Organization for Security and Co-operation in Europe

STRENGTHENING NATIONAL AND REGIONAL CAPACITIES AND CO-OPERATION ON STRATEGIC ENVIRONMENTAL ASSESSMENT (SEA) IN CENTRAL ASIA, INCLUDING AS A RESPONSE TO CLIMATE CHANGE

KYRGYZSTAN: FEASIBILITY AND OPPORTUNITY ASSESSMENT REPORT

May 2021

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Draft version 4, 03.05.2021

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Prepared for:

Organization for Security and Co-operation in Europe (OSCE) and the United Nations Economic Commission for Europe (UNECE)

This project was funded by the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety by the Advisory Assistance Programme for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia and other countries neighbouring the European Union (AAP). It was supervised by the Federal Environment Agency (Umweltbundesamt, UBA). The responsibility for the content of this publication lies with the authors.

Federal Ministry for the Environment, Nature Conservation and Nuclear Safety

Umwelt Bundesamt

DETAILS OF DOCUMENT PREPARATION AND ISSUE:

Version	Issue Date	Description
1	20 January 2021	Draft report for discussion with State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic and national expert to OSCE
2	2 February 2021	Draft report for OSCE and UNECE review
3	17 February 2021	Final draft report for OSCE and UNECE review
4	3 May 2021	Final draft report for circulation and discussion at the national workshop

LIST OF ABBREVIATIONS

AAP	Advisory Assistance Programme for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia and other countries neighbouring the European Union
CSO	Civil Society Organization
E&S	Environmental and social
EIA	Environmental Impact Assessment (OVOS)
ESIA	Environmental and Social Impact Assessment
EU	European Union
NGO	non-governmental organisation
SAEPF	State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic
OSCE	Organization for Security and Co-operation in Europe
CSO	civil society organisation
SEA	Strategic Environmental Assessment
SEE	State Environmental Expertise (Review)
UNECE	United Nations Economic Commission for Europe

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1. BACKGROUND INFORMATION

This draft report has been prepared in the framework of the project "Strengthening national and regional capacities and co-operation on Strategic Environmental Assessment (SEA) in Central Asia, including as a response to climate change"[1] (hereinafter also "the SEA Project"). The report looks into the needs and reasons for introducing a SEA system in Kyrgyzstan for national governmental plans and programmes that are likely to have significant impacts on the environment. It summarises the results of the online feasibility and opportunity survey carried out by a team of international and national consultants in 2020. The survey explored the existing and required national capacities for a potential introduction of a national strategic environmental assessment system in Kyrgyzstan in line with the United Nations Economic Commission for Europe (UNECE) Protocol on SEA[2]. The outcomes and conclusions of the feasibility and opportunity assessment represent a basis for developing an action plan for introducing a national SEA system in Kyrgyzstan.

This draft report will be distributed for comments to the national stakeholders in September 2021 followed by the presentation and discussion at an online national workshop scheduled to take place in September 2021.

1.1. Introduction to the project

The project '*Strengthening national and regional capacities and co-operation on Strategic Environmental Assessment (SEA) in Central Asia, including as a response to climate change*' aims at supporting development of the national and regional capacities on SEA as an essential tool for sustainable economic development and as a means to address specific environmental challenges, including climate change. The project focuses mainly on the environmental and sectoral planning governmental authorities, however other relevant stakeholders have also been invited to participate in the project activities. The SEA project will result in:

- Enhanced awareness on SEA – its benefits, principles, and steps to be carried out in SEA;
- Better capacities to coordinate SEA processes (by competent environmental authorities);
- Improved co-operation within and across the countries involved in the SEA project.

The beneficiary countries of the project are Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan, and Uzbekistan.

The project implementation involves the following main steps:

- Step 1: Conducting feasibility and opportunity / needs assessment survey on SEA in the beneficiary countries and drafting the national reports.
- Step 2: Organizing 1-day national awareness workshops on SEA to discuss the findings of the assessment report surveys.
- Step 3: Preparing an initial draft of the action plans to introduce and further develop a national SEA system.

[1] The project was launched in October 2019 and will be finalized in 2021. It has been implemented by the Organisation for Security and Cooperation in Europe (OSCE) in close co-operation with the United Nations Economic Commission for Europe (UNECE) with the funding from the German Federal Ministry for the Environment, Nature Conservation, Building and Nuclear Safety by the Advisory Assistance Programme for environmental protection in the countries of Central and Eastern Europe, the Caucasus and Central Asia and other countries neighbouring the European Union (AAP).

[2] More information about the Protocol on SEA can be found on the UNECE website: https://www.unece.org/env/eia/sea_protocol.html.

- Step 4: Organizing regional conference, which will invite representatives of all beneficiary countries, to present and discuss the results of the project.
- Step 5: Finalizing the country reports.

1.2. Structure of the report

The report includes the following chapters in addition to this 'background' chapter 1:

- *Introduction to SEA* (chapter 2) explaining the purpose and objectives as well as the key principles of SEA application and expected benefits.
- *Methodological approach* (chapter 3) which describes the design of the needs assessment survey including assumptions made and challenges encountered.
- *An overview of the SEA development in Kyrgyzstan* (chapter 4) providing a brief information about the existing (both in force and draft) national legislative framework for SEA in the country and SEA-related projects funded by international donors.
- *Summary of results and interpretation* (chapter 5) with an overview of feedback received through the online survey, and a summary of the results together with comments on the main findings.
- *Conclusions* (chapter 6) summarizing needs and priorities for establishing and introducing the SEA practice in accordance with the Protocol on SEA and outlining initial suggestions to be reflected in the action plan.

2. INTRODUCTION TO SEA

2.1. Purpose and objectives

SEA is internationally recognized as the key instrument for integrating environmental and health considerations into strategic planning and decision-making to prevent and mitigate possible damage from economic and regional development [3]. It sets out the obligatory consultations with environmental and health authorities and the public to provide decision-makers with early warning about unsustainable options and contributes to the reduction and management of health risks.

SEA promotes sustainable development goals and principles, supports efforts towards the transition to a green economy, and increases the legitimacy of planning and decision-making processes and their outcomes. Moreover, it may allow countries to consider health risks and mitigation measures for pandemics as part of their planning processes, promoting healthy lifestyles, enhancing socioeconomic conditions to enable people to thrive and improving access to good quality health and social care.

The UNECE Protocol on SEA[4] defines SEA as *"…the evaluation of the likely environmental, including health, effects, which comprises the determination of the scope of an environmental report and its preparation, the carrying-out of public participation and consultations, and the taking into account of the environmental report and the results of the public participation and consultations in a plan or programme*." (Article 2.6).

According to the Protocol on SEA, the objective of SEA is to ensure that environmental, including health, considerations are thoroughly taken into account in the development of plans and programmes in support of environmentally sound and sustainable development. In particular, SEA assists authorities responsible for plans or programmes, as well as decision-makers, to take into account:

- Key environmental trends, potentials and constraints that may affect or may be affected by the plan or programme.
- Environmental objectives and indicators that are relevant to the plan or programme.
- Likely significant environmental effects of proposed options and the implementation of the plan or programme.
- Measures to avoid, reduce or mitigate adverse effects and to enhance positive effects.
- Views and information from the relevant authorities, the public and, as relevant, potentially affected States.

2.2. Area of application of SEA

SEA can be applied to a wide range of governmental plans, programmes, policies, and other strategic documents, which establish the basis for future decisions on projects (which may require Environmental Impact Assessment (EIA or OVOS, as it is abbreviated in Russian language) in such diverse fields as:

- agriculture,
- forestry,
- fisheries,
- energy,

[3] See e.g. Manual for Trainers on Application of the Protocol on Strategic Environmental Assessment (UNECE, 2018, https://www.unece.org/index.php?id=48758) or Protocol on Strategic Environmental Assessment: Facts and Benefits (UNECE, 2016, https://www.unece.org/index.php?id=42853).

[4] Protocol on Strategic Environmental Assessment to the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention).

- industry (including mining),
- transport,
- regional development,
- waste management,
- water management,
- telecommunications,
- tourism,
- town and country planning,
- and land use.

For plans and programmes in other economic sectors as well as for plans and programmes determining use of small areas at the local level, and for minor modifications, **SEA is not applied automatically.** Governments should determine whether SEA is required or not. This process is called screening (Article 4.4). If a plan or a programme or its minor modification is likely to have significant environmental, including health effects, SEA should be applied (Article 5.1).

Two types of plans and programmes are exempt from the application of SEA (Article 4.5):

- Plans and programmes exclusively serving national defence and civil emergencies,
- Purely financial or budgetary plans and programmes.

The Protocol on SEA applies to **proposed new** plans and programmes prepared by public authorities at national and local levels. It is **not applicable to** the adopted strategic documents.

2.3. Benefits of SEA

In general, the effective and consistent application of SEA to economic and regional development planning can considerably assist countries in attaining sustainable development goals, greening their economies, and addressing climate change. Particular benefits include:

- **Higher level of environmental and health protection:** SEA identifies likely significant environmental and health effects of proposed strategic development options, and it equips planning authorities with suggestions to mitigate adverse effects and opens the planning to alternative development opportunities early in decision-making cycle.
- **Promoting sustainable economic development and facilitation of the green economies:** SEA helps reaching green economy targets by considering sustainable alternatives and innovations and encouraging the search for win-win options for further economic development within the carrying capacity of ecosystems.
- **Improved planning by encouraging planners to consider a full range of risks and opportunities for more sustainable forms of development:** introducing a well-structured SEA framework makes national planning more systematic, less sporadic and ultimately more effective.
- **More efficient decision-making:** Decision-making at the strategic level, which considers SEA outcomes, usually leads to fewer appeals and less discussion at the operational level. Such decision-making processes save time and are thus cost-effective.
- **Improved governance by fostering higher transparency in planning and programming:** SEA provides clear procedures for consultation and communication between the key national and local planning authorities, business and civil society (including civil society organisations (CSOs)).
- **Prevention of costly mistakes that arise from neglecting environmental and health effects** by providing early warning signals about environmentally

unsustainable development options. SEA reduces the risk of costly remediation of harm or corrective actions, such as relocating or redesigning facilities.

- **Strengthened environmental assessment processes at the project level**[5]: SEA can address effects that are difficult to grasp at the project level; in particular, SEA can provide an early warning of large-scale and cumulative effects. Therefore, certain aspects can be solved already at the strategic level, which streamlines application of environmental assessment at the project level.
- **Prevention of intersectoral conflicts between various economic sectors within the country** by examining the relationship of a plan or programme to other plans and programmes at the earliest stage of planning and offering alternatives that can help to avoid conflicts.
- Providing a **tool for climate change adaptation and mitigation** by introducing climate change considerations into development planning.
- Promotion of **effective regional cooperation** to address environmental issues and facilitation of **transboundary consultations** between the relevant national authorities and the public concerned regarding a plan or programme that could have adverse transboundary effects on the environment of a neighbouring state (e.g. shared protected areas, waterways, transport connections or and transboundary pollution).

2.4. Key principles of effective SEA application

To leverage on its benefits described above, SEA should be conducted effectively following a set of general guiding principles[6] below providing that SEA should:

- Be undertaken by an authority responsible for a plan or programme and be integrated into and customized to the logic of the plan- or programme-making process.
- Be applied as early as possible in the decision-making process, when all the alternatives and options remain open for consideration.
- Focus on the key issues that matter in the relevant stages of the plan- or programme-making process. This will facilitate the process being undertaken in a timely, cost-effective and credible manner.
- Evaluate a reasonable range of alternatives, recognizing that their scope will vary with the level of decision-making. Wherever possible and appropriate, it should identify the best practicable environmental option.
- Provide appropriate opportunities for the involvement of the authorities, the public and other key stakeholders throughout the process, starting from its earliest stages, and in accordance with clearly formulated procedures. Ideally, it should employ easy-to-use consultation techniques that are suitable for the target groups.
- Be carried out with appropriate and cost-effective methods and techniques of analysis. It should achieve its objectives within the limits of the available information, time and resources, and should gather information only in the amount and detail necessary for sound decision-making.

[5] This includes mainly EIA or OVOS.

[6] Adapted from UNECE Resource Manual on SEA (2012) and IAIA. 2002. Strategic Environmental Assessment: Performance Criteria. Fargo, ND: International Association for Impact Assessment.

3. METHODOLOGICAL APPROACH TO THE SEA FEASIBILITY AND OPPORTUNITY ASSESSMENT

3.1. Purpose and objectives

The feasibility and opportunity assessment represents a basis for preparing the action plan to introduce a national SEA system in Kyrgyzstan, and thus its objectives are defined as follows:

- To identify the current status of the environmental assessment system in Kyrgyzstan and existing challenges in application of the national environmental assessment procedures to plans and programmes or other governmental strategic documents;
- To determine gaps in the existing national environmental assessment system vis-à-vis the Protocol on SEA and also the European Union (EU) SEA Directive;
- To estimate capacities (both current and needed in future) for conducting SEA processes in line with the Protocol on SEA;
- To identify the needs of the key stakeholder groups to undertake SEA, as well as priorities and specific actions necessary to introduce and further develop a national SEA system (including actions to promote acceptability of introducing the SEA system by the key decision-makers);
- To identify potential challenges which may slow down or prevent further progress in establishing/developing national SEA systems;
- To identify main target groups and a desired focus for further capacity building and awareness raising activities on SEA.

3.2. Design of the survey

The feasibility and opportunity assessment employed the following methods for collecting the relevant information:

- A questionnaire survey among the participants of the study tour to Germany[7] (which also served as an initial feedback to the draft questionnaire for fine-tuning the questions);
- A questionnaire survey among other relevant national stakeholders via an email communication (April – November 2020).

Initially, a visit by the international expert was planned to Kyrgyzstan to conduct face-to-face consultations, however due to the COVID-19 travel restriction it had to be substituted by a wider online survey.

A questionnaire[8] prepared for the survey covered the following topics:

- General information on the respondent's (personal and/or institutional) background;
- Past experience of the respondents with environmental assessment;
- Planning and environmental (including health) context in the country;

[7] Organized within the SEA project from 2 till 6 December 2019, relevant information and documents are available at https://www.unece.org/index.php?id=53288.

[8] Two types of questionnaires were developed and uses: a shortened version was distributed among the non-environmental authorities, and the full-scale version was circulated among environmental and emergency situations authorities and EIA practitioners (7 entities/experts).

- Existing strengths of the current environmental assessment system and challenges in application of the national OVOS and State Ecological Expertise (SEE) procedures for plans and programmes;
- State of play with regard to SEA legal framework and SEA practice, and their inter-relation;
- Existing capacities for SEA and likely future needs; and
- Priorities and actions needed to introduce and further develop a national SEA system.

The target group for the survey included mainly the organisations and individuals who were and/or potentially would be involved in any SEA-related activities in the country, such as potential pilot applications of SEA, training workshops and awareness raising events, legislative reforms, and future application of SEA. An initial identification of the participants of the survey was conducted during the study tour on SEA to Germany. Further contacts were provided by the national expert and the representative of the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic (SAEPF).

The questionnaires were distributed by the SAEPF to the identified target stakeholders (organisations and individuals). In addition, the questionnaires and information about the project were posted on the Facebook web-page of the SAEPF [9], and the interested persons were invited to fill out the questionnaire and submit it to the national consultant.

Altogether, **19 filled out questionnaires** were received, of which 15 were from the state bodies / authorities and four were from the EIA practitioners.

The questionnaire and the list of the respondents are provided in **Annex 1** and **Annex 2** to the report, respectively.

3.3. Main elements of an effective SEA system

To identify the gaps in the current national environmental assessment system in Kyrgyzstan vis-à-vis the SEA system as set by in the Protocol in SEA, the following list of the main elements of an effective SEA system – designed taking into account the key principles for effective SEA application presented in **Section 2.4** above – was used to guide the needs assessment:

- Legislative framework on SEA is in force and aligned with the Protocol on SEA;
- Procedural steps of SEA, including consultations with environmental and health authorities, public participation and transboundary consultations, are well established and followed in practice;
- Authorities responsible for preparation of the plans and programmes:
  - Are aware of their SEA-related responsibilities and tasks;
  - Have sufficient capacities to perform these tasks;
  - Allocate appropriate financial means for carrying out SEA;
- Environmental authorities:
  - Are aware of their SEA-related responsibilities and tasks;
  - Have sufficient capacities to perform these tasks;
- Health authorities:
  - Are aware of their SEA-related responsibilities and tasks;

[9] https://m.facebook.com/story.php?story_fbid=3845541992139597&id=271979216162577.

    - Have sufficient capacities to perform these tasks;
- The public is aware of the opportunities to participate in SEA processes;
- The decision-makers:
    - Are aware of their SEA-related responsibilities and tasks;
    - Have sufficient capacities to perform these tasks;
- There are practitioners/experts able to conduct SEA;
- Relevant methods and techniques are known and used or can be used in SEA by EA practitioners;
- A quality control system is established and performed;
- Mechanism/platform enabling information sharing on SEA processes is in place.

4. DEVELOPMENT OF SEA IN KYRGYZSTAN

The 1999 Law on Environmental Expertise (as amended on 4.05.2015)[10] requires to conduct EIAs and SEEs for not only planned projects, but also concepts, policies, programs, plans, urban master plans and other strategic documents[11]. The same requirement is stipulated in the Regulation on the Procedure for Conducting State Environmental Expertise in the Kyrgyz Republic[12] (2014, as amended on 28.06.2017). Despite this, the application of EIA and SEE to strategic documents has occurred extremely rarely over the last 20 years. In fact, draft state programmes are typically submitted for the SEE without EIA reports. This is largely attributed to the lack of the relevant by-laws and guidelines for 'strategic EIA' (or in other words SEA), as well as the lack of awareness of relevant actors about why and how to conduct EIAs of strategic documents.

A certain impetus was given to the advance of SEA in Kyrgyzstan when the country became a Party to the UNECE Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention) in 2001[13]. Since then, it has been making progress in *preparing* for the introduction of the national institutional and legislative framework on EIA and SEA in line with the Espoo Convention and its Protocol on SEA[14].

In particular, in the 2000s, SEA capacity building was attempted by several donors who conducted SEA trainings and workshops. For instance, in 2006, UNDP organized training on SEA for the regional development, and, in 2011, Regional Environmental Centre of Central Asia organized a regional training on SEA in water sector that involved several participants from the Kyrgyz Republic. However, no systematic effort to support the application of SEA in the Kyrgyz Republic was observed that time.

The joint UNDP-UNEP 'Poverty and Environment Initiative'[15] supported further steps taken in Kyrgyzstan to advance environmental sound strategic planning and promote SEA. As a result, in 2011 – 2013, a methodology for strategic planning of sustainable development at national and regional levels developed, and later on – in 2015 - approved[16]. With the support of this initiative, another important document was developed, namely: *draft Procedure for conducting a Strategic Environmental Assessment (SEA) in the process of making environmentally significant decisions (2012)*[17].

Then, in 2013-2014, Asian Development Bank funded the project 'TA 7566-REG: Strengthening Capacity for Strategic Environmental Assessment in the Kyrgyz Republic'[18]. Within this project, in 2014, the *SEA Guidelines for the Kyrgyz Republic* were developed, as

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[10] http://cbd.minjust.gov.kg/act/view/ru-ru/219 [Положение о порядке проведения государственной экологической экспертизы в Кыргызской Республике]

[11] Art. 10: An environmental impact assessment is organized and carried out when preparing justifications for the following activities:

- concepts, programs and plans for sectoral and territorial socio-economic development;
- schemes for the integrated use and protection of natural resources;
- master plans of cities, settlements and other urban planning documentation;
- new construction, reconstruction, expansion and technical re-equipment of existing economic and other facilities that have or may have an impact on the environment.

[12] http://cbd.minjust.gov.kg/act/view/ru-ru/96456

[13] https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=XXVII-4&chapter=27&lang=en

[14] The Protocol on SEA has not yet been ratified by Kyrgyzstan.

[15] https://www.unpei.org/kyrgyzstan-2/.

[16] The Methodology for strategic planning of sustainable development and Methodology for the assessment and inventory of state strategic documents for compliance with the basics of strategic planning, approved by the Ministry of Economy of the Kyrgyz Republic. http://cbd.minjust.gov.kg/act/view/ru-ru/223520

[17] Процедура проведения Стратегической экологической оценки (СЭО) в процессе принятия экологически значимых решений.

[18] https://www.adb.org/projects/44140-012/main#project-documents.

well as the *draft Regulation on the Order for Conducting SEA in the Kyrgyz Republic*[19] with a package of accompanying / supporting documents.

The inter-relation between the draft SEA Regulation and the draft SEA Procedure is not clear – they seem to detail somewhat different procedures and focus on different aspects of SEA. The differences are also acknowledged by the representatives of the SEAPF that pointed out that the draft Procedure was of a more introductory nature, whereas the Regulation was prepared as a guide for SEA implementers. In 2014, effort was taken to raise awareness about SEA, including a round table and a 2-day of training organized by ADB on how to apply the SEA Regulations for key actions that gathered the representatives of Zhokorgu Kenesh Apparatus (Parliament), Governmental Apparatus, ministries, state agencies, and non-governmental organisations.

The ADB project also envisioned the delivery of at least two SEA pilots; no information is found on the bank's site about whether these have been implemented. The Consultant filed a request for information to ADB general inquiry office and to ADB's project manager who led this project in early January 2021. In February 2021, ADB provided additional information about the project. The provided information was in line with the communication with the former national consultant to ADB in Kyrgyzstan on this project, in particular, it was clarified that no pilot SEAs were completed, rather the above-mentioned ADB-funded trainings deployed two national level strategies (i.e., Energy Sector Strategy 2012-2017 and Transport Sector Strategy 2012-2015) as case examples for application of the draft SEA Guidelines. SEA exercises for both strategies were conducted during the trainings, no official SEA reports were prepared.

Eventually, neither the SEA Guidelines, nor the Regulation and nor the Procedure have been adopted yet and there is no plan to finalise and adopt any of them until clearer SEA legal provisions are adopted.

Further, in 2014-2017, technical assistance from the UNECE secretariat to the Espoo Convention, with funding from the Government of Switzerland[20], was provided to Kyrgyzstan to help it improve its environment assessment legislation and institutional framework to implement the Espoo Convention. As part of, a Concept for the law on environment assessment was developed, and a round table was held to discuss the Concept that was attended by the representatives of Zhokorgu Kenesh, interested ministries and departments, EIA practitioners, the public, educational institutions, etc. Based on this Concept, a framework law on environment assessment covering both EIA and SEA was prepared in 2015 [21] (hereafter referred to as 'the draft EA Law'). The draft EA Law defines general provisions, principles, and procedure for organizing and conducting SEA, EIA, transboundary EA, and public participation in the EA process, and establishes requirements for the content of SEA and EIA reports.

Later, in 2016, Kyrgyzstan decided to develop an overarching Environmental Code, so the main provisions of the draft EA Law developed in 2015 were included therein as Articles 55 through to 64 in the draft Environmental Code. These articles address SEA and its steps and procedure. During the consent process when the Code was circulated among the state authorities the SEA provisions were cut down to one short paragraph about SEA (Article 101 of the revised draft Environmental Code, no date indicated) [22].Thus, the Environmental Code

[19] Положение о порядке проведения стратегической экологической оценки (СЭО) в Кыргызской Республике.

[20] https://unece.org/fileadmin/DAM/env/documents/2017/EIA/MOP7/12_05_17_ece_mp_eia_2017_5_ece_mp.eia_sea_2017_5_e.pdf.

[21] https://unece.org/fileadmin/DAM/env/eia/meetings/2015/May_13.05_round-table_law_EIA_Kyrgyz/5._draft_law.pdf.

[22] http://www.caresd.net/img/docs/5286.pdf.

in its latest version appeared to be far from its initial goal of preventing environmentally unfriendly decisions and promoting environmental assessment of strategic initiatives.

The draft Environmental Code underwent all the necessary agreement processes and was submitted to the Government in May 2017. The Government decided to suspend its further consideration for the reason of its intervention with too many legislative acts. That is, the Draft Environmental Code includes many regulations that will absorb legislative provisions of other regulatory acts that exist in various sectors of economy and may overlap with environmental legislation. Such collisions are not desirable, since there is no technically and legislatively available grounds. Against this background the adoption of the Draft Environmental Code may have caused various conflicts and misunderstandings, etc. in the interpretation and implementation of legislative and regulatory legal acts of the Kyrgyz Republic.

In 2021, it is planned to resume work on developing the Draft Environmental Code drawing upon the existing and accumulated base of the documents.

5. SUMMARY OF SURVEY RESULTS AND INTERPRETATION

The detailed findings and results of the survey on feasibility of and opportunity for introducing SEA are presented in **Annex 3**.

5.1. Consideration of environmental and health issues in the planning processes – current practice

First, the survey focused on the extent to which environmental and health issues were covered in the strategic planning processes in the Kyrgyz Republic. Half of respondents (7 out of 14) stated that only most important environmental and health issues are analysed and taken into account during decision-making. Other responses are clearly inclined towards indicating that environmental issues are more often and better analysed and considered than health issues. One of the respondents from the state body pointed out that both environmental and health issues were included in the Green Economy Development Programme of Kyrgyzstan for 2019-2023.

For effective SEA application, the consideration of both environmental and health issues needs to be strengthened when preparing the plans and programmes.

The respondents considered that plans and programme developed for such sectors of Kyrgyzstan as i) mining, ii) energy, iii) waste management, and iv) industry were likely to have significant environmental and/or health effects. These results reflect the current and perspective orientation of economic profile of Kyrgyzstan with energy and mining seen as the main sectors. Agriculture and urban, rural and land-use planning were also highly rated, followed by water management possibly owing to a good understanding of the importance of these sectors and water resources for the overall economic development and human wellbeing and health. The responses demonstrate a clear understanding of the sectors with a higher potential to cause significant environmental and health effects in the national context.

The respondents were asked to name the strategic documents prepared by their agencies. 13 respondents listed over 10 concepts, programmes and plans in such various areas, as health, land use, tourism, construction industry, agriculture, green economy, forestry, environmental safety and chemicals management. The respondents noted that the strategic planning process is guided by *the Methodology for Strategic Planning of Sustainable Development* approved by Order No. 45 of the Ministry of Economy from February 27, 2015.

When asked if the named strategic documents should undergo any type of environmental assessment (i.e. OVOS, SEE, SEA or else), 10 respondents responded affirmatively. In particular, they noted that all strategic documents should undergo SEE and the resultant SEE Conclusions should be obtained. One noted that compliance assessments against the national sustainable strategic standards should be performed[23]. Some respondents added that the circulation of the draft strategic documents across different state bodies for commenting could be seen as environmental and health assessment. In addition to this, independent environmental expertise of plans, programmes or other documents can be conducted by specialised non-governmental organisations (NGOs). 6 respondents, mainly from the state authorities, stated that their strategic documents were not subject to any environmental assessment. The responses also demonstrated that there was currently limited understanding of the responsibility of the planning agencies for commissioning / conducting "EIAs" for their strategic documents (in other words – SEA; the term 'SEA' does not exist in the national legislation).

[23] As per the Methodology for strategic planning of sustainable development and Methodology for the assessment and inventory of state strategic documents for compliance with the basics of strategic planning, approved by the Ministry of Economy of the Kyrgyz Republic. http://cbd.minjust.gov.kg/act/view/ru-ru/223520.

5.2. Existing challenges and strengths of current application environmental assessment tools in the country

The respondents were asked to indicate the existing challenges for and strengths of the application of environmental assessment tools – EIA/OVOS, ESIA, SEE etc. in Kyrgyzstan, including those that can be expected in relation to SEA.

The existing challenges for carrying out environmental assessment within the current system in the country (i.e. OVOS/SEE), including the experience related to the pilot SEA application, as indicated by the respondents, relate to:

1. weak monitoring and post-project analysis schemes (i.e. limited control on how environmental assessment conclusions are implemented in practice);
2. lack of expert capacities to carry out relevant environmental (and health) analyses and assessments (also linked up with insufficient environmental and health baseline data);
3. non-existence of national environmental assessment network or association of experts;
4. the lack of capacities within governmental authorities to coordinate environmental assessment procedures; and
5. the lack of finances for conducting environmental assessment.

In view of the respondents, making SEA systems operational might face a number of challenges, **of which the major is the lack of the national legal framework for SEA**. The other issues of an impeding potential can be:

- low awareness on SEA among project developers or decision-makers;
- unclear institutional arrangements, including unclear roles and responsibilities of the main actions, such as sectoral, environmental and health authorities, in SEA; and
- the lack of capacities within governmental authorities to coordinate SEA procedures.

Comparatively less significant issues were noted to be the lack of finances for conducting SEA and the lack of the expert capacities to carry out relevant environmental (and health) analyses in SEA. Overall, it should be noted that the lack of the capacities and no clarity about the roles of SEA actors could have been expected in the light of the absent formal SEA legislation and by-laws and SEA practice in the country, as well as in the light of non-enforced EIA requirements pertinent to strategic documents (per Art. 10 of the Law on Environmental Expertise).

Insufficient capacities of environmental authorities and expert capacities to coordinate and carry out SEA processes relate directly to the key factors necessary for effective SEA application. Efforts to launch a working SEA system should obviously focus on raising both institutional and expert capacities.

In addition, it should be noted that a high ranking of 'weak monitoring and post-project analysis' **in EIA** raises a concern about how (effectively) the recommendations of EIAs are practically delivered by the project initiators (proponents) when implementing the projects (construction, operation, or decommissioning) and/or are controlled by the state authorities (e.g. in terms of compliance with the requirements set out in SEE conclusions). This is an important aspect to be reflected when introducing SEA practice i.e. with an emphasis to be given to the establishment of a proper monitoring scheme for strategic documents.

The key strengths of the EIA (OVOS) and SEE, as perceived by the respondents, can be grouped as follows:

1. **Legislation and guidance:** a profound and clear legal framework was stated to be in place, alongside the needed guidelines / manuals / procedures on how to conduct the environmental assessment;

2. **Capacities:** Several respondents believe that there are sufficient capacities both, among the experts to carry out EIA and prepare good quality EIA reports, and among the governmental authorities to coordinate SEE[24] / environmental assessment procedures.

The indicated strengthes for EIA and SEE in many aspects mirrored the above-mentioned weaknesses; in particular, neither the availability of sufficient financial resources or environmental assessment databases, nor strong monitoring schemes were indicated as strong points. However, the capacity of the state authorities seem to receive various assessments

None of the respondents indicated any potential strength of SEA, which is seen to be due to the non-implementation of EIA requirements for strategic documents and no practice with SEA as such.

5.3. State of development of legal SEA framework and SEA practice, and their inter-relation

There is a shared view among the respondents that neither the legal SEA framework, nor SEA practice, and nor correspondence between the legal framework and practice are developed.

While the SEA requirements have been drafted in the Environmental Code (not adopted yet), the practice of SEA is obviously lagging behind. It is therefore advisable that any future SEA pilots or national SEA cases should be conducted in line with the draft national SEA requirements, even if not adopted yet.

Wherever the SEA provisions in the draft Environment Code lack specifics, their delivery can rely on the draft *SEA Guidelines for the Kyrgyz Republic* (2014) and draft *Regulation on the Procedure for Conducting SEA in the Kyrgyz Republic* (2014). For additional reference, the existing international guidelines on SEA (developed under UNECE Secretariat, EC, or other international institutions e.g. the OECD DAC) can be used.

5.4. Existing capacities for SEA and likely future demand for SEA capacities

Perception of SEA benefits and added value

The respondents were given a set of statements about SEA, reflecting its benefits or potential associated concerns, and were asked to rank them according to the extent the respondents agree with them.

The responses demonstrate the overall familiarity and expectations of the respondents with certain benefits of SEA, including those related to: i) usefulness for assessing and mitigating likely significant environmental effects of strategic documents; ii) consensus building, iii) greening economies and moving towards achieving sustainable development goals, and iv) improved quality of SEAs and, thus, of plans/programmes via public consultations. They also reveal that Kyrgyzstan may also leverage on these benefits when applying SEA to its plans and programmes.

It should be noted that almost all of the respondents believed that 'quality of SEA depends entirely on amounts of data available and their quality'. This may not always be the case given the strategic nature of SEA and its assessment subject, and this point should be paid attention to during the SEA pilot projects and training workshops.

[24] It is unclear from the responses if SEE of strategic documents is considered to any extent.

Use of guidelines and instruction

The respondents were asked to list environmental assessment guidelines and instruction documents, in case such were used in their own or their institutions' practice. Seven of the respondents indicated that their institutions did not directly deal with environmental assessment, whereas the others named numerous documents. In particular, the respondents also found themselves familiar with the available national guidance documents and guidelines on EIA and SEE, Methodology for strategic planning of sustainable development, Methodology for the compliance assessment and inventory of state strategic documents, sanitary and epidemiological rules and standards, thematic environmental methods. Some respondents also mentioned the environmental and social policies of international donor institutions, such as the World Bank.

None of the respondents mentioned any guidance documents developed by UNECE in relation to the Espoo Convention or its Protocol on SEA. This may indicate that the respondents were not familiar with these yet.

Advice of environmental assessment

The respondents were asked where they usually sought advice on environmental assessment (e.g. methods to be applied). The responses show that advice on environmental assessments is most often sought from 'environmental and/or health authorities - officials in charge of the relevant issue' and often – from 'environmental consultancies'. This indicates that there are expertise and capacities within the competent state bodies and consulting companies in Kyrgyzstan that potentially should be able to coordinate and/or carry out SEA, respectively.

It is noteworthy that the respondents engaged in environmental assessment more often seek advice from the relevant officials of the environmental and/or health institutions, from friends and/or acquaintances working at the environmental and/or health institutions, than from researchers / research institutions and other sectoral institutions. This leads to the conclusion that the research institutions, although having a good hard and soft science standing, have limited expertise in teaching or conducting environmental assessment.

Managing future SEA

The respondents were asked whether it was clear who would be in charge of managing the SEA(s) on behalf of their institutions when SEA becomes a legal requirement or on a pilot basis. Only few respondents replied to this question. Two respondents from the SAEPF confirmed that they had a clear vision about which 'division in charge' it should be, namely – the Department of State Environmental Expertise under the SAEPF.

The respondent from the Ministry of Economy of the Kyrgyz Republic indicated that the Department of Strategic Planning should take lead in managing SEA processes.

The respondent from the Ministry of Culture, Information and Tourism of the Kyrgyz Republic noted that the body or person in charge will be determined according to the instruction of the management of the Department of Tourism under the Ministry.

Around half of the survey participants said that it was not clear who would be in charge of managing the SEA(s) on behalf of their institutions.

The survey further looked into "who would be expected to conduct the SEA and prepare the SEA reports". The common opinion was that the actual preparation of SEA reports could be delegated / outsourced to external consultancies / groups of environmental experts. The latter could combine their competencies with strategic planning experts, if needed. The respondents also acknowledged that the preparation of the SEA reports would require specialist inputs from the staff of the 'contracting' planning authority.

The respondents did not provide any estimates of a number of plans/programmes to be subject to SEA. One of them rightfully indicated that assessment of the scope of tasks related to SEA will depend on the scale and sector of the planned programme or development strategy.

The survey participants were asked about who will be most likely undertaking SEA(s) - i.e. planning teams with internal environmental experts or external sub-contractors (consultancy companies). According to half of the respondents, planning teams with internal environmental experts would most probably undertake SEAs. One of the EIA practitioners proposed an interesting approach in that the planning teams with internal environmental experts can be involved in preparing SEAs for strategies or programs for sectors with lower potential environmental effects, such as education, health, social and economic development; whereas specialised consulting companies can be involved in SEAs of complex programmes / strategies for the development of the subsoil use, energy, transport, and other sectors.

With regards to financing SEAs, 13 respondents said that budgetary aspects had not been discussed yet. It is only the respondents from the Ministry of Economy and Ministry of Agriculture, Food Industry and Land Reclamation of the Kyrgyz Republic indicated that the funding was discussed (to some extent).

The survey participants were asked if they could indicate institutions and/or experts that would be able to carry out SEAs. While half of the respondents could not name such, the rest mentioned the Ministry of Agriculture, Food Industry and Land Reclamation of the Kyrgyz Republic and NGO "Independent Environmental Expertise". Two other respondents, based on their personal expert connections, noted that there are limited / several specialists in the country who could complete SEAs.

When invited to list main challenges related to SEA application, the respondents listed a whole spectrum of issues that will need to be tackled (some of them link back to **Section 5.2** with strength and weaknesses of the environmental assessment systems). They can be clustered as follows:

- Low awareness about SEA among the government bodies and ministries preparing national and sectoral programmes and development strategies;
- Lack of legal requirements governing SEA, procedure for conducting SEA and the information on the regulatory SEA framework;
- Lack of specialists and expertise; if the obligation to SEA of strategic documents is legally introduced, capacity building is needed.
- Enforcement issues and need to monitor compliance with SEA provisions; and
- Lack of finances, large financial costs for SEA and necessary research (uncertainty about funding sources);

5.5. Future priorities and actions (including needs for capacity development)

The respondents were asked to select and prioritise actions needed to introduce and establish a SEA system in Kyrgyzstan. In view of the respondents, the adoption of the legislative framework on SEA is the key priority actions. However, recognising that the mere availability of the Law cannot guarantee an effective application of SEA, even a greater importance was assigned to the preparation of the guiding documents on specific SEA topics or procedural aspects. Slightly lower importance was assigned to organising trainings and awareness raising events for environmental and health authorities, as well as for decision-makers.

The respondents also recognised the importance of supporting the national networking and establishing an information sharing system, organising exchange of SEA experience with other countries, and supporting practical application of SEA via a pilot project.

In addition, the respondents stressed that there was an urgent need for SEA training, and that the training events should be linked to the pilot SEA project in order to allow the participants of the events to apply the acquired knowledge to practice. This proposal is in line with the good practice approach used in various countries where the SEA systems are being developed, e.g., in the Eastern Neighbourhood Countries. In fact, combining SEA pilots with capacity building and awareness raising activities for various stakeholders would be instrumental for operationalising SEA systems and making the SEA provisions functional.

6. CONCLUSIONS

6.1. Summary of the identified gaps between the current environmental assessment system and the main elements of an effective SEA system

This section summarizes the findings from the survey vis-à-vis the main elements of a SEA system enabling an effective application of SEA in accordance with the Protocol on SEA as referred to in **Section 3.3** above. The findings regarding the draft national legislation on SEA are based on the draft EA Law since, as it was explained in **Section 4**, there is a greater chance that the draft EA Law can be updated and adopted, rather than the draft Environmental Code. The below sections rely on the version of the draft EA Law that was revised following the Regulatory Impact Analysis and comments received from the Government of Kyrgyzstan in 2016[25]. Its Chapter 10, made of 11 articles, is fully devoted to SEA.

6.1.1. Legislative framework is in force and aligned with the Protocol on SEA

Presently, it is not known when the draft EA Law will be reviewed and adopted. However, it should be recalled that there is the overarching requirement for EIA for strategic documents that is not implemented and enforced in the absence of the lower level legislative acts. Thus, additional steps are to be taken to operationalise the draft SEA provisions after the EA Law is adopted (as will be explained further).

Overall, in the absence of a functional national legislative framework on SEA, the SEA application will only be possible on a pilot or voluntary basis, with a very limited scope without leveraging on the SEA benefits. In fact, under the currently uncertain situation, a pilot SEA application will be very useful to 'test' the draft SEA provisions and build necessary capacities.

Regarding the compliance of the draft SEA legislation with the Protocol on SEA, it is noted that the draft SEA provisions (Article 6) require carrying out SEA for the same state planning documents as listed in the Protocol. The exemptions from SEA under the draft EA Law and the Protocol are also the same. As the draft EA Law was developed with the support of the UNECE, the overall process is outlined as being in line with the Protocol on SEA. The changes made during the first stage consent-seeking process, in response to the comments received from the Government, did not substantially affect the content of the draft SEA provisions. There are some slight diversions that can be further made consistent, for instance, Article 11 of the Protocol on SEA requires notifying not only the public and the environmental authorities, but also the health authorities about the adoption of the assessed plan/programme. The draft EA Law though envisions sending a written notification about the adoption of a state planning document to the environmental authority only (Article 15.2).

The draft EA Law refers to the *Order for Conducting SEA in the Kyrgyz Republic*[26]*,* the basis for which can be the draft SEA 'Regulation on the Order…' that was developed as part of the ABD project (see **Section 4)**. The latter, as it should be in the case of a by-law, is much more detailed and contains the same steps, as well as additional ones, such as the preparation of the Scoping Report and the SEE of the Scoping Report that are not mentioned in the draft EA Law. Instead, the draft EA Law requests to prepare "Draft list of information required for inclusion in the SEA report' and consult on it with the public and the competent environmental and health authorities. Afterwards, the agreed checklist is documented in the form of the Protocol.

Further inconsistencies between the draft EA Law and draft SEA Regulation are in that the latter requires obtaining a **positive Scoping Conclusion** from the environmental authority in order to be able to proceed with the SEA which is not required under the draft EA Law. The

[25] The file's name is 'ПЗКР Об экологической оценке' as provided by the SAEPF to the Consultant

[26] Порядок проведения СЭО.

draft Regulation seems to imply additional tasks and effort and may overcomplicate the SEA process.

Overall, a consistency check between the draft SEA provisions and draft by-law and their harmonisation will be needed before adoption.

It needs to be stressed out that an in-depth legal analysis was not intended to be carried out as a part of this study.

6.1.2. Procedural steps of SEA including consultations are well established and followed in practice

The draft EA Law stipulates the need to undertake 'preliminary assessment' (screening) for the need for SEA. Then, it outlines the following stages of the SEA procedure:

1. Determining the scope of SEA report (scoping);
1. Preparation of the SEA report;
2. Public consultation
3. Consent-seeking process and expertise of the draft state planning document program and the SEA report.
4. approval of the state planning document and consideration of the SEA results;
5. monitoring.

The stages outlined in the draft SEA provisions generally reflect the main stages of SEA as per the Protocol on SEA and good practice in the countries with the SEE and EIA components. At a glance, the scoping approach stipulated in the draft EA Law though seems to be quite narrow in nature: its outcome used for scoping consultations is the 'list of information to be included in the SEA report'. A different approach to scoping appears in both, the draft SEA Regulation and the draft SEA Procedure, which again call for a consistency check and additional thinking about what should be covered in the SEA provisions.

The application of SEA in practice could not be evaluated due to the absence of such practice.

6.1.3. Authorities responsible for preparation of the plans and programmes:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**
- **Allocate appropriate financial means for carrying out SEA;**

Several central planning authorities responsible for developing plans and programmes provided the feedback during the online survey. It indicated relatively limited awareness about SEA and its benefits and capacities within governmental authorities to initiate, coordinate and supervise the SEA procedures[27]. Despite the SEA awareness raising efforts supported by UNDP, ADB and UNECE during over 2011 and 2017, including the drafting of legislative and guidance documents and the training, due to a high turnover of the governmental staff, additional and continuous efforts are still needed to reach and sustain the results achieved at the time.

The results of the survey suggest that the budgetary aspects have not yet been considered. Thus, dedicated discussions will be necessary to address budget implications for carrying out SEA for governmental strategic documents, including with regard to involving 'in-house' expertise (i.e. governmental staff), sub-contracting practitioners and consulting companies,

[27] For instance, some of the representatives of the state bodes noted that their institutions were not in charge of any environmental assessment processes. Meanwhile, their institutions do develop strategic documents that may require SEAs.

organizing efficient public participation, collecting environmental and health data, and conducting relevant analyses.

6.1.4. Environmental authorities:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**

The State Agency for Environmental Protection and Forestry (SAEPF) is the lead environmental authority involved the drafting of legislative and guidance documents on SEA. At present, the SEAPF' SEE department reviews the incoming drafts of state programmes and plans against the environmental legislation, however they to do typically not receive SEAs (EIAs for strategic documents) per such and have not experience of reviewing or analysing SEA reports. The environmental authority is not required to publish any SEA information on their office website.

Some SEAPF's staff is aware about what kind of SEA-related tasks they should perform, both as **planners** and SEA authority. The SEAPF's understanding is that the SEE Department should be in charge of the SEA-related tasks – both for conducting SEAs for the strategies developed at the SEAPF and for completing the SEE of the SEA documentation / participating in the SEA consultation processes initiated by other planning agencies.

However, the SEAPF might not be fully ready to perform the whole scope of the SEA-related tasks. In fact, organising trainings and awareness raising events particularly for environmental and health authorities ranked almost the highest during the survey, which implies that the authorities feel a need for such capacity building.

Further, when the SEA legislation is adopted the SAEPF's capacity to coordinate SEA processes, undertake SEE of SEA documents, participate in consultations, etc. might appear insufficient, also partly owing to the above-mentioned relatively high staff rotation.

6.1.5. Health authorities:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**

According to the draft EA Law, health authorities should be involved in the SEA process – to provide their opinion in the screening and scoping. It is not clear if the health authorities are approached specifically with the full SEA report or whether they are just one of the 'interested authorities' that shall be identified by the state program developer for the purpose of consultations (Article 11.2).

The health authorities are not required to publish any SEA information on their websites.

The responses of the health authorities to the questionnaire demonstrate that the relevant and tailored SEA training for health authorities is one of capacity building priorities. In fact, the experience from other regions, e.g. from the EU Eastern Partnership countries[28], shows that health authorities should receive specific attention and training to perform their functions within the SEA systems. Thus, building on the survey results and taking into account the experience in other counties, the below sections contain information on the capacities needed for SEA and preliminary suggestions on how to reflect survey's findings in the action plan addressing health authorities and a necessity to build their capacities to enable them to be properly involved in the SEA application.

[28] https://www.euneighbours.eu/en/policy/eastern-partnership

6.1.6. The public is aware of the opportunities to participate in SEA processes

The draft SEA provisions envision the opportunities for public discussions and feedback during the SEA staps. However, given the SEA legislation is still to be adopted and in the absence of pilot projects, it can be assumed that the public awareness regarding public participation opportunities within the SEA procedure is limited, in particular at the regional and local level. The donor-funded capacity building activities on SEA in Kyrgyzstan have mainly invited governmental officials from planning agencies and environmental and health authorities, some EIA practitioners and very few representatives of NGOs and educational institutions.

6.1.7. Decision-makers:

- **Are aware of their SEA-related responsibilities and tasks;**
- **Have sufficient capacities to perform these tasks;**

There have been only limited opportunities for decision-makers so far to get familiar with SEA (e.g. the events organized within the legislative and guidance drafting in 2013 – 2017 and during the ADB-supported project). Only few representatives of the Governmental Apparatus attended these events. Typically, where the high-level officials were invited to SEA-related events, they tend to send their representatives. Therefore, considering also previously mentioned high turnover of governmental staff, it can be concluded that their level of awareness on SEA and capacities to perform relevant tasks is also limited. This is also supported by the survey's findings identifying awareness raising events for decision-makers as a priority. In addition, local authorities (aimaks, ayil okmotu) are listed by the respondents as a specific group requiring training and awareness raising on SEA.

6.1.8. There are practitioners/experts able to conduct SEA

The survey results suggest that Kyrgyzstan has limited expert potential to carry out SEAs on a regular basis. The experts can likely be recruited from EIA/OVOS practitioners of consulting companies performing EIAs. As in many other countries, such approach may result in the first SEAs being influenced by EIA methodologies, however this is still a good starting point for developing SEA capacities.

There are several other organisations that should likely be able to provide its services in SEA, such as the National Academy of Sciences, NGO "Independent Environmental Expertise" (which was mentioned by the respondents), the Regional Environmental Centre of Central Asia – national branch, Eco-Partner and others. However, it should be noted that the practice of EIA largely builds on not conventional organisation-led assessment assignments, but rather on the initiative of single EIA project managers who are experienced in selecting and uniting specialist experts for specific projects.

Subsequently, providing training and methodological support on SEA to experienced EIA project managers (individual experts managing EIA assignments), national research institutes, national environmental experts, and NGOs/CSOs should be considered as one of the crucial elements in developing good national SEA practice. Optimally, experts should start receiving training on SEA and establish their network before the draft SEA provisions are adopted and enter into force.

In addition, university students are listed by the respondents as a specific group requiring training in SEA to build knowledge on this topic.

6.1.9. Relevant methods and techniques are known and used/can be used in SEA

The respondents of the survey are unaware of the existing guiding documents on SEA. Capacity building on methods and techniques to be used in SEA thus will be required, potentially as part of the pilot projects. Then, further national SEA practice, including examination of data availability, will help identify and develop SEA methods and techniques most suitable for the planning practice and the content of the plans and programmes developed by the governmental authorities of Kyrgyzstan.

6.1.10. A quality control system is established and performed

The draft SEA provisions mention a specific procedure of approval and SEE of the SEAs and their subjects. The SEE can be perceived as an element of quality control system. In addition, there is a provision in the draft Code for an optional Public Environmental Expertise which can be considered as an element of an SEA quality control system. One more element of it is the consultation with the relevant authorities and public participation.

Performance of the quality control outlined in the draft SEA provisions should be evaluated after the SEA practice starts.

6.1.11. Mechanism/platform enabling information sharing on SEA processes is in place

The draft EA Law mentions that 'the authorized state environmental protection body maintains a database (register) on SEA, including reports on SEA, SEE conclusions, and other documents obtained in the SEA process' (Article 13.4). This links back to the point about establishing an accessible SEA database - that received a high rating during the survey. As experience from other countries show, developing and launching similar system or register is a challenging process. Therefore, initiation of the debate about the design, functions and technical features of the register in parallel with the adoption process of the draft EA Law is recommended.

6.2. Needs for introducing the SEA practice in accordance with the Protocol on SEA

Presently Kyrgyzstan is implementing its Green Economy Development Programme of the Kyrgyz Republic for 2019-2023[29]. It should be noted that there is no reference to SEA in the Green Economy Development Programme; however, the Programme (chapter II) states that various economic sectors of Kyrgyzstan keep developing without consideration of the environmental and health objectives which threatens the achievement of sustainability strategic goals in the country. Meanwhile, SEA has a proven potential to support transitions to "green economies", to incorporate environment and health considerations into strategic planning documents, and to assess the links of the latter with other plans and programmes across various economic sectors (refer to the benefits of SEA in **Section 2.3**). Thus, there is an increasing need for routine application of SEA in Kyrgyzstan to help achieve the strategic substantiality and 'green' goals of the country.

However, the introduction and development of SEA is strongly linked to entering into force of the draft EA Law and the related by-laws as only with this combination of the national legislation in place a regular SEA application in Kyrgyzstan can begin and evolve. In addition, once the draft EA Law is adopted, certain time will be needed to find an efficient institutional setting for the SEA system and to raise awareness of all relevant stakeholders of the principles of SEA application, its benefits and costs.

SEA is also expected to strengthen performance of the project level assessment by addressing relevant environmental and health issues already at the strategic level, which may also include suggestions towards monitoring at the project level that was considered a challenge by the respondents of the survey. Thus, some SEA capacity building activities are likely to address, at least partially, some EIA-related topics (e.g. approach to impact analyses, cumulative impacts, types of alternatives etc.). Subsequently, further SEA capacity development may provide opportunities to enhance governmental and expert capacities for EIA application.

[29] Refer to the Green Economy Development Programme of the Kyrgyz Republic for 2019-2023, Ministry of Economy, http://mineconom.gov.kg/ru/direct/302/335.

6.3. Capacities needed for SEA

6.3.1. General estimate of capacities needed for SEA

This section provides estimates of capacities needed to carry out SEA processes in Kyrgyzstan in terms of the forecasted workload (number of working days), in particular, the capacities of:

- The State Agency for Environmental Protection and Forestry (SAEPF) in coordinating and supervising SEA procedures,
- Ministry of Health in providing expert opinions/inputs in the main SEA steps, and
- the key planning ministries (i.e. State Committee for Industry, Energy and Mineral Resources, Ministry of Economy, Ministry of Agriculture, Food Industry and Land Reclamation, Ministry of Transport and Roads, Ministry of Culture, Information and Tourism, Ministry of Emergency Situations) and the planning agencies at the regional and district levels in carrying out SEA.

The estimates are based on the overview of the main planning schemes in Kyrgyzstan (see table below), and the workload anticipated for performing various tasks in the SEA process. As the scope of SEA application outlined in the draft EA Law and the Law on SEE slightly are largely in line with the requirements of the Protocol on SEA one estimate is presented below.

It is important to note that costs in terms of financial means vary significantly among the countries – Parties to the Protocol – and depend on the types of the strategic documents, approaches to SEA, basis disposable income, GDP, etc. The recent evaluation of the SEA Directive[30] concludes regarding the costs that '*There is consensus among the stakeholders that in principle the costs of SEA are reasonable and that the benefits of carrying out a SEA outweigh the costs*.'

According to another EU study, the main costs related to SEA arise from the use of internal staff time, payments for expert advice and consultancy time, and publicity and publications. Of these, the staff and consultancy costs typically account for over 90% of all SEA costs[31]. This study suggests that the costs for carrying out SEAs vary between 5 and 10 % of the planning cost, and are marginal in comparison with the costs of the implementation of plans or programmes (i.e., financing all activities and projects proposed by the planning document).

In terms of time inputs, a UK study showed that most SEAs required approximately 70-80 person-days to be completed (roughly half of that time for scoping and the other half for the preparation of the environmental report)[32]. According to a survey from the Czech Republic[33] on the efficiency of the SEA application, about 50% of SEAs required about 2 – 10 person-days from the planning authority. Experience has shown that small municipal SEAs can be carried out in as little as 30 working days; medium-scale SEAs require 50-100 working days, while more complex large-scale SEAs require between 150 and 300 working days depending on the amount of information to be processed[29].

When conducting the **Regulatory Impact Assessment** of the draft EA Law in 2016, Kyrgyzstani experts estimates that 48 hours (6 working days) were needed to conduct a SEE of a master plan (probably for an urban district – not clarified).

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[30] European Commission, 2019: REFIT Evaluation of the SEA Directive. Available at https://ec.europa.eu/environment/eia/sea-refit.htm.

[31] European Commission (1996), A study on costs and benefits in EIA/SEA. Available at http://ec.europa.eu/environment/archives/eia/eia-studies-and-reports/eia-costs-benefit-en.htm.

[32] R. Therivel and F. Walsh (2005), "The Strategic Environmental Assessment Directive in the UK: One Year On", submitted to Environmental Impact Assessment Review.

[33] Experience with application of SEA in the Czech Republic and UK: A Public Authorities´ Point of View (Musil, M. at el, EIA-IPPC-SEA Bulleting, 2010, in Czech language).

Taking into account the experience of SEA application in various countries, the project team made the following estimates that can further be discussed and adjusted based on the consultations with the national stakeholders (**Table 1**).

Table 1. Estimated workloads in relation to SEA tasks by state actor if the draft EA Law is adopted

Institution / organisation	Main tasks related to SEA	Estimate[34, 35] of person-days needed for one SEA	Comments
SAEPF's SEE department	• Providing a Conclusion (opinion) regarding the screening for SEA • Participation in reviewing the List of information to be included in the SEA report • SEE of SEA report (if needed, consultations with interested governmental bodies) • Entering inputs to the SEA database	10 – 15 person-days	The estimated number of days include also inputs of various SAEPF's departments, which probably will provide expert opinions in various SEA stages
Ministry of Health	• Providing a Conclusion (opinion) regarding the screening for SEA • Participation in reviewing the List of information to be included in the SEA report • Providing expert opinion on the SEA report	5 - 10 person-days	
Planning authority – ministry or regional/district authority (including the SAEPF and the Ministry of Health if they are the initiators of the strategic document)	• Preparing the ToR for SEA practitioners and carrying out tender procedure • Coordinating communication between SEA and planning teams • Ensuring internal quality control • Communicating with the SAEPF's SEE department • Coordinating public participation • Integrating SEA inputs in the strategic documents	40 – 60 person-days	It is assumed that the strategic documents are prepared 'in-house' i.e. by internal expert team of the planning authority. It means that integration of the SEA inputs in the strategic document will require internal capacities.

6.3.2. Capacities needed considering the scope of SEA application stipulated by the draft EA Law and Law on SEE (EIA for strategic documents)

As provided in the table below, there are altogether 4 state programmes, which are to be updated every 5 years, and 7 state programmes, which are to be updated annually. It is probable that several SEAs will run in parallel over approximately a 1-year (for a 5-year updates) or several month strategic planning period (for annual updates). Given that all 4 strategies with a 5-year rolling period were adopted in different years, their revisions only slightly overlap, if at all. So, as a maximum, SEAs for one 5-year and up to three 1-year strategies can run in parallel that altogether will require between 40 and 60 working days of

[34] It needs to be noted that this estimate is based on personal experience of the authors of this report with SEA application in EU and non-EU countries, as well as it reflects their knowledge of SEA systems in other countries.

[35] This estimate assumes that SEA is largely carried out by the SEA practitioners (i.e. external experts) as this considered by the authors of this report as the most probable evolution of SEA practice in Kyrgyzstan (based on experience e.g. from the countries of the Eastern Partnership).

the SAEPF's SEE staff, approximately 20 - 40 working days of the Ministry of Health, and between 160 and 240 working days on the side of all four responsible planning agencies.

In addition, there are some draft programs in the pipeline that are under development and after adopted will be reviewed with either 1- or 5-year rolling period. These will annually add 10 – 15 person-days of the SAEPF's SEE staff, 5 - 10 person-days of the Ministry of Health, and 40 – 60 person-days of a responsible planning agency.

Furthermore, at the sub-national, i.e. regional and district levels, a high number of territorial development (master planning) and socio-economic development programmes would require SEAs. There are 531 administrative-territorial units in Kyrgyzstan, of which:

- 2 cities of republican significance (Bishkek, Osh);
- 7 regions;
- 40 districts;
- 29 cities (including 12 cities of regional significance and 17 cities of district significance); and
- 453 ayil aimags (villages).

According to the existing Law on Environmental Expertise and draft EA Law, Master plans/ territorial development programmes of all of these administrative-territorial can be subject to SEA. Obviously, some of them have already been adopted over the last 5-10 years (see the table below), and the others will be adopted or revised over some years in the future. As no clear sequence and order of development of the state strategic documents for the above units is currently available, it can be assumed that the SEA related workload will be spread over the years. Nonetheless, if SEA start being properly applied, the SAEPF's SEE staff and the Ministry of Health will face additional workload (NB: Currently, the number of state plans/programmes entering the SAEPF as part of the consent-seeking process is around 3-5 documents per annum). Making some predictions about the extent of the additional workload can be possible based on further consultations with the SAEPF, and potentially other stakeholders during the national workshop.

It should be noted that the screening procedure, as stipulated in Article 9 of the draft EA Law, will have an important role in the SEA system given a high number of smaller state plans/programmes and will need to be run effectively in order to reasonably reduce the effort in a justified manner. In addition, the regional Territorial Environmental Protection Departments of the SAEPF should be involved in dealing with SEAs for state planning documents of non-national level.

Table 2. Overview of existing strategic documents and planning schemes in Kyrgyzstan which may require SEA[36]

Type/title of strategic document	Description	Update Requirements	Subject to SEA per the draft EA Law / Subject to EIA per the Law of On Environmental Expertise	Subject to SEA in accordance with the Protocol on SEA
1	2	3	4	5
National strategy for the development of the Kyrgyz Republic for 2018-2040. *Approved by the decree of the President of the Kyrgyz Republic from October 31, 2018, Presidential decree No. 221.*	The main strategic document of the country, the goal of which is to build a developed and truly independent country. It formulates the image of the country's future, the basic principles and ways of achieving development goals in all spheres of life - spiritual and political, social and economic. *Strategic documents (concepts, strategies, programmes) and plans for their implementation are developed in accordance with this Strategy.*	Adjusted every five years	Yes	Yes
Concept for the national security of the Kyrgyz Republic. *Approved by the decree of the President of the Kyrgyz Republic from June 9, 2012 No. 120.*	The system of views on ensuring the security of the individual, society and state in the Kyrgyz Republic from external and internal threats in all spheres of life. *Environmental security is an integral part of the country's national security.*	Adjusted every five years	Yes	No
Medium-term forecast of socio-economic development of the Kyrgyz Republic for 2020-2022. *Approved by the Resolution of the President of the Kyrgyz Republic from September 10, 2019 No. 465.*	This document defines the main directions for the development of key sectors of the economy for 2020, including a detailed description of their forecast values, and the prospects for the development of the country's economy for 2021-2022, built on the basis of official forecasts of sectoral ministries, state committees, administrative departments and regions.	Adjusted annually	Yes	Yes
Concept for the development of the forestry sector of the Kyrgyz Republic for the period up to 2040. *Approved by the resolution of the Government of the Kyrgyz Republic from May 27, 2019 No. 231.*	This is aimed at preserving forest ecosystems and increasing forest area by creating economic sustainability of forestry, improving joint forest management and introducing digital infrastructure.	Adjusted every five years	Yes	Yes

[36] This list follows the information about the State Programme provided at the official site http://government.kz/public/ru/documents/gosprograms?page=1. There may be other strategic documents under preparation, therefore this list requires updates reflecting the outcomes of the consultations on the needs assessment report.

National Energy Programme of the Kyrgyz Republic for 2008-2010 and the development strategy of the fuel and energy complex of the Kyrgyz Republic until 2025. *Approved by the Resolution of the Jogorku Kenesh of the Kyrgyz Republic (Parliament / Supreme Council) from April 24, 2008 No. 346-IV.*	The main goal is to improve the efficiency of the fuel and energy complex (F&EC), technical re-equipment and the development of the energy sector. Determines the goals, objectives and main directions for the medium and long-term energy policy of the country and establishes the mechanisms for its implementation.	Adjusted annually	Yes	Yes
Strategy for sustainable development of industry of the Kyrgyz Republic for 2019–2023. *Approved by the resolution of the Government of the Kyrgyz Republic from September 27, 2019 No. 502.*	Designed to develop industries and the exports, as well as to improve the competitiveness of the country's industrial products.	Adjusted annually	Yes	Yes
State programme for the development of irrigation in the Kyrgyz Republic for 2017-2026. Approved by the resolution of the Kyrgyz Republic from July 21, 2017 No. 440.	Provides for the construction of irrigation infrastructure to provide rural residents with new irrigated land. The new irrigated lands introduced for the cultivation of agricultural products will improve the socio-economic situation and ensure the development of the regions, as well as contribute to solving food security and alleviating poverty.	Adjusted every five years	Yes	Yes
The Programme of the *Government of the Kyrgyz Republic* for the development of the tourism sector for 2019-2023. *Approved by the resolution of the Government of the Kyrgyz Republic from January 31, 2019 No. 36.*	The Programme defines goals, objectives and various activities with specific deadlines, responsible implementors and financial resources to achieve effective results within the tourism sector. The main efforts are aimed at the comprehensive improvement of tourism infrastructure and increasing the quality of service within the industry.	Adjusted annually	Yes	Yes
Fisheries and aquaculture development programme in the Kyrgyz Republic for 2019-2023. Approved by the resolution of the *Government of the Kyrgyz Republic* from October 15, 2019 No. 546.	This is aimed at implementing sustainable fisheries and aquaculture management measures, and requires a holistic approach to development, which, along with solving production problems, takes into account the need to preserve the integrity of ecosystems, support social goals and ensure an integrated approach to the management of natural resources.	Adjusted annually	Yes	Yes
Concept for the development of road transport in the Kyrgyz Republic for 2020-2024. *Approved by the order* of the Ministry of Transport and Roads of*	Developed in order to create the necessary conditions for the future development and improvement of the road transport industry and the market for road transport services and infrastructure; ensuring an increase in the level and improvement of the quality of passenger and freight transport	Adjusted annually	Yes	Yes

the Kyrgyz Republic from January 15, 2020 No. 7. ** Resolution of the Government of the Kyrgyz Republic "On the delegation of certain rule-making powers of the Government of the Kyrgyz Republic to a number of state executive bodies" from September 15, 2014 No. 530.*	by road; reducing transport costs, as well as supporting domestic road carriers; and increasing the investment attractiveness of the road transport complex of the Kyrgyz Republic. *Road transport is the main mode of transport in the Kyrgyz Republic (95% of freight and passenger traffic is carried out by road).*			
Territorial development programmes	Concept of the regional policy of the Kyrgyz Republic for the period 2018-2022. *Approved by the resolution of the Government of the Kyrgyz Republic from March 31, 2017 No. 194* It is planned to develop and approve programmes for the socio-economic development of territories within the regions in an updated format. ○ Programme for the socio-economic development of the city of Bishkek for 2017-2020. The "City of Favourable Conditions" was approved by the resolution of the Bishkek city kenesh on October 3, 2017 No. 28. ○ Osh City Development Programme for 2019-2020. "Course towards sustainable development", approved by the resolution of the Osh city kenesh, dated December 26, 2018, No. 146. ○ Programmes aimed at the socio-economic development of aiyl aimaks (rural districts) for 2017-2020, approved by the resolutions of the ayil keneshes.	Adjusted annually	Yes	Yes
Draft Programs				
The draft resolution of the *Government of the Kyrgyz Republic "On the approval of the Strategy for the development of agriculture of the Kyrgyz Republic until 2040."*	The goal of the Strategy is to fully meet the needs of the population and the economy in terms of agricultural products and to ensure the country's food security.		Yes	Yes
The draft resolution of the *Government of the Kyrgyz Republic* "On the approval of the Concept of Development of the Fuel and Energy	The goal of the Concept is to ensure the energy security of the country and its regions, the availability of energy resources for each consumer in terms of quality and price and to improve the living standards of the population, as well as the energy efficiency of the real sector of the economy and sustainable		Yes	Yes

Complex of the Kyrgyz Republic until 2040."	development of the country and regions in the future.			
The draft resolution of the *Government of the Kyrgyz Republic* "On the approval of the Development strategies for the communications industry of the Kyrgyz Republic for 2020-2025."	The adoption and implementation of this Strategy will contribute to the development of the information society, increase the efficiency of the economy and public administration based on telecommunications infrastructure, as well as improve the quality of life of the population and the integration of the Kyrgyz Republic into the international telecommunications space.		Yes	Yes
The draft resolution of the *Government of the Kyrgyz Republic* "On the approval of the State Programme for Sustainable Waste and Secondary Resources Management for 2019-2023."	The programme is aimed at minimising the harmful effects of waste on human health, the environment and the rational use of natural resources by creating a sustainable waste management system and switching to low-waste and resource-saving technologies.		Yes	Yes
Draft Development Strategy for the Issyk-Kul Oblast (Region)	By the order of the Prime Minister, an interdepartmental working group was created in March, 2019 to come up with the Development Strategy of the Issyk-Kul region, which included the plenipotentiary of the Government in the Issyk-Kul region, representatives of the Government Office, relevant ministries and departments, the World Bank and independent experts.		Yes	Yes

6.4. Summary of the preliminarily identified priorities and specific actions

Following the results of the survey the project team has outlined the following priority actions necessary to introduce and further develop a national SEA system:

2. **Adopting SEA legislation** as one of two 'top' priorities: as the weak enforcement practice with the 'EIAs for strategic documents' in Kyrgyzstan shows, without the national legislative framework made of high-level laws, by-laws and guiding documents, the SEA application will not progress;
3. **Preparing guiding documents on SEA** to facilitate application of SEA is another 'top' priority: launching SEA practice (after adopting the SEA legislation) is often challenging due to a lack of understanding on how the legal provisions should be practically carried out; therefore, it is necessary to provide detailed guidance on SEA procedure as well as on the specific SEA-related topics;
4. **Organising trainings and awareness raising events** for environmental and health authorities, decision-makers, state planning agencies, environmental experts and practitioners, and CSOs and the public.
5. **Supporting application of SEA:** conducting pilot SEAs has proven to be the most efficient capacity building as it provides 'hands-on' opportunity for the relevant stakeholders to participate in the SEA, and can be effectively combined with training and awareness raising activities;
6. **Determining the financial resources** needed to support the application of SEA at various levels of program-making.
7. **Supporting the national networking and establishing an information sharing system** to enable exchange of experience and distribution of information on SEA, which is very important for enhancing the SEA practice as well as for efficient public participation and consultations.
8. **Organising exchange of experience in SEA with other countries** from selected countries is important to gain insights in the existing SEA systems and to enable exchange of experience.

6.5. Topics to be addressed in the action plan

The list below outlines topics and questions, which need to be discussed / determined within preparation of the action plan, in order to operationalize the priority actions identified above.

1. ***Developing and adopting new legislation***: The action plan should define activities needed to support the adoption of the draft EA Law including all the articles with SEA provisions to fully transpose the requirements of the Protocol on SEA.

   Further, it is necessary to consider the need for finalising and adopting either one or both by-laws that have been drafted, namely, *the Regulation on the Procedure for Conducting SEA in the Kyrgyz Republic* and *Procedure for conducting a Strategic Environmental Assessment (SEA) in the process of making environmentally significant decisions*. When doing this, it should be born in mind that in many terms they overlap or contradict each other and are not fully consistent with the draft SEA provisions. Thus, if both documents are planned to be kept, they should be made clearly complementary.

   Additional measures will be required to support the adoption of the SEA legal framework. This may include high-level awareness raising events for the key decision-makers, promotional materials, etc., which in turn is linked with the awareness raising and capacity building via, inter alia, pilot SEA applications (see below).

2. ***Specific topics to be addressed by the guiding documents on SEA***: Although revising and finalising the draft SEA Guidelines for the Kyrgyz Republic (2014) as per the version of the EA Law that will be adopted can be seen as the priority for the initial stages of establishing the SEA system, it will also be important to define topics to be addressed by specific guidelines. For instance, such guidelines can focus either on specific SEA steps – screening, scoping, public participation, etc, – or specific issues or sectors – agriculture, or consideration of climate change, health or biodiversity in SEA across various economy sectors of Kyrgyzstan.

3. ***Supporting practical application of SEA***: The action plan should identify sectors and optimally the specific plans and programmes to be a subject **of the pilot SEAs. Table 2** above lists some draft strategic documents that would classify as subjects of SEA. Yet, determining and agreeing the actual pilot SEA candidate will require an extensive communication between many actors, from the relevant planning agencies - initiators (owners) of the SEA candidate to the environmental and health authorities (in particular the SAEPF and the Ministry of Health), optimally supported by international organisations and donor community.

   A specific element of such communication about the SEA pilot will need to be the readiness of the responsible planning authority to integrate SEA suggestions in the strategic document and to adopt and/or implement them.

   The action plan can also outline main conditions/principles to be applied when selecting a strategic document for the SEA pilot and designing the SEA approach.

   At the initial stages of introducing the SEA system, Kyrgyzstan may consider focusing its efforts on application of SEA to the plans and programmes in the sectors of mining and other sectors of industry, energy, waste management, and agriculture (i.e. sectors with a higher potential to cause significant environmental and health effects as resulted from the survey). Such approach may facilitate easier recognition of the benefits of the SEA by the sectoral authorities. It may also allow to, as needed, suggest some possible enhancements of the new system before it is widely applied to all plans/programmes listed in Art. 4(2) of the Protocol on SEA.

4. ***Information sharing system on SEA and EIA***: It can be recommended that this system should be established as the centralised register for SEA and EIA documents and other relevant information (e.g. information about the public consultation meetings, etc.). The action plan can outline the requirements for the register including its technical features – suitable examples from other countries (the Czech Republic, the UK, Ukraine, Georgia, etc.) can be used as a basis.

5. ***Facilitating the discussion on the budgetary aspects***: SEA application beyond the pilot stage will have to be financed from the national budget. Therefore, it is important to ensure the necessary funds are available when the SEA will be required by the national legislation.

As allocation of finances may be a relatively long process, it would be important to launch an initial discussion together with or soon after the adoption of the EA Law (with the SEA provisions). The action plan can define activities needed such as dedicated high-level events for the key decision makers, establishing an expert group on SEA across governmental institutions, preparation of precise SEA-related cost estimates, presentation of examples from other countries regarding SEA-related costs etc.

6. ***Organising trainings and awareness raising events for environmental and health authorities, decision-makers, environmental experts and practitioners (both individual and from consulting companies), SCOs and the public***: The action plan should (i) define specific topics for the training and awareness raising events, and (ii) types of institutions and organisations and other participants to be invited to specific events. Integrating or linking the trainings / capacity building and awareness raising events with the SEA pilots should be discussed and considered as such synergies yield the most efficient results.
7. ***Establishing an institutional structure for SEA***: As estimated in **Section 6.3.2**, application of SEA in the scope stipulated by the Protocol on SEA and the draft SEA provisions will represent a significant workload, in particular for the SAEPF and the Ministry of Health. Therefore, the action plan can elaborate options on how the institutional structure should be arranged to manage the expected number of SEA procedures, which may also include a certain level of decentralisation of SEA-related tasks to sub-national levels involving e.g. seven Territorial Environmental Protection Departments of the SAEPF (Issyk-Kul, Naryn, Chu-Bishkek, Talas, Osh, Batken and Jalal-Abad) (as of today).
8. ***Developing capacities for transboundary consultations:*** Transboundary consultations represent an important part of SEA, therefore the action plan should – reflecting epy relevant provisions of the draft Environmental Code – outline activities to ensure there are sufficient capacities of relevant governmental agencies to carry out transboundary consultations and to consider their outcomes in SEA procedures.

Annex 1. QUESTIONNAIRE FOR THE NEEDS ASSESSMENT SURVEY (SHORT VERSION)

Dear participant,

Thank you for taking part in this survey! Your feedback is highly valued and will be carefully considered when analysing the results.

Introduction to the survey

This survey is a part of the technical assistance provided by the UNECE and OSCE regarding strategic environmental assessment (SEA), which shall result in *development of action plans or recommendations for establishing national SEA systems.*

The survey is to be carried out through questionnaire, which covers following topics:

- General information on the respondent's (personal and/or institutional) background
- Planning and environmental (including health) context
- Existing capacities for SEA and likely future needs
- Priorities and actions needed to introduce and further develop a national SEA system.

Introduction to SEA and its benefits

SEA is a step-by-step procedure to analyse and communicate environmental and health considerations related to development strategies, plans and programmes prepared by the governments. These considerations are collected in consultation with relevant authorities and the public so that decision makers can compare all the pros and cons of each planning option. Thus, SEA is a tool for governments to ensure sound economic development choices that benefit human health and the environment alike.

SEA can be applied to a wide range of governmental plans, programmes, policies, and other strategic documents, which establish the basis for future decisions on projects (which may require EIA or OVOS) in such diverse fields as agriculture, forestry, fisheries, energy, industry (including mining), transport, regional development, waste management, water management, telecommunications, tourism, town and country planning, and land use.

Effective application of SEA should result in a number of benefits including:

- Higher level of environmental and health protection: SEA identifies likely significant environmental and health effects of proposed strategic development options, and it equips planning authorities with suggestions to mitigate adverse effects and opens the planning to alternative development opportunities.
- Promoting sustainable economic development and facilitation of the green economies: SEA helps reach green economy targets by considering sustainable alternatives and encouraging the search for win-win options for further economic development within the carrying capacity of ecosystems.
- Improved planning by encouraging planners to consider a full range of risks and opportunities for more sustainable forms of development. Introducing a well-structured SEA framework in these countries makes planning more systematic, less sporadic and ultimately more effective.
- More efficient decision-making: Decision-making at the strategic level, which considers SEA outcomes, usually leads to fewer appeals and less discussion at the operational level. Such decision-making processes save time and are thus cost-effective.
- Improved governance by fostering higher transparency in planning and programming. SEA provides clear procedures for consultation and communication between the key national and local planning authorities, business and civil society.

- Prevention of costly mistakes that arise from neglecting environmental and health effects by providing early warning signals about environmentally unsustainable development options. SEA reduces the risk of costly remediation of harm or corrective actions, such as relocating or redesigning facilities.
- Strengthened EIA (or OVOS) processes: SEA can address effects that are difficult to grasp at the project level; in particular, SEA can provide an early warning of large-scale and cumulative effects. Therefore, certain aspects can be solved already at the strategic level, which streamlines application of environmental assessment at the project level.
- Prevention of inter-sectoral conflicts between various economic sectors within the country by examining the relationship of a plan or programme to other plans and programmes at the earliest stage of planning and offering alternatives that can help to avoid conflict.
- Tool for climate change adaptation and mitigation, by introducing climate change considerations into development planning. It is a particularly useful mechanism for introducing the consideration of climate change impacts in plans and programmes that are prepared for regional development planning and for town and country planning or land-use planning.

Questionnaire

General background and past experience

1. Name (leave blank if you want to keep anonymity):_____
2. Organisation/ institution _____

Considering environmental (including health) concerns in strategic planning and programming

3. To what extent are the environmental and health issues considered in the strategic planning process in your sector? Please think about the preparation and implementation of **plans and programmes** (i.e. 'strategic documents'), not the design or implementation of concrete projects.
   Please use the table below for your feedback – note that environmental and health issues should be ticked **separately**.

To what extent are the environmental and health issues considered in the strategic planning process in your country?	Environmental issue	Health issues
• Not at all		
• At minimum level – some environmental/health issues are mentioned in the documentation,		
• To a certain extent – only certain/the most important environmental/health issues are considered,		
• Environmental/health issues are analysed, but not taken into account when decisions are made,		
• Environmental/health issues are analysed and the findings are used in the decision-making.		

4. In your opinion, which sectors in your country prepare and implement plans, programmes or other strategic initiatives that can cause the largest environmental and/or health impacts? (select up to four sectors)
   - Water management
   - Transport
   - Energy
   - Agriculture
   - Fisheries

- Forestry
- Industry
- Mining
- Regional development planning
- Urban, rural and land-use planning
- Waste Management
- Telecommunications
- Tourism
- Other: _____

5. Is your institution responsible for preparation and/or adoption of any strategic documents?

   Yes / No

   A. If yes, please provide details, i.e. the names of plans and programmes, main focus, how often they are prepared/updated, how long planning process usually takes, what the approval procedure is.

   _____
   _____
   _____
   _____

   B. Do these plans, programmes, or other strategic documents undergo any type of environmental assessment (i.e. OVOS, SEE, or other tools)?

   Yes / No

   If yes, how it is implemented in practice?

   _____
   _____
   _____
   _____

Existing capacities for SEA and future needs

6. When you/your institution are dealing with environmental assessment, do you use some guidelines and instruction documents? If so, please list these guidelines, instructions and/or methodological recommendations that you [your institution] use.

   _____
   _____
   _____
   _____

7. Where do you usually seek advice on environmental assessment (e.g. methods to be applied)?
   - environmental and/or health authorities – friends and acquaintances working there
   - environmental and/or health authorities – officials in charge of the relevant issue
   - other sector institutions (e.g. other ministries) – friends and acquaintances working there that work on similar tasks
   - other sector institutions (e.g. other ministries) – officials in charge of similar tasks

- environmental consultancies
- Relevant researchers at various research institutions
- CSOs
- Friends and acquaintances from abroad that work on similar tasks or issues
- Other, please specify:

8. For likely forthcoming SEAs (whether a pilot or systematic application):
   - Is it clear who will be in charge of managing these SEA(s) on behalf of your institution?

     _____
     _____
     _____
   - Can you estimate the scope of SEA-related tasks your institution is supposed to perform?

     _____
     _____
     _____
   - Who will be most likely undertaking these SEA(s) - i.e. planning teams with internal environmental experts or external sub-contractors (consultancy companies)?

     _____
     _____
     _____
   - Have budgetary aspects been already discussed i.e. how to fund future SEAs/SEA-related activities?

     _____
     _____
     _____
   - Do you know suitable institutions/experts who would be able to carry our SEA?

     _____
     _____
     _____
   - What main challenges related to SEA application you would see?

     _____
     _____
     _____

Future priorities and actions

9. Which actions should be taken as a priority to introduce and establish a SEA system in your country? Please rank each option below using the scale from 1 (least needed) to 10 (most needed) and/or formulate additional actions [note that the same score cannot be used more than once]:

Recommendation / action	**Score (1 to 10)**
Developing and adopting new legislation	
Preparing guiding documents on specific topics (methods and tools for evaluating the impacts, quality control, how to consider climate change, biodiversity or else in SEA, etc.) or procedural aspects (screening, scoping, public participation, etc.)	
Preparing awareness raising materials (e.g. a leaflet on efficient public participation in SEA)	
Organising trainings and awareness raising events for	
i. Environmental and health authorities	

Recommendation / action	Score (1 to 10)
ii. Decision-makers	
iii. Environmental experts and practitioners	
iv. CSOs and public	
v. Other target group(s) – please specify:	
Supporting practical application of SEA (i.e. conducting pilot SEA)	
Organising exchange of experience in SEA with other countries from i. Central Asian region, ii. Eastern Partnership countries[37], iii. EU Member States (please indicate preferred region)	
Supporting the national networking and establishing an information sharing system (e.g. introducing national SEA and EIA database and establishing a network of environmental experts)	
Other (please specify): _____ _____ _____	

10. Please add any other points, comments, or suggestions regarding the current environmental assessment application and further development of SEA in your country.

_____

_____

_____

_____

_____

[37] Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine

Annex 2. LIST OF RESPONDENTS

1. Department for the Development of Forest Ecosystems of the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic
2. Rakiya Kalygulova, State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic
3. Zhamal Kadoeva, State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic
4. Crop Production Department, Ministry of Agriculture, Food Industry and Land Reclamation of the Kyrgyz Republic
5. Ministry of Agriculture, Food Industry and Land Reclamation of the Kyrgyz Republic
6. Department of Economic Analysis and Strategic Planning, State Committee for Industry, Energy and Mineral Resources of the Kyrgyz Republic
7. State Committee for Industry, Energy and Mineral Resources of the Kyrgyz Republic
8. Ministry of Transport and Roads
9. State Agency for Water Resources under the Government of the Kyrgyz Republic
10. Aitbek Mars uulu, State Agency for Architecture, Construction and Housing and Communal Services under the Government of the Kyrgyz Republic
11. Almaz Abdiyev, State Agency for Land Resources under the Government of the Kyrgyz Republic, State Institution "Cadastre"
12. Department of Disease Prevention and State Sanitary and Epidemiological Surveillance, Ministry of Health of the Kyrgyz Republic
13. Avtandil Esenamanov, Department of Tourism, Ministry of Culture, Information and Tourism of the Kyrgyz Republic
14. Ministry of Economy of the Kyrgyz Republic
15. Nazira Abdylasova, "Building Resilience to Natural Disaster Risks" Project Implementation Unit, Ministry of Emergency Situations of the Kyrgyz Republic
16. Independent consultant, EIA Developer
17. Nurlan Abdykalykov, EIA Developer, National Academy of Sciences, Institute of Biology
18. Zhanybek Orazaly uulu, EIA Developer
19. Djamilya Aitmatova, EIA Developer, Public Fund "AMAZonA.KG"

Annex 3. RESULTS AND FINDINGS OF THE SURVEY

Consideration of environmental and health issues in the planning processes – current practice

Environmental (including health) and planning context

The respondents were asked to what extent the environmental and health issues were considered in the strategic planning process in the country. All of the respondents answered this question, however six marked too many options for both environmental and health issues, therefore their answers were not counted, and two answered only the question regarding the health issues. Therefore, answers of 14 respondents are presented below.

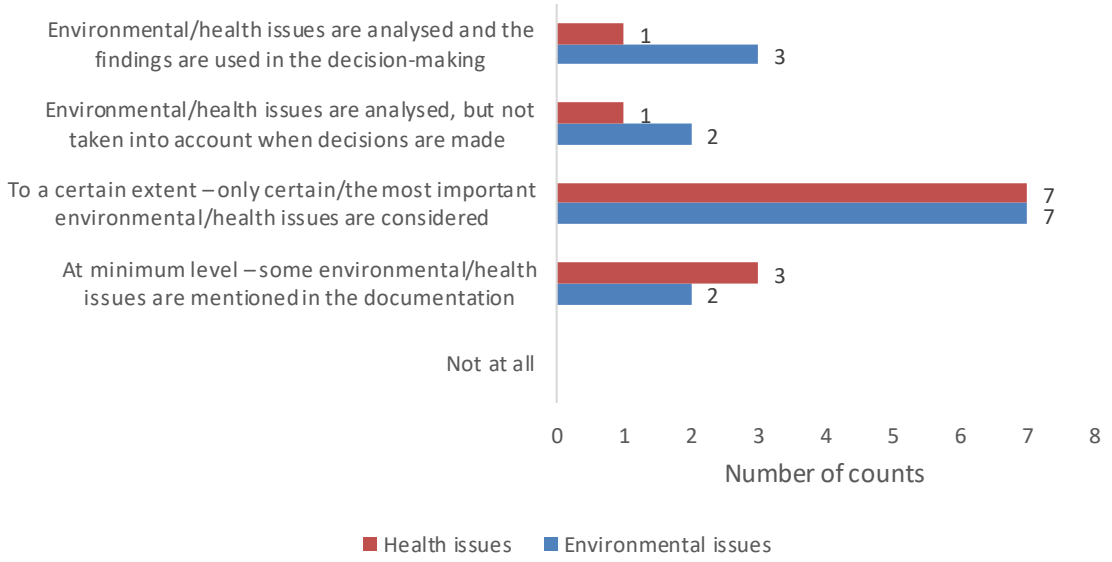

Figure 1. Extent to which the environmental and health issues are believed by the respondents to be considered in the strategic planning process in the country

With regards to <u>environmental issues</u>:

- 7 respondents think that environmental issues are considered to a certain extent – only certain/the most important issues are considered,
- 3 believe that the environmental issues are analysed and the findings are used in the decision-making,
- 2 claimed that the issues were analysed, but not taken into account when decisions are made, and
- 2 indicated that environmental issues were considered in the strategic planning process in the country at a minimum level, with some environmental issues being simply mentioned in the documentation,

With regards to <u>health issues</u>:

- 7 respondents think that health issues are considered to a certain extent – only certain/the most important health issues,
- 3 believe that they are considered at a minimum level (some health issues are mentioned in the documentation),
- 1 believes that health issues are analysed, but not taken into account when decisions are made, and
- 1 state that health issues are analysed and the findings are used in the decision-making.

In addition, one of the participants – EIA practitioner – with regards to environmental and health issues added: *"I think that recently these aspects have been constantly taken into account under public pressure. This is especially true for the prospects for the development of the mining industry. At the same time, these issues are considered mainly for those territories that can directly adjoin settlements and in one way or another can negatively affect the health of the population. For remote sites, these issues are not considered, or are considered in shortened form."* A representative from a Ministry of Transport and Roads of the Kyrgyz Republic pointed out that environmental and health issues are included in the Green Economy Development Programme in the Kyrgyz Republic for 2019-2023.

Strategic initiatives with likely significant effects

The respondents were asked to select four sectors of Kyrgyzstan, where plans, programmes or other strategic initiatives that can cause the most significant environmental and/or health effects. 18 out of 19 respondents answered this question.

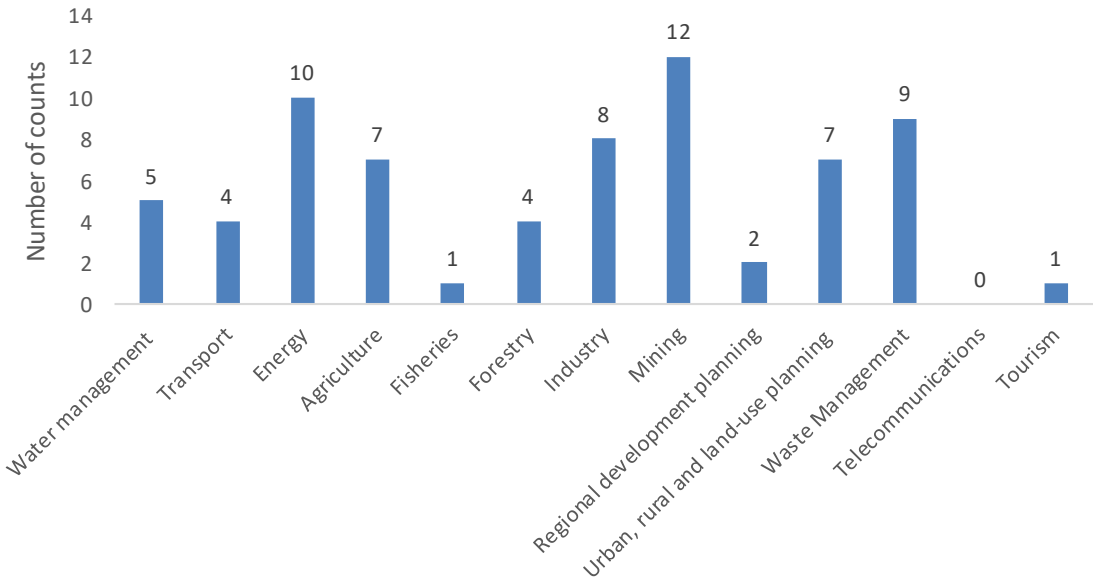

Figure 2. Sectors chosen by the respondents where the prepared and implemented plans, programmes or other strategic initiatives are believed to cause the largest environmental and/or health effects

To sum up the responses in the descending order of counts:

- the **mining** sector was chosen by 12 respondents,
- the **energy** sector – by 10,
- **waste management** sector was picked by 9 survey participants,
- the section of **industry** –by 8,
- two sectors of **agriculture** and **urban, rural and land-use planning** – by 7 respondents, each,
- the **water management** sector was selected by 5,
- two sectors of **transport and forestry** were picked by 4 responders, each
- the **regional development planning** sector was selected by 2 respondents, and two sectors of **fisheries and tourism** – by 1 respondent, each.

Responsibility for preparation and/or adoption of strategic documents and a consideration of a need for SEA

The respondents were asked if their institutions were responsible for preparation and/or adoption of any strategic documents. The question was answered by all 19 respondents, and 6 of those who answered stated that their institutions were not responsible for preparation and/or adoption of any strategic documents. Those who responded "Yes" were asked to provide details, i.e. the names of plans and programmes, main focus, how often they are prepared/updated, how long planning process usually takes, what the approval procedure is. Answers of 13 respondents are provided below:

- *"The Ministry of Health of the Kyrgyz Republic, within the framework of the implementation of the "A Healthy Person is a Prosperous Country" Programme of the Government of the Kyrgyz Republic on the protection of public health and development of the health care system for 2019-2030 developed an Action Plan for 2020, the measures / actions of which include environmental protection issues, in particular, "To assess the situation, develop and implement a regulation on the mechanism for the disposal of chemical and radiation medical waste."*
- *"Land policy concept, main goal: achieving sustainable land use."*
- *"Programme of the Government of the Kyrgyz Republic for the development of the tourism sector for the period 2019-2023 and the Action Plan for the implementation of the Programme, approved by the Government of the Kyrgyz Republic on January 31, 2019 No. 36;*
    - *The goal of the Programme is to create favourable conditions for the development of the domestic tourism industry in order to improve the country's image in the international arena and the contribution of tourism to the economy, taking into account the principles of sustainable tourism through an increase in its share in GDP of at least 7%, as well as comprehensively develop various types of tourism activities for to use the rich natural potential of the republic all year round with an annual increase in the influx of tourists by 10%;*
    - *The Programme is approved for a five-year period;*
    - *the planning and approval process lasts about 1-1.5 years;*
    - *approved by the resolution of the Government of the Kyrgyz Republic following the results of agreement with the ministries and departments of the Kyrgyz Republic, departments of the Government Office of the Kyrgyz Republic."*
- *"Carrying out research of flora and fauna for the conservation of biodiversity. Determination and accounting of species composition and their classification. Recommendations for their protection. Research papers are published."*
- *"Concepts, Short and Long Term Action Plans, approved by the Government."*
- *"To date, the Government of the Kyrgyz Republic has approved a number of regulations developed by the State Construction Committee of the Kyrgyz Republic:*
    - *the Strategy for the development of the construction industry of the Kyrgyz Republic for 2020-2030 dated January 17, 2020 No. 14;*
    - *the Programme of the Government of the Kyrgyz Republic on the development of master plans for settlements of the Kyrgyz Republic for 2018-2025 dated August 17, 2017 No. 490. Detailed information is stated on the official website of the State Construction Committee and the register database of the Ministry of Justice of the Kyrgyz Republic. At the same time, we note that the Gosstroy in many Programs, Concepts and Plans is a co-executor and executor. All procedures and development of regulatory legal acts are developed in accordance with the requirements of the legislation of the Kyrgyz Republic."*

- *"The Strategy for the Development of Agriculture of the Kyrgyz Republic for the period 2021-2025, the Concept for the Development of Organic Agricultural Production in the Kyrgyz Republic for 2017-2022, the Concept for the Conservation and Improvement of Soil Fertility in the Kyrgyz Republic for 2017-2020, the Programme for the Development of Fisheries and Aquaculture in the Kyrgyz Republic for 2019-2023 and other industry and departmental programmes."*
- *"State programmes aimed at the development of organic agriculture, seed production and various branches of crop production. These policy documents are designed for the short and medium term. The main focus is to assist farmers in the production and sale of grown agricultural products, government support for priority areas of the agricultural sector. The planning and approval process usually take 3 to 5 months. The approval procedure takes place in accordance with the Regulation of the Government of the Kyrgyz Republic."*
- *"Annual Action Plan of the Government of the Kyrgyz Republic, the Green Economy Development Programme and an Action Plan for its implementation; updated as needed; the planning process depends on the preparation time; approved by government decision."*
- *"Green Economy Development Programme in the Kyrgyz Republic for 2019-2023. A quarterly report on the implementation of items is sent to the Ministry of Economy of the Kyrgyz Republic, since this body is the consolidating body for this programme."*
- *"The State Agency for Architecture, Construction and Housing and Communal Services (hereafter – SAACHCS) under the Government of the Kyrgyz Republic has developed the following documents:*

  1. Concept for the development of the forestry sector of the Kyrgyz Republic for the period up to 2040, approved by the Resolution of the Government of the Kyrgyz Republic dated May 27, 2019 No. 231 (Department for the Development of Forest Ecosystems);

  2. The Programme of the Government of the Kyrgyz Republic on the Good Management of Chemicals in the Kyrgyz Republic for 2015-2017, approved by the Government of the Kyrgyz Republic on March 2, 2015 No. 91 (Centre for Environmental Safety);

  3. Concept of ensuring environmental safety of the Kyrgyz Republic, approved by the Decree of the President of the Kyrgyz Republic dated November 23, 2007 No. 506 (Department of Environmental Strategy and Policy), etc.

  4. The procedure for approval of draft decisions of the Government is carried out in accordance with the Law "On regulatory legal acts of the Kyrgyz Republic, the Regulation of the Government of the Kyrgyz Republic.

  5. SAACHCS specialists also take part in the work of interdepartmental working groups on the development of draft strategic documents"

  - *"SAACHCS developed:*

    1. Concept for Ensuring Environmental Safety in the Kyrgyz Republic, approved by the Decree of the President of the Kyrgyz Republic dated November 23, 2007 No. 506;

    2. Programme of the Government of the Kyrgyz Republic on the Proper Management of Chemicals in the Kyrgyz Republic for 2015-2017, approved by Government Decree dated March 2, 2015 No. 91;

    3. Concept for the Development of the Forestry Industry of the Kyrgyz Republic for the period up to 2040 approved by Government Decree dated May 27, 2019 No. 231, etc.

I will elaborate on the Concept for the Development of the Forestry Industry. To develop the draft Concept by the order of the SAEPF, a working group was formed. Organisational, technical and other support for the activities of the working group is entrusted to the Department for the Development of Forest Ecosystems of the SAEPF.

The Concept was developed based on the results of assessing the implementation of strategic directions of the Concept for the Development of the Forestry Industry, approved by Government Decree of April 14, 2004 No. 256 and in accordance with the Methodology for Strategic Planning of Sustainable Development, approved by order of the Ministry of Economy dated February 27, 2015 No. 45.

The concept contains goals, objectives and strategic directions of the long-term and medium-term vision, as well as an Action Plan for its implementation. The Action Plan details the priority directions for the development of the forestry sector for 2019-2023. and the phased implementation of the assigned tasks. The draft government decree and the substantiation reference to it were developed in accordance with the Law on Regulatory Legal Acts of the Kyrgyz Republic, Instruction on the Development of Draft By-laws of the Kyrgyz Republic, approved by Government Decree dated May 31, 2017 No. 313.

The draft Government Decree on Approval of the Concept (draft Concept, Action Plan, matrix of indicators for monitoring and evaluating the implementation of the Action Plan, budget of the Action Plan, justification reference) was sent by the SAEPF for approval to state bodies, then submitted for consideration to the Government Office.

The government adopted a resolution on Approval of the Concept for the Development of the Forestry Sector of the Kyrgyz Republic for the period up to 2040 dated May 27, 2019 No. 231."

As a follow up, the respondents were asked if these plans, programmes, or other strategic documents undergo any type of environmental assessment (i.e. OVOS, SEE, or other tools). The question was answered by 16 respondents. 6 of them chose "No" to it, while 1 respondent stated that "*We do not have such information"* and 1 said the following: *"I don't know, because in accordance with the current plan, activities for the ecological sector are implemented mainly by the competent authorities, such as State Inspectorate for Environmental and Technical Safety under the Government of the Kyrgyz Republic, State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic, SAACHCS under the Government of the Kyrgyz Republic, etc. In the process of coordinating and approving the Programme of the Government of the Kyrgyz Republic for the Development of the Tourism Sector for the period 2019-2023, these state bodies give their conclusion."*

3 respondents also added the following:

- 1 respondent claimed that *"In accordance with the Law on Environmental Expertise, the state environmental expertise is mandatory for all projects of economic activity, as well as for concepts, programmes and plans for territorial and sectoral development, regulatory and technical documents, legislative acts, etc., the implementation of which can have a negative environmental impact. Thus, the state ecological expertise is required both at the level of projects and at the level of strategic documents. "* .
- 1 stated the following: *"We believe that any regulatory legal act goes through the compliance procedure.";* and
- 1 expressed uncertainty stating that not all undergo such environmental assessment.

The respondents, who provided a "Yes" answer to the previous question then were asked how this assessment was implemented in practice. While 1 respondent was not sure, the other 6 said:

- *"Research of flora and fauna is one of the components in the EIA requirement. Research is carried out in accordance with the requirements of the legislation. Subsequently, the EIA undergoes the state environmental expertise.";*
- *"Programmes are analysed in terms of environmental impact.";*
- *"By the authorised body – State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic"*
- *"An assessment of possible risks and threats is carried out, measures are developed to reduce such threats or completely become obsolete.";*
- *"The initiator of the activity (in this case, a ministry or department) submits a draft decision of the Government and accompanying documents to it for the state environmental expertise. State Expertise is carried out for compliance of the document / documentation with the requirements of environmental legislation. Based on the results of the examination, a conclusion is issued.";*
- *"In the process of agreeing the drafts of these documents (signing approval sheets) in the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic. When conducting an independent environmental expertise of plans, programmes or other documents by specialised non-governmental organisations."*

To answer the next follow-up question: *If your institution develops strategic planning documents, have you considered (or internally discussed) the application of SEA to any of them*? If so, please provide details, 1 of the respondents said: *"The Department of Disease Prevention and State Sanitary and Epidemiological Surveillance, in accordance with the request for the selection of a site for construction, received from the territorial departments of the SAACHCS under the Government of the Kyrgyz Republic, considers and issues a conclusion on the compliance of this site with the requirements Sanitary and Epidemiological Rules and standards "Sanitary classification of enterprises, structures and other objects", approved by the Resolution of Government of the Kyrgyz Republic dated April 11, 2016 No. 201. Also, the draft Maximum Permissible Standards for discharges of pollutants into open water bodies of industrial. enterprises are reviewed and conclusions are issued."*

Another 1 mentioned *"Methodology for strategic planning of sustainable development and Methodology for the assessment and inventory of state strategic documents for compliance with the basics of strategic planning, approved by the Ministry of Economy of the Kyrgyz Republic."*

Yet another 1 answered: *"No. Strategic planning documents practically do not include environmental impact analysis."*

Existing strengths and challenges of current application of environmental assessment tools in the country

7 respondents were asked to select the existing challenges for the application of environmental assessment tools (EIA/OVOS, ESIA, SEA, SEE etc.) in Kyrgyzstan. 6 of them answered this question.

The following factors were listed by the respondents as the main existing challenges associated with EIA (OVOS):

i) Weak monitoring and post-project analysis schemes (i.e. limited control on how environmental assessment conclusions are implemented in practice) – was chosen 4 times;

ii) Lack of expert capacities to carry out relevant environmental (and health) analyses i.e. to evaluate the likely impacts, formulate relevant mitigation measures, prepare environmental report, etc., insufficient data and information on the environment and health status of the population and non-existence of national environmental assessment network or association of experts – 2 times each; and
iii) Lack of capacities within governmental authorities to coordinate environmental assessment procedures, low awareness on environmental assessment among project developers or decision-makers, non-existence of environmental assessment database and lack of finances for conducting environmental assessment were selected 1 time each.

For SEE, the lack of expert capacities to carry out relevant environmental (and health) analyses i.e. to evaluate the likely impacts, formulate relevant mitigation measures, prepare environmental report, etc. was believed to be the main challenge by 2 respondents. The lack of capacities within governmental authorities to coordinate environmental assessment procedures, insufficient data and information on the environment and health status of the population, weak monitoring and post-project analysis schemes (i.e. limited control on how environmental assessment conclusions are implemented in practice), non-existence of environmental assessment database, non-existence of national environmental assessment network or association of experts and lack of finances for conducting environmental assessment were each indicated by 6 respondents each.

For SEA, the respondents chose the following challenges:

i. Insufficient legal framework was selected 5 times;
ii. Low awareness on environmental assessment among project developers or decision-makers – 4 times;
iii. Unclear procedural steps as well as roles and responsibilities of main actors involved in the environmental assessment process (i.e. who should do what and when) and lack of capacities within governmental authorities to coordinate environmental assessment procedures were picked 3 times each;
iv. Lack of expert capacities to carry out relevant environmental (and health) analyses i.e. to evaluate the likely impacts, formulate relevant mitigation measures, prepare environmental report, etc. and lack of finances for conducting environmental assessment – 2 times each; and
v. Insufficient data and information on the environment and health status of the population, Weak monitoring and post-project analysis schemes (i.e. limited control on how environmental assessment conclusions are implemented in practice), non-existence of environmental assessment database and non-existence of national environmental assessment network or association of experts were chosen 1 times each.

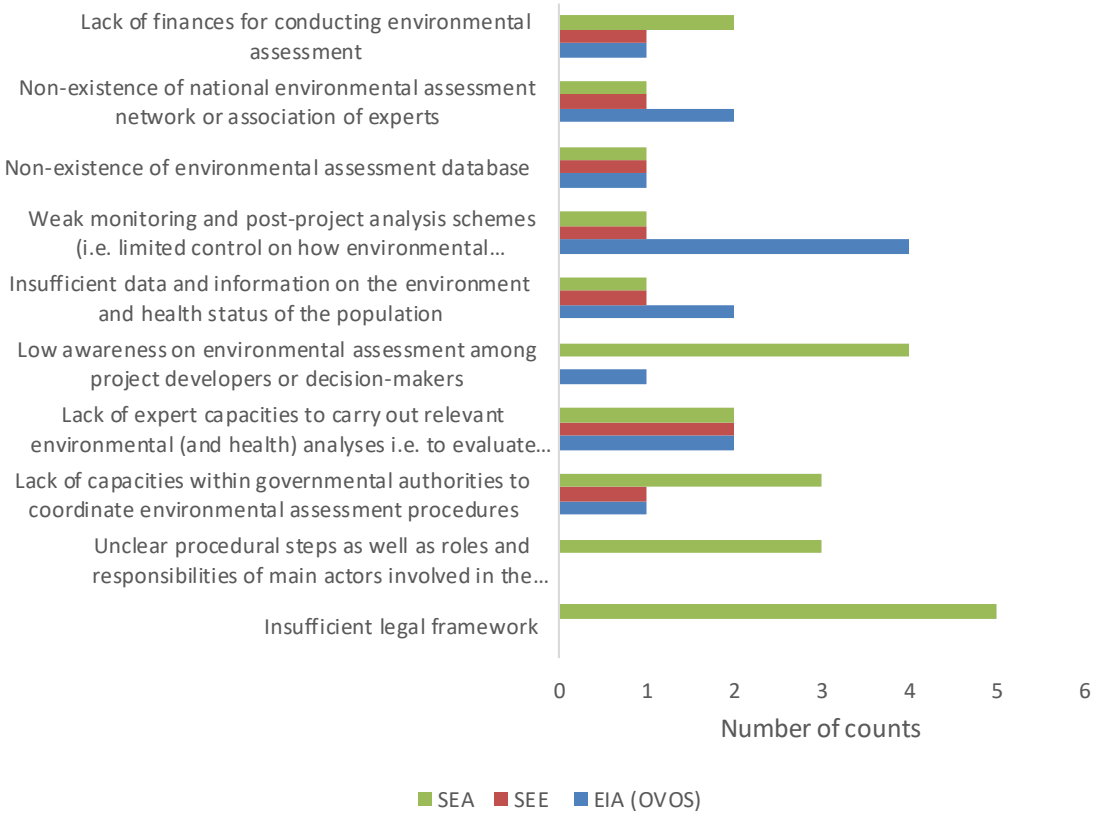

Figure 3. Challenges indicated by the respondents in relation to the application of environmental assessment tools

The same 7 respondents were asked to indicate the key strengths of the environmental assessment tools (EIA, ESIA, SEA, OVOS, SEE etc.) in Kyrgyzstan. 6 of them answered this question.

For EIA (OVOS), the key strength selected by 5 respondents was a profound and clear legal framework, followed by available guidelines / manuals / procedures on how to conduct the environmental assessment process which chosen by 4 respondents. Sufficient capacities among the experts to carry out relevant environmental (and health) analyses and prepare good-quality environmental report was believed to be a strength by 3 respondents and high awareness on environmental assessment among project developers or decision-makers – by 2; whereas sufficient data and information on the environment and health status of the population, availability of national environmental assessment network or association of experts, and sufficient capacities of authorities to coordinate EA processes were indicated by 1 respondent each.

When it came to SEE, 5 respondents agreed that a profound and clear legal framework was a major strength, while available guidelines / manuals / procedures on how to conduct the environmental assessment process and sufficient capacities of governmental authorities to coordinate environmental assessment procedures were selected as strengths by 3 respondents each. High awareness on environmental assessment among project developers or decision-makers and availability of national environmental assessment network or association of experts were selected by 2 respondents each, and sufficient capacities among the experts to carry out relevant environmental (and health) analyses and prepare good-quality environmental report – by 1.

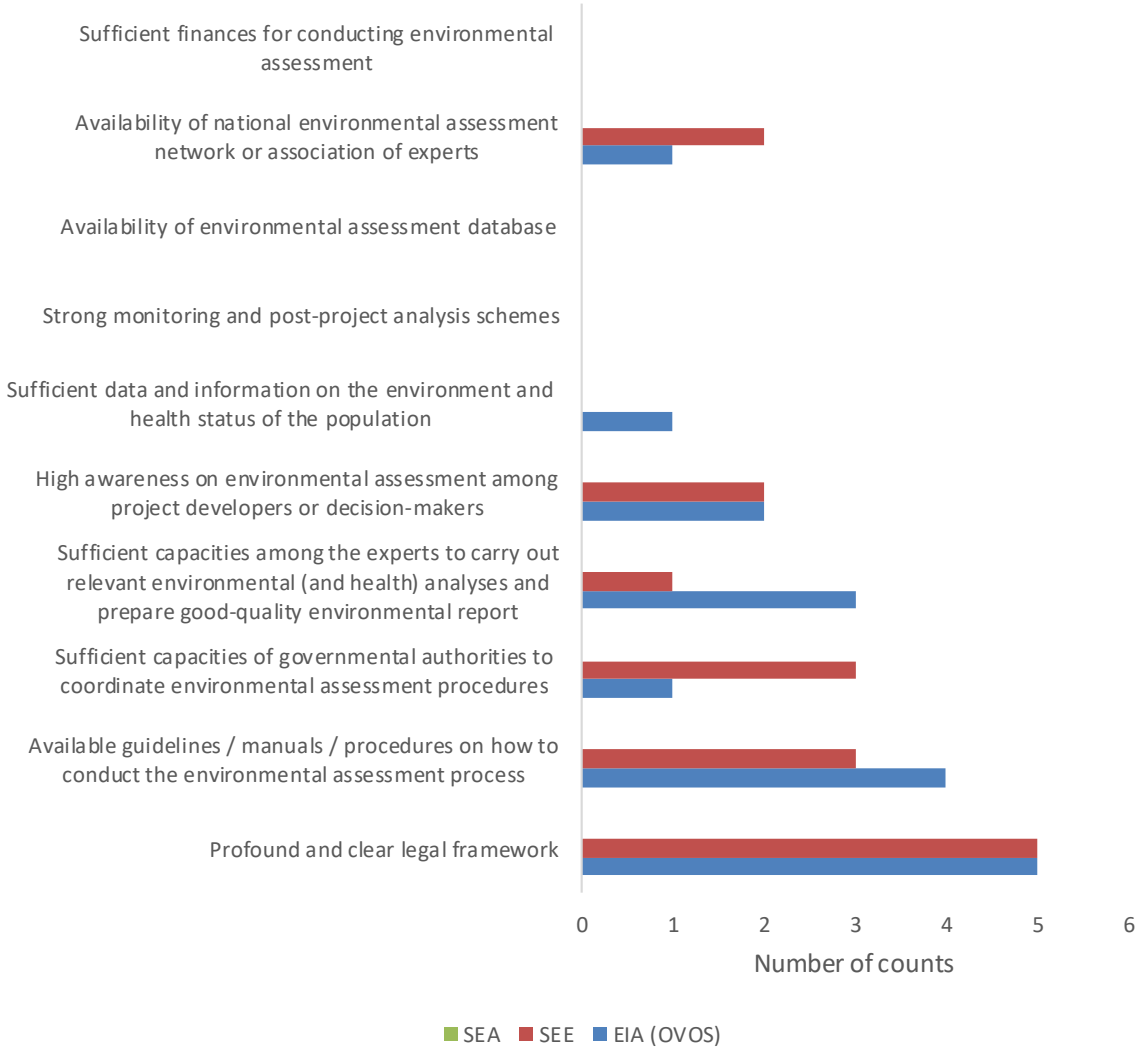

Figure 4. Strengths of the environmental assessment tools indicated by the respondents

State of development of legal SEA framework and SEA practice, and their inter-relation

The respondents were asked to evaluate the current state of the legal SEA framework and SEA practice. 7 out 19 respondents were asked this question; 1 out of 7 did not respond and 1 stated that she was not familiar with the national SEA system.

None of them believed that the legal SEA framework, SEA practice or correspondence between the legal framework and practice were fully developed (see the figure below). According to data, it was believed that the legal SEA framework, SEA practice and correspondence between the legal framework and practice were not developed by 4, 3 and 3 respondents respectively. Legal SEA framework, SEA practice and correspondence between the legal framework and practice were also perceived to be somewhat developed by 3 respondents each.

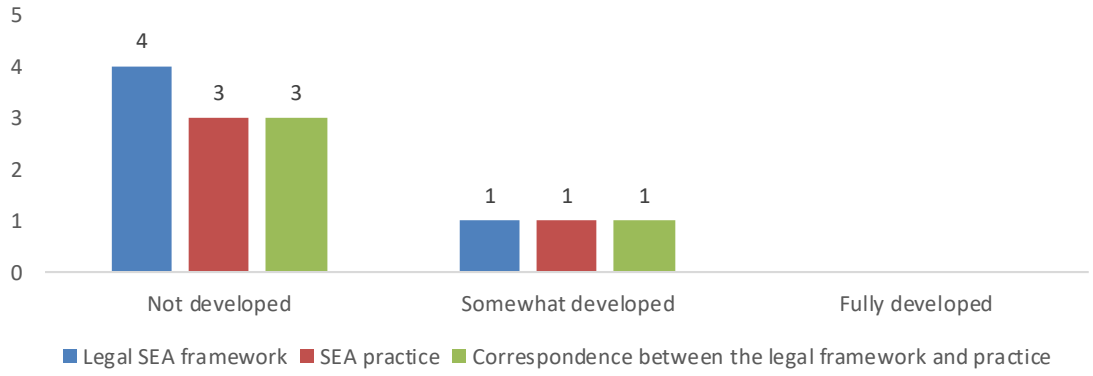

Figure 5. Evaluation of the current state of the legal SEA framework and SEA practice as well as the correspondence between the legal framework and practice by the respondents

Existing capacities for SEA and likely future demand for SEA capacities

Perception of SEA benefits and added value

The respondents were given a set of statements about SEA and were asked to rank them according to what extent the respondents agreed with them (**Figure 6**). 7 out of 19 respondents were asked to rank the statements. **Figure 6** demonstrates the number of times a particular statement was chosen by the respondents. Thus, 6 respondents agree that SEA is a useful tool for assessing and mitigating likely significant environmental effects of strategic documents and the quality of SEA depends entirely on amounts of data available and their quality. 5 respondents believe that SEA is a useful tool for greening economies and for attaining sustainable development goals (SGDs) and that it can be used as consensus-building tool. 4 respondents agree that SEA will contribute to improvement of EIAs.

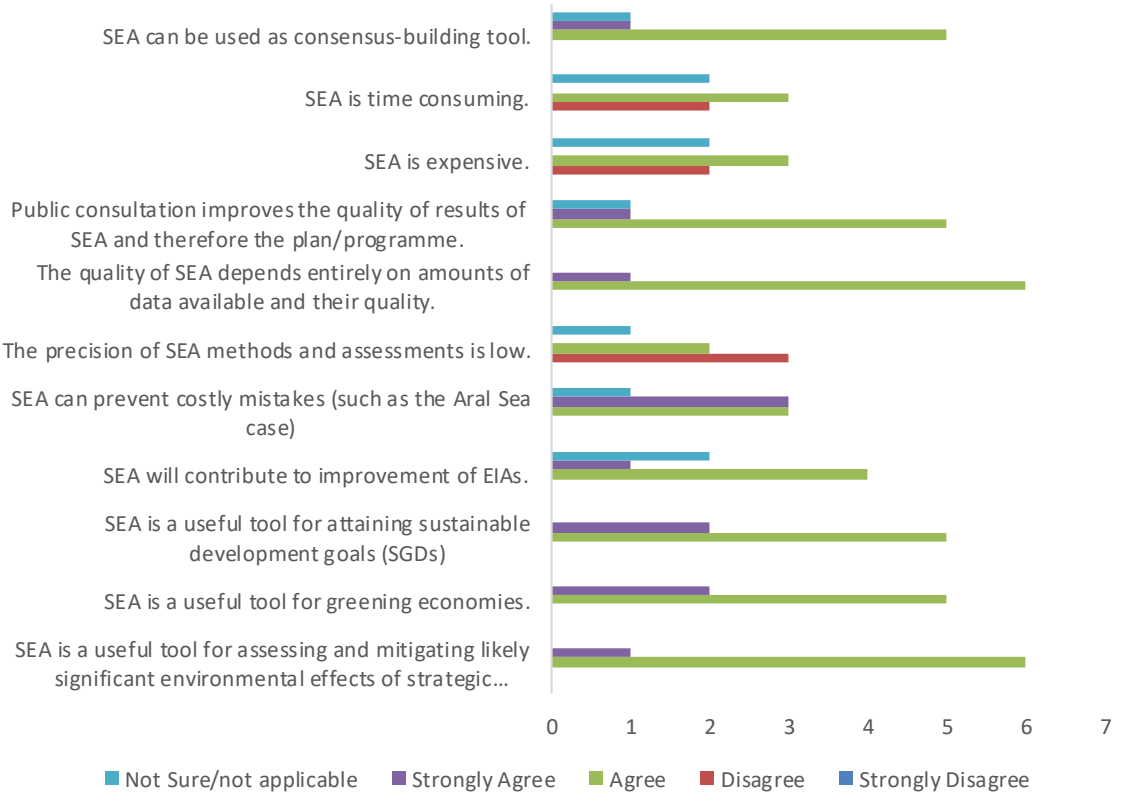

Figure 6. Counts of SEA's capacity statements selected by the respondents

Use of guidelines and instruction

The respondents were asked to list environmental assessment guidelines and instruction documents, in case such are used in their / their institutions' practice. The question was answered by 14 participants out of 19 asked. 7 of them answered that their institutions were not dealing with environmental assessment, 1 answered "Yes' without specifying the documents, and the rest listed the following:

- *Sanitary and Epidemiological Rules and Standards "Sanitary protection zones and sanitary classification of enterprises, structures and other objects", approved by the Decree of Government of the Kyrgyz Republic dated April, 11 2016 No. 201;*
- *Methods for determining the species composition of the animal and plant world. State legislation;*
- *Law on energy efficiency,*
- *Environmental and social policies of international donor institutions;*
- *Methodology for strategic planning of sustainable development and Methodology for the assessment and inventory of state strategic documents for compliance with the basics of strategic planning, approved by the Ministry of Economy of the Kyrgyz Republic;*
- *Regulation on the procedure for conducting environmental impact assessment in the Kyrgyz Republic approved by Decree of Government of Kyrgyz Republic dated February 13, 2015 No. 60;*
- *Regulations on the procedure for conducting state environmental expertise in the Kyrgyz Republic, approved by Decree of Government of Kyrgyz Republic dated May 7, 2014 No. 248;*
- *Instruction on the procedure for conducting legal, human rights, gender, environmental, anti-corruption expertise of draft bylaws of the Kyrgyz Republic, approved by Government Decree dated December 8, 2010 No. 319*
- *World Bank Operational Policy OR.01. Environmental Assessment.*

Advice of environmental assessment

The respondents were asked where they usually sought advice on environmental assessment (e.g. methods to be applied) (for response options refer to the figure below). All 19 respondents answered this question.

'Environmental and/or health authorities - officials in charge of the relevant issue' was the most frequently chosen source of getting a piece of advice on environmental assessment – it was chosen by 11 respondents. It was followed by the *'environmental consultanci*es', which was chosen by 9 respondents.

Advice is also sought from the environmental and/or health authorities – friends and acquaintances working there (7 respondents). Relevant researchers at various institutions were chosen by the respondents 5 times, while other sector institutions (e.g. other ministries) – officials in charge of similar tasks and friends and acquaintances from abroad that work on similar tasks or issues were selected 4 times.

NGOs and other sector institutions (e.g. other ministries) – friends and acquaintances working there that work on similar tasks were believed to be a source of advice by 3 respondents each.

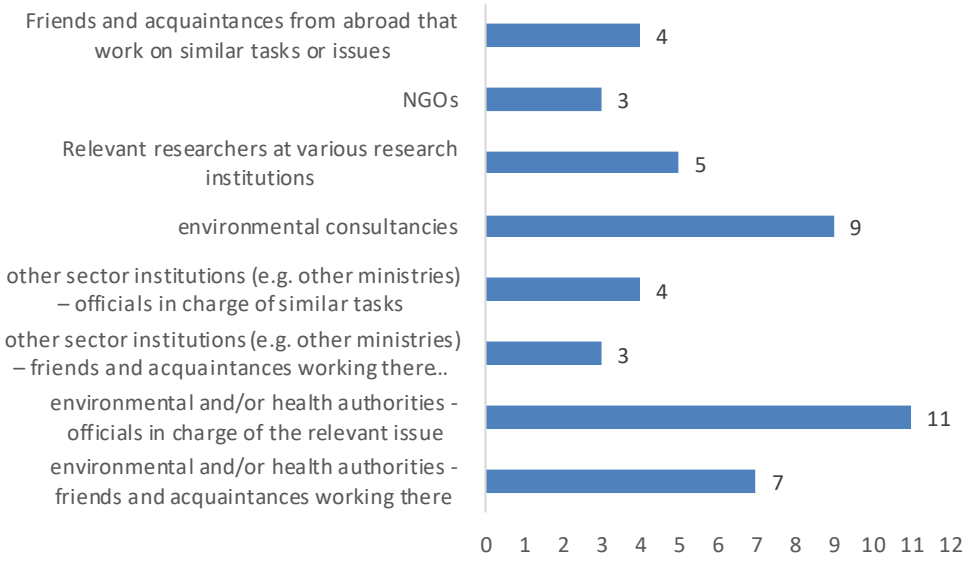

Figure 7. Sources for the advice on the environmental assessment versus number of times opted by the respondents

Managing future SEA

The respondents were asked the following questions: For likely forthcoming SEAs (whether a pilot or systematic application):

1. Is it clear who will be in charge of managing these SEA(s) on behalf of your institution?
2. Can you estimate the scope of SEA-related tasks your institution is supposed to perform?
3. Who will be most likely undertaking these SEA(s) - i.e. planning teams with internal environmental experts or external sub-contractors (consultancy companies)?
4. Have budgetary aspects been already discussed i.e. how to fund future SEAs/SEA-related activities?
5. Do you know suitable institutions/experts who would be able to carry our SEA?
6. What main challenges related to SEA application you would see?

3 out of 19 respondents provided no answers for all of the above questions and 1 respondent provided only one answer to one of the questions, while the responses received from the rest of the respondents were as follows:

1. 8 of the survey participants said that it was not clear who would be in charge of managing the SEA(s) on behalf of their institutions, 1 stated that this question is not applicable as he is an individual consultant. 2 indicated the Department of State Environmental Expertise of the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic, 2 said that a Manager would be responsible, while adding that it might be an assigned specialist, 1 indicated the Department of Strategic Planning, and 1 said that *"The person in charge is determined according to the instruction of the management of the Department of Tourism under the Ministry of Culture, Information and Tourism of the Kyrgyz Republic"*.

2. 10 respondents that they could not estimate the scope of SEA-related tasks that their institution would be supposed to perform; 2 hesitated: 1 could not estimate it fully, while the other 1 added that it is very difficult, because of the considerable volume of the SEA-related tasks; 1 respondent just circled "Yes", without providing details, and 2 respondents stated the following:
   - *"The assessment of the scope of tasks related to SEA will depend on the scale and sector of the planned program or development strategy.";*
   - *"Conducting assessments only for biological resources (fauna and flora)."*
3. 8 respondents indicated that planning teams with internal environmental experts would be most likely to undertake the SEA, 1 also specified the following: "*The planning teams with internal environmental experts will most likely be involved in preparing strategies or programs for sectors with lower potential environmental impacts, such as education, health, social and economic development. Whereas specialised consulting companies can be involved to assess complex programmes / strategies for the development of the subsoil use, energy, transport, etc. sectors."* 1 respondent said that it would be the external sub-contractors (consultancy companies), out of 2 respondents who believed that it would be a working group 1 added that *"the Department of Tourism can participate in the SEA working group as a participant with the inclusion of its representative."* 1 respondent found it difficult to answer this question, while the other 1 found the questions unclear saying that "*The question is unclear. Planning team – where? In a government institution or in a private company? In general, most likely, SEA should be assigned to any company with experience in this area, and then the results of the assessment should undergo the expertise of the authorised environmental protection body."* and 1 – answered "No" without providing any details.
4. 13 respondents said that budgetary aspects had not been discussed, with 1 believing because SEAs / SEA-related activities have not been conducted yet. 2 respondents answered that the budgetary aspects have been discussed, however in approximate amounts with 1 of them.
5. Ministry of Agriculture, Food Industry and Land Reclamation of the Kyrgyz Republic and NGO "Independent Environmental Expertise" were listed by 2 respondents as suitable institutions / experts who would be able to carry out SEA. 1 respondent said: *"Yes, there are several specialists in the country who could fulfill this task*". 1 respondent hesitated if knows such institutions / experts, while 1 stated: "*In the Kyrgyz Republic there is a limited number of specialists who could carry out SEA."* 7 respondents said that they do not know suitable institutions / experts who would be able to carry out SEA, and 1 added that his / her institution does not deal with development of strategic documents.
6. 1 respondent found it difficult to answer adding: *"I am not an expert in the field of ecology. Maybe could answer this question after the SEA is ready".* The following challenges were listed by other 12 respondents:
   a. Low awareness about SEA and the possibilities of applying SEA among the government bodies and ministries preparing national and sectoral development programmes and strategies; it will be necessary to raise awareness of the possibilities of applying SEA,
   b. Financing, specialists;
   c. Difficulties in identifying indicators;
   d. Finding interested organisations;
   e. Procedure for conducting;

f. Information on the regulatory framework governing this area;

g. Enforcement issues;

h. Impossibility or difficulty of environmental assessment of the impact of water resources on the environment;

i. If the obligation to SEA of strategic documents is legally introduced, capacity building is needed.

j. Lack of expertise;

k. Lack of legal requirements governing SEA;

l. Large financial costs for SEA and necessary research. Uncertainty of funding sources.

1 of the respondents added the following: "*I think there will be no problems. It is only necessary to monitor compliance with this provision at first, so that every project, policy or program is assessed, just as now no one has any questions about the need to undergo an EIA for any project. The main thing is that a sufficient pool of competent specialists is formed*.".

Future priorities and actions (including needs for capacity development)

Steps and actions recommended to take to enable a pilot or systematic SEA application for certain strategic documents

The respondents were asked to select and indicate an importance of steps and actions recommended to introduce and establish a SEA system in Kyrgyzstan using the scale from 1 (least needed) to 10 (most needed)[38].

Table 3. Step/action to introduce and establish SEA system in the country ranked on scale from 1-10 by the respondents

Step / action	Score (1-10)			
	0	1-4	5-7	8-10
Developing and adopting new legislation		2 counts	5 counts	12 counts
Preparing guiding documents on specific topics (methods and tools for evaluating the impacts, quality control, how to consider climate change, biodiversity or else in SEA, etc.) or procedural aspects (screening, scoping, public participation, etc.)			4 count	14 counts
Preparing awareness raising materials (e.g. a leaflet on efficient public participation in SEA)		5 counts	7 counts	6 counts
Organising trainings and awareness raising events for:				
Environmental and health authorities			8 counts	11 counts
Decision-makers		3 counts	2 counts	10 counts
Environmental experts and practitioners		4 count	6 counts	6 counts
NGOs and public		7 counts	3 counts	8 counts
Other target group(s) – please specify:				
Universities where disciplines in ecology and planning are taught				1 count
Specialists of the State Agency for Architecture, Construction				1 count

[38] The respondents were asked not to use the the same score more than once in order to rank the provided options, however, many have not done so, therefore an emphasis was made on the importance of the step / action rather the rank

Step / action	Score (1-10)			
	0	1-4	5-7	8-10
and Housing and Communal Services under the Government of Kyrgyz Republic, local authorities (aimaks, ayil okmotu)				
University students, enhancing schooling				1 count
Farmers				1 count
Local government bodies				1 count
Supporting practical application of SEA (i.e., conducting a pilot SEA)		3 counts	6 counts	8 counts
Organising exchange of experience in SEA with other countries from i. Central Asian region, ii. Eastern Partnership countries[39], iii. EU Member States (please indicate preferred region)		3 count	5 counts	9 counts
Supporting the national networking and establishing an information sharing system (e.g. introducing national SEA and EIA database and establishing a network of environmental experts)		6 counts	4 counts	9 counts
Other (please specify): _____				

The steps/actions that were given a rank from **8-10** the most, thus perceived as very important by the highest number of respondents were the following:

- Preparing guiding documents on specific topics (methods and tools for evaluating the impacts, quality control, how to consider climate change, biodiversity or else in SEA, etc.) or procedural aspects (screening, scoping, public participation, etc.) (14 counts);
- Developing and adopting new legislation (12 counts);
- Organising trainings and awareness raising events for environmental and health authorities (11 counts), for decision makers (10 counts);
- Organising exchange of experience in SEA with other countries from i. Central Asian region, ii. Eastern Partnership countries , iii. EU Member States (9 counts) , where 1 respondent indicated countries of Europe, Japan and South Korea, 1 – Central Asian region, while another 1 – Eastern Partnership countries as the preferred region;
- Supporting the national networking and establishing an information sharing system (e.g. introducing national SEA and EIA database and establishing a network of environmental experts) (9 counts).
- Supporting practical application of SEA (i.e., conducting a pilot SEA) (8 counts).

When asked to specify other target groups to organise trainings and awareness raising events for, 5 respondents added the following groups, marking them each as very important:

- Universities where disciplines in ecology and planning are taught;
- Specialists of the State Agency for Architecture, Construction and Housing and Communal Services under the Government of Kyrgyz Republic, local authorities, local authorities (aimaks, ayil okmotu);
- University students, enhancing schooling;
- Farmers;
- Local government bodies.

[39] Armenia, Azerbaijan, Belarus, Georgia, Moldova, and Ukraine

Further recommendations for setting up and developing SEA

The respondents were asked to add any other points, comments, or suggestions regarding the current environmental assessment application and further development of SEA in Kyrgyzstan. 11 respondents did not answer the question, 2 did not have any suggestions. 2 respondents added the following comments:

- *"The main task of the State Agency for Water Resources is to regulate relations in the field of management and use of water resources. The Agency, together with other administrative departments, develops and implements adaptation measures related to ensuring the resilience of the national water sector to negative climate impacts, protecting water resources from depletion and pollution, preventing and eliminating the consequences of the harmful effects of water resources on civil and industrial facilities, lands of the water fund and agricultural purposes, and natural ecosystems. But the functions of the Agency do not include the development of plans, programmes for environmental assessment of the impact of water resources on the environment. In this regard, the answers to the questions of this questionnaire are most of all relevant to environmental authorities and / or health authorities".*
- *"Currently, any project or activity must undergo an environmental assessment";*

The suggestions from the remaining 4 survey participants are as follows:

- *"**To consider the issue of the impact of the environment on the health of the population**, using an example of studying this issue in large cities of the Republic – Bishkek and Osh. Since this issue has not been studied for a long time, due to the lack of funds.";*
- *"**Creation of an organisation (institution)** that would continuously monitor the environmental assessment throughout the Kyrgyz Republic, inspect and take measures to impose fines on those responsible for the deterioration of the Kyrgyz Republic's ecology";*
- *"In the Kyrgyz Republic, EIA and SEE are carried out at a sufficient level. There is a legal and regulatory framework. There is a need to introduce SEA in the country in order to exclude a possible negative impact on the environment during the implementation of strategic documents, while **there is an urgent need for training, advanced training in this matter**";*
- *"**The training courses should be linked to the pilot SEA.** This approach will allow the participants of the events to apply the acquired knowledge in practice."*