



# ECOLOGY

INDUSTRY AND LEGAL UPDATE

KALIKOVA & ASSOCIATES

Information for effective business solutions

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## Industry Updates

### UN General Assembly declared 2011 the International Year of Forests

In order to promote sustainable management and conservation of forest resources, the UN General Assembly at its eighty-third plenary meeting declared 2011 the International Year of Forests.

Forests play an important role in the global economy providing income to 1.6 billion inhabitants of our planet. The value of forests is reduced not only to economic benefits: forest landscapes provide important social and cultural resources; traditional way of life of many indigenous people is based thereon.

Forests play a vital role in conserving biodiversity and mitigating climate change. Forest is habitat for approximately 3/4 of all species of plants, animals and fungi that exist on our planet.

### A working group has been formed in Kyrgyzstan in order to develop recommendations for improvement of forest management

In order to improve forest management and optimize the management structure of the forest sector by its Order No. 01-13/289, the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic dated December 2, 2010, has formed a working group to develop recommendations for improvement of forest management by separating the controlling, regulating and economic functions in the forestry sector.

The Working group has discussed the findings of the functional analysis in respect of: 6 Bazar-Korgon forestry enterprises representing nut forests, Uch-Korgon forestry enterprises representing juniper forests, Talas forestry enterprise representing floodplain forests and Ton forestry enterprise representing fir forests. Based on the existing forestry enterprises, it is planned to establish state-run enterprises, whose main tasks will be to render services in connection with implementation of forest management activities (economic activity) and performing controlling and regulatory functions of regional forest service, i.e. duties of the state forest protection of the Kyrgyz Republic.

## Legal Updates

### Draft Decree of the Government of the Kyrgyz Republic "On approval of Regulation on the issuance of special permits on taking of flora species, including for research purposes, in the Kyrgyz Republic and the Regulation On the rules of collection (harvesting) and acceptable standards of collection of officinal and food plants, and fungi in the Kyrgyz Republic"

For the purposes of rational use of flora facilities the State Agency on Protection of Environment and Forestry under the Kyrgyz Republic has developed draft resolutions of the Government of the Kyrgyz Republic "On approval of Regulation on the issuance of special permits on taking of flora species, including for research purposes, in the Kyrgyz Republic" and "On the rules of collection (procurement) and acceptable standards of collection of officinal and food plants, and fungi in the Kyrgyz Republic".

The draft Regulation "On approval of Regulation on the issuance of special permits on taking of flora species, including for research purposes, in the Kyrgyz Republic" defines a list of flora species, the taking of which requires special permission.

Besides, the draft Regulation governs legal relations in the area of special nature management of flora species and defines procedure for issuance of permits for taking of flora species on the lands of state, municipal or private sector.

The draft Regulation "On the rules of collection (procurement) and acceptable standards of collection of officinal and food plants, and fungi in the Kyrgyz Republic" stipulates the rules and standards of taking flora species.

The developed draft regulations are expected to guarantee a sustainable use of plant resources (i.e., taking into account the renewability of plants), and the creation of favorable conditions for entrepreneurs engaged in collection (harvesting) and processing of flora species.

### The State Agency for Protection of

It should be noted that based on the results of national forest inventory conducted in 2008-2010, in Kyrgyzstan, forests cover 1,123,045.2 hectares (5.62%), out of which 846,043.4 hectares or 4.23% are located within the national forest reserves and protected areas (NFR and PAs) and 277,001.8 hectares or 1.39% are outside the territory of SFR and PAs.

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### **57 chemically dangerous facilities are functioning in Kyrgyzstan**

At the meeting of management of the Civil Protection of the Kyrgyz Republic under the chairmanship of the Prime Minister Atambayev, Minister of Emergency Situations Bolotbek Borbiev reported that 57 chemically dangerous facilities are functioning in Kyrgyzstan. He noted that there are 247 protective shelters and 2199 anti-radiation shelter in the republic, but currently no measures have been taken in order to keep their state of readiness. In his view, an issue of maintenance of these facilities shall be solved at the level of the Government.

### **Russia will continue its assistance to the Kyrgyz side on reclamation of uranium tailings**

The 12th meeting of the Intergovernmental Kyrgyz-Russian Commission on Trade, Economic, Scientific, Technological and Cultural Cooperation adopted the Resolution on continuation of works on reclamation of uranium tailings in the territory of Kyrgyzstan. This process is administered by Rosatom State Nuclear Energy Corporation and the Ministry of Emergency Situations of the Kyrgyz Republic.

To recall, back in November 2008, Rosatom and FGUP "VNIPromtehnologii" made a "Declaration of Intent" on the area of Min-Kush facility, making the radiation risk assessment, as well as technical assignment for "Tuyuk- Suu" tailing project, which includes economic assessment and recommendations on the elimination of landslides. It is planned that these two structures will help Kyrgyzstan to carry out reclamation works on these areas.

In addition, the Kyrgyz-Russian Intergovernmental Commission took into consideration that for the purposes of assessing the general situation, a Feasibility Study was conducted to rank all facilities in the Kyrgyz Republic depending on the degree of risk and investments were identified.

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### **Environment and Forestry under the Kyrgyz Republic has developed a draft Decree of the Government of the Kyrgyz Republic on CITES administrative authorities of the Kyrgyz Republic**

The draft decree has been developed in accordance with the Law of the Kyrgyz Republic "On Accession of the Kyrgyz Republic to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) signed on March 3, 1973 in Washington".

Pursuant to the draft decree, the State Agency for Protection of Environment and Forestry under the Government of the Kyrgyz Republic shall determine the persons responsible for ensuring performance of the Kyrgyz Republic's obligations under the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) (hereinafter - CITES) in strict compliance with the provisions of CITES, the resolutions of the Conferences of the Parties, notifications of the Secretariat of CITES and relevant regulations of the Kyrgyz Republic.

CITES provides special mandatory procedures for any specimen of an animal or plant or a batch of samples that are listed in CITES species moving across the customs borders of CITES member-states (more than 170 countries) and a special permit issued by the customs authorities for import and export thereof.

The main duty of the CITES Administrative Authority is to register permits for export and import of animals and plants, their parts and derivatives subject to CITES, and control the use of these permits.

To recall, according to the note of the Federal Department of Foreign Affairs of the Swiss Confederation received by the Ministry of Foreign Affairs of the Kyrgyz Republic, CITES entered into force for the Kyrgyz Republic on September 2, 2007.

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