



NATIONS UNIES

ОБЪЕДИНЕННЫЕ НАЦИИ

UNITED NATIONS

COMMISSION ÉCONOMIQUE
POUR L'EUROPE

ЕВРОПЕЙСКАЯ ЭКОНОМИЧЕСКАЯ
КОМИССИЯ

ECONOMIC COMMISSION
FOR EUROPE

Environment Division
Bureau 334
Palais des Nations
CH-1211 Geneva 10
Switzerland

Phone: +41-22-917 2682
Fax: +41-22-917 0630
E-mail: public.participation@unece.org
Website: www.unece.org/env/pp

18 July 2012

Ref: ENV/.2036

Dear Sir,

Re: Decision IV/9c adopted by the Meeting of the Parties to the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) at its fourth session (Chisinau, 29 June-1 July 2012)

I am writing to bring to your attention that at its thirty-seventh meeting (Geneva, 26-29 June 2012), the Aarhus Convention Compliance Committee considered the progress achieved by Kazakhstan in implementation of decision IV/9c on its compliance with the obligations under the Aarhus Convention. The Committee took note of the information submitted by the Party concerned on 15 June 2012 and statements made by the Party concerned and observer via videoconference on 29 June 2012.

The Committee requested the Party concerned to provide the above statements in writing and submit additional information, as detailed in the questions annexed to the present letter. You are invited to provide the requested information in a concise and explicit manner as soon as possible, but no later than **20 August 2012**.

Please note that the Committee will decide at its thirty-eighth meeting (Geneva, 25-28 September 2012) whether the conditions set out in decision IV/9c of the Meeting of the Parties to the Aarhus Convention had been fulfilled by the Party concerned.

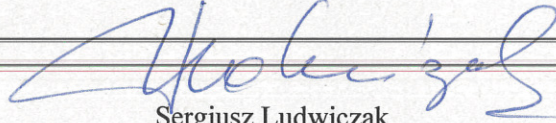
You are also requested to provide a report on the progress achieved in implementing decision IV/9c by **30 November 2012**.

Mr. Anatolii Dernovoj
Executive Secretary
of the Ministry of Environment
of the Republic of Kazakhstan
Astana

Please do not hesitate to contact the secretariat if you require any clarification regarding the above.

Please accept, Sir, the assurances of my highest consideration.

Yours sincerely,



Sergiusz Ludwiczak
Officer-in-Charge
Environment Division

United Nations Economic Commission for Europe

cc: Ms. Diana Mukanova, Director of Environmental Legislation and Legal Support Department,
Ministry of Environmental Protection, Kazakhstan
Mr. Sergey Kuratov, Chairman, NGO Green Salvation, Kazakhstan
Ms. Lubov Anatoljevna Gatina, Almaty, Kazakhstan
Mr. Aleksei Georgievich Gatin, Almaty, Kazakhstan
Ms. Ludmila Gennadievna Konyshkova, Republic of Kazakhstan
Permanent Mission of the Republic of Kazakhstan to the United Nations Office and other
international organizations in Geneva

**Annex – Questions to the Party concerned with regard to
decision IV/9c adopted by the Meeting of the Parties to the Convention on Access to
Information, Public Participation in Decision-making and Justice in Environmental Matters at
its fourth session (Chisinau, 29 June-1 July 2012)**

1) Please provide the Compliance Committee with the final texts of the following two studies: (a) Analysis of environmental and civil procedural legislation of Kazakhstan in relation to the compliance with the requirements of the Convention on Access to Information, Public Participation in Decision-making and Justice in Environmental Matters and (b) Analysis of the relevant case law over the period 2008-2011.

2) Do the studies that are posted on the website of the National Aarhus Centre in Astana (http://www.aarhus.kz/index.php?option=com_content&task=view&id=444) constitute their final versions? Are comments of the public, provided during the discussions at the round tables, were included in or considered for developing the above studies?

3) At what stage was the public involved (at the stage of developing studies or at a later stage during the commenting process on the completed texts)? To what extent comments of the public have been taken into account?

4) How the final texts of the studies were disseminated?

5) Please clarify what steps have been undertaken to improve access to information, procedure of public participation and access to justice in environmental matters in the legislation of Kazakhstan since the adoption of decision IV/9c. Also, provide relevant information regarding the status of the draft legal acts. If the draft legal acts are finalized or already formally adopted, please provide the Compliance Committee with the relevant texts.