

draft

**Strategy for Engagement of Civil Society of the  
Republic of Kazakhstan in protection of the  
Caspian Sea Marine Environment**

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## **Introduction**

A dramatic increase in the anthropogenic impact on the environment of the Caspian Sea took place in the last decades. Oil exploration and production is carried out at the sea and in the coastal zone, intense transportation routes are located in aquatory. Mothballed oil wells and offshore oil fields, accidents in exploration wells and transportation vehicles, as well as transboundary transfer of pollutants are threatening the Caspian Sea because of the sea level rise. Sources of pollution of the Caspian Sea are diverse and located in all the littoral states, including areas of marine water.

Recognizing, that preservation of the unique ecosystem of the Caspian Sea is possible only through the effective regional cooperation, Caspian littoral countries signed the Framework Convention for the Protection of the Marine Environment of the Caspian Sea (Tehran Convention) in Tehran in November 2003, which serves as the main tool in protecting Caspian Sea environment. Tehran Convention is the only legal binding international agreement aimed at protecting the marine environment of the Caspian Sea from pollution, including protection, preservation, restoration and sustainable management of its biological resources. It stipulates Parties cooperation on a wide range of Caspian Sea environment issues, including the development of protocols prescribing specific measures, procedures and standards to comply with its provisions. A specific role in conservation efforts is foreseen in it for the government agencies, as well as the public. Article 21 of the Convention stipulates public participation, which defines Parties' obligations to ensure public access to information on the marine environment of the Caspian Sea, measures taken and planned to prevent, reduce and control pollution.

To implement Tehran Convention provisions on public participation a regional strategy for engagement of the civil society in environmental protection of the Caspian Sea was developed with the support of the regional project GEF \ UNDP project "Restoration of fisheries and the creation of a permanent regional environmental framework" CASPECO. It provides establishment of effective mechanisms for involving civil society in environmental issues of the Caspian Sea in general and issues related to the Tehran Convention and its protocols in particular. The Regional Strategy is the product of a lengthy regional consultative process which began with the formulation of the Caspian Stakeholders Analysis in 2002 and continued with the formulation and approval of the Caspian Public Participation Strategy in 2006. Strategy is a framework document including general principles and guidelines on public participation in environmental protection of the Caspian Sea, as well as providing basis for the development of national strategies for public participation of the Caspian countries.

The strategy for engagement of the civil society of the Republic of Kazakhstan in the Caspian environment protection is developed on the basis of the Regional Strategy in order to create mechanisms for involving civil society in management of the Caspian Sea environment and implementation of the Tehran Convention. The strategy also aims at increasing public participation in solving environmental problems of the Caspian Sea, as well as at using the potential of an innovative approach of the Tehran Convention.

The Strategy meets the main requirements of the Constitution of the Republic of Kazakhstan, Framework Convention for the Protection of the Marine Environment of the Caspian Sea, ratified by the Law of the Republic of Kazakhstan dated December 13, 2005, No 97, Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters ratified by the Law of the Republic of Kazakhstan on October 23, 2000 No 92-II, UNECE Convention on Environmental Impact Assessment in a Transboundary Context.

A Concept of Ecological Security of the Republic of Kazakhstan, approved by the Decree of the President of the Republic of Kazakhstan on December 3, 2003 No 1241, Concept of Transition of Kazakhstan to Sustainable Development, approved by the Decree of the President of the Republic of Kazakhstan on November 14, 2006 No 216, Concept of Civil Society Development, approved by the Decree of the President of the Republic of Kazakhstan dated 25 July 2006 No 154, Environmental Code of the Republic of Kazakhstan dated 25 July 2006 No 154 serve are also legal basis for the Strategy.

## **1. Analysis of current state**

The Caspian Sea with its valuable biological resources is facing currently with the difficulties connected with the negative impact of environmental problems such as unresolved problems of historical and current pollution, ecosystem degradation, catastrophic reduction of stocks of biological diversity, etc. The risks of industrial accidents on oil and gas production facilities and the probable major oil spills at the sea are rising because of the growth of hydrocarbon production on the land and increase in the volume of their transportation, as well as commencement of exploration in the Caspian shelf. Improving the environmental situation and environmental security of the Caspian Sea in this situation is possible only at well-developed environmental policies directed to interaction of the state with the public.

Currently, the process of public participation in addressing environmental problems is under development. In 2000, Kazakhstan ratified the Aarhus Convention, which contributed to increased public access to environmental information, decision-making process and justice in environmental protection. Due to the ratification of the Aarhus Convention the important principles of modern environmental legislation of the Republic of Kazakhstan such as an environmental liability of public bodies, expanding their activities on public awareness, ensuring public participation in decision-making process and access of citizens to the justice on environmental issues were set.

The Environmental Code of Kazakhstan, adopted in 2007 includes provisions on public participation in environmental activities. It stipulates public access to environmental information and public participation in environmental issues as one of the basic principles of sustainable development in the Republic of Kazakhstan.

Strengthening civil society's role in the transition to sustainable development and increase access to information are provided by the Concept of Transition of Kazakhstan to the Sustainable Development for the period 2007-2024. The Concept of Ecological Safety for 2004-2015 identifies public access to environmental information and public participation in environmental as one of the basic principles of ecological security of Kazakhstan. Towards developing civil society institutions in the Republic of Kazakhstan and realizing civil initiatives a Concept for civil society development of the Republic of Kazakhstan for 2006-2011 was adopted.

State bodies and public organizations cooperate in the strategic areas of social reform under the Civic Forum, established in 2003 to form a new model of relationships, in which state and non-governmental organizations will cooperate as partners. Civic Forum of NGOs is held on a regular basis and it has become a real national dialogue mechanism.

There are a sufficient number of public organizations in the country, designed to organize public participation in implementation of the environmental policy. According to different information sources, 3500 to 5000 NGOs are operating currently in Kazakhstan, whose activities involve more than 2 million citizens, 15% of which deal with the environmental issues.

In general, the main conditions are set for an active civil society participation in environmental protection of the Caspian Sea. However, in practice, social activity in addressing environmental problems of the Caspian Sea and implementing Tehran Convention and its protocols is directly dependent on such factors as the existence of legislation allowing effective public participation in socially important decision-making process and to take into account public opinion, as well as awareness of residents of the environmental issues of the region and relationships of environmental organizations with the population.

Current legislation provides for a formal constructive engagement of public authorities, local authorities, public associations, all citizens in developing integrated solutions to environmental problems and improving environment. To this end, public hearings on important issues related to the disposal of environmentally hazardous waste, construction of new industrial facilities and etc are held. In practice, public participation is a formal presence at the meetings; public opinion is not taken into account at making decisions.

Most of public environmental organizations are not effective really and efficient in their work. They are shortchanged across the regions, their activities are uncoordinated, and there is no interaction between them. They do not possess the necessary skills to conduct large campaigns and extensive public involvement and they suffer lack of experience in the specific areas of work.

Public opinion on the issue of environmental stress in the Caspian region is a complex and contradictory phenomenon, exposed to weaknesses of legislative and institutional framework. Real partnership between the government and public, implying the provision of reliable complete information on actual Caspian Sea environment issues and participation in the planning and control, remains as a major challenge in strengthening

civil society involvement to improving the environmental situation in the Caspian region.

In this situation, it is necessary to take measures on development of cooperation of government agencies with the public in finding acceptable solutions for active public involvement in addressing Caspian environment problems and implementation of the Tehran Convention.

### **Goals and objectives**

The goal of this Strategy is to involve civil society in environmental protection of the Caspian Sea through the establishment of effective mechanisms for public participation in environmental issues of the Caspian Sea in general and in particular in implementation of the Tehran Convention and its protocols.

To achieve this goal it is necessary to focus on the following priorities:

- to improve regulatory framework for active public participation and strengthening cooperation with the civil society in addressing Caspian environment problems and implementation of the Tehran Convention;
- to ensure raise of civil society awareness of the Caspian environment problems;
- to promote civic engagement in environmental activities on the Caspian Sea;
- to build capacity of civil society in protecting and restoring the environment of the Caspian Sea.

Public participation in the management of the Caspian Sea environment is based on the following main principles:

- Wide access to comprehensive information about the environment of the Caspian Sea and the Caspian Sea environmental activities;
- Full public participation in addressing environmental problems of the Caspian Sea;
- flexible inter-trust cooperation and partnership between the state and civil society institutions;
- Commitment of government and society to a culture of dialogue and cooperation and a joint search for solutions to environmental problems of the Caspian Sea;
- Responsibility for conservation of the Caspian Sea ecosystem and readiness for participation in the protection of the Caspian environment.

### **3. Key measures to achieve the goals and objectives**

#### **3.1. Improving the legal framework for active public participation and strengthening cooperation with the civil society on addressing Caspian environment problems and implementation of the Tehran Convention**

To develop a harmonious, equitable and partner relations between civil society and the state in protecting the environment of the Caspian Sea it is necessary following:

To take measures on improvement of the regulatory framework with the involvement of civil society and independent experts to ensure effective and full public participation in environmental decision-making process;

To promote establishing and developing partnership of civil institutions to consolidated representation of their interests in environmental management and active participation in the Tehran Convention and its protocols;

To develop permanent mechanisms of cooperation between civil society and government in the form of public councils, consultative and advisory bodies, committees, working groups on participation in the planning, implementation and monitoring of the environment of the Caspian Sea;

To improve the system of civil society involving in the discussion of social and environmental aspects of offshore oil and gas operations and preparation of the EIA;

To hold civic forums, conferences, workshops, round table discussions on topical problems of the Caspian Sea on a regular basis, which should become an effective national dialogue platform for developing solutions to environmental problems and priorities of the Caspian Sea;

To work out and introduce productive mechanisms of civilian control over the activities of public authorities and their decisions related to the environment of the Caspian Sea;

To study systematically, identify, test and apply the most advanced forms and methods of inter-sectoral cooperation with the civil institutions, to develop recommendations for public authorities on establishment of the effective mechanisms for interaction with civil society in environmental management of the Caspian Sea.



### **3.2. Ensuring raise of civil society awareness of Caspian Sea environment issues**

To raise public awareness of the Caspian Sea environment issues the following is required:

To establish a Caspian Informational and Educational Centre in the field of environment in order to increase public awareness on environmental issues of the Caspian Sea;

To promote development of an information and analysis network, which will monitor implementation of the environmental programs, including the protection and restoration of the environment of the Caspian Sea, as well as the implementation of the Tehran Convention and its protocols;

To establish a Caspian press office to improve the environmental awareness of the Caspian Sea and improve participation of media in disseminating information about environmental problems of the Caspian Sea and the implementation of the Tehran Convention and its protocols;

To introduce into practice holding effective targeted campaigns in order to inform the government and the private sector in agriculture, transport and other relevant fields for the management of water and biological resources of the Caspian Sea;

To improve the existing system of sharing information on planned activities, implementation, financing mechanisms, monitoring results, legal and institutional arrangements and other information necessary for involvement in decision-making process related to the environment of the Caspian Sea;

To take advantage actively of the modern information technologies, electronic media, to raise public awareness of the Caspian environment issues;

To facilitate to the creation of a regional mechanism for exchange of information with the littoral countries within the framework of the Tehran Convention on the status of biological and landscape diversity of the Caspian Sea.

### **3.3. Promote civic engagement in environmental activities on the Caspian Sea**

Particular attention should be paid to the development of a stimulation system for public activity in promoting environmental protection of the Caspian Sea, which requires following:

to develop a mechanism of state social order and provide for a phased increase of budget spending on state social order;

to establish a Microgrants Fund for the sustainable development of coastal communities and public participation in environmental issues of the Caspian Sea in partnership with the private sector and international donor community;

to develop various programs on promotion of the civil society participation in environmental activities on the Caspian Sea, including organizing annual festivals, fairs, exhibitions, contests, competitions, etc.

to endorse the annual celebration of the Caspian Sea on August 12 at the national and local levels, as well as provide funds for the celebration in the national budget;

to develop a program encouraging introduction of non-polluting technologies, in accordance with ISO 14000 by the local industries, as well as introduce the practice of holding an annual contest for the best environmental practices between the national and international companies;

to develop a program for eco-tourism on the coast of the Caspian Sea and sports-recreational fishing in the Caspian region and promote a "green belt" (a network of ecotourism) around the Caspian Sea;

to create and apply the new forms and methods of work aimed at increasing the activity of civil society in environmental activities on the Caspian Sea;

to study and apply the best international experience in developing and implementing programs on conservation of water resources with the broad participation of civil society institutions.

### **3.4. Capacity building of civil society in protecting and restoring the environment of the Caspian Sea**

To build capacity on participation in environmental activities on the Caspian Sea the following is necessary:

to organize systematic environmental education of the general public in the Caspian region on conservation of the Caspian Sea ecosystem;

to assist in the development of university curricula and textbooks on Caspian environment issues;

to develop programs for increase of awareness of the Caspian environment for public authorities, emphasizing the environmental assessment procedures, training programs for practitioners of sustainable coastal development planning, as well as programs for local authorities on modern technologies of water treatment and recycling of municipal wastes;

to organize and hold regular training of civil society in order to strengthen environmental journalism and improve coverage of environmental issues in the media;

to organize a training for local coastal businesses and target groups of population on the Caspian environment with a focus on win-win scenario, and robust management environment.

## **Conclusion**

Public participation in the Caspian Sea environment is an important condition for conservation of the fragile Caspian Sea ecosystem. Progress in the protection of the Caspian environment is possible at the active public participation through the mechanisms of the Tehran Convention and its protocols.

Implementation of this strategy will enhance and mobilize the human and intellectual potential of the country to protect the Caspian environment and increase personal responsibility of each for the fate of the unique body of water, as well as to ensure the welfare of the country and rapidly achieve sustainable development of Kazakhstan.

### Key actions to achieve goals and objectives of the Strategy

No	Title of Action	Completion form
<i>Improving the legal framework for active public participation and strengthening cooperation with the civil society on addressing Caspian environment problems and implementation of the Tehran Convention</i>		
1	To take measures on improvement of the regulatory framework with the involvement of civil society and independent experts to ensure effective and full public participation in environmental decision-making process	Proposals to the Government
2	To promote establishing and developing partnership of civil institutions to consolidated representation of their interests in environmental management and active participation in the Tehran Convention and its protocols	Proposals to the Government
3	To develop permanent mechanisms of cooperation between civil society and government in the form of public councils, consultative and advisory bodies, committees, working groups on participation in the planning, implementation and monitoring of the environment of the Caspian Sea	public councils, working groups
4	To improve the system of civil society involving in the discussion of social and environmental aspects of offshore oil and gas operations and preparation of the EIA	Proposals to the Government
5	To hold civic forums, conferences, workshops, round table discussions on topical problems of the Caspian Sea on a regular basis, which should become an effective national dialogue platform for developing solutions to environmental problems and priorities of the Caspian Sea	forums, conferences, workshops, round table
6	To work out and introduce productive mechanisms of civilian control over the activities of public authorities and their decisions related to the environment of the Caspian Sea	Proposals to the Government
7	To study systematically, identify, test and apply the most advanced forms and methods of inter-sectoral cooperation with the civil institutions, to develop recommendations for public authorities on establishment of the effective mechanisms for interaction with civil society in environmental management of the Caspian Sea	Proposals to the Government
<i>Ensuring raise of civil society awareness of Caspian Sea environment issues</i>		
8	To establish a Caspian Informational and Educational Centre in the field of environment in order to increase public awareness on environmental issues of the Caspian Sea	Caspian Informational and Educational Centre
9	To promote development of an information and analysis network, which will monitor implementation of the environmental programs, including the protection and restoration of the environment of the Caspian Sea, as well as the implementation of the Tehran Convention and its protocols	an information and analysis network
10	To establish a Caspian press office to improve the environmental awareness of the Caspian Sea and improve participation of media in disseminating information about environmental problems of the Caspian	Caspian press office

	Sea and the implementation of the Tehran Convention and its protocols	
11	To introduce into practice holding effective targeted campaigns in order to inform the government and the private sector in agriculture, transport and other relevant fields for the management of water and biological resources of the Caspian Sea	effective targeted campaigns
12	To improve the existing system of sharing information on planned activities, implementation, financing mechanisms, monitoring results, legal and institutional arrangements and other information necessary for involvement in decision-making process related to the environment of the Caspian Sea	Distribution of information
13	To take advantage actively of the modern information technologies, electronic media, to raise public awareness of the Caspian environment issues	Distribution of information
14	To facilitate to the creation of a regional mechanism for exchange of information with the littoral countries within the framework of the Tehran Convention on the status of biological and landscape diversity of the Caspian Sea	Exchange with information through the CIC
<i>Promote civic engagement in environmental activities on the Caspian Sea</i>		
15	to develop a mechanism of state social order and provide for a phased increase of budget spending on state social order	Proposals to the Government
16	to establish a Microgrants Fund for the sustainable development of coastal communities and public participation in environmental issues of the Caspian Sea in partnership with the private sector and international donor community	Microgrants Fund
17	to develop various programs on promotion of the civil society participation in environmental activities on the Caspian Sea, including organizing annual festivals, fairs, exhibitions, contests, competitions, etc	Draft programs
18	to endorse the annual celebration of the Caspian Sea on August 12 at the national and local levels, as well as provide funds for the celebration in the national budget	The draft Government Decree
19	to develop a program encouraging introduction of non-polluting technologies, in accordance with ISO 14000 by the local industries, as well as introduce the practice of holding an annual contest for the best environmental practices between the national and international companies	Draft program
20	to develop a program for eco-tourism on the coast of the Caspian Sea and sports-recreational fishing in the Caspian region and promote a "green belt" (a network of ecotourism) around the Caspian Sea	Draft program
22	to create and apply the new forms and methods of work aimed at increasing the activity of civil society in environmental activities on the Caspian Sea	Proposals to the Government
23	to study and apply the best international experience in developing and implementing programs on conservation of water resources with the broad participation of civil society institutions	Proposals to the Government
<i>Capacity building of civil society in protecting and restoring the environment of the Caspian Sea</i>		
24	to organize systematic environmental education of the general public in the Caspian region on conservation of the Caspian Sea ecosystem	Draft educational programs
25	to assist in the development of university curricula and textbooks on Caspian environment issues	Draft university curricula and textbooks
26	to develop programs for increase of awareness of the	Draft programs

	Caspian environment for public authorities, emphasizing the environmental assessment procedures, training programs for practitioners of sustainable coastal development planning, as well as programs for local authorities on modern technologies of water treatment and recycling of municipal wastes	
27	to organize and hold regular training of civil society in order to strengthen environmental journalism and improve coverage of environmental issues in the media	Training programs
28	to organize a training for local coastal businesses and target groups of population on the Caspian environment with a focus on win-win scenario, and robust management environment	Training programs