KALIKOVA & ASSOCIATES

Information for effective business solutions

Issue 10, June 2012 (quarterly update)

Industry Update

National Conference on «Kyrgyzstan's Sustainable Development: On the Way to Rio+20»

The National Conference on «Sustainable Development: On the Way to Rio+20» was held in the government residence in Bishkek on May 22-23, 2012 to discuss the country's progress on the threshold of the World Summit in Rio de Janeiro (RIO+20), which will be held on June 20-22, 2012.

The main topic of RIO +20 will be the green economy in the context of sustainable development, poverty eradication, and institutionalizing the sustainable development approach.

The Conference was organized by the Ministry of Economy and Antimonopoly Policy of the Kyrgyz Republic and the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic with support of the UNDP in Kyrgyzstan and the Regional Environmental Center for Central Asia.

The Conference was attended by the representatives of the Government, scientific and educational institutions, civil society and private sector, international organizations.

To ensure the effective participation of Kyrgyzstan in the World Summit in Rio de Janeiro and to establish favorable arrangements with the international community, a presentation entitled "Future Prospects for Green Economy in the Kyrgyz Republic" was prepared and offered for discussion at the Conference.

The presentation addresses resource potential

Legal Update

KR Government Resolution «On Approval of the Draft Mid-term Development Program of the Kyrgyz Republic for 2012-2014» of April 12, 2012 N 239

This document addresses the perspectives and mid-term development priorities of the Kyrgyz Republic for 2012-2014. Among other things, the Mid-term Development Program offers the measures to ensure environmental security of the Kyrgyz Republic.

In particular, the following measures are planned:

- for the purposes of addressing the problems of the irrational use of chemicals, accumulation of household solid waste, environmental pollution, especially in the places of burial of obsolete pesticides, it is proposed to develop a comprehensive program of the sound management of chemicals using an intersectoral approach;
- for the purposes of addressing the problem of loss of biodiversity and conservation of endemic ichtyofauna of the Issykul Lake, the Government offers the following initiatives: (i) reforming the state environmental policy and legislation; (ii) developing the national climate change policy; (iii) developing the international cooperation for addressing the national environmental concerns; (iv) raising efficiency of measures for conservation of biodiversity and rational use of natural resources;
- in the framework of reforming state environmental policy, the legislative changes will be introduced to disintegrate the permission and control functions, to develop and revise the national environmental policy documents. For the purposes of demonstrating the environmental contribution to the economic

and green economic development model in the Kyrgyz Republic with relevant justifications and long-term expectations.

A section entitled «Social Aspects of Development» describes the long-term expectations of society, the poor mountain population, from the green economic development initiatives in the Kyrgyz Republic.

The green economic development model of the Kyrgyz Republic rests on four main components/priorities:

- (i) mountain ecosystems;
- (ii) water resources;
- (iii) hydropower industry;
- (iv) agriculture.

It should be noted that this presentation was prepared jointly with the key government agencies, non-government organizations, independent experts in coordination with the UNDP and the Ministry of Economy and Antimonopoly Policy of the Kyrgyz Republic.

Kyrgyzstan to request the Rio+20 Summit to support a write off of a foreign debt in exchange for the sustainable mountain development

At the conference "On the Way to Rio +20" conducted on May 22, 2012 in Bishkek, the minister of economy and antimonopoly policy of the Kyrgyz Republic Temir Sariev announced that at the Rio+20 Summit, Kyrgyzstan would offer the international donor community to support the write off of the foreign debt in exchange for the sustainable mountain development.

According to the minister, considering the republic's limited financial resources and the UN's key recommendations on funding for sustainable mountain development, at the upcoming summit the Kyrgyz side is also intending to offer the donor community to support:

- conservation and maintenance of mountain ecosystems;
- introduction of principles of integrated water resources management and raising irrigation efficiency:
- effective management of land resources to achieve transition to green agriculture;
- development of social infrastructure of mountain communities;
- modernization and development of sustainable green energy for all;
- conservation of natural ecosystems;

development, poverty reduction, and achieving the millennium development goals, the UNDP-UNEP Poverty-Environment Initiative will be carried out;

- also, it is planned to develop the national policy and set of climate change adaptation and mitigation measures, including achieving low-carbon development, promoting green economy principles and improving energy efficiency in buildings;
- in the framework of raising efficiency of measures for conservation of biodiversity and rational use of natural resources, activities will be carried out to strengthen the capacity of the network of specially protected natural territories (SPNT) and to restore forest ecosystems. Among other plans are the organization of forest management of the unified forest fund and SPNT, inventorization of hunting areas, and planting of forest crops within and outside the State Forest Fund's territory, and other.

KR Government Resolution of May 28, 2012 N 333 «On Approval of the Regulation on Department of Forest Ecosystems of the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic»

This resolution approves the legal framework for the activity of the Forest Ecosystems Department which is a subdivision of the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic.

The purpose of establishing the Department is to ensure conservation and development of forest ecosystems and rational management of forests in the territory of the state forest fund of the Kyrgyz Republic for increasing the forest area.

The regulation set forth the Department's objectives, functions and powers, among which are:

- keeping records and assessing the condition of forest resources, regulating the use of forest resources, maintaining departmental control over forest management, keeping records of the forest fund, protection, use and reproduction of forest resources, protecting forests from fire, unauthorized cutting, pests, diseases and other actions causing damage to forest industry; - preferential trade regime initiatives of Kyrgyzstan as the country that has no outlet to the sea.

The Roundtable "Issykul Sustainable Development and Nature Management"

The Roundtable "Issykul Sustainable Development and Nature Management" organized within the framework of the UNDP/GEF Project on "Conservation of Ichtyofauna of Issykul" was held on April 13, 2012 in Chok-Tal village of the Issykul region for the representatives of the Jogorku Kenesh of the Kyrgyz Republic, Office of the Government of the Kyrgyz Republic, concerned ministries/agencies, civil society and private sector to promote constructive dialogue.

The condition of the ecosystem of the Issykul Lake raises serious concern. Economic activities in the region disrupt the natural hydrological regime of its rivers. Water pollution in the rivers and lake entails the lowered self-cleaning ability, worsened landscape, sight, water quality and other negative side effects influencing the public health and tourist attractiveness of the lake.

Among other things, the roundtable participants discussed the issue of conservation of the endemic fish species of the Issykul Lake. The development of Kyrgyzstan's fishing industry depends, first of all, on the fish production in the Issykul Lake. In the sixties of the last century, the wide-scale acclimatization works aimed at releasing non-endemic predatory fish species, in particular, rainbow trout, into the Issykul Lake negatively affected the local ichtyofauna and ecosystem of the water reservoir in general.

Considering the current situation, the Jogorku Kenesh initiated amendments to the Law "On Fishery". The purpose of this bill is to ensure conservation of the endemic fish species in the Issykul Lake.

Besides, at present, the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic with support of the UN Development Program (UNDP) is working to develop the Program of the sustainable ecologo-economic development of the Issykul region. The main purpose of this work is to ensure the ecological sustainability of nature management in the region.

Discussion of priorities for developing the National Action

- preventing possible negative effects of the planned management, economic, and other activities on the forest ecosystems;
- supporting forest users' effort to protect forest from fire and forest offenses, pests and diseases, to conserve biodiversity, to develop forest ecosystems and to rationally use their timber and non-timber resources;
- suspending operations of enterprises or other entities, irrespective of their ownership type, located in the territory of the state forest fund or in the proximity thereof, if they violate the requirements of nature conservation legislation, or nature use licenses and permits;
- in coordination with scientific organizations, taking measures to prevent import, export, release, and acclimatization of animals and plants capable of causing damage to the inhabitant fauna and flora or to public health, and other.

The Department is headed by the director appointed and dismissed by the Prime Minister of the Kyrgyz Republic upon nomination by the director of the State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic. By the ordinance of the Prime Minister of the Kyrgyz Republic of March 15, 2012, Baktybek Azatovich Koichumanov is appointed as the Director of the Forest Ecosystems Department.

KR Government Resolution of February 20, 2012 N 123 «On State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic»

By this resolution, the Government approved the Regulation on State Agency for Environmental Protection and Forestry under the Government of the Kyrgyz Republic (State Agency), and territorial and departmental units of the State Agency, part of which were reorganized in the framework of the state government reform in the Kyrgyz Republic. In particular, the following territorial and departmental units of the State Agency were formed:

- on the basis of the Chui-Bishkek, Issykul, Naryn, Talas, Osh, Jalal-Abad, Batken territorial units of the State Agency: Chui-Bishkek-Talas, Issykul-Naryn, Osh-Batken, Jalal-Abad territorial offices of environmental protection, Jalal-Abad inter-regional office of nut forests protection and the Forest Ecosystems

Plan for the sound management of chemicals in the Kyrgyz Republic

The working meeting of the UNDP-UNEP-Kyrgyzstan Partnership Initiative for the Integration of Sound Management of Chemicals into Development Planning Processes took place on March 28, 2012. The purpose of the meeting was to discuss and identify the chemicals management priorities for their integration in the national action plan for sound management of chemicals in the Kyrgyz Republic. The meeting was attended by the representatives of key ministries and agencies involved in the management process on the different stages of the chemical's life cycle, including the ministers of agriculture, health care, natural resources, emergency situations, and other.

The meeting participants discussed the legislative and institutional challenges in the area of chemicals management in the Kyrgyz Republic.

The following were identified as the main priorities:

- · Creating the legal, political and institutional frameworks for the sustainable management of chemicals;
- · Protecting the public health from the harmful effects of chemicals;
- · Reducing the risk by introducing the Globally Harmonized System of classification and marking of chemicals in the Kyrgyz Republic;
- · Improving the quality of the environment and public health by improving the treatment of mercury and polychlorinated diphenyl-containing waste;
- · Promoting the sound agricultural practices.

It is planned to make these priorities underlie the national action plan for the sound management of chemicals in the Kyrgyz Republic.

Department;

- on the basis of the local nature conservation and forestry development funds of the State Agency: Chui-Bishkek-Talas, Issykul-Naryn, Osh-Batken, Jalal-Abad local funds for nature conservation and forestry development;
- on the basis of the Center for Environmental Security under the State Agency: the Center for Government Regulation of Environmental Protection and Security under the State Agency;
- on the basis of the Department of hunting control and supervision of hunting resources of the State Agency: the Hunting Department under the State Agency;
- on the basis of the Department of environmental monitoring and forest and hunting management under the State Agency: the Department of Forest and Hunting Management under the State Agency.



71 Erkindik Boulevard, Bishkek, 720040 Kyrgyz Republic

Tel.: +996 (312) 666060 Fax: +996 (312) 662788 Web: www.k-a.kg Email: lawyer@k-a.kg The source of news contained in the Update is the following website: www.nature.kg, akipress.org.

If you would like to ensure that you continue to receive this newsletter subscribe $\underline{\text{here}}$, and make sure to add our email to your address book.

If you do not wish to receive this newsletter <u>unsubscribe here</u>.

If you have any comments, please contact Magomed Saaduev at msaaduev@k-a.kg

Update materials for general information purposes only and should not be considered as legal advice. Transmission of information on or by use of this Update is not intended to create, and receipt does not constitute, a lawyer-client relationship between the sender and receiver.

Copyright © 2012 Kalikova & Associates