

## Public Campaign “Protect Kok-Jailau!”

### Background

Almaty is the largest city of the Republic of Kazakhstan. It is located at the footsteps of a mountain ridge Zailiisky Alatau which is one of the branches of the Northern Tien Shan. In 1996, in order to preserve and recover unique natural complexes of Zailiisky Alatau, the government of Kazakhstan issued a decree about creation of Ile-Alatau State National Natural Park (SNNP) near the city. Its area is about 200,000 hectares. This is a beloved place of recreation for Almaty residents and visitors of the south capital. Its main attraction is untouched nature. The national park is a “green heart” of a vast area which is a home for more than two million people. Zailiisky Alatau provides the south part of Almaty oblast with water resources, first of all – high quality drinking water. Overall, about 2,000 species of plants<sup>1</sup> are known to grow in the park. It is a habitat for more than 1,700 species of animals, with 13 species of birds and 8 species of mammals included in the Red Book.<sup>2</sup> Among them: snow leopard (or irbis), lynx, Tien Shan brown bear, stone marten, ibisbill, and others.

### Why the public is against the construction of a mountain ski resort “Kokzhailau”

In the early 2000s, Kazakhstan mass-media started to publish articles about plans of construction of a large mountain ski resort on the territory of Ile-Alatau National Park.<sup>3</sup> In 2006, there was adopted a new law “About Specially Protected Natural Territories,” which was subjected to numerous amendments right away. As a result, as for 2014, the law contains contradictions and ambiguities which allow manipulating and random interpreting of its provisions. Therefore, the law ceased to be a base for preservation of specially protected natural territories.

In 2011, the akim (mayor) of the city of Almaty informed about plans of construction of an international mountain ski resort in Kok-Zhailau hollow.<sup>4</sup> As a part of the project, it is planned to create ski tracks of the total length of more than 50 km (earlier, it was stated that the length would be 500 km), construction of passenger cable ways, hotels, restaurants, malls; creation

<sup>1</sup> Baitenov M.S. Flora of Kazakhstan. – Almaty, 2001, volume 1-2.

<sup>2</sup> Project of reconstruction of the resorts “Medeu” and “Chimbulak”. Environmental Impact Assessment. CaspiEcology Environmental Services Ltd. 2007.

<sup>3</sup> <http://news.gazeta.kz/art.asp?aid=157264>, <http://news.gazeta.kz/art.asp?aid=168772>.

<sup>4</sup> <http://www.almatytourism.kz/index.php/proekt-gorno-lyzhnogo-kurorta-kok-zhajlyau>.

of infrastructure sites – auto road, parking lots, electrical and water supply systems. All of this is planned to be built on the public expense, with an estimation that later on, private investors would build up the resort with real estate. The project is called “strategic” and claimed that “thanks to this project we will pull out tourism for the whole country.”<sup>5</sup>

Kok-Zhailau hollow, located 10 km from Almaty, is one of the most accessible and beloved places of recreation for Almaty residents who like hiking, biking, skiing, and horse-back riding tourism. The hollow can be accessed by trails from Bolshoi and Maly Almatinsky Canyons.

Any mountain ski resort brings a significant negative influence on ecosystems – fauna, soil and vegetation, relief, water resources, and atmosphere. And the new resort is not going to be an exception. As shown by the world experience, profiling of ski tracks and construction of roads, buildings, and facilities inevitably lead to wiping down of vegetation.

Construction of infrastructure of the mountain ski resort on Kok-Zhailau will highly negatively reflect on biodiversity of Ile-Alatau National Park. Construction development and increase of pressure caused by inflow of tourists will inevitably force out birds and animals from their habitats. Soil and vegetation will be damaged. More than 30 hectares of a relict fir tree forest<sup>6</sup> will have to be clear cut. Meanwhile, Kok-Zhailau hollow is one of the few places where one can still find the famous Sivers apple tree which is an ancestor of many modern species of cultivated apple trees, but it is under a threat of extinction.

A system of artificial snow-making is planned to be installed to provide stable snow cover on 75% of the slopes. This will require 326,000 cubic m of water and construction of 4 underground reservoirs.<sup>7</sup> If the reservoirs are damaged at any time, it can cause mud flows.

At the present time, there are several springs and small creeks in the hollow which are incapable to provide the resort with such volume of water. Withdraw of water for the resort will harm the natural water balance in the park.

In 2002, Ile-Alatau National Park was included into a tentative list of sites nominated by the Republic of Kazakhstan into the World Heritage List.<sup>8</sup> Construction of the mountain ski resort contradicts to the criteria of

<sup>5</sup> [http://tengrinews.kz/kazakhstan\\_news/kurort-kok-jaylyau-kazahstanskie-senatoryi-nazvali-strategicheskim-obyektom-199097](http://tengrinews.kz/kazakhstan_news/kurort-kok-jaylyau-kazahstanskie-senatoryi-nazvali-strategicheskim-obyektom-199097).

<sup>6</sup> “Kokzhailau” ski resort feasibility study. Pre-EIA. V. 1: <https://docs.google.com/open?id=0BzXhutyNABDrSWRsNUITcUx1bGM>.

<sup>7</sup> “Feasibility study of taking out lands of specially protected natural territories of Ile-Alatau State National Natural Park into lands of reserve for construction of mountain ski resort “Kokzhailau” (page 49): <http://www.gis-terra.kz/services/debate/kokjaylay>.

<sup>8</sup> <http://whc.unesco.org/en/tentativelists/1681>.

Convention about protection of the world cultural and natural heritage. This significantly lowers the chances of the natural site to be included into the prestigious List. Meanwhile, the status of a World Heritage site would attract not less of foreign tourists to the national park than a mountain ski resort.

Construction of a large mountain ski resort in the national park contradicts many norms of national legislation in the area of specially protected natural territories, protection of the environment, water, forest, and land resources. Besides, it contradicts to the requirements of the international conventions ratified by the Republic of Kazakhstan: Convention on Biological Diversity, Convention about Environmental Impact Assessment in a Transboundary Context, Convention on the Conservation of Migratory Species of Wild Animals, and others.

Basically, the planned construction is nothing but a redistribution of the state property.

### **Campaign in protection of the national park**

Of course, idea of construction of the mountain ski resort in the national park caused indignation of thousands of not indifferent people.

There was started a campaign “Protect Kok-Jailau!” which was supported by many experts, scientists, athletes, and public organizations.

Ecological Society Green Salvation and activists of the campaign prepared an open petition to the President, delegates of the Parliament, Ministry of Industry and New Technologies, Ministry of Agriculture, Ministry of Environmental Protection, Ministry of Finance, Mayor’s Office of Almaty, and political parties of Kazakhstan and started collection of signatures. By the end of May 2014, the petition against construction of the resort in the national park was signed by more than 10,000 people – residents of Almaty and other cities and towns of Kazakhstan and citizens of different countries of the world who know and love our country.

The petition was sent twice to the President and the above mentioned addressees on January 30, 2012, and April 2, 2013. Neither in the first time, nor in the second time did the administration of the President reply to the collective public petition. The rest addressees (ministries, parliament, akimat, administration of the park, and others) replied the petition, but the questions and comments of the public were ignored.<sup>9</sup>

A special page devoted to the campaign “Protect Kok-Jailau!”<sup>10</sup> was created on the website of the Ecological Society Green Salvation. Later, activists of

<sup>9</sup> [http://www.greensalvation.org/index.php?mact=News%2Ccntnt01%2Cdetail%2C0&cntnt01arti](http://www.greensalvation.org/index.php?mact=News%2Ccntnt01%2Cdetail%2C0&cntnt01artiicleid=439&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51)

<sup>10</sup> [http://www.greensalvation.org/index.php?page=KokZhaylyau\\_campaign](http://www.greensalvation.org/index.php?page=KokZhaylyau_campaign).

the movement opened a separate internet-portal<sup>11</sup> and a video-channel on YouTube,<sup>12</sup> where they publish all news and video-recordings. In order to inform the public and openly discuss the project and its problems, special groups were created on the social networks Vkontakte<sup>13</sup> and Facebook,<sup>14</sup> and also a popular Kazakhstan internet-forum “Vse vmeste.”<sup>15</sup>

In March 2012, the first open public discussion of the project took place at the meeting of the Institute of Political Decisions club<sup>16</sup> with a participation of the akimat representatives. A little later, Kazakh athlete Yelena Khrustaleva, silver medalist in biathlon at the Olympic Games in Vancouver (2010) and champion of the Winter Asian Games (2011), spoke in defense of the national park.<sup>17</sup>

In April 2012, honorary president of the Nature and Biodiversity Conservation Union of Germany (NABU), laureate of the alternative Nobel Prize, professor, doctor Michael Succow and NABU vice president, chairman of the NABU International Fund, Thomas Tennhardt addressed the president of Kazakhstan with a request to reject construction of a mountain ski resort in Ile-Alatau National Park.<sup>18</sup> Copies of the petition were submitted to the Minister of the Environmental Protection, Minister of Agriculture, and Minister of Industry and New Technologies.<sup>19</sup> But neither the administration of the president, nor any of the ministries replied the petition.

During three years, several press-conferences were organized in defense of the national park. Activists of the campaign took part in different TV and radio talk-shows and programs. Reports were prepared and presented at the conferences TEDxAlmaty,<sup>20</sup> SocialCamp Astana-2013,<sup>21</sup> Zhascamp,<sup>22</sup> “World Forum on Preservation of Snow Leopard,” “Conservation of Biodiversity in Trans-boundary Region of the Northern Tien Shan,”<sup>23</sup> and others. In order to explain people significance of the national park in their lives and

<sup>11</sup> [www.k-zh.kz](http://www.k-zh.kz).

<sup>12</sup> <https://www.youtube.com/user/ProtectKokZhailau>.

<sup>13</sup> <http://vk.com/club33570886>.

<sup>14</sup> <https://www.facebook.com/KokJailau?ref=ts&fref=ts>.

<sup>15</sup> <http://vse.kz/topic/433921-v-zaschitu-kok-zhailau/>.

<sup>16</sup> <http://k-zh.kz/2012/08/%D1%8D%D0%BA%D0%BE%D0%BB%D0%BE%D0%B3%D0%B8%D1%8F-%D0%B8-%D1%8D%D0%BA%D0%BE%D0%BD%D0%BE%D0%BC%D0%B8%D1%87%D0%B5%D1%81%D0%BA%D0%BE%D0%B5-%D1%80%D0%B0%D0%B7%D0%B2%D0%B8%D1%82%D0%B8%D0%B5-%D0%BE%D0%B1/>.

<sup>17</sup> <http://www.greensalvation.org/index.php?page=kj-hrustalyova>.

<sup>18</sup> [http://www.greensalvation.org/index.php?page=NABU\\_KJ](http://www.greensalvation.org/index.php?page=NABU_KJ).

<sup>19</sup> [http://www.greensalvation.org/index.php?page=NABU\\_KJ](http://www.greensalvation.org/index.php?page=NABU_KJ).

<sup>20</sup> <http://tedxalmaty.com/speaker/dmitrij-zhukov/>.

<sup>21</sup> <http://www.socialcamp.kz/ru/raspisanie>.

<sup>22</sup> <http://zhascamp.kz/presentations.html>.

<sup>23</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=486&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.

the importance of its preservation, there were organized alpinists climbing, photo-contests, photo exhibitions, drawing and composition contests, and also concerts devoted to the international holidays “Mountains Day,” “Earth Day,” “March of Parks,” and others.

In March 2013, the activists organized a flash-mob “Kok-Jailau SOS – save our mountains!” Dozens of Almaty residents laid down on snow to express their protest.<sup>24</sup>

Twice, the activists conducted civil hearings where independent experts – tourists, climatologists, biologists, ecologists, financiers, economists, market specialists, architects, lawyers, and others expressed their fears.<sup>25</sup>

On May 31, 2013, a group of Almaty residents whole believe that their removal from the decision making process on the project of construction of the mountain ski resort “Kokzhailau” is a violation of their rights, submitted a statement to the Aarhus Convention Compliance Committee.<sup>26</sup> The Committee accepted it for consideration and registered it under the number ACCC/C/2013/88.

In April 2014, the campaign was supported by the Ecoforum NPO of the Republic of Kazakhstan.<sup>27</sup>

Three times the activists of the campaign addressed the city authorities with a permission to conduct a mass-meeting, but they were denied.

Throughout the whole campaign, the activists sent dozens of letters into different state organs trying to establish a dialog and find a legal solution to protect the national park and develop tourism. As a part of the campaign, the Ecological Society Green Salvation alone sent 163 appeals to different state organs, including 16 letters to the Prosecutor’s Office.

It should be noted that the campaign attracted attention of mass-media who actively cover it for more than two years already.

### **International support of the campaign**

As mentioned above, in April 2012, the campaign was supported by the Nature and Biodiversity Conservation Union of Germany.

In February 2013, the campaign in defense of the national park was supported by the German Alpine Club (Deutscher Alpenverein e.V.).<sup>28</sup>

<sup>24</sup> <http://www.greensalvation.org/index.php?page=flash-mob-sos-kj>.

<sup>25</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=469&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.

<sup>26</sup> Statement to the Aarhus Convention Compliance Committee No. ACCC/C/2013/88: <http://www.unece.org/env/pp/compliance/compliancecommittee/88tablekaz.html>.

<sup>27</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=523&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.

<sup>28</sup> [http://www.alpenverein.de/natur-umwelt/online-petition-gegen-skierschliessungsplaene-in-kasachstan-kasachstan-skigebiet-im-nationalpark\\_aid\\_12332.html](http://www.alpenverein.de/natur-umwelt/online-petition-gegen-skierschliessungsplaene-in-kasachstan-kasachstan-skigebiet-im-nationalpark_aid_12332.html).

On September 26, 2013, director of the UNESCO Center of the World Heritage sent a letter to the UNESCO resident representative of the Republic of Kazakhstan Olzhas Suleimenov. The letter says that the Center received a letter from the public which expresses their concern regarding the plans of construction of a mountain ski resort on the territory of Ile-Alatau National Park. The Center asks to file this letter to the competent organs and expects to receive comments on it together with corresponding information about the project.<sup>29</sup>

In October 2013, the public of the city of Almaty addressed the Secretary of the Convention on Biological Diversity and expressed their concern regarding the plans of construction of the mountain ski resort on the territory of Ile-Alatau National Park.<sup>30</sup> On October 24, the Secretariat of the Convention informed that they addressed to the Ministry of Environmental Protection for consideration of the public appeal and undertaking corresponding measures. The Government of Kazakhstan is recommended to create a special organ which could implement programs of the Convention on specially protected natural territories.

At the same time, the World Commission on Protected Areas of the World Conservation Union expressed their concern regarding the plans of construction in the national park and asked the leadership of Kazakhstan at all levels to consider the opinion of this respected organization.<sup>31</sup>

In February 2014, Reinhold Messner, traveler, writer, one of the most famous alpinists of the world, first to conquer all 14 above eight-thousand-meter peaks of the world, supported the public petition against building up Ile-Alatau National Park by ski tracks and other infrastructure.<sup>32</sup>

On March 6, 2014, at the international tourism exhibition ITB 2014 in Berlin, the project Mountain ski resort “Kokzhailau” was awarded an anti-award “Rusty Nail” for its unsustainability in tourism. It was the first time, when this anti-award was received by a project which is not implemented yet.<sup>33</sup>

On April 30, 2014, in Brussels, representatives of the European Ecoforum made a statement in support of the public campaign in defense of the national park. 38 representatives from different countries, including Austria, Belgium,

---

<sup>29</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=474&cntnt01returnid=51>.

<sup>30</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=480&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.

<sup>31</sup> [http://media.wix.com/ugd/40939f\\_4ae578e88b1245b0bd64cfb626945c5b.pdf](http://media.wix.com/ugd/40939f_4ae578e88b1245b0bd64cfb626945c5b.pdf).

<sup>32</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=506&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.

<sup>33</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=512&cntnt01returnid=67>.



Germany, Czech Republic, Great Britain, Russia, and others, appealed to the government of Kazakhstan to postpone the project-permission procedures until fully securing participation and accounting of the public opinion regarding this resonance project, in accordance with the requirements of the Aarhus Convention.<sup>34</sup>

### **State project-permission procedure**

In the end of 2011, the akimat of the city of Almaty created a Department of Tourism and adopted its Strategic Plan. Later, during implementation of the project “Kokzhailau,” there was created a company “Kokzhailau” Ltd. It was spent 375 million tenge (about \$2.5 million)<sup>35</sup> from the city budget to develop the resort feasibility study. The project feasibility study was started and a preliminary Environmental Impact Assessment (pre-EIA) was conducted. This is a violation of the Law “About Specially Protected Natural Territories,” because the local executive organ does not have a right to control lands of a national park, plan and conduct economic activity on its territory. National parks are a special protected territory of the state significance and are under jurisdiction of the Ministry of Environment and Water Resources.

On January 11, 2013, the first public hearings were organized to discuss the materials of the Preliminary Environmental Impact Assessment as a part

<sup>34</sup> <http://panoramakz.com/index.php/component/k2/item/35170-predstaviteli-obshchestvennosti-v-znak-protesta-pokinuli-slushaniya-po-proektu-gornolyzhnogo-kurorta>.

<sup>35</sup> Strategic plan of the Department of Tourism of the city of Almaty for 2011-2015: <http://www.almatytourism.kz/index.php/strategicheskij-plan>.

of the feasibility study of the project “Kokzhailau” mountain ski resort. The hearings were held with violations of the legislation – not everybody who wanted had a chance to enter the conference room where the hearings were held, not everybody was let an opportunity to express their comments on the project.<sup>36</sup> Public access to the documents of the pre-EIA was opened only a few days before the hearings. And it was only opened after the text of the documents was published on the website of the Ecological Society Green Salvation. All of this did not let the public concerned to study the documents closely and prepare detailed comments. Besides, there was no access to the full project documentation. After the hearings, activists of the campaign conducted a press-conference where they expressed their comments of the project.<sup>37</sup>

In spite of the protests of the public, the akimat of the city submitted the materials of the pre-EIA for a state environmental assessment to the Department of ecology of the city of Almaty which is a territorial sub-division of the Ministry of Environmental Protection (MEP). The Department did not accept the documentation for assessment because this was a competence of the Ministry. Department of Tourism of the city of Almaty submitted the materials to the MEP. A little earlier, a sub-division of the Ministry – the Forestry and Game Committee – pointed out to the developers the “incompliance of this project with the environmental legislation” and sent it for revision.<sup>38</sup> Having ignored the remarks of the committee, the developer submitted the project for assessment to the Ministry. The Ministry behaved very strangely. It redirected the project to the Department of Natural Resources and Regulation of Natural Resources Utilization of the city of Almaty, explaining that the “project is the 4<sup>th</sup> class of hazard and is subjected to consideration by the local executive authorities.”<sup>39</sup> The officials of the ministry and akimat did not feel embarrassed by the fact that the ministry changed the norms of the legislation on their own will.

On April 13, 2013, the Department of Natural Resources of the city of Almaty issued a positive conclusion of the environmental assessment. By this, it committed the following violations of the legislation.

The project is proposed to be implemented on a territory of the Republic’s state enterprise which is under control of the MEP. The city akimat does not have an authority to manage specially protected territories of the republic value, as was mentioned above. And the Department of Natural Resources does not have a right to conduct assessment of this level.

<sup>36</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=415&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.

<sup>37</sup> <https://www.youtube.com/watch?v=gUea-rc435M&feature=youtu.be>.

<sup>38</sup> Letter of the Ministry of Environmental Protection No. 01-22/3T-JI-43-2 dated on 19.04.2013: <http://www.greensalvation.org/uploads/KokZhaylau/20130419letterFromMOOSTo021KJ.pdf>.

<sup>39</sup> Letter of the Ministry of Environmental Protection No. 01-22/3T-JI-43-1 dated on 16.04.2013: <http://www.greensalvation.org/uploads/KokZhaylau/201304LetterMOOS-OP2-KJ.jpg.jpg>.

The Department of Natural Resources and the Department of Tourism are both sub-divisions of the akimat of Almaty, i.e. the akimat became simultaneously developer and evaluator, which contradicts to the Environmental Code.

Creation of a large mountain ski resort contradicts to the goals and objectives of Ile-Alatau National Park and many norms of the national legislation.

The construction will lead to violation of many international obligations.

The project intends to clear cut relict forests (more than 30 hectares), even though according to the Forestry Code of the RK, any cuts are prohibited in national parks, except for sanitary and those necessary for forest protection measures (article 93, paragraph 3).

The project assumes destruction of rare and threatened species of plants,<sup>40</sup> which leads to a responsibility under the Criminal Code of Kazakhstan (article 290).

In the end of 2013, a process of transferring lands of Ile-Alatau National Park (area of 1002 hectares) into lands of reserve for construction of the mountain ski resort “Kokzhailau” was started.

On February 25, 2014, public hearings on the project “Feasibility study of transferring the lands of specially protected natural territories of Ile-Alatau State National Natural Park into lands of reserve for construction of a mountain ski resort “Kokzhailau” were conducted at the mountain ski resort “Shymbulak.”

These public hearings were also conducted with violations of the national legislation and the Aarhus Convention. Almaty residents who are not indifferent to the fate of the national park submitted several dozens letters to the Department of tourism with a request to postpone the hearings on a later date and to chose another location in downtown. This would allow every person concerned to take part in the discussion of the project. But the organizers ignored these requests! Despite of the fact that “public hearings assume equal rights for everybody to express their well-reasoned opinion,” not everybody was given a chance to speak out and ask questions.<sup>41</sup>

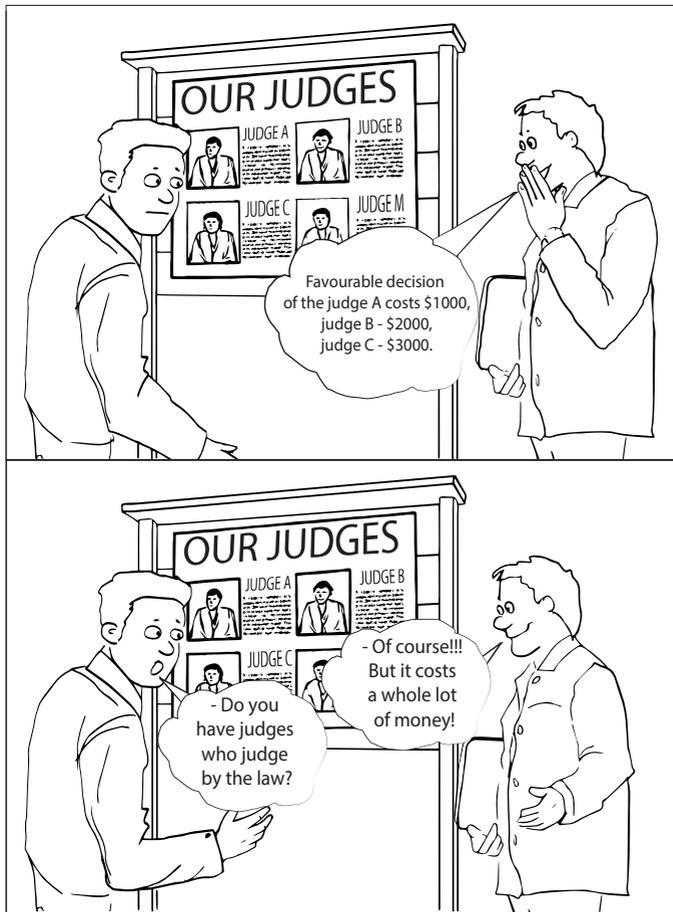
In parallel to that, preparation of detailed project documentation for the resort and a full environmental impact assessment was conducted.

On May 5, 2014, public hearings on the EIA of the project<sup>42</sup> took place again with violations of the Kazakhstan legislation and the Aarhus Convention.

<sup>40</sup> Pre-EIA – page137, chapter 10.1.4 Conclusion; Conclusion of the state assessment of the Department of Natural Resources and Natural Resources Management No. 07-08-133 dated on 13.04.2013, page 14: <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=441&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.

<sup>41</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=507&cntnt01returnid=67>.

<sup>42</sup> <http://www.greensalvation.org/index.php?mact=News,cntnt01,detail,0&cntnt01articleid=527&cntnt01detailtemplate=news01detail.tpl&cntnt01returnid=51>.



### Legal proceedings

At this moment, 3 lawsuits were filed within the frames of the campaign.

On June 3, 2013, in the interests of an indefinite circle of people, a lawsuit about failure to act by the Ministry of Environment and Water Resources was filed to a court. The statement says about failure to perform their responsibilities on effective utilization of the state property for well-being of the society and on control of integrity of the property of the Republic's juridical person – Ile-Alatau National Park.

For a year, courts returned the statement to the claimants multiple times for different reasons. Sometimes, as if a lack of jurisdiction, other times, as if the

documents were made incorrectly, other times, as if no prove was presented. Their actions were appealed by a private complaint to the city court.

In October 2013, the Ecological Society Green Salvation addressed a court with a lawsuit about acknowledging the conclusion of the state environmental assessment of the pre-EIA project of the “Kokzhailau” mountain ski resort feasibility study to be invalid. The claimant believes that the conclusion is illegal both by the content and by the person who conducted the assessment. Court of the first instance declined to satisfy the lawsuit demands. The Ecological Society Green Salvation filed an appeal to the Almaty City Court. On March 18, the Appeal Board announced their decision. Once again, the court did not recognize the violations of the legislation and declined to satisfy the public demands. The case remains open.

In April 2014, a group of Almaty residents with a support of the Ecological Society Green Salvation filed a statement about acknowledging the public hearings on feasibility study of transferring lands of Ile-Alatau National Park into lands of reserve for construction of the “Kokzhailau” mountain ski resort and the hearings’ protocol to be invalid. On April 7, the court made a determination to decline accepting the statement. The judge pointed out “that it cannot be reviewed and solved... because the appealed by the claimants’ public hearings and protocol do not cause any juridical consequences.” On April 14, a private complaint was filed, and on May 27, the City Court cancelled the determination and filed the statement to the same court for consideration by the essence.

Thus, in spite of the protests of the public, in violation of the Kazakhstan legislation and international conventions, Almaty city officials continue lobbying the project of construction of the mountain ski resort on the territory of the national park and claim that they will start the construction already in summer 2014...<sup>43</sup> But the public intends to continue defending the national park.

**The material is prepared by Svetlana Spatar  
Translated by Sofya Tairova**

---

<sup>43</sup> <http://www.ktk.kz/ru/news/video/2014/05/05/27823> .