

**Compliance Committee  
Aarhus Convention**

**Re: Compliance by Kazakhstan  
with decision IV/9c of the Meeting of the Parties**

The Zhaik-Caspian Aarhus Centre was created pursuant to the Memorandum of understanding on the creation and development of a regional Aarhus Centre, signed by the Ministry of Environmental Protection of the Republic of Kazakhstan, the Environmental Forum of Non-governmental Organisations of the Republic of Kazakhstan, the Astana OSCE Centre and the *Akimat* (local government) of Atyrau *Oblast* on 21 September 2009.

The mission of the Zhaik-Caspian Aarhus Centre is to implement the Aarhus Convention within the Zhaik-Caspian basin.

The Zhaik-Caspian Aarhus Centre acts as a link connecting central and local state authorities to civil society organisations in the field of environmental policy and its application within the Zhaik-Caspian basin.

The Zhaik-Caspian Aarhus Centre encourages cooperation between the environmental organisations of the Zhaik-Caspian basin and their potential partners among national, foreign and international NGOs and acts as a platform for dialogue and collaboration between environmental NGOs.

The Zhaik-Caspian Aarhus Centre is governed by its Supervisory Board, whose membership includes representatives of the Ministry of Environmental Protection of the Republic of Kazakhstan, the Astana OSCE Centre, the Environmental Forum of Non-governmental Organisations and representatives of *oblast*-level *akimats* and NGOs from the Atyrau, Mangistau and the Western Kazakhstan *oblasts* of the Republic of Kazakhstan.

In line with its strategic plan of work, the Zhaik-Caspian Aarhus Centre focuses its activity on the following areas:

- improving access to environmental information;
- improving participation by the parties concerned in setting the budget for environmental matters;
- strengthening participation by the parties concerned in discussing the environmental protection programmes of natural resource users;
- strengthening participation by the parties concerned in decision-making on specific types of activity;
- carrying out information campaigns on access to justice;
- raising environmental awareness among young people;
- developing the expertise of NGOs and environmental experts.

The Zhaik-Caspian Aarhus Centre continually carries out activities to raise awareness of the issues around access to justice among state environmental agencies, the environmental prosecution, the judiciary, deputies from *oblast* and city *maslikhats* (local representative bodies) and the public.

We participated in the Round Table organised by the Ministry of Environmental Protection jointly with the National Aarhus Centre of the Republic of Kazakhstan and the Astana OSCE Centre held in Astana on 13 December 2011 by making a presentation about our work.

In the context of implementation of decision IV/9c on Kazakhstan of the Meeting of the Parties, the Zhaik-Caspian Aarhus Centre organised an examination of the analysis of the compliance of environmental and civil procedural legislation of the Republic of Kazakhstan with the Aarhus Convention with respect to access to justice and of the analysis of judicial decisions taken from 2008-2011 on disputes concerning access to environmental information, public participation in decision-making and access to justice in environmental matters.

For this purpose, a round table entitled “Access to Justice” was held jointly with the judiciary of the Atyrau *Oblast* and NGO representatives in December 2011. This round table examined the above-mentioned analyses and discussed cooperation between the judiciary and the public on access to justice. It was decided to hold a round table in 2012 that would issue recommendations on improvements in this area.

As a follow-up, a round table entitled “Access to justice: opportunities and problems” was held in April 2012 with the support of the Ministry of Environmental Protection, the Environmental Forum of Non-governmental Organisations, the Astana OSCE Centre and the judiciary of the Atyrau and Western Kazakhstan *Oblasts*. Participants included representatives of the *oblast akhimat*, state environmental agencies, the environmental prosecution, the judiciary, deputies from the *oblast* and city *maslikhats*, the public and the media. The following recommendations were issued as a result of the round table (enclosure 1: recommendations, enclosure 2: list).

In April 2012, a regional seminar entitled “Mechanisms and forms of public participation in environmental decision-making” was held in the city of Atyrau and a seminar entitled “Strengthening public participation in environmental decision-making” was held in the city of Uralsk, with the support of all parties to the Memorandum.

Kazakhstan’s compliance with the Aarhus Convention as regards access to justice was also examined at these events, and suggestions were made on improving legislation in order to bring it into line with the Aarhus Convention.

Handbooks on public access to decision-making were produced as a result of the seminars.

We are currently planning a seminar on access to justice supported by the Supreme Court and the Ministry of Environmental Protection.

The Centre carried out these activities with the support of the Astana OSCE Centre, contact: Aiman Smagulova, tel. +7 7019108871, email [aiman.smagulova@osce.org](mailto:aiman.smagulova@osce.org).

Yours respectfully,

**Director  
Zhaik-Caspian  
Aarhus Centre**

**Sh. Izteleuova**