



# ECOLOGY

INDUSTRY AND LEGAL UPDATE

KALIKOVA & ASSOCIATES

*Information for effective business solutions*

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## Industry Updates

### The Ecology Code is being drafted

Pursuant to the statement of the deputy of the Kyrgyz Parliament Ainur Kenzhebaeva presently interdepartmental committee is finalizing Ecology Code taking into account remarks and objections of the President Kurmanbek Bakiev. Adoption of the completed draft is planned by the end of the year 2009.

### According to the Blacksmith Institute Mailu-Suu has been placed on the 3<sup>rd</sup> place in the list of the most polluted cities in the world

"Mailu-Suu city took the 3<sup>rd</sup> place in the 2009 list of the most polluted cities in the world pursuant to the Blacksmith Institute of New York which deals with issues of environment protection" informs the "Voice of America" website.

The annual list covers 1100 geographic points, where environmental conditions raise the alarm.

Top one in the list is Chernobl (Ukraine), the population of which has been evacuated from the zone of accident. Therefore, the impact of Chernobl today is sufficiently limited.

Dzershinsk city (Russia) is on the 2<sup>nd</sup> place in the list; Blacksmith names it "chemically the most polluted settlement" of the planet. During the Soviet times for the period of 50 years poisonous substances have been produced in the city. Presently enterprises of chemical industry remain the main employers thereof. Pursuant to information of Blacksmith no less than 250 thousand tons of hazardous wastes have been buried in the neighboring territory of the city. The average life duration is 45 years.

According to the "Voice of America" on the 3<sup>rd</sup> place in the list is Mailu-Suu, "where uranium wastes present a problem unsolvable with modern means".

During the Soviet times uranium mining have been conducted in Mailu-Suu. Nowadays 23 tailing dumps and 13 mountainous dumps containing 2 mln m<sup>3</sup> of

## Legal Updates

### The Resolution N 628 of the Government of the Kyrgyz Republic "On foundation of state botanical preserve of Republican value" "Aigul-Tash Mountain" dated October 9, 2009

Pursuant to the Government Resolution for the purposes of preservation of unique nature and biological variety "Aigul-Tash Mountain" state botanical preserve of Republican value have been founded for the period of 10 years on the territory of Batken district, Batken province.

Thus, this object has obtained a status of natural territory of special surveillance with application of appropriate legal regime.

The State Agency on protection of environment and forestry under the Government of the Kyrgyz Republic has been instructed to make a passport of the "Aigul-Tash Mountain" state botanical preserve of Republican value.

### The Resolution N 654 of the Government of the Kyrgyz Republic "Draft Law of the Kyrgyz Republic "On natural areas of special surveillance"" dated October 19, 2009

Pursuant to the current Law N 1561-XII "On natural areas of special surveillance" dated May 29, 1994 the following categories of natural areas are prescribed: state reserves (including biospheric reserves), natural national parks, state preserves, state natural memorials, botanical gardens, dendrological parks, zoological parks, natural areas of health-improving value.

The Draft Law introduces two new categories of natural areas of special surveillance: biospheric territories and/or reservation and transborder natural areas of special surveillance.

processed uranic ore are located within the territory of the city.

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## **UNDP promotes legal data base on the use of Renewable Energy Resources**

On November 12, 2009 the round table "On the changes in the legislative and normative acts for the development of small hydropower plants and RER in the Kyrgyzstan" took place in the Conference Hall of the Ministry of energy in Bishkek. The projects of normative legal acts on promotion of RER developed by the Ministry of energy and its subdivisions under the support of the UNDP were presented and discussed on the round table.

The representatives of the Kyrgyz Parliament, Ministry of energy, Ministry of economic regulation, Department of fuel and energy regulation, State inspectorate on energy and gas, scientific and educational institutions, private energy sector and NGO took part in the discussion on the round table.

The following issues have been discussed on the round table: introduction of changes into the Law "On RER" for the purposes of establishment of special tariffs on energy produced by RER; draft Law technical regulation "On security of electrical installations"; draft national program of development of small power energy plants; draft Procedure of tariff establishment for RER; draft Regulation on attribution of expenses to cost price of energy, generated by RER; and other normative legal acts; creation of legislative and normative data base, financial mechanisms supporting promotion and attraction of investments into this sector of energy; issues of environment protection and reduction of greenhouse effect in the atmosphere.

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## **Establishment of ecological police is being discussed**

The deputy of the Jogorku Kenesh has proposed establishment of ecological police in Kyrgyzstan. In this regards, introduction of changes into the Law "On internal affairs authorities" is being planned. It is also planned that initially the ecological police will start its activities in Issyk-Kul province where most commonly ecological crimes occur. 5 millions soms have been allocated for maintenance of the police in the budget 2010. Ecological police officers will get transportation and uniform as a support from International organizations.

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In addition, pursuant to the current Law natural areas of special surveillance belong to the state property of the Kyrgyz Republic. Any direct or indirect actions in violation of state property rights over natural areas of special surveillance are prohibited.

Under the Draft Law state natural parks, botanical gardens, dendrological parks, zoological parks and transborder natural areas of special surveillance belong exclusively to the state property.

Further, pursuant to the Draft Law the natural resources of state preserves, natural memorials, biospheric areas and/or reservations are under the state protection.

In contrast, the lands of state preserves, state natural memorials, biospheric areas and/or reservations are attributed either to state, municipal or private property.

Besides, the Draft Law has introduced a new term "passport of natural areas of special surveillance" which contains information foundation, appellation, location of natural areas of special surveillance, list of objects of state preserve-fund situated within the natural areas with their quality and quantity characteristics, information of functional zones of natural areas of special surveillance and type of regime of their protection. The current Law does not contain the term "passport of natural areas of special surveillance".

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## **The Law N 283 of the Kyrgyz Republic "On approval of structure of the Government of the Kyrgyz Republic" dated October 22, 2009**

Pursuant to the above indicated Law a new structure of Government have been adopted, under which reformation of Ministries and Departments, including the State Agency on protection of environment and forestry under the Government of the Kyrgyz Republic that has been reorganized into the State Agency of environment protection and forestry under the Government of the Kyrgyz Republic.

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## **Resolution of the Bishkek city Kenesh N 118 "About the measures on prevention of water pollution and safeguarding water security of Bishkek city" dated December 2, 2009.**

This resolution has been adopted to ensure the population of Bishkek with drinking water quality and requires, inter alia, Bishkek City Hall to ban the drilling of individual wells in water deeper than 30 meters in Bishkek, used by individual business entities for the drinking and industrial water supply, except for structural units of Bishkek City Hall (PES "Bishkekvodokanal, Department of Capital Construction and the Public and State Administration of Capital Construction of Bishkek City Hall).

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The resources of news contained in the Update are websites:  
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