

MINISTRY OF INTERNAL AFFAIRS OF THE REPUBLIC OF TAJIKITAN

ORDER

As of November 11, 2014 city of Dushanbe

#841

"On the formation of the Public Council to promote the civil society in the implementation of the police reform under the Ministry of Internal Affairs of the Republic of Tajikistan"

In order to fulfill instructions and assignments of the President of the Republic of Tajikistan with respect to enhancing the role of civil society in the work of the police, the Police reform Strategy for 2013 - 2020, which was approved by order of the President of the Republic of Tajikistan under # 1438, as of March 19, 2013 and the Police Reform (development) Program for 2014-2020, which was adopted by the decision of the Government of the Republic of Tajikistan under # 296, as of May 3, 2014,

I ORDER:

To approve the Provision of the Public Council on promoting the civil society in the implementation of the police reform under the Ministry of Internal Affairs of the Republic of Tajikistan, which was adopted by the Working group on management of the police reform (political level), non-governmental and civil society organizations (Appendix attached).

1. To establish a Public Council under the Ministry of Internal Affairs to promote the civil society in implementation of the police reform.

2. The National Coordinator on police reform under the Ministry of Internal Affairs, A.B. Bobonazarzoda, Colonel:

- 1) In conjunction with the Chief of Staff of the Minister of Internal Affairs on the election of candidates for membership to the Public Council on providing assistance to the police reform, place advertisements in the website of the Internal Affairs Ministry as well as other media;
- 2) Until January 1, 2015 study the documents of the candidates nominated for membership to the Public Council to promote civil society in implementation of the police reform, prepare a list of them for discussion at the next meeting of the Working Group on police reform;
- 3) Until January 15, 2015 in conjunction with the departments of inspection - the organization and the

protection of public order, develop ToR for the Manager Assistant on the issues of cooperation with organizations and non-governmental organizations;

4) Apply to the OSCE Office in Tajikistan, international organizations and foreign embassies located in the Republic of Tajikistan with regard to establishment of Public Council under MIA structure, for the promotion of civil society in the implementation of police reform with the request for providing information, the social partners to assist in equipping the Public Councils' buildings with office equipment and other relevant equipment;

5) For the practical implementation of the Public Council Provision on providing assistance to the police reform under the Ministry of Internal Affairs in close cooperation with the Organizational and Inspection Directorate, Department on personnel and work with personal staff, as well as the Academy of the Ministry of Internal Affairs of the Republic of Tajikistan make changes and additions to the relevant normative legal documents;

6) in the process of implementation of police reform, establish cooperation with civil society, associations, international organizations, including embassies and consulates functioning in the Republic of Tajikistan.

4. The Head of department in charge of human resources issues and stuffing:

1) Until December 1, 2014 prepare the Ministry of Internal Affairs Order on introducing a new stuffing unit – a Manager Assistant on issues of cooperation with associations and non-governmental organizations in the Management of the Ministry of Internal Affairs in the Gorno-Badakhshan and Khatlon Provinces (Regional Office in Kulob group of districts), in close liaison with the National Coordinator on the reform of the police at Ministry of Internal Affairs of the Republic of Tajikistan to choose candidates for the post of a Manager Assistant on issues of cooperation with associations and non-governmental organizations;

2) in close liaison with the National Coordinator for police reform under the Ministry of Internal Affairs to prepare a sample certificate of the Public Council members who promote the civil society in implementation of police reform and submit to the Ministry of the Internal Affairs for approval.

5. Head of MIA departments in Gorno-Badakhshan, Sughd and Khatlon provinces, city of Dushanbe, the Regional Department of Kulob group of districts, region and district of Rasht:

1) Establish Public Councils to promote the civil society in implementation of the police reform at the MIA departments in Gorno-Badakhshan, Sughd and Khatlon provinces, city of Dushanbe, regional department in Kulob group of districts, region and district of Rasht.

2) Impose responsibility on the heads of the Internal Affairs Ministry departments in Gorno-Badakhshan, Sughd and Khatlon provinces, city of Dushanbe, regional department in Kulob group of districts, region and district of Rasht for organizational work and personal responsibility regarding cooperation with the Public Councils to promote the civil society in the implementation of the police reform.

6. Impose responsibility on the National Coordinator for Police Reform under the Ministry of Internal Affairs of the Republic of Tajikistan regarding supervision for execution of police reform strategy for 2013 -2020, the police reform (development) program for 2014 -2020 and the Public Council

Provision to promote the civil society in the implementation of the police reform under the Ministry of Internal Affairs of the Republic of Tajikistan.

7. The Heads of various departments of MIA depending on the implementation of the Strategy and Police Reform (development) Program are accountable to the National Coordinator on police reform in the Ministry of Internal Affairs of the Republic of Tajikistan.

8. Impose supervision for the execution of the given Order on the head of the Working Group, Deputy Minister of Internal Affairs, Major – General of militia - I. Umarzoda,

9. Bring this order to the attention of the Internal Affairs Ministry staff of the Republic of Tajikistan.

Minister,

R.Rahimzoda

Militia Lieutenant General

Appendix

**Approved on the basis of the order
issued by the Minister of Internal
Affairs, #841, as of November 11,
2014**

It is adopted in the Work Group

Meeting held on October 11, 2004

Police Reform Department (political level)

PROVISION

of the Public Council on the Civil Society Assistance to the Police Reform under the Ministry of Internal Affairs of the Republic of Tajikistan

1. General Provisions

1. The Public Council on the Civil Society Assistance to the Police Reform under the Ministry of Internal Affairs of the Republic of Tajikistan (hereinafter - the Public Council) is an advisory and monitoring body established to ensure direct and indirect involvement of citizens in the discussion of the reform progress on its various stages. It informs the Government of the Republic of Tajikistan on the citizens' expectations and proposals on the subject, consideration of public opinion while making the state policy on Community Policing (interaction of Police with the Community), its implementation, and public inspection/oversight of the police reform progress.
2. The Public Council is formed on the basis of voluntary participation of citizens and representatives of the civil society organizations of the Republic of Tajikistan including public organizations related to legal advocacy, science and creativity with the goal of standing for common interests and achievement of common objectives.
3. The Public Council ensures cooperation of the community and police for development of the main state policy directions in the area of police reforming and Community Policing related issues, implementation of the principle of transparency and openness of the police (activities), protection of citizens and human rights and freedoms of the Republic of Tajikistan.

4. The Public Council performs public oversight (monitoring) of transparency and efficient use of funds, including budget and loans (subsidy, credit), as well as of the special account funds, technical assistance and grants allocated by donors to police.
5. The Public Council is a public body operating on the basis of the community initiatives at every stage of the police reform.
6. The Public Council is not a legal entity. It operates on the basis of the existing Provision and is not legally or otherwise liable for the actions of its founders.
7. The Public Council members are jointly/solitarily liable only within the framework of agreed principles, specific decisions and actions stipulated herein. For these purposes, the Public Council members draft and approve by their decision “*A Public Council member Code of Ethics*” on the Civil Society Assistance to the Police Reform.
8. The Constitution of the Republic of Tajikistan, international treaties ratified by the Republic of Tajikistan, the Law of Tajikistan "On Public Associations," other regulatory and legal acts, as well as the Provision herein constitute the legal basis for the Public Council activity.
9. The Provision of the Public Council is approved at the Police Reform Steering Group Meeting (political level) and is declared in the Order approved by the Minister of Internal Affairs.
10. Ministry of Internal Affairs (hereinafter –Ministry) guarantees to Public Council members with regard to free and efficient accomplishment of their duties in all subdivisions and divisions of the Internal Affairs Ministry of the Republic of Tajikistan.

2. Goals of the Public Council

11. The goals of the Public Council are:
 - 1) The Civil Society Assistance to the Police Reform, development of an active civic position in the society on the assistance to law enforcement agencies in the detection of crimes and delinquencies.
 - 2) Enabling citizens’ direct and indirect involvement in the discussion of the reform progress on its various stages, the creation of various mechanisms that support an open and public debate throughout the police reform period.
 - 3) Bringing requests and proposals of the citizens on the subject to the attention of the Government of the Republic of Tajikistan, consideration of public opinion while formulation and implementation of the state policy in the area of cooperation between the Police and Community.
 - 4) Controlling the record of police reform related public requests (public demand for police reform), development and further improvement of relations between the internal affairs

bodies and civil society institutions and the community, the democratization of public relations in the law enforcement activities.

- 5) Creating mechanisms and enabling civil society to participate both in the assignment of tasks for police and evaluation of their performance; creating a transparent police for citizens.

3. Objectives of Public Council

12. The main objectives of the Public Council are:

- 1) Involvement of citizens and public organizations to participate in the implementation of the state policy in the field of crime prevention.
- 2) Development of an active civic position in the society for assistance to the law enforcement agencies in solving crimes and offenses.
- 3) Increasing of public confidence in the law enforcement system, rapprochement of the police with community, increasing the role of public organizations and the media in further strengthening of the constitutional state.
- 4) Enabling citizens' direct and indirect involvement in the discussion of the reform progress on its various stages, the creation of various mechanisms which support an open and public debate throughout the police reform period.
- 5) Participation in development of the "Concept on interaction of police with civil society".
- 6) Providing the consultative, methodological and other support to activities of internal affairs agencies.
- 7) Involvement of media representatives for the benefit of comprehensive and objective awareness raising of population about urgent issues in police activities.
- 8) Development of proposals for the program and implementation of joint activities aimed at addressing the law enforcement issues.
- 9) Compiling of conclusions and estimate assessments, as well as proposals for the improvement of policing submitted by public organizations.
- 10) Involvement of two civil society representatives who are lawyers by background in the activities of a special commission composed of the Chief Inspector of the Ministry of Internal Affairs. The existing representatives are appointed by members of the Public Council. The Public Council should respond to violations of citizens' rights, as well as study the cases of public organizations and other public associations, which were prosecuted illegally, and make appropriate recommendations.
- 11) Attending the entrance examinations for cadets-candidates and students of educational institutions of the Ministry of Internal Affairs Affairs as well as sessional exams.
- 12) Involvement in the appraisal commissions of the MIA and DIA to provide an objective and comprehensive assessment of persons to be enrolled, procedure of which is stipulated by the Ministry of Internal Affairs.
- 13) Development of programs, concepts and proposals aimed at ensuring the rule of law, protection of individual rights and freedoms, strengthening the legal and democratic state in Tajikistan.

4. The Public Council Rights

13. The Public Council has the right to:

- 1) Make proposals to the state government bodies and public organizations on the issues of police reforming and improvement of its activities.
- 2) Submit proposals to the governmental authorities and public organizations aimed at increasing the role of internal affairs bodies in strengthening internal political stability, public consent and enhancing the role of NGOs in democratization of the society.
- 3) Suggest to citizens, central and local executive bodies to improve the mechanisms of cooperation between the state bodies and public organizations in strengthening law and public order, as well as combatting delinquencies.
- 4) Make proposals for improvement of legislation of the Republic of Tajikistan on fight against crime and enforcement of the law.
- 5) Participate in the joint events and activities on police reform, law enforcement with specific segregation of parties' duties.
- 6) Invite the representatives of the governmental agencies, public organizations and other public associations to the Public Council meetings on the issues related to police reform and Public Council activities.
- 7) Involve employees of the executive authorities, local self-government bodies of towns and settlements, representatives of local and international expert and scientific organizations, as well as individual specialists in its work.
- 8) Appoint two representatives of civil society that will be a part of the special commission established under the Police Reform Strategy. Upon the Public Councils' request the Commission has the right to inspect allegations of crimes and offenses committed by Tajik police staff, if the petitioner disagrees with the conclusions of the Main Police Inspection. The Commission shall make recommendations to the Minister of Internal Affairs regarding applying disciplinary penalties, as well as about the elimination of causes and conditions conducive to the commitment of delinquencies.
- 9) Appoint representatives of the civil society from the Public Council members to include them into entrance and evaluation commissions of the MIA, DIA and involvement, in the manner determined by the Minister of Internal Affairs of the Republic of Tajikistan, in the work of evaluation commissions of internal affairs bodies and competitive commissions to fill the vacant posts.
- 10) Within the Public Council framework to request information on the internal affairs activities about criminal cases and cases on administrative delinquencies, if it does not contradict the legislation of the Republic of Tajikistan on operational and investigative activities and protection of the state and other secret protected by law.

- 11) Invite to the meetings and listen to the officials of the internal affairs agencies, authorized by the Minister of Internal Affairs of the Republic of Tajikistan, on issues related to the police reform implementation and other tasks entrusted to the Public Council.
- 12) Determine the Public Council's work plan; develop long term and current work plan; make changes and amendments to it.
- 13) Issue newsletters; publish reports on its activities in accordance with the legislation.
- 14) Recommend its representatives to be a part of delegations for participation in various international forums, study tours, negotiations, humanitarian initiatives, etc.
- 15) Based on the written instruction of the Internal Affairs Minister conduct field meetings (or send delegations to) in various regions of the country to address specific objectives on the ground.
- 16) Organize and conduct conferences, seminars and roundtables in accordance with the goals and objectives of the Public Council to implement the Provision.

5. Formation procedure of the Public Council

14. The Public Council is formed on a voluntary basis from among nationals of the Republic of Tajikistan.
15. A potential candidate of the Public Council may be capable citizen of the Republic of Tajikistan who has reached the age of 21, a permanent resident on the Republic of Tajikistan, has no criminal record, with at least secondary education, has an active civic position and an experience of social, creative or scientific work. More than half of the Public Council members should be lawyers with Higher Education diplomas.
16. Authority term of the Public Council member is three years
17. Proposals to include a candidate for membership of the Public Council may be made by the public organizations, legal entities and individuals of the Republic of Tajikistan.
18. To become a member of the Public Council citizens must submit the following documents:
 - 1) candidate's application to become a member of the Public Council;
 - 2) a copy of the candidate's passport;
 - 3) a copy of document on the candidate's education;
 - 4) CV (handwritten);
 - 5) a certified copy of the employment history (labour book);
 - 6) two photos 4x6.
19. In order to become members of the Public Council, representatives of the public organizations and legal entities must also submit the below following documents apart from the documents stipulated under article 16 of the current Provision:
 - 1) Decision of management of the public organization or legal entity on nominating a candidate to membership in the Public Council;

- 2) A copy of the certificate on state registration of the public organization or legal entity;
- 3) A copy of the document on real registration in the state unified list of confirmed legal entities;
- 4) Right determining documents of the legal entity (Charter or Provision)
- 5) Reference on the activity of a legal entity (application)
20. Proposal with regard to nominating a candidate for the Public Council's membership is made not less than sixty days prior to the expiration date of the previous composition's authority.
21. A list of candidates for the Public Council membership is prepared by the Police Reform National Coordinator based on proposals from public organizations and legal entities. It will be discussed at the next regular meeting of the Police Reform Steering Group not less than thirty days before the expiration date of the previous members' authorities.
22. The number of the Public Council members should be minimum 15 persons. At the same time a reserve list of candidates for the Public Council board should consist of (in case of Public Council members' withdrawal) no less than 5 persons. The number of the Public Council's members under the regional departments should be up to 10 persons and reserve list of candidates for this Public Council boards should consist of no less than 3 persons.
23. Upon agreement of the list of candidates for the Public Council's membership by the Police Reform Steering Working Group, the structure of the Public Council will be approved by order of the Minister of Internal Affairs of the Republic of Tajikistan at the Police Reform Steering Group (political level) meeting.
24. A Chairperson of the Public Council (hereinafter - the Chairperson) and his Deputy are elected from among its members through open vote at the first plenary meeting of the Public Council.
25. Candidates for the post of Chairperson and Deputy Chairperson of the Public Council are nominated by the Public Council members. Every member of the Public Council has the right to offer only one candidate/nominee.
26. The Public Council member who is nominated to be elected for the post of Chairperson and Deputy Chairperson has the right to declare the withdrawal. The withdrawal statement is accepted without discussion and voting.
27. The Chairperson and Deputy Chairperson are considered to be elected, if more than two thirds of the total number of the Public Council members present at the meeting has voted for them.
28. The decision on election of the Public Council Chairperson and Deputy Chairperson will be recorded in the minutes and approved/declared by order of the Minister of Internal Affairs of the Republic of Tajikistan.
29. Relevant certificates of the MIA of the Republic of Tajikistan will be issued for the Public Council members.
30. An early dismissal issue of the Public Council Chairperson will be considered either on his/her personal request, proposal of the Internal Affairs Minister or National Coordination on Police reform. The decision to dismiss the Chairperson is accepted if two thirds of the total number of the Public Council members, who attended the voting, voted for it.
31. In case of non-observing "A Public Council Code of Ethics" by its member, the latter will be excluded from the Council.

6. The Chairperson and Deputy Chairperson of the Public Council:

32. Chairs the Public Council, organizes the Public Council and its Working Groups activity, and controls internal regulations of the Public Council.
33. Organizes and Coordinates an interaction of the Public Council with Police, state bodies, local self-government bodies, public and other associations of citizens, the media, international organizations and citizens.
34. Having drafted an agenda of the Public Council meeting, sends it to the Public Council members.
35. Signs decisions and other documents adopted by the Public Council, as well as requests, appeals, invitations and other documents in order to implement/exercise the Public Council powers;
36. Assigns tasks to the Working Groups and Public Council members on matters within its competence.
37. While accomplishing their obligations within the Public Council, its members have equal rights during the discussion and decision-making process and carry out their activities for free on a voluntary basis.
38. In case of the Chairperson's absence, his duties are carried out by the Deputy Chairperson of the Public Council.

7. Duties of the Public Council member:

39. The Public Council member is obliged to:
 - 1) Observe the Constitution, laws of the Republic of Tajikistan and legal acts of the Ministry, execute in good faith his own duties, respect and observe rights and obligations of other people, through accomplishing his duties promote institutional development of civil society institutions and contribute to strengthening the rule-of-law state and democracy in Tajikistan
 - 2) Attend personally in the meetings of the Public Council and its Working Groups, which he/she is a member of it, and in other events organized by the Public Council. Express point of view regarding the discussed issues during voting;
 - 3) In case of non-availability for a reasonable excuses in the meeting of the Public Council, a Working Group, which he/she is a member of it, informs accordingly in writing the Chairperson of the Public Council and the Head of the Working Group at least one day prior to the Working Group meeting;
 - 4) Fulfil assignments taken upon itself at the Public Council and Working Groups meetings or given by the Public Council Chairperson qualitatively and in timely manner.
 - 5) Comply with the requirements of discipline and ethics while working in the Public Council.

- 6) The Public Council member is not entitled to use its activities in the Public Council for the benefits of political parties, commercial and non-profit organizations, as well as personal interests.
- 7) It is banned to delegate his/her authorities to other persons, non-members of the Public Council.

8. The Rights of the Public Council member:

40. The Public Council member has the right to:

- 1) Freely express his/her opinion on any issue of the Public Council and Working Groups activities, participate in debates at the plenary sessions of the Public Council, make suggestions, comments and amendments regarding the concepts and agenda of the discussed issues;
- 2) nominate candidates and express his/her opinion on individual candidates that are elected, appointed or approved by the Public Council;
- 3) participate in the preparation of materials and draft its decisions for the Public Council meetings and in the implementation of the Public Council decisions;
- 4) vote and be elected for elective positions within the Public Council;
- 5) nominate his candidacy to the position of Head or his Deputy and submit his own action program for the period of upcoming three years;
- 6) familiarize with protocols and materials of the working groups' meetings, as well as other documents of the Public Council;
- 7) in case of disagreement with the decision of the Public Council or Working Group, express in writing specific opinion, that will be attached to the decision and included in the minutes of the Public Council or Working Group meeting.
- 8) based on the procedure determined by the Minister of Internal Affairs visit Police facilities, custody for suspects and accused of a crime, detainees subject to administrative arrest.
- 9) familiarize with the citizens petitions about infringements of their rights, freedoms and legitimate interests by Police staff, as well as familiarize with the results of reviewing such appeals.
- 10) submit request to the Minister of Internal Affairs or official persons authorized by him with the concurrence the Public Council Chairperson on conducting inspections regarding infringements of rights, freedoms and legal interests of the citizens by staff of the internal affairs bodies.
- 11) According to the law of the Republic of Tajikistan "On appeal of the citizens" and in coordination with the Chairperson of the Public Council address any state and public authority with questions, statements and proposals and get accurate answer to his question.
- 12) accomplish community duties on free of charge basis, while fulfilling his main activities.
- 13) during the Public Council meetings and business trips be exempted from execution of his core duties with full payment of salary at the main working place.

9. Planning and conducting of the Public Council meetings

41. Public Council meetings are held at least once per quarter.
42. An extraordinary meeting of the Public Council may be held on the basis of the suggestion of the Internal Affairs Minister, decision of the Public Council Chairperson, or on the initiative of more than one third of the total number of the Public Council members.
43. Work plan of the Public Council is prepared on the basis of proposals from the Public Council and Working Groups members and agreed with the Minister of Internal Affairs of the Republic of Tajikistan.
44. The Public Council Work plan includes an agenda of the Public Council meetings, as well as other events.
45. Proposals for amending the Work plan are submitted in writing to the Chairperson by the Heads of the Working Groups or individual members of the Public Council.
46. An initiator of the extraordinary meeting of the Public Council submits in writing for the Public Council Chairperson's review a list of issues for discussion and draft solutions to address them.
47. The Chairperson of the Public Council determines an agenda for the extraordinary plenary meeting of the Public Council and appoints its date.
48. The Public Council members are notified on the date and agenda of the Public Council meeting and issues considered in it by the Head of the Public Council Working Group not later than 7 days prior to the meeting. Draft decisions of the Public Council and other materials on the issues included in the agenda of the meeting of the Public Council are prepared by the Public Council Working Group and are sent to the Public Council members not later than 5 days prior to their review at the Public Council meeting.
49. The Public Council meeting is considered legitimate if it is attended by at least half of the total number of the Public Council members.
50. Agenda of the meeting may be amended or revised based on the proposals made by the Public Council members. The proposal to amend or revise the agenda of the Public Council meeting is considered to be adopted if two thirds of the Public Council members –participants of the Public Council meeting vote for it.
51. In case of a disagreements at the plenary session during the discussion of the draft decisions by a majority vote of the Public Council, the Working Group finalizes the draft decision of the Public Council, taking into account changes and amendments proposed by the Public Council members, and submits it for review at the next meeting of the Public Council.
52. Upon decision of the Public Council, the representatives of the state government bodies, public associations, scientific/academic institutions, experts and other specialists might be invited to its meetings to provide the necessary information and conclusions on the subject matters. The representatives of the media may attend the Public Council meetings by its (Public Council) invitation.
53. The Minister of Internal Affairs, his Deputies, Advisory Board of the Ministry and National Coordinators on Police Reform issues of the Internal Affairs Ministry are entitled to attend any meeting of the Public Council.

54. The Public Council decisions are taken by two thirds of the vote of the members, participating in the Public Council meeting.
55. If the number of votes is divided equally, the final decision will be made by the Chairing person.
56. Decisions of the Public Council are taken by confidential or open vote at its meetings.
57. During the meeting of the Public Council, an audio recording with further transcripts (shorthand report) and minutes can be done.
58. The minutes of the Public Council meeting are signed by the Chairperson of the Public Council and representative of the MIA of the Republic of Tajikistan. In the absence of the Chairperson at the Public Council meeting the minutes are signed by the Chairing person at the meeting.
59. Signed minutes of the Public Council meetings are placed in the institutional mass media as well as in the Internet.
60. The Public Council decisions can be taken in the form of proposals and appeals as a result of review of the issues from the agenda of the Public Council meeting.
61. The Public Council decisions are sent for review (according to the competence) in the form of extracts from the minutes, which are signed by the Chairperson of the Public Council.
62. The signed minutes of the Public Council and Working Group meetings (the originals), as well as attached materials are stored in the archives of the Internal Affairs Ministry.

10. The procedure of formation and activities of the Public Council Working Group, as well as the procedure of election and authority of its Head

63. A Working Group is established to organize efficient activities for implementation of goals and objectives of the Public Council.
64. The Head of the Working Group is elected from amongst the members of the Working Group by open vote at the first meeting of the Working Group. The members of the Working Group may decide to hold a confidential vote;
65. Terms of References for the Head of the Working Group is determined and approved by the Chairperson of the Public Council.
66. To accomplish activity of the Working Group, Executive Secretaries are attracted from each division and subdivision of the Internal Affairs Ministry and members of the Public Council.

67. The Work Group:

- 1) carries out information and analytical, expert and other activities to implement the goals and objectives of the Public Council;
- 2) requests documents and materials required for its activities from the MIA management and other organizations;
- 3) involves experts, public associations, organizations and citizens of the Republic of Tajikistan in its activities;

- 4) provides proposals on the Public Council's activities for the review by the Public Council;
- 5) addresses organization issues of its activities;
- 6) prepares analytical papers and proposals for the draft conclusions/decisions on urgent issues of the MIA activities for consideration at the Public Council meetings;
- 7) annually not later than December 20 of the current year prepares and submits to the Chairperson of the Public Council a progress report on its activities.
- 8) proposals and initiatives submitted to the Public Council and its members by citizens and organizations are sent to the respected Public Council Working Groups for consolidation and consideration at work.

11. The procedure of termination and suspension of authority of the Public Council members

68. Authority of the Public Council member is terminated in the manner prescribed by the Provision, if:

- 1) submits a resignation letter from the Public Council;
- 2) unable to participate in the Public Council activities due to health condition or other reasons;
- 3) entry into force of the judgment of conviction imposed on/against him;
- 4) adjudge him incapable or missing pursuant to a court/by court ruling that entered into force;
- 5) by the Public Council decision adopted by a majority vote of total number of its members;
- 6) regular non-observance of the "A Public Council member Code of Ethics"
- 7) termination of citizenship of the Republic of Tajikistan.

69. Authority of the Public Council member are suspended in the manner prescribed by the Provision, in case of:

- 1) presenting him/her an accusation of crime;
- 2) imposition of administrative penalty on him/her in the form of administrative arrest.

70. An issue of termination or suspension of the Public Council member authority is considered by the Public Council upon proposal of the Chairperson or at the personal request of the Public Council member;

71. Proposal of the Chairperson or statement is considered by the Public Council at the next meeting;

72. Absence at the meeting of Public Council member without reasonable excuse in respect of whom a proposal was made is not an obstacle to address this issue by the Public Council;

73. The Public Council decision to terminate or suspend the authorities of the Public Council member is taken at the discretion of the Public Council by open (confidential) vote, if a an appropriate decision is made by two thirds of votes of the total numbers of the Public Council members;

74. The Public Council decision on termination or suspension of the Public Council member's authorities is considered to be taken if more than half of the total quantity of the Public Council members present at the meeting have voted for it;
75. The Public Council decisions on termination or suspension of the Public Council member's authorities are written in the minutes;
76. In case of termination of authorities of the Public Council member, the Chairperson asks the Minister of Internal Affairs to approve a nomination of a new Public Council member.

12. The procedure for approving new members of the Public Council

77. Nominations for new members of the Public Council are considered at the meetings upon proposals of the Public Council members and management of the MIA (from the supplementary list of candidates) of the Republic of Tajikistan.
78. Nominations for the Public Council membership are proposed on the recommendations at least three active members of the Public Council.
79. The Public Council decision on nominating new members of the Public Council for approval by the Minister of Internal Affairs is considered to be adopted if two thirds of the total number of the Public Council members present at the meeting has voted for it. A new member of the Public Council is approved and announced on the basis of the Order issued by the Internal Affairs Minister.

13. Forms of activities and decisions of the Public Council

80. The main forms of activities of the Public Council are meetings, Working Group meetings, as well as preparation of annual reports.
81. In order to implement the functions entrusted to it, the Public Council is entitled to:
 - 1) hold hearings, conferences, seminars, round tables, other discussions and public hearings on issues of public interest in the field of internal affairs;
 - 2) invite the heads of the MIA departments (units) to the Public Council meetings;
 - 3) submit requests to the state government bodies, public organizations and associations;
 - 4) liaise and cooperate with the Public Councils at the regional DIAs;
 - 5) obtain information about the law enforcement bodies based on the procedure determined by the Minister of Internal Affairs;
 - 6) visit departments (units) of the Ministry of Internal Affairs to investigate received allegations and complaints based on the procedure determined by the Minister of Internal Affairs;
 - 7) inform the public about the results of its activities through mass media;
 - 8) exercise other authorities that do not contradict the legislation of the Republic of Tajikistan and the present Provision to implement the goals and objectives of the Public Council;

- 9) Decisions of the Public Council are made in the form of conclusions, suggestions and appeals;
- 10) The Public Council has right to request conducting a public expertise in drafting regulatory and legal acts, as well as other documents of the internal affairs bodies at its own initiative;
- 11) The Public Council can delegate expertise to the operating Working Group or created for this purpose by the Public Council decision a temporary Expert Working Group;
- 12) The Public Council annually, not later than December 20 of the current year, submit a report on the results of its activities, the status of interrelations between the Internal Affairs bodies and public on strengthening the law enforcement issues and service discipline in the police, on increasing its authority and prestige, on protection of public morals, human and citizen's rights and freedoms;
- 13) carry out activity of the Public Council on the plenary meetings held as required, but not less than once in a quarter, as well as in the commissions and Working Groups.

14. The Public Council property and funds

82. Material and financial support to the Public Council is provided by the OSCE Office in Tajikistan, donor – countries, MIA as well as local government executive bodies.
83. The Ministry of Internal Affairs and Departments of Internal Affairs allocate office premises to accommodate the relevant Public Councils, as well as provide unimpeded access to the Public Council members to the premises.
84. The OSCE Office in Tajikistan equips allocated facilities with office equipment, computers and supplies. The OSCE will support the activities of the Public Councils during the functioning period of the Police Reform Program in 2014 -2020.
85. The OSCE office in Tajikistan, donor –countries, the Ministry and DIAs are committed to cover the business trip expenses of the Public Council members related to accomplishment of tasks rested on them within the country as well as abroad.

15. Information support of the Public Council activities

86. For information support of the Public Council activities, the National Coordinator on Police reform, the MIA and DIA Press Centres ensure posting the information about the Public Council's activities on the official website of the MIA, other media and national portals.

October 11, 2014
city of Dushanbe