Maastricht recommendations on the promotion of effective public participation in environmental decision-making in the Republic of Kazakhstan

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Local executive bodies, twenty days before the public hearings, shall provide open access to information relating to the procedure of environmental impact assessment of the proposed economic and other activities and the decision-making process for this activity via the Internet resource, as well as using other methods of informing.

The list of types of economic activity is approved, according to which projects public hearings are mandatory.

On the websites of local government agencies, separate headings "Public hearings" have been created, where all information on public hearings is posted, starting from the announcement and ending with placement of the given ecological permission.

The conclusions of the state environmental expertise should be published within five working days after its receiving by nature user on the Internet resource of the local executive body, where economic activities are planned.

PUBLIC PARTICIPATION IN DECISION-MAKING PROCESS IS CARRIED OUT BY MEANS

- carrying out public hearings
- conducting public environmental assessment
- carrying out public environmental control
- submitting comments and proposals to state bodies during the state environmental review
- participation in public councils at public authorities
- submitting comments and proposals for draft normative legal acts on environmental protection issues, including draft documents of the State Planning System.
EXAMPLE OF THE ANNOUNCEMENT OF PUBLIC HEARINGS

EXAMPLE OF CONCLUSION
ENVIRONMENTAL EXPERTISE
Local executive authorities 20 days before public hearings provide open access to environmental information related to the environmental impact assessment procedure of the planned economic and other activities and the adoption process.

As part of the implementation of the Aarhus Convention in 2016, significant changes and amendments were made to the legislative acts of the Republic of Kazakhstan.

A list of projects on which public hearings are required is approved.
In accordance with the Aarhus Convention, the Rules are supplemented by the mandatory requirements for the customer to indicate the period of public hearings (not less 20 working days), indicating the date of commencement and termination of receiving comments and proposals.

The responsible person of the local executive body in the case of receipt of comments and (or) proposals from the public concerned sends them to the customer. The customer analyzes the comments and (or) proposals received from the public.

According to the results of public hearings, a protocol is drawn up and posted on the Internet resource of the local executive body no later than seven working days after the public hearings.

The protocol reflects information on the possibility of appealing against the decision.
Participants of public hearings:

- The public concerned;
- Local executive body;
- The authorized body in the field of environmental protection for I Category facilities;
- State bodies, whose competence includes the adoption of the decisions under discussion;
- The mass media (hereinafter - the media), in case of their interest;
- Customer.

The customer preliminary coordinates with the local executive body the time and place of conducting public hearings, a preliminary list of public concerned and substantiates the most effective ways of informing it (announcements in the media, information sheets, stands, written appeals).

The local executive body determines the person responsible for conducting public hearings.
- Information placed on unified platform of public authorities:
  - on state and sectoral programs, concepts, programs and plans for the development of territories, strategies and plans for the development of industries
  - texts of drafts of normative legal acts being developed, conclusions of scientific examinations and subjects of private entrepreneurship
  - normative legal acts, put into effect in full accordance with the signed scripts
  - All interested persons can submit their proposals within 10 working days, the results of consideration shall be published in open access. In case of introducing changes, the projects should be posted on the discussion portal again

  - implementation of strategic environmental assessment
  - introduction of more clear norms defining the transboundary EIA procedure
  - Improvement of requirements to ensure public participation in EIA procedures
  - Increasing the role of public organizations and the public in the field of environmental control and law enforcement, strengthening the norms of public control
  - The Working Group on the renewal of the Environmental Code was established
THANK YOU FOR YOUR ATTENTION!