

**Regarding clarification how members of the public were involved in the process of examination of the relevant legislation and case law** we would like to provide with following information.

Developed Analyses has been placed at the website of the National Aarhus Center [www.aarhus.kz](http://www.aarhus.kz) on November 28, 2011 (available at [http://www.aarhus.kz/index.php?option=com\\_content&task=view&id=444](http://www.aarhus.kz/index.php?option=com_content&task=view&id=444)). There email addresses were given to send comments and suggestions.

Additionally reference to the Analyses has been posted on Facebook.

In the case of the submission of proposals and comments within a month, they could be reviewed and considered.

Also, the Analyses were sent to interested specific organizations for consideration. For example, the letter dated on December 6, 2011 № 07-1-26/2728-н was sent to the address of Ecological Society "Green Salvation" with an invitation to take part in a round table (attached).

Representatives of the Aarhus centers organized discussion of Analyses in the regions and provided with recommendations (attached).

Thus, the discussions took place in regions of the country in the Aarhus centers. Jhaiyk-Caspian Aarhus center conducted discussion in Atyrau region. Mangistau Aarhus center conducted discussion in Mangistau region.

On December 2, 2011 the Analyses were discussed at the meeting of the Interagency Working Group on the implementation of the Aarhus Convention. The information about the working group members was indicated in the Report on the implementation of the Decision IV/9c. The protocol of the meeting was placed at the website of the Ministry of Environmental Protection of the Republic of Kazakhstan.

[http://www.eco.gov.kz/moos/index.php?option=com\\_content&view=article&id=340%3A02122011&catid=1%3A2011-12-20-08-55-52&Itemid=1&lang=ru](http://www.eco.gov.kz/moos/index.php?option=com_content&view=article&id=340%3A02122011&catid=1%3A2011-12-20-08-55-52&Itemid=1&lang=ru)

The Analysis included the comments submitted by the organizations of network of ECO Forum of NGOs of the Republic of Kazakhstan, it was distributed across the network of ECO Forum and discussed by regional Aarhus centers in Karaganda, Atyrau and Pavlodar.

On December 13, 2011 the Analyses were represented and discussed at the round table attended by 20 representatives of the public and representatives of the Supreme Court (the list of participants and agenda attached). At the round table proposals to the Analyses on identification of "public concerned" were received from Public Fund "Semey NP" (attached).

Also, EcoForum NGOs, Shymkent Aarhus center, Analytical Environmental Agency «GreenWomen», Zhaiyk Caspian Aarhus center made proposals to the Recommendations of the round table.

Activity on discussion of the Analyses was continued after sending the report to the Secretariat.

In Shymkent city on January 26, 2012 Aarhus Regional center held a round table on "Issues of implementation of obligations under Aarhus Convention in Kazakhstan", which was attended by 19 participants, including representatives of public associations of the region, enterprises, regional media (TV). The protocol is attached.

**Also we would like to report on additional measures to implement the decisions IV/9s:**

Further analysis of the legislation of the Republic of Kazakhstan for compliance with the provisions of the Aarhus Convention is conducted. Proposals are being developed for legislation improvement to be considered by the Interagency Working Group on the implementation of the Aarhus Convention, and also brought before the public.

Law of the Republic of Kazakhstan "On making amendments and addenda to some legislative acts of the Republic of Kazakhstan on environmental issues" on December 3, 2011 includes an amendment to Article 57 of the Environmental Code, under which Action plans for environment protection for enterprises of 1-st and 2-nd categories are subject to bring to the public hearings. To bring parent document in line with the Law, the order of the Minister of Environment Protection of the Republic of Kazakhstan on April 2, 2012 № 88-o "On Amendments to the Order of the Minister of Environment Protection of the Republic of Kazakhstan on May 7, 2007 № 135-p "On Approval of the Rules of the public hearings" is adopted.

According to the order the Rules for public hearings are set out in the new edition. They provided for the holding of public hearings on the draft of Action plans for environmental protection, which are obligatory application for the issuance of permits for emissions into the environment for objects of 1-st and 2-nd categories.

Also other regulations are provided for bringing in accordance with the Environmental Code of the Republic of Kazakhstan.

At present further development of new proposals to the Rules for public hearings are being conducted (available at [http://www.eco.gov.kz/moos/index.php?option=com\\_content&view=article&id=542&Itemid=52&lang=ru](http://www.eco.gov.kz/moos/index.php?option=com_content&view=article&id=542&Itemid=52&lang=ru)).

In this draft document suggestions and recommendations of participants of the Round Table "Issues of the obligations of the Aarhus Convention in Kazakhstan" (Astana, December 14, 2011), the Regional Seminar "Mechanisms and forms of participation in decision-making on matters relating to the environment" (Atyrau, April 11, 2012), as well as non-governmental organizations (NGOs EcoForum, etc.), the Aarhus centers are taken into account.