial control is determined by the legislation of the Republic of Tajikistan.

**Article 21. Requirements for persons applying for public office and for persons authorized to perform state functions**

1. In order to prevent the abuse of one’s official position and authority, or the use of one’s influence for personal, group interests, and the interests of other persons, this Law and other regulatory legal acts of the Republic of Tajikistan establish special restrictions and obligations regarding candidates for public office, persons authorized to perform public functions, and persons equivalent to them.

2. Appointment (election) to a public office as a person authorized to perform public functions, or as a person deemed equivalent thereto, implies the voluntary acceptance of the aforementioned obligations and restrictions.

3. Restrictions and obligations regarding citizens registered as candidates for elective public office are established by election law.

4. Candidates for public office and positions equivalent thereto, upon appointment (election), persons authorized to perform public functions and public officials of equivalent status, while in office, are required to submit an annual declaration of income and financial status to their employer and the tax authorities of their place of residence.

5. Heads of government agencies, upon appointment (election) to office and while in office, are required to submit information annually regarding their financial status to the superior authority and regarding their income to the tax authorities of their place of residence.

**Article 22. Barriers to appointment or election to government and equivalent positions**

1. A person may not be appointed or elected to a government or equivalent position in the following cases:

1) a criminal record for a crime committed through negligence;

2) if convicted of an intentional crime, or if, pursuant to Article 32 of the Criminal Procedure Code of the Republic of Tajikistan, exempted from criminal liability for committing serious or particularly serious crimes;

3) a court decision restricting a person’s legal capacity or declaring them legally incompetent has entered into force;

4) lack of the relevant education, specialization, or work experience required by the legislation of the Republic of Tajikistan for appointment or election to a government position or a position equivalent thereto;

5) direct subordination, control, or accountability to positions held by their relatives in relation to the position they are applying for or currently hold;

6) in cases of acquiring citizenship of a foreign state or losing citizenship of the Republic of Tajikistan, as well as if the person is stateless, except in cases where the appointment and election of such persons to public service in the Republic of Tajikistan is provided for by international legal acts recognized by Tajikistan;

7) in other cases, provided for by the legislation of the Republic of Tajikistan.

2. The restrictions provided for in paragraph 1 of this article apply to positions in state organizations and to business entities in which the state holds at least a fifty percent stake.

3. In the event of non-compliance with the restrictions provided for in paragraph 1 of this article, the decision to appoint or elect a person to a position shall be revoked upon protest or submission by the prosecutor, a written order or proposal from the State Financial Control and Anti-Corruption Agency of the Republic of

Tajikistan, an authorized body in the field of public service, or at the initiative of the body that made the decision itself, or a higher-level body in accordance with the procedure established by the legislation of the Republic of Tajikistan.

**Article 23. Restrictions, related to the performance of functions of a public office or an equivalent position**

1. A person, authorized to perform the state functions of a public office or an equivalent position is prohibited from:

- 1) interfere in the activities of other state bodies, that do not fall within the scope of their official powers;
- 2) engage in other paid work, with the exception of scientific, creative and pedagogical activities;
- 3) act as a representative of a third party in matters concerning the activities of the government agency where they are employed, are directly subordinate to, or are under the control of that agency;
- 4) engage in entrepreneurial activities personally or through authorized representatives;
- 5) open accounts or hold deposits in foreign banks operating outside the Republic of Tajikistan;
- 6) use financial, material, technical, transportation, and other state and public resources, as well as official information, for non-official purposes;
- 7) receive remuneration from individuals and legal entities (in the form of money, goods, services, payment for recreation, transportation expenses, and other benefits) for services rendered in connection with the exercise of their official duties, or for failing to render services in the interests of another person, or to give gifts and provide services to superior officials;
- 8) to undertake domestic and international tourist trips at the expense of individuals and legal entities of the Republic of Tajikistan or foreign individuals and legal entities, to receive medical treatment and take vacations, except for trips at the invitation of relatives and trips undertaken in accordance with international legal instruments recognized by Tajikistan, or by agreement between state bodies of the Republic of Tajikistan and state bodies of foreign states and international organizations, funded by their own resources;
- 9) carry out instructions from political parties, public associations, religious organizations, and business entities related to the activities of state bodies, or use their official position for their benefit;
- 10) receive fees for the publication and distribution in print, or for the broadcast on radio and television, of public speeches delivered at official events in their capacity as a public servant, the preparation of which is part of their official duties.

2. Persons authorized to perform public functions, or persons equivalent to them, are required, no later than fifteen working days after entering public service, to transfer to another person their share in the authorized (share) capital of commercial organizations, with the right of trust management.

3. Gifts received by persons authorized to perform public functions, or persons equivalent to them, during protocol events, official business trips, and other official events, must be transferred by a corresponding act as state property to the agency in which they carry out their activities, with the exception of souvenirs or other symbolic gifts, whose total value during the year does not exceed one hundred calculation units.

4. Failure to comply with these restrictions shall constitute grounds for liability in accordance with the procedure established by the legislation of the Republic of Tajikistan.

**CHAPTER 4. VIOLATIONS, RELATED TO CORRUPTION AND THE RESPONSIBILITY FOR THEM**

**Article 24. Violations, of the law that create conditions conducive to corruption and responsibility for them**

1. The following acts committed by persons, authorized to perform public functions, or persons deemed equivalent to them, constitute offenses that create conditions conducive to corruption:

- 1) using one's official position when resolving matters affecting the personal interests of relatives or third parties;
- 2) obstructing or unlawfully interfering with the activities of law enforcement and regulatory agencies within a specific territory or in relation to specific facilities or specific individuals;
- 3) acting as an attorney for individuals or legal entities in cases involving the agency in which they are employed, to which they are subordinate, or whose activities they oversee, including acting as a public defender or representative (except in cases of legal representation) in civil cases, economic, criminal, and administrative offenses;

- 4) participation in gambling or in gambling involving the property of superior officials, subordinates, or any person under their official authority;
  - 5) engaging in entrepreneurial activities, participating in the management of a business entity or other commercial organization, including as a member of the governing bodies of a commercial organization where membership is impossible without a personal interest, except as provided by the legislation of the Republic of Tajikistan;
  - 6) membership in governing bodies, boards of trustees or supervisory boards, or other bodies of foreign nonprofit organizations and their structural units operating within the territory of the Republic of Tajikistan, unless otherwise provided by the laws or international treaties of the Republic of Tajikistan;
  - 7) the nomination or appointment of a person to a position as an official authorized to perform public functions, or persons equivalent thereto, in the presence of obstacles to filling such a position as provided for in Article 22 of this Law, or the intentional failure to comply with the restrictions on the joint service of relatives provided for by this Law, the intentional, unlawful dismissal or transfer of employees to another position;
  - 8) granting benefits not provided for by law in connection with appointment or nomination to public service, education, scientific, and similar activities;
  - 9) failure to comply with the procedure established by the legislation of the Republic of Tajikistan for considering appeals from individuals and legal entities, or disregarding the benefits, privileges, or priority established by the regulatory legal acts of the Republic of Tajikistan in resolving such appeals;
  - 10) adopting decisions and other unlawful acts in the exercise of rights and official duties for personal gain or in personal interests; committing unlawful acts, including in the hiring or dismissal of a person and other actions that violate the rights and interests of other individuals and legal entities and cause them harm.
2. The commission of offenses specified in Part 1 of this Article by persons authorized to perform public functions, or persons equivalent to them, in the absence of the elements of a criminal or administrative offense, shall be subject to disciplinary action.

#### **Article 25. Offenses, related to corruption and liability therefor**

1. The following acts committed by persons authorized to perform public functions or persons equivalent to them constitute offenses related to corruption:
- 1) unlawful demands on individuals and legal entities to fulfill additional conditions, submit documents, or comply with other requirements not provided for by regulatory legal acts; the creation of other artificial and unlawful obstacles in the appointment (election) and/or nomination to civil service positions, in staffing, reassignment, training, scientific activities, and the exercise of other rights, obligations, and public functions;
  - 2) granting powers for the state regulation of business activities or control over business activities to individuals or legal entities engaged in such activities;
  - 3) accepting remuneration for one's activities in the form of money, services, or other forms from state bodies and organizations in which the individual does not perform relevant functions, as well as from non-state organizations, public associations, and individuals, unless otherwise provided by the legislation of the Republic of Tajikistan;
  - 4) accepting gifts and availing oneself of other services in connection with the performance of state or equivalent functions from persons subordinate in the service, with the exception of symbolic souvenirs and tokens of appreciation during protocol and other official events, the total value of which does not exceed one hundred calculation units over the course of a year, as well as the provision of such gifts and services to a superior official;
  - 5) the use of advantages not provided for by the legislation of the Republic of Tajikistan in obtaining and repaying loans, acquiring securities and real estate, paying state taxes and fulfilling other obligations;
  - 6) granting illegal or unjustified advantages or privileges to individuals and legal entities in the preparation and adoption of decisions, the placement of government orders, other orders financed from the state budget or at the expense of other organizations, regardless of form of ownership, the distribution of financial and material resources, energy and natural resources, the payment of taxes, the repayment of loans, and the fulfillment of other financial and material obligations;
  - 7) granting, without a decision by the authorized body, the right of ownership or gratuitous use of state financial and material resources to state and non-state organizations, public associations, and individuals;
  - 8) the use of premises, vehicles, electronic and other means of communication, and state financial and

material resources for personal, group, or other non-official purposes;

9) transfer of state financial and material resources to the election funds of candidates for deputy and political parties;

10) unjustified failure to comply with requests, submissions, orders, instructions, decisions, and other acts of law enforcement, supervisory, and judicial bodies issued in accordance with their authority;

11) the use, for personal or group interests, of information obtained in the performance of state functions, if such information is not subject to disclosure;

12) unlawful interference in the activities of business entities, trampling on their autonomy and violating their rights and interests, their unlawful liquidation or reorganization, interference in the appointment, election, or dismissal of managers and employees of business entities, and restriction of competition in the market for goods, works, and services;

13) unlawful write-off and failure to comply with the procedure for the valuation and sale of property, the procedures for conducting auctions and tenders for the privatization of state property and for the procurement of goods, works, and services, causing harm to the interests of the state, individuals, and legal entities, as well as the unauthorized leasing or sale of state property, and the unjustified demolition of state real estate by heads of state organizations;

14) the unlawful transfer or lease of fixed assets, land, or other natural and material resources to individuals and legal entities under conditions that clearly do not serve the interests of the state and organizations, or the unlawful refusal to provide or the seizure of such assets and resources;

15) concealment from accounting, failure to document identified administrative offenses, unlawful exemption from administrative liability, or the adoption of decisions regarding such offenses that are clearly disproportionate to the offense, as well as failure to take measures to compensate for damages;

16) drafting, formalizing, approving, or registering acts, transactions, contracts, declarations, and primary accounting documents regarding the sale, gift, exchange, pledge, lease, privatization, write-off, and other transactions involving the disposal, use, or transfer of property, the performance of work, and the provision of services, in which the price, quantity, volume, year of manufacture, or other parameters of property, goods, work, or services, thereby causing harm to the interests of the state, individuals, and legal entities;

17) artificially creating obstacles for individuals and legal entities in the exercise of their rights and legitimate interests; demanding documents and information from them that are not required to be provided by regulatory legal acts; refusing to provide them with information or documents that are required to be provided by regulatory legal acts; delaying, providing inaccurate or incomplete information, as well as the unlawful seizure and taking as collateral of documents belonging to them;

18) failure to provide law enforcement agencies with available information and reports on administrative offenses related to corruption and crimes of a corrupt nature, except in cases provided for by the legislation of the Republic of Tajikistan;

19) failure to submit or untimely submission to the authority, authorized to make the relevant decision of audit and inspection reports and materials containing information on offenses, regardless of their results;

20) failure to implement measures under state anti-corruption programs and plans for the implementation of such programs;

21) other offenses, recognized by the legislation of the Republic of Tajikistan as offenses related to corruption.

2. Liability for committing offenses related to corruption, based on their nature and degree of danger to society, is determined by labor, civil, administrative, and criminal law.

#### **Article 26. Liability for Specific Corruption-Related Offenses**

1. For the provision of material and non-material benefits, services, and benefits to persons authorized to perform public functions, or persons equivalent to them, with the aim of inducing them to commit a corresponding act (action or inaction) in the interests of the person providing these benefits and services, or other persons, liability is established in accordance with the legislation of the Republic of Tajikistan.

2. If, with respect to persons who have provided material and non-material benefits, services, and benefits to public officials authorized to perform public functions, or to persons equivalent to them, in accordance with paragraph 1 of this article, and if extortion was committed against them by such persons and they voluntarily reported this to anti-corruption authorities, they shall be exempt from liability.

3. For willful failure by a person authorized to maintain accounting records or by the head of an organization to document financial and business transactions as required by the regulatory legal acts of the Republic of Tajikistan, or to include in financial, accounting, and statistical documents and reports, as well as the destruction of financial and other accounting documents, liability shall be established in accordance with the legislation of the Republic of Tajikistan.

**Article 27. Guarantees of immunity for persons assisting in the fight against corruption**

1. A person, who reports a corruption-related offense to an authorized state body or otherwise assists in combating corruption is under the protection of the state.

2. Information regarding a person, who has assisted in combating corruption is a state secret and, if necessary, is disclosed in accordance with the procedure established by the legislation of the Republic of Tajikistan. Disclosure of this information entails liability as provided for by the legislation of the Republic of Tajikistan.

3. State protection for a person, who has reported a corruption-related offense to an authorized state body is provided in accordance with the Law of the Republic of Tajikistan "On State Protection of Participants in Criminal Proceedings."

**Article 28. Identification and prevention of causes and conditions contributing to the commission of corruption offenses**

Entities directly involved in anti-corruption efforts are required, in accordance with the legislation of the Republic of Tajikistan, to identify the causes and conditions contributing to the commission of corruption offenses when reviewing cases involving such offenses and to take the necessary measures to eliminate them.

**Article 29. Adoption of a collective decision of a corrupt nature and liability therefor**

Liability for the adoption of a decision of a corrupt nature, which is adopted collectively, is established in accordance with the legislation of the Republic of Tajikistan.

**Article 30. Procedure for recording corruption-related offenses**

The recording of corruption-related offenses shall be conducted in accordance with the procedure established by the Government of the Republic of Tajikistan.

**CHAPTER 5. ELIMINATION OF THE CONSEQUENCES OF CORRUPTION-RELATED OFFENSES.**

**Article 31. Confiscation of unlawfully acquired property or the value of unlawfully provided services**

Property and the value of services obtained as a result of committing a corruption-related offense shall be subject to confiscation in accordance with the procedure established by the legislation of the Republic of Tajikistan, or to recovery in favor of the state or the person who has suffered from the corruption-related offense.

**Article 32. Acknowledgement of the invalidity of acts related to corruption**

Acts, adopted as a result of corruption-related offenses shall be declared invalid, in accordance with the legislation of the Republic of Tajikistan, by the body that adopted them, on its own initiative or in accordance with acts of prosecutorial response, the body for state financial control and anti-corruption, other authorized state bodies, the body authorized to adopt them, or a higher-level body or court.

**CHAPTER 6. INTERNATIONAL COOPERATION OF THE REPUBLIC OF TAJIKISTAN IN THE FIELD OF ANTI-CORRUPTION**

**Article 33. International Cooperation of the Republic of Tajikistan in the field of combating corruption**

International cooperation in the field of anti-corruption is carried out on the basis of the principles of cooperation, in accordance with international legal instruments recognized by Tajikistan, for the following purposes:

- identifying persons, suspected (accused) of committing corruption offenses, their whereabouts, as well

as the whereabouts of other persons involved in such offenses;

- providing, where necessary, items or samples thereof for examination or forensic analysis;  
exchanging information on anti-corruption matters;
- identifying property acquired as a result of corruption offenses and its recovery;
- coordinating activities to combat corruption and address the consequences of corruption-related offenses.

## **CHAPTER 7. FINAL PROVISIONS**

### **Article 34. Liability for non-compliance with the requirements of this Law**

Individuals and legal entities shall be held liable for non-compliance with the requirements of this Law in accordance with the legislation of the Republic of Tajikistan.

### **Article 35. On the recognition of the Law of the Republic of Tajikistan “On Combating Corruption” as repealed**

The Law of the Republic of Tajikistan “On Combating Corruption” dated July 25, 2005, is hereby repealed (Bulletin of the Majlisi Oli of the Republic of Tajikistan, 2005, # 7, Art. 402; 2007, # 7, Art. 660; 2008, # 10, Art. 800; 2011, # 12, Art. 837; 2014, # 3, Art. 148; 2017, # 1-2, Art. 8, Art. 9, # 5, Part 1, Art. 297; 2019, # 1, Art. 11, # 4-5, Art. 216).

### **Article 36. Procedure for the Entry into Force of this Law** This Law shall enter into force upon its official publication.

President  
of the Republic of Tajikistan

Emomali Rahmon

Dushanbe city,  
August 7, 2020, # 1714