



Issue 12, March 2013 (semi-annual)

## Industry Update

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### **First meeting of Coordination Committee on Climate Change**

Formed by the Government Resolution of November 21, 2012 № 783, the coordination committee on climate change held its first meeting on February 15, 2013.

The coordination committee on climate change headed by the Vice Prime Minister of the Kyrgyz Republic, Sarpashev T., in charge of environmental policy, was formed for the purposes of management and coordination of actions in furtherance of the country's international obligations under the UN Framework Convention on Climate Change. The members of the committee approved its 2013 action plan covering the measures aimed at coordination and monitoring of adapting to climate change, reducing greenhouse gas emissions, transferring technologies, enhancing capacity and awareness, participating in international negotiation, promoting project activities in the country, etc.

### **4th EU-Central Asian summit conference held in Bishkek**

In the framework of the Platform for Environment and Water Cooperation of the EU-Central Asia Strategy, the Fourth EU-Central Asia High Level Conference on Environment and Water was held in Bishkek on 13-14 February 2013.

The Ministerial Conference aimed at further strengthening the dialogue and cooperation between the EU and the Central Asian countries in the area of environmental governance, climate change and water management. More than 90 participants from the EU and Central Asia, representatives from relevant national and

## Legal Update

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### **Law of the Kyrgyz Republic of March 11, 2013 N 36 «On Amendments and Modifications to the Law of the Kyrgyz Republic «On Environmental Protection»**

The said law introduces the following amendments and modifications to the law of the Kyrgyz Republic «On Environmental Protection»:

- the new definition of polluting substances meaning substances which, when found in the environment in certain concentration, create threats to human health, condition of flora and fauna, material and cultural values;
- the new definition of greenhouse gas, i.e. gaseous pollutants, which absorb and re-emit infrared radiation”.

The new rules provide for additional measures for protecting the environment and the ozone layer in the atmosphere from dangerous climate changes. In particular, such measures include the development, implementation and regular updating of national, regional and sectoral programs for reducing greenhouse gas emissions and adequate adapting to climate change not less than once in five years.

### **Government Resolution of February 1, 2013 «On Approval of New Borders of Sarychat-Ertash State Natural Reserve»**

For the purposes of maintaining the unique natural complexes, rare and disappearing plants and animals, harmonizing the Land Code

regional institutions dealing with the environment, climate change and water, discussed implementation of the joint EU-Central Asia Declaration since its adoption in November 2009 in Rome and endorsed the future priorities and actions under the Environment and Water Platform, including regional thematic seminars.

The meeting was chaired from the EU side by the Italian State Secretary for Foreign Affairs, Marta Dassu and the EU Special Representative for Central Asia, Patricia Flor. From the Kyrgyz Government the meeting was co-chaired by the Deputy Prime Minister Tairbek Sarpashev. As a result of two days discussions the participants reaffirmed that challenges raised by climate change and environmental protection are a major concern for the EU and Central Asia

It was decided to enhance dialogue and exchanges through series of regional seminars during 2013 and 2014 on priority topics: information networks, environmental impact assessment, green economy, including adaptation of the water issues to climate change, and civil society actions.

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### **New plans of UNDP environment program in Kyrgyzstan**

The UN Development Program is one of the international organizations cooperating with the Kyrgyz Government on the environmental matters on an ongoing basis. This cooperation started in 2004, with 17 projects being completed over this period, 8 projects being completed this year, and 3 projects being planned for the future. Total sum allocated to environmental projects is USD 23,435,822. All sums were provided as grants and are not meant to be a burden for the national budget.

In 2011, the Kyrgyz Government and UN signed the Framework Development Support Agreement for 2012-2016 with the environmental protection being its primary objective. UNDP considers the State Environmental Protection and Forestry Agency as the main partner in mobilizing funds for the settlement of environmental problems in Kyrgyzstan. The UNDP environmental program is aimed at enhancing the country's capacity in three directions:

1. Sustainable development and climate change;
2. Low-carbon green development;
3. Sustainable management of natural resources and biodiversity conservation.

The UNDP's nearest plan is to support three

of the Kyrgyz Republic and the Law on special protection areas, the Kyrgyz Government adopted a decision to approve the new expanded borders of the Sarychat- Ertash state natural reserve. The lands transferred to the reserve are converted from the category of lands of reserve to the category of the lands of special protection areas.

The state registration service under the Kyrgyz Government, executive office of the authorized representative of the Government in Issykul region and state administration of Jetyoguz district of Issykul region are instructed to make relevant changes in the land registration documents.

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### **Government Resolution of November 21, 2012 № 783 «On coordination committee on climate change»**

The Government adopted a decision to form the Coordination Committee on Climate Change for the purposes of management and coordination of actions in furtherance of international obligations of the Kyrgyz Republic under the UN Framework Convention on Climate Change and Kyoto Protocol thereto.

It also approved the Regulations on the Coordination Committee and determined its composition. According to the Regulations, the main goal of the Coordination Committee is to manage and coordinate activities of the ministries, agencies and organizations in furtherance of the Kyrgyz Republic's obligations under the UN Framework Convention on Climate Change and Kyoto Protocol thereto, directed at stabilization of concentration of greenhouse gas in the atmosphere on such level which will not allow dangerous anthropogenic impact on the climate system.

The coordination committee has the right to:

- request and obtain from the state authorities necessary operative and statistical information;
- attract specialists of state authorities for scientific and technical assessment of climate projects;
- assist in arranging and holding discussions, seminars, and conferences on global climate change within the scope of its authority.

The chairman of the Coordination Committee is the Vice Prime Minister responsible for environmental matters. The vice chairman is the director of the State Agency for Environmental Protection and Forestry under

important and significant for the country events:

1. Regional Conference on Sustainable Energy for All;
2. Conference on outcomes of Kyrgyzstan's participation in Rio;
3. Conference on climate change adaptation in mountain regions. However, the latter event needs additional consultations.

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### **Experts referred to Prime Minister a request to share authority for conducting state environmental impact assessment**

On March 5, 2013, experts of the public association «Independent Environmental Impact Assessment» sent a letter to the Prime Minister Jantoro Satybaldiev upon results of assessment of drafts of two regulatory acts: «Instruction on procedure for holding state environmental impact assessment of preproject, project and other materials and documents in the Kyrgyz Republic» and «Instruction on procedure for holding environmental impact assessment (EIA) of the proposed activity in the Kyrgyz Republic». The examined these documents for compliance with the Kyrgyz Constitution and current laws, as well as international treaties in effect.

The assessment showed certain problems related to contradictions in the legislative framework and existing practice of holding state environmental impact assessment. In particular, experts consider unacceptable the fact that to date the state environmental impact assessment is organized and performed by two agencies: State Agency for Environmental Protection and Forestry under the Government and State Agency for Geology and Mineral Resources under the Government.

Experts referred to the Prime Minister a request to divide the functions of environmental impact assessment in accordance with the authority:

- for strategic documents – legal department of the Executive Office of the Government with obligation to prepare Strategic Environmental Impact Assessment by the State Agency for Environmental Protection and Forestry;

- for business projects – environmental impact assessment unit of the State Agency for Environmental Protection and Forestry.

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the Government of the Kyrgyz Republic.

The meetings of the Coordination Committee are held as necessary, but not less than twice in a year. The permanent governing body of the Coordination Committee is the State Agency for Environmental Protection and Forestry acting as a secretariat of the Coordination Committee, whose tasks include organizational and technical, informational and analytical support of the activities of the Coordination Committee and control over fulfillment of decisions of the Coordination Committee.

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### **Government Resolution of October 19, 2012 № 732 “On approval of national snow leopard conservation strategy in the Kyrgyz Republic for 2013-2023”**

In furtherance of international obligations of the Kyrgyz Republic under the UN Convention on Biological Diversity, Kyrgyz Government approved the National Snow Leopard Conservation Strategy 2013-2023 for its restoration and conservation.

The state authority responsible for implementation of the National Strategy shall be the State Agency for Environmental Protection and Forestry.

In furtherance of the National Strategy, the State Agency for Environmental Protection and Forestry must, within three months, develop and submit the action plan 2013-2023 to the Government for approval.

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