

Questionnaire for the report of Kazakhstan on the implementation of the Protocol on Strategic Environmental Assessment in the period 2016–2018

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Part one

Current legal and administrative framework for the implementation of the Protocol

In this part, please describe the legal, administrative and other measures taken in your country to implement the provisions of the Protocol. This part should describe the framework for your country's implementation, and not experience in the application of the Protocol.

Article 3

General provisions

I.1. Please provide the main legislative, regulatory and other measures you have adopted in your country to implement the Protocol (art. 3, para. 1) (more than one option may apply):

- (a) Law on SEA (please indicate number/year/name):
- (b) SEA provisions are transposed into another law(s) (please specify):
- (c) Regulation (please indicate number/year/name):
- (d) Administrative rule (please indicate number/year/name):
- (e) **Other (please specify): Draft Environmental Code of the Republic of Kazakhstan contains chapter on SEA. Deadline for submission the Environmental Code to the the Majilis of the Parliament is December 2019.**

Your comments:

Article 4

Field of application concerning plans and programmes

I.2. List the types of plans and programmes that require SEA in your legislation:

During the period of 2016-2018 under the pilot project on SEA was considered the draft Strategy for the development of the Fuel and Energy System of the Republic of Kazakhstan until 2030 (Energy Strategy).

According to the draft Environmental Code, the following strategic documents are subject to mandatory strategic environmental assessment:

- 1) **Documents generated in the State Planning System, excluding those mentioned in Clause 5 of the present Article, that aim to promote the development of agriculture, forestry, fisheries, power engineering, industry (including extractive industry), transport, waste management, water management, telecommunications, tourism, urban and rural development, and land management and protection if these documents establish a framework for activities that require mandatory environmental impact assessment pursuant to Article 16 (Clause 3) of the present Code;**
- 2) **Urban planning projects of national significance, urban planning projects of regional significance, city and town planning projects (excluding those specified in Sub-clause 2, Clause 4 of the present Article), urban development projects involving the industrial development of areas extending between settlements for the construction of production**

facilities or other closed-type entities that are required to be located outside settlement boundaries;

3) National, regional, and district land use plans; integrated water resource management and protection schemes; and forest management plans for state-owned forests

Documents generated in the State Planning System can be determined to require strategic environmental assessment if they contain any provisions that establish or may establish a framework for future development consent or notification as defined by the Law on Consents and Notifications concerning an activity that is likely to cause an effect on the environment. These documents would require strategic environmental assessment if the screening process does so determine.

I.3. Explain how you define whether a plan or programme “set the framework for future development consent” (art. 4, para. 2):

In the draft Environmental Code there are not procedures of this definition.

I.4. Explain how the terms “plans and programmes ... which determine the use of small areas at local level” (art. 4, para. 4) are interpreted in your legislation:

The term “Strategic documents” is defined in the draft Environmental Code. Strategic documents refer to documents generated within the State Planning System; spatial planning documents (area development strategies and plans); land use schemes (plans) at the republican, regional and district levels; integrated water resource management and protection schemes; and forest management plans for state forests, including any changes and amendments thereto made in accordance with the legislation of the Republic of Kazakhstan.

I.5. Explain how you identify in your legislation a “minor modification” to a plan or programme (art. 4, para. 4):

There is no definition of “minor modification” in the current version of the draft Environmental Code, however, modifications which are considered by developer as minor, are subject to mandatory screening procedure.

According to the draft Environmental Code Strategic environmental assessment may not be required when minor changes and amendments made in the strategic documents listed in Clause 2 of the present Article which have already been screened and determined not to require strategic environmental assessment.

Article 5 Screening

I.6. How do you determine which other plans and programmes should be subject to a SEA as set out in article 4, paragraphs 3 and 4, in accordance with article 5, paragraph 1? Please specify:

- (a) On a case-by-case basis
- (b) By specifying types of plans and programmes
- (c) **By using a combination of (a) and (b)**
- (d) Other (please specify):

Your comments:

I.7. Do you provide opportunities for the public concerned to participate in screening and/or scoping of plans and programmes in your legislation (art. 5, para. 3, and art. 6, para. 3)?

No

Yes (please specify (more than one option may apply)):

- (a) By sending written comments to the competent authority
- (b) By sending written comments to the local municipality
- (c) By providing answers to a questionnaire
- (d) By taking part in a public hearing
- (e) By sending written comments to the consultants/SEA experts or persons preparing the plans and programmes
- (f) Other (please specify):

Your comments:

According to the draft Environmental Code, the developer shall facilitate public participation in the screening and strategic environmental assessment of strategic documents, especially at an early stage in the strategic planning process when various available alternatives are considered and compared to select the best option.

The competent environmental authority organises consultations with the affected parties pursuant to the terms and conditions agreed upon during the initial consultation. During their consultations, the parties may agree on the method and conditions for the participation of the public in the affected countries in the strategic environmental assessment or environmental impact assessment along with the local public in the Republic of Kazakhstan.

According to the Rules Governing the Screening of Strategic Documents and Strategic Environmental Assessment, the competent environmental authority within five working days publishes on its website a notice in the state and Russian languages, inviting the public to provide their comments and suggestions, and sends this notice to the local executive authorities in the regions, towns, and districts located in the affected area.

When submitting the draft strategic document and environmental report that has been decided to be of satisfactory quality for consultations with the interested authorities, the developer simultaneously discloses these documents for public hearings. Public hearings are conducted pursuant to the Public Hearing Rules approved by the competent environmental authority.

The members of the public may provide their comments and suggestions regarding the content of the draft strategic document and environmental report to the developer irrespective of whether they attend public hearings or not. These comments and suggestions, provided to the developer before the completion of the public hearing process, should be taken into account in the finalisation of the environmental report and draft strategic document along with the comments and suggestions received at the public hearings.

Article 6

Scoping

I.8. How do you determine what is the relevant information to be included in the environmental report, in accordance with article 7, paragraph 2 (art. 6, para. 1)?

According to the draft Environmental Code, scoping is the process of deciding the content and level of detail of the information to be provided in the environmental report depending on the nature and content of a strategic document. In the environmental report should be included the information regarding projected state of the environment, as well as potential environmental and other effects their phased implementation to the environment and human health.

In addition, at the state level, the environmental report should include the following:

- 1) Brief overview of the strategic document, its content, objectives, and linkages with other strategic documents;**
- 2) Baseline assessment of the environmental and health conditions and likely changes that may occur if the strategic document were not to be approved;**
- 3) Assessment of the environmental and health conditions in the areas that may be significantly affected by the implementation of the strategic document;**
- 4) Significant environmental issues and risks that may be caused or exacerbated by the implementation of the strategic document, including risks to human health and protected areas;**
- 5) Environmental and human health objectives of relevance to the strategic document, set at the global, national, and local levels; and the way these objectives and other environmental aspects have been addressed in the strategic document;**
- 6) Description of the likely significant environmental consequences that may result from the implementation of the strategic document, including side, cumulative, short term, medium term, long term, permanent, temporary, positive, and negative effects;**
- 7) Mitigation measures designed to prevent, reduce, and offset any significant adverse environmental effects of the strategic document;**
- 8) Justification of the decisions presented in the strategic document and the reasons why they have been selected among other alternatives considered in the strategic environmental assessment; and description of the assessment process including any impediments caused by the methodological deficiencies or gaps in knowledge, information, or technical capacity encountered in the assessment process;**
- 9) Monitoring programme focusing on the significant environmental effects associated with the implementation of the strategic document, outlining the specific monitoring activities;**
- 10) Description of the likely transboundary environmental impact resulting from the implementation of the strategic document (if any), and the comments and suggestions received from the public and interested authorities, including any feedback received as part of the transboundary impact assessment procedure;**
- 11) Summary of the environmental report presenting the findings pertaining to each of the issues mentioned in Sub-clauses 1–10 of this Clause, written in plain language that the public can easily understand.**

Article 7

Environmental report

I.9. How do you determine “reasonable alternatives” in the context of the environmental report (art. 7, para. 2)? Please specify:

- (a) **On a case-by-case basis**
- (b) As defined in the national legislation (please specify):
- (c) By using a combination of (a) and (b)
- (d) Other (please specify):

Your comments: **According to the draft Environmental Code, the environmental report identifies, describes, and evaluates the likely significant environmental effects associated with the implementation of a strategic document; and examines reasonable alternatives for proposed decisions taking into account the objectives and geographical scope of a strategic document.**

I.10. How do you ensure sufficient quality of the reports? Please specify:

- (a) **The competent authority checks the information provided and ensures it includes all information required under annex IV as a minimum before making it available for comments**
- (b) **By using quality checklists**
- (c) There are no specific procedures or mechanisms
- (d) Other (please specify):

Your comments: **According to the draft Environmental Code, the environmental report is satisfactory if it is in line with all the following requirements:**

1. **The report meets the requirements regarding the content of the environmental report:**
 - **1) Brief overview of the strategic document, its content, objectives, and linkages with other strategic documents;**
 - **2) Baseline assessment of the environmental and health conditions and likely changes that may occur if the strategic document were not to be approved;**
 - **3) Assessment of the environmental and health conditions in the areas that may be significantly affected by the implementation of the strategic document;**
 - **4) Significant environmental issues and risks that may be caused or exacerbated by the implementation of the strategic document, including risks to human health and protected areas;**
 - **5) Environmental and human health objectives of relevance to the strategic document, set at the global, national, and local levels; and the way these objectives and other environmental aspects have been addressed in the strategic document;**
 - **6) Description of the likely significant environmental consequences that may result from the implementation of the strategic document, including side, cumulative, short term, medium term, long term, permanent, temporary, positive, and negative effects;**

- 7) Mitigation measures designed to prevent, reduce, and offset any significant adverse environmental effects of the strategic document;
 - 8) Justification of the decisions presented in the strategic document and the reasons why they have been selected among other alternatives considered in the strategic environmental assessment; and description of the assessment process including any impediments caused by the methodological deficiencies or gaps in knowledge, information, or technical capacity encountered in the assessment process;
 - 9) Monitoring programme focusing on the significant environmental effects associated with the implementation of the strategic document, outlining the specific monitoring activities;
 - 10) Description of the likely transboundary environmental impact resulting from the implementation of the strategic document (if any), and the comments and suggestions received from the public and interested authorities, including any feedback received as part of the transboundary impact assessment procedure;
 - 11) Summary of the environmental report presenting the findings pertaining to each of the issues mentioned in Sub-clauses 1–10 of this Clause, written in plain language that the public can easily understand.
2. The content of the environmental report should be aligned with the conclusion on the scope of the environmental report.
 3. Whether the environmental report provides an objective assessment of the technical, procedural, and other difficulties encountered and explains any uncertainties identified.
 4. The availability of proven alternatives and the reasons for selecting the options included in the strategic document; whether the available information and findings regarding the likely environmental effects of the strategic document have been fully and adequately considered.
 5. Whether thorough consideration has been given to issues raised during the consultations with the interested authorities and the public at the stage determining the scope of the environmental report.
 6. The availability of the required graphic information including maps, charts, drawings, and diagrams.
 7. The availability of a monitoring programme addressing the likely environmental effects resulting from the implementation of the strategic document.

In case if one of the above criteria was not met, the report is deemed unsatisfactory.

Article 8

Public participation

I.11. How do you ensure the “timely public availability” of draft plans and programmes and the environmental report (art. 8, para. 2)? Please specify (more than one option may apply):

- (a) Through public notices
- (b) Through electronic media

(c) Through other means (please specify):

Your comments: **According to the draft Environmental Code, The following communication methods and means are mandatory for use in the strategic environmental assessment process to provide the public with the information specified in Clause 5 of the present Article:**

- 1) The Centralised Register;
- 2) The official website of the developer;
- 3) The official websites of the competent environmental and public health authorities;
- 4) At least one mass media outlet (printed periodical, TV, or radio station) covering the entire affected area;
- 5) By providing printed copies of information and making these copies available in places accessible for the public (i.e. information boards installed on the premises of the competent environmental authority and its territorial divisions, local executive authorities, public transport stops, and other places specifically designated for posting information and announcements);
- 6) By sending formal notices to those legal entities that are responsible for managing the protected areas that may be influenced by the environmental effects resulting from the implementation of the strategic document.

I.12. How do you identify the public concerned (art. 8, para. 3)? Please specify (more than one option may apply):

- (a) Based on the geographical location of the plans and programmes
- (b) Based on the environmental effects (significance, extent, accumulation, etc.) of the plans and programmes
- (c) By making the information available to all members of the public and letting them identify themselves as the public concerned
- (d) By other means (please specify):

Your comments: **draft regulation on SEA do not envisage any methods of identification of public concerned. According to the draft Environmental Code, the developer ensure participation of public concerned in SEA procedure and first of all, identify the public concerned.**

I.13. How can the public concerned express its opinion on the draft plans and programmes and the environmental report (art. 8, para. 4)? Please specify (more than one option may apply):

- (a) By sending comments to the relevant authority/focal point
- (b) By providing answers to a questionnaire
- (c) Orally
- (d) By taking part in a public hearing
- (e) Other (please specify):

Your comments: **According to the draft Environmental Code, when submitting the draft strategic document and environmental report that has been decided to be of satisfactory quality for consultations with the interested authorities, the developer simultaneously discloses these documents for public hearings. Public hearings are**

conducted pursuant to the Public Hearing Rules approved by the competent environmental authority.

The members of the public may provide their comments and suggestions regarding the content of the draft strategic document and environmental report to the developer irrespective of whether they attend public hearings or not. These comments and suggestions, provided to the developer before the completion of the public hearing process, should be taken into account in the finalisation of the environmental report and draft strategic document along with the comments and suggestions received at the public hearings.

I.14. Do you have a definition in your legislation of the term “within a reasonable time frame” (art. 8, para. 4)? Please specify:

- (a) No, the time frame is determined by the number of days fixed for each commenting period
- (b) No, it is defined case by case
- (c) Yes (please provide the definition):
- (d) Other (please specify):

Your comments: **At the current version of the draft Environmental Code the deadline for submission by public its comments and suggestions have not been set. It has been planned to set the deadline when developing the secondary legislation.**

Article 9

Consultation with environmental and health authorities

I.15. How are the environmental and health authorities identified (art. 9, para. 1):

- (a) On a case-by-case basis:
- (b) **As defined in the national legislation:**
- (c) Other (please specify)

Your comments: **In accordance with the Regulations on the Ministries of Health and Energy.**

I.16. How are the arrangements for informing and consulting the environmental and health authorities determined (art. 9, para. 4):

- (a) On a case-by-case basis:
- (b) **As defined in the national legislation:**
- (c) Other (please specify)

Your comments: **According to the draft Environmental Code, the developer sends the draft environmental report whose quality is deemed to be satisfactory based on the outcome of the quality evaluation process, to the competent environmental and public health authorities and other interested authorities in order to receive their comments and suggestions regarding the content of the draft strategic document and environmental report.**

Within five working days of the receipt of the draft strategic document and environmental report, the competent environmental and public health authorities publish these documents on their official websites along with information about the developer and inform other interested authorities about the publication of these documents.

I.17 Does your national legislation call for consultations with environmental and health authorities?

- (a) **Yes**
- (b) No

I.18. How can the environmental and health authorities express their opinion (art. 5, para. 2, art. 6, para. 2, and art. 9, para. 3):

- (a) **By sending comments**
- (b) By providing answers to a questionnaire
- (c) In a meeting
- (d) By other means (please specify)

Your comments: **According to the draft Environmental Code, within a period not exceeding twenty-five working days after the receipt of the draft strategic document and environmental report, the interested authorities, including the competent environmental and public health authorities, provide their comments and suggestions regarding the draft strategic document and environmental report by sending them to the developer in written form.**

Article 10 Transboundary consultations

I.19. As a Party of origin, when do you notify the affected Party (art. 10, para. 1)? Please specify:

- (a) **During scoping**
- (b) When the draft plan or programme and the environmental report have been prepared
- (c) At other times (please specify):

Your comments: **According to the draft Environmental Code of the Republic of Kazakhstan, the developer starts collecting the information required to assess the likelihood, nature, and scale of potential transboundary impacts associated with the implementation of a strategic document prior to applying for a screening process with respect to a strategic document (if screening is required) or during the scoping of the environmental report (if screening is not required).**

I.20. As a Party of origin, what information do you include in the notification (art. 10, para. 2)? Please specify:

- (a) **The information required by article 10, paragraph 2**
- (b) The information required by article 10, paragraph 2, plus additional information (please specify):

Your comments: **According to the draft Environmental Code, notification should contain the following information:**

- **Information about the strategic document or the planned activity, including all available data regarding potential transboundary environmental effects or impacts of the strategic document or planned activity;**

- **Information on the approval procedure and legal implications arising out of the decision to proceed with the strategic document or planned activity;**

- **Information on the strategic environmental assessment or environmental impact assessment procedure, including the deadlines for the public and the interested authorities to provide comments and suggestions;**

- **The deadline by which the affected parties are expected to provide a response regarding their intent to take part in the transboundary impact assessment procedure;**

2) Documents and/or information provided by the developer or initiating party pursuant to the Order;

3) Any additional information that is available and may influence the affected party's decision on whether to take part in the transboundary environmental impact assessment.

I.21. As a Party of origin, does your legislation indicate a reasonable time frame for the transmission of comments from the affected Party (art. 10, para. 2)? Please specify:

- (a) **No**
- (b) Yes (please indicate how long):

Your comments: **According the current version of the draft Environmental Code, Kazakhstan as a Party of origin, indicates the deadline by which the affected parties are**

expected to provide a response regarding their intent to take part in the transboundary impact assessment procedure; but the term “reasonable time frame” does not use.

I.22. If the affected Party has indicated that it wishes to enter into consultations, how do the Parties agree on detailed arrangements to ensure that the public concerned and the authorities in the affected Party are informed and given an opportunity to forward their opinion on the draft plan or programme and the environmental report within a reasonable time frame (art. 10, paras. 3 and 4)?

- (a) Following those of the Party of origin
- (b) Following those of the affected Party
- (c) Other (please specify):

Your comments: **According to the draft Environmental Code, upon the commencement of the transboundary environmental impact assessment procedure, the competent environmental authority:**

1) Ensures that the public and local executive authorities in the affected areas are informed about the transboundary environmental impact assessment procedure by the means and methods specified in Article 24 (Clause 3 and Clause 5, Sub-clause 1) of the present Code;

2) Holds consultations with the party of origin within the framework of the transboundary environmental impact assessment process.

The expenses associated with providing information to the local public and executive authorities about the forthcoming transboundary environmental impact assessment procedure will be covered from the state budget unless it has been agreed upon with the party of origin through consultation that these expenses will be borne by the party of origin.

Article 11 Decision

I.23. When a plan or programme is adopted, explain how your country ensures, in accordance with article 11, paragraph 1, that due account is taken of:

- (a) **The conclusions of the environmental report**
- (b) **Mitigation measures**
- (c) **Comments received in accordance with articles 8 to 10**

Your comments: **According to the draft Environmental Code, when making a decision based on the assessment, the competent environmental authority takes consideration of the environmental impact report findings, comments and suggestions received from the public and the interested authorities, and the outcomes of the transboundary impact assessment procedure (if applicable).**

I.24. How and when do you inform your own public and authorities (art. 11, para. 2)? **According to the draft Environmental Code, within two working days from the date the decision was released and based on the results of the assessment, the competent environmental authority:**

- 1) Posts the decision based on the results of the assessment in the Centralised Register;**
- 2) Notifies the initiating party about the publication of the decision based on the results of the assessment;**

3) Communicates the decision based on the results of the assessment to local executive authorities in the regions, towns, and districts in the affected area which, in turn, publish the decision on their official websites within one working day after receiving the decision.

I.25. How do you inform the public and authorities of the affected Party (art. 11, para.

- (a) By informing the point of contact
- (b) By informing the contact person of the ministry responsible for SEA, who then follows the national procedure and informs his/her own authorities and public
- (c) By informing all the authorities involved in the assessment and letting them inform their own public
- (d) Other (please specify):

Your comments: **According to the current version of the draft Environmental Code, the consultations with the affected parties may involve the organised collection of comments and suggestions from the public in the affected countries in line with the methods and deadlines agreed upon during the initial consultations, as well as participation of the interested authorities and the public from the affected countries in public hearings held to discuss the draft strategic document, environmental report, and environmental impact report pursuant to the present Code and Public Hearing Rules.**

I.26. How do you ensure that, when a plan or programme is adopted, the public, the authorities and the Parties consulted are informed and that the information mentioned in article 11, paragraph 2, is made available to them?

- (a) Pursuant to national legislation (please refer to specific provisions and provide citations in order to clarify the procedure followed):
- (b) Other (please specify):

Your comments: **According to the draft Environmental Code, the initiating party and the developer are required to provide the competent environmental authority with the following documents and/or information with notarized translations thereof into the language specified during consultations with the affected parties:**

- Excerpts from the final version of the environmental report and approved strategic document;
- Excerpts from the decision based on the results of the assessment;
- Evidence and explanation of how the results of the consultations with the affected parties, including comments and suggestions provided by interested authorities and members of the public in the affected countries, have been taken into account in the preparation of the environmental report, approval of the strategic document, or decision on the results of the assessment, as well as reasons why the provision and decisions included in the approved version of the strategic document or decision based on the results of the assessment have been selected among other available alternatives;
- A copy of the consent granted or evidence of notification received by the governmental authority on the grounds of the decision based on the results of the assessment (where the planned activity subject to environmental impact assessment requires granting governmental consents or submitting notifications to the governmental authority, which are specified in the list of consents and notifications approved by the Republic of Kazakhstan Government).

The excerpts from the documents referred to in the second and third points of the first

paragraph in the present Clause are specified by the competent environmental authority.

The initiating party and developer are required to submit the post-project analysis reports to the competent environmental authority (if provision for post-project analysis is made in the decision based on the results of the assessment or an agreement with the affected party) or the significant environmental impact monitoring reports for the strategic document, with notarised translations thereof into the language specified through consultation with the affected parties.

Within five working days after the date of submitting the documents specified in Clauses 7 and 8 of the present Article, the competent environmental authority sends them to the Ministry of Foreign Affairs of the Republic of Kazakhstan for transmission to the affected parties which have taken part in the transboundary environmental impact assessment.

Article 12 Monitoring

I.27. Describe the legal requirements for monitoring the significant environmental, including health, effects of the implementation of the plans and programmes adopted under article 11 (art. 12, paras. 1 and 2):

According to the draft Environmental Code, the developer is responsible for monitoring the significant environmental effects of the implementation of the strategic document within the scope of its competence and in line with the monitoring programme developed during the preparation of the environmental report. The monitoring of the likely significant environmental effects of the implementation of the strategic document involves the use of the statistical data, information from the state environmental monitoring system including other monitoring programmes as defined by the environmental legislation of the Republic of Kazakhstan, other environmental information, and sanitary and epidemiological monitoring data.

The list of indicators used to monitor the likely significant environmental effects of the implementation of the strategic document and the sources of information for each indicator are defined in the monitoring programme developed as part of the environmental report.

Providing methodological support for the monitoring of the likely significant environmental effects of the implementation of the strategic document generated in the State Planning System is the responsibility of the competent planning authority.

The monitoring of the likely significant environmental effects associated with the strategic document is conducted on an annual basis and involves the preparation of monitoring reports, to be submitted by the developer to the competent environmental and public health authorities each year by or before the 1st of April.

The developer shall publish the annual monitoring reports on the likely significant environmental effects of the implementation of the strategic document in the Centralised Register and on its official website and distribute the notice of publication of the report in the state and Russian languages.

The notice of publication should include the reference data required to find the report in the Centralised Register, the internet address of the developer's official website where the report has been posted, and the contact details of the officer in charge of providing help in accessing the report.

Following the review of the monitoring report on the likely significant environmental effects of the implementation of the strategic document, the competent environmental and public health authorities may provide their recommendations for changing and/or amending the strategic document to the developer and approval authority.

Part two

Practical application during the period 2016–2018

In this part, please report on your country's practical experiences in applying the Protocol (and not your country's procedures, which were described in part one). The focus of this section should be on identifying good practices as well as difficulties encountered in applying the Protocol in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Protocol in your country and innovative approaches to improve its application.

II.1. Does your country object to the information on SEA procedures provided in this section being compiled and made available on the website of the Protocol? Please specify (indicate "yes" if you object):

(a) Yes

(b) No

Your comments:

1. Consideration of health effects

II.2. Does your SEA documentation always include specific information on health effects? Please specify:

(a) Yes

(b) No, only when potential health effects are identified

2. Domestic and transboundary implementation in the period 2016–2018

II.3. Does your SEA documentation always include specific information on potential transboundary environmental, including health, effects? Please specify:

(a) Yes

(b) No, only when potential transboundary effects are identified

3. Cases during the period 2016–2018

II.4. Please provide the (approximate) number of transboundary SEA procedures initiated during the period 2013–2015 and list them, grouped by the sectors listed in article 4, paragraph 2:

4. Experience with the strategic impact assessment procedure in 2016–2018

II.5. Has your country experienced substantial difficulties in interpreting particular terms (or particular articles) in the Protocol?

- (a) No
- (b) Yes (please indicate which ones):

II.6. How does your country overcome the(se) problem(s), if any, for example by working with other Parties to find solutions? Please provide examples:

II.7. With regard your country's experience with domestic procedures, in response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others. Please detail:

(a) Has your country carried out monitoring according to article 12 and, if so, for what kinds of plans or programmes (cite good practice cases or good practice elements (e.g., consultation or public participation), if available)?

(b) Would your country like to present a case to be published on the website of the Convention and its Protocol as a "case study fact sheet"?

- (i) No
- (ii) Yes (please indicate which ones):

II.8. With regard your country's experience with transboundary procedures, in response to each of the questions below, either provide one or two practical examples or describe your country's general experience. You might also include examples of lessons learned in order to help others. Please detail:

(a) What difficulties has your country experienced and what solutions has it found?

- (i) Translation and interpretation
- (ii) Other issues

(b) What does your country usually translate as a Party of origin?

(c) As an affected Party, has your country ensured the participation of the public concerned and the authorities pursuant to article 10, paragraph 4?

- (i) No
- (ii) Yes (please indicate how):

(d) What has been your country's experience of the effectiveness of public participation?

(e) Does your country have examples of organizing transboundary SEA procedures for joint cross-border plans and programmes?

- (i) No
- (ii) Yes (please describe):

(f) As an affected Party, how do you ensure that the public concerned and the authorities are informed and given an opportunity to forward their opinion on the draft plan or programme and the environmental report within a reasonable time frame (art. 10, para. 4)?

According to the current version of the Environmental Code, if the Republic of Kazakhstan receives a notification from another country about a planned activity or strategic document that is likely to have a significant adverse transboundary impact on the environment in the Republic of Kazakhstan, the competent environmental authority shall organise the participation of the Republic of Kazakhstan in the transboundary environmental impact assessment procedure as an affected party.

Within two working days following the date of receipt of the notification referred to in Clause 1 of the present Article, the competent environmental authority posts the notification in the Centralised Register along with an invitation for the local public in the Republic of Kazakhstan to express their opinion regarding the need for conducting the transboundary environmental impact assessment and provide their comments and suggestions with respect to the planned activity or proposed strategic document.

5. Experience regarding guidance in 2016–2018

II.9. Are you aware of any use in your country of the online *Resource Manual to Support Application of the Protocol on Strategic Environmental Assessment (ECE/MP.EIA/17)*?¹:

- (a) No:
- (b) Part of it (Please specify):
- (c) Yes (please describe your experience):

Your comments on how the Guidance might be improved or supplemented:

6. Awareness of the protocol

II.10. Does your country see a need to improve the application of the Protocol in your country?

- (a) No:
- (b) Yes Please describe how your country intends to improve application of the Protocol:

7. Suggested improvements to the report

II.11. Please provide suggestions for how this report may be improved:

¹ Available from http://www.unece.org/env/eia/pubs/sea_manual.html.