

Comments of the Ministry of Ecology, Geology and Natural Resources of the Republic of Kazakhstan to the comments of the Ecological Society "Green Salvation" to the final report of the Republic of Kazakhstan on the implementation of Decision VI / 8g "Measures taken to take into account the comments of Decision VI / 8g in the draft Environmental Code of the Republic of Kazakhstan in the new edition."

Decisions VI / 8g of paragraph 3e of the remarks "*Failure to envisage effective public participation in the development of the " Plan for the development of world-class ski resorts in the Almaty region and near the city of Almaty "*" by the Republic of Kazakhstan were eliminated.

In 2019, the President of Kazakhstan, Kassym-Zhomart Tokayev, at a meeting on the social and economic development of the city of Almaty, banned the construction of a resort on the territory of the Kok-Zhailau tract. This issue is under the direct control of the Head of State.

On September 30, 2020, the Law of the Republic of Kazakhstan "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Issues of Specially Protected Natural Areas" was signed, which provides for the return to specially protected natural areas of reserve lands previously withdrawn from them for the construction of tourism facilities, water facilities, arrangement and operation of state border facilities, defense needs and not used for these purposes.

These changes are related to the return of the lands of the Ile-Alatau National Park, allocated for the construction of the Kok-Zhailau resort, and part of the lands of the Burabay State National Natural Park. The changes are caused by the need to preserve natural complexes and objects of the natural reserve fund, which have special ecological, scientific, historical, cultural and recreational value and are located on the returned land plots.

In addition, we note that according to Article 10 of the Law of the Republic of Kazakhstan on "Legal Acts", the hierarchy of regulatory legal acts is distributed at the following descending levels:

- 1) laws making changes and additions to the Constitution;
- 2) constitutional laws of the Republic of Kazakhstan;
- 3) codes of the Republic of Kazakhstan;
- 4) consolidated laws, laws of the Republic of Kazakhstan;
- 5) regulatory decisions of the Parliament of the Republic of Kazakhstan and its Chambers;
- 6) regulatory legal decrees of the President of the Republic of Kazakhstan;
- 7) regulatory legal regulations of the Government of the Republic of Kazakhstan;
- 8) regulatory legal orders of ministers of the Republic of Kazakhstan and other heads of central state bodies, regulatory legal decisions of the Central Election Commission of the Republic of Kazakhstan, the Accounts Committee for Control over the Execution of the Republican Budget of the Republic of Kazakhstan, the National Bank of the Republic of Kazakhstan and other central state bodies;
- 9) regulatory legal orders of heads of departments of central state bodies;

10) normative legal decisions of maslikhats, normative legal decisions of akimats, normative legal decisions of akims and normative legal decisions of audit commissions.

Also, we note that the remark of clause 3e of Decision VI / 8g has been implemented, and the adoption of the Law of the Republic of Kazakhstan "On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan on Specially Protected Natural Areas" is the result of taking into account the opinion of effective public participation in decision-making on the project Kok-Zhailau.

Based on the foregoing, we believe that the comments provided by the NGO Green Salvation to the final report of the Republic of Kazakhstan on the implementation of Decision VI / 8g "Measures taken to take into account the comments of Decision VI / 8g in the draft Environmental Code of the Republic of Kazakhstan in the new edition" are unfounded.