

## Action plan for decision VII /8 k (Kazakhstan)

The action plan was posted on March 31, 2022 on the website of the working body on the Aarhus Convention of Kazakhstan <https://ecogofond.kz/orhusskaja-konvencija/tekst-konvencii/orhus-konvencijasyn-zh-zege-asyru-bojynsha-esep/> and discussed on social networks - Instagram of the IAC EP [https://www.instagram.com/p/CcK20\\_bLspa/?igshid=YmMyMTA2M2Y=](https://www.instagram.com/p/CcK20_bLspa/?igshid=YmMyMTA2M2Y=).

<p><b>A. _ Description of the action plan preparation process</b></p> <p>On the website of the Ministry of Ecology and Natural Resources of the Republic of Kazakhstan (hereinafter referred to as the Ministry) <a href="https://www.gov.kz/memleket/entities/ecogeo?lang=ru">https://www.gov.kz/memleket/entities/ecogeo?lang=ru</a> and on the Internet resource of the subordinate organization of the Ministry <a href="https://ecogofond.kz/gosudarstvennyj-fond-jekologicheskoy-informacii/">https://ecogofond.kz/gosudarstvennyj-fond-jekologicheskoy-informacii/</a>, as well as on social networks like Instagram <a href="https://instagram.com/iacoos.kz?utm_medium=copy_link">https://instagram.com/iacoos.kz?utm_medium=copy_link</a> and Facebook <a href="https://m.facebook.com/105353008146687/">https://m.facebook.com/105353008146687/</a> the draft Action Plan for decision VII/8k was published on Kazakhstan's compliance with the recommendations contained in this decision.</p> <p>The public concerned will have the opportunity to submit their written comments on the draft Action Plan for decision VII/8k (Kazakhstan) by email. address <a href="mailto:aarhus.kz@mail.ru">a aarhus . kz @ mail . ru</a>, which will be specified when publishing on official Internet resources and social networks.</p> <p>The interested public will be informed about the publication of the finalized draft Action Plan by decision VII / 8k through the official Internet resources and social networks of the Ministry and the subordinate organization.</p>	
<p><b>b . The general nature of the measures that will be required to implement the recommendations contained in the decision of the MOP</b></p> <p>In accordance with Article 31 of the Constitution of the Republic of Kazakhstan, the state aims to protect the environment that is favorable for human life and health. According to Article 13 of the Environmental Code of the Republic of Kazakhstan dated January 2, 2021 (hereinafter referred to as the Environmental Code), in order to ensure the right of every person of present and future generations to live in a favorable environment, the state <b><u>recognizes and guarantees the right of the public to participate in the process of adoption by state bodies and officials decisions on environmental issues.</u></b></p> <p>One of the principles of the environmental legislation of the Republic of Kazakhstan (<i>according to Article 5 of the Environmental Code</i>) is the principle of public participation, according to which the public has the right to participate in decision-making affecting environmental protection and sustainable development of the Republic of Kazakhstan, on the terms and in the manner established by the Environmental Code . State bodies and officials ensure the publicity of decisions planned for adoption that can have an impact on the state of the environment, on conditions that allow the public to express their opinion, which is taken into account when they are adopted.</p> <p>One of the forms of public participation in the adoption of state and managerial decisions affecting the issues of environmental protection and sustainable development of the Republic of Kazakhstan is public hearings.</p>	
<p><b>C. Detailed plan action</b></p>	
<p><b>Recommendation: Paragraph 2(a) of decision VII /8 k</b></p>	<p>In paragraph 2 (a) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to:</p>

	(a) To ensure that the mandatory requirements for the content of a public notice under Article 6(2) of the Convention are detailed in the law;
Proposed action to implement the recommendation	<p><b>In accordance with Article 6 (2)</b> of the Convention, in the Rules for Conducting Public Hearings dated August 3, 2021 No. 286 (hereinafter referred to as the Rules), the heading “Public Hearings” was developed on the Unified Environmental Portal ( ecoportal .kz ).</p> <p>According to paragraph 4 of Article 73 of the Environmental Code, the initiator is obliged to organize the distribution of the announcement of public hearings in Kazakh and Russian in at least one newspaper and through at least one television or radio channel distributed on the territory of the relevant administrative-territorial units, fully or partially located within the affected territory.</p> <p>The announcement of the holding of public hearings must be distributed by the methods specified in part one of this paragraph no later than twenty working days before the start date of the public hearings.</p> <p>The announcement of a public hearing must contain the following information:</p> <ol style="list-style-type: none"> <li>1) subject of public hearings;</li> <li>2) the place, date and time of the beginning of the public hearings;</li> <li>3) a link to the page of the Internet resource of the authorized body in the field of environmental protection, where you can get acquainted with the draft report on possible impacts, a copy of the statement on the planned activities;</li> <li>4) details and contact details of the initiator of the planned activity;</li> <li>5) e-mail address and phone number, where you can get additional information about the planned activities, conduct public hearings, as well as request copies of documents related to the planned activities;</li> <li>6) the e-mail address and postal address of the local executive body of the relevant administrative-territorial unit, for which the interested public can send in writing (on paper or electronic media) their comments and suggestions to the draft report on possible impacts.</li> </ol> <p>Annex 1 of the Rules took into account the requirements of public notification, namely:</p> <ol style="list-style-type: none"> <li>1) dissemination of the announcement of holding public hearings in the media, including at least one periodical print publication (newspaper);</li> <li>2) dissemination of an announcement about holding public hearings through at least one TV or radio channel;</li> <li>3) dissemination of the announcement of holding public hearings in places accessible to the interested public (information stands, bulletin boards).</li> </ol>
Brief description of the steps required to implement the proposed measures	Fulfilled

Persons involved	Ministry of Ecology and Natural Resources of the Republic of Kazakhstan, interested state bodies, local executive bodies, RSE "Information and Analytical Center for Environmental Protection", the public.
Final date when the implementation of the recommendation will be completed	Fulfilled
<b>Recommendation: Paragraph 2( b )( i ) of decision VII /8 k</b>	In paragraph 2( b )( i ) of decision VII / 8k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to: (a) Ensure that the time limits set for decision-making procedures under Articles 6 or 7 of the Convention are sufficient to enable the public to prepare and participate effectively, and: ( i ) To the extent possible, they should not coincide with public holidays and other non-working days;
Proposed action to implement the recommendation	According to paragraph 5 of the Rules for holding public hearings, the Unified Environmental Portal (hereinafter referred to as the Portal ) operates around the clock, except for weekends, holidays and technical breaks associated with repair work. There are terms for posting an announcement of holding public hearings on the Portal and the official Internet resource of local executive bodies of the relevant administrative-territorial units, as well as on the Internet resource of the state body-developer no later than thirty calendar days from the date of placement. Also, at least 20 working days before the announcement of the public hearing is distributed in the media. In accordance with paragraph 17 of the Rules, the date of holding public hearings through open meetings is set no earlier than twenty working days from the date of posting the announcement of holding public hearings in the mass media.
Brief description of the steps required to implement the proposed measures	Fulfilled
Persons involved	Ministry of Ecology and Natural Resources of the Republic of Kazakhstan, interested state bodies, local executive bo dies, RSE "Information and Analytical Center for Environmental Protection", the public.
Final date when the implementation of the recommendation will be completed	Fulfilled
<b>Recommendation: Paragraph 2( b )( ii ) of decision VII /8 k</b>	In paragraph 2( b )( ii ) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative measures and practical measures to:  (b ) Ensure that the time limits set for decision-making procedures under Articles 6 or 7 of the Convention are sufficient to enable the public to prepare and participate effectively, and that:  i ) the scope and complexity of the project or plan, program or policy are taken into account when setting the appropriate time frame;

<p>Proposed action to implement the recommendation</p>	<p>In accordance with paragraph 7 of Article 73 of the Environmental Code, interested state bodies and the public have the right to send their comments and suggestions to the local executive body of the relevant administrative-territorial unit in writing (on paper or electronic media) to the draft report on possible impacts no later than three working days before the start date of public hearings, or to voice their comments and proposals are made orally during public hearings.</p> <p>Comments and suggestions in writing (on paper or electronic media) received from interested state bodies and the public are entered by the local executive body of the relevant administrative-territorial unit in a summary table, which is submitted to public hearings together with a draft report on possible impacts.</p> <p>According to paragraph 12 of Article 73 of the Environmental Code, the duration of public hearings should not exceed five consecutive working days</p> <p>According to paragraph 18 of the Rules for holding public hearings, interested state bodies and the public send their comments and suggestions in writing to the documents submitted for public hearings through open discussions, no later than three working days before the start date of the public hearings.</p> <p>According to paragraph 45 of the Rules, drafts subject to public discussion are available from the date of their posting for comments and suggestions during:</p> <p><b>1. 20 working days - for the objects specified in subparagraphs 3-8 of Article 87 of the EC RK:</b></p> <p>“3) draft regulatory legal acts of the Republic of Kazakhstan developed by central state bodies and local government bodies, the implementation of which may lead to negative impacts on the environment;</p> <p>4) projects of natural-scientific and feasibility studies on the creation and expansion of specially protected natural areas, including their functional zoning and general infrastructure development plans, the transfer of lands of specially protected</p>
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natural areas into reserve lands, the abolition or reduction of territories of state nature reserves of the republican and local values and state protected areas of republican significance, management plans of an environmental organization, developed in accordance with the Law of the Republic of Kazakhstan "On Specially Protected Natural Territories";

5) materials of survey of territories, substantiating the attribution of these territories to zones of ecological disaster or ecological emergency;

6) projects of economic activity that may have an impact on the environment of neighboring states or for the implementation of which it is necessary to use natural objects common with neighboring states or that affects the interests of neighboring states, including the Baikonur complex, defined by international treaties of the Republic of Kazakhstan;

7) materials of a comprehensive environmental survey of lands where nuclear weapons tests were carried out in the past, as well as which were affected by military test sites;

8) forest management projects of state forest holdings and forest management and (or) special surveys to classify the state forest fund into categories, transfer from one category to another, as well as allocate especially protective areas where forest use is prohibited or limited";

**2. 20 working days for projects of environmental efficiency improvement programs;**

**3. As part of the procedure for issuing environmental permits during:**  
**15 working days - for project documentation for the construction and (or) operation of objects of the 2nd category;**  
**15 working days - according to project documentation for the construction and (or) operation of civil and residential facilities, provided for in paragraph 9 of the Rules for determining the general procedure for classifying buildings and structures as technically complex and (or) technologically complex facilities, approved by order of the Minister of National Economy of the Republic of Kazakhstan dated February 28, 2015 No. 165 ;**  
**10 working days - for the objects specified in subparagraph 9 of article 87 of the EC RK:**  
 "9) project documents for activities that do not require an environmental permit, for which the laws of the Republic of Kazakhstan provide for the mandatory presence of a positive conclusion of the state environmental expertise." ;

**4. 5 working days - for the objects specified in subparagraph 2 of article 87 of the EC RK:**  
 " 2 ) design documentation for the construction and (or) operation of objects of category III and other design documents provided for by this Code, necessary when preparing an environmental impact statement; " ;

**5. 10 working days - for project guides on best available techniques.**

Brief description of the steps required to implement the proposed measures	Fulfilled
Persons involved	State bodies, local executive bodies, the public
Final date when the implementation of the recommendation will be completed	Fulfilled
<b>Recommendation: Paragraph 2( c ) of decision VII /8 k</b>	In paragraph 2( c ) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to: (a) establish a clear and consistent requirement that all information relevant to decision-making be made available to the public, in accordance with Article 6(6) of the Convention;
Proposed action to implement the recommendation	<p>In accordance with paragraph 2 of article 73, in order to organize public hearings, the initiator:</p> <ol style="list-style-type: none"> <li>1) in accordance with the rules of public hearings, coordinate with the local executive bodies of the relevant administrative-territorial units the places, dates and times of public hearings;</li> <li>2) sends to the subordinate organization of the authorized body in the field of environmental protection and local executive bodies of the relevant administrative-territorial units for posting on official Internet resources: <ul style="list-style-type: none"> <li>• draft report on possible impacts;</li> <li>• if there is a commercial, official or other legally protected secret in the report – the documents specified in the first part of paragraph 8 of Article 72 of this Code;</li> <li>• announcement of public hearings, indicating the places, dates and time of the start of public hearings, agreed with the local executive bodies of the relevant administrative-territorial units.</li> </ul> </li> </ol> <p>According to paragraph 9 of article 73, public hearings are open to any persons wishing to participate in them, regardless of their place of residence. In the course of public hearings, any person participating in them has the right to voice their comments and suggestions on the draft report on possible impacts in accordance with the established rules of public hearings.</p> <p>In accordance with paragraph 3 of the Rules for Conducting Public Hearings, the Portal has a special section “Public Hearings ”, which contains information on public hearings and protocols of public hearings. Also, information is posted on the official Internet resources of local executive bodies of regions, cities of republican significance, the capital and state bodies that develop projects of state programs in the sectors listed in paragraph 3 of Article 52 of the Code (agriculture, forestry, fisheries, energy, industry (</p>

	<p>including exploration and mining) , transport, waste management, water management, telecommunications, tourism, urban and rural development planning, land use and protection), territorial development programs and master plans for settlements.</p> <p>According to paragraph 15 of the Rules of Public Hearings, Documents submitted for public hearings are posted for review on the Portal and the official Internet resource of local executive bodies of the relevant administrative-territorial units (regions, cities of republican significance, the capital), as well as on the Internet resource of the state developer body no later than thirty calendar days from the date of posting.</p>
Brief description of the steps required to implement the proposed measures	<b>Fulfilled</b>
Persons involved	Ministry of Ecology and Natural Resources of the Republic of Kazakhstan, interested state bodies, local executive bodies, RSE "Information and Analytical Center for Environmental Protection", the public.
Final date when the implementation of the recommendation will be completed	Fulfilled
<b>Recommendation: Paragraph 2( d ) of decision VII /8 k</b>	<p>In paragraph 2 ( d ) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to urgently take the necessary legislative, regulatory and administrative and practical measures to:</p> <p>(b) ensure that, in accordance with Article 6(7) of the Convention, the submission of comments by the public is not limited to reasoned or “well-founded” comments;</p>
Proposed action to implement the recommendation	<p>In accordance with paragraph 18 of the Rules for holding public hearings (hereinafter referred to as the Rules), the interested state bodies and the public send their comments and suggestions in writing (on paper or electronic media) to the documents submitted to public to the subordinate organization of the authorized body in the field of environmental protection. hearings, no later than three business days before the start date of the public hearings.</p> <p>In accordance with paragraph 19 of the Rules, the received comments and suggestions are posted on the Portal under the heading "Public hearings" and sent to local executive bodies of the relevant administrative-territorial units (oblasts, cities of republican significance, the capital) for posting on the official Internet resource .</p> <p>Also, in the process of holding public hearings, the public has the right to voice their questions, comments and suggestions.</p> <p>In accordance with the Rules of Public Hearings, in the course of public hearings, any person participating in</p>

	them has the right to voice their comments and suggestions, and all comments and suggestions are entered into the minutes of public hearings.
Brief description of the steps required to implement the proposed measures	performed
Persons involved	Ministry of Ecology and Natural Resources of the Republic of Kazakhstan, interested state bodies, local executive bodies, RSE "Information and Analytical Center for Environmental Protection", the public.
Final date when the implementation of the recommendation will be completed	performed
<b>Recommendation: Paragraph 2(e) of decision VII /8 k</b>	In paragraph 2 (e) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to:  (c) establish appropriate procedures, which are not limited to the publication of decisions only on websites, to promptly notify the public of the findings of environmental expertise and facilitate public access to these decisions, in accordance with Article 6 (9) of the Convention;
Proposed action to implement the recommendation	The module "Public hearings" has been created on the Unified Environmental Portal. The objective of the "Public Hearings" module is to centralize all letters of inquiry and announcements of planned management, economic, investment and other activities, as well as protocols of public hearings. The Committee welcomes the creation of a Single Environmental Portal, but considers it inappropriate to establish special procedures, in addition to the website, aimed at promptly informing the public about the results of environmental expertise, since this jeopardizes the protection of the rights and legitimate interests of entrepreneurs and business development in general. At the same time, it should be noted that according to the Bureau of National Statistics of the ASPiR of the Republic of Kazakhstan, the Internet penetration rate in Kazakhstan is 89.2% among the economically active population aged 16 to 74 years. The conclusion of the state environmental Expertise is published on the Unified Environmental Portal. In addition, the conclusion of the state environmental expertise can be obtained from the State Environmental Information Fund and obtained free of charge at the request of the public within the framework of the state service "Provision of environmental information" within a one-day period.
Brief description of the steps required to implement the proposed measures	Fulfilled
Persons involved	Ministry of Ecology and Natural Resources of the Republic of Kazakhstan, interested state bodies, local executive bodies, RSE "Information and Analytical Center for Environmental Protection", the public.



Final date when the implementation of the recommendation will be completed	Fulfilled
<b>Recommendation: Paragraph 2( f ) of decision VII /8 k</b>	In paragraph 2 ( f ) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to:  (d) keep and make available to the public, through publicly available lists or registers, copies of decisions subject to Article 6, after they have been taken, and other information relevant to the decision-making;
Proposed action to implement the recommendation	According to paragraphs 13, 30, 39 and 48 of the Rules for holding public hearings, the subordinate organization of the authorized body in the field of environmental protection ( RSE "Information and Analytical Center for Environmental Protection") all materials of public hearings, including (signed Protocols, video and audio recordings public hearings) are posted on the Unified Environmental Portal and sent to local executive bodies of the respective administrative-territorial units for posting on their official Internet resources. Also, this information is stored in the State Fund for Environmental Information and is provided free of charge at the request of the public as part of the state service "Providing environmental information" within a one-day period. According to paragraph 2 of Article 25 of the Environmental Code, the State Environmental Information Fund is maintained in order to ensure the realization of the public's right to access environmental information, environmental education and improvement of the ecological culture of the population, as well as information support for State bodies.
Brief description of the steps required to implement the proposed measures	Fulfilled
Persons involved	Ministry of Ecology and Natural Resources of the Republic of Kazakhstan, interested state bodies, local executive bodies, RSE "Information and Analytical Center for Environmental Protection", the public.
Final date when the implementation of the recommendation will be completed	executed
<b>Recommendation: Paragraph 2( g )( i ) of decision VII /8 k</b>	In paragraph 2( g )( i ) of decision VII / 8k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to:  (e) (e) Ensure that appropriate practical and/or other provisions are in place for public participation in the preparation of plans under Article 7 of the Convention, including clear requirements to ensure that:  (i) necessary information provided the public ;

Proposed action to implement the recommendation

One of the principles of the environmental legislation of the Republic of Kazakhstan (*according to Article 5 of the Environmental Code*) is the principle of public participation, according to which the public has the right to participate in decision-making affecting environmental protection and sustainable development of the Republic of Kazakhstan, on the terms and in the manner established by the Environmental Code. State bodies and officials ensure the publicity of decisions planned for adoption that can have an impact on the state of the environment, on conditions that allow the public to express their opinion, which is taken into account when they are adopted.

According to paragraph 13 of the Rules for holding public hearings, the subordinate organization of the authorized body in the field of environmental protection RSE "Information and Analytical Center for Environmental Protection" within two working days, places documents on the Unified Environmental Portal and sends them to local executive bodies of the respective administrative-territorial units for placement on the official Internet resource.

In accordance with paragraph 4 of Article 18 of the Law "On Legal Acts", as well as paragraph 10 of the Rules for the development, approval of draft by-laws of regulatory legal acts, approved by the Decree of the Government of the Republic of Kazakhstan dated October 6, 2016 No. 569, the developed drafts of by-laws of regulatory legal acts, together with explanatory notes and comparative tables to them (in cases of amendments and (or) additions to by-laws), before being sent for approval to the interested state bodies, are posted for public discussion on the Internet portal of open regulatory legal acts, as well as on the Internet resource state body-developer.

According to Article 5 of the Constitution of the Republic of Kazakhstan, "the right to access to information may be restricted only by laws and only to the extent necessary for the protection of the constitutional order, protection of public order, human rights and freedoms, health and morals of the population."

The main documents regulating access to environmental information in Kazakhstan are the Environmental Code, the Law "On the Procedure for Considering Appeals of Individuals and Legal Entities", the Law "On Access to Information", the Law "On Informatization", the Standard of the State service "Provision of Environmental Information", approved by the Order of the Minister of Energy of the Republic of Kazakhstan dated 23.04.2015 No. 301.

According to Article 10 on access to information (Law of the Republic of Kazakhstan dated November 16, 2015 No. 401-V SAM)

Ways to ensure access to information Access to information is provided in the following ways:

- 1) providing information on request;
- 2) placement of information in the premises occupied by the owners of the information and in other places

	<p>designated for these purposes;</p> <p>3) providing access to the meetings of the boards of state bodies in accordance with the legislation of the Republic of Kazakhstan and online broadcasting of open meetings of the Chambers of the Parliament of the Republic of Kazakhstan, including joint, local representative bodies of the region, the city of republican significance, the capital and the boards of state bodies held at the end of the year, on Internet resources;</p> <p>4) hearing and discussing reports of heads of central executive bodies (with the exception of the Ministries of Defense, Foreign Affairs of the Republic of Kazakhstan), akims and heads of national higher educational institutions;</p> <p>5) placement of information in the mass media;</p> <p>6) by posting information on the Internet resource of the owner of the information;</p> <p>7) by posting information on the relevant components of the e-government web portal;</p> <p>8) in other ways not prohibited by the legislation of the Republic of Kazakhstan.</p> <p>According to article 18 of the Environmental Code, Access to environmental information</p> <p>1. The public has the right to access to complete, reliable and timely environmental information available to state bodies, including those produced or received by them, or in the possession of any natural or legal person acting on behalf of a state body.</p> <p>2. Holders of environmental information are obliged to provide environmental information upon request, except for the cases provided for in Article 20 of this Code. No one has the right to demand from an applicant who has made a request for environmental information to provide a justification for his interest in receiving such information.</p> <p>3. Holders of environmental information are recognized as:</p> <p>1) bodies and institutions of the legislative, executive and judicial branches of state power, local government and self-government;</p> <p>2) state institutions that are not state bodies whose activities or services are related to the environment;</p> <p>3) quasi-public sector entities whose activities or services are related to the environment;</p> <p>4) individuals and legal entities – in terms of the environmental information they possess.</p> <p>4. The public also has the right to free and free access to publicly accessible state electronic information resources containing environmental information.</p>
Brief description of the steps required to implement the proposed measures	Fulfilled
Persons involved	Ministry of Ecology and Natural Resources of the Republic of Kazakhstan, interested state bodies, local executive bodies, RSE "Information and Analytical Center for Environmental Protection", the public.

Final date when the implementation of the recommendation will be completed	Fulfilled
<b>Recommendation: Paragraph 2 ( g ) ( ii ) of decision VII /8 k</b>	<p>In paragraph 2( g )( ii ) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to:</p> <p>(g) Ensure that appropriate practical and/or other provisions are in place for public participation in the preparation of plans under Article 7 of the Convention, including clear requirements to ensure that:</p> <p>(ii) ( ii ) the public that may participate is determined by the relevant public authority;</p>
Proposed action to implement the recommendation	<p>According to article 15 of the Environmental Code, public participation in decision-making</p> <ol style="list-style-type: none"> <li>1. The public concerned shall have the right to participate, on the terms and in the manner prescribed by this Code, in the process of environmental assessment and adoption by state bodies and officials of other decisions on environmental issues.</li> <li>2. The public concerned in this Code means the public whose interests are affected or may be affected by decisions taken on environmental issues, or who is interested in participating in the process of making these decisions. Non-profit organizations whose statutory objectives include the promotion of environmental protection as a whole or its individual elements are considered to be interested organizations.</li> <li>3. Within the procedures defined by this Code, representatives of the public concerned have the right to submit any comments, information, analysis or opinions that they consider relevant to the proposed activity or decision, in writing or electronically and orally, including during public hearings, when they are provided for by this Code.</li> <li>4. The results of public participation should be reflected in the relevant decisions taken by a State body or an official on environmental issues.</li> <li>5. State bodies or officials who have taken a decision on issues related to the environment are obliged to immediately inform the public concerned about this by submitting to it, in accordance with the procedure defined by this Code, the text of the decision, together with an indication of the reasons and arguments that formed the basis of this decision.</li> </ol> <p>Paragraph 9 of Article 73 of the Environmental Code stipulates that public hearings are open to any person wishing to take part in them, <b><u>regardless of their place of residence</u></b> . In the process of holding public hearings , <b>any person participating in them has the right</b> to voice their comments and suggestions.</p> <p>In accordance with paragraph 7 of the Rules, public hearings on documents, the planned activity on which may have an impact on the territory of more than one administrative-territorial unit (oblasts, cities of republican significance, the capital, districts, cities of regional, district significance, rural districts, towns, villages) are held on the territory of each such administrative-territorial unit, including:</p> <ol style="list-style-type: none"> <li>1) in each administrative center of regions, cities of republican significance and the capital, if the territory of the entire republic is affected;</li> </ol>

	<p>2) in each administrative center of regions, cities of republican significance and (or) the capital, if the territory of several regions, cities of republican significance and (or) the capital is affected;</p> <p>3) in each administrative center of the districts, if the territory of several districts is affected;</p> <p>4) in each village (rural district), township, city of regional and district significance, if the territory of several villages (rural districts), towns, cities of regional and district significance is affected.</p>
Brief description of the steps required to implement the proposed measures	Fulfilled
Persons involved	State bodies, the public
Final date when the implementation of the recommendation will be completed	Fulfilled
<b>Recommendation: Paragraph 2( g )( iii ) of decision VII /8 k</b>	<p>In paragraph 2( g )( iii ) of decision VII /8 k , the Meeting of the Parties requests the Party concerned to take, as a matter of urgency, the necessary legislative, regulatory and administrative and practical measures to:</p> <p>(f) Ensure that appropriate practical and/or other provisions are in place for public participation in the preparation of plans under Article 7 of the Convention, including clear requirements to ensure that:</p> <p>(iii) the requirements of Article 6 (3), (4) and (8) of the Convention apply;</p>
Proposed action to implement the recommendation	<p>Paragraphs 15 and 17 of the Rules provide for the timing of posting an announcement of holding public hearings on the Portal and the official Internet resource of local executive bodies of the relevant administrative-territorial units, as well as on the Internet resource of the state body- developer <b>no later than thirty calendar days from the date of placement</b>, as well as <b>not less than 20 working days</b> notice of the public hearing is distributed in the media.</p> <p>According to paragraph 13 of the Rules for holding public hearings, the subordinate organization of the authorized body in the field of environmental protection, within two working days, places documents on the Portal and sends them to local executive bodies of the relevant administrative-territorial units for placement on the official Internet resource .</p> <p>According to paragraph 45 of the Rules, projects subject to public discussion will be available from the date of their placement for comments and suggestions during:</p> <p>6. 20 working days - for the facilities specified in subparagraphs 3-8 of Article 87 of the EC RK;</p> <p>3) drafts of regulatory legal acts of the Republic of Kazakhstan developed by central state bodies and local</p>

	<p>government bodies, the implementation of which may lead to negative impacts on the environment;</p> <p>4) projects of natural science and feasibility studies on the creation and expansion of specially protected natural territories, including their functional zoning and general infrastructure development plans, the transfer of lands of specially protected natural territories to reserve lands, the abolition or reduction of territories of state nature reserves of republican and local significance and state protected areas of republican significance, management plans environmental organization, developed in accordance with the Law of the Republic of Kazakhstan "On Specially Protected natural territories";</p> <p>5) materials of the survey of territories justifying the assignment of these territories to zones of ecological disaster or ecological emergency;</p> <p>6) projects of economic activity that may have an impact on the environment of neighboring states or for the implementation of which it is necessary to use natural objects shared with neighboring states or which affects the interests of neighboring states, including the Baikonur complex, defined by international treaties of the Republic of Kazakhstan;</p> <p>7) materials of a comprehensive environmental survey of lands where nuclear weapons tests were conducted in the past, as well as those that were exposed to military landfills;</p> <p>8) forest management projects of state forest holdings and forest management and (or) special surveys to classify the state forest fund into categories, transfer from one category to another, as well as the allocation of specially protected areas where forest use is prohibited or restricted."</p> <p>7. 20 working days for projects of environmental efficiency improvement programs;</p> <p>8. As part of the procedure for issuing environmental permits during:</p> <p>15 working days - for project documentation for the construction and (or) operation of objects of the 2nd category;</p> <p>15 working days - according to project documentation for the construction and (or) operation of residential and civil facilities, provided for in paragraph 9 of Regulation No. 165;</p> <p>10 working days - for the facilities specified in subparagraph 9 of Article 87 of the EC RK;</p> <p>9. 5 working days - for the objects specified in subparagraph 2 of Article 87 of the EC of the Republic of Kazakhstan; 10 working days - for project guides on best available techniques.</p>
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	<p>According to paragraph 18 of the Rules, the interested state bodies and the public send their comments and proposals in writing to the documents submitted for public hearings through open discussions to the subordinate organization of the authorized body in the field of environmental protection no later than three working days before the start date of public hearings.</p> <p>According to Appendix 5 to the Rules for Conducting Public Hearings, the rules for conducting public hearings include registration of participants in public hearings, as well as discussion of reports, following which comments and suggestions from participants in public hearings are heard.</p>
Brief description of the steps required to implement the proposed measures	Fulfilled
Persons involved	State bodies, the public
Final date when the implementation of the recommendation will be completed	Fulfilled