OCCUPATIONAL SAFETY AND HEALTH
IN THE REPUBLIC OF TAJIKISTAN

NATIONAL PROFILE

ILO MOSCOW SUBREGIONAL OFFICE
# TABLE OF CONTENTS

## INTRODUCTION

## 1. REGULATORY-LEGAL BASIS OF THE OSH SYSTEM

1.1. The Constitution of the Republic of Tajikistan (adopted on November 6, 1994) on labour conditions and occupational safety

1.2. Main OSH Laws

1.4. Ratified Conventions of the ILO and Other International Treaties Containing Occupational Safety Requirements

1.5. Other Laws and Regulations Related to OSH

## 2. REGULATORY-TECHNICAL DOCUMENTATION:

### STANDARDS, NORMS AND RULES

2.1. Technical Standards, Norms and Rules

2.2. Regulatory Documents on Occupational Safety and Health Systems

## 3. MECHANISMS OF THE FORMATION OF THE NATIONAL OSH POLICY

3.1. Main Principles of State OSH Policy

3.2. Mechanisms of Law Making and Regulation

3.3. Mechanisms Regulating Law Enforcement: Labour Inspection and Other State Supervision Entities

3.4. Development of National OSH Programmes

3.5. Economic Methods of Regulating the Employer’s Activities

3.6. Social and Psychological Methods of OSH Management
4. SOCIAL PARTNERSHIP AND COORDINATION OF ACTIVITIES

4.1. National and Regional Levels

4.2. The Enterprise Level

4.3. Public Monitoring

5. OSH SYSTEM ORGANIZATION: RESOURCES AND ORGANS

5.1. Competent Government Bodies Responsible for OSH

5.2. National Research and Design Institutions (Institutes, Centers, Laboratories) in the Field of OSH

5.3. Vocational Education, Training and Retraining and Upgrading of Skills in the Field of OSH and Information and Educational Work

5.4. OSH-Related Specialized Research, Technical and Medical Institutions

5.5. OSH Officials

6. CURRENT LEVEL AND DYNAMICS OF THE NUMBER OF OCCUPATIONAL ACCIDENTS AND DISEASES

6.1. The Number of Registered Fatal Occupational Accidents

6.2. Number of Registered Occupational Injuries

6.3. Number of Workers in Hazardous Jobs

7. REGULAR MEASURES AND ROUTINE WORK IN THE FIELD OF OSH

7.1. Employer Organizations Policy and Programmes

7.2. The Policy and Programmes of Employee Organizations

7.4. Regular Activities at the Corporate Level

7.5. International Cooperation on OSH
8. ELEMENTS TO BE INCLUDED IN THE ANALYSIS OF
THE NATIONAL OSH MANAGEMENT SYSTEM .....................42

SUPPLEMENTS ...................................................................................44

9. GENERAL INFORMATION ..............................................................44
   9.1. Data on Demography ......................................................................................44
   9.2. Literacy Level ......................................................................................................45
   9.3. Sectors of Economy and Percentage of the Human Resources Employed ....45
   9.4. Economic Statistics ........................................................................................46

10. OTHER RELEVANT INFORMATION ...............................................47
INTRODUCTION

The Republic of Tajikistan is a sovereign, democratic, rule-of-law unitary state whose policy is aimed at providing decent living conditions and free development of the human potential. The official language is Tajik, but all the nations and ethnic groups inhabiting Tajikistan have the right to use their native tongues while Russian is used for inter-ethnic communication.

The life, honour, dignity and other human rights are inviolable. The rights and freedoms of man and citizen are recognized, respected and protected by the state, according to the Constitution adopted in 1994.

Tajikistan is situated in the southeast of Central Asia and has a total area of 143,100 square kilometers. The capital of the Republic of Tajikistan is Dushanbe.

The country has a common border with Uzbekistan in the west and north (910 kilometers long), with Kyrgyzstan (630 kilometers), with Afghanistan in the south (1030 kilometers) and with China in the east (430 kilometers). The total length of the borders is 3000 kilometers.

In terms of terrain Tajikistan is a typical mountainous country with absolute elevations about sea level from 300 to 7495 meters, with 93% of its territory occupied by some of the highest mountains in Central Asia, the Tien-Shan and Pamir mountain ranges. Most of the population lives in the valleys and close to sources of water, which accounts for the uneven population density throughout the Republic.

Tajikistan is among the countries with a rapidly growing population. As of the end of 2007 the population stood at 7,064,000 (the 7,000,000th citizen of Tajikistan was born on August 16, 2006). The population is increasing by an average 2% a year. In the final decades of the 20th century the urbanization process in the Republic was comparatively slow. The bulk of the population lives in rural areas (73.5%, with 26.5% or 1.8 million people living in urban communities).
About 90% of the population lives in the valleys (which occupy about 35% of the Republic’s territory). The most densely populated valleys are the Gissar, Vakhsh and Fergana. Vast mountainous spaces are sparsely populated.

Tajikistan is divided into three oblasts: the Sogdian, with the population of 2.09 million and an area of 25,400 square kilometers (17.7% of the total territory) situated in the northern part of the Republic, the Khatlon Oblast with a population of 2.51 million people and an area of 24,800 square kilometers (17.3%) in the south; the Gornobadakhshansky Autonomous Area with a population of 0.22 million people and an area of 64,200 square kilometers (45%) in the east, and regions under Republican jurisdiction with a population of 1.4 million people and an area of 28,600 square kilometers (20%) and the city of Dushanbe (the capital of the Republic) with a population of 660 million in the center of the country.
1. REGULATORY-LEGAL BASIS
OF THE OSH SYSTEM

1.1. The Constitution of the Republic of Tajikistan
(adopted on November 6, 1994) on labour conditions and
occupational safety.

Under the Constitution of the Republic of Tajikistan everyone has the right to:
♦ safe labour. The use of the labour of women and young persons in hazardous and underground work as well as work in hazardous labour conditions is prohibited (Article 35);
♦ the right to rest. That right is ensured by fixing the working hours and providing annual leave, weekly days off and other conditions stipulated under laws (Article 37);
♦ protection of health. The state takes measures to improve the environment, promote mass sports, physical culture and tourism (Article 38);
♦ social security in old age in the event of disease, disability, loss of breadwinner and in other cases stipulated under the law (Article 39);

1.2. Main OSH Laws

a) The Labour Code of the Republic of Tajikistan (adopted on May 12, 1997) sets down the main principles of government policy in the labour field, provides state guarantees of the rights of citizens and is aimed at ensuring the legitimate interests of employees, employers and the state.

It contains the main OSH principles:
♦ a working environment that meets safety and health requirements;
♦ the right of the employee to access information on OSH;
♦ the responsibility of the employer for violation of OSH requirements;
♦ restrictions on hard physical work and work in harmful or hazardous labour conditions;
♦ guarantee of the right of the employee to safe labour;
♦ training and instruction of employees on OSH matters;
♦ development and introduction of instructions on OSH that are mandatory for the employees;
♦ monitoring compliance with the OSH rules and instructions;
♦ mandatory registration and investigation of occupational accidents;
♦ free issue to the employees of work clothes and footgear, other means of individual protection, preventative nutrition and other means;
♦ compensation of damage to health or in connection with the death of an employee; and
♦ effective monitoring of the use of labour of women, young persons and invalids;

b) The Law of the Republic of Tajikistan on Occupational Safety in the Republic of Tajikistan (adopted on December 24, 1991 with amendments and additions of 22, 1998 and March 5, 2007) lays down the main provisions on ensuring the constitutional rights of citizens to occupational safety and guarantees the right to safe labour, sets down the main principles of occupational safety in the workplace and envisages economic mechanisms of ensuring occupational safety.

The law applies to all the ministries, agencies, concerns, associations, enterprises, organizations, institutions, cooperatives, lease and other organizations regardless of the form of ownership and business activities.

The main principles and areas of state policy on occupational safety:
♦ recognition and respect of the priority of the life and health of workers over the results of the activities of organizations;
♦ guaranteed rights of workers to safe labour;
♦ state management of occupational safety and health;
♦ uniform occupational safety requirements for all the enterprises regardless of the form of ownership and conduct of business;
♦ cooperation between the employer and the employee and their representatives at the occupational safety organizations;
♦ state supervision and monitoring of compliance with OSH laws;
♦ state funding of occupational safety;
♦ training of occupational safety specialists at higher and secondary specialized education institutions;
♦ promoting the development and introduction of occupational safety technology and protective means;
♦ wide use of the achievements of science, technology and advanced domestic and foreign experience of occupational safety management;
♦ free issue to workers of work clothes and footgear, individual protection means and health and preventative nutrition;
♦ conduct of a tax policy that encourages the creation of safe and healthy labour conditions at enterprises;
♦ mandatory investigation and registration of every occupational accident and professional disease and informing the public about the levels of occupational accidents and diseases;
♦ social protection of the interests of workers who have suffered in occupational accidents or contracted occupational diseases;
♦ establishing a system of indicators of labour conditions and occupational safety for the purpose of government statistics;
♦ international cooperation and compliance with international agreements in the field of occupational safety.

c) The Law of the Republic of Tajikistan On Public Health (passed on May 15, 1997, No. 419) which sets down and regulates the relations between government bodies, officials, citizens, non-governmental organizations and enterprises of any form of ownership in the field of public health.

d) The Law of the Republic of Tajikistan On State Social Insurance (passed on December 13, 1997, No.517) which provides the legal, economic and organizational framework of state social insurance of individuals. It does not cover voluntary social insurance. The law provides state guarantees for the insured persons in case of loss of livelihood or income due to illness, occupational accident or disease, disability, pregnancy and child birth, old age, unemployment, loss of breadwinner, death and other cases stipulated under the law.
1.3. Main Supporting Legislation on Occupational Safety:

♦ Decree of the Council of Ministers of Tajikistan On Measures Connected with the Introduction of the Law of the Republic of Tajikistan On Occupational Safety in the Republic of Tajikistan (1993);
♦ Decree of the Presidium of the Council of the Trade Union Federation of the Republic of Tajikistan and Gosgortekhnadzor of the Republic of Tajikistan on approving the regulations on investigation and registration of occupational accidents in the Republic of Tajikistan of February 9, 1993, No.24/2.
♦ Decree of the Council of Ministers of Tajikistan on compensation by enterprises and government organizations of damage caused to employees by occupational accidents or diseases or any other work-related impairment of health of March 20, 1994, No. 134 (with amendments and additions of April 17, 1998, No. 118, and March 11, 2000, No. 103).
♦ Decree of the Government of the Republic of Tajikistan on the list of hazardous production facilities, workshops and trades where the workers are entitled to a short working day and extra annual leave of December 31, 2002, No. 521.

1.4. Ratified Conventions of the ILO and Other International Treaties Containing Occupational Safety Requirements

Since it became a member of the International Labour Organization (1993) Tajikistan has ratified 46 ILO conventions including 24 conventions containing occupational safety requirements. They are:
1) Convention No. 14 Concerning the Application of Weekly Rest of October 25, 1925;
2) Convention No. 29 On Forced Labour of June 28, 1930;
3) Convention No. 32 On Protection Against Accidents (Dockers);
4) Convention No. 45 On Underground Work (Women);
5) Convention No. 47 On the Forty-Hour Week of June 4, 1935 (acceded on November 26, 1993);
6) Convention No. 73 On Medical Examination of Seafarers;
7) Convention No. 77 On Medical Examination of Young Persons in Industry;
8) Convention No. 78 On Medical Examination of Young Persons (Non-Industrial Occupations);
9) Convention No. 79 On Night Work of Young Persons (Non-Industrial Occupations);
10) Convention No. 87 On Freedom of Association;
11) Convention No. 90 On Night Work of Young Persons in Industry;
12) Convention No. 98 Concerning the Application of the Principles of the Right to Organize and to Bargain Collectively of June 8, 1949;
13) Convention No. 106 On Weekly Rest;
14) Convention No. 111 On Discrimination;
15) Convention No. 113 On Medical Examination of Fishermen;
16) Convention No. 115 On Radiation Protection;
17) Convention No. 119 Concerning the Guarding of Machinery;
18) Convention No. 120 On Hygiene (Commerce and Offices);
19) Convention No. 124 On Medical Examination of Young Persons (Underground Work);
20) Convention No. 134 On Prevention of Accidents (Seafarers);
21) Convention No. 148 Concerning the Protection of Workers against Occupational Hazards in the Working Environment due to Air Pollution, Noise and Vibration;
22) Convention No. 159 On Vocational Rehabilitation;
23) Convention No. 160 On Labour Statistics;

Tajikistan has also ratified an interstate CIS agreement On Cooperation in the field of Occupational Safety (December 9, 1994) whereby the signatories, while being fully independent in shaping and implementing the national OSH policy:
♦ deem it practicable to pursue a coordinated OSH policy with due account of universally accepted international norms;
♦ recognize the standards and occupational safety and health system (OSH), uniform norms and rules as applying to all the signatory states under an agreed list subject to be revised as the need arises with due account of the national legislations of the Parties and the results of joint work aimed at improving the OSH system; and
♦ recognize the agreed terms and definitions in the field of occupational safety.

The interstate agreement of the CIS of December 9, 1994 On the Procedure of Investigation of Occupational Accidents when Workers are Outside Their State, etc.
1.5. Other Laws and Regulations Related to OSH

- Law of the Republic of Tajikistan on Fire Safety (July 21, 1994, No.995) establishes the general rules, organizational and economic principles of ensuring fire safety in the Republic, describes the duties of government bodies, non-governmental organizations, officials and individuals in combating fires;
- the Law of the Republic of Tajikistan on Sanitary and Epidemiological Safety (December 8, 2003, No.49) sets down the legal, organization and economic principles and measures to ensure sanitary and epidemiological safety of the population in the Republic of Tajikistan;
- the Law of the Republic of Tajikistan on the Production and Safe Handling of Pesticides and Agricultural Chemicals (April 22, 2003, No. 365) sets down the legal principles of the production and safe handling of pesticides, including their active substances as well as agricultural chemicals for the purpose of protecting health and the environment;
- the Law of the Republic of Tajikistan On Nature Conservation (December 27, 1993, No. 905, with additions and amendments of February 1, 1996, May 10, 2002, December 2, 2002 and July 15, 2004, No. 56) combined with other organization, legal, economic and educational measures, is intended to help the formation and strengthening of environmental law and order, environmental protection in the interests of the present and future generations and to ensure environmental safety on the territory of the Republic of Tajikistan;
- the Law of the Republic of Tajikistan On Ecological Expert Assessment (April 22, 2003, No.20 with additions of December 26, 2005, No. 123) regulates the organization and holding of environmental expert assessments, the rights and duties of the parties involved in environmental assessment, the rights of citizens to be informed on the environmental hazards of facilities being designed, under construction or in operation, the procedure of challenging the findings and resolving disputes, and establishes liability for violating the laws on environmental expert assessment;
♦ The Law of the Republic of Tajikistan On Occupational Safety at Hazardous Production Facilities (February 28, 2004, No. 14) sets down the legal, economic and social principles of safe operation of hazardous production facilities and is aimed at preventing accidents in hazardous facilities and ensuring the capacity of organizations operating hazardous production facilities to localize the consequences of such accidents, guarantees of compensation of damage caused by accidents to physical and legal persons, the environment and the state;
♦ The Law of the Republic of Tajikistan On Counteracting the Human Immunodeficit Virus and Acquired Immunodeficit Syndrome (December 28, 2005, No. 150) sets the legal principles of comprehensive measures to combat the HIV/AIDS epidemic, including civil, political, economic, social and cultural rights and the main freedoms and is aimed at preventing the spread of HIV, decreasing vulnerability to infection, rendering of qualified medical assistance to people infected with HIV and AIDS and harm reduction at the individual and social level;
♦ Decree of the Government of the Republic of Tajikistan On Approving the Regulations on State Sanitary Epidemiological Safety (December 29, 2003, No. 555);
♦ Instructions on mandatory preliminary examinations when hiring workers and periodic medical examinations of workers, medical examinations of drivers approved by Executive Order No. 555 of the USSR Ministry of Health on September 29, 1989.
2. REGULATORY-TECHNICAL DOCUMENTATION: STANDARDS, NORMS AND RULES

2.1. Technical Standards, Norms and Rules

♦ **GOSTs:** Systems of Occupational Safety and Health Standards OSH.

**Standards.**

Standards are divided into national, territorial, sectoral and standards of organizations. They take into account the requirements to means of production, transport, production (technological) processes, raw and other materials, the working environment as well as means of individual and group protection of workers.

Under an agreement signed by the CIS heads of state on December 9, 1994 the Republic of Tajikistan recognizes the GOST, SNiPs, SanPiNs developed and applied by the Gosstandart of the former USSR and the Russian Federation.

The state standards, norms and rules are developed for individual sectors by the Standardization, Metrology, Certification and Commerce Inspection Agency under the Government of the Republic of Tajikistan which proceeds under the Regulations approved by the Government of the Republic of Tajikistan on December 28, 2006.

**Norms and Rules**

♦ Sanitary rules and norms (SanPiNs);
♦ Construction norms and rules (SNiPs);
♦ State standards of occupational safety and health systems (GOST OSH);
♦ Norms of harmful substances content (maximum allowable concentrations and levels).
2.2. Regulatory Documents on Occupational Safety and Health Systems

The occupational safety and health systems at enterprises are managed on the basis of the Labour Code of the Republic of Tajikistan, the law On Occupational Safety in the Republic of Tajikistan and the Norms and Rules On Occupational Safety that describe the duties of the owner and the employer concerning occupational safety and health, the duties of the OSH officer, the procedure of financing OSH measures and guarantees of the right to labour protection.

The owner of the enterprise and the employer are directly responsible for the compliance of employees with the occupational safety requirements in their workplaces.

The employer, pursuant to Article 8 of the Law On Occupational Safety in the Republic of Tajikistan:

1. Ensures safe and healthy labour conditions, supervises hazardous and toxic production factors, and informs the employees on changes in this field in a regular and timely manner;

2. Develops and implements annual plans of measures to improve occupational safety and health;

3. Encourages and contributes to effective cooperation between the employer and the employees in ensuring safe and healthy labour conditions;

4. In harmful and hazardous production facilities as well as in facilities with special temperature and pollution environments issue to the employees for free work clothes and footgear and other individual protection, washing and disinfectant materials.

5. Annually allocates funds and material resources for OSH measures depending on the labour conditions and the rate of occupational accidents and diseases. Such funds and materials may not be used for any other purposes.

6. Establishes sanitary points (first-aid kits) in every production unit.

7. Organizes at his own cost medical and preventative services for employees, etc.
8. Provides compensation for hazardous work (in the shape of extra wages, additional leave, a shorter working day) and incurs other costs to guarantee safety and health (transfer to lighter jobs, refusal of the employee to work in conditions that do not meet the OSH requirements, etc).

In accordance with the laws on occupational safety the enterprises where all the work places meet OSH standards are entitled to tax breaks granted by the local government bodies. Tax breaks are also offered to enterprises which produce individual and group protection means, measuring instruments, equipment and devices that facilitate work. However, no mechanisms to implement economic incentives measures have been put in place in the Republic of Tajikistan.

The system of OSH management that was developed and was in force before the collapse of the former USSR is currently dysfunctional and does not meet modern requirements. Some of its elements are used mainly by large associations and enterprises as subsystems of production management. The necessary links between OSH management at the national level and the industry level are lacking.
3. MECHANISMS OF THE FORMATION
OF THE NATIONAL OSH POLICY

3.1. Main Principles of State OSH Policy

Under Article 4 of the Law On Occupational Safety in the Republic of Tajikistan the following are the main principles and areas of government policy in the field of OSH:

♦ Recognition and respect of the priority of the life and health of the employees over the results of the organization’s activities;
♦ Guarantees of the right of employees to OSH;
♦ State management of OSH;
♦ State participation in funding OSH;
♦ State supervision and monitoring of compliance with OSH legislation of the Republic of Tajikistan;
♦ State-ensured cooperation between the employer and the employee and (or) the representatives thereof in organizations on OSH matters;
♦ Development and establishment of uniform OSH requirements;
♦ An effective tax policy stimulating the creation of safe and healthy labour conditions, development and introduction of safe technologies, stimulating the production of individual and group protection means;
♦ Liability of employers and officials for violations of OSH requirements;
♦ Establishment of the procedure and monitoring mandatory investigation of every occupational accident and disease;
♦ Providing benefits and compensation for work in hazardous or harmful labour conditions;
♦ Social protection of employees, full compensation of damage to victims of occupational accidents and diseases;
♦ Establishment of a system of indicators of labour conditions and occupational safety, state statistics and reports on these matters as well as on occupational accidents and diseases; and
♦ International cooperation on occupational safety and health, compliance with international OSH agreements.
3.2. Mechanisms of Law Making and Regulation

In accordance with the provisions of the Labour Code of the Republic of Tajikistan, the law of the Republic of Tajikistan On Occupational Safety in the Republic of Tajikistan, the law of the Republic of Tajikistan On Regulatory Legal Acts and Regulations on Ministries, Committees and Agencies, the following entities have the right to approve regulatory legal acts related to OSH within their scope of authority:

♦ the President of the Republic of Tajikistan;
♦ the Government of the Republic of Tajikistan;
♦ the Ministry of Labour and Social Security of the Republic of Tajikistan;
♦ the Ministry of Health of the Republic of Tajikistan;
♦ Gosgortekhnadzor;
♦ Gosenergonadzor;
♦ Gossanepidnadzor;
♦ Main Directorate of the National Fire Service under the Ministry of the Interior of the Republic of Tajikistan, as well as other sectoral ministries, agencies, state-owned companies and concerns;
♦ The Ministry of Agriculture and Nature Conservation;
♦ State Statistical Committee;
♦ Emergency Situations and Civil Defense Committee; and
♦ The Agency for Construction and Architecture as well as other sectoral ministries, agencies, state-owned companies, associations and enterprises.

3.3. Mechanisms Regulating Law Enforcement:
Labour Inspection and Other State Supervision Entities

The state service monitoring labour, employment and social security under the Ministry of Labour and Social Security of the Republic of Tajikistan (hereinafter the Service) is an executive power body for government supervision and monitoring of compliance with the laws of the Republic of Tajikistan on labour, occupational safety rules and standards, assessment of labour conditions, employment, migration, social insurance and social security at enterprises, institutions and organizations irrespective of their forms of ownership.
The Service is part of the Ministry of Labour and Social Security of the Republic of Tajikistan.

In its activities the Service proceeds from the Constitution of the Republic of Tajikistan, the laws of the Republic of Tajikistan, the decisions of the upper and lower houses of parliament (Majilisi Milli and Majilisi namoyandagon Majlisi Oli), the decrees and executive orders of the President of the Republic of Tajikistan, the decrees and executive orders of the Government of the Republic of Tajikistan, international legal acts recognized by the Republic of Tajikistan and by its own regulations.

The decisions of the Service made within its scope of authority are binding on all the enterprises and organizations irrespective of the form of ownership, the sphere of economic activities and affiliation.

The Service conducts its activities in conjunction with other central executive power bodies, local executive power bodies, non-governmental associations, international and other organizations.

Occupational safety in industry and in mining is monitored by the State Inspection on Industrial Safety and Mine Supervision of the Republic of Tajikistan which proceeds under the law On Industrial Safety and the regulations on Gosgortekhnadzor.

Compliance with sanitary norms and rules and preventative activities are monitored by the Republican State Sanitary-Epidemiological Supervision Center under the Health Ministry of the Republic of Tajikistan. It proceeds under the law On Ensuring Sanitary and Epidemiological Safety, the Regulations on the Sanitary Epidemiological Service of the Republic of Tajikistan, other legislation and regulations in the field of public health.

In addition to the above mentioned government bodies that supervise and monitor compliance with labour legislation and occupational safety rules, the Republic also has:

Gosenergonadzor which supervises compliance with the norms and rules of operating power generating facilities at organizations and other places that use such facilities regardless of the sphere of activity and form of ownership. In its activities Gosenergonadzor is guided by the Regulations approved by the Government of the Republic of Tajikistan on October 17, 1996.
The State Inspection monitoring gas-purification and dust-catching plants which supervises compliance with the rules of exploitation of gas purification and dust-catching plants and monitors the provision of such equipment in accordance with the norms of sanitary purification of harmful industrial emissions into the atmosphere. In accordance with the regulations on the Inspection its officials, if an organization fails to eliminate the shortcomings in the work of gas purification and dust-catching plants, have the right to suspend the operation of corresponding technological equipment pending the elimination of the shortcomings;

The technical condition of machines and equipment in agriculture is monitored by Gosselkhoznadzor in accordance with its Regulations approved by the Decree of the Council of Ministers of the Republic of Tajikistan of June 25, 1993, No.346.

Under articles 225 and 226 of the Labour Code of the Republic of Tajikistan trade unions as well as the technical and legal labour inspections under their jurisdiction have the right to supervise compliance with the labour legislation and OSH requirements. The trade unions exercise their rights in this field in accordance with Articles 13 and 14 of the law of the Republic of Tajikistan On Trade Unions, their rights and guarantees and Article 48 of the Labour Code of the Republic of Tajikistan.

The Ministries, state committees and agencies exercise in-house departmental control over compliance with labour legislation on the part of the organizations under their jurisdiction. In this connection the ministries, state committees and agencies, in accordance with their duties, monitor compliance with labour laws on the part of institutions and organizations under their jurisdiction through their supervisory bodies which organize corresponding inspections. The results of inspections are put before the meetings of the Collegium, prescriptions are issued to eliminate the violations revealed and disciplinary measures are used with regard to offenders.

The Prosecutor General of the Republic of Tajikistan and the subordinate prosecutors, under Part IV of Article 225 of the Labour Code of the Republic of Tajikistan, supervise precise and uniform compliance with the laws on labour and OSH.

### 3.4. Development of National OSH Programmes

No national OSH programme exists in the Republic.
3.5. Economic Methods of Regulating the Employer’s Activities

Under Article 35 of the Law On Occupational Safety in the Republic of Tajikistan the enterprises and organizations that fully comply with OSH requirements in the workplace and sustain that level may be granted tax benefits by the local legislatures.

Tax benefits are granted to enterprises and organizations that produce individual and group protection means, work environment monitoring and alarm instruments, equipment and devices that facilitate work, as well as to small enterprises that develop occupational safety means in accordance with the law of the Republic of Tajikistan On Taxation of Enterprises, Associations and Organizations.

Local legislatures may create OSH funds from deductions determined by the councils of work collectives of enterprises and organizations to provide financial assistance to the enterprises and organizations in improving labour conditions as well as to the victims of accidents or the families of employees who died in occupational accidents.

OSH funds are not subject to taxation and may not be used for any other purposes.

3.6. Social and Psychological Methods of OSH Management

Trade union centres in the Republic of Tajikistan periodically hold reviews and contests for the best enterprise in terms of OSH at the regional level. Under the Regulations on the Reviews three top prizes are awarded. The trade unions in the Sogdian Oblast hold similar reviews and contests in various areas of OSH (the best OSH office, timely provision of work clothes, OSH awareness activities).
4. SOCIAL PARTNERSHIP AND COORDINATION
OF ACTIVITIES

4.1. National and Regional Levels

The following laws and regulatory legal acts determine the mechanisms of social partners in the Republic:

♦ the Law of the Republic of Tajikistan On Trade Unions, the Rights and Guarantees of their Activities of March 12, 1992 No. 575;
♦ the Law of the Republic of Tajikistan On Non-Governmental Associations of May 23, 1998, No. 644;
♦ the Law of the Republic of Tajikistan On Employers’ Associations of May 15, 204, No. 32;
♦ the Code of the Republic of Tajikistan On Administrative-Legal Offenses of December 5, 1985;
♦ Regulations on the procedure of preparing and concluding a general and sectoral agreement in the Republic of Tajikistan of December 21, 1994, No. 12;
♦ Regulations on the tripartite commission for the settlement of social and labour disputes in the Republic of Tajikistan; of December 21, 1994;
♦ Regulations On the Notification Procedure of the Registration of Sectoral (Tariff and Regional) Agreements and Collective Contracts were approved by the Ministry of Labour and Social Security of the Republic of Tajikistan
by agreement with the Federation of Independent Trade Unions of Tajikistan of November 28, 2002:

♦ The General Agreement between the Government of the Republic of Tajikistan, the Employers’ Association, and the Trade Union Federation of Tajikistan for 2006-2008 of December 2, 2005, No.454; and

♦ Model collective agreement (in aid of trade union functionaries and economic managers).

Collective bargains and agreements are a key instrument that influences production and improves the living and working conditions of the employees.

The state contributes to and encourages social partnership, and the use of collective bargaining between employers and trade unions (associations thereof) and executive power bodies. In this connection the new edition of the law of the Republic of Tajikistan On Social Partnership, Agreements and Collective Bargaining, No.202 was passed on July 28, 2006 (the previous law On Social Partnership, Agreements and Collective Bargaining was passed in 1992).

While the previous edition of the law held only the state responsible for encouraging the development of social partnership, under the new law the conclusion of agreements and collective bargaining are mandatory and are binding on the employers.

Beginning from 1990 12 General Agreements have been signed at the national level, two of which have been concluded on a tripartite basis (the government, the trade unions and the employers’ association).

Under the law of the Republic of Tajikistan On Social Partnership, Agreements and Collective Bargaining, the Regulations on the Preparation and Conclusion of General Sectoral Agreements in the Republic of Tajikistan, the Regulations on the Tripartite Commission for the Settlement of Social and Labour Disputes in the Republic of Tajikistan the social partnership agencies have been designated. The main such body is tripartite (bipartite) commissions at all levels.

By agreement among the parties, the composition of the commissions is approved at the national level by the Government of the Republic of Tajikistan and by local governments at other levels. These commissions develop draft agreements, conduct negotiations to secure their approval and signing. In addition they are charged with the functions of monitoring the progress of the signing of agreements.
To this end the General Agreements signed give the parties one month to develop measures to implement the obligations assumed and submit them to the tripartite commission. A similar provision is contained in the Decree of the Government of the Republic of Tajikistan which approves general agreements and the composition of the tripartite commission agreed by the parties.

The practice of the work of the tripartite commission in recent years shows that two important principles of social partnership are not complied with:

Mandatory performance of the obligations assumed by the parties and accordingly the liability of the parties for non-performance of obligations.

The currently functioning mechanisms for the settlement of labour disputes include The General Agreement between the Government of the Republic of Tajikistan, Employers’ Associations and the Federation of Independent Trade Unions of Tajikistan signed for 2006-2008; there are 9 regional, 40 sectoral tariff agreements and more than 50 district and city agreements.

### 4.2. The Enterprise Level

Cooperation between representative bodies of the employees and employers at the enterprise level takes the form of a collective agreement on OSH. Under the law the conclusion of and compliance with such agreements are mandatory. At present collective agreements have been signed at more than 4,000 business entities, according to the government labour services.

For the purpose of practical assistance to the partners, the Republic’s trade unions jointly with the Ministry of Labour and Social Security have developed a Model Collective Agreement and Recommendations regarding the section on OSH.

To secure approval of the collective agreement the employer must register himself with the labour services of the corresponding government body.

Compliance with the obligations of the parties is monitored by bipartite commissions and public OSH officers.
4.3. Public Monitoring

There are two types of public monitoring:

1. Administrative public monitoring (three- and/or four-stage);

2. Monitoring by public authorized OSH officers at organizations where they have been elected.

Public OSH officers proceed in accordance with the Regulations approved by Decree of the Council of the Trade Union Federation of the Republic of Tajikistan of February 9, 1993, No.24/3.
5. OSH SYSTEM ORGANIZATION:
RESOURCES AND ORGANS

5.1. Competent Government Bodies Responsible for OSH

5.1.1. Republican-Level Bodies

The Ministry of Labour and Social Security of the Tajik Republic, in accordance with the regulations on the Ministry approved by the government decree of December 28, 2006 has the following duties and responsibilities in the field of occupational safety:

♦ manages occupational safety and coordinates the work of ministries and agencies in this field;
♦ develops and approves intersectoral rules and organizational-methodological documents on OSH;
♦ organizes the development, together with the ministries and agencies concerned, of national and regional programs on improving labour conditions and OSH;
♦ by agreement with the Health Ministry of the Republic of Tajikistan submits proposals to the Government of the Republic of Tajikistan on the list of hard and hazardous jobs in which the application of the labour of women and persons under 18 is prohibited;
♦ jointly with the government statistical bodies develops and approves the forms of government statistical reporting on OSH, occupational accidents and diseases;
♦ develops the procedure of investigating occupational accidents and diseases;
♦ develops and approves model sectoral norms of free issue to the employees of work clothes and footgear and other individual protection means;
♦ determines the procedure of providing benefits to workers engaged in hard or hazardous jobs as well as the procedure of the issue to the employees of work clothes and footgear and other individual protection means;
approves OSH rules and norms and organization and methodological and
general technical requirements to OSH; and
develops proposals on improving labour conditions, government regulation
of working hours and rest for certain categories of employees.

The above functions are within the competence of the Labour Relations Direc-
torate under the Ministry of Labour and Social Security of the Republic of Tajiki-
stan. The Directorate has a staff of four.

The Main Directorate on State Supervision of Industrial and Mine Safety
under the Government of the Republic of Tajikistan functions in accordance
with the Regulations approved by the Government of the Republic of Tajiki-
stan on December 26, 2006. The Directorate has a staff of 42, not counting
service personnel; of whom 7 employees work at the central office and 35
are employees of the State Inspection.

The Republican Center of State Sanitary Epidemiological Supervision under
the Ministry of Health of the Republic of Tajikistan has some occupational
health specialists, one specialist per 10,000 employees and 1 assistant
specialist per 6,000 employees;

The Ministry of Agriculture and Nature Conservation of the Republic of Tajikistan.

OSH issues are under the supervision of the Deputy Prime Minister for So-
cial Affairs.

5.1.2. Republican Bodies of Supervision and Monitoring of
Compliance with Labour Legislation

The bodies of supervision and monitoring, which play a significant role in en-
forcing labour legislation and the OSH system, are described in Section 3.3 of
the National Profile.

This section has some additional information on existing inspections:

State Service of Supervision in the Sphere of Labour, Employment and So-
cial Security: the total number of inspectors is 72 (not counting the service
personnel) of whom 38 work in oblasts and regions. In 2007 the members
of the Service inspected more than 1076 enterprises and organizations, re-
vealed more than 7,332 violations and 148 officials responsible for viola-
tions have been punished.
◆ The Trade Union Labour Inspection. It has a staff of 57 inspectors, including 25 legal labour inspectors who work on the sectoral and territorial basis (metallurgy, petrochemistry, construction, transport and communications, agriculture, education and science, etc).
◆ In 2006 they inspected more than 1500 enterprises, revealed 5618 violations, and 71 officials guilty of violations have been punished.
◆ Gosgortekhnadzor inspection. Total number of inspectors: 35. They operate on the sectoral and territorial principle. In 2006 they inspected more than 1100 entities, revealed more than 7500 violations, with 67 officials responsible for violations brought to account.

5.1.3. National Bodies of Social Insurance Against Occupational Accidents and Diseases

There are no legal mechanisms of social insurance against occupational accidents and diseases in the Republic of Tajikistan.
Likewise, there are no specialized national agencies dealing with the issue.
There are non-governmental agencies for social insurance against occupational accidents and diseases at hazardous facilities.

5.1.4. National Bodies of Supervision and Monitoring of Public Health, Production, Transport, etc. Safety

These issues are addressed in Section 5.1.2.

5.1.5. Regional Bodies of Supervision, Monitoring and Insurance

The bodies of supervision and monitoring of compliance with OSH enumerated in sections 5.1.1 and 5.1.2 have regional subdivisions which closely interact with the national centers and the legal entities they supervise.
5.2. National Research and Design Institutions (Institutes, Centers, Laboratories) in the Field of OSH

Instrument monitoring of labour conditions, including the content of harmful and toxic substances is carried out by a number of laboratories of Gossanepidnadzor, individual agencies and major industrial enterprises.

Emissions of harmful and toxic substances are monitored by the bodies of the State Nature Conservation Directorate under the Ministry of Agriculture and Nature Conservation of the Republic of Tajikistan.

The state of the environment is monitored by the bodies of the Hydrometeorological Service (Glavgidromet). It monitors the level of pollution of the atmosphere, surface waters, soils, the snow cover and vegetation to determine the anthropogenic load on these objects of the natural environment due to emissions (dumping) of pollutants and their transborder movement and monitors radioactive contamination of the atmosphere, water, soil and bottom sediments.

The list of pollutants subject to monitoring is determined by the Government of the Republic of Tajikistan.

There are no special services or centers in the Republic of Tajikistan that conduct OSH research with the exception of sectoral research organizations, OSH departments at higher education institutions whose activities in this area are sporadic.

The problems of occupational health and diseases are studied at the Preventive Medicine Research Institute and at some departments at higher medical educational institutions.

The OSH Information-Analytical Center created with the ILO support under the Government Labour, Employment and Social Security Monitoring Service, unfortunately does not operate at full capacity.

The technical level of equipment of the above research institutions as well as laboratories at sanitary-epidemiological stations and higher education institutions, although permitting to conduct research, does not meet modern requirement as the instruments have not been replaced since 1990.
5.3. Vocational Education, Training and Retraining and Upgrading of Skills in the Field of OSH and Information and Educational Work

5.3.1. The Programme of Higher Professional and Post-Graduate Education

There are no special sections connected with OSH in school curricula.

The curricula of higher technical, medical and agricultural education institutions envisage corresponding sections. These institutions have special occupational safety departments. No specialists are trained in the field of OSH.

Medical higher education institutions have preventive medicine departments and annually graduate occupational health specialists.

5.3.2. Training Organized by Employers’ and Employees’ Associations

The associations of employers and entrepreneurs are not involved in training in the field of OSH. The training center for trade union activists has been closed since 1992. Some categories of trade union functionaries are periodically trained by attending various seminars at the sectoral level. In 2005-2006 more than 1000 trade union functionaries took part in such seminars.

5.3.3. Institutions Providing Formal Training in OSH

1. Primary vocational training institutions.
   ♦ The number of primary vocational training institutions in 2005 was 71, they had a student body of 24,968 of whom 7,013 were young women.
   ♦ The number of workers who finished primary vocational education schools in construction specialties in 2003-2005 was 557.
2. Secondary vocational training institutions.

- The number of graduates of secondary vocational training institutions in 2003-2005:
  - in industry and construction – 4001;
  - in public health, physical culture and sports – 6320.

5.4. OSH-Related Specialized Research, Technical and Medical Institutions

5.4.1. The Standardization, Metrology and Certification Agency (Tajikstandart) has the status of a government body. It lays down policy in the field of standardization and certification, approves national standards and supervises their application.

5.4.2. Insurance Bodies

There are no insurance bodies at the national level. A draft law On Mandatory Insurance of Employees Against Occupational Accidents and Diseases is currently pending before the government of the Republic of Tajikistan.

5.4.3. Hazard and Risk Assessment Bodies

There are no specialized risk assessment institutions in the Republic of Tajikistan.

Emergency warning and response services are within the remit of:

The Emergency Situations and Civil Defense Committee under the Government of the Republic of Tajikistan. The Committee is a central executive body which implements state policy, develops regulations, provides government services and manages government assets in the sphere of emergency situation response and civil defense, coordinates policy in the field of training and protection of the population, economic entities and territory of the Republic of Tajikistan from the aftermath of emergency situations in peacetime and wartime, coordinates the entire range of national legal, defense and other measures to protect the population, economic assets and the territory of the Republic of Tajikistan against the consequences of natural and human-induced emergencies as well as in the event of military actions.
The national fire supervision bodies are part of the Ministry of Internal Affairs of the Republic of Tajikistan and are divided into republican, territorial and local bodies, government supervision groups on transport and paramilitary firefighting units and rescue service.

5.5. OSH Officials

5.5.1. Officials of National-Level Government Bodies Responsible for OSH

The approximate number of such officials is 500.

5.5.2. Regional-Level Government Officials Responsible for OSH

The number of such officials of the said bodies is about 750.

5.5.3. Local Self-Government Officials Responsible for OSH.

The number of such officials of the said bodies is about 120.

5.5.4. Employer OSH Service Officials

There are about 1200 such workers of the said services
6. CURRENT LEVEL AND DYNAMICS
OF THE NUMBER OF OCCUPATIONAL ACCIDENTS
AND DISEASES

6.1. The Number of Registered Fatal Occupational Accidents

Government statistics of fatal occupational accidents are contained in Table 1.

<table>
<thead>
<tr>
<th>Indicators</th>
<th>Total</th>
<th>By sector</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Industry</td>
</tr>
<tr>
<td>Всего погибших на производстве</td>
<td>18</td>
<td>25</td>
</tr>
<tr>
<td></td>
<td>11</td>
<td>13</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td></td>
<td>-</td>
<td>-</td>
</tr>
</tbody>
</table>
6.2. Number of Registered Occupational Injuries

Data on the Number of Victims of Non-Fatal Occupational Accidents by Sectors of the Economy for 2003-2005 are presented in Table 2.

<table>
<thead>
<tr>
<th>Indicators</th>
<th>Total</th>
<th>Industry</th>
<th>Agriculture</th>
<th>Transport and communications</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of occupational accidents, of which:</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men</td>
<td>165</td>
<td>85</td>
<td>85</td>
<td>-</td>
<td>135</td>
</tr>
<tr>
<td>Women</td>
<td>13</td>
<td>20</td>
<td>7</td>
<td>-</td>
<td>9</td>
</tr>
<tr>
<td>Rate</td>
<td>2.5</td>
<td>1.3</td>
<td>1.0</td>
<td>1.2</td>
<td>16.3</td>
</tr>
</tbody>
</table>
### 6.3. Number of Workers in Hazardous Jobs

#### Table 3

<table>
<thead>
<tr>
<th>Name</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Engaged in jobs that fail to meet sanitary-hygienic standards</td>
<td>9869</td>
<td>8010</td>
<td>11058</td>
<td>8950</td>
<td>6976</td>
<td>8192</td>
</tr>
<tr>
<td>Of whom workers exposed to high noise levels</td>
<td>4265</td>
<td>2577</td>
<td>2680</td>
<td>1962</td>
<td>2130</td>
<td>1667</td>
</tr>
<tr>
<td>High levels of vibration</td>
<td>800</td>
<td>828</td>
<td>932</td>
<td>78</td>
<td>470</td>
<td>591</td>
</tr>
<tr>
<td>Dust and gas concentrations in the work area exceed maximum allowable levels</td>
<td>4904</td>
<td>3558</td>
<td>3691</td>
<td>3969</td>
<td>2568</td>
<td>3450</td>
</tr>
<tr>
<td>Engaged in hard physical labour</td>
<td>3506</td>
<td>787</td>
<td>1441</td>
<td>2596</td>
<td>392</td>
<td>681</td>
</tr>
<tr>
<td>Manning equipment that doesn’t meet safety requirements</td>
<td>80</td>
<td>168</td>
<td>113</td>
<td>-</td>
<td>-</td>
<td>46</td>
</tr>
</tbody>
</table>

#### Table 4

<table>
<thead>
<tr>
<th>Name</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>All sectors</td>
<td>9869</td>
<td>8010</td>
<td>11058</td>
<td>8950</td>
<td>6976</td>
<td>8192</td>
</tr>
<tr>
<td>Including industry</td>
<td>4265</td>
<td>2577</td>
<td>2680</td>
<td>1962</td>
<td>2130</td>
<td>1667</td>
</tr>
<tr>
<td>Agriculture</td>
<td>800</td>
<td>828</td>
<td>932</td>
<td>78</td>
<td>470</td>
<td>591</td>
</tr>
<tr>
<td>Transport and communications</td>
<td>4110</td>
<td>4245</td>
<td>5042</td>
<td>6465</td>
<td>1146</td>
<td>1191</td>
</tr>
<tr>
<td>Construction</td>
<td>80</td>
<td>168</td>
<td>113</td>
<td>-</td>
<td>-</td>
<td>46</td>
</tr>
</tbody>
</table>

#### Table 5

<table>
<thead>
<tr>
<th>Name</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total 1000 somoni</td>
<td>4784.1</td>
<td>5841.7</td>
<td>8835.0</td>
<td>11720.7</td>
<td>11343.7</td>
<td>15512.0</td>
</tr>
<tr>
<td>Of which under collective agreements (OSH agreements), 1000 somoni</td>
<td>1505.4</td>
<td>2895.8</td>
<td>2900.7</td>
<td>4470.6</td>
<td>5430.4</td>
<td>6444.4</td>
</tr>
<tr>
<td>Per worker, somoni</td>
<td>7.4</td>
<td>8.4</td>
<td>12.3</td>
<td>15.0</td>
<td>12.5</td>
<td>17.3</td>
</tr>
</tbody>
</table>
## Expenditure on OSH by region

<table>
<thead>
<tr>
<th></th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gorno-Badakhshan Autonomous Area</strong></td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Total, 1000 somoni</td>
<td>74.5</td>
<td>22.0</td>
<td>22.6</td>
<td>39.9</td>
<td>74.7</td>
<td>189.1</td>
</tr>
<tr>
<td>Of which under collective agreements (OSH agreements), 1000 somoni</td>
<td>74.4</td>
<td>22.0</td>
<td>22.4</td>
<td>39.9</td>
<td>74.7</td>
<td>189.1</td>
</tr>
<tr>
<td>Somoni per worker</td>
<td>9.0</td>
<td>2.8</td>
<td>2.9</td>
<td>4.2</td>
<td>11.1</td>
<td>25.0</td>
</tr>
</tbody>
</table>

| **Khatlon Oblast**   | -    | -    | -    | -    | -    | -    |
| Total, 1000 somoni   | 304.4| 822.0| 853.8| 644.1| 822.5| 1234.2|
| Of which under collective agreements (OSH agreements), 1000 somoni | 211.7| 601.7| 464.2| 441.7| 574.1| 682.2|
| Somoni per worker    | 1.5  | 3.9  | 4.0  | 2.7  | 2.2  | 3.2  |

| **Sogdian Oblast**   | -    | -    | -    | -    | -    | -    |
| Total, 1000 somoni   | 2676.4| 2121.0| 3617.4| 5205.0| 5729.9| 6751.7|
| Of which under collective agreements (OSH agreements), 1000 somoni | 906.7| 1799.9| 1939.8| 3388.8| 4110.7| 4181.9|
| Somoni per worker    | 10.0 | 10.8 | 14.0 | 17.9 | 19.3 | 24.7 |

| **City of Dushanbe** | -    | -    | -    | -    | -    | -    |
| Total, 1000 somoni   | 382.8| 602.9| 794.7| 1718.5| 1230.2| 2012.4|
| Of which under collective agreements (OSH agreements), 1000 somoni | 243.5| 404.4| 235.0| 378.7| 172.0| 244.8|
| Somoni per worker    | 3.8  | 4.2  | 5.8  | 10.6 | 7.6  | 12.3 |

| **Regions under republican jurisdiction** | -    | -    | -    | -    | -    | -    |
| Total, 1000 somoni   | 1346.0| 1573.8| 3546.3| 4093.1| 3486.3| 5324.5|
| Of which under collective agreements (OSH agreements), 1000 somoni | 69.2 | 67.8 | 243.3| 221.4| 498.8| 1144.3|
| Somoni per worker    | 21.2 | 20.7 | 42.0 | 52.8 | 45.0 | 67.6 |

The outlays on environmental protection and rational use of natural resources (capital investments) amounted to (1000 somoni): in 2003 – 539; in 2004 – 16,715; in 2005 12,110, in 2006 – 8,083..
7. REGULAR MEASURES AND ROUTINE WORK
IN THE FIELD OF OSH

7.1. Employer Organizations Policy and Programmes

Under the law of the Republic of Tajikistan a founding conference to create a single employers' association was held in 2006. Unfortunately, the organization has not yet been able to date to integrate the various organizations of employers (National Association of Small and Medium Enterprises, the Chamber of Commerce and Industry of the Republic of Tajikistan, etc). There is no OSH policy and there are no OSH committees.

At the enterprise level the parties assume obligations in the field of OSH when entering into collective agreements. At the national level the Republican Association of Employers and the National Association of Small and Medium Enterprises take part in the tripartite dialogue.

7.2. The Policy and Programmes of Employee Organizations

Statements on OSH policy are reflected in the documents (position of the trade unions in the field of social and economic protection, the programme of trade union actions on social and economic protection of the trade union members in the Republic of Tajikistan) and the resolutions of congresses of Tajikistan's trade unions.

Under the law the trade unions in the Republic of Tajikistan have the right to monitor the OSH system on behalf of the state and the public.

Methodological recommendations and a model collective agreement have been developed by way of practical assistance to trade union and economic manage-
ment bodies in collective bargaining, including effective use of the collective agreement for OSH purposes.

The Trade Unions of the Republic of Tajikistan initiate and take an active part in tripartite and bipartite dialogue at the national, sectoral, regional and territorial levels.

The General Agreement between the Government of the RT, the Employers’ Association and the Trade Union Federation of Tajikistan for 2006-2008 (decree of the RT Government of December 2, 2006) has section 5 which reads:

“The Parties deem it necessary:

“1. To develop and implement the following OSH measures:
   ♦ provide the employees with individual and group protection means;
   ♦ provide proper welfare and sanitary and hygienic labour conditions; and
   ♦ train personnel in the field of OSH.

“2. To develop and submit under due procedure to the Majlisi namoyandagon Majlisi-Oli of the Republic of Tajikistan a new draft law of the Republic of Tajikistan On Occupational Safety.

“3. To develop and approve the list of production facilities, trades and official positions which entitle the workers to preventive nutrition, the ration and rules of the issue thereof as well as the list of occupational hazards and jobs that require mandatory periodic medical examinations, the procedure and frequency of such examinations.


“5. To take measures to implement the national ecological programme, to which end:
   ♦ not to allow the launching of new or renovated facilities without devices that prevent emission of pollutants;
   ♦ ensure proper use of fertilizer and toxic chemicals;
   ♦ create and restore departmental water-quality monitoring laboratories;
   ♦ restore the existing and, where necessary, take measures to build sewage and purification plants in cities and major population centers;
   ♦ take measures to stop emission of polluted water into natural bodies of water and the environment.
“6. The Trade Union Federation of Tajikistan for the purpose of more effective public control of compliance with OSH requirements will take measures aimed at:

♦ Further spread of the institution of public monitoring, enhancing the role of public OSH officers and improvement of their work;
♦ Improvement of current internal trade union regulations on public monitoring of compliance with OSH requirements; and
♦ Improvement of the forms and methods of training (labour inspectors and trade union functionaries).

7.3. Regulatory Activities at the Government Level

The issues of OSH are reflected, at the national level, in the legislation and decrees passed by the Government of the Republic of Tajikistan.

Some OSH issues are addressed in the Government programmes, for example:
♦ national action plan on environmental hygiene;
♦ prevention and treatment of HIV/AIDS (sexually transmitted diseases);
♦ promotion of the healthy way of life to 2010;
♦ public health strategy of the Republic of Tajikistan in the period to 2010;
♦ programme of rehabilitation of invalids in the RT.

The necessary technical regulatory documents are developed and compliance with the same is monitored at the level of sectoral ministries, agencies and trade unions of Tajikistan.

Targeted campaigns of OSH awareness (conferences, Months, Days and Weeks and contests related to OSH) are held very infrequently, especially at the national level.

7.4. Regular Activities at the Corporate Level

Some major industrial associations occasionally conduct seminars and conferences on various OSH matters, reviews and months of OSH, exhibitions of individual protection means and other measures.
7.5. International Cooperation on OSH

The Government of the Republic of Tajikistan, the Trade Union Federation of Tajikistan and the Employers’ Association of Tajikistan closely collaborate with the International Labour Organization and other non-governmental international organizations (UNICEF, Soros Foundation, etc).

A number of projects have been implemented with the technical and financial support of the said international organizations, for example:

♦ the WIND (work improvement through neighbourhood development) programme of training in OSH in agriculture;
♦ ILO project to eliminate the worst forms of child labour in the Republic of Tajikistan; and
♦ monitoring of HIV/AIDS among medical professionals, and others.

The Trade Union Federation of Tajikistan maintains links with the International Labour Organization, the International Trade Union Confederation, the trade union centers in the CIS, the PRC and EurAsEC. For the purpose of interaction and cooperation in protecting the interests of employees a Coordinating Council has been set up of the trade unions of Tajikistan, Uzbekistan, Kazakhstan, Turkmenistan, Kyrgyzstan and Azerbaijan. Its formation has been prompted by the social and economic situation, common history, customs, traditions and culture of the region.

The Central Committee of the Mining and Metallurgical Workers Union of Tajikistan maintains links with the following trade union organizations:

♦ The International Eurasian Federation of Metal Workers Unions since 1994 (city of Ankara);
♦ The International Association of Trade Unions – Mining and Metallurgical Workers’ Union Federation since 1991 (the city of Moscow);
♦ Metallurgical and Mining Workers’ Union of Ukraine, since 1991.
There is no adequate legal framework for the creation of systemic OSH management in the Republic of Tajikistan. The occupational safety law passed at the dawn of the sovereign independent state (1991) is practically not working.

The measures planned at the time aimed at improving legislation in line with the adopted law were never implemented for objective reasons:

- OSH funds have not been created at any level;
- Supporting legislation on OSH has not been adopted; and
- Corresponding amendments to the tax code, the administrative offenses code, etc. have not been introduced.

Still to be adopted are key laws for OSH management, such as the law On Mandatory Insurance against Occupational Accidents and Diseases, on OSH services, on State Participation in Funding OSH, On Certification of Safe Means of Production and Newly Introduced Facilities, etc.

The issues of training and retraining OSH specialists have not been addressed and a scientific basis is lacking.

The OSH situation at enterprises is marked by:

- the presence of a large number of outdated and worn-out facilities and equipment, machines and mechanisms that pose a danger of injuries, accidents and occupational diseases, the highly unsatisfactory industrial lighting, temperature regime and ventilation systems;
- shortage of instruments and gauges, group and individual protection means.

The dismantling of the OSH services at many enterprises prevents the development of preventive occupational safety measures, monitoring of OSH, the development of internal regulatory documents on OSH. All that greatly impedes employee awareness of OSH matters and contributes to violations of labour legis-
The problems of providing incentives to employees to address OSH matters are not addressed vigorously enough.

Such important components of assessment of workplaces as the mechanism of assessment and monitoring the design and production of machines and equipment, state system of certification of the technology produced for compliance with OSH requirements are non-existent.

We deem it practicable, along with the above measures:

♦ to create a national (interagency) council on occupational safety at the government level involving representatives of ministries, agencies, the trade unions and employers to coordinate the activities of OSH bodies, to set priorities and analyze OSH problems, etc.

♦ before developing a national occupational safety programme it is necessary to determine its main principles and provisions, and formulate them in the shape of a Concept of Priority Measures to Improve OSH systems over a specified period;

♦ to develop a national occupational safety programme in the Republic of Tajikistan including measures to train and retrain personnel; OSH management systems, scientific activities, measures to provide employees with means of protection, special footwear, etc).
9. GENERAL INFORMATION

9.1. Data on Demography

9.1.1. In 2001 the population of Tajikistan was 6,920,300 (Statistical Yearbook of the RT, 2007). Considering the annual growth rate of about 2% the total population in 2007 was 7.63 million people. The share of rural population is about 74.0%. The number of working age population is 4,121,000, or 58.3%.

9.1.2. The total proportion of gainfully employed population is about 30% of the total number, or 2,190,000 people. The total number of people engaged in the economy is 2,137,000, of whom:

♦ in industry – 5.5%;
♦ in agriculture and forestry – 67.0%;
♦ in construction – 3.0%;
♦ in commerce and public catering – 4.7%;
♦ in transport and communications – 3.1%;
♦ in public health – 3.4%;
♦ in education – 8.1%;
♦ in the housing and utilities sector – 1.6;
♦ other – 0.4%.

9.1.2.1. The number of working men is 1,637,600, or 76.6% of all workers.

9.1.2.2. Data not available.

9.1.2.3. The number of working women is 499,400, or 23.4% of all workers.

9.1.2.4. No available data.

9.1.3. More than 30% of working age population is engaged in the shadow economy, according to expert assessments
9.2. Literacy Level

9.2.1.

9.2.2. Practically all the able-bodied population in the Republic is literate. The adult literacy level is 99.3%. The duration of secondary education is 11.2 years. The number of those entering higher education institutions is 207 per 10,000 citizens, the number of scientists and engineers is 6 per 10,000 citizens.


<table>
<thead>
<tr>
<th>Name</th>
<th>2001</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
<th>2006</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number employed in the economy, of whom:</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
<td>100</td>
</tr>
<tr>
<td>In industry</td>
<td>6.9</td>
<td>6.6</td>
<td>9.1</td>
<td>5.6</td>
<td>5.7</td>
<td>5.5</td>
</tr>
<tr>
<td>Construction</td>
<td>1.8</td>
<td>1.7</td>
<td>1.6</td>
<td>3.3</td>
<td>2.9</td>
<td>3.0</td>
</tr>
<tr>
<td>Agriculture and forestry</td>
<td>66.6</td>
<td>67.6</td>
<td>67.6</td>
<td>66.6</td>
<td>67.5</td>
<td>67.0</td>
</tr>
<tr>
<td>Transport and communications</td>
<td>2.5</td>
<td>2.3</td>
<td>2.4</td>
<td>3.1</td>
<td>2.9</td>
<td>3.1</td>
</tr>
<tr>
<td>Commerce, public catering, supplies and procurement</td>
<td>3.7</td>
<td>3.5</td>
<td>4.1</td>
<td>4.7</td>
<td>4.3</td>
<td>4.7</td>
</tr>
<tr>
<td>Other material production sectors</td>
<td>0.8</td>
<td>0.5</td>
<td>0.5</td>
<td>0.5</td>
<td>0.5</td>
<td>0.4</td>
</tr>
<tr>
<td>Non-industrial sphere, including housing and utilities and welfare services</td>
<td>1.6</td>
<td>1.7</td>
<td>1.7</td>
<td>1.4</td>
<td>1.6</td>
<td>1.6</td>
</tr>
<tr>
<td>Public health, sports, social security</td>
<td>4.3</td>
<td>4.1</td>
<td>4.1</td>
<td>3.8</td>
<td>3.4</td>
<td>3.4</td>
</tr>
<tr>
<td>Education</td>
<td>2.9</td>
<td>9.3</td>
<td>9.1</td>
<td>8.1</td>
<td>8.2</td>
<td>8.1</td>
</tr>
<tr>
<td>Culture, arts, science</td>
<td>0.9</td>
<td>0.9</td>
<td>0.8</td>
<td>0.8</td>
<td>0.8</td>
<td>0.8</td>
</tr>
<tr>
<td>Government and economic management bodies, management of cooperatives and non-governmental organizations, credit- ing and state insurance</td>
<td>1.9</td>
<td>1.8</td>
<td>1.9</td>
<td>2.1</td>
<td>2.2</td>
<td>2.4</td>
</tr>
</tbody>
</table>
9.4. Economic Statistics

9.4.1. The Gross Domestic Product in 2006 was 9,335.2 million somoni. The GDP per capita was 404.8 USD

9.4.2. The annual per capita income in 2006 was 1335.1 somoni.

9.4.3. The sectoral structure of GDP in 2006 was as follows:
   ♦ industry – 21.8% of GDP;
   ♦ agriculture – 21.4%;
   ♦ construction – 6.1%;
   ♦ transport and communications – 7.2%;
   ♦ services – 40.6%;

   The following are the shares of selected sectors in the total industry:
   ♦ fuel and energy – 3.8%;
   ♦ power industry – 1.7%;
   ♦ fuel – 2.1%;
   ♦ metallurgical complex – 1.0%;
   ♦ engineering industry – 10.9%;
   ♦ chemistry and petrochemical industry – 2.9%;
   ♦ forestry, woodworking and pulp and paper – 2.8%;
   ♦ construction materials industry – 12.2%;
   ♦ light industry – 16.1%;
   ♦ food industry – 31.9%;
   ♦ other sectors – 15.6%.

9.4.4. The total resources allocated for OSH are estimated at 0.9% of GDP.

   More than 11,343,700 somoni was spent on OSH in 2005, which is equivalent to 12.5 somoni per worker.
10. OTHER RELEVANT INFORMATION

In addition to this profile the following laws are useful reading:

1. The Labour Code of the Republic of Tajikistan;


The text of the above mentioned laws are in Russian.