

Much attention is paid in Kazakhstan to access to information and participation in decision-making.

This year the President of the Republic of Kazakhstan has identified five institutional reforms to solve the objectives of the New Economic policy "Nurlyzhol", one of which is the creation of **transparent and accountable government**.

One of the mechanisms for the creation of transparent and accountable government is to ensure the transparency of the decision-making process.

Through the mechanism of "Open government" citizens will be actively involved in decision-making process of the higher state bodies.

President of Kazakhstan defined 100 concrete steps for implementation of 5 presidential reforms.

Step 99. To design STRENGTHENING THE ROLE OF PUBLIC COUNCILS UNDER THE STATE AUTHORITIES AND GOVERNORS in order to discuss implementation of strategic plans and programs of development of territories; budgets, reports, achievement of target indicators, draft normative legal acts affecting the rights and freedoms of citizens; draft policy documents. Securing the status and POWERS OF PUBLIC COUNCILS by law will increase transparency in the government decision making.

Step 94. The introduction of the "Open Government". Drafting of law ON ACCESS TO INFORMATION, which will make accessible any information held by public bodies, except classified as a state secret and other information protected by law. Currently, the bill is under consideration by the Parliament of the Republic of Kazakhstan.

In frame of above mentioned order of the Head of State, deputies of the Majilis of the Parliament developed a draft law "On access to information", providing mechanisms similar to the mechanisms of Aarhus Convention, but relevant to all informational field of activity of state bodies, including environmental information. The bill is under consideration in Parliament.

The Government of the Republic of Kazakhstan is taking the following measures for the implementation of the Aarhus Convention into the national legislation.

The Ministry of Energy has developed a draft law "On making changes and additions to the legislative acts of the Republic of Kazakhstan on environmental issues". One of the objectives of bill is to implement the provisions of the Aarhus Convention.

The draft law introduces amendments and additions to the Ecological and Tax Codes of the Republic of Kazakhstan. The bill is pending in the Lower House of the Parliament - Majilis.

More detailed information on the current and planned changes in legislation is presented below.

1. To ensure access to environmental information.

1) It is introduced in Environmental code the provision (article 161), requiring the transfer of environmental information to the State Fund of environmental information: "the nature users and state authorities in the field of agriculture, health, land resources, emergency situations, defence, space and other activities should annually transfer environmental information to the State Fund in accordance with the list approved by the Government Decree. Lists (registers) of State Fund of environmental information are published on the web-site <http://ecogofond.kz/>. Providing information from the State Fund is a public service that is free for both domestic and foreign citizens and organizations (paragraph 321 of the Register of the state services, approved by the Decree of the Government of the Republic of Kazakhstan dated 18 September 2013 № 983).

2) Prior to the ratification of the Protocol on PRTR by Kazakhstan at the legislative level a new article 160: "The State Pollutant Release and Transfer Register" is introduced. That provide for obligations of nature users, having objects of I category to submit relevant information to the authorized body annually till March, 1.

3) At the legislative level (article 166-1) mandatory annual development and publication of a National report of state of environment and use of natural resources is established.

The National report will contain the following information on:

- qualitative and quantitative characteristics of the environment and natural resources;
- anthropogenic impact on the environment, including major public-significant environmental problems;
- environmental situation in the regions;
- implementation of state policy in the field of environmental protection and use of natural resources.

4) In Kazakhstan free access to normative legal acts of the state is provided.

In accordance with Government resolution from October 2013 Internet resource "Adilet" fulfills the official publication of all regulatory legal acts of the republic.

To date the portal "Adilet" contains more than 170 thousand normative documents (legal acts, orders of ministries, decisions of local authorities, etc.). The information system of legal acts "Adilet" has various types of document's search, convenient functions, simultaneous view of documents in two languages. This online resource is very popular among public servants and the public.

5) In addition, Kazakhstan has a legal and regulatory data base in the field of environmental protection and natural resources use "Ecoinfo", which contains approximately 2,000 documents organized by chapters of the Environmental code. During the year about 50 thousand documents are downloaded and viewed by users at this web resource.

2. To ensure participation in decision-making.

In addition to the introduction of a new article 57-1 in the Environmental code in Kazakhstan the following work to ensure public participation in decision-making is conducting.

1) The Ministry of energy fulfills continuous monitoring of public hearings, during which checks the timeliness and completeness of publications of the announcements, of the EIA materials, the protocols placed on Internet resources of local executive bodies in the "Public hearings" section. On the basis of the results of the monitoring administration makes recommendations for improvement.

2) Regularly the events aimed at improving the work of the Aarhus centres are held at the OSCE financial support. Moreover, the Aarhus centres and other non-governmental organizations participate in public hearings.

3. To ensure access to justice in environmental issues

1) A provision is introduced in the Environmental code (art. 14) to enable the public to appeal to the court to protect the rights, freedoms and lawful interests of individuals and legal entities on issues of environmental protection and use of natural resources, including the interests of an indefinite circle of persons.

2) A provision is introduced in the Environmental code (article 58), that allows interested parties to resolve through negotiations issues of disagreement on conclusion of the state ecological expertise.

3) In the Tax code (article 541) it is introduced the norm of exemption from payment of state fees for claims (statements) on the protection of rights, freedoms and lawful interests of individuals and legal entities on issues of environmental protection and use of natural resources, including the interests of an indefinite circle of persons.