



Issue 15, March 2015 (quarterly)

## Industry Update

February 2, 2015

### **Nearly \$8 million to be allocated for strengthening national water management capacity**

Nearly \$8 million will be allocated for strengthening national water management capacity. This was reported by Janybek Kerimaliev, the Deputy Minister of agriculture and melioration at the meeting of the parliamentary committee on agrarian policy, water resources, ecology and regional development on Monday.

He presented the draft of the Swiss grant agreement between the Kyrgyz Republic and the International Development Association relating to the project for strengthening the national water management capacity and improving the water resources management and the irrigation service delivery.

Arable farming in our country is exposed to risk and depends on water content of sources of irrigation which after the agrarian land reform remain unattended and in bad condition. All these factors negatively affect the food safety and development of rural manufacturers and their export capacity. This project is aimed to strengthen the national water management capacity, to ensure the implementation of key elements of the Water Code and the improvement of irrigation services, the deputy minister said.

To achieve the goals of the project, the International Development Association allocates a grant of \$7,750,000.

<http://www.knews.kg/>

## Legal Update

February 2, 2015

### **Funding for environmental impact assessment to come from state budget**

It is proposed that the funding for the environmental impact assessment will come only from the state budget. This was reported by Abdykalyk Rustamov, the Deputy Director of the State Agency for Environmental Protection and Forestry.

He presented the relevant amendments to the Environmental Impact Assessment Law.

According to the official, under the current version of the law, the state environmental impact assessment is performed after payment by the initiator of the project. However, under the Environmental Protection Law, state environmental impact assessment is not a service but a mandatory environmental protection measure intended to prevent possible adverse environmental impact of the project.

Under the current version of the law, the funding for the state environmental impact assessment comes from the state budget, as well as proceeds from expert and other services. The fee for expert services provided by the state environmental impact assessment authorities is paid by the initiator of the project.

<http://www.knews.kg/>

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January 8, 2015

## **Vice Prime Minister T. Sarpashev allows mining activities in protected areas**

First Vice Prime Minister Taiyrbek Sarpashev allowed mining activities in protected areas. This was reported on January 8 at the government meeting with respect to Makmalaltn Gold Mill.

The working group formed on Sarpashev's instruction visited Makmalaltn located in Jalal-Abad region in the end of 2014. As reported by Taalaibek Dalbaev, the head of the mining sector division of the industry, fuel and mining sector unit of the Executive Office of the Government, the group met with the activists of the Toguz Torous district in Kazarman village and with the Makmalaltn workers. The local residents and workers suggested attracting investment in the mining of the tailing dump which contains up to 6 tons of gold.

Also, they discussed the possibility of transforming Kyldoo and Min-Teke land plots located in Saimaluu Tash natural park area. It is estimated that Kyldoo has around 6.5 tons of gold, and Min-Teke has coal reserves. They are located 30-40 kilometers far from stone petroglyphs. The discussion resulted in the decision to transform these lands.

Having heard the report of the working group, Taiyrbek Sarpashev instructed to complete within ten days all regulatory drafting works required to transform Kyldoo and Min-Teke land plots.

<http://www.vb.kg/298848>

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December 29, 2014

## **Proposed increase in charges for environmental protection in Issyk Kul region**

After the establishment of the ecological station in the Issyk-Kul region, the amount of environmental protection charges payable to the Issyk-Kul Development Fund reached 12 million soms. This was reported by Abdykalyk Rustamov, the Deputy Director of the State Agency for Environmental Protection and Forestry, at the meeting of the parliamentary committee on agrarian policy, water resources, ecology and regional development on December 29, 2014. According to him, in the past,

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January 12, 2015

## **State Agency for Environmental Protection and Forestry of Kyrgyz Republic proposes public hearing on specially protected areas lease rules**

According to the official site of the Government of the Kyrgyz Republic, the State Agency for Environmental Protection and Forestry (SAEPF) proposed public hearing on the draft resolution of the Government of the Kyrgyz Republic approving specially protected areas lease rules.

The explanatory note to the document points out that the draft resolution approving the specially protected areas lease rules is developed and introduced by the SAEPF in accordance with the Law on Especially Protected Areas.

According to the explanatory note, the introduction of the fee for the use of biological resources and objects can be an effective instrument for establishing the financial basis for maintaining and reproducing biodiversity.

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## **Law of Kyrgyz Republic of December 17, 2014 proposing amendments to Environmental Protection Law of Kyrgyz Republic**

The law provides that the fees for the use of natural resources, pollution of the environment and other negative impact on the nature and the procedure for their charging and spending shall be established by the Government of the Kyrgyz Republic.

The Government of the Kyrgyz Republic is instructed to take the following steps within three months from the date of official publication:

- to take measures arising from this law;
- to bring its regulatory acts into compliance with this law.

The law enters into force upon expiration of six

this amount was only 1.2 million soms.

First Vice Prime Minister Sarpashev explained that in 2014 the charges collected from foreign vehicles entering the Issyk-Kul region totalled 36 million soms of which 12 million soms were spent on environmental protection measures.

He also reminded that the charge for entering the Issyk-Kul region is 1,500 soms for heavy vehicles and 500 soms for light vehicles.

However, Ata-Meken parliamentary faction member Saidulla Nyshanov offered to increase this amount to \$50 for heavy vehicles and \$20 for light vehicles. Thus, in the MP's opinion, this will allow to increase the total amount of environmental protection charges to 1 billion soms.

<http://www.vb.kg/298384>

December 24, 2014

## **UNDP to implement project benefiting communities around uranium tailings**

Kyrgyzstan is about to launch a project benefiting communities around uranium tailings. This was reported by the representative office of the United National Development Programme (UNDP) in the Kyrgyz Republic.

A memorandum of understanding on financing of a new project on socio-economic development of communities around uranium tailings in Kyrgyzstan was signed between the Ministry of Foreign Affairs of the Russian Federation and the UNDP on December 23 in Bishkek. 15 000 people from poor and vulnerable communities of five towns: Min-Kush, Kaji-Say, Ak-Tuz, Orlovka and Bordu are expected to benefit from the project.

The document was signed by the Ambassador of the Russian Federation in the Kyrgyz Republic Andrey Krutko on behalf of the donor, the Government of the Russian Federation, and by the UN Resident Coordinator, UNDP Resident Representative in Kyrgyzstan Alexander Avanesov on behalf of UNDP.

The memorandum was another important step in strengthening cooperation between the Russian Federation and UNDP as well as other UN agencies in assistance to the Kyrgyz Republic in the priority areas of sustainable development, the UNDP representatives reported.

The budget of the new project is 1,476,000 US dollars. The Russian Federation provided these

months from the date of official publication.

From the date of entry into force of this law, the following acts shall be deemed ineffective:

- the Law of the Kyrgyz Republic No. 32 of March 10, 2002 approving the rates of the fees for pollution (emissions and discharges of polluting substances, disposal of waste);

- the Law of the Kyrgyz Republic No. 2000 of August 11, 2008, approving the rates of the fees for use of natural flora and fauna resources in the Kyrgyz Republic.

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## **Laws of Kyrgyz Republic of December 10, 2014, proposing amendments to Atmospheric Protection Law and Environmental Protection Law**

Amendments to Atmospheric Protection Law contain provisions on protection of atmospheric air in the framework of the Kyrgyz Republic's commitments under international agreements. Amendments propose the introduction of the state monitoring and control over circulation of ozone-depleting substances and their substitutes for the purposes of establishing maximum allowable limits of production of ozone-depleting substances in the Kyrgyz Republic as well as protection of ozone layers, prevention of ozone layer depletion, restoration of ozone layer, protection of the human health and the environment from adverse effects of ozone layer depletion. The law provides that the state policy for monitoring and control over circulation of ozone-depleting substances shall be introduced by the Government of the Kyrgyz Republic.

Amendments to the Environmental Protection Law introduce more strict environmental requirements for circulation of ozone-depleting substances; namely, they propose new definitions such as restoration, consumption, recuperation, destruction of ozone-depleting substances.

Amendments also propose establishing the list of ozone-depleting substances, whose circulation is subject to state regulation. Such list, maximum allowable limits of consumption and requirements for circulation of ozone-depleting substances shall be approved by the Government.

The above laws will enter into force from the date of entry into force of the Treaty on

funds as a grant. Period of implementation is 24 months.

The main goal of the project is to promote an integrated socio-economic development of settlements which are in difficult environmental and social conditions due to their proximity to former uranium production sites.

UNDP will assist the communities in these towns in four main areas:

- Increasing awareness of the local population about the environmental issues and establishing a system of regular monitoring of the environment;
- Rehabilitation of socio-economic infrastructure and the development of income-generating activities;
- Supporting local initiatives through small grants funding;
- Capacity building of local authorities and communities.

As part of these components, specific projects will be developed and implemented in cooperation with beneficiaries, local communities and authorities. The project also aims to complement the Russian State Corporation Rosatom's efforts on reclamation of uranium tailings in Min-Kush and Kadji-Sai as part of the EurAsEC programme on rehabilitation of the territories exposed to uranium production for 2013-2018 via socio-economic development of the mentioned areas.

<http://www.vb.kg/297855>

December 23, 2014

## **Aarhus ecology center to be established in Bishkek**

A memorandum of understanding on the establishment of the Aarhus Center was signed between the State Agency for Environmental Protection and Forestry of Kyrgyzstan and the OSCE Center in Bishkek on December 23, 2014.

Kyrgyzstan joined the UNECE Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters in 2001. In the framework of the Convention, Kyrgyzstan has to provide access to information, public participation, and access to justice in matters relating to the environment.

accession of the Kyrgyz Republic to the Eurasian Economic Union Treaty of May 29, 2014.

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## **Law No. 165 of December 25, 2014 proposing amendments to Ozone Layer Protection Law**

The purpose of this law is to further intensify measures to protect ozone layer, bring the laws of the Kyrgyz Republic into compliance with the international legal acts within the framework of the Eurasian Economic Union in the area of nontariff regulation.

The law defines the Government as the responsible party for the pursuit of the uniform state policy in the field of protection of ozone layer, and expands the scope of its competence.

The law also prohibits the transfer of ozone-depleting substances and products containing ozone-depleting substances within the framework of the Customs Union, with some exceptions.

The law enters into force from the date of entry into force of the Treaty on accession of the Kyrgyz Republic to the Eurasian Economic Union Treaty of May 29, 2014.

December 10, 2014

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## **Parliament ratifies Environmental Modification Convention**

On December 10, 2014, Parliament approved on the second and third readings the treaty on accession of the Kyrgyz Republic to the Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Techniques signed on December 10, 1976 in Geneva.

As earlier reported by Sabyr Atadjanov, Director of the State Agency for Environmental Protection and Forestry, the convention is a legal instrument preventing the use of military or any other hostile environmental modification techniques. Russia, Kazakhstan, Uzbekistan, Tajikistan have already acceded to it.

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The purpose of the Aarhus Center in Bishkek is to improve quality of implementation of the principles and commitments enshrined in the Convention.

The Center will create conditions for rapid access to environmental information, enhance the capacity of state support to ensure greater public participation in decision-making, which will help to create an atmosphere of trust in interaction between the various parties. All data and information provided by the Center will be official, which will help increase the accuracy of the information supplied, the State Agency for Environmental Protection and Forestry said

<http://www.vb.kg/297771>

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December 22, 2014

### **Kyrgyzstan and Russia discuss possibility of assessment of Kambarata-1 dam's environmental impact**

The Government of Kyrgyzstan and the Russian side discusses the possibility of international assessment of Kambarata 1 dam's environmental impact. This was reported by Kubanychbek Turdubaev, the Minister of Energy and Industry on December 22.

Consultations on this matter are going on. It is too early to talk about the date of the international assessment of environmental impact. The financial matters are not settled too, the minister said.

The minister refused to answer how much the assessment would cost and whether these matters would be covered by the construction agreement.

Last July, the feasibility study for Kambarata 1 construction project was approved by the Government of Kyrgyzstan and officially submitted to the Russian side. According to the feasibility study performed by Canadian SNC-Lavalin International Inc., the cost of construction of the HPP with the capacity of 1,860 MW is estimated at \$3 billion.

<http://www.vb.kg/297569>

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