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Организация по безопасности и  
сотрудничеству в Европе  
Офис программ в Астане

## **Working group meeting on the legislation harmonization of the Republic of Kazakhstan in line with the Espoo Convention and its Protocol on SEA**

15-16 February 2018  
Astana, Kazakhstan



### **Working Group Meeting Report**

March 2018

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# **1. Background information**

## **1.1. SEA in Kazakhstan**

The Republic of Kazakhstan, as a Party to the UNECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) since 2001, targets to introduce internationally sound institutional and legislative frameworks on EIA and SEA. Efficient implementation of the Espoo Convention and its Protocol on SEA in the country is seen as a valuable contribution to the on-going "green" economic reforms.

Under the on-going "green" economy reforms in Kazakhstan and, specifically, recently held international specialized exhibition "Expo-2017: Future energy" in Astana, the SEA concept in the country is currently considered as an instrument to identify the most sustainable and cost-effective strategic development alternatives for green economic growth on the way towards new foreign investments and improved environmental situation in the country and the human health. It is considered as a tool, which will help to strengthen the country's environmental governance through fostering transparency and consultation with relevant stakeholders and the public prior to the approval of policies, plans and programmes. In addition, the SEA in a transboundary context within the country is suggested to be employed to promote regional cooperation on environmental matters in the Central Asian region.

In this process the UNECE has been assisting Kazakhstan in the development of legislation and through support to practical steps towards the integration of SEA procedures in its planning and programming processes. Thus, the 2017-2020 workplan of the Espoo Convention and its Protocol on SEA envisages technical advice to Kazakhstan on improving legislation to implement the Protocol and the Convention. It is built on official letter of request of the Ministry of Energy of the Republic of Kazakhstan (Ministry) as of 30 March and 12 December 2017 that addressed the UNECE Secretariat to help initiate a legislative drafting process to assist Kazakhstan in amending its national legislation for the establishment of a national SEA scheme in line with the Protocol on SEA and the national EIA scheme in accordance with the Espoo Convention.

The assistance is carried out by the means of technical advice under the UNDP/UNECE/EC project on "Supporting Kazakhstan's Transition to a Green Economy Model" in several phases. During the inception phase the project allowed to assess the environmental impact assessment and strategic environmental assessment provisions in the existing national legislation vis-à-vis the Convention and the Protocol. The results of the assessment outlined that the national legislation and regulations contain elements of SEA and transboundary EIA procedures. However, to fully comply with the provisions of the Protocol and the Convention some changes and amendments to the existing legislation are required.

## **1.2. Review and revision of the existing SEA and EIA legislation and procedures**

The SEA and EIA legal drafting activities are important elements of the project, aiming at national legislative enhancement with a focus on SEA and EIA in line with the Espoo Convention and its Protocol on SEA. The activities envisage the preparation of amendments to the Environmental Code of Kazakhstan, relevant laws and as required develop draft secondary legislation with a focus on EIA and SEA. The revision of national regulatory and legislative frameworks with regard to transboundary EIA and SEA is also seen as an efficient tool for identifying the bottlenecks and bridging existing gaps. All in all, the SEA and EIA legal drafting activities will secure at the legislative level the approach for effective protection of environment and human health and help prevent irreversible environmental consequences at the initial stage of strategic policy/program planning.

The Ministry of Energy of Kazakhstan has a central role in conducting the development of amendments through its national SEA and EIA working group, which is responsible for providing required inputs and participating in the analysis. The working group was established in January 2018, comprising from the representatives of the Ministry and other state agencies to amend the Environmental Code of Kazakhstan.

It is expected that the drafting group under the above will:

- (a) actively participate in the legal drafting process and all other SEA/EIA planned events;
- (b) guide the national and international experts in developing proposals for amending the legislation;
- (c) prepare necessary regulations; and provide written inputs and comments to the draft proposals.

## **2. Working group meeting on the legislation harmonization of the Republic of Kazakhstan in line with the Espoo Convention and its Protocol on SEA**

The Working group meeting on the legislation harmonization of the Republic of Kazakhstan in line with the Espoo Convention and its Protocol on SEA (Working group meeting) took place on 15-16 February 2018 in Astana at the premises of the Ministry and was organized by the UNECE in close co-operation with the Ministry of Energy of Kazakhstan. The meeting addressed the members of the Ministry's working group on the development of the national environmental legislation, responsible for the strategic planning and the EIA implementation and other interested parties.

The meeting was designed to promote the expert level consultations and better awareness on the international SEA and EIA legal standards for translating them into the national legal framework. Furthermore, the agenda was designed to discuss the needs, the scope and the course of the SEA and EIA legal reforms in Kazakhstan.

The results of the legal review and analysis of the legislation of Kazakhstan regarding the implementation of the UNECE Protocol on SEA, undertaken in 2017 were used as starting point for the meeting discussions. Based on the outcomes of discussions a team of international and national consultants will propose respective draft amendments to the national legislation with a focus on SEA and EIA as green economy tools. Specifically, the consultants will put forward the proposals to amend the Environmental Code of Kazakhstan, relevant sectoral and subordinate legislation.

**For more information, please visit:**

<http://www.unece.org/environmental-policy/conventions/water/areas-of-work-of-the-convention/envwatercentralasia/supporting-kazakhstans-transition-towards-green-economy-model.html>

<https://www.unece.org/?id=47441>

### **2.1 Objectives of the working group meeting**

The main objective of the Working group meeting was to discuss the draft concept for harmonizing the national legislation, namely the Environmental Code of Kazakhstan and relevant secondary legislation with the provisions of the Espoo Convention and its Protocol on SEA.

In particular, the participants of the Working group meeting were invited:

Concerning SEA (15 February 2018):

- to discuss the proposals towards amendment of the Environmental Code of Kazakhstan and sectoral legislation;
- to clarify remaining uncertainties and outstanding questions;
- to discuss the need for subordinate legislation;
- to develop further recommendations and confirm the planning regarding the legislative drafting on SEA.

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Concerning EIA (16 February 2018):

- to discuss the legislative Review of the existing EIA system vis-à-vis the Espoo Convention (EIA Review);
- to collect comments and participants' opinion on the EIA Review;

- to discuss the need, the scope and the course of legislative EIA reform by considering alternative scenarios;
- to develop further recommendations and confirm the planning regarding the legislative drafting on the EIA.

The event also aimed at enhanced inter-agency cooperation, improved awareness of interested stakeholders on the EIA and the SEA legal international standards in line with the Espoo Convention and its Protocol on SEA. With that the event targeted to address more effective implementation of the environmental impact assessment and strategic environmental assessment, including in transboundary context at the national level.

## **2.2 Outcomes**

The Working group meeting promoted expert level consultations and better awareness on the international SEA/EIA legal standards for translating them into the national legal framework and resulted in three major outcomes:

- a) recommendations to finalize the text amendments to the Environmental Code concerning the SEA and the EIA;
- b) recommendations to finalize the EIA Review;
- c) clear understanding of all participants about the scope and the content of the EIA draft law.

## **2.3 Participants**

Some 27 participants attended the event and were represented by the members of the Ministry's working group on the revision of the Environmental Code of the Republic of Kazakhstan, other experts of the Ministry, responsible for strategic planning and EIA implementation, international legal consultants and national legal experts.

Out of 27 participants 10 (37%) were represented by men and 17 (63%) – by women. 21 (42.8%) were from the national authorities, 2 (7.4%) – from associations and enterprises, 7 (26%) – from international organizations, 1 (3.6%) – from non-governmental organizations and 7 (26%) were represented by the pilot project international consultants and national experts (please, refer to Annex 2).

## **2.4 Key international consultants and national experts**

Mr. Jerzy Jendroska, international OSCE legal consultant and Ms. Elena Laevskaya, international UNECE legal consultant, Mr. Alexander Miroshnichenko, national expert on SEA legal drafting and Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context were the main source of expertise and, therefore, acted as key speakers during the Working group meeting.

Theory was combined with the best practices presentations about the EIA and the SEA application in different countries to familiarize the participants with the lessons learnt and progress achieved. International consultants led the discussions and contributed significantly to the elaboration of specific recommendations and follow up steps to be taken in Kazakhstan for launching the EIA and the SEA appropriate legal drafting process.

## **2.5. Working group meeting design**

The Working group meeting agenda was designed to address the gaps and needs in the national strategic environmental assessment and environmental impact assessment systems. It allowed presentations and deliberate expert discussions on the prospects of SEA procedure introduction and enhancement of the national EIA scheme to comply with the requirements and provisions of the UNECE Espoo Convention and its Protocol on SEA.

The meeting agenda was designed, *inter alia*, to present the EIA Review to the attention of the Ministry's Working Group on the revision of the Environmental Code (EnvCode) of Kazakhstan and to collect the first feedback.

### **3. Working group meeting summary**

The event was opened by Ms. Aliya Shalabekova, Head of Green Economy Department of the Ministry of Energy of Kazakhstan, Mr. Viktor Badaker, Regional Advisor on Energy of the UNECE and Mr. Rati Japaridze, Economic and Environmental Officer of the OSCE Programme Office in Astana.

Most of the welcoming remarks stressed the importance of modern SEA and EIA procedures towards better strategic planning, good environmental governance, transparent and efficient decision-making and was considered as a next step in transition to the “green” economy path. Ms. Aliya Shalabekova on behalf of the Ministry underlined the importance of the project findings and recommendations for establishing solid legal framework on environment protection in the country. The SEA and EIA activities in Kazakhstan were also named as prerequisites for enhanced Central Asian environmental security and regional sustainable development.

The workshop was moderated by Ms. Madina Ibrasheva, SEA and EIA pilot project Team Leader, who presented an agenda and brief information about the SEA/EIA legal drafting activities.

The first session was led by Mr. Jerzy Jendrośka, key international consultant on EIA and SEA legal drafting, who presented the Concept of the SEA and its role in decision-making on mitigating the impact on environment and human health. In this regard a Concept of environmental assessment was defined with a focus on the EIA and the SEA and respective procedural steps. Brief information was provided about the differences between the SEA and the EIA schemes according to the provisions and requirements of the UNECE Espoo Convention and its Protocol on SEA. Limited role of the post-Soviet style of environmental assessment system, known as “Expertiza”, was stressed too, while the experience of the Republic of Belarus and Georgia on the SEA introduction was offered as lessons learnt and best practices examples.

Mr. Alexander Miroshnichenko, national expert on SEA legal drafting contributed to the discussions on possible approaches for SEA legal drafting in Kazakhstan by referring to the fact that the present environmental assessment system lacks options and alternatives, while certain decisions are taken at a high political level without substantial environmental concerns. It was also highlighted that Kazakhstan as a Party to the UNECE Aarhus and Espoo Conventions has appropriate base for establishing compatible SEA scheme.

Ms. Elena Laevskaya, UNECE expert on SEA legal drafting added that the EIA methodology in Kazakhstan is an old post-Soviet environmental assessment procedure, whereas, the SEA is a different level procedure and should be applied using other tasks and objectives. It was also noted that the Republic of Belarus made a decision to significantly reduce the list of programs/plans that are subject to SEA, while Kazakhstan is better placed to develop such a list in compliance with the Protocol on SEA.

In the next session Mr. Jerzy Jendrośka presented the field of application of the Protocol on SEA, exemptions and screening to determine whether plans and programmes are likely to have significant environmental, including health, effects and that are subject to SEA. Among other issues it was highly recommended to ensure that the information on the screening during the SEA to be widely publicly available.

Mr. Alexander Miroshnichenko commented on the topic with some information on the level of programmes and plans in Kazakhstan that can be a subject to SEA and provided recommendations for establishing the national framework for programmes and plans at the legislative level in line with the Protocol on SEA. Ms. Elena Laevskaya underlined the importance of having two separate stages of screening and scoping and stressed that some programmes/plans have to be mandatory for the SEA.



Procedural elements of the SEA were the topic of the next session, during which Mr. Jendroška enlisted and described the Protocol on SEA procedures, namely, the scoping, the Environmental report, the public participation, the consultation with environmental and health authorities, the transboundary procedure, the decision-making and informing thereof, and the monitoring. Screening was also highlighted as an important element that should be implemented prior to the scoping stage.

Mr. Miroshnichenko discussed that both screening and scoping should be done by the delegated representatives of the Ministry to ensure high quality of performed work and underlined the importance of having all programmes and plans to be a subject to screening in Kazakhstan. Furthermore, according to the national expert transboundary procedure is to some extent reflected in the Environmental Code (EnvCode) of Kazakhstan, nevertheless further improvements are needed under Article 6.1 of the EnvCode.

Ms. Laevskaya in reference to the SEA procedural elements talked about the public participation component of the SEA and underlined that Kazakhstan as a party to the Aarhus Convention has certain legal base to accommodate appropriate public involvement and participation. It can be taken as starting point for the further harmonization of the national legislation. With regard to transboundary procedures Ms. Laevskaya suggested to approach the issue for Kazakhstan as Party of origin and affected Party. In this regard timely notification and relevant information provision to potentially affected States were recommended to be included into the SEA draft amendments to the EnvCode.



*Picture. Representative of the Ministry of Energy of Kazakhstan speaks about the need to revise the national legislation in full compliance with the provisions of the Espoo Convention and the Protocol on SEA*

In the afternoon session Mr. Jendroška presented the legislative techniques by describing how to introduce consistent SEA legislative change vis-à-vis the provisions of the Protocol on SEA. A proposal was put forward to introduce a separate Chapter on the SEA in the EnvCode.

Mr. Miroshnichenko supported the need to amend the EnvCode along with the subordinate legislation. Ms. Laevskaya presented best practices and lessons learnt of Armenia and Ukraine and among other issues recommended to follow the country's technique for the legal drafting.

Another topic for the Working group meeting related to the harmonization of the national legislation in line with the provisions of the UNECE Espoo Convention. In this regard key international expert presented the Concept of the EIA, international obligations and explained the role of the EIA Review. A brief introduction was made about the Espoo Convention provisions

and related obligations of the countries that are parties to the Convention. Conceptual differences were voiced up between the key practical features in the EU countries and the elements of OVOS/ State Ecological Expertise systems in the Eastern Europe, the Caucasus and the Central Asia.

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context presented the EIA Review, stressed the need to align the requirements for public participation in the national legislation with the provisions of the Espoo and the Aarhus Conventions. He also recommended to carefully analyze and revise the national list of activities that are subject to the EIA.

In the next session key international expert talked about the place of the EIA in development control, screening and described activities that are subject to EIA. A reference was made to the EIA Directive for the definition of “projects” that need to undergo the EIA, the screening methods and criteria. In this regard Mr. Nee proposed to introduce concrete criteria for identifying the projects to be subject to the EIA at the national level. He also questioned about who should undertake the EIA to ensure expert and adequate decision-making.



*Picture. Mr. Jerzy Jendroška presents the EIA international legal standards*

Scoping and the EIA Report were the topics for the next presentation of Mr. Jendroška, who provided a brief description and approaches of the enlisted in the EIA Directive. Mr. Nee suggested to introduce the scoping by taking into account the experience of EU countries to bridge the gaps in the national environmental expertise framework. The national expert also referred to the fact that the current Expertiza includes only regulatory requirements and the scoping of environmental aspects under the project effect, unfortunately, is missing in the present Expertiza. It was also noted that the information provided by the Expertiza developers is not reader-friendly for the public. Therefore, it was highly recommended to include the scoping into the national EIA system and enhance the EIA Report content and preparation in line with the requirements of the Espoo Convention.

Public participation was thoroughly described vis-à-vis the requirements of the Espoo and the Aarhus Conventions in the next presentation of Mr. Jendroška. The key international consultant underlined that international legal binding instruments set obligations related to access to information and public participation for the public authorities, while each Party is tasked to provide for early public participation, when all options are open and effective participation of interested parties can take place. In addition, an information on reasonable time-frames for notification, inspection of relevant documents, submission and consideration of comments were defined according to international standards and presented to the attention of auditoria.

Mr. Nee commented on that by stressing that most of the EIA elements on public participation being violated and missed in the national legislation. The speaker also noted that the experience in conducting the EIA in transboundary context is insufficient and civil society should get the right and be well-equipped to discuss the issues of transboundary nature with their counterparts in the neighboring country(ies). In relation to the EnvCode amendment, Mr. Nee recommended to identify precisely where to stipulate the public hearings, per say, so that to make them more efficient and consistent with the Espoo and the Aarhus Conventions.

Ms. Gaukhar Baigozhina, representative of the Committee of Ecological Regulations and Control of the Ministry took a floor to inform the participants that at present the Ministry has developed and submitted the draft law to the Parliament of Kazakhstan, stipulating that the objects of first level will be from now on be the subject to the State Ecological Expertise, which automatically includes the involvement of interested stakeholders in decision-making and monitoring activities. The fourth category objects don't foresee the implementation of public hearings, instead a survey is proposed to be undertaken.

The next presentation acquainted the participants with the role of environmental and health authorities. In this regard Mr. Jerzy Jendrośka provided the definition of the competent authority for decision-making, including for transboundary procedure as stipulated in the EIA Directive and informed about the procedural elements of consultations with environmental and health authorities. Mr. Vadim Nee in support to international standards expressed a concern that in the recent years the consultations with health and environmental authorities were insufficient for many reasons and expressed hope, that the situation would get better after the introduction of appropriate SEA and EIA procedures.

Extremely important aspects of the EIA in opinion of all participants were the issues of transboundary procedure. The key international expert defined the need for transboundary EIA implementation and underlined that all Parties to the Espoo Convention are required to have sufficient national procedures for transboundary impact assessment.

The national expert in his speech referred to respective provisions of the Espoo Convention to which Kazakhstan is a Party and, therefore, is obliged to be compliant with. Mr. Nee proposed to introduce a new Chapter on transboundary procedures in the EnvCode keeping in mind that it's a completely new procedure for Kazakhstan and the Central Asian region. He suggested that a general legal basis is needed for stipulating the EIA procedures in transboundary context; however, very detailed regulations shouldn't be proposed to avoid unnecessary self-constraints.

The next session was devoted to the EIA and final decision, which is dwelled on due account" of environmental assessment. The key international consultant drew attention to the fact that there must be a clear obligation to take into account the results of the EIA procedure, comments from the public and authority, etc., and such decisions should be provided with the reasons of justification.

Mr. Nee confirmed that there is a number of challenges exist in relation to the final decision in Kazakhstan, the latter lacks the reference to environmental issues and concerns. According to the national expert this part of the EIA should be kept up to international standards in the interest of the country.

The final block of discussion touched upon the post-project analysis according to the Espoo Convention for measuring the impact. According to international consultants and national expert such EIA element is missing in the national legislation and, thus, should be reflected in the revised EnvCode.

The last day of the working group meeting was finalized with a wrap-up session, during which the participants highlighted the relevance, importance and timeliness of the SEA and EIA legal

drafting project in Kazakhstan and expressed the readiness for further dialogue and co-operation under the discussed agenda.

#### **4. Conclusions**

The working group meeting resulted in conclusions regarding further EIA/SEA legal reform as it follows:

1. The draft SEA and EIA amendments to the EnvCode should be drafted in full compliance with the provisions of the UNECE Espoo Convention and its Protocol on SEA, in relation to the:
  - List of activities that are subject to EIA and should be fully compliant with the Espoo and the Aarhus Conventions requirements;
  - Public authorities, which should be involved in the procedure early and not later than the public in order, inter alia, to learn about potential transboundary consequences and initiate transboundary procedure if necessary;
  - Public participation by introducing some regulations in the EnvCode;
  - Transboundary procedure that are totally absent in the national legislation and its main elements should be introduced in the EnvCode (a separate Chapter on transboundary procedure might be needed);
  - Final decision that needs to ensure that there is a clear indication of decision to be taken by competent authority to prevent possible harm to environment, statement of reasons and justifications should be attached to it;
  - Post-project analysis, which should impose the developer to undertake the post-project analysis in case if its needed.
2. The SEA and the EIA-related amendments are needed to the EnvCode and sectorial legislation;
3. The first draft amendments with a focus on the SEA, the EIA and transboundary issues will be drafted prior to the next Working group meeting of legal drafting.
4. The date for implementing the public hearings on the SEA/EIA legal drafting should be coordinated and decided in consultation with the Ministry of Energy of Kazakhstan.

#### **5. Steps Forward**

16 February 2018 at a bilateral meeting with Mr. Gani Sadybeckov, Vice-Minister of Energy, targeting to verify the overall strategy selected by the SEA/EIA project to establish the national SEA/EIA legislative system in compliance with the Espoo Convention and its Protocol on SEA, Mr. Jerzy Jendrośka in reference to SEA and EIA:

- briefed the Vice-Minister about the outcomes of the Working Group meeting and expressed appreciation for the support provided by the Ministry;
- outlined key elements of the anticipated legal drafting in Kazakhstan along with suggestions for the process, specified in the Concept Note that was submitted to the attention of the Ministry of Energy in December 2017;

- underlined the current obligations under the Espoo Convention and importance of compliance with the Espoo Convention and Protocol on SEA for Kazakhstan as a country that aims at membership in the OECD;
- stressed the need for the draft proposals being the outcome of the project to be in full compliance with the Espoo Convention and Protocol on SEA and offered to present alternative versions, where possible, of the draft proposals, to the attention of the Ministry;
- informed about the plan to hold the next Working Group meeting in April 2018 with a presentation of the first drafts of amendments on SEA and EIA for discussions and desirable feedback;
- suggested to include the SEA topic into the agenda of the upcoming Green Economy Council, scheduled for April 2018 to inform the other Ministries about the initiative and get their preliminary consent with the on-going preparatory process.

Vice-Minister Gani Sadibeckov:

- expressed a gratitude to the UNECE for the assistance provided in legislation harmonization in line with the Espoo Convention and Protocol on SEA and preparation towards possible ratification of the latter;
- confirmed a will to move forward and deliver necessary work towards reforming the national SEA and EIA legal systems;
- highly welcomed the UNECE to provide the draft proposals in full compliance with the Espoo Convention and its Protocol on SEA;
- provided his personal views regarding the SEA introduction as a leverage to improve strategic planning in the country, sustainable economic growth with environmental and health protection concerns;
- stressed the importance of looking into the Eastern Europe best practices on the SEA introduction While the post-Soviet countries were named as of interest to allow smooth and gradual transition to the SEA procedure in line with the UNECE Protocol on SEA;
- expressed willingness to discuss the SEA topic at the Green Council meeting in Fall this year and welcomed the offer of the Espoo/SEA secretariat to assist in this respect.

Ms. Elena Laevskaya shared the lessons learnt of Belarus with regard to the SEA introduction and recommended to undertake the reform gradually for better transition to new procedure and efficient adaptation to the new requirements, set by the Protocol on SEA.

In the discussion it was agreed that while full compliance with the procedural elements of SEA is necessary, some ways may be sought to find ways of reducing the burden, for example by phasing in the scope of application of SEA in relation to various types of strategic documents or sectors.



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## Working group meeting on the legislation harmonization of the Republic of Kazakhstan in line with the Espoo Convention and its Protocol on SEA

### Agenda

(Astana, 15-16 February 2018)

Thursday, 15 February

- 10:00 – 10:15**      **Welcoming speeches**  
*Ms. Aliya Shalabekova*, Head of Green Economy Department, Ministry of Energy of Kazakhstan  
*Mr. Viktor Badaker*, Regional Advisor on Energy, UNECE  
*Mr. Rati Japaridze*, Economic and Environmental Officer, OSCE Programme Office in Astana
- 10:15 – 10:30**      **Presentation of participants (tour de table)**  
*Ms. Madina Ibrasheva*, SEA/EIA Team Leader
- 10:30 – 11:15**      **Concept of SEA, role in decision-making**  
Requirement of the Protocol on SEA, experience of countries, Parties to Protocol on SEA and possible approaches for legal drafting in Kazakhstan  
  
Mr. Jerzy Jendrośka, international expert on EIA and SEA legal drafting  
Discussions on possible approaches:  
Mr. Alexander Miroshnichenko, national expert on SEA legal drafting  
Ms. Elena Laevskaya, UNECE expert on SEA legal drafting  
  
Q@A
- 11.15 - 11.45**      **Coffee-break**
- 11:45 – 12:30**      **Field of application: Strategic documents covered**  
Requirement of the Protocol on SEA, experience of countries, Parties to Protocol on SEA and possible approaches for legal drafting in Kazakhstan  
  
Mr. Jerzy Jendrośka, international expert on EIA and SEA legal drafting

Discussions on possible approaches:

Mr. Alexander Miroshnichenko, national expert on SEA legal drafting

Ms. Elena Laevskaya, UNECE expert on SEA legal drafting

Q@A

**12:30 – 13:30**

**Procedural elements of SEA**

Requirement of the Protocol on SEA, experience of countries, Parties to Protocol on SEA and possible approaches for legal drafting in Kazakhstan

Mr. Jerzy Jendrośka, international expert on EIA and SEA legal drafting

Discussions on possible approaches:

Mr. Alexander Miroshnichenko, national expert on SEA legal drafting

Ms. Elena Laevskaya, UNECE expert on SEA legal drafting

Q@A

**13:30 – 14:15**

**Lunch**

**14:15 – 14:45**

**Legislative technique**

Requirement of the Protocol on SEA, experience of countries, Parties to Protocol on SEA and possible approaches for legal drafting in Kazakhstan

Mr. Jerzy Jendrośka, international expert on EIA and SEA legal drafting

Discussions on possible approaches:

Mr. Alexander Miroshnichenko, national expert on SEA legal drafting

Ms. Elena Laevskaya, UNECE expert on SEA legal drafting

Q@A

**14:45 – 15:30**

**Concept of EIA, international obligations and role of EIA Review**

Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendrośka, international expert on EIA and SEA legal drafting

«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**15:30 – 16:30**

**Place of EIA in development control, activities subject to EIA, and screening**

Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendrośka, international expert on EIA and SEA legal drafting



«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**16:30 – 17:00**

**Coffee-break**

**17:00 – 17:45**

**Scoping and EIA Report**

Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendroška, international expert on EIA and SEA legal drafting

«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**17:45 – 18:30**

**Public participation**

Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendroška, international expert on EIA and SEA legal drafting

«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**18:30**

**End of the first day of meeting**

Friday, 16 February

**9:00 – 9:30**

**Role of environmental and health authorities**

Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendroška, international expert on EIA and SEA legal drafting

«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**9:30 – 10:30**

**Transboundary procedure**



Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendroška, international expert on EIA and SEA legal drafting

«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**10:30 – 11:30**

**Taking into account the results of EIA and final decision**

Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendroška, international expert on EIA and SEA legal drafting

«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**11:30-12:00**

**Post-project analysis**

Requirement of the Espoo Convention and experience of countries, Parties to the Espoo Convention

Mr. Jerzy Jendroška, international expert on EIA and SEA legal drafting

«Situation in Kazakhstan»

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

Q@A

**12:00 -13:00**

**Conclusions and way forward**

Mr. Jerzy Jendroška, international expert on EIA and SEA legal drafting

Mr. Vadim Nee, national expert on EIA legal drafting including in transboundary context

**13:00**

**End of the meeting**

**Working group meeting on the legislation harmonization of the Republic of Kazakhstan in line with the Espoo Convention and its Protocol**

**LIST OF PARTICIPANTS**

**Start Date: February 15, 2018**

**End Date: February 16, 2018**

**Participants: 27**

**Female participants: 17**

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