

**The Ways to enact the Decree
by the President of the Republic of Tajikistan
No. 342 (October 9, 1995)**

"On Distribution of 50,000 Hectares of Land for Personal Usage of the Population"

1. At present the Republic of Tajikistan has 75,000 hectares of land; 61,000 hectares of irrigated land are used as personal plot of land. New land about 50,000 hectares shall be also distributed.

So from 1996 the total personal plots of land & additional irrigated land shall come up to 125,000 hectares that is 17% of total sowing land (earlier it was 8%).

2. Before distributing plots, the farmers, brigades, managers of local authorities, kolkhoz and sovhoz shall define and register the total area of irrigated and on-irrigated lands, number of members of families, their living conditions for further proper distribution of new plots.

3. At first these plots shall be distributed where the land area is small and this land has not been cultivated for a long time or has low productivity.

4. After measuring of the area of new plots in the inhabited regions, kolkhoz and sovkhov, the special Commission for land distribution (3-5 persons) shall be established through elections, and a special resolution shall be adopted. The Chairman of the Commission shall be elected among either the head of the brigade, the head of kolkhoz/sovkhov or the head of the local authority.

The Commission shall include persons who work and live in kolkhoz, sovkhov or in countryside.

5. The main objective of the members of the Commission shall be the measurement of the area of the personal plots of land (including irrigated and non-irrigated land) to be used and the area of land per capita. For instance, if the Commission finds out that there are 50 farmers (family) and at present the farmers have 5 hectares of plots that is 1000 square meters of plot of land. After examination of all 50 mentioned brigade farmers, first of all the Commission shall distribute the new land in average per capita than others, so that all farmers shall receive land in equal shares. After that, spare land (taking into account the quantity of farms) shall be also distributed in equal shares. For example, the brigade received new land about 2 hectares, including 1 hectare for the first defining and the second hectare for equal share.

6. First of all these plots shall be distributed to the persons who directly live and work at the brigades, at the populated area and the kolkhoz and sovkhov: - the families which have less plots than others; - persons who need land and have enough capability.

7. The plots shall not be distributed to:

- the persons who have private owned farms or members of the private farms;
- the persons who work at cooperative, small enterprises and are of this organization member or have long term leasing;
- families who have enough land or plots.

8. The plots of land shall be distributed in accordance with long-term agreements signed between the head of family and local authority and director of kolkhoz or sovkhov and sealed properly.

9. Agreement will include: the head of the family, or person, who shall receive new plot, his obligations and (in accordance with President Decree N342, October 9, 1995) liabilities, that it is forbidden to built house or any kind of building on this land. That these plots shall be used for sowing in time and receiving harvest or crops of agriculture only. These plots must not be granted, transferred or sold to any other person. In case of breach of this Agreement, or non-fulfillment of the obligations, the plot shall be withdrawn from this person.

10. Plots, which were captured independently or against Law, have nothing to do with this Decree. The implementation of the Decree by the President of Tajikistan was discussed and approved on the joint farmer's seminar.

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