



Issue 21, June 2017 -February 2018

Industry Update

January 19, 2018

National policy on water supply and wastewater sector: development perspectives roundtable held in Bishkek

It was emphasized during the meeting that the creation and reliable and effective operation of the rural water supply and wastewater sector is one of the top priorities of the national policy.

As part of the Community Water Supply and Wastewater Development Strategy 2026 (the Strategy) approved by Government Resolution No. 155 of March 28, 2016, efforts are being undertaken to introduce a programme-based approach to delivering the water supply and sanitation investment projects.

This programme, informally called as Ala-Tou Bulagy, now includes 2 rural water supply and sanitation development projects, namely, the Sustainable Rural Water Supply and Sanitation Development Project (SRWSSDP) funded by the World Bank and the Rural Water Supply and Sanitation Improvement Project (RWSSIP) funded by the Islamic Development Bank.

The roundtable resulted in the signing of the Ala-Tou Bulagy Programme Cooperation Agreement between the State Architecture, Construction, Housing and Public Utilities Agency of the Government of the KR and ARIS Community Development and Investment Agency of the KR, whereby the parties agreed to join efforts and coordinate actions to effectively deliver the Ala-Tou Bulagy Programme and the projects included therein.

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January 15, 2018

Kyrgyzstan bans 'dirty' petrol of ecological class K3 and adopts new emission standards

Legal Update

February 1, 2018

Parliament considers amendments to Atmospheric Air Protection Act, Environmental Review Act

Parliament considered the bill proposing amendments to some legal acts, namely, the Atmospheric Air Protection Act and the Environmental Review Act.

The amendments to the Atmospheric Air Protection Act are proposed to make it consistent with the Licensing and Permitting System Act by adding provisions specifying the permits for activities related to modification of atmospheric phenomena and physical impact on atmospheric air.

The amendments to the Environmental Review Act concern the subject, scope and procedures of the environmental review and aim to protect project initiators against delays in regulatory approval process.

The bill was discussed and put to the vote in the second reading.

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January 18, 2018

Proposals to toughen punishment for wildlife smuggling

Parliament considered the bill proposing amendments to some legal act, namely, the Administrative Liability Code, the Criminal Code, to protect endangered wildlife species and their derivatives by toughening administrative liability for unauthorized removal, loss or destruction of lock-and-seal devices by international

for cars

Starting from January 1, 2018, absolutely all types of vehicles being imported to the Eurasian Economic Union member-countries, will be subject to Euro 5 emission standard, says the Eurasian Economic Commission. All retail fuels and lubricants must conform to ecological classes K4 and K5 at the least. It is assumed that these requirements will help reduce emission of harmful substances.

As a reminder, Euro 5 emission standard is effective for new car models not produced in the EAEU from January 2015 and for new cars (except off-road vehicles) produced in the EAEU or imported from non-member countries - from 2016.

The transitional provisions of the EAEU technical regulations setting forth requirements for automobile and aviation gasoline, diesel and marine fuel, jet fuel and heating oil (TR TS 013/2011), which allow the use of petrol of ecological class K3, have no effect from December 31, 2017.

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January 4, 2018

Centerra Gold Inc. to fund public foundation for environmental development until end of Kumtor mine operation

Sapar Isakov, the Prime Minister of the Kyrgyz Republic, signed the Government Resolution approving the establishment of the Public Foundation for Environmental Development to address environmental impacts, including those of the Kumtor project.

The Foundation is launched by the Government of the Kyrgyz Republic to address environmental management and development concerns and to ensure performance of the Strategic Agreement on Environmental Protection and Investment Promotion signed by and among the Government of the Kyrgyz Republic, Centerra Gold Inc. and Kumtor Gold Company CJSC of September 11, 2017.

The funding for the Foundation will be provided by Kumtor Gold Company as follows: US\$ 50 million as a lump sum payment and US \$2.7 million as annual payments starting from 2017 until the end of the Kumtor mine operation. Payments will be made in accordance with the Strategic Agreement.

Also, it is supposed to raise funds through the acceptance of voluntary contributions, donations, and other proceeds not prohibited by law.

The Strategic Agreement provides mechanisms to address environmental impacts of the Kumtor project. In particular, Centerra Gold Inc. will incur additional financial obligations to cover the costs of environmental improvements, primarily in the water area of Lake Issyk-Kul.

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December 21, 2018

trade companies and for other violations of customs regulations.

The amendments to the Administrative Liability Code tighten penalties for causing any change, destruction, damage or loss of customs identification means by imposing the following fines: on individuals – 100 times the calculation index, on officials – 200 times the calculation index, on legal entities – 2,000 times the calculation index.

The amendments to the Criminal Code tighten liability for smuggling any endangered wildlife species and their derivatives by sentencing to 3 to 7 years in prison with confiscation of property.

The bill was discussed and put to the vote in the first reading.

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January 16, 2018

Parliament considers bill proposing to remove Lake Kara-Suu from fishing lakes list

The bill proposes that Lake Kara-Suu be removed from the fishing lakes list and assigned a specially protected natural area status.

It's not only a natural beauty and touristic attractiveness that makes Lake Kara-Suu unique. The lake belongs to the water bodies that can be used as a testing ground for scientific research. The assignment of specially protected natural area status to Lake Kara-Suu will help maintain its uniqueness as a natural object and wildlife habitat the exploration of which will result in new scientific discoveries and knowledge.

The bill passed third reading and was sent to the President for signing.

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Government Resolution No.40 of January 22, 2018 approving boundaries description and lands explication of Saimaluu-Tash state natural park in Toguz-Torouz district of Jalal-Abad province

To promote the socioeconomic development of the Toguz-Torouz district of the Jalal-Abad province, the Government resolved as follows:

1. To demarcate a 75.2 hectare land parcel (including 23.8 ha of forest, 2.9 ha of thin forest, and 48.5 ha of pastures) within Saymaluu-Tash specially protected natural park in Toguz-Torou district of Jalal-Abad province.

Kazakhstan and Kyrgyzstan discuss water conservation issues

The Tien Shan Ecology as Main Factor Affecting Quality of Trans-boundary Rivers of Kazakhstan and Kyrgyzstan Conference organized by the Kazakh Embassy in the Kyrgyz Republic took place in Bishkek.

The Tien Shan and Pamir-Alai mountain rivers supply water not only to Kyrgyzstan, but also to neighboring countries of Central Asia. In 2007, the Kyrgyz-Kazakh Intergovernmental Commission on Water Resource Management of the Chu and Talas Rivers was established to deal with the apportioning of water and maintenance of water balance of trans-boundary rivers and water resources.

During the Conference, the delegates of the Commission shared their achievements over the past ten years. Firstly, the Commission conducted periodical water quality assessment of presence of pollutants and impurities, secondly, it handled the issues of shared management of water facilities of interstate use in these river basins. Among other achievements are the development of the mathematical model for water resources management and carrying out of the trans-boundary diagnostic analysis, which identified trans-boundary water use problems.

At this point, both countries are getting ready to implement a strategic action plan for the next few years.

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2.To approve:
- External boundaries of Saymaluu-Tash;
- Boundaries description of a 75.2 ha land parcel (including 23.8 ha forest, 2.9 ha thin forest, and 48.5 ha pastures) within Saymaluu-Tash;
- lands explication of Saymaluu-Tash.

Government Resolution No. 14 of January 10, 2018 approving establishment of Ak-Suu State Complex Preserve

In order to preserve biological diversity and determine boundaries of Ak-Suu State Complex Preserve, the Government approved the lands explication and boundaries description of Ak-Suu State Complex Preserve.

The State Environmental Protection and Forestry Agency of the Government of the Kyrgyz Republic was instructed to ensure that the full-scale internal hunting management planning in Ak-Suu State Complex Preserve be completed by 2019.

Act No. 193 of November 23, 2017 approving amendments to Water Code

This Act approves amendments to Articles 62 and 67 of the Water Code of the Kyrgyz Republic aimed at ensuring uninterrupted operation of a major strategically important facility and applies exceptionally to two glaciers: Davydov and Lysy.

Article 62 as amended reads as follows:

Any activities that affect or may affect the speed of melting of glaciers or quality of water contained therein due to use of coal, ash, oils or other substances or materials, and any activities related to ice harvesting, except activities on Davydov and Lysy glaciers, shall be prohibited.

These exceptions shall not apply to previous impacts on Davydov and Lysy glaciers.

The opinion on the possibility of carrying out such activities shall be made by the competent public authority, taking into account the results of the independent expert examination.

Article 67.2 as amended reads as follows:

In the runoff source areas, except as provided in Article 62 of this Code, the following activities shall be prohibited:

- placement of tailing dumps, landfills, cemeteries, cattle mortuaries and other economic facilities that may have a harmful effect on quality of water resources;

- littering the ice surface of water bodies, glaciers and snowfields with industrial, domestic or other waste, as well as contamination with oil products, pesticides and

other harmful substances.

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Health Ministry Order No. 1053 of November 21, 2017 approving steps to optimize transportation of infected medical waste from Bishkek public health organizations to centralized autoclaving units

In order to optimize the system of transportation of medical waste generated by Bishkek health organizations that do not have their own autoclaving units, to ensure public health, epidemiological and environmental safety during transportation of medical waste, the Ministry of Health of the Kyrgyz Republic approved:

- Schemes of movement of sanitary vehicles transporting medical waste from health organizations (satellites) to centralized autoclaving units in Bishkek;
 - Schedule of work of sanitary vehicles transporting medical waste from health organizations (satellites) to centralized autoclaving units in Bishkek;
 - Sanitary and epidemiological requirements for organizations dealing with transportation of medical waste;
 - Sanitary and epidemiological requirements for vehicles intended for transportation of medical waste of Class B.
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Government Ordinance No.528-r of November 17, 2017

For the purposes of environmental rehabilitation and processing of waste in tailing dumps resulting from the mining of Tereksai deposits of Kyrgyzaltyn OJSC, the Government of the Kyrgyz Republic allowed Kyrgyzaltyn OJSC to engage in secondary processing of waste in tailing dumps resulting from the mining of Tereksai deposits by using modern technologies consistent with the requirements of Kyrgyz law.

Government Resolution No. 476 of August 11, 2017 repealing Government Resolution No. 409 of June 28, 2017 approving procedure for determining compensation for damage to glaciers in Kyrgyzstan

Government Resolution No. 409 of June 28, 2017 approving the procedure for determining compensation for damage to glaciers in Kyrgyzstan is declared no longer in force.



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