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for Eastern Europe and Central Asia**

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**Istanbul Anti-Corruption Action Plan for
Armenia, Azerbaijan, Georgia, Kazakhstan,
the Kyrgyz Republic, the Russian Federation, Tajikistan and Ukraine**

**Monitoring of National Actions to Implement Recommendations Endorsed During the Reviews
of Legal and Institutional Frameworks for the Fight against Corruption**

TAJIKISTAN

**Update about actions to implement the recommendations taken during
December 2006-September 2007**

Presented by Tajikistan at the 7th Monitoring Meeting on 26-28 September 2007

I) National Anti-Corruption Policy, Institutions and Enforcement

Recommendation 1

Under the Instruction of the Head of the Executive Administration of the President of the Republic of Tajikistan of 10 July 2007 No.27, a working group was set up to develop draft “Strategy (National Program) to Combat Corruption in the Republic of Tajikistan for the Period Between 2008 and 2010.” The working group is led by Sherkhon Salimov, Director of the Agency for Government Financial Control and Anti Corruption Efforts in the Republic of Tajikistan.

The above-mentioned working group includes representatives from the Presidential Administration, deputies of Madjlisi Oli (National Parliament), the Security Council, the Supreme Court, the Prosecutor-General’s Office, the Ministry of Internal Affairs, the Agency for Illicit Drug Trafficking Control, the Presidential Center for Strategic Studies, the Ministry of Justice, the Governmental Committee for National Security, the Customs Service, prominent researchers and experts, representatives of civil society and non-governmental structures, and mass media personalities. Altogether, the working group includes 21 members.

The final version of this Project must be submitted for approval by the President of the country before the end of 2007.

The first session of the working group was held on August 07, 2007 to discuss operational issues and core operations areas. The working group has 4 subgroups with a lead person in each subgroup, that will develop a specific operations area in the draft Strategy.

The draft Strategy includes the following four sections:

- 1. Introduction*
- 2. Main section (prevention, detection and anti-corruption actions)*
- 3. Plan of actions for Strategy implementation.*
- 4. Monitoring of the process of Strategy implementation*

The main section of draft Strategy must contain the following chapters:

- a) Organizational, economic and social anti-corruption actions*
- b) Actions to upgrade preventive anti-corruption legislation*
- c) Legal action to preclude and combat corruption*
- d) Steps to involve the public opinion, civil society institutions and develop international contacts for the purpose of fighting corruption.*

As per Item 2 of the above-mentioned Instruction, in the process of Strategy development the working group is authorized to involve representatives of governmental and non-governmental organizations, international organizations, experts, and mass media personalities, as well as hold subject-specific workshops, conferences and round table discussions.

Under a proposal of the working group, the Agency announced in the national mass media sources and on the UNDP web site that it plans to involve public resources in the process of draft Strategy development.

The UNDP materials describing the experience of Bulgaria, Bosnia and Herzegovina, Slovakia, Lithuania, Kazakhstan, Kyrgyzstan and other countries in the development of their draft Strategies were provided in Russian translation to the working group.

Right after the working group got down to work, it began to receive many comments from citizens, organizations and institutions discussing the causes of corruption and anti-corruption efforts. As of 01 September 2007, the working group received 14 comments and recommendations.

Simultaneously, the working group's lead person held meetings with the representatives of the UNDP, the United Nations High Commissioner for Refugees, and the United Nations Office on Drugs and Crime and the Organization for Security and Cooperation in Europe, to discuss the possibility of involving foreign experts in the process of draft Strategy development.

Recommendation 2

After the Agency for governmental and financial control and anti-corruption efforts was set up under the Presidential Decree of 10 January 2007, it began to perform the main functions to combat corruption.

The Agency for governmental and financial control and anti-corruption efforts is the main governmental agency, which, in compliance with the May 15 2007 changes and amendments to Article 5 (Part 2) of the Law on Anti-Corruption Efforts, coordinates the activities of all law enforcement agencies fighting corruption.

In order to implement the provisions of that Law, the Agency set up a working group to develop Regulations on the Coordination Council of the national law enforcement agencies which will include lead officials of the Prosecutor-General's Office, the Supreme Court, the Ministry of Internal Affairs, the State National Security Committee, the Agency for Illicit Drug Trafficking Control under the Presidential Administration, which, on a quarterly basis, will hold meetings and resolve the emerging issues. It is required that the Coordination Council must invite public persons, representatives of international organizations and mass media personalities to attend the meetings.

All governmental agencies will be required to observe the resolutions passed by the Coordination Council, and these resolutions must be communicated to the population through mass media sources.

Recommendation 3

Initially, under the Presidential Decree of 2 June 2004, the Prosecutor-General's Office set up a Department for anti-corruption efforts which was operating until December 2006.

Under the Decree of the President of the Republic of Tajikistan of 10 January 2007, the Agency for governmental and financial control and anti-corruption efforts was set up to perform the functions of the disbanded Main Directorate of Tax Police under the Ministry for State Incomes and Fees, the Committee for Financial Control and the Department for anti-corruption efforts at the national Prosecutor-General's Office.

The Agency for governmental and financial control and anti-corruption efforts of the Republic of Tajikistan is the authorized financial control and law enforcement authority of the Republic of Tajikistan. The Agency performs government regulation to ensure that government resources and assets are properly used for economic security purposes and continuous operation of government structures, businesses and organizations, as well as for the purpose of observing human rights and fundamental freedoms through prevention, preclusion, detection and investigation of crime related to corruption or illegal economic activity. The Agency also performs government financial control and performs anti-corruption activities in

all branches of government authority, banks, public organizations, political parties, businesses, and organizations, regardless of their legal accountability and types of ownership, and in accordance with the legislation of the Republic of Tajikistan.

The Agency is headed by the Director, appointed by the President of the Republic of Tajikistan, who directly reports to the President. The Agency has a Panel of seven members appointed by the President. The Agency Director has three deputies, also appointed by the President.

The Central Office of the Agency has the following structure:

1. Top Executive Management
2. Main Government Financial Control Department
3. Main Department for Anti Corruption and Corruption-Related Economic Crimes
4. Investigation Department
5. Special Operations Department
6. Organizational/Inspections Department
7. Personnel Department
8. Financial/Economic Department
9. Physical Protection Department
10. Research and Information service
11. Secretariat
12. Medical Department
13. Confidential correspondence registration section
14. Operations department and temporary detention facility
15. Commandant's control service

In addition to the Central Office, the Agency has offices in the Gorno-Badakhshanskaya, Khatlonskaya and Sogdiiskaya regions, the city of Dushanbe and in the transportation system. Altogether, throughout the republic the Agency has 538 employees with 150 employees working at the Central Office.

The Agency for governmental and financial control and anti-corruption efforts of the Republic of Tajikistan was staffed by a specially set up commission and consists of former employees of the Prosecutor-General's Office, the Ministry of Internal Affairs, Main Directorate of Tax Police, the State National Security Committee, State Financial Control Committee, and several other government agencies. The employment criteria included high moral and ethical qualities, professionalism and clean reputation.

On May 15, 2007, the Parliament of the Republic of Tajikistan approved changes and amendments to a number of national laws regarding the authority, place and role of the Agency, which it was guided by at the start of operations.

Among the priority areas of the Agency's activity are: detection and elimination of causes and prerequisites encouraging corruption; creation of a public atmosphere of ethical intolerance with regard to corruption; higher public legal activity, closer ties and cooperation with the public (via mass media sources, non-governmental and international organizations, and religious leaders).

Over the past 8 months of 2007, the Agency carried out 299 audits and inspections, compared to 829 audits and inspections performed over the same period last year. The exposed economic damage was in excess of 35 million somoni, including cash shortages and misappropriation of government funds and material assets worth 10 million 867 thousand 760 somoni. That amount is 8 times larger than the one exposed over the same period last year. Eight million 672 thousand 230 somoni of that total amount were repaid to the state budget.

The investigative agencies reviewed 161 cases of inflicted damage totaling 19 million 825 thousand 102 somoni. Over the above-mentioned period 197 corruption crimes were registered, including 92 cases of gross violations and felony, 38 bribery crimes committed by government officials, 10 bribery cases in commercial entities, and 80 embezzlement and cash and material assets misappropriation cases.

Over that period, the Investigation Department of the Agency initiated 86 criminal cases. Investigation of 27 cases was completed, 16 cases were submitted to the courts of law, and 11 cases were closed following enactment of the Amnesty Law.

Recommendation 4

This recommendation was to be applied by the Anti-Corruption Department, and was not considered for application by a specialized individual structure, such as the Agency for governmental and financial control and anti-corruption efforts of the Republic of Tajikistan. At the same time, the Agency believes that close cooperation with other law enforcement authorities and the public in fighting organized crime, smuggling and illicit drug trafficking is most essential for the Agency's successful operation.

The Agency for governmental and financial control and anti-corruption efforts is the leading specialized government agency coordinating anti-corruption efforts of all law enforcement agencies.

Based on the Code of Criminal Procedure and the Law on criminal investigation activities in the Republic of Tajikistan, the Agency closely cooperates with other law enforcement agencies in the course of their investigative operations. All issues and problems are resolved at the meetings of the Coordination Council.

Recommendation 5

Since it was founded, the Agency held 10 international workshops and conferences, attended by the Agency's experts on government financial control and anti-corruption efforts and representatives of other law enforcement agencies.

In March 2007, the U.S. Embassy in the Republic of Tajikistan held a three-day training workshop, Legal and Moral Relationship in Government Services. The workshop was attended by 7 employees of the Agency.

In April, the World Bank held a three-day training workshop in Istanbul, Management for Senior Government Officials, attended by the Director of the Agency.

During the same month the U.S. Embassy in the Republic of Tajikistan held a workshop, Control Over Nuclear Waste Smuggling.

The World Bank's Regional Office in the Republic of Tajikistan held a workshop on the estimate of spending and accounting for state budget funds.

In May, the UNDP office in Republic of Tajikistan held several workshops: in Dushanbe (UN Convention Against Corruption), and in Almaty (regional workshop on anti-corruption efforts).

During the same month, the UN Office for Drug Control and Crime Prevention, the World Bank, and the OSCE jointly with the Executive Administration of the President of the Republic of Tajikistan, held a two-day training workshop on financial intelligence for the officers of Tajikistan's law enforcement agencies.

In June, the World Bank Office in Dushanbe held a workshop/conference, Creation of a Favorable Investment Climate for Tajikistan's Economy.

These were held to raise the professional level of the Agency's employees and improve their knowledge of international laws, methods and techniques to prevent and fight corruption.

In addition to that, on a regular basis, the Agency's Central Office employees hold various training workshops in the regional subdivisions of the Agency to raise the professional level of regional employees. Similar training workshops are jointly held with other law enforcement agencies, attended by prosecutors, judges, and anti-corruption experts.

In future, theoretical and practical workshops will be held by international organizations and under the joint efforts of the republic's law enforcement agencies.

The issue of financial resources required for anti-corruption activity was thoroughly studied by the Agency's managers, and all their comments and proposals are currently under review and waiting approval by the President of the Republic of Tajikistan.

In order to make its operations more efficient, the Agency needs special IT equipment. It is also required to raise the salaries of Agency employees with the help of donor funds.

The issue of access to financial and banking data in the course of anti-corruption investigation was approved in the Agency Regulations No. 143 approved by the President of the Republic of Tajikistan on 10 January 2007.

Recommendation 6

The Agency closely cooperates with government and non-government mass media sources of the Republic of Tajikistan. The Agency is using the following principal public information sources: the National Information Agency of Tajikistan (Khovar) which regularly receives complete information regarding the Agency's operations, which is published on the official site of Khovar in English, Arabic, Chinese and French, Channel One, TV Safina, Radisi Tochkiston, and the Republican Press Center.

Since the Agency's foundation, 30 interviews, press publications and TV and radio reports were released covering its operations.

Jointly with the UNDP, the Agency arranged a contest among the national press writers on the subject of the role of mass media in highlighting corruption in the country. In the course of the contest 40 press stories and TV reports were released. The Agency's Deputy Director is the chairman of the contest committee. The contest will end in December, and its results will be released in the mass media sources on December 12th, observed as Anti-Corruption Day in the country. The winners of the contest will travel to a European country to receive training in the coverage of anti-corruption investigations.

The Agency's operations are open and transparent for all mass media sources, regardless of who their owner is, including foreign press reporters accredited to work on the territory of the Republic of Tajikistan. Under the Instruction of the President of the Republic of Tajikistan regular monthly news conferences to cover the Agency's operations are held for national and foreign reporters.

In order to establish closer contacts with the citizens and involve them in anti-corruption activities, press, TV and radio sources published the telephone number of the Agency's trust hotline. On a daily basis, the

Agency reviews written claims mailed by the citizens, and also receives citizens who prefer to come to the Agency and talk to its officials in person.

Legal assistance from the Agency is provided through mass media sources to help citizens in protecting their constitutional rights if they are willing to write up claims, civil lawsuits, or launch other types of civil action.

II) Legislation and criminalisation of corruption and the related money-laundering offence

Recommendation 7

After the Agency for government financial control and anti-corruption efforts was set up in the Republic of Tajikistan, in May 2007, in order to synchronize the laws of the Republic of Tajikistan, the national legislature passed a number of changes and amendments to the current laws and legal acts to enforce the Anti-Corruption Law. Those changes and amendments were made in the Criminal Code, the Criminal Procedure Code, and the Administrative and Tax Codes. The following laws were changed or amended: On Prosecution Offices in the Republic of Tajikistan, On Investigative Operations, On Weapons, and On Counter-Terrorist Activities. In compliance with the above-mentioned changes and amendments, the Agency launched its operations.

In compliance with the changes and amendments introduced to the national Criminal Code on May 12th 2007, 49 articles (*see Attachment A*), contained in the special section of the Criminal Code were transferred under the authority of the investigative groups under the Agency for government financial control and anti-corruption efforts of the Republic of Tajikistan.

The above-mentioned articles contain essential elements of corruption offence and essential elements of economic crimes based on corruption.

As per the above-mentioned changes and amendments, preliminary investigation of corruption crimes will be performed by investigators of the Agency's groups for government financial control and anti-corruption efforts of the Republic of Tajikistan.

Recommendation 8

Under this recommendation, the Agency's HQ set up a research and consultative council including prominent legal experts, judges, and Agency employees. The goal of the Council is to develop recommendations on upgrading anti-corruption legislation and submit them to the Agency's management. Unfortunately, regulations for the Council's activities have not been developed. In July 2007, the Agency's leadership held an official meeting with Mr. Callaghan, the regional officer of the UN High Commissioner for Refugees, to discuss ways for cooperation between the Agency and the Office. After the meeting, the Office appointed a mentor for Tajikistan, who will arrive in the country in September to render assistance in various areas, and, in particular, in the efforts to synchronize anti-corruption legislation with the international legal documents.

Recommendation 9

According to the Report on Tajikistan, the country has a number of enacted legal documents, including the Criminal Code, the Criminal Procedure Law, and the laws on civil service and anti-corruption efforts which provide the definition of a government employee and government official. In addition, the Code on

Administrative Procedures was enacted, which provides the definition of an “administrative authority,” and the March 2007 Law on Joint-Stock Companies provides the definition of an “affiliated entity.”

With regard to the government officials representing the interests of the government in private businesses and joint stock companies and participate in the management of those companies, the government working group is undertaking steps to implement the provisions of the government memorandum on the country’s plans to join the WTO. Under that memorandum national laws, which contain provisions on government officials and prevention of unfair competition and government intervention in the process of company management must be amended.

Recommendation 10

In compliance with criminal law, criminal proceedings can be initiated against a foreign citizen if he/she has no protection or immunities specified in the international laws recognized by the Republic of Tajikistan.

Recommendation 11

At present, the draft Criminal Procedure Code is under review at the national Parliament. It was mentioned in the annual Presidential address to Parliament (of April 2007) that the draft law must be enacted by the end of 2007.

Recommendation 12

Despite the immunity established for certain categories of statesmen in the Republic of Tajikistan, the country has the procedures to suspend their immunity only if criminal proceedings are initiated against these persons. Over the 8 months of 2007 these procedures were launched against one regional and one local legislature deputy.

Recommendation 13

In May 2007, a workshop was jointly held by the Tajik Government, UNDP, World Bank and OCSE to discuss establishment of a financial intelligence agency in the country. The workshop passed a resolution to hold regular meetings of experts to set up the agency in Tajikistan. It must be noted, however, that the issue of establishing the national agency in the foreseeable future has been taken off the agenda.

Recommendation 14

Within the framework of implementing this recommendation, the Republic of Tajikistan is participating in the Minsk Convention on enforcement of court rulings with regard to civil family and criminal cases. In addition to that, the Republic of Tajikistan signed several inter-governmental agreements on reciprocal legal assistance. According to the national Ministry of Foreign Affairs, such agreements were signed with the Turkish Republic, (on May 06, 1995) the People’s Republic of China (on September 16, 1996) and the United Arab Emirates (on April 09, 2007).

On May 4, 2007 the Agency and the UNDP jointly held a round-table discussion with the representatives of national ministries and agencies on the ratification of the UN Convention against corruption. The meeting attended by experts from Russia and Serbia developed recommendations on the action plan to facilitate ratification of the UN Convention.

III) Transparency of the Civil Service

Recommendation 15

In order to raise the status and responsibility of government officials and improve transparency of government agencies, the Public Service Law No.33 was enacted in the Republic of Tajikistan on March 5, 2007. The law defines the legal basis of public service, legal status and social guarantees of government officials in the Republic of Tajikistan and contains provisions that support the Code of Ethics for government officials.

In December 2006 the Office of the UN Development Program in Tajikistan and the Presidential Center for Strategic Studies of the Republic of Tajikistan carried out a sociological survey and drafted a Report on Corruption in Tajikistan (Public Opinion Survey). Ten thousand copies of the brochure containing that report was published in the Tajik, Russian and English languages. Copies of the published brochure were mailed to all central and local government agencies, business entities, higher educational institutions, libraries and international and local NPOs as the document providing guidance for their operations.

Since its foundation, the Agency held 10 international workshops and conferences attended by Agency employees and representatives of the national Customs and Tax agencies. In the course of these workshops the participants received the handouts and training aids summarizing the international anti-corruption experience, and practical actions which must be taken to combat economic crimes with corruption elements. These documents also contain ethical rules for government officials, and a list of actions to prevent corruption crimes.

In August 2007, the Institute for advanced training of government officials under the Tajik Presidential Administration held a training workshop for government officials, entitled “What is corruption and how to fight it?” The workshop was attended by representatives of all Tajik regions. In addition, the UNDP published a report entitled “Tajikistan’s Shadow Economy,” which was submitted to all government agencies, NPOs and business entities. (*The report is available on the following web site: www.undp.tj*). The author of the survey held a news conference which discussed the operations of NPO Shark Company.

In August 2007, the Agency for government financial control and anti-corruption efforts developed and published the procedures on preventive activities, detection, and investigation of corruption cases and economic crimes with corruption elements (*see Attachment 5*)

Recommendation 16

Under the Decree of the President of the Republic of Tajikistan No.926 of October 9, 2002, the Public Service Department under the Presidential Administration of the Republic of Tajikistan set up the Institute for advanced training of government officials.

The main goals of the Institute are to re-train and offer advanced training for government officials and to provide educational, methodological, research information and analytical support in the public service area. In order to raise the training potential, in 2006 and 2007 the Institute hired researchers and experts from major scientific research areas, Tajikistan’s higher education institutions and former government officials with extensive professional experience, who provide instruction at short-term and medium-term training courses under professional re-training programs.

In 2007, a training course in the Tajik legislation and corruption prevention and detection activities were added to the Institute’s training curriculum.

The Institute for advanced training of government officials works closely with the Agency for government financial control and anti-corruption efforts on the issues of training and development of training approaches.

Recommendation 17

A special mechanism to guarantee protection of government agency employees from criminal proceedings launched after the law enforcement agencies receive information on corruption, and their protection against disciplinary action or legal proceedings is provided in the Law of the Republic of Tajikistan on Public Service (Chapter 4, Article 34), which guarantees protection of government officials, their families and close relatives against violence, threats and other illegal actions related to performance of their professional functions. If required, the anti-corruption agencies provide protection for the persons involved in anti-corruption activities.

The Director of the Agency issued Order No. 88 of 18 June 2007 on the approval of Regulations on the Physical Protection Department. According to these Regulations, the PP Department will provide physical protection for the Agency's officials and their families, and persons who address the Agency informing it of cases of corruption, if a direct threat exists with regard to their lives or health.

Unfortunately, the basic legal regulations on protection of witnesses and "persons reporting violations" have not been published, and the internal campaign to inform government officials about these regulations was not carried out.

Recommendation 18

On May 16, 2007 the President signed the Law on amnesty of citizens and legal entities in the Republic of Tajikistan following legalization of their property. The main idea of this law is to bring to light the shadow assets of citizens and legal entities in order to determine their legal status of these assets, their owners and taxation approaches.

In addition, all government officials were assigned their individual taxpayer numbers and must submit their tax declarations to taxation agencies on an annual basis.

Failure to submit a tax declaration or presentation of distorted data in them provides sufficient grounds for denying their applications to take up public service positions or may lead to dismissal of government officials from their positions.

The content of tax declarations must be kept confidential, unless it is otherwise provided by law.

The law covers political government officials and administrative government personnel holding government positions in the following government agencies:

- Government of the Republic of Tajikistan;
- Executive Presidential Administration of the Republic of Tajikistan;
- Administration of Madjlisi Milli Madjlisi Oli of the Republic of Tajikistan;
- Administration of Majlisi namoyandagon Majlisi Oli of the Republic of Tajikistan;
- Administrations of the courts of law of the Republic of Tajikistan;
- Agencies under the President of the Republic of Tajikistan;
- Ministries of the Republic of Tajikistan and their offices;
- State committees of the Republic of Tajikistan and their offices;
- Prosecution agencies of the Republic of Tajikistan;
- Office of the Central Commission for elections and referendums of the Republic of Tajikistan;

- Government agencies of the Republic of Tajikistan and their branch offices;
- Other central executive agencies of the Republic of Tajikistan and their branch offices;
- Permanent missions of the Republic of Tajikistan in the international and inter-state (inter-governmental) organizations;
- Local executive government agencies of the Republic of Tajikistan.

The status of administrative government officials is also assigned to the officials working in rural public authorities. The names of their positions are listed in the Register of government positions of the Republic of Tajikistan.

Recommendation 19

Under Article 12 of the Constitutional Law of the Republic of Tajikistan on the Government of the Republic of Tajikistan and in pursuance of the Decree of the President of the Republic of Tajikistan No.9 of 30 November 2006 on upgrading the structure of central bodies of executive authority in the Republic of Tajikistan, the Resolution of the Government of the Republic of Tajikistan No. 246 of 2 May 2007, the Regulations and Structure of the Central Office for the Administration for procurement of goods, works and services were approved.

Under the approved Regulations, the Agency for procurement of goods must implement Tajik government procurement policy provisions in order to use government funds, foreign credits and grants in a more efficient way.

The Procurement Agency has the authority to perform the following functions:

- establish fair treatment of all vendors (contractors) and encourage competition between them in the government procurement process;
- ensure openness and transparency of government procurement activities;
- gather and publicize information on government procurement activities;
- collect accounting data regarding government procurement activities on the quarterly and annual basis;
- form a data base of vendors and contractors (domestic and foreign) and maintain a data base of unreliable vendors (customers);

In addition, the system of law enforcement agencies of the Republic of Tajikistan has special groups maintaining data bases on the persons against whom criminal proceedings on corruption charges were launched in the past.

Recommendation 20

Under the Instruction of the President of the Republic of Tajikistan No. 189 of 17 May 2007, a working group was set up to develop the strategy and the action plan to establish a new independent external audit authority. The working group is headed by Matlubkhon Davlatov, State Advisor of the President for economic policy.

The above-mentioned working group includes ten leading officials, government employees, representatives of non-governmental organizations and public personalities and the Director of the Agency for government financial control and anti-corruption efforts of the Republic of Tajikistan.

The working group must develop a strategy and action plan to set up an independent external audit authority and submit it to the President of the Republic of Tajikistan for approval in December 2007.

At present, the working group continues its work in close contact with the IMF mission and the World Bank regional office in Tajikistan.

Recommendation 21

The Code on Administrative procedures was enacted in Tajikistan in March 2007. According to the Code, each administrative agency must set up panels of experts to review submitted complaints. The panel is authorized to review administrative acts. If the administrative act is of a regulatory nature, it must be reviewed by the Government Administrative Commission. The Commission can pass a resolution announcing the act null and void, or partially invalid, or recognize a stale act as invalid, and ask the administrative authority to produce another act with a different content. Commission resolutions may only be challenged in the court of law.

The Code was enacted in May 2007. At present, each ministry and agency is working to set up the above-mentioned panels of experts. The main problem with implementing that task is the fact that the newly-passed law is not supported by information and methodological resources.

In accordance with the law of the RT “On Amending the Criminal procedure Code of the Republic of Tajikistan” the pretrial investigation shall be conducted by investigators of the Agency for State Financial Control and Fight against Corruption on the following articles of the Criminal Code of the Republic of Tajikistan:

- Article 245 – Conversion or Misapplication, paragraph II, clause “G”.
- Article 246 – Stealing means, issued as a credit
- Article 247 – Swindling, paragraph II, clause “G”. Par.3,4
- Article 257 – Stealing of Foreign Investment Funds
- Article 258 – Obstruction of Legal Entrepreneurship
- Article 259-1 – Producing, purchasing of goods without accise marks
- Article 260 – False Entrepreneurship
- Article 261 – Registration of illegal land transactions
- Article 262 – Authorization (laundry) of purse or other means, received illegally
- Article 264 – Illegal obtaining of credit
- Article 265 – Illegal allowance of credit
- Article 268 – Illegal disbursement of purse
- Article 269 – Bankruptcy misconduct
- Article 270 – Malicious Bankruptcy
- Article 271 – Fake Bankruptcy
- Article 273 – Monopolist activity and Restriction of Competition, paragraph III, clause “C”
- Article 274 – Malicious violation of public markets procedure, or tender or auction procedure.
- Article 278 – Divuligation of commercial or bank secret.
- Article 279 – Commercial Tempering.
- Article 280 – Tempering of participants and organizers of professional sport competitions and entertaining commercial contests.
- Article 287 – Non-return of foreign currency means from abroad.
- Article 289 – Contraband, paragraph III, clause “B”, 4/
- Article 291 – Customs evasion, paragraph II, clause “B”
- Article 292 – Evasion of taxes and (or) charges by legal entity.
- Article 293 – Evasion of taxes by physical entity
- Article 295 – Abuse of authority by employees of commercial and other organizations.
- Article 296 – Abuse of authority by auditors, awarders.

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- Article 314 – Abuse of titular authority.
- Article 315 – Omission.
- Article 316 – Abuse of office.
- Article 317 – Appropriation of power authorization.
- Article 318 - Illegal participation in entrepreneurial activity.
- Article 319 – Acceptance of a bribe.
- Article 320 – Bribery.
- Article 321 – Provocation of bribery.
- Article 323 – Forgery by an official.
- Article 324 – Acceptance of consideration by extortion
- Article 325 – Tampering of servant
- Article 326 – Illegal issuance of license for carrying and keeping of firearms

Article 327 – Illegal allowance of security guards (bodyguards) and use of military equipment in these purposes

Article 340-1 – Illegal producing and selling of accise marks and state fee marks

Article 345 – Obstruction to effectuation of justice, conduct of preliminary investigation and pretrial investigation, paragraph III

Article 348 – False Prosecution.

Article 349 – Consciously illegal sentencing, imposition of judicial decision or other judicial acts.

Article 359 – Falsification of evidence, paragraph II,III.

Article 360 – Illegal relief from criminal responsibility.

Article 363 – Non-performance of judicial sentence, decision or other judicial act.

Article 391 – Abuse of power or office, or failure of authority to act.