

RESULTS OF MONITORING OF NATIONAL PARKS OF ALMATY OBLAST IN 2019

ECOLOGICAL SOCIETY "GREEN SALVATION"
ALMATY – 2020

Ecological Society “Green Salvation”



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RESULTS OF MONITORING OF NATIONAL PARKS OF ALMATY OBLAST IN 2019

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This material is a continuation of the publications “Results of monitoring of national parks of Almaty oblast in 2017” and “Results of monitoring of national parks of Almaty oblast in 2018.” The main focus is on the situation in Ile-Alatau State National Natural Park (hereinafter – Ile-Alatau SNNP). The park has invaluable importance for preserving biological diversity of the region, being essential for health and well-being of residents of the Almaty agglomeration. The report also partially covers the situation in the Charyn State National Natural Park and the “Kolsai Lakes” State National Natural Park.

*THE ECOLOGICAL SOCIETY “GREEN SALVATION” EXPRESSES ITS SINCERE
GRATITUDE TO THE NATIONAL ENDOWMENT FOR DEMOCRACY (USA)
WITHOUT WHOSE HELP IT WOULD BE IMPOSSIBLE TO PERFORM
THE WIDE-SCALE PHOTO AND VIDEO MONITORING OF THE ECOLOGICAL
SITUATION IN THE CITY OF ALMATY AND ITS VICINITIES.*

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GOALS AND OBJECTIVES OF THE MONITORING

- 5 Goals and objectives of the monitoring
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PART I



Goals and objectives of the monitoring

One of the areas of work of the Ecological Society “Green Salvation” (hereinafter—ES) is support of conservation of ecological systems of specially protected natural territories (hereinafter—SPNT) of the Almaty oblast, primarily national parks. For more than fifteen years, the ES has been monitoring environmental situation on their territories. The purpose of the monitoring is to assess whether the maintenance and use of the resources of national parks corresponds to public interests.

Objectives of the monitoring:

- collection of the most complete and reliable information: photographs, maps, documents and other materials;
- practical measures necessary to improve the situation and eliminate detected violations.

This material is a continuation of the publications “Results of monitoring of national parks of Almaty oblast in 2017”¹ and “Results of monitoring of national parks of Almaty oblast in 2018.”² The main focus is on the situation in Republican State Enterprise (hereinafter—RSE) “Ile-Alatau State National Natural Park” (hereinafter—Ile-Alatau SNNP). The park has invaluable importance for preserving biological diversity of the region, being essential for health and well-being of residents of the Almaty agglomeration. The report also partially covers the situation in the Charyn State National Natural Park and the “Kolsai Lakes” State National Natural Park.

The authors do not seek to identify all the circumstances that affect the environmental situation, as this can not be done by a small organization. The main focus is on the socio-environmental and legal aspects of operation of the national parks.

Collection and distribution of information

Monitoring was carried out by the organization itself with assistance of local

activists who collected and provided us with information about the situation in the national parks.

The ES was conducting a systematic photomonitoring, 42 site visits were organized, and 2846 photographs were taken. The collected information was used to make inquiries and appeals to the Committee for Forestry and Wildlife of the Ministry of Ecology, Geology and Natural Resources (hereinafter—the Committee), the Prosecutor’s Office, courts, and bodies of international environmental conventions.

Overall, more than 80 letters were sent in 2019.

Inquiries to the Mazhilis of the Parliament [the lower house of parliament—Authors’ note] were submitted twice by the ES, in order to draw attention of deputies to the serious problems of the SPNT and to obtain reliable information about the work of their administrations.

In order to obtain additional statistical data for 2019, the ES contacted authorized bodies in the beginning of 2020. The obtained data was used in this publication.

During the monitoring, the ES also used materials from websites of national parks, the Committee, and other authorized bodies.

The collected data was promptly distributed through publications on the organization’s website and in the media, at press conferences. This helped to quickly resolve some issues.

Hard copies of the report “Results of monitoring of national parks of Almaty oblast in 2018” were submitted to the Committee for Forestry, the OSCE Programme Office in Nur-Sultan, the International Union for Conservation of Nature, and the Convention on Biological Diversity.

At the end of 2019, a material about Ile-Alatau National Park was sent to the World Heritage Watch organization (<http://world-heritage-watch.org>). It is planned to be published in 2020.

¹ Russian and English versions: <http://esgrs.org/?p=23654>; http://esgrs.org/?page_id=25995.

² Russian and English versions: <http://esgrs.org/?p=26205>; <http://esgrs.org/?p=25965>.

**VIOLATIONS OF LEGISLATIVE
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**PART
II**



Absence of marking of the borders of Ile-Alatau National Park and its buffer zones

Borders of Ile-Alatau SNNP on-site are still only marked at the checkpoints. For more than 20 years already, the absence of markings of the borders has been leading to numerous conflicts between local residents, public, tourists, and the park staff.

The boundaries of the park's buffer zone are not marked either, despite the fact that it is provided for in paragraph 2 of Article 18 of the Law "On Specially Protected Natural Territories" (hereinafter—the Law on SPNT), although the buffer zone was established in 2015 by the Akimat of the Almaty oblast, and in the decree on the buffer zone of the Park, it was recommended that its administration mark the boundaries on site with special signs.³

From the side of Almaty, the city akimat did not even establish a protection zone, despite the fact that 24 years have passed since the foundation of the park.⁴ On May 28, 2019, the Committee for Forestry informed the ES: "To date, a draft of the "Natural, Scientific, and Feasibility Study for Establishment of the Buffer Zone of Ile-Alatau State National Park" has been developed and will further be sent to local executive bodies for approval.⁵ The Almaty Department of Green Economy provided a similar reply. The topic of organization of the buffer zone is being reviewed, and together with the Committee, the fate of orchard plots is being decided.⁶ However, the question of non-inclusion of these plots into the borders of the SPNT was

decided by the government at the time of foundation of the park. At present, they are under management of outside users on this territory and, of course, should be included in the buffer zone.

The Committee, city authorities, and the administration of the national park cannot agree on its borders due to the presence of disputed plots and disordered documentation. Even in court hearings related to the disputed land plots, representatives of the park sometimes get denied claims on the grounds that the lands "are not part of the SPNT."⁷

When violations of the regulations of SPNT are identified, a question about the ownership (about the owners) of the land located within the park and next to it constantly arises. For example, the lack of an accurate detailed map of the national park and the boundaries marked on the territory forces the ES to clarify them with almost every request.⁸

Intervention by local authorities into operation of the parks

On October 29, 2019, in the history of the "Protect Kok-Jailau!" public campaign, which has been operating for more than 8 years, an important event took place—Kazakhstan's President K. Tokaev forbade building a resort on the territory of the natural tract! He stated this at a meeting concerning socio-economic development of Almaty.⁹ However, for a guaranteed termination of the construction, it is necessary to return the natural tract to Ile-Alatau National Park, revoke a number of

³ "On establishment of a buffer zone and nature management regulation of the Ile-Alatau State National Natural Park on the territory of Almaty oblast." Resolution of the Akimat of Almaty oblast dated June 15, 2015 No. 255, paragraph 3.

⁴ Decree of the Akimat on establishing of a buffer zone was not approved until December 31, 2019. The Committee did not provide full information to the request made in February 2020. Reply of the Committee for Forestry and Wildlife dated March 10, 2020 (outgoing No.27-1-26/ZT-K-188-1) to the letter of the Ecological Society "Green Salvation" dated February 27, 2020 (outgoing No. 030).

⁵ Reply of the Committee for Forestry and Wildlife dated May 28, 2019 (outgoing No. 17-1-27/ZT-K-188) to the letter of the Ecological Society "Green Salvation" dated May 17, 2019 (outgoing No. 089).

⁶ Reply of the Department of Green Economy of the city of Almaty dated June 6, 2019 (outgoing No. 1-05.ZT-K-472) to the letter of the Ecological Society "Green Salvation" dated May 17, 2019 (outgoing No. 090).

⁷ Attachment to the reply of the Committee for Forestry and Wildlife dated March 13, 2020 (outgoing No. 27-1-26/ZT-K-117) to the letter of the Ecological Society "Green Salvation" dated February 27, 2020 (outgoing No. 032).

⁸ For example, in regards to the opening of a new ski resort "Oi-Qaragai Lesnaya Skazka" in the Talgar district of Almaty oblast on January 5, 2019, on March 7, 2019, the ES sent a request to Ile-Alatau National Park in order to clarify its borders.

⁹ I ban to develop the project "Kok-Jailau"—Tokayev: https://tengrinews.kz/kazakhstan_news/zapreshayu-zanimatsya-proektom-kok-jaylyau-tokaev-382757/ (website visited on February 12, 2020).

legislative acts which allowed for its initiation, dismantle the power substation, and carry out land restoration works.¹⁰ The case with the construction of the ski resort is a vivid example of interference of local authorities into the main activity of the national park, reporting to the national level department—the Committee for Forestry and Wildlife.

However, the central authorities either pretend that they do not notice any interference, or consider it to be quite normal. The response of the Prime Minister to the request of the deputies of the Mazhilis of Parliament No. DZ-132 dated September 18, 2019 states: “According to paragraph 2 of Article 11 of the Law of the Republic of Kazakhstan “On Specially Protected Natural Territories,” the state control over the condition, security, protection, and use of specially protected natural territories and sites of the state nature reserve fund is carried out by an authorized body.

The competence of local representative and executive authorities in the field of specially protected natural territories in oblasts, cities of the state level, and the capital is regulated by Article 10 of the Law and Article 15 of the Forest Code of the Republic of Kazakhstan.

In this connection, local executive authorities regulate activities and exercise state control over the condition, security, protection, and use of SPNT and sites of the state nature reserve fund, only located within their jurisdiction (SPNT of local level).¹¹ And not a word is mentioned that a part of the national park is located in the administrative boundaries of the city!

1. Giving away of lands

Information received from the Committee regarding lawsuits on withdrawal of land from undocumented land users confirms that local authorities are actively interfering into operation of the park.¹²

Data on 70 plots indicate that akims of urban and even rural districts of the Almaty oblast, in which administrative boundaries the territory of the Ile-Alatau SNNP is located since its foundation in 1996, give away its lands into private ownership. Most of the plots are allocated for individual housing construction, personal household and farm outbuildings. Seven of the plots are over a hectare in size. The largest is 9.3 hectares. The intended use of six of the 70 plots is related to various tourism services.

In accordance with paragraph 1 of Article 17 and paragraph 1 of Article 19 of the Land Code, the competence of akims of urban and rural districts includes “provision of land for private ownership and land use, except as provided for in Articles 13 and 16 of this Code,” as well as Articles 18 and 19. Paragraph 3 of Article 13 restricts their authority with regard to specially protected natural territories of the national level: “Provision and withdrawal of land plots, including for state needs, from lands of all categories in cases related to creation and expansion of specially protected natural territories of the national level,” is the competence of the government. According to paragraph 2 of Article 7 of the Law on SPNT, the competence of the government includes: “The right to own, use and control specially protected natural territories of the national level with a status of a legal entity and sites of the state nature reserve fund of the national level.”

References to the fact that part of the national park is located within the administrative boundaries of a city, oblast, urban or rural district, and therefore the lands can be controlled by an akim or akimat, are insolvent. Paragraph 6 of Article 108 of the Land Code states that “inclusion of land into boundaries of a city, township, or village does not cease the right of ownership or right of land use over the land.” That is, changing administrative boundaries according to the law cannot affect

¹⁰ It is still a long way until the final closure of the question on construction of the ski resort on Kok-Jailau!: <http://esgrs.org/?p=26465>.

¹¹ Reply of the Prime Minister dated October 21, 2019 (outgoing No. 17-9/2515dz) to the inquiry of the deputies of Mazhilis of the Parliament No. DZ-132 dated September 18, 2019: <http://www.parlam.kz/ru/mazhilis/question-details/18055> (website visited on February 12, 2020).

¹² Reply of the Committee for Forestry and Wildlife dated March 13, 2020 (outgoing No. 27-1-26/ZT-K-117) to the letter of the Ecological Society “Green Salvation” dated February 27, 2020 (outgoing No. 032).

the main activity of national parks and does not change the competence of akims and akimats.

The ES repeatedly raised the issue of illegal actions of local authorities, appealed to the courts and prosecutors.

Of course, the 70 sites mentioned above are only a small part of the lands occupied by outsiders within the national park. Intervention of local authorities into the park operation is not limited to giving away the lands into private ownership.

2. Tourism development

It should be especially noted that central government bodies “push” officials and business structures to violations, in particular through adoption of state programs, for example, the “State Program for Development of Tourism Industry of the Republic of Kazakhstan for 2019-2025” (hereinafter—the Tourism Development Program).¹³ It says: “In the current legislation of the Republic of Kazakhstan there are still standards that restrain active development of tourism in SPNT.”¹⁴

In this regard, the laws are amended to “simplify financing procedures for development of infrastructure in SPNT” and “allocation of land plots of SNNP into long-term and short-term use” for tourism activities.

“A norm regarding environmental institutions financing of measures for construction and reconstruction of roads to tourist and recreational facilities was included. Article

54 of the Budget Code of the Republic of Kazakhstan has been amended to allow local executive bodies to directly finance measures on the territory of SPNT for construction of infrastructure facilities of national level (roads, bridges, power lines and other communications).”¹⁵

It is unclear which changes in article 54 the developers are talking about. According to subparagraph 1 of paragraph 1 of Article 54, the regional budget is used to manage regional **public property**. As mentioned above, in accordance with paragraph 2 of Article 7 of the Law on SPNT, **specially protected natural territories of national level and sites of the state nature reserve fund are owned by the government**.¹⁶

According to subparagraph 7 of paragraph 1 of Article 54 of the Budget Code, the regional budget is used to “ensure preservation and access to historical and cultural heritage of **local level**.” And finally, according to subparagraph 8, the budget is used for “maintenance and protection of specially protected natural territories of the **local level**.” Subparagraph 10—transport and communications—does not mention specially protected natural territories at all.¹⁷ These statements have not changed since 2008, that is, from the day when the Budget Code was adopted.

The Tourism Development Program states: “In order to improve management and decisions’ transparency of environmental

¹³ The state program for development of the tourism industry of the Republic of Kazakhstan for 2019-2025. Approved by the Decree of the Government of the Republic of Kazakhstan dated May 31, 2019 No. 360: <https://primeminister.kz/assets/media/gp-po-turizmu.pdf>.

¹⁴ The state program for development of the tourism industry... Section 3.1.4.

“For example, in accordance with the Forest Code of the Republic of Kazakhstan, only citizens and legal entities of the Republic of Kazakhstan without foreign participation are entitled to participate in the competition for the right to long-term forest use in the areas of the state forest fund.

In this regard, **foreign investors are not interested in construction of tourist facilities and development of tourism activities on the territories of SNNP**.” The developers of the program, apparently, are not familiar with paragraph 2 of Article 1 of the Forest Code, which states: “Public relations in the field of use and protection of plants (except for forests) and wildlife, water bodies, underground resources, land, atmospheric air, and **specially protected natural territories are regulated by special legislation** of the Republic of Kazakhstan.”

On October 28, 2019, the Forest Code was supplemented by Article 102-3. Paragraph 2 of this article, apparently in order to eliminate any ambiguities, states: “On the lands of state national natural parks or state natural reserves, the basis for obtaining an architectural and planning assignment and design assignment is a long-term use agreement concluded by individuals and legal entities **with the state national natural park or a state nature reserve, in accordance with the legislation of the Republic of Kazakhstan in the field of specially protected natural territories**.”

¹⁵ The state program for development of the tourism industry... Section 3.1.4.

¹⁶ Law “On specially protected natural territories” (with amendments and additions as of October 28, 2019), Article 23, paragraph 2.

¹⁷ Budget Code of the Republic of Kazakhstan dated December 4, 2008 No. 95-IV (with amendments and additions as of April 01, 2020), Article 54.

institutions, **an order has been adopted by the Minister of Agriculture of the Republic of Kazakhstan, which allows to include representatives of public associations and business structures, as well as local executive and representative bodies in the coordination council.**

Along with this, a question of introducing appropriate amendments to the Rules for implementation of tourist and recreational activities in SNNP with regard to involving representatives of **non-profit organizations into proposal committees** [tender commission—Authors' note] **for achieving transparency of selection procedures** is being considered."¹⁸

That is, the intervention of local authorities and business structures is considered as a progressive phenomenon! And to give it an image of legitimacy, non-profit organizations will be involved. It is interesting how local authorities and business structures would react if representatives of national parks were included into their coordination councils in an orderly manner?!

State bodies and business structures have not abandoned plans for construction of ski resorts in Ile-Alatau SNNP. On October 8, 2019, shortly before the president prohibited the construction of the Kok-Jailau ski resort, the deputy chairman of "Kazakh Tourism" National Company" Joint-stock company (hereinafter—JSC) K. Sadvakasov said: "Ski tourism is developed in Almaty and East Kazakhstan oblasts. We see tourists from Kazakhstan, and from abroad. ... Therefore, I think that the number of tourists will continue to grow, but we need to increase capacity, because now the existing resorts, in particular Chimbulak [another name: Shymbulak—Authors' note], operate at their maximum capacity during the season. **There is an initiative to expand the**

ski resort in Almaty. That is—Turgen Canyon and others. I think that with the current number of tourists, growing interest in winter tourism, and also with the further assistance to business, this type of tourism will continue to develop not only in Almaty and East Kazakhstan oblasts."¹⁹

Interestingly, the Prime Minister's response to the request of the Mazhilis of Parliament deputies No. DZ-132 dated September 18, 2019 states: "Due to its close proximity to Almaty, a megalopolis with population of over a million, the territory of the Ile-Alatau SNNP experiences significant pressure from visitors whose number increases annually.

So, if in 2016 there were 115,004 visitors, then in 2018, the number of visitors was 205,676 people."²⁰ In 2019, the number of visitors increased to 301,999 people, i.e. more than 2.6 times in comparison with 2016.²¹ This poses some questions. Firstly, aren't the actions of the local authorities promoting the "pressure," pollution and destruction of the park's ecological systems?

But despite this, on February 19, 2020, Almaty akim B. Sagintayev at a reporting meeting with the population confirmed that investors made proposals for **construction of a ski resort in Butakovka Canyon** on the territory of Ile-Alatau National Park.

Akim of Almaty believes: "Tourism needs to be developed. The nature and climate itself speak in favor of more and more tourists coming to us and spending money. As part of the tourism development plan, new projects, including those from investors, appear. There were some proposals for Butakovka."²² He promised that the decision would not be made behind the scenes.

Based on the Tourism Development Program, it is planned that the authorized body in the field of tourism activity, along

¹⁸ The state program for development of the tourism industry... Section 3.1.4.

¹⁹ Interview about development of tourism industry in Kazakhstan: what attracts foreigners and which region is the leader in ecotourism: <https://primeminister.kz/ru/news/interviews/intervyu-o-razvitii-turistskoy-otrasli-v-kazahstane-chto-privlekaet-inostrancev-i-kakoy-region-yavlyaetsya-liderom-po-ekoturizmu> (website visited on March 27, 2020).

²⁰ Reply of the Prime Minister dated October 21, 2019.

²¹ Reply of the Committee for Forestry and Wildlife dated May 6, 2020 (outgoing No. 27-1-26/ZT-K-12) to the letter of the Ecological Society "Green Salvation" dated April 22, 2020 (outgoing No. 055).

²² Sagintayev on the construction of the resort in Butakovka: Such proposals took place: <https://informburo.kz/novosti/sagintaev-o-stroitelstve-kurorta-na-butakovke-takie-predlozheniya-byli-102377.html> (website visited on February 25, 2020).

with the president, the government and the Forestry Committee, will be given the right of state administration in the field of specially protected natural territories!²³ On October 10, 2019, a presentation of the draft law providing for amendments and additions to the law “On Tourism in the Republic of Kazakhstan” was held. Given that management companies will be created on the territory of Alakol [Alakol Lake—Authors’ note], Almaty mountain cluster, and in Mangistau oblast, and that the procedure for allocating land plots has been simplified—this is a direct serious threat to the existence of SPNT.²⁴

Lastly, the above mentioned Prime Minister’s response to the deputy request of September 18, 2019, stated that “with the purpose of development of regulated ecological tourism, master plans for development of tourism infrastructure were designed and approved in the SNNP. **Land plots that can be provided on a competitive basis for long- and short-term use** to individuals and legal entities for tourism and recreational purposes were determined ...

In addition, within the framework of the state program, it is planned to test a new model of management and development of ecological tourism on the territory of Ile-Alatau SNNP. The new management model provides for distribution of land plots for development of eco-tourism by **a management company** using a systematic approach.

In order to test the new management model, on August 14 of the current year [2019—Authors’ note] an **Agreement on joint activities for development of ecological tourism** was signed between “Kazakh Tourism” National Company” JSC and Ile-Alatau SNNP. Currently, under the Agreement, a pilot project for development of ecotourism in Ile-Alatau

SNNP with consideration of international experience is being designed.”²⁵

The city authorities intervene into the tourism organization work in the park. From a letter from the Almaty Tourism Department, it follows that it performs works on improving mountain trails in Butakovka, Big Almaty and Small Almaty canyons. “At the present time, work has been done on digitization of the paths ... a book of mountain routes has been developed with topographic maps, passports, description of routes and other useful information ... work is underway to fill in content and expand the list of mountain routes on the websites www.viewranger.com and www.2gis.kz ...

Regarding the issue of malfunctions on tourist routes, the Department organized an onsite visit to the area of the performed works together with representatives of Ile-Alatau State National Natural Park and the supplier executing these tasks.”²⁶

This poses some reasonable questions. Firstly, why is the administration of the park not able to organize the above mentioned works by themselves? Secondly, does the budget of the city of Almaty include the means to finance the works in the national park?

No one knows the answer to the first question. The answer to the second question is unequivocal—no. City budget for 2020 has an article “Services for implementation of the state policy in the field of tourism **at the local level.**” In addition, according to subparagraph 7 of paragraph 1 of Article 55 of the Budget Code “budget expenditures of the city of the national level and the capital are carried out in the following areas: ... regulation of tourism activities **at the local level.**”²⁷ Therefore, in the article of the budget of Almaty for 2020 “Regulation of tourism activity”²⁸ no funds were included

²³ V.Boreiko. Amendments to the laws on tourism: the fate of natural oases that are still alive is at stake: <https://informburo.kz/mneniya/vadim-boreiko/popravki-v-zakony-po-turizmu-na-konu-sudba-eshchyo-ne-ubityh-prirodnih-oazisov.html> (website visited on February 25, 2020).

²⁴ The state program for development of the tourism industry... Section 5.1.1.

²⁵ Reply of the Prime Minister dated October 21, 2019.

²⁶ Reply of the Department of Tourism of Almaty dated June 24, 2019 (outgoing No. 06-03/ZT-K-28) to the letter of the Ecological Society “Green Salvation” dated June 7, 2019 (outgoing No. 098).

²⁷ Budget Code of the Republic of Kazakhstan dated December 4, 2008 No. 95-IV (with amendments and additions as of April 1, 2020), Article 55.

²⁸ Attachment 1 to the decision of LVIII session of Maslikhat of the city of Almaty of the VI convocation dated December 13, 2019, No. 420. Budget of the city of Almaty for 2020. Subclass 380: https://almaty.gov.kz/upload/files/13_DECEMBER.pdf (website visited on March 30, 2020).

for improving of trails and other objects in the national park. And finally, the 2018 "Budget Performance Report"²⁹ lists "Services for realization of the state policy at the local level in the field of tourism and international relations." **At the local level!**

Of course, there are private investors and patrons, but they are independent of the Department. Their activities on improvement of trails and other facilities should also be strictly regulated by the park administration and specialists. A striking example is the improvement of trails to the hydrogen sulfide spring in the Prohodnoe Canyon [another name: Almaarasan—Authors' note] and to the waterfall in Turgen Canyon. In both cases due to incompetence of the performers, the good intentions gave not only positive results.

The activity of the Tourism Department in the national park is even more perplexing if one takes a look at the far from brilliant condition of tourist sites in Almaty: museums, architectural complexes, historical buildings, parks, barrows and other attractions listed as monuments of history and culture of local level.³⁰

It should be noted that the authorized bodies understand that inclusion of Kazakhstan's natural and historical sites into the World

Heritage List will create a great stimulus for tourism development. Nevertheless, for eighteen years, after Ile-Alatau SNNP was included into the Tentative List, no one even lifted a finger to prepare the nomination, not even the Committee or the park administration.

Unsustainable and uncontrolled tourism continues to pose a serious threat to strategic natural resources. The role of national park administrations in the organization and implementation of tourism activities is limited in the interests of officials and businessmen. Maybe everything just suits everyone?

Intervention into the main activity of national parks indicates a lack of a state policy for conservation of biological diversity and development of specially protected natural territories, significant deficiencies in legislation and lack of control over its implementation, and neglect of obligations under international conventions. The intervention poses a serious damage to ecological systems of national parks, interferes with the normal functioning of SPNT, increases likelihood of anthropogenic disasters, worsens the overall environmental situation in the republic, and even interferes with the development of tourism, so sought by our officials.

²⁹ Report on the execution of the budget of the city of national level, the capital as of February 1, 2019. Almaty. Budget classification code 399. The report for the full year of 2019, apparently, was not ready at the time of preparation of this material: https://almaty.gov.kz/page.php?page_id=3178&lang=1 (website visited on February 12, 2020).

³⁰ The state list of historical and cultural monuments of local level in the city of Almaty (with amendments and additions as of March 19, 2019). Approved by the Decree of the Akimat of the city of Almaty dated November 10, 2010, No. 4/840.



Picture 001.

Ayusay Canyon. January 3, 2020.



Picture 002.

Butakovka Canyon. June 21, 2019.



Picture 003.

Butakovka Canyon. August 26, 2019.



Picture 004.

Issyk Canyon. September 2, 2019.



Picture 005.

Kimasar Canyon. August 29, 2019.



Picture 006.

Kotirbulak Canyon. Recreation center “Almatau”. August 13, 2019.



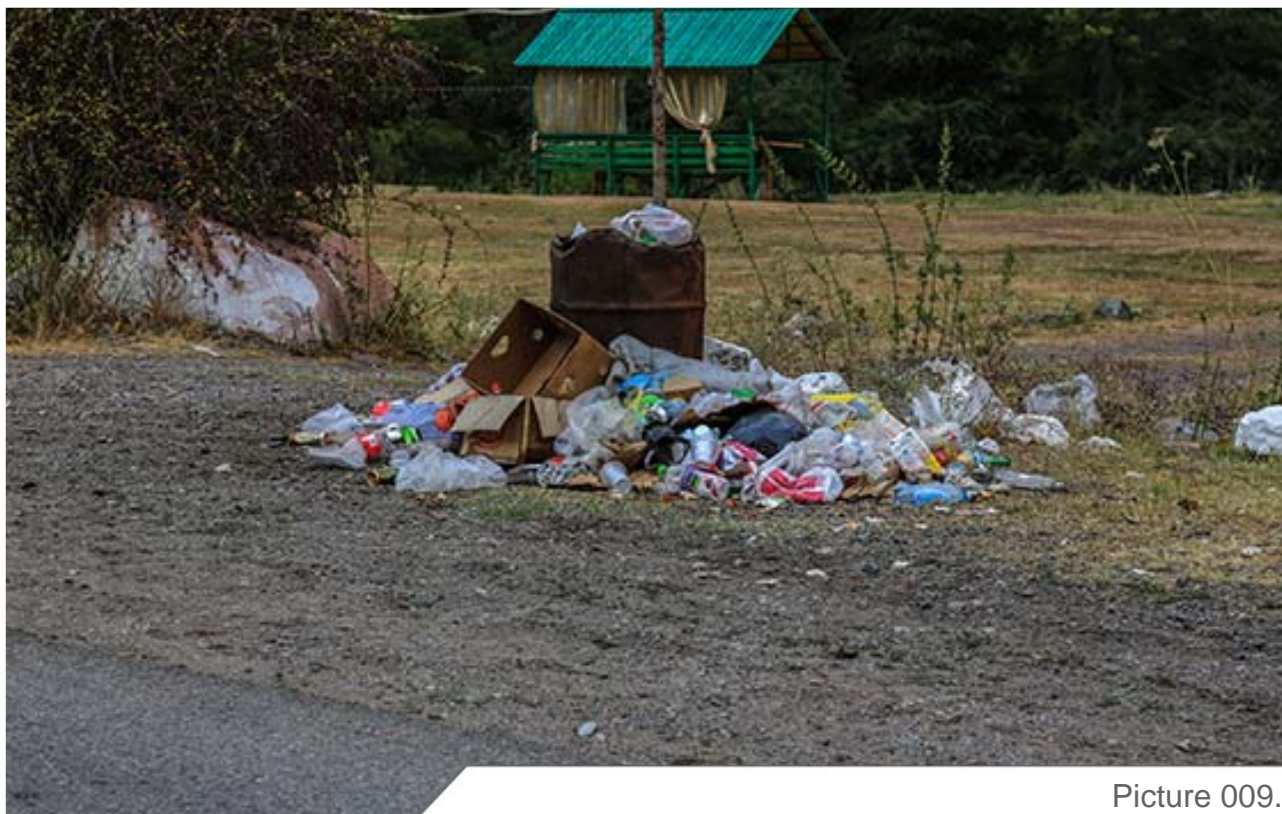
Picture 007.

Small Almaty Canyon. Gorelnik Hollow. September 13, 2019.



Picture 008.

Talgar Pass. July 7, 2019.



Picture 009.

Turgen Canyon. August 6, 2019.



Picture 010.

Turgen Canyon. August 6, 2019.



Picture 011.

Turgen Canyon. September 2, 2019.



Picture 012.

Turgen Canyon. September 3, 2019.



Picture 013.

Turgen Canyon. September 2, 2019.

Outside land users and tenants in Ile-Alatau National Park

Outside land users and tenants remain to be a serious problem for national parks.

The Prime Minister's reply to the request of the deputies dated September 18, 2019 states: "Outside land users on the territory of Ile-Alatau SNNP include: 8 populated localities, 7 horticultural associations, 6 agricultural farms, 250 private sectors (individuals and legal entities, land owners).

Clean-up of the territory of Ile-Alatau SNNP from litter, including the litter generated from the activities of outside land users, is carried out by inspectors and seasonal workers."³¹

On April 12, 2019, the Forestry Committee informed the ES that an inventory of land plots was carried out in Ile-Alatau National Park during 2017-2018. It was revealed that "77 third-party land users located within the boundaries of the national park do not have title documents for land plots." The Committee takes measures to return the plots through the judiciary. "However, because of the refusal of the Akimat of the city of Almaty to negotiate, a joint plan of measures for withdrawal of land plots from land users who do not have title documents, and demolition of illegally constructed facilities on the territory of the national park [the plan—Authors' note] was not approved."³²

A question arises: how could they appear there without the park administration being aware about them? Indicative is the refusal of the city akimat to negotiate the plan of joint actions for land withdrawals.

In October 2019, this topic became a subject of discussion again, this time—at the highest level. Speaking at a meeting on socio-economic development of Almaty, the president of the country said: "There are facts of illegal allocation of lands by the leadership

of Ile-Alatau National Park to private persons, and use of the lands for not intended purposes. Thus, 67 plots with a total area of over 20 hectares were illegally allocated to private individuals. 24 out of 58 land plots [?!—Authors' note] are being misused. I instruct the Ministry of Ecology, Geology and Natural Resources, together with the akimat, to investigate each fact, take concrete measures to return the illegally issued lands."³³

According to the 2014 forest inventory materials, the total area occupied by outside land owners was 1304.257 hectares.³⁴

Significant damage to the ecological systems of national parks is caused by land tenants.

For example, on March 12, 2019, the ES appealed to the Committee for Forestry and Wildlife because a tenant had severely littered a land plot in the Ayusay Canyon. Again, the ES raised a question about the need to prohibit land lease in national parks. The following is the Committee's response: "At the present time, the land user has cleaned the territory of the recreation area in the Ayusay Canyon of the Bolshealmatinsky branch of Ile-Alatau SNNP from garbage.

The land user received an administrative fine for failure to comply with contractual obligations for garbage collection on the territory of the leased land."

And further: "To promote tourism development in SPNT, **it is necessary to attract private entrepreneurs to create tourism infrastructure and comfortable leisure conditions for visitors of SPNT.** Construction of tourism facilities involves creation of new jobs and increases touristic attractiveness of SPNT.

In this regard, the **Committee considers it unreasonable to amend the Law regarding the prohibition of transfer of lands of SPNT into temporary use.**"³⁵

³¹ Reply of the Prime Minister dated October 21, 2019.

³² Reply of the Committee for Forestry and Wildlife dated April 12, 2019 (outgoing No. 17-1-27/ZT-K-124) to the letter of the Ecological Society "Green Salvation" dated April 1, 2019 (outgoing No. 052).

³³ President instructed to return the illegally issued lands of the Ile-Alatau National Park: https://www.inform.kz/ru/prezident-poruchil-vernut-nezakonno-vydannye-zemli-ile-alatauskogo-nacparka_a3580020 (website visited on February 25, 2020).

³⁴ Correction of the feasibility study of the Ile-Alatau State National Natural Park regarding the master plan for development of infrastructure. "Terra" CDZ and GIS" LLP, approved by order of the Chairman of the Committee for Forestry and Wildlife of January 3, 2019 No. 17-5-6 / 1.—Almaty, 2019, pp. 10-13.

³⁵ Reply of the Committee for Forestry and Wildlife dated March 27, 2019 (outgoing No. 17-1-27/ZT-K-103) to the letter of the Ecological Society "Green Salvation" dated March 12, 2019 (outgoing No. 038).

Representatives of the Committee either incorrectly assess the situation, or deliberately depict it in pink. Paragraph 4 of Article 3 of the Law on SPNT indicates that specially protected natural territories are used not only for tourism, but are also important for development of science, culture, and education. It is unlikely that “shish kebab tourism,” which dominates on the territory of the national park, will increase its attractiveness and will contribute to the flourishing of science and culture. It is strange that the Committee in its conclusions does not take into account the destructive impact of construction on the nature reserve fund. Indeed, when creating tourism and infrastructure facilities, the soil layer with all the vegetation is destroyed. This leads, for example, to the fact that forest lands are automatically converted to non-forest. According to paragraph 1 of Article 49 of the Forest Code, which determines the procedure for converting forest land to non-forest, “glades can be converted to non-forest land in cases where they are deemed unsuitable based on soil survey and forest management.”

Many questions also arise regarding rental profitability. Below are the extracts from the price list for services provided by Ile-Alatau National Park.³⁶

Paragraph 6: “provision of sites for placement of hotels, motels, tourist camps per one hectare per month”—6000 tenge [average dollar rate in 2019: 1 dollar equaled at 378 tenge—Authors’ note]. Per year—72,000. For 50 years—3,528,000. This is a price of a used car of 15-20 years old. 6000 tenge per month is a cost of utilities for a small two-bedroom apartment in summertime.

The service itself looks absurd. And in general, can the deliberate destruction of the natural environment be called a service?!

In violation of all market principles, when distributing land for use, they do not take into account the qualitative characteristics of the plots: is there drinking water, a river, a forest, how picturesque are the surroundings, are there any roads?

Paragraph 9 indicates the cost of providing tourist equipment. For example, renting a bicycle per person for one hour—800 tenge. That is, one bicycle in ten hours or ten bicycles in an hour will bring more income than a hectare of land rented for a month?

From paragraph 2—“provision of tent sites per person per day (without any services)”—575 tenge—that is, a dozen tourists will pay 6900 tenge!

Amazing generosity from the national park! Especially if you recall the constant complaints of the administration about insufficient funding.

But the Committee, apparently, does not agree with this. One of the responses to the ES’s request states: “A land plot located in blocks 48 and 57 of the Small Almaty Canyon of the Medeu branch of the national park with a total area of 148.5 hectares has been given to “Chimbulak Development” Limited Liability Partnerships (hereinafter—LLP) for a long-term use. The land user makes a quarterly payment in the amount of 2,673,399 tenge.”³⁷ Prices for a room in the “Shymbulak” hotel in the winter season of 2019-2020 range from 24,000 to 36,000 tenge per day.³⁸ The cost of a round trip cable car ride to the resort is 2000 tenge.

On June 20, 2019, by order of the Chairman of the Committee, the rent for land plots was indeed increased to 9000 tenge per month per hectare.³⁹ But for some reason, the park’s website still shows the previous rental fees.

On July 23, 2015, Maslikhat [local representative body—Authors’ note] of the city of Almaty adopted a decision No. 357 “On percentage of increase in the basic land tax rate

³⁶ Tariffs for services provided by the Republican State Enterprise “Ile-Alatau State National Natural Park” of the Committee for Forestry and Wildlife of the Ministry of Agriculture of the Republic of Kazakhstan: <http://www.ile-alatau.kz/services/> (website visited on April 26, 2020).

³⁷ Reply of the Committee for Forestry and Wildlife dated April 15, 2019 (outgoing No. 17-1-27/ZT-K-123) to the letter of the Ecological Society “Green Salvation” dated April 1, 2019 (outgoing No. 051).

³⁸ Shymbulak Resort Hotel: <https://www.shymbulakhotel.kz/> (website visited on April 25, 2020).

³⁹ On amendments and additions to the order of the Committee for Forestry and Wildlife of May 31, 2017 No. 17-1/158 “On approval of tariffs for services provided by environmental institutions.” The order of the acting Chairman of the Committee for Forestry and Wildlife of the Ministry of Agriculture of the Republic of Kazakhstan dated June 20, 2019 No. 17-5-6/151: <https://egov.kz/cms/ru/law/list/V1900018895> (website visited on February 27, 2020).

and the land zoning plan for tax purposes.” A significant part of the territory of the national park within the administrative boundaries of the city formally falls under the scope of this document. If the rent is calculated using this basic land tax rate and the zoning coefficient, the minimum payment per hectare of rented land in the national park will be 29,818 tenge per month.⁴⁰ A question arises: on what basis does the Maslikhat approve the land tax rate (and zoning coefficient) for the national park? According to paragraph 3 of Article 497 of the Tax Code: “The following land categories are not subject to taxation: 1) lands of specially protected natural territories; 2) lands of the forest fund; 3) lands of the water fund.”⁴¹ While the fees for services provided by the SPNT of national level are determined by the Committee!⁴² All this increases the legal chaos in the subject of using the lands of SPNT.

According to the Committee, there are 105 tenants on the territory of Ile-Alatau National Park.⁴³ 60 of them own plots larger than 1

hectare. Large tenants have 18-20 hectares. And finally, the largest ones are 141 and 148 hectares.

The Entrepreneurial Code of the Republic of Kazakhstan does not provide support for private entrepreneurship in the field of tourism. But small and medium-sized businesses receive it regardless of the field of activity.⁴⁴ Therefore, in the “State Program for Development of the Tourism Industry of the Republic of Kazakhstan for 2019-2025,” this omission is supposed to be corrected by introducing investment preferences for priority investment projects in the tourism sector. As a part of this, the preferences will be provided for taxes, it is planned to “reduce the amount of calculated corporate income tax by 100%; apply coefficient 0 **to the land tax rates**; calculate the property tax at a rate of 0% to the tax base.”⁴⁵

The damage caused by tenants to the ecological systems is not taken into account at all. So they are attracted to national parks like flies to honey.

⁴⁰ “On percentage of increase of the basic land tax rate and the process of price zoning of lands for tax purposes.” The decision of Maslikhat of the city of Almaty dated July 23, 2015, No. 357: <http://adilet.zan.kz/rus/docs/V15R0001201>.

⁴¹ Code of the Republic of Kazakhstan dated December 25, 2017, No. 120-VI “On taxes and other obligatory payments to the budget (Tax Code)” (with amendments and additions as of January 10, 2020).

⁴² Law “On Specially Protected Natural Territories” (with amendments as of October 28, 2019), Article 8, paragraph 6.

⁴³ Reply of the Committee for Forestry and Wildlife dated April 15, 2019 (outgoing No. 17-1-27/ZT-K-123) to the letter of the Ecological Society “Green Salvation” dated April 1, 2019 (outgoing No. 051).

⁴⁴ Code of the Republic of Kazakhstan of October 29, 2015, No. 375-V “Entrepreneurial Code of the Republic of Kazakhstan” (with amendments as of January 11, 2020), Article 92.

⁴⁵ The state program for development of the tourism industry ... Section 5.1.2.



Picture 014.

Kaskelen Canyon. February 3, 2019.



Picture 015.

Kaskelen Canyon. February 3, 2019.



Picture 016.

Kaskelen Canyon. February 3, 2019.



Picture 017.

Kaskelen Canyon. May 28, 2019.



Picture 018.

Kaskelen Canyon. May 28, 2019.



Picture 019.

Oi-Qaragai Canyon. April 20, 2019.



Picture 020.

Oi-Qaragai Canyon. April 20, 2019.



Picture 021.

Oi-Qaragai Canyon. April 20, 2019.



Picture 022.

Oi-Qaragai Canyon. April 20, 2019.



Picture 023.

Oi-Qaragai Canyon. April 20, 2019.



Picture 024.

Oi-Qaragai Canyon. April 20, 2019.



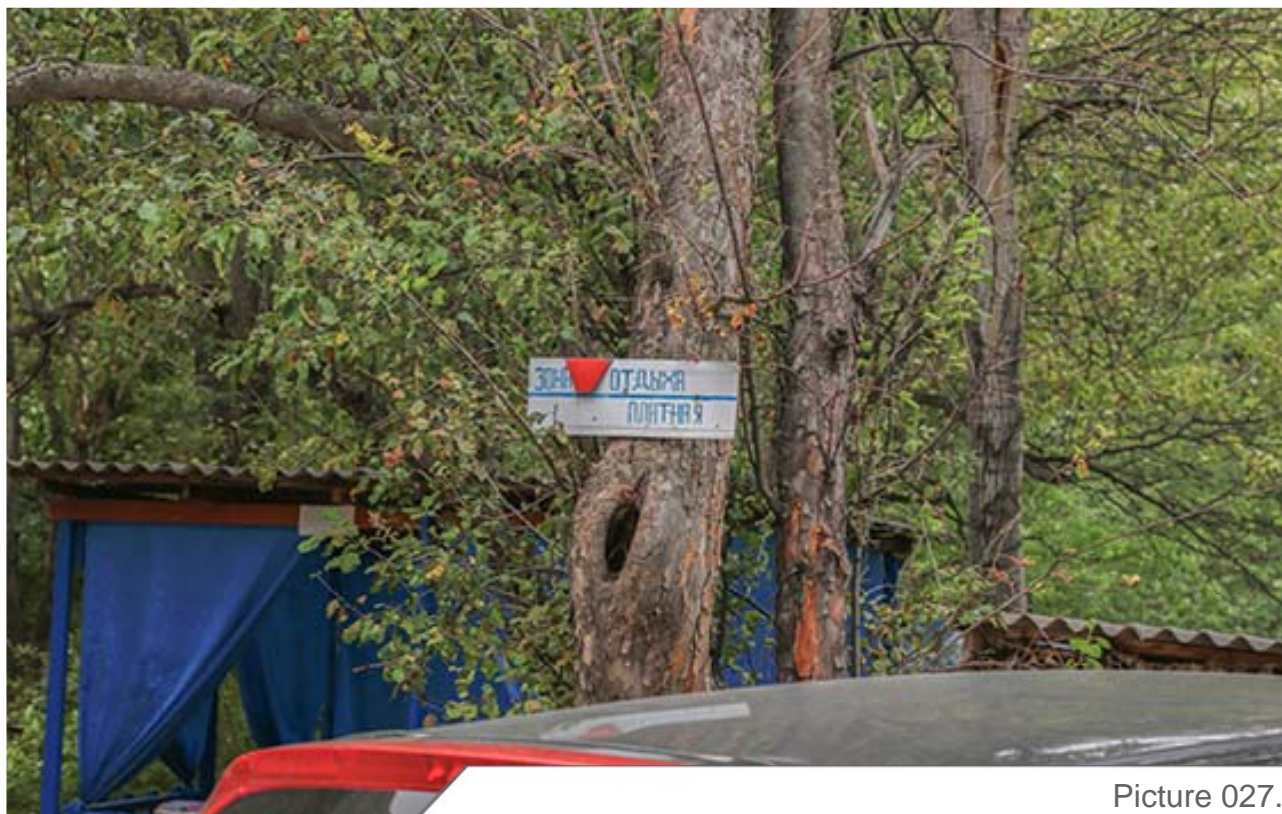
Picture 025.

Turgen Canyon. August 6, 2019.



Picture 026.

Turgen Canyon. August 6, 2019. Announcement: Pavilion paid.



Picture 027.

Turgen Canyon. August 6, 2019. Announcement: Paid recreation area.



Picture 028.

Turgen Canyon. August 6, 2019.



Picture 029.

Turgen Canyon. August 6, 2019. Announcement: For rent.



Picture 030.

Turgen Canyon. August 6, 2019. Announcement: For rent.



Picture 031.

Turgen Canyon. August 6, 2019.

Limited economic activity

1. Violations of the regulations within specially protected natural territories

Territories of national parks are littered by external land users, tenants, and tourists. For many years, administrations have not been able to organize effective control over the sanitary conditions of park territories. Activists of the ES constantly record littered areas and unauthorized dumpsites, and bring that to the attention of the parks' administration. Unfortunately, some tenants are so confident in their impunity that they completely neglect the requirements for keeping the leased territories clean.

The ecological situation in national parks is negatively affected by mass events held on the leased sites and other activities that do not meet the goals and objectives of national parks.

On July 14, 2019, a beer festival, a rock music concert and a disco under the general name "Shashlyking" were held in Butakovka Canyon. In preparation for the event, the organizers cleared the glades of herbaceous plants. The event gathered several thousand people who arrived in their cars. The music played so loudly that it could be heard for several kilometers.

The ES asked the Committee to clarify if the events were approved and whether they comply with the requirements of the Law on SPNT.

The Committee replied that, according to the park, it was contacted by the private entrepreneur "M ..." "with a request to facilitate a one-day hiking trip to the mountains in the theme of the "Adventure HD" TV channel."

"According to the applicant's request, the event was organized by the cable television company "ALMA TV" and the "Adventure HD" TV channel... the applicant did not mention about the event called "Shashlyking."

The National Park allowed the hike, as long as the "Rules for Visiting Specially Protected Natural Territories by Individuals" (hereinafter—the Rules for Visiting SPNT) are being followed.

"The event was held on the territory of the national park land plot user. The national park **issued a reprimand to the user about the need to coordinate such events.**"⁴⁶

It is surprising that the park staff did not notice hundreds of cars and did not respond to such a "loud" noise pollution. And if the activists of the ES did not photograph what was happening, then there would be no complaints towards the "user of the land plot of the national park." However, in accordance with subparagraph 20 of paragraph 6 of the Rules for Visiting SPNT: "The use of noise and other acoustic impacts on the environment"⁴⁷ is prohibited on their territory.

But, on the other hand, the "carelessness" of the park's staff can be explained by the fact that conducting of various events is perceived as the norm. For example, the Prime Minister's response to the deputy's request of September 18, 2019, states: "In order to improve the ecological condition of the territory of Ile-Alatau SNNP, various eco-events are carried out with the involvement of private companies, such as: "TechnoDom," "Tele 2," "Taza Gala," "Rocket Plastic," as well as universities, schools, and school forestries. More than 100 environmental events are held annually in Ile-Alatau SNNP."⁴⁸ Ecological events are undoubtedly needed, but beer festivals, rock music concerts and discos are clearly not in line with the goals and objectives of national parks.

Another example. It took the ES several years to solve the simplest problem: stop motor boating on Issyk Lake. It is located on the border between the Almaty State Nature Reserve and Ile-Alatau SNNP, but is not included in either of them. The boats created a loud noise in the gorge, oil and gasoline were spilled into the water, and the waves that arose during the movement were eroding the coastline.

Since 2017, the Ecological Society Green Salvation has been demanding to ban motor boating on the lake, despite the fact that it is not part of the SPNT. According to official

⁴⁶ Reply of the Committee for Forestry and Wildlife dated August 16, 2019 (outgoing No. 17-1-27/ZT-K-282) to the letter of the Ecological Society "Green Salvation" dated July 17, 2019 (outgoing No. 119).

⁴⁷ "Rules for visiting specially protected natural territories by individuals," approved by order of acting Minister of Agriculture of the Republic of Kazakhstan dated September 1, 2010, No. 555.

⁴⁸ Reply of the Prime-Minister dated October 21, 2019.

information, it was temporarily under control of the State Institution “Kazselezashchita.” That is, the national park allegedly was not entitled to take measures to stop the boating.

In 2019, the ES again required the authorized bodies to put things in order at the lake. First, regulations of a buffer zone of the SPNT must be applied to it. Second, the use of motor boats to serve tourists has nothing to do with the main activity of the State Institution “Kazselezashchita.”

The Committee confirmed that the Rules for Visiting SPNT do not apply to Lake Issyk. Nevertheless, Ile-Alatau SNNP sent letters to the Department of Ecology of the Almaty oblast, a branch of the Almaty Regional Operational Administration of the State Institution “Kazselezashchita” of the Committee for Emergency Situations of the Ministry of Internal Affairs, the Specialized Environmental Prosecutor’s Office of the Almaty oblast, Akimat of the Enbekshikazakh district with a request to take action in regards to the motorboats operating on Issyk Lake.

Thus, the national park took appropriate measures within its competence.”⁴⁹

Finally, in December 2019, the ES received a letter from the Department of Ecology of the Almaty oblast, which reported: “On November 11, 2019, a meeting on the environmental condition of Lake Issyk was held with the participation of representatives of the Specialized Environmental Protection Prosecutor’s Office of the Almaty oblast, State Institution “Akim’s Office of the Enbekshikazakh district,” State Institution “Kazselezashchita,” State Institution “Department of Forestry of the Almaty oblast” and a representative of the Ile-Alatau State National Natural Park.”

During the meeting, it was decided **to ban the presence of motor boats in the lake and to remove them** outside of the specially protected territory.”⁵⁰

However, the question of the “owner” of the lake remained open! For some time, it was under control of the State Institution “Kazselezashchita.” Later, it became the communal property of the Akimat of the Almaty oblast. The latter transferred it to “KazElectroEnergiya” LLP into a trust management without the right of a subsequent purchase of the land plot with the lake and a dam.⁵¹

The ES believes that the territory of Lake Issyk should be included in the national park, and will insist on it. Only this solution will save the ecological system of the lake.

One more example. On January 27, 2019, presence of auto-tourists was recorded in the Kimasar Canyon, 1.6 km past the gate of Ile-Alatau National Park. In response to a request from the ES, the Committee acknowledged the violation, explaining that the cars drove past the gate “before the start of the inspector’s workday.” The director of the Medeu branch was instructed to conduct ongoing inspections on the matter of entry of motor vehicles into the Kimasar Canyon.⁵²

The gates remain open because tenants have the right to drive to their land at any time. In addition, utilities—gas pipelines, water pipelines, power lines, sewers—are servicing the residential houses and hotels. They pass through the territories of the SPNT! The pipelines and powerlines must be openly accessible to prevent emergencies. Well, of course, the garbage needs to be taken out too. In cases when land users “tour and inspect the leased plots,” even if they go off road damaging ecological systems, the Committee does not consider this to be a violation of the Rules for Visiting SPNT.⁵³

The answers of the Committee, park administration, and even Prime Minister repeat the same thing: “Clean up of the territory of the Ile-Alatau SNNP from garbage, including

⁴⁹ Reply of the Committee for Forestry and Wildlife dated October 4, 2019 (outgoing No. 17-1-27/ZT-K-348) to the letter of the Ecological Society “Green Salvation” dated September 19, 2019 (outgoing No. 141).

⁵⁰ Reply of the Department of Ecology of Almaty oblast dated December 5, 2019 (outgoing No. 01-07/2136) to the letter of the Ecological Society “Green Salvation” dated October 20, 2019 (outgoing No. 179).

⁵¹ Reply of the Committee for Forestry and Wildlife dated December 05, 2019 (outgoing No. 17-1-27/ZT-K-348-1) to the letter of the Ecological Society “Green Salvation” dated October 20, 2019 (outgoing No. 177).

⁵² Reply of the Committee for Forestry and Wildlife dated February 28, 2019 (outgoing No. 17-1-27/ZT-K-56) to the letter of the Ecological Society “Green Salvation” dated February 6, 2019 (outgoing No. 015).

⁵³ Reply of the Committee for Forestry and Wildlife dated October 16, 2019 (outgoing No. 17-1-27/ZT-K-355) to the letter of the Ecological Society “Green Salvation” dated October 1, 2019 (outgoing No. 151).

the garbage resulting from the **activities of outside land users**, is carried out by inspectors and seasonal workers."⁵⁴ As if they were given a great honor by being allowed to clean up the waste! Perhaps the administrations of the SPNT and other authorized bodies have

forgotten that national parks are not garbage collection companies?! The conclusion suggests itself. The more outside land users and tenants are allowed in the boundaries of the SPNT, the more of their garbage will have to be removed by the park staff.

⁵⁴ Reply of the Prime-Minister dated October 21, 2019.



Picture 032.

Ayusay Canyon. March 16, 2019.



Picture 033.

Batareika River Canyon. July 1, 2019.



Picture 034.

Batareika River Canyon. July 1, 2019.



Picture 035.

Batareika River Canyon. July 1, 2019.



Picture 036.

Issyk Lake. October 10, 2019.



Picture 037.

Kazachka River Canyon. March 4, 2019.



Picture 038.

Kimasar Canyon. August 29, 2019.



Picture 039.

Small Almaty Canyon. Mynzhylki Hollow. May 7, 2019.

2. Construction of residential buildings, roads, and other facilities

Construction development on territories of national parks is in full swing. If this trend continues, then the last differences between the zones of limited economic activity and city blocks will soon disappear. This is already clearly visible in the Big Almaty Canyon, Kaskelen and Butakovka canyons of Ile-Alatau National Park.

For example, on October 13, 2019, the ES staff discovered that the Stone Flower Canyon, in which the bird of prey sanctuary “Sunkar” is located, was completely blocked by a fence. Passing along the popular tourist route has become impossible. The ES appealed to the Committee of Forestry and the Department of Urban Planning of the city of Almaty with a request to check the legality of construction and inform on what basis the passage to the gorge was blocked.

The Committee said: “According to the information provided by Ile-Alatau SNNP, the territory you indicated in the Big Almaty Canyon, which is fenced with a metal fence, is the bird of prey sanctuary “Sunkar” which is a private property and is located outside the lands of Ile-Alatau SNNP.”⁵⁵

The Department of Urban Planning reported that “the specified territory is on the right of permanent land use of the park, and in case of violation of the right to land use; the park has the right to recover the land from someone else’s illegal possession.” Explanatory work was carried out with “Sunkar” LLP, and the latter voluntarily dismantled the “illegally installed metal fences.”⁵⁶ The question of the park boundaries arose again!

The most striking case is the construction of a road in the Kamenskoye forestry of the Medeu branch of Ile-Alatau SNNP. Almaty residents, who discovered it, addressed the ES. They began to build the road from the “Nurlytau” microdistrict—from the former

“Enbek” ski base—along the ridge that goes to the Kok-Jailau Hollow. Construction has caused significant damage to vulnerable mountain ecosystems. Deciduous and coniferous trees were cut down, the slope was dug out, and on a large area all vegetation cover was destroyed. No informational boards on the purpose and supplier of the works were presented.

The ES appealed to several state bodies and, first of all, to the Department of Urban Planning of the city of Almaty, attaching photographs to the letter. Instead of a quick response, the Department sent an excuse not to reply: “Your appeal did not comply with the requirements for a written appeal, that is, the name of a specific entity which actions are being appealed and its address are not indicated for further registration of the act for initiating an audit with the authorized body for legal statistics and special accounting according to Article 146 of the **Entrepreneurial Code** of the Republic of Kazakhstan.

Based on the foregoing, we inform you that it is not possible to check the sites indicated in the appeal for compliance with the requirements of the Law of the Republic of Kazakhstan “On Architectural, Urban Planning and Construction Activities in the Republic of Kazakhstan.”⁵⁷

The request of the ES to the Almaty Tourism Department was forwarded to the national park, and a response from the park’s administration was received. It indicated that the information provided by the ES had been confirmed. “Elektrokabel Plant” LLP carried out illegal works in the indicated place without coordination with the administration of the national park and the Committee. Representatives of the national park issued a protocol on administrative violation and imposed a fine of 126,250 tenge. In addition, the amount of the caused damage was determined to be equal to 3,345,625 tenge, which was fully paid.⁵⁸

⁵⁵ Reply of the Committee for Forestry and Wildlife dated October 29, 2019 (outgoing No. 17-1-27/ZT-K-374) to the letter of the Ecological Society “Green Salvation” dated October 16, 2019 (outgoing No. 164).

⁵⁶ Reply of the Department of Control of Urban Planning of the city of Almaty dated October 30, 2019 (outgoing No. ZT-K-1205) to the letter of the Ecological Society “Green Salvation” dated October 16, 2019 (outgoing No. 165).

⁵⁷ Reply of the Department of Control of Urban Planning of the city of Almaty dated October 15, 2019 (outgoing No. ZT-K-1133) to the letter of the Ecological Society “Green Salvation” dated September 30, 2019 (outgoing No. 149).

⁵⁸ Reply of the Committee for Forestry and Wildlife dated October 30, 2019 (outgoing No. 17-1-27/ZT-K-353) to the letter of the Ecological Society “Green Salvation” dated October 1, 2019 (outgoing No. 146); reply of the Department of tourism of the city of Almaty dated November 15, 2019 (outgoing No. 06-03/ZT-K-49) to the letter of the Ecological Society “Green Salvation” dated October 1, 2019 (outgoing No. 147).

Another case. In August 2019, tourists reported that construction works were carried out on the shores of Kolsai Lake in “Kolsai Lakes” National Park. The ES sent a request to the Committee with a request to provide information:

- about what object is being built on the territory of the national park;
- whether an environmental impact assessment has been carried out;
- whether public hearings were held;
- whether a positive environmental impact assessment report was issued for the project.

In response, the ES received a lengthy discourse about development of infrastructure of the national park and that the indicated site is located in a zone of limited economic activity. Who would doubt that! And in this zone, serving visitors is considered to be a sacred responsibility of the administration, including organization of amateur (sports) fishing, construction and operation of recreation centers, hotels, campsites, museums and other facilities.

“The land plot of the national park under the lot No. 54, located in the allotment No. 23, block No. 92, with a total area of 0.80 hectares of the Kegen district [so is it a district or a national park?—Authors’ note] transferred to the long-term use of “J ...” LLP for tourism and recreational activities.

According to the master plan of the national park, it is planned to create a system of paths and stairs, arbors, awnings with tables, benches, trestle beds with awnings, cafes, vending stands, restrooms with septic tanks, and garbage collectors.

Development of the lake shore: docks, decks over water, gazebos, awnings, stairs, restrooms

with septic tanks, garbage collectors, etc. In place of the old cottages, it is planned to build 10 one-story guest houses of light construction.”⁵⁹ But the Committee did not answer the main questions, perhaps because the construction is carried out with violations of the Law on SPNT and the Environmental Code?!

One of the main reasons for such incidents is weakening of the powers of the state control. Article 115 “Organization of state environmental control” of the Environmental Code was supplemented by subparagraph 2-1 in accordance with the law of May 24, 2018 No. 156-VI: “State environmental control is carried out by means of: ... organizing and conducting preventive control in accordance with the Entrepreneurial Code of the Republic of Kazakhstan and this Code.” The same law introduced similar amendments:

- in paragraph 4 of Article 48 of the Water Code “Tasks and types of control in the field of use and protection of the water fund;”
- paragraph 3, Article 19 of the Forest Code: “State control in the field of conservation, protection, use of the forest fund, reproduction of forests and afforestation;”
- paragraph 1, Article 11 of the Law on SPNT.

In accordance with the law of October 29, 2015 No. 376-V, amendments were made to paragraph 3, Article 145 of the Land Code “Organization and procedure for exercising state control over the use and protection of land.”

Thus, the condition of the natural environment and well-being of Kazakhstanis were officially made dependent on the preferences and whims of entrepreneurs!

⁵⁹ Reply of the Committee for Forestry and Wildlife dated August 26, 2019 (outgoing No. 17-1-27/ZT-K-309) to the letter of the Ecological Society “Green Salvation” dated August 12, 2019 (outgoing No. 129).



Picture 040.

Illegal road construction from the former “Enbek” ski base. October 25, 2019.



Picture 041.

Illegal road construction from the former “Enbek” ski base. October 25, 2019.



Picture 042.

Illegal road construction from the former “Enbek” ski base. October 25, 2019.



Picture 043.

Illegal road construction from the former “Enbek” ski base. October 25, 2019.



Picture 044.

Illegal road construction from the former “Enbek” ski base. October 25, 2019.



Picture 045.

Illegal road construction from the former “Enbek” ski base. October 25, 2019.



Picture 046.

Illegal road construction from the former “Enbek” ski base. October 25, 2019.



Picture 047.

Small Almaty Canyon. Mynzhylki Hollow. February 14, 2019.



Picture 048.

Small Almaty Canyon. Mynzhylki Hollow. May 7, 2019.



Picture 049.

Small Almaty Canyon. Mynzhylki Hollow. June 17, 2019.



Picture 050.

Small Almaty Canyon. Mynzhylki Hollow. June 17, 2019.



Picture 051.

Small Almaty Canyon. Mynzhylki Hollow. June 17, 2019.



Picture 052.

Small Almaty Canyon. Tuyuksu Hollow. October 21, 2019.



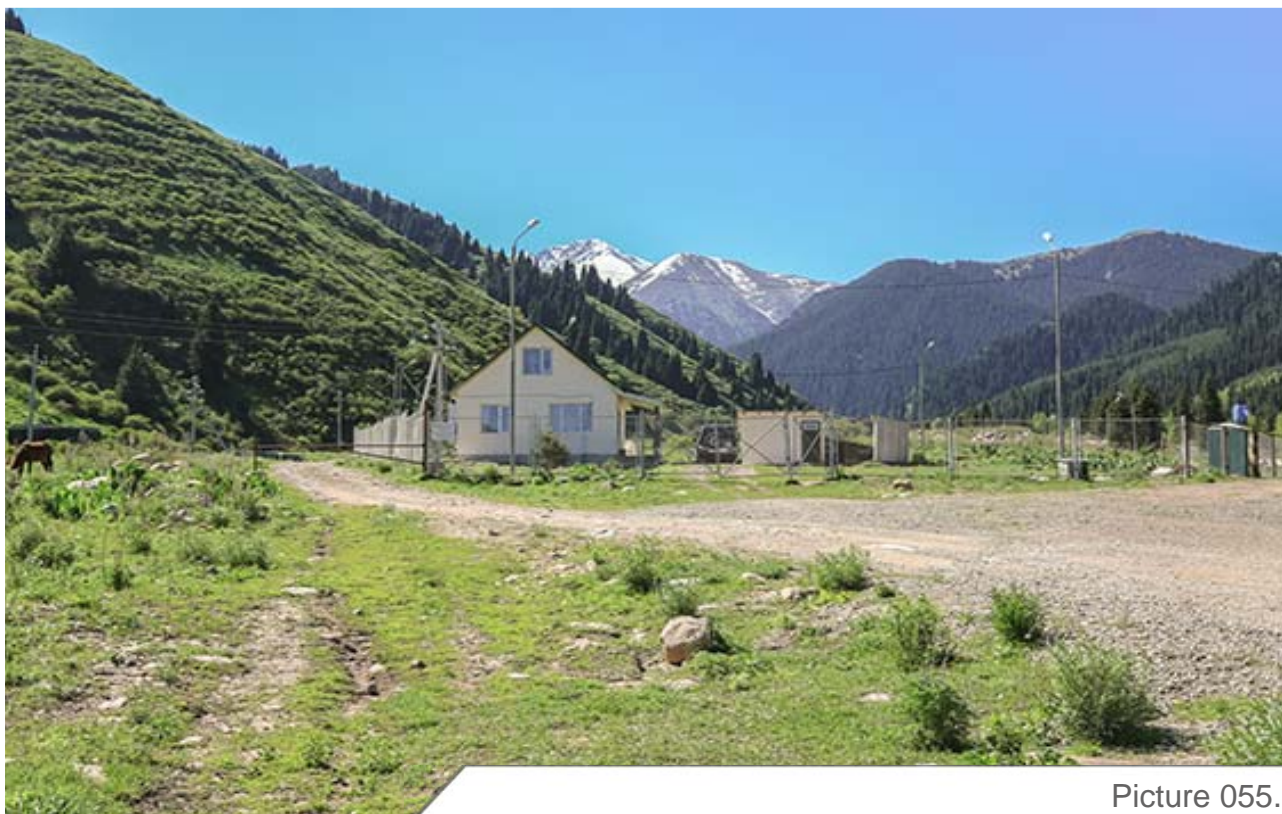
Picture 053.

Kaskelen Canyon. February 3, 2019.



Picture 054.

Kaskelen Canyon. May 28, 2019.



Picture 055.

Kaskelen Canyon. May 28, 2019.

3. Livestock grazing

According to paragraph 2-2 of Article 23 of the Law on SPNT: "Land plots of specially protected natural territories in the zone of limited economic activity where haying and grazing are possible can be provided for short-term use for mowing and grazing in the manner established by the Forest Code of the Republic of Kazakhstan."

According to subparagraph 1 of paragraph 1 of Article 47 "Specificities of limited economic activity of state national natural parks," "incidental forest use (limited herding, maral breeding, haying, amateur gathering of mushrooms, fruits and berries, gardening) is allowed" in the zone of limited economic activity.

Mass livestock grazing was noted by the ES staff in Kaskelen, Butakovka, Kimasar, Aksai and Turgen canyons of the Ile-Alatau National Park. It is impossible to determine in which

zone the grazing is taking place and whether it is legal, in particular, due to the lack of maps of the national park. Usually, livestock grazes without shepherds, wanders into abandoned sites, moves along streams, trails and public roads, bringing a unique unsanitary look to tourist sites. In some gorges, for example, Kaskelen, signs of overgrazing are already visible—in some areas, grassy vegetation is completely destroyed.

It should be noted that regulations of the zones of limited economic activity of national parks is less strict than those in botanical reserves. The reserves prohibit: **"Livestock herding, haying,** all types of logging, picking flowers, digging up roots, tubers and bulbs of plants, making bonfires, entering and moving off-road on vehicles, **introducing exotic plant species"** and other actions that could damage or destroy vegetation.⁶⁰

⁶⁰ Law "On Specially Protected Natural Territories," paragraph 3, Article 69 "Special regulations of protection and use of state nature reserves."



Picture 056.

Kaskelen Canyon. February 3, 2019.



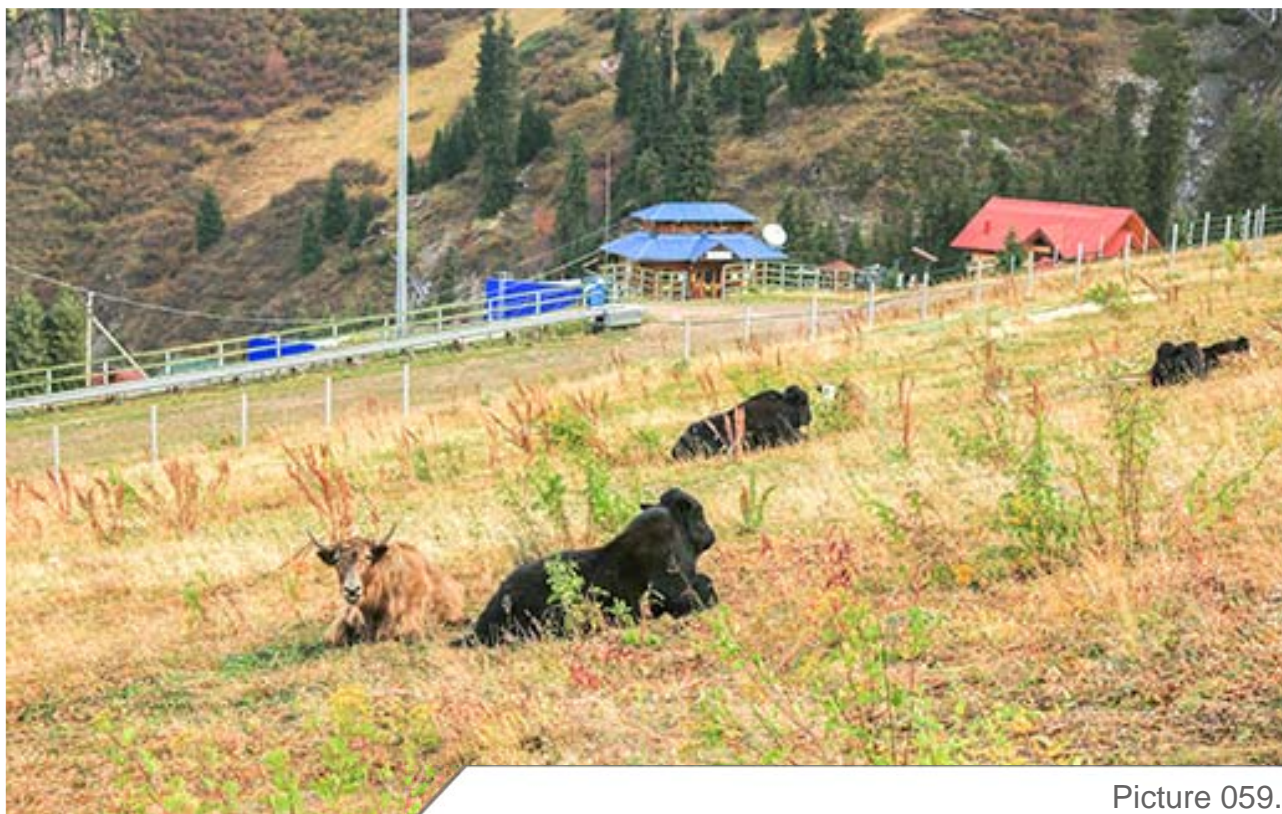
Picture 057.

Butakovka Canyon. June 21, 2019.



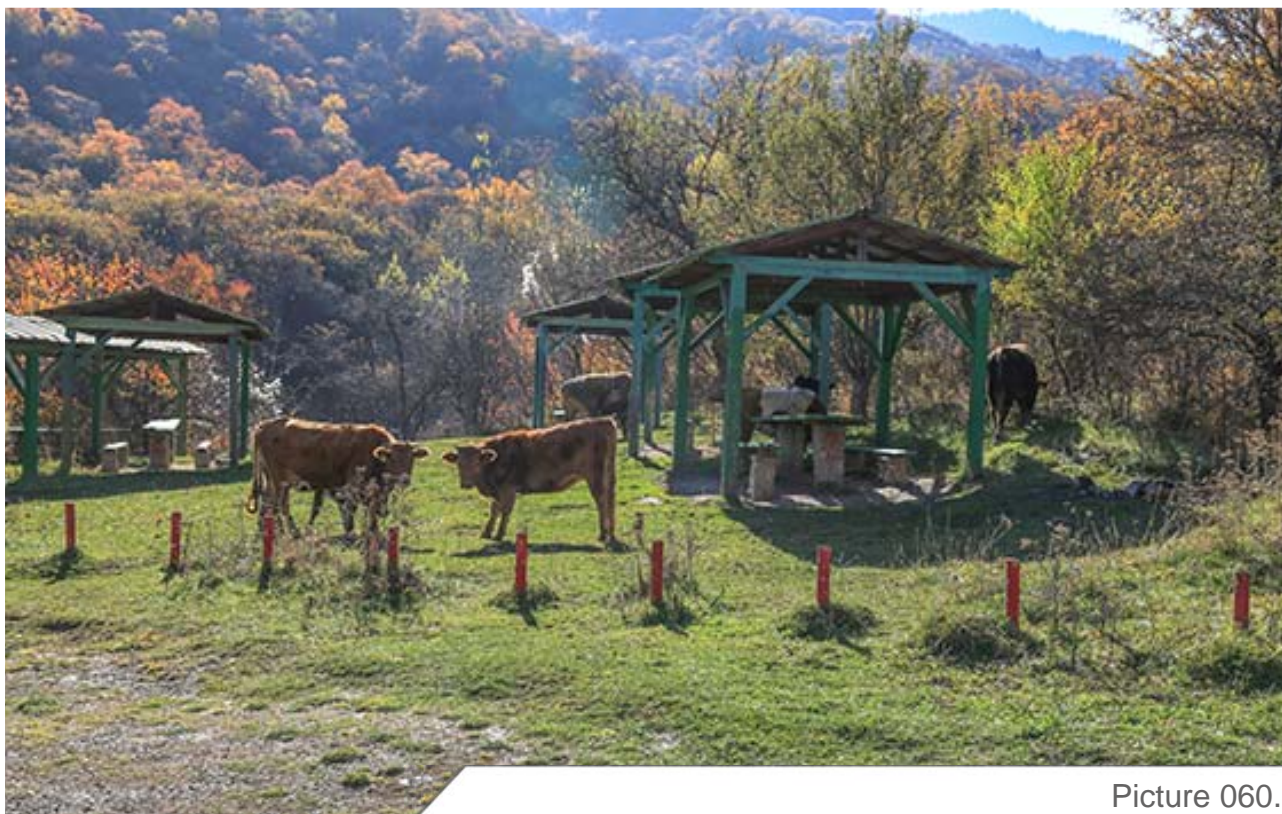
Picture 058.

Butakovka Canyon. August 26, 2019.



Picture 059.

Small Almaty Canyon. Shymbulak (Chimbulak) Hollow. September 29, 2019.



Picture 060.

Aksai Canyon. October 29, 2019.



Picture 061.

Aksai Canyon. October 29, 2019.



Picture 062.

Maralsi Canyon. November 1, 2019.

Abandoned sites

For years, dozens of abandoned land plots, unauthorized dumpsites, unfinished and dilapidated construction sites remain “untouchable” on the territory of Ile-Alatau SNNP. They are vivid examples of unsystematic “tourism development” and its consequences in the SPNT. These sites not only pollute the territory, but also create a threat of fire, pose a danger to visitors of the park. Despite the continuous demands of the ES, appeals to the courts and the prosecutor’s office, for years, the administration and other authorized bodies have been in no hurry to bring the negligent owners and tenants to their senses.

A vivid example is the situation on the lands of the park located within the administrative boundaries of Almaty, which are controlled by the city authorized bodies.

According to Articles 81, 92 and 93 of the Land Code, in cases when the land is used not for the intended purposes or in violation of the law, which significantly worsens the ecological condition, it is allowed to withdraw the land from the owner and land use rights from the land user without their consent.

In accordance with paragraph 7 of the “Rules for determining lands not used for intended purposes or used in violation of the legislation of the Republic of Kazakhstan”⁶¹: “The authorized body for land relations ... at least once a quarter, draws up a list of land plots intended for construction development for which it is necessary to check the facts of their use for intended purposes or use in violation of land law ...

Within five working days from the day of its formation, the list is sent to the authorized body for monitoring of use and protection of lands to schedule inspections.”

In 2019, the ES appealed to the Almaty Department of Land Relations and the Almaty Department for Control of Urban Planning

with a request to provide information about abandoned plots in the national park.

A reply was received only from the Department for Control of Urban Planning: “For 2018-2019, no lists of land plots of Ile-Alatau National Park located in the administrative boundaries of the city of Almaty were received from the authorized body.”⁶²

A similar appeal was sent to the City Tourism Department. Its employees carried out commission trips to Prohodnoe (Almarasan), Big Almaty, and Small Almaty canyons and to Lake Yunnat. They were accompanied by the deputy head of the Department for Control of Urban Planning, deputy director of the national park, deputy akims of the Bostandyk and Medeu districts.

“By the results of the inspections carried out within the territorial boundaries of the Bostandyk district, the building of the boiler house located on the territory of the “Almaarasan” sanatorium was determined to be dilapidated and an eyesore in the national park. **An explanatory work** was carried out with the management of the sanatorium about the need to repair the dilapidated building and enclose the obsolete fences with banners.

In the Medeu district, 3 abandoned buildings and 2 fences in unsatisfactory condition were identified. Currently, **it is being identified who are the owners of these sites** and further work will be carried out to bring the appearance of these structures in line with the master plan of the national park.

At the same time, during the inspection, it was considered **a possibility of improving** the existing trail around the territory of the sanatorium (entrance to the Terra Glade and Aleshkin Bridge), which is currently used by tourists to access the sulfur source.”⁶³

In other words, if it were not for the appeal of ES, then the above-mentioned persons “could not” have noticed the disorder in the national park themselves. But at the same time, they

⁶¹ Approved by order of the Deputy Prime Minister—Minister of Agriculture dated May 5, 2018 No. 194 “On approval of the Rules for identifying land plots that are not used for their respective purposes or used in violation of the legislation of the Republic of Kazakhstan” (with amendments as of March 4, 2020).

⁶² Reply of the Department of Control of Urban Planning of the city of Almaty dated June 24, 2019 (outgoing No. ZT-K-646) to the letter of the Ecological Society “Green Salvation” dated June 7, 2019 (outgoing No. 095).

⁶³ Reply of the Department of Tourism of the city of Almaty dated May 16, 2019 (outgoing No. 05-02/ZT-K-22) to the letter of the Ecological Society “Green Salvation” dated May 2, 2019 (outgoing No. 066).

showed exceptional respect to the owners, even to those about whom the authorized bodies do not have information. The question of land withdrawal or, at least, a minor penalty is not even raised: the appearance of the structures will be brought in line with the master plan and will consider the potential!

True, with the famous ruins of the “Nurdaulet” sports complex, which “adorned” the Butakovka Canyon since 2004, the situation has noticeably changed in the second half of 2019. The ruins posed a serious threat to the lives of visitors and local residents. An unauthorized dump formed around them. Trash was being spread around the surrounding area by wind, water and animals. Because of the risk of arson or spontaneous combustion of garbage, the risk of fires has increased. The ES repeatedly appealed to various authorities with a demand to liquidate the ruins, but to no avail. The Prosecutor’s Office had to be involved.

Finally, on July 12, the Forestry Committee, upon another request from the ES, said: “The territory you specified in Butakovka Canyon, where there are abandoned cafes and a hotel, is located outside the lands of the state forest fund. The site is administratively located in the Medeu district of Almaty.

Currently, according to information from Ile-Alatau State National Natural Park, the abandoned buildings are being dismantled at this site.”⁶⁴

Prior to this, the Department for Control of Urban Planning of the city called the ruins of the “Nurdaulet” complex an “unexploited facility.”⁶⁵ That is, it either did not have information, or provided excuses not to reply in essence.

By the end of the year, the ruins of the sports complex were dismantled. It took 15 years to eliminate the obvious severe violation! But there are still some questions left. When will the garbage remaining on the site be removed? Why the abandoned buildings standing nearby were not dismantled?

At abandoned sites, and even where they have been liquidated but not reclaimed, unauthorized dumps occur. For example, in 2018, in Butakovka Canyon, next to a river and a waterfall, the ruins of the “Extremal” camp were dismantled. But in July 2019, construction debris appeared in their place. The debris “added unattractiveness” to a nearby tourist route. In response to a request to bring things in order, the Committee said: “At present, Ile-Alatau SNNP has taken measures to clean construction waste and other materials in the Butakovka Canyon of Ile-Alatau SNNP.”⁶⁶ Again, the administration of the park had to “pay,” not the violators.

Inspection of the park territory at the end of 2019 showed that abandoned sites, with the exception of the Butakovka and Kaskelen canyons, where the dismantling of unfinished buildings began, remain intact. The situation with areas where ruins and unfinished structures were liquidated is unclear. Will the lands be returned to the national park, or is it planned to start new construction there?

The neglected state of Ile-Alatau National Park contradicts the requirements of the Convention on Biological Diversity, reduces the likelihood of its inclusion in the World Heritage List and undermines the country’s international image.⁶⁷

⁶⁴ Reply of the Committee for Forestry and Wildlife dated July 12, 2019 (outgoing No. 17-1-27/ZT-K-246) to the letter of the Ecological Society “Green Salvation” dated July 1, 2019 (outgoing No. 109).

⁶⁵ Reply of the Department of Control of Urban Planning of the city of Almaty dated July 18, 2019 (outgoing No. ZT-K-780) to the letter of the Ecological Society “Green Salvation” dated July 1, 2019 (outgoing No. 097) to the Prosecutor’s Office of the Medeu district of Almaty.

⁶⁶ Reply of the Committee for Forestry and Wildlife dated August 6, 2019 (outgoing No. 17-1-27/ZT-K-265) to the letter of the Ecological Society “Green Salvation” dated July 9, 2019 (outgoing No. 117).

⁶⁷ On February 6, 2002, the park was included in the UNESCO World Heritage Tentative List from the Republic of Kazakhstan—“Northern Tien Shan” nomination: <http://whc.unesco.org/en/statesparties/kz>.



Picture 063.

Butakovka Canyon. February 16, 2019.



Picture 064.

Butakovka Canyon. February 16, 2019.



Picture 065.

Butakovka Canyon. April 1, 2019.



Picture 066.

Butakovka Canyon. June 21, 2019.



Picture 067.

Butakovka Canyon. July 31, 2019.



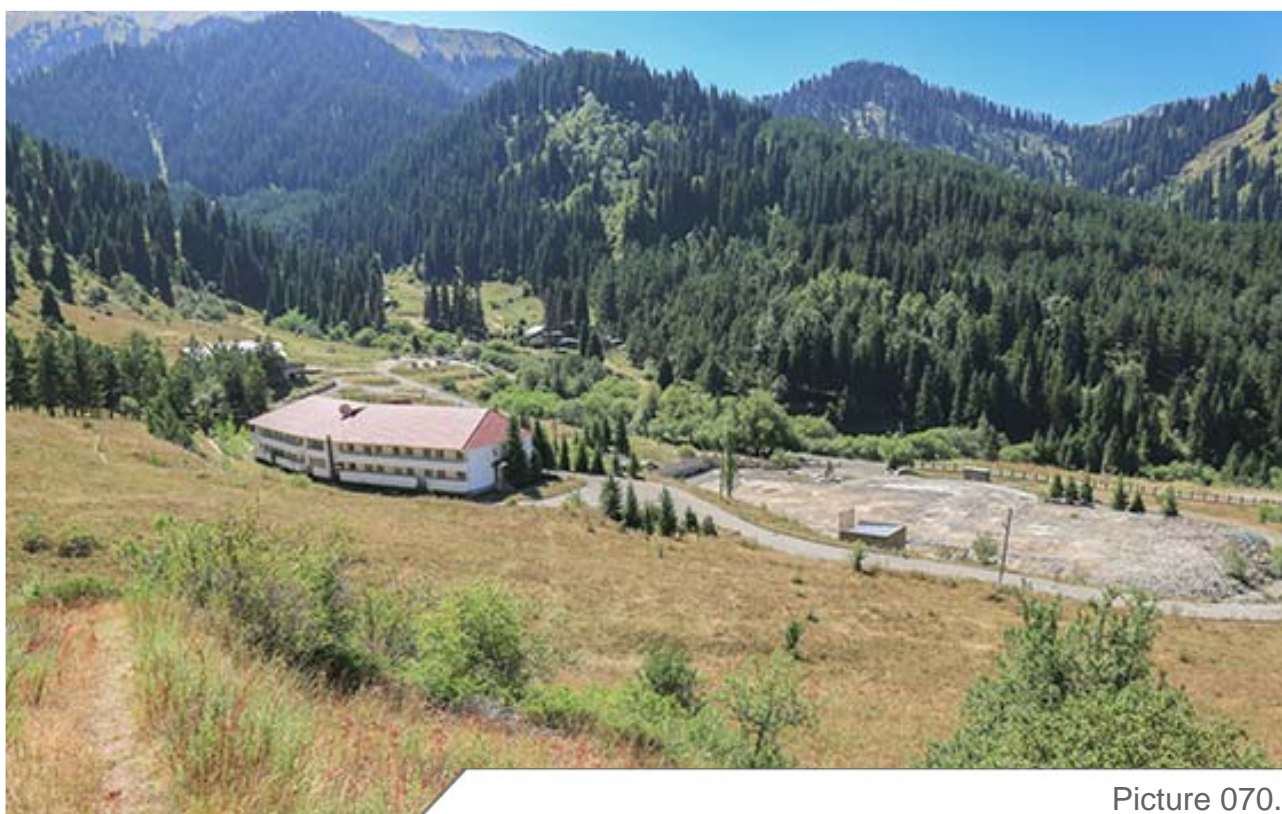
Picture 068.

Butakovka Canyon. July 31, 2019.



Picture 069.

Butakovka Canyon. July 21, 2017.



Picture 070.

Butakovka Canyon. August 28, 2019.



Picture 071.

Butakovka Canyon. August 28, 2019.



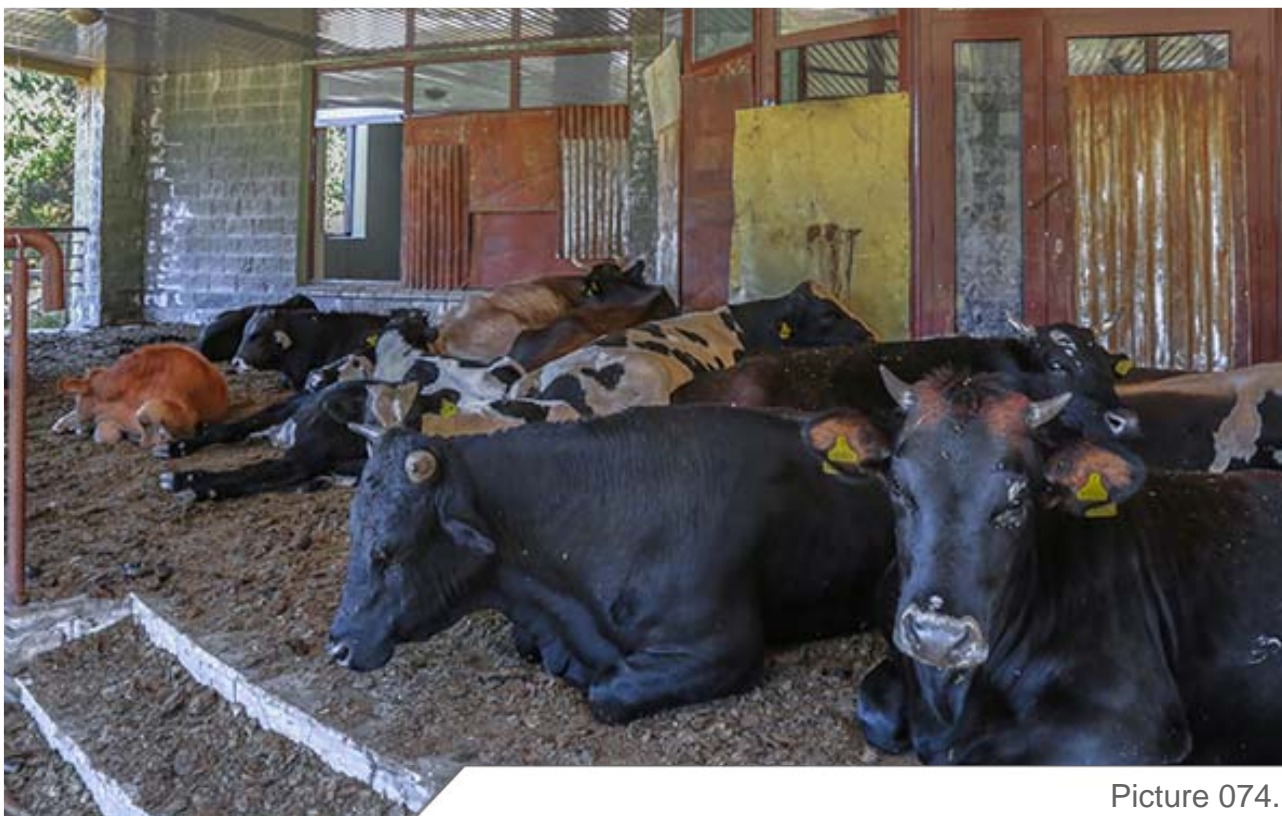
Picture 072.

Butakovka Canyon. September 22, 2019.



Picture 073.

Butakovka Canyon. August 28, 2019.



Picture 074.

Butakovka Canyon. August 28, 2019.



Picture 075.

Butakovka Canyon. July 31, 2019.



Picture 076.

Issyk Canyon. September 2, 2019.



Picture 077.

Issyk Canyon. September 2, 2019.



Picture 078.

Kimasar Canyon. August 29, 2019.



Picture 079.

Kimasar Canyon. January 8, 2019.



Picture 080.

Kimasar Canyon. August 29, 2019.



Picture 081.

Kimasar Canyon. January 8, 2019.



Picture 082.

Kimasar Canyon. April 24, 2019.



Picture 083.

Kimasar Canyon. August 29, 2019.



Picture 084.

Kimasar Canyon. August 29, 2019.



Picture 085.

Kimasar Canyon. August 29, 2019.

Unsustainable organization of tourism

In 2019, there were no noticeable improvements in the organization of tourism in national parks. Talks about calculation of recreational loads⁶⁸ continued, but, for example, in Ile-Alatau SNNP, no measures on regulating the number of visitors were noticed in any of the canyons. More and more tenants received land in the park. Thousands of cars cruised through its territory. Mountains of garbage remain an integral part of popular routes. Ecotourism, development of which was discussed at dozens of round tables, conferences and other events, is similar to an unborn child.

Significant spaces of the park remain inaccessible to tourists due to the fact that they are turned into private possessions. Some places pose a threat to the life and health of visitors, because they “provide space” for ruins, dumpsites, high-voltage overhead power lines and other “attractions.” Informational boards, benches, arbors and bridges are in poor condition. There are still no tourist maps.

Most visitors to the parks are vacationers who come here for a meal and outdoor entertainment. It seems to be nothing reprehensible in this. Tenants are guided by their tastes and needs and by their level of culture. It is for them lurid advertising posters offer barbecues, cauldrons, trestle beds, bath-saunas and even inadmissible four-wheelers and motor boats ... Cafes, restaurants, trout farms are being built for them. Visitors are pampered and are not required to follow the

rules, do not instill a culture of behavior in national parks. They come mainly on personal vehicles, which mean that parking is needed. If there is no a parking lot, then the cars are parked on a side of a road, on glades and riverbanks. Trash is being left right here. This is too much work—to put it in the trunk and take it to the city! Parks “encourage” this by setting up bins and containers for garbage collection everywhere, and then complain that they cannot handle its cleaning.

Excursion service, educational events—it is not noticeable that at least one of the tenants offers these services. We have never seen such an advertisement anywhere! Park staff does not conduct any explanatory conversations either at the checkpoint or in the recreational areas. No leaflets, booklets, no information about the rescue services, not to mention the maps. But at the checkpoint you can buy firewood. There are some regulatory signs, but they became blended in, have an unattractive appearance, they are “overshadowed” by the tenants’ advertising banners. And what can be expected from vacationers, if next to a sign “No grazing,” there would be cows and a herd of horses grazing, and nobody knows whom they belong to?!

Many vacationers in national parks do not even understand that these are specially protected natural territories. Of course, all they see are solid fences, cafes, saunas, recreation areas and private properties. And the entry fee is perceived as a regular ecological tax, so that somebody would cleanup the trash after them.

⁶⁸ Back on January 25, 2001, an order was issued by the Chairman of the Committee for Forestry, Fisheries and Hunting of the Ministry of Natural Resources and Environmental Protection No. 23 “On approval of tourist routes and trails in state nature reserves and national parks.” Paragraph 3 says: “To determine, that it is necessary to introduce a system for regulating the flow of tourists and visitors in national parks, taking into account the recreational capacity of natural territories, develop tourist routes and trails with their subsequent improvement...” (website visited on May 20, 2020).



Picture 086.

Ayusay Canyon. March 9, 2019.



Picture 087.

Ayusay Canyon. March 9, 2019.



Picture 088.

Ayusay Canyon. March 9, 2019.



Picture 089.

Ayusay Canyon. April 8, 2019.



Picture 090.

Ayusay Canyon. April 8, 2019.



Picture 091.

Issyk Canyon. September 2, 2019. A poster of the Ile-Alatau SNNP prohibiting environmental pollution and driving on motor boats on Lake Issyk.



Picture 092.

Issyk Lake. September 2, 2019.



Picture 093.

Issyk Lake. September 2, 2019.



Picture 094.

Issyk Lake. October 15, 2017.



Picture 095.

Issyk Lake. October 15, 2017.



Picture 096.

Stone Flower Canyon. October 25, 2019.



Picture 097.

Stone Flower Canyon. October 25, 2019.



Picture 098.

Stone Flower Canyon. November 11, 2019.



Picture 099.

Stone Flower Canyon. November 11, 2019.



Picture 100.

Kok-Jailau Hollow. March 4, 2019.



Picture 101.

Kok-Jailau Hollow. April 8, 2019.



Picture 102.

Kok-Jailau Hollow. October 10, 2019.



Picture 103.

Kok-Jailau Hollow. October 10, 2019.



Picture 104.

Kok-Jailau Hollow. April 14, 2019.



Picture 105.

Kok-Jailau Hollow. July 27, 2019.



Picture 106.

Kok-Jailau Hollow. July 27, 2019.



Picture 107.

Kok-Jailau Hollow. September 5, 2019.



Picture 108.

Prohodnoe (Almaarasan) Canyon. June 27, 2019.



Picture 109.

Prohodnoe (Almaarasan) Canyon. June 27, 2019.



Picture 110.

Prohodnoe (Almaarasan) Canyon. June 27, 2019.



Picture 111.

Prohodnoe (Almaarasan) Canyon. January 3, 2020.



Picture 112.

Prohodnoe (Almaarasan) Canyon. January 3, 2020.



Picture 113.

Prohodnoe (Almaarasan) Canyon. January 3, 2020.

CONCLUSION

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- 82 Factors influencing development of the situation
- 83 Positive changes
- 84 Unresolved issues
- 85 Our suggestions

PART III



Interaction of the Ecological Society “Green Salvation” with government bodies

For many years, Green Salvation has been assisting state bodies in maintaining the rule of law and ensuring the normal functioning of national parks in the Almaty oblast. The institutions with which the ES is constantly interacting have already been named above. But, unfortunately, this interaction cannot be called cooperation.

In 2019, the organization focused on working with prosecution authorities. Since some parts of Ile-Alatau SNNP are located in the administrative borders of the Medeu district of Almaty, the ES appealed to the district prosecutor's office. The letter cited examples of inaction of state bodies, violations of the law and listed our appeals to various authorities. We asked for verification of the facts and analysis of the legality of the actions of these institutions.⁶⁹

Several meetings with the prosecutor took place; he turned to the office of the akim of the Medeu district. The organization's staff, along with representatives of the prosecutor's office, traveled to the park and inspected abandoned facilities. The result of the appeal was the elimination of the ruins of the “Nurdaulet” sports complex in the Butakovka Canyon of Ile-Alatau SNNP.

However, in general, interaction with government bodies is one-sided. The actions of the ES are perceived as an annoying factor that violates the “calm” of authorized bodies. For example, the Forestry Committee responded to our request to eliminate violations of the regulations of the SPNT in the Butakovka Canyon:

“Based on the submitted materials, Ile-Alatau SNNP took appropriate measures.

At the same time, Article 13 of the Law of the Republic of Kazakhstan “On Specially Protected Natural Territories” establishes an exhaustive list of rights and obligations of legal entities.

At the same time, inspections by legal entities in specially protected natural territories without the participation of environmental institutions are not allowed.

Legal entities have the right to participate, under an agreement with environmental organizations, in measures to protect, protect, restore and use objects of the state nature reserve fund.

In this regard, in the future it is necessary to correctly formulate your appeals.

It is also proposed to conclude an agreement with Ile-Alatau SNNP and, for prompt action, send your requests directly to the national park.”⁷⁰

The Committee staff apparently forgot that three years ago—in violation of paragraph 2 of Article 2 of the Aarhus Convention—at the request of the ES, the Committee itself reported that “the national natural park is not a public authority!”⁷¹ The Committee confirmed a similar statement by the administration of Ile-Alatau SNNP.⁷² And therefore, no complaints can be directed to the park.

Factors influencing development of the situation

The main factors affecting the situation development in national parks have not changed in 2019.

1. The Ministry of Ecology, Geology and Natural Resources, the Committee of Forestry and Wildlife, central and local authorities, business structures are not actually governed by international conventions, primarily the Convention on Biological Diversity, the Convention for the Protection of World Cultural and Natural Heritage and the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention). Nevertheless, in

⁶⁹ Letter of the Ecological Society “Green Salvation” dated November 18, 2019 (outgoing No. 097) to the Prosecutor's Office of the Medeu district of Almaty.

⁷⁰ Reply of the Committee for Forestry and Wildlife dated July 15, 2019 (outgoing No. 17-1-27/ZT-K-245) to the letter of the Ecological Society “Green Salvation” dated July 1, 2019 (outgoing No. 108).

⁷¹ Reply of the Committee for Forestry and Wildlife dated March 29, 2017 (outgoing No. 17-7-15/ZT-K/49) to the letter of the Ecological Society “Green Salvation” dated February 27, 2017 (outgoing No. 035).

⁷² Reply of the Ile-Alatau SNNP dated January 06, 2017 (outgoing No. 2-19/009) to the letter of the Ecological Society “Green Salvation” dated December 5, 2016 (outgoing No. 100).

the international arena, the Republic of Kazakhstan is making significant efforts to create the image of a state for which international obligations, the rule of law and human rights are of great importance.

2. Environmental and forestry policies, policies for the conservation of biological diversity and the development of protected territories have not been developed and adopted.

3. National legislation in these areas does not meet the requirements of international conventions and contains numerous contradictions that reduce its effectiveness.

4. Massive violations of legal norms, including by government bodies, have become common practice.

5. The development of national parks is determined by the needs of the business. This is clearly confirmed by the content of the "State program for development of tourism industry of the Republic of Kazakhstan for 2019-2025." The primitive view on the role of protected territories continues to dominate: they must be profitable from the exploitation of their land—namely land resources! Land is needed for the construction of ski slopes, hotels, restaurants, parking lots ... No biological, geological and other features of the territory are taken into account if they do not generate income. A sort of new metamorphosis of feudal rent. Protected territories are not considered as natural systems that maintain ecological balance, stabilize the ecological situation and inhibit climate change. Environmental services are not taken into account.

6. The functions of the park administrations are limited and transferred to local authorities that are not specialized organizations for the protection and management of SPNT of national level. The Ministry of Ecology, Geology and Natural Resources, the Committee of Forestry and Wildlife give up their powers.

Positive changes

During 2019, there were some positive changes in the legal status of national parks.

On October 28, the Law of the Republic of Kazakhstan No. 268-VI amended paragraph 2 of Article 23 of the Law on SPNT. The transfer of land from specially protected natural territories to the category of reserved lands was prohibited "for the purpose of construction and operation of tourism facilities."⁷³ That is, the norm that served as the basis for the withdrawal of Kok-Jailau Hollow from the category of lands of protected territories was canceled. But the option of transferring to the category of reserved lands was secured for construction of "water facilities of special strategic importance," and for arrangement of objects for the need of defense and border guards.

Amendments to paragraph 1 of Article 11 of the Law on SPNT. The absurd provision that state control and supervision in the field of specially protected natural territories "is carried out in accordance with the Entrepreneurial Code" has been removed from it.

We believe that these changes became possible as a result of the successful campaign "Protect Kok-Jailau!", in which the ES played a significant role.

On November 26, 2019, the Ministry of Ecology, Geology and Natural Resources reported that after the president prohibited the construction of the "Kok-Jailau" ski resort, "in order to work out the issue of returning the Kok-Jailau Hollow to the national park, on November 7 of the current year, the Ministry sent a letter to the Akimat of Almaty ...

As the case is approved by the Akimat of Almaty and funds are allocated for development of natural-scientific and feasibility studies by specialized scientific organizations, the development of natural-scientific and feasibility studies [for land return—Authors' note] will be initiated."⁷⁴

⁷³ Law "On Specially Protected Natural Territories" (with amendments and additions as of October 28, 2019). Article 23, paragraph 2: "Transfer of lands of specially protected natural territories is not allowed, except in cases of transfer to the reserved lands for construction and operation of water facilities with special strategic importance, and only for areas zoned for limited economic activity, as well as for construction, arrangement and functioning of the sites of the State border of the Republic of Kazakhstan, defense needs, in the absence of other options for their possible location in the presence of a positive conclusion of the state environmental assessment in the order established by the Government of the Republic of Kazakhstan."

⁷⁴ Reply of the Ministry of Ecology, Geology, and Natural Resources dated November 26, 2019 (outgoing No. 30-01-10-03/ZT-K-89/1) to the letter of the Ecological Society "Green Salvation" dated November 18, 2019 (outgoing No. 175).

The environmental situation has slightly improved. The ruins in the Butakovka Canyon were dismantled, although, we repeat, that the cleaning of the territory is not completed and the plans of the owner of this site are unclear.

As a result of the ES's actions, individual offenders were fined. For example, a tenant in the Ayusay Canyon of the Big Almaty branch of Ile-Alatau National park. The road construction incident was also mentioned above. The construction was stopped, and the offender was fined.

Whether such actions of the park administration will become a starting point for more stringent compliance with the Law on SPNT or will they remain single occurrences—time will tell.

Unresolved issues

There are still many unresolved issues that significantly worsen the environmental situation in national parks and which can only be resolved at the parliament and government levels.

The main ones are the following.

1. International environmental conventions are poorly implemented, which affects the state of biological diversity, especially species listed in the Red Book of Kazakhstan and the Red List of Threatened Species of the International Union for Conservation of Nature (IUCN).

2. Government authorities do not take into account the study of international experts from the Critical Ecosystem Partnership Fund (CEPF). It refers to the mountainous ecological systems of Central Asia: **“The trends for the fragile landscapes of the high mountains are negative (i.e., increasing threats) and climate change is a threat to every ecosystem.** Positive trends (i.e., decreasing threats) are primarily in areas where the state or motivated local actors **have seen it in their economic self-interest to act** (e.g., reduced pollution of freshwater; avoided conversion of valuable forests).”⁷⁵

3. No measures are taken for the national parks of the Almaty oblast included in the

Tentative List, to be nominated into the UNESCO World Heritage List.

4. The issue of using cross-border tourist routes has not been resolved with neighboring states. For example, for many years the path to Issyk-Kul Lake through the territory of the Ile-Alatau SNNP remains closed.

5. The exact boundaries of national parks, their buffer zones, sections of outside owners and tenants are not defined. Numerous business entities intensify legal chaos in the SPNT: enclosing large areas; restricting access to trails, rivers and other tourist facilities; constructing houses, power lines, pipelines, gas pipelines, etc.

6. Economic activity of some sites adjacent to national parks has a negative impact on the ecological systems of the SPNT. For example, the Forestry Committee reported the results of the monitoring of the condition of the Ashen Grove located on the territory of the Charyn SNNP in the floodplain of the Charyn River: “Since the Moinak hydropower plant was put into operation, the ash growing on the first terrace is in satisfactory condition, on the second terrace—it is drying out.

According to the hydrometeorological data of the weather stations of the RSE “Kazhydromet,” from 2014 to 2017, the level of water discharged from the Moinak hydropower plant is unstable.

In this regard, the national park conducts irrigation on the second terrace five times in the summer. At present, the condition of the Ashen Grove is generally satisfactory.”⁷⁶

7. Limited economic activity, including the activity conducted by tenants, leads to numerous violations of not only environmental laws, but also financial ones. For example, double-entry bookkeeping was set up at “Kolsai Lakes” SNNP. The administration charges an admission to the park of 500 tenge. Plus, “J ...” LLP takes an additional charge, and everything is official—another 500 tenge for a seven-kilometer route from the lower to the middle Kolsai Lake, which was leased out to them

⁷⁵ Mountains of Central Asia Biodiversity Hotspot. Critical Ecosystem Partnership Fund.—2017, p.86: <https://www.cepf.net/sites/default/files/mountains-central-asia-ecosystem-profile-eng.pdf>.

⁷⁶ Reply of the Committee for Forestry and Wildlife dated February 22, 2019 (outgoing No. 17-1-27/ZT-K-57) to the letter of the Ecological Society “Green Salvation” dated February 6, 2019 (outgoing No. 017).

for a short-term use.⁷⁷ Thus, the admission is doubled, as the path between the lakes is an integral part of the park!

8. Contrary to the legislation, so-called adjustments to the feasibility study of Ile-Alatau National Park are regularly carried out many years after its foundation and after another forest inventory carried out in 2017.

However, it should be noted that in accordance with paragraph 2 of Article 57 of the Forest Code “forest management projects of state forest holdings and other forest management documents that have passed state environmental review are approved by the authorized body and are mandatory regulatory acts for forestry, its current and long-term planning.” In addition, the quality of the above mentioned adjustments does not meet the requirements of the “Rules for development of draft natural-scientific and feasibility studies on foundation or expansion of specially protected natural territories, and adjustments to the feasibility study.”

Our suggestions

Despite some improvements to the Law on SPNT, the situation in national parks remains extremely difficult. During 2019, the ES repeatedly drew the attention of the Committee and other authorized state bodies to the need to ensure the rule of law and strict observance of human rights to an environment conducive to life and well-being.

On April 17, 2019, the ES sent a letter to the Secretary of the Committee on Ecology and Nature Management of the Mazhilis of

the Parliament in order to draw the attention of deputies to serious contradictions in environmental legislation. The ES believes that there is an urgent need for toughening the Law on SPNT if we want to preserve them as natural mechanisms (systems) that maintain equilibrium, stabilize the ecological situation and inhibit climate change.⁷⁸

The ES believes that the following fundamental changes should be made to the legislation and management of SPNT:

1. Bring the environmental legislation of the Republic of Kazakhstan in accordance with the requirements of international conventions.
2. Remove all third-party land owners from the SPNT of the national level.
3. Completely prohibit the transfer of lands of SPNT from the category of “lands of SPNT” to the category of “reserved lands.”
4. Prohibit changing of zoning of the territories of SPNT without scientific justification.
5. Prohibit capital construction in nature reserves and national parks, other than those necessary for operation of the administrations of SPNT.
6. Prohibit long-term lease of land plots of state national natural parks.
7. Remove all tenants from the territories of national natural parks, obliging them to dismantle all buildings and conduct land restoration.
8. Make amendments to the Law on SPNT that prohibit local executive authorities from interfering into the nature conservation activity of national parks that are state property.
9. Prohibit illegal adjustments to the feasibility studies of SPNT.

⁷⁷ Reply of the Committee for Forestry and Wildlife dated October 25, 2019 (outgoing No. 17-1-27/ZT-K-366) to the letter of the Ecological Society “Green Salvation” dated October 11, 2019 (outgoing No. 155).

⁷⁸ Letter of the Ecological Society “Green Salvation” dated April 17, 2019 (outgoing No. 064) to the Secretary of the Committee on Ecology and Natural Resources Utilization of the Mazhilis of the Parliament.

APPENDICES

- 87 Appeals of the Ecological Society
“Green Salvation” to government
bodies
- 88 Table



Appeals of the Ecological Society “Green Salvation” to government bodies

In 2019, the Ecological Society “Green Salvation” prepared and sent 86 inquiries to government bodies regarding the environmental situation and compliance with environmental laws on specially protected natural territories. Inquiries were sent to the Mazhilis of the Parliament of the Republic of Kazakhstan, Prime Minister of the Republic of Kazakhstan, Committee for Forestry and Wildlife of the Ministry of Ecology, Geology and Natural Resources, Committee on Emergency Situations of the Ministry of Internal Affairs, Akimat of Almaty, Department of Tourism and External Relations of Almaty, Department of Natural Resources and Environmental Management of Almaty (now the Department of Green Economy), Department of Land Relations of Almaty, Department of Control of Urban Planning of Almaty, Local Police Service of the Department of Internal Affairs of Almaty, Specialized Environmental Prosecutor’s Office of Almaty, Prosecutor’s Office of Medeu district of the city of Almaty, Specialized Environmental Prosecutor’s Office of the Almaty oblast, Akimat of the Almaty oblast, Department of Ecology of the Almaty oblast, and the Balkhash-Alakol Basin Inspection of the Committee on Water Resources.

Replies were received for 84 inquiries (98%), while incomplete or inaccurate information was provided to 51 (61%) of them. Two inquiries (2%) were left unanswered. For certain questions, we had to re-send the inquiries. In some cases, the organization had to appeal to court.

Total number of inquiries	Number of replies received	Number of unanswered inquiries	Number of replies with incomplete or inaccurate information
86	84	2	51
100%	98%	2%	61%

Following 9 appeals of the organization, measures were taken:

- unauthorized dumpsites in the Ayusay and Butakovka canyons of Ile-Alatau SNNP and in the Kok-Jailau Hollow were eliminated;
- some abandoned sites and ruins in the Butakovka Canyon of Ile-Alatau SNNP were dismantled;
- an illegally installed fence, which was blocking the access to the popular tourist route in the Stone Flower Canyon of Ile-Alatau SNNP, was dismantled;
- a state inspector of “Kolsai Lakes” National Park was brought to a disciplinary action. The Committee instructed the national park to strengthen control over enforcement of regulations of SPNT;
- a decision was made to ban the use of motor boats on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Reserve. The organization has been seeking for this ban for over three years;
- construction of a new service road on Kok-Jailau Hollow was terminated, the offender was fined.

The organization appealed to court:

- in regards to inaction of state bodies in eliminating the ruins in the Butakovka Canyon of Ile-Alatau SNNP;
- in regards to provision of false information by state bodies regarding the Kok-Jailau Hollow;
- in regards to inaction of state bodies, expressed in a refusal to maintain order and carry out sanitary clean-up on the Kok-Jailau Hollow.

Appeals of the Ecological Society “Green Salvation” related to the public environmental monitoring of specially protected natural territories in 2019

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
1	15 Jan 2019	Committee for Forestry and Wildlife	Cutting down trees in Butakovka Canyon of Ile-Alatau National Park.	Requested information was provided, but the tree cuttings continue.
2	10 Jan 2019	Committee for Forestry and Wildlife	Land plots in Kok-Jailau Hollow.	Part of the requested information was provided.
3	10 Jan 2019	Department of Tourism of the city of Almaty	Land plots in Kok-Jailau Hollow.	Part of the requested information was provided.
4	15 Jan 2019	Department of Natural Resources and Regulation of Natural Resources Utilization of the city of Almaty	Cutting down trees in Butakovka Canyon of Ile-Alatau National Park.	Reply was received, but information was not provided, measures are not taken.
8	23 Jan 2019	Committee for Forestry and Wildlife	Information about applications tender regarding the lease of land plots of Ile-Alatau National Park.	Reply was received, but the information was not fully provided.
10	07 Feb 2019	Committee for Forestry and Wildlife	Cutting down trees in Butakovka Canyon of Ile-Alatau National Park.	Requested information was provided, but the tree cuttings continue.
11	30 Jan 2019	Akim of the city of Almaty	Discussion with the public of the project of development of the mountain cluster.	Reply was received, but the information was not fully provided.
12	30 Jan 2019	Committee for Forestry and Wildlife	Discussion with the public of the project of development of the mountain cluster.	Reply was received, but the information was not fully provided.
13	30 Jan 2019	Akim of the city of Almaty	Preservation of rare primroses.	Reply was received. Akimat supported the propositions. Some of the propositions of the organization were implemented.
14	30 Jan 2019	Department of Internal Affairs of the city of Almaty	Preservation of rare primroses.	Reply was received. Police supported the propositions. But measures were not taken.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
15	06 Feb 2019	Committee for Forestry and Wildlife	Law violations in Kimasar Canyon of Ile-Alatau National Park.	Reply was received, but inaccurate information was provided, measures are not taken.
16	06 Feb 2019	Department of Tourism of the city of Almaty	Violations of environmental legislation in Kok-Jailau Hollow.	Reply was provided, but measures are not taken.
17	06 Feb 2019	Committee for Forestry and Wildlife	Condition of the Ashen Grove of Charyn National Park.	Reply was received, requested information was provided.
31	07 Mar 2019	Committee for Forestry and Wildlife	Request to provide the Master Plan of development of Ile-Alatau National Park.	Reply was received, requested information was provided.
32	07 Mar 2019	Committee for Forestry and Wildlife	Inquiry on the land plots of the resort "Lesnaya Skazka" and the project assessment.	Reply was received, part of the requested information was provided.
33	07 Mar 2019	Department of Natural Resources and Regulation of Natural Resources Utilization of Almaty oblast	Inquiry on the land plots of the resort "Lesnaya skazka" and the project assessment.	Reply was received, but the requested information was not provided.
36	07 Mar 2019	Department of Natural Resources and Regulation of Natural Resources Utilization of Almaty oblast	Environmental assessment of the project on construction of Issyk hydropower plant.	Reply was received, but the requested information was not provided.
38	12 Mar 2019	Committee for Forestry and Wildlife	Environmental violations in Ayusay Canyon of Ile-Alatau National Park.	Reply was received. Measures were taken. Dumpsite was removed. Tenant was fined.
39	18 Mar 2019	Committee for Forestry and Wildlife	Legality of carrying out of a tender on provision of land plots in Kok-Jailau Hollow of Ile-Alatau National Park.	Reply was received. Measures were not taken. The tender was not cancelled.
40	18 Mar 2019	Environmental Prosecutor's Office of the city of Almaty	Legality of carrying out of a tender on provision of land plots in Kok-Jailau Hollow of Ile-Alatau National Park.	Reply was received. The Prosecutor's Office forwarded the claim of the ES to the violator.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
41	18 Mar 2019	Environmental Prosecutor's Office of Almaty oblast	Legality of carrying out of a tender on provision of land plots in Kok-Zhailau Hollow of Ile-Alatau National Park.	Reply was received. The Prosecutor's Office forwarded the claim of the ES to the violator.
42	19 Mar 2019	Committee for Forestry and Wildlife	Information about the project of construction of a bridge over Charyn River.	Reply was received, part of the requested information was provided.
43	19 Mar 2019	Akimat of Almaty oblast	Information about the project of construction of a bridge over Charyn River.	Reply was received, part of the requested information was provided.
44	19 Mar 2019	Akimat of Kegen district of Almaty oblast	Information about the project of construction of a bridge over Charyn River.	Reply was received, part of the requested information was provided.
50	01 Apr 2019	Committee for Forestry and Wildlife	Ecological condition of the Ayusai Canyon of Ile-Alatau National Park.	Requested information was provided.
51	01 Apr 2019	Committee for Forestry and Wildlife	Rental fees rates in Ile-Alatau National Park.	Requested information was provided.
52	01 Apr 2019	Committee for Forestry and Wildlife	List of outside land users on the territory of Ile-Alatau National Park.	Reply was received, but the requested information was not provided.
53	03 Apr 2019	Department of Tourism of the city of Almaty	Inquiry of the feasibility study of the project of the mountain resort "Kok-Jailau."	Reply was received, but the requested information was not provided.
55	03 Apr 2019	Department of Tourism of the city of Almaty	Littering and violation of environmental legislation on Kok-Jailau Hollow.	Reply was received. Measures were partially taken. Public clean-ups were conducted. But in general, the problem of littering in the nature tract is not being solved.
57	03 Apr 2019	Committee for Forestry and Wildlife	Conclusion of the state environmental assessment of the project of correction of the master plan of Ile-Alatau National Park.	Reply was received, by the document was not provided, because the assessment was not conducted.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
59	10 Apr 2019	Department of Tourism of the city of Almaty	Documentation on the tender regarding land plots in Kok-Jailau Hollow.	Reply was received. Because of the statement of the akim and president, the tender was suspended.
60	10 Apr 2019	Committee for Forestry and Wildlife	Documentation on the tender regarding land plots in Kok-Jailau Hollow.	Reply was received. Because of the statement of the akim and president, the tender was suspended.
61	10 Apr 2019	Akimat of the city of Almaty	Project of the mountain resort "Kok-Jailau."	Reply was received. Because of the statement of the akim and president, the tender was suspended.
63	18 Apr 2019	President of the RK, Prime-Minister of the RK, Chairman of Senate of Parliament of the RK, Chairman of Mazhilis of Parliament of the RK, Akim of the city of Almaty	Collective appeal on complete termination of the project of mountain resort "Kok-Jailau" and returning the nature tract to the Ile-Alatau National Park.	All correspondence from the capital was forwarded to the city of Almaty. Reply was received from the Department of Tourism. Propositions of the public were not accepted. A material was prepared for the website and for circulation in mass-media.
64	17 Apr 2019	Committee of Ecology and Natural Resources Utilization of Mazhilis of Parliament of the RK	Violations of environmental legislation in Big Almaty Canyon of Ile-Alatau National Park.	Reply was received, but the requested information was not fully provided.
66	02 May 2019	Department of Tourism of the city of Almaty	Obstacles and issues on tourist routes of Ile-Alatau National Park.	Reply was provided. Information is taken into account. Measures will be taken later.
67	29 Apr 2019	Akim of the city of Almaty	Violations of environmental legislation in Kok-Jailau Hollow.	Reply was received, but inaccurate information was provided. Measures were not taken.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
70	29 Apr 2019	Committee for Forestry and Wildlife	Information about the tender on land plots in Kok-Jailau Hollow of Ile-Alatau National Park.	Requested information was provided.
73	29 Apr 2019	Committee for Forestry and Wildlife	Approval of the master plan on tourism development.	Reply was received, requested information was provided.
74	30 Apr 2019	Department of Land Relations of the city of Almaty	List of unused land plots on the territory of Ile-Alatau National Park.	Reply was received, requested information was provided.
89	17 May 2019	Committee for Forestry and Wildlife	Information on the buffer zone of Ile-Alatau National Park.	Reply was received, information was provided. Measures were not taken.
90	17 May 2019	Akim of the city of Almaty	Information on the buffer zone of Ile-Alatau National Park.	Reply was received, information was provided. Measures were not taken.
95	07 Jun 2019	Department of Control of Urban Planning of the city of Almaty	List of unused land plots on the territory of Ile-Alatau National Park.	Reply was received, information was provided. Measures were not taken.
97	01 Jul 2019	Prosecutor's Office of the Medeu district of the city of Almaty	Violations of environmental legislation on the territory of Ile-Alatau National Park.	Reply was received. Part of the requested information was provided. Dismantling of the ruins of the sports complex "Nurdaulet" in Butakovka Canyon was initiated.
98	07 Jun 2019	Department of Tourism of the city of Almaty	Project of improvement of tourist routes of Ile-Alatau National Park.	Reply was received. Requested information was provided.
107	09 Jul 2019	Akim of the city of Almaty	Tender on construction of communication infrastructure to the new resort in Butakovka Canyon of Ile-Alatau National Park.	Reply was received, but the requested information was not provided.
108	01 Jul 2019	Committee for Forestry and Wildlife	Abandoned sites in Butakovka Canyon of Ile-Alatau National Park.	Reply was received. Measures were partially taken.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
109	01 Jul 2019	Committee for Forestry and Wildlife	Abandoned sites in Butakovka Canyon of Ile-Alatau National Park.	Reply was received. Measures were not taken.
117	09 Jul 2019	Committee for Forestry and Wildlife	Abandoned sites in Butakovka Canyon of Ile-Alatau National Park.	Reply was received. Measures were taken. Construction and domestic waste is removed from the canyon.
119	18 Jul 2019	Committee for Forestry and Wildlife	Violations during the mass campaign ("Shashlyking") in Butakovka Canyon of Ile-Alatau National Park.	Reply was provided, but with incomplete and inaccurate information. Measures are not taken.
122	06 Aug 2019	Environmental Prosecutor's Office of the city of Almaty	Environmental violations during the public campaign "Birge—Taza Qazaqstan" (citywide cleanup in Kok-Jailau Hollow).	Reply was provided. The appeal was forwarded to the national park. Measures are not taken.
123	06 Aug 2019	Committee for Forestry and Wildlife	Environmental violations during the public campaign "Birge—Taza Qazaqstan" (citywide cleanup in Kok-Jailau Hollow).	Reply was provided. Measures are not taken.
129	12 Aug 2019	Committee for Forestry and Wildlife	Construction development in "Kolsai Lakes" National Park.	Reply was provided.
131	28 Aug 2019	Committee of Ecology and Natural Resources Utilization of Mazhilis of Parliament of the RK	Results of monitoring of specially protected natural territories.	Results of the monitoring served as a basis for preparation of deputy inquiries to the Prime-Minister and Ministries.
134	12 Sep 2019	Akim of the city of Almaty	Appeal on the project of construction of mountain ski resort "Kok-Jailau." It was proposed to return the lands to the Ile-Alatau National Park.	Reply was received, but irrelevant information was provided.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
139	16 Sep 2019	Minister of Ecology, Geology, and Natural Resources of the RK	Appeal on the project of construction of mountain ski resort "Kok-Jailau." It was proposed to return the lands to the Ile-Alatau National Park.	Reply was received, but irrelevant information was provided.
140	19 Sep 2019	Committee for Forestry and Wildlife	Auto vehicles in a river bed and on a shore of Lake Kaindy in "Kolsai Lakes" National Park.	Reply was received. Measures were taken. In regards to this fact, a state inspector is brought to a disciplinary action. The Committee instructed the national park administration to strengthen control over observance of regulations of the SPNT.
141	19 Sep 2019	Committee for Forestry and Wildlife	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was received, but not in the essence.
142	19 Sep 2019	Balkhash-Alakol Basin Inspection of the Committee on Water Resources	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was received, but not in the essence. The inquiry was forwarded to different state bodies.
143	19 Sep 2019	Committee on Emergency	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was received, but not in the essence.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
144	19 Sep 2019	Akimat of Enbekshikazakh district of Almaty oblast	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was received, but not in the essence. The inquiry was forwarded to different state bodies.
145	19 Sep 2019	Akim of the city of Almaty	Request for the Decrees of 2018 and 2019 "On granting a right of temporary gratuitous short-term land use on a land plot by the Department of Tourism of the city of Almaty in Medeu district."	Reply was received. Requested information was provided. The information is used in trial proceedings.
146	30 Sep 2019	Committee for Forestry and Wildlife	Construction of a new service road to Kok-Jailau Hollow.	Reply was provided. Measures are taken. The construction was terminated, the violator was fined.
147	30 Sep 2019	Akim of the city of Almaty	Construction of a new service road to Kok-Jailau Hollow.	Reply was received. Information was provided.
148	30 Sep 2019	Emergency Department of the city of Almaty	Construction of a new service road to Kok-Jailau Hollow.	Reply was received, but not in the essence.
149	30 Sep 2019	Department for Control of Urban Planning of the city of Almaty	Construction of a new service road to Kok-Jailau Hollow.	Reply was received, but not in the essence.
151	30 Sep 2019	Committee for Forestry and Wildlife	Auto vehicles in Butakovka Canyon of Ile-Alatau National Park.	Reply was received, but no measures were taken.
152	30 Sep 2019	Committee for Forestry and Wildlife	Restrooms and other facilities near a river in Butakovka Canyon of Ile-Alatau National Park.	Reply was received. Instructions made to take measures.
155	11 Oct 2019	Committee for Forestry and Wildlife	Entrance fee to "Kolsai Lakes" National Park.	Reply was provided; explanation was given, but not fully.
163	16 Oct 2019	Committee for Forestry and Wildlife	Cutting down trees in Kazachka River Canyon of Ile-Alatau National Park.	Reply was received, but not in the essence.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
164	16 Oct 2019	Committee for Forestry and Wildlife	Fence in Stone Flower Canyon on a popular touris route.	Reply was received. Measures are not taken.
165	16 Oct 2019	Department for Control of Urban Planning of the city of Almaty	Fence in Stone Flower Canyon on a popular touris route.	Reply was provided. Measures are taken. The fence was dismantled, tourist passage is open.
169	22 Oct 2019	Prime-Minister of the RK	Rights over a land plot in Kok-Jailau Hollow.	Reply was received. Information was provided.
170	22 Oct 2019	Akim of the city of Almaty	Rights over a land plot in Kok-Jailau Hollow.	Reply was received. Information was provided.
171	22 Oct 2019	Committee for Forestry and Wildlife	Rights over a land plot in Kok-Jailau Hollow.	Reply was received. Information was provided.
175	18 Nov 2019	Minister of Ecology, Geology and Natural Resources, of the RK	Return of Kok-Jailau Hollow to Ile-Alatau National Park.	Reply was received. Information was provided.
177	20 Nov 2019	Committee for Forestry and Wildlife	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was provided. Measures were taken. A work meeting of a joint committee took place; a decision to ban the use of motor boats was made.
178	20 Nov 2019	Environmental Prosecutor's Office of Almaty oblast	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was provided. Measures were taken. A work meeting of a joint committee took place; a decision to ban the use of motor boats was made.
179	20 Nov 2019	Ecology Department og Almaty oblast	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was provided. Measures were taken. A work meeting of a joint committee took place; a decision to ban the use of motor boats was made.

Outgoing number	Date of inquiry	Destination	Summary of the inquiry	Summary of the reply
180	20 Nov 2019	Akimat of Enbekshikazakh district of Almaty oblast	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	Reply was provided. Measures were taken. A work meeting of a joint committee took place; a decision to ban the use of motor boats was made.
181	20 Nov 2019	“KazElectroEnergiya” LLP	Environmental violations on Lake Issyk, which is located between Ile-Alatau National Park and Almaty Nature Preserve (motor boats on the lake: noise and water pollution).	No reply.
191	24 Dec 2019	Environmental Prosecutor's Office of the city of Almaty	Violations of legislation on the territory of Ile-Alatau National Park	No reply.

