

MODEL LAW

On the Development and Protection of Mountain Territories

Mountain territories are national, natural, cultural, humanitarian heritage. Natural resources of the mountains are the basis for human social and economic development.

Mountains and elevations occupy a significant part of the Commonwealth of Independent States space. They are located in various physical geographic areas and represent natural, ethnic, cultural, and historic diversity.

Chapter 1. GENERAL PROVISIONS

Article 1. Basic terminology of the Law

In order to ensure development and protection of mountain territories, the following terminology is implemented in the Law contained herein:

mountain territories are territories of a state, occupied by mountains, usually bearing a geographic name and characterized by particular natural features (mountain landscape, elevational zonation, etc.) that shape ecosystems, ways of life and livelihood of communities living in mountain territories. For the purpose of this Law, the boundaries of mountain territories, including altitude criteria, are set under the State law where the mountain territory is located;

elevational zonation of mountain territories (natural elevation ranges) is the natural layering of ecosystems and landscapes due to varying climate and elevation above the sea level, that determines the boundaries between low-, mid-, and high-montane natural areas;

elevational social and economic zonation of mountain territories is particular ways of life and social and economic development of communities determined by elevational zonation of mountain territories;

development of mountain territories is a process described by sustainable social and economic development and conservation of environment and cultural heritage of the indigenous communities living in mountain territories, as well as rational management of mountain territories resources;

protection of mountain territories is a set of measures for environmental protection, rational management of natural resources, conservation of historic and cultural heritage and traditional ways of life of communities living in mountain territories;

communities (residents) living in mountain territories nationals permanently or temporarily residing within mountain territories, including those who follow traditional ways of life;

state policy for the development and protection of mountain territories is the efforts of national and local public authorities to identify goals and objectives for the development and protection of mountain territories in the short-, mid-, and long-term;

state support of the development and protection of mountain territories is a systemic economic, legal, and organizational measures implemented by national or local authorities pursuant to the state policy for the development and protection of mountain territories, which include allowances and preferences among other measures to improve social and economic conditions and livelihood of communities living in mountain territories;

strategic planning in the field of the development and protection of mountain territories is goal-setting, planning, and forecasting efforts to draft and enforce strategic planning documents pursuant to the implementation of the state policy for the development and protection of mountain territories.

Article 2. Relations governed by the Law

1. This Law regulates the relations on the development and protection of mountain territories, including relations in state policy implementation regarding the development and protection of mountain territories.

2. The relations in strategic planning, environmental protection, natural resources management, property and labour relations, relations in education, health care, social protection, migration of the population are governed by the national law of the country wherein the mountain territories are located, unless otherwise provided by law.

3 Citizens, residing within mountain territories, legal bodies, including those engaged in economic and other activities within mountain territories, public authorities, local authorities are parties to the relations associated with the development and protection of mountain territories, including the relations associated with the state policy implementation pursuant to the development and protection of mountain territories.

Article 3. The law on mountain territories

1. The national law on mountain territories relies on the Constitution of the State and includes the Law herein, as well as laws and regulations adopted pursuant hereto.

The State law may provide that regional laws and municipal legal acts on the development and protection of mountain territories shall be enforced.

2. If the international treaty, ratified in due order, stipulates otherwise than herein provided, provisions of the international treaty shall be applied.

Article 4. Main principles of the development and protection of mountain territories

The following principles are the basis of the state policy implementation and legal regulation of the development and protection of mountain territories:

- 1) priority of rights and legitimate interests of communities living in mountain territories;
- 2) protection of the environment, natural ecosystems, and landscapes;
- 3) compliance with the requirements regarding rational management of natural resources in economic and other operations;
- 4) a balance of public and private interests in drafting and implementing the state policy goals and objectives in the development and protection of mountain territories;
- 5) gender equality and protection of the rights of women, children, persons of senior age, the disadvantaged or and other socially vulnerable groups;
- 6) state support policies, including allowances, and tax allowances in particular, as well as privileges for citizens residing in mountainous areas, agents engaged in economic and other activities to equalize social and economic conditions for the development of mountainous areas;
- 7) recognition of the right to resolve disputes regarding traditional economic activity and ways of life in accordance with customs of communities living in mountain territories, unless the Constitution and national laws are violated;
- 8) awareness of natural elevational zonation elevational social and economic zonation in the structure of national and local authorities;
- 9) balanced development and integration of mountain and lowland territories;
- 10) other principles stipulated by national laws.

Article 5. Powers of public authorities safeguarding the development and protection of mountain territories

1. The supreme body of state legislative power is delegated the following powers:

- 1) to adopt laws and other regulations to uphold the development and protection of mountainous of mountain territories;
- 2) to consider and approve statements of the supreme state executive authority on the implementation of goals and objectives unidentified by the state policy regarding the development and protection of mountain territories.

2. The supreme state executive authority is delegated the following powers regarding the development and protection of mountain territories:

- 1) to develop and approve goals and objectives of the state policy regarding the development and protection of mountain territories, based on the Law herein and other national laws;
- 2) to approve strategic planning documents and state programs, legal and political acts regarding the development and protection of mountain territories;
- 3) to develop and approve state support policies and measures regarding the development and protection of mountain territories, based on the state policy;
- 4) to approve a set of state mountain territories for the purpose of their development and protection;

5) to uphold co-operation between national and local public authorities in order to implement the state policy for the development and protection of mountain territories;

6) to exercise other powers under the Law herein and other state laws.

Article 6. Powers of local authorities for the development and protection of mountainous territories.

1. Local authorities are delegated the following powers pursuant to the development and protection of mountain territories:

1) to develop and approve the goals and directions of local policies for the development and protection of mountain territories;

2) to develop and approve local strategic planning documents, programs, and local regulations for the development and protection of mountain territories;

3) to sustain implementation of state strategic planning documents and state programs regarding the development and protection of mountain territories;

4) to uphold measures for environment protection and rational management of natural resources, disaster prevention and emergency response in mountain territories in accordance with law;

5) to provide social support and safeguard employment of the population in mountain territories;

6) to mainstream activities of cultural, health care, educational, social protection, physical culture and sport institutions;

7) to promote agriculture and business;

8) to provide for the development of tourism;

9) to facilitate the organization and activities of local self-government;

10) to uphold conservation of monuments of nature, historical and cultural heritage, ways of life and traditions of communities living in mountain territories, to maintain and protect sacred religious sites and burial places, as well as other cultural heritage sites;

11) to exercise other powers in accordance with the Law herein and the State law.

2. In order to promote collaboration of local authorities, to express and protect common interests of the communities living in mountain territories with a focus on specific hierarchy and structure of local authorities, inter-municipal unions (associations), as well as other associations may be established on a voluntary basis under the State law and resolutions of local authorities.

Article 7. Rights of citizens living in mountain territories regarding the development and protection of mountain territories

1. Citizens residing in mountain territories have the right:

1) to openly and freely express their opinion on the goals, objectives and methods of the state policy enforcement for the development and protection of mountain territories under the State law, including by means of direct democracy;

2) to participate in the negotiations on strategic planning draft documents and programs for the development and protection of mountain territories, including by means of public hearings and (or) public negotiations and gatherings;

3) to submit proposals to public and local authorities regarding the development and protection of mountain territories;

4) to establish associations and unions to promote the development and protection of mountain territories under law.

2. The opinion of communities living in mountain territories regarding the development and protection of mountain territories shall be incorporated in state policy goals and objectives, approved strategic planning documents, dedicated national and local programs.

3. Indigenous communities (residents) living in mountainous territories shall have the right to sustain their traditional way of life and livelihoods.

Article 8. Cross-border co-operation for the development and protection of mountain territories

1. In order to facilitate the development and protection of mountain territories, relevant national and (or) inter-state councils may be established.

2. National councils for the development and protection of mountain territories are established to operate under the State law.

3. Inter-state councils for the development and protection of mountain territories shall be established to operate on the basis of inter-state agreements.

4. National and inter-state councils for the development and protection of mountain territories shall execute the following functions:

1) to investigate and draw conclusions regarding the social and economic situation in mountain territories;

2) to prepare proposals to improve the law on mountain territories and enforcement practices;

3) to consider investment projects aimed at the development of mountain territories and implemented in mountain territories located in cross-border areas of two or more states, to draft proposals and recommendations regarding the implementation thereof;

4) to facilitate resolution and prevention of disputes and conflicts in mountain territories.

Chapter 2. STATE POLICY FOR THE DEVELOPMENT AND PROTECTION OF MOUNTAIN TERRITORIES

Article 9. Main goals and objectives of the state policy for the development and protection of mountain territories

1. The main goals of the State policy for the development and protection of mountain territories are:

1) to ensure sustainable development of mountain territories in order to equalize social, economic and legal conditions of communities living in mountain territories;

2) to improve living standards of communities living in mountain territories to match those of the population living in other regions of the state;

3) to provide accessible education and health care to communities living in mountain territories;

4) to provide access to energy and other required resources to sustain the development and livelihoods of communities living in mountain territories;

5) to protect the environment and ensure rational management of natural resources in mountain territories;

6) to preserve the traditional way of life and traditional livelihoods of indigenous communities living in mountain territories, including small indigenous communities;

7) to reinforce safety of communities living in mountain territories and their livelihoods.

2. The main objectives of the State policy for the development and protection of mountain territories are:

1) to establish legal, economic, organizational and other conditions for sustainable social and economic development of mountain territories, environmental protection and rational management of natural resources;

2) to attract investment and other resources for the development and protection of mountain territories;

3) to support socially vulnerable and disadvantaged citizens living in mountain territories;

4) to promote economic and other activities with regard to natural and social conditions of mountain territories;

5) to support the efforts of small and medium-sized enterprises to develop mountain territories.

Article 10. Strategic planning of the development and protection of mountain territories

1. State strategic planning is carried out in conformity with the state policy goals and objectives for the development and protection of mountain territories. In order to implement the state policy therein, state and local strategic planning documents are adopted, including state and local programs, in accordance with the State law.

2. Based on strategic planning documents, the authorized state executive body shall annually report to the State legislative body on social and economic development of mountain territories.

3. Strategic documents on spatial and industrial planning in other areas of social and economic development shall be adopted in compliance with the goals and objectives of the development and protection of mountain territories.

Article 11. State support for the development and protection of mountain territories

1. The measures and mechanisms of the state support of mountain territories are:

1) to elaborate and implement the State programs of social and economic development of mountain territories;

2) to allocate funds from the State budgets for the development of mountain territories in accordance with the State law;

3) to differentiate taxation rates on land and property owned by the State and located within mountain territory boundaries;

4) to subsidize interest rates on loans for enterprises and organizations registered in mountain territories under the State law;

5) to introduce other state support measures for mountain territories under the State law.

2. The following state support policies shall be established to develop and protect mountain territories:

1) to improve education and dedicated workforce training in mountain territories;

2) to grant social benefits to residents of mountain territories under the State law;

3) to provide land plots to carry out activities prioritizing the development of mountain territories, as stipulated by strategic documents;

4) to promote tourism and recreation;

5) to conserve and develop traditional economic and subsistence activities;

6) to foster environmental protection and rational management of natural resources;

7) to attract investment for the development and protection of mountain territories in compliance with relevant strategic documents;

8) to mainstream digital technologies and communications;

9) to develop irrigation and drainage systems, transport infrastructure and the electricity grid;

10) to improve housing and utilities;

11) to implement other state support policies under the State law.

Chapter 3. BUSINESS AND OTHER TYPES OF ACTIVITIES PERFORMED IN MOUNTAIN TERRITORIES

Article 12. Business regulation in mountain territories

1. Business shall be regulated under the State laws. The laws of the State, wherein the mountain territory is located, may establish a special legal regime for business activity, including terms to attract investments, as well as special zones or territories for economic or other activities, or special tax regulation, insurance, licensing and penalties.

2. Business activity may be restricted on the grounds established by the State law only, provided that the activity therein is contradicts the principles of the development and protection of mountain territories.

3. Monopolistic activities and unfair competition in business shall be prohibited.

4. State and local authorities shall be forbidden to adopt regulation and (or) undertake action (or fail to act), as well as to conclude agreements or undertake concerted actions associated with business activity in mountain territories, which are or may be conducive of challenged, constrained, or damaged competition.

Article 13. Farming in mountain territories

1. The State authorities shall develop and implement state support measures to sustain agricultural producers under the State law.

State bodies and local authorities shall support traditional agriculture, including mountain irrigated, rain-fed, and terraced farming, medicinal plant production, mountain horticulture and viticulture, agroforestry, mountain cattle breeding and others.

3. Agriculture shall be carried out in a way that does not result in land pollution, soil erosion and depletion, or the pollution of water bodies. Grazing shall not lead to the depletion of pastures, reduction of forest land and biodiversity.

4. State authorities shall foster organic agriculture, production and marketing of organic products that produced in mountain territories.

Article 14. Urban planning in mountain territories

1. Urban planning shall foster sustainable comprehensive development of mountain territories and comfortable living conditions for the communities living therein, with a focus on natural elevational zonation and elevational social and economic zonation.

2. Drafting of urban planning documents shall consider the opinion of communities living in mountain territories, as well as cultural traditions, natural landscape of mountain territories.

3. State authorities shall share expertise with and provide financial assistance to local authorities to draft urban planning documents.

4. The State law can stipulate urban planning regulations in order to foster comprehensive development of mountain territories.

5. Construction in mountain territories shall not cause hazardous impact on the environment and its components (atmospheric air, water objects, soil, plant and animal life), natural ecosystems, cultural heritage, traditional ways of life and livelihoods of communities living in mountain territories.

Article 15. Development of industrial, transport, irrigation and reclamation facilities, as well as the electricity grid in mountain territories

1. Plans and programs to develop industrial, transport, irrigation and reclamation facilities, as well as the electricity grid may undergo strategic

environmental assessment in accordance with international agreements and the State law.

2. The location and construction of industrial, transport, irrigation and reclamation facilities, as well as the electricity grid shall consider interests of communities living in mountain territories.

3. The State shall foster renewable energy sources (solar, wind and water energy) in mountain territories.

4. In order to establish transport infrastructure, the electricity grid, irrigation and reclamation systems, State and local authorities shall develop comprehensive national, regional and local development schemes for roads, railways, pipeline transport, irrigation and reclamation facilities, as well as the electricity grid.

Chapter 4. DEVELOPMENT OF HEALTHCARE, EDUCATION AND SOCIAL SERVICES IN MOUNTAIN TERRITORIES

Article 16. Health care services in mountain territories

1. Citizens living in mountain territories shall be entitled to special measures to ensure accessibility and quality of health care.

2. Distance health care services via information and communication technology (telemedical services) enhance accessibility and quality of health care.

3. Salt and other foodstuffs iodization shall be used to prevent iodine deficiency disorders among communities living in mountain territories.

4. Citizens living in mountain territories shall be entitled to traditional medicine, based on accumulated and established practices, prevention methods, diagnostics, healing, and the traditional use of herbal medicines.

5. The State has the right to provide additional social support measures to medical and pharmaceutical workers, working in mountain territories.

Article 17. Education in mountain territories

1. The State guarantees legal, organizational and financial framework to operation and development of educational organizations.

2. In order to foster accessibility of education, the State may provide additional guarantees to provide for:

1) the right to choose the format of education (with or without educational organizations);

2) educational programs using digital and distance learning technologies;

3) accessibility of transport.

3. The State has the right to provide specific funding and establish a specific mode of operation for small-sized educational organizations, operating in montane settlements.

4. The State has the right to provide additional social support measures to education workers, working in mountain territories.

5. The State has the right to establish a specific regimen and schedule of operation for educational organizations due to weather, climate, or other natural conditions.

6. Education authorities in co-operation with health care authorities have the right to set up educational activities in sanatoriums and resorts under the State law on education.

Article 18. Social services in mountain territories

1. The State guarantees citizens living in mountain territories the right to social services provided by the national social services system.

2. The State has the right to grant additional financial support to citizens requiring social services and residing in mountain territories.

3. The State has the right to provide additional social support measures to social service workers working in mountain territories.

Chapter 5. TOURISM AND RECREATION IN MOUNTAIN TERRITORIES

Article 19. Tourism and recreation in mountain territories

1. State and local authorities shall promote tourism in mountain territories.

2. Tourism in mountain territories may be fostered by means of State support or funding from municipal budget, among other measures, to conserve tourist attractions and develop tourist infrastructure.

3. Pursuant to the conservation of natural and cultural heritage and in consideration of specific geographic, social and ethnographic characteristics of mountain territories, State and local authorities may adopt programs for the development of tourism in mountain territories.

4. Strategic documents for the development and protection of mountain territories, including programs for the development of tourism in mountain territories, may prioritize tourism activities, including ethnographic tourism, rural tourism, ecotourism, extreme tourism and balneal tourism.

5. State authorities shall draft and implement the State policies in physical culture and sports to ensure development of sports facilities in mountain territories and foster inclusion of mountain territories in national and international sports competitions.

Article 20. Fostering safety of tourism activities in mountain territories

1. State and local authorities shall undertake measures to foster safety of tourists in mountain territories.

2. Tourism regulation by State authorities shall stipulate specific requirements to tourist routes of substantial complexity and danger passing through mountain territories.

3. Specific requirements to tourist routes of substantial complexity and danger passing through mountain territories may include mandatory presence of a tourist instructor, duly qualified to pass the route and provide medical care, tourist equipment requirements, and specific mandatory medical examinations. The scope of

requirements therein depends on the category of tourist route complexity passing through mountain territories.

4. State authorities may establish agencies and bodies to foster safety of tourists in mountain territories.

5. Under the State law, State authorities may prohibit travels along tourist routes of substantial complexity and danger passing through mountain territories.

Article 21. Tourism-related safeguards of the rights of citizens living in mountain territories

1. The rights and legitimate interests of citizens living in mountain territories shall be considered in tourism regulation and development, design of tourist routes, and other tourist activities performed in mountain territories.

2. State and local authorities shall promote a tourism product to introduce tourists to the traditions, way of life, and culture of communities living in mountain territories.

3. State and local authorities shall support and encourage engagement of indigenous communities to develop tourism in mountain territories.

4. In order to promote tourism in mountain territories, State and local authorities shall cooperate with national and cultural autonomies and other public associations that represent communities living in mountain territories and stipulate preservation of language and culture thereof in their statutory objectives.

5. In order to conserve cultural heritage of mountain territories and improve settlements in mountain territories, a tourist fee can be established and charged to tourist operators or tourists directly.

Chapter 6. RESEARCH IN MOUNTAIN TERRITORIES

Article 22. Scientific research in mountain territories

1. The State shall foster scientific activity in mountain territories in order to study and conserve cultural and natural heritage, traditional livelihoods, including folk crafts and trades, cultural traditions, and the impact of climate changes on natural ecosystems, health and habitat of communities living in mountain territories.

2. Scientific research is carried out in mountain territories by State and public organizations at the expense of public budgetary or non-budgetary funding, as well as funding by public foundations.

Chapter 7. USE OF NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION IN MOUNTAIN TERRITORIES

Article 23. Land use in mountain territories;

1. The legal regulation of lands and land plots in mountain territories, including land categorization by purpose and types of permitted land use, shall prioritize land protection as an essential component of the environment and production in agriculture and forestry, as well as natural elevational zonation, environmental, natural, cultural and other specific characteristics of mountain territories.

2. The use of land and land plots shall consider established land management practices, in particular traditional ways of life and land use.

3. The legal status of land and land plots used in agriculture, traditional livelihoods, and traditional ways of life may be established in due consideration of land use traditions and customs of citizens permanently residing in mountain settlements and (or) their communities, as well as elevational and economic zonation.

Article 24. Water use in mountain territories

1. Common (non-discriminatory) access to water resources in mountain shall be safeguarded to communities living therein.

2. Location of hydropower facilities shall consider interests of neighboring States and communities living in mountain territories.

3. In order to preserve and rationally use water resources of mountain territories international agreements on water use can be concluded and international, national, regional, and local water use plans can be developed with a focus on the opinion of communities living in mountain territories.

Article 25. Biodiversity conservation and use of natural sites of the animal and plant world in mountain territories

1. State authorities shall develop and implement comprehensive plans for biodiversity conservation and the protection of animal and plant species of mountain territories.

2. Mountain territories that are habitats of endemic, rare and endangered wildlife species shall be protected and thus shall not be used for purposes contradictory to biodiversity conservation.

3. Traditional use of wildlife species by communities living in mountain territories shall be safeguarded.

4. Hunting, fishing and other types of wildlife use in mountain territories, except for traditional nature use, are allowed in accordance with the established limits of wildlife objects harvesting, approved exclusively for mountain territories.

5. Requirements to hunting and other types of wildlife use pursuant to traditional nature use by communities living in mountain territories shall be enforced the State law on relations regarding wildlife use and protection.

Article 26. Forest management in mountain territories

1. Forests in mountain territories (montane forests) are subject to exclusive protection under the State law.

2. Location of economic facilities in montane forests is allowed in exceptional cases, unless other solutions are available.

3. The State safeguards communities living in mountain territories the right of common (non-discriminatory) access to the montane forests.

4. Collection and harvesting of non-timber forest products by the population of mountain territories is deemed priority use of montane forests.

Article 27. Mining in mountain territories

1. Exploration and mining of mineral resources shall be carried out with a focus on the interests of communities living in mountain territories and shall not result in biodiversity depletion, water pollution, depletion of agricultural land, disturbed natural landscapes, damaged traditional livelihoods and ways of life.

2. Exploration and mining of solid and common minerals shall be carried out under the State law, provided that the rights and legitimate interests of communities living in mountain territories are observed.

Article 28. Environmental protection in mountain territories

1. Natural ecosystems, montane natural landscapes, natural components and montane climate are subject to specific protection in mountain territories.

2. Construction of economic and other facilities is allowed upon environmental assessment of hazards.

3. Communities living in mountain territories shall be engaged in decision-making regarding on implementation of planned economic or other activities through public discussions of projects, submission of proposals and comments, participation in project inspection, referendums and in other formats, stipulated by the State law.

4. Environmental damage, caused to mountain territories by economic and other activity, is subject to compensation in full paid either in kind or in money unless compensation in kind is impossible.

5. Economic activity resulting in significant damage to the environment can be constrained or prohibited as stipulated by the State law.

Article 29. Natural territories of exclusive protection

1. Natural territories of exclusive protection are established in order to conserve unique montane ecosystems and natural landscapes.

2. State and local authorities develop comprehensive plans to foster the network of natural territories subject to exclusive protection (eco-networks and eco-corridors). International eco-networks can be established under international agreements.

3. Any economic and other activity not complying with the legal regimen, established by the State law in natural territories of exclusive protection, is prohibited or constrained within the boundaries of such natural territories.

4. Biosphere reserves, global geoparks, natural and cultural world heritage and Ramsar wetlands located in mountain territories are subject to exclusive protection under international agreements and national law. Economic activities, including strategic planning draft documents, which can cause a negative impact on or environmental damage to the sites herein, shall consider the viewpoint of relevant international organizations.

Article 30. Measures to combat negative consequences of global climate change

1. In order to adapt to the negative consequences of global climate change, State and local adaptation plans, programs, and forecasts of such changes are developed.

2. State authorities shall provide financial support to implement local adaptation plans and programs.

3. In order to monitor climate change in mountainous areas, environmental monitoring of the state of the environment is organized.

Chapter 8. REGULATION OF MIGRATION AND EMPLOYMENT AMONG COMMUNITIES LIVING IN MOUNTAIN TERRITORIES

Article 31. Regulation of migration among communities living in mountain territories

State and local authorities shall implement the following State support measures to promote the population to live in mountain territories:

- 1) allowances and financial support for citizens resettling to mountain territories from other regions;
- 2) tax exemptions for citizens living in mountain territories;
- 3) reduced charges for public utilities and other services;
- 4) fostering a comfortable living environment in mountain settlements;
- 5) other state support measures.

Article 32. Fostering employment of communities living in mountain territories

State and local authorities implement State policy measures to reduce unemployment and promote jobs among communities living in mountain territories; these efforts include:

1. drafting and implementation of strategic documents, including State and local programs;
2. vocational training, retraining, and lifelong learning provided to citizens living in mountain territories;
3. conservation and fostering traditional livelihoods, including folk crafts and trades;
4. support of various tourism activities.

Chapter 9. DISASTER PREVENTION AND EMERGENCY RESPONSE IN MOUNTAIN TERRITORIES

Article 33. Disaster prevention in mountain territories

1. Disasters in mountain territories shall be prevented in accordance with the provisions of the Model Law on Protection of Population and Territories Against

Natural and Man-made Disasters as well as dedicated State laws and other regulations adopted thereto and stipulating provisions thereof.

2. Specific territorial subsystems are established within the integral national system of disaster prevention and emergency response, in order to prevent disasters in mountain territories and perform the following main tasks:

1) to develop and implement legal and economic measures to reinforce emergency protection of mountain territories and communities living therein, as well as neighboring areas;

2) to implement goal-oriented, research and technical programs to prevent disasters and foster sustainability emergency responses by operating organizations, social facilities, including replacement of existing buildings and structures with earthquake resistant buildings and structures, reinforced water management and hydraulic facilities, reinforced mudflow and landslide protection facilities, construction of take-off and landing sites for medevac aviation;

3) to ensure preparedness of governing authorities, forces and resources, allocated for disaster prevention and emergency response, including mountain rescue squads and avalanche protection services;

4) to allocate financial and material reserves in case of emergency responses, including required equipment for rescue operations in mountain territories;

5) to establish seismic observation systems to collect, process, exchange and disseminate information on disaster prevention and safeguarding the population and territories; to mainstream training of the population on emergency actions; to forecast and assess potential social and economic hazards;

6) to provide State expert assessment, supervision, and monitoring to protect the population and territories against disasters;

7) to initiate emergency responses;

8) to deploy protective civil engineering structures;

9) to ensure social protection of disaster-affected population and conduct humanitarian actions;

10) to safeguard the rights and obligations of the population regarding emergency protection, as well as the individuals directly engaged in emergency response;

11) to promote international cooperation in the area of emergency protection of the population and territories.

3. The areas of the public emergency warning and their boundaries shall be stipulated in regulations issued by State authorities and agreed with authorized executive bodies, obliged to facilitate emergency protection of the population and territories, as well as with local authorities and organizations prone to higher risks of emergency situations.

Article 34. Deployment of rescue operations and other emergency actions in mountain territories

1. Rescue operations in mountain territories shall be carried out by the disaster prevention and emergency response system, utilizing the forces and resources thereof.

2. Rescue operations shall be managed by the operational headquarters.

3. Specially trained officers and assets of the State armed forces, other troops and military squads can be engaged in rescue operations. They are engaged as determined by the Head of State in compliance with the State law.

Article 35. Emergency response in mountain territories

1. Financial and material reserves shall be allocated for emergency response in advance to be deployed in case of emergencies. These reserves are established by authorized State bodies, authorized regional executive bodies, and local authorities.

2. Establishment and deployment of the reserves (reserve funds) referred to in Part 1 of the Article herein, as well as replenishment of depleted reserve funds shall be determined accordingly by the Supreme State executive authority, regional executive authorities, local authorities.

3. In case of emergency response, internal affairs bodies shall allocate forces and resources in compliance with the obligation delegated to such bodies under State laws and other regulations.

4. Public associations may participate in emergency protection of the population and territories, including by ensuring safety of people at water sites, in accordance with State laws and articles of association thereof.

5. In the event of a large-scale emergency and upon negotiation with relevant State and local authorities and based on the initial assessment of needs and damages, the authorized State authority shall consider the probability that domestic capacities be sufficient to meet the emergency response needs and requirements for initial recovery assistance.

Where the authorized State authority rules that, given the scale of emergency, domestic capacities for emergency response be insufficient, the ruling shall be reported to the Head of State and (or) the Head of the Supreme State executive authority and a request international disaster relief assistance shall be considered.

Article 36. Deployment and termination of international disaster relief assistance in mountainous areas

1. Upon the recommendation of the authorized State authority, the Head of State or the Head of the Supreme State executive authority may request international disaster relief assistance. Such a request can be addressed to specific particular international organizations, or represent a general request addressed to the international community as a whole. In the latter case, the request is directed to a concerned regional organization and the UN Emergency Relief Coordinator to ensure that the request be mainstreamed among potential international assistance organizations.

2. The request shall include:

1) the information on the scope and type of assistance required according to the list prepared by an authorized public agency, unless such information causes an idle delay in publishing such request;

2) the information on submission of offers and provision of assistance by dedicated international organizations as stipulated by the Model Law on the Facilitation and Regulation of International Disaster Relief and Initial Recovery Assistance.

Article 37. Emergency response in border mountain territories

In case of an emergency in a mountain territory, which includes territories of two or more States, disaster prevention, emergency relief action, and evacuation of the population may be carried out by the border States without observing the provisions of Article 36 herein.

Chapter 10. FINANCIAL SUPPORT OF THE STATE POLICY FOR THE DEVELOPMENT AND PROTECTION OF MOUNTAIN TERRITORIES

Article 38. Financial support of the State policy measures for the development and protection of mountain territories

1. Financial support to implement the State policy is stipulated by strategic planning documents in accordance with the State law.

2. The State support measures for the development and protection of mountain territories are financed from the following sources:

- 1) budgets of the State budgetary system;
- 2) resources provided by legal entities and individuals;
- 3) resources provided by unions (associations) of commodity producers and businesses;
- 4) borrowed and attracted resources;
- 5) other resources, derived from legal sources of income stipulated by the State law.

3. The decision to allocate funding, derived from budgets of the State budgetary system, for state support measures in mountain territories shall be made by the State authority or a local authority in compliance with delegated powers.

4. In order to enforce strategic planning documents, funding from budgets of the State budgetary system, as well as financial support derived from other sources, stipulated in Part 2 herein, shall be allocated annually (or in the timeframe determined by law).

5. The mandatory amount of annual funding shall be recorded in the expenditures in the State budgetary system in accordance with the reports submitted by state and local authorities in compliance with delegated powers.

6. Organizations, irrespective of their legal and organizational status or type of ownership, and public associations shall have the right to independently develop and implement programs to support mountain territories, as well as to submit proposals

to the State authorities in order to promote specific projects and initiatives into the State support programs for mountain territories.