

**LAW
OF THE REPUBLIC OF KAZAKHSTAN**

**On Protected Areas
(as amended on 09.01.2007)**

<u>Section 1. Basic Provisions</u>	<u>(articles 1 - 38)</u>
<u>Chapter 1. General Provisions</u>	<u>(articles 1 - 5)</u>
<u>Chapter 2. State Management and Control in the Sphere of Protected Areas</u>	<u>(articles 6 - 11)</u>
<u>Chapter 3. Rights and Obligations of Physical Persons and Legal Entities in the Sphere of Protected Areas</u>	<u>(articles 12 - 13)</u>
<u>Chapter 4. Organization of Protected Areas</u>	<u>(articles 14 - 27)</u>
<u>Chapter 5. Preservation of Protected Areas, Legal Status of the State Inspectors of Protection Services of Protected Areas</u>	<u>(articles 28 - 33)</u>
<u>Chapter 6. Financing System for Protected Areas</u>	<u>(articles 34 - 38)</u>
<u>Section 2. Peculiarities of Management, Protection, and Functioning of Specific Types of Protected Areas, State Wildlife Preservation Objects and Particularly Protected Areas Included in the Ecological Network</u>	<u>(articles 39 - 85)</u>
<u>Chapter 7. State Wilderness Areas</u>	<u>(articles 39 - 43)</u>
<u>Chapter 8. State National Wildlife Parks and State Regional Wildlife Parks</u>	<u>(articles 44 - 49)</u>
<u>Chapter 9. State Wildlife Reserves</u>	<u>(articles 50 - 53)</u>
<u>Chapter 10. State Zoological Gardens</u>	<u>(articles 54 - 57)</u>
<u>Chapter 11. State Botanic Gardens</u>	<u>(articles 58 - 61)</u>
<u>Chapter 12. State Dendrological Gardens</u>	<u>(articles 62 - 63)</u>
<u>Chapter 13. State Natural Monuments</u>	<u>(articles 64 - 66)</u>
<u>Chapter 14. State Wildlife Refuges</u>	<u>(articles 67 - 69)</u>
<u>Chapter 15. State Preserved Areas</u>	<u>(articles 70 - 73)</u>
<u>Chapter 16. Objects of the State Natural-Preserved Fund</u>	<u>(articles 74 - 79)</u>
<u>Chapter 17. Ecological Network Elements Relating to the System of Protected Areas</u>	<u>(articles 80 - 81)</u>
<u>18. Final Provisions</u>	<u>(articles 82 - 85)</u>

Table of Contents is absent in the original copy.

The present Law shall regulate social relations concerning the establishment, expansion, preservation, restoration, stable use, and management of Protected areas and objects of the State Wildlife Reservation Fund which represent a special environmental, scientific, historical, cultural, and recreation value, as well as a component of the national, regional, and world ecological network.

Section 1. BASIC PROVISIONS

Chapter 1. GENERAL PROVISIONS

Article 1. Basic Notions of the Present Law

The following notions are used in the present Law:

- 1) biological resources — genetic resources, organisms or parts thereof, populations or any other components of ecological systems which are actually or potentially useful for the mankind;
- 2) Protected area — land areas, water spaces and air space above them with natural complexes and objects of the state wildlife preservation fund regarding which a special safeguard order is established;
- 3) Protected areas system — the aggregate of Protected areas of different categories and types, ensuring representation therein of natural complexes of all natural regions;
- 4) preservation of Protected areas (hereinafter — preservation) — a set of arrangements that can be performed within a Protected area for the purposes of detection and suppression of violations of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, as well as fire prevention, detection and liquidation arrangements;
- 5) protection of Protected areas (hereinafter — protection) — a set of arrangements that can be performed within a Protected area for the purposes of elimination of adverse effects of waters, safeguard of plants against pests and diseases, and regulation of animals population;
- 6) authorized body in the sphere of Protected areas (hereinafter — authorized body) — a state authority functioning in the sphere of management, control and protection of Protected areas;
- 7) natural complexes of Protected areas — aggregate of animate and inanimate nature which shall be subject to special protection;
- 8) introduction — deliberate or accidental transmission of new species of plants and animals beyond their environment;
- 9) state natural-reserved fund — the aggregate of all the environmental objects protected by the State, which have a special ecological, scientific, historical, cultural and recreating value as natural patterns, unique objects, relicts, genetic reserve, objects of scientific research, enlightenment, education, tourism, and recreation;
- 10) objects of the state natural-reserved fund — geological, hydrogeological, zoological, botanic, and landscape objects and complexes thereof, species (populations) of animals and plants (including rare and endangered species of animals and plants entered in the Red Book of the Republic of Kazakhstan) which have a special ecological, scientific, historical, cultural and recreating value;
- 11) recreational load — simultaneous number of campers per area unit, considering the total time of the rest type per reference period or per time unit;
- 12) Nature records — a summary of data obtained from system observations performed by scientific subdivisions of the state national natural parks, state wildlife reserves, and state regional natural parks in accordance with a unified

technique towards the conditions of ecological systems and objects of the state natural-preserved fund;

13) stable use of natural complexes — utilization of biological resources of natural complexes in such a way and at such rates that would not result in exhaustion of biological variety in the long-term outlook;

14) nature conservation organizations — state national natural parks, natural reserves, regional natural parks, registered as state institutions (hereinafter — environmental institutions) and state zoological gardens, state botanic gardens, state dendrological gardens registered as state enterprises;

15) ecological corridor — part of the ecological network, represented in the form of protected land and water areas connecting particularly guarded wildlife areas with one another and other types protected wildlife areas in order to ensure natural wildlife migration (distribution) and biological variety preservation;

16) ecological network — a set of Protected areas of different types and categories connected with each other and other types of preserved natural areas by ecological corridors, organized considering environmental, historical, cultural, social and economic characteristics of the region.

Article 2. Legislation of the Republic of Kazakhstan in the sphere of Protected areas.

1. The legislation of the Republic of Kazakhstan in the sphere of Protected areas and objects of the state natural-preserved fund is based upon **the Constitution** of the Republic of Kazakhstan and consists of the present Law and **other normative legal acts** of the Republic of Kazakhstan.

2. Relationships in the sphere of use and preservation of subsoil, water, forests and other natural resources of Protected areas shall be regulated by special laws of the Republic of Kazakhstan in part which is not regulated by the present Law.

3. Property relations in the sphere of Protected areas shall be regulated by the civil legislation of the Republic of Kazakhstan, unless otherwise provided by the present law.

4. In case an international treaty ratified by the Republic of Kazakhstan establishes any other regulations than ones stated by the present Law, provisions of the international treaty shall apply.

Article 3. Basic principles in the sphere of Protected areas

Basic principles in the sphere of Protected areas are as follows:

1) development of the Protected areas system as a basic component of the ecological network that ensures preservation and restoration of biological variety, unique, and typical landscapes;

2) State regulation and control in the sphere of Protected areas;

3) preservation of the state natural-preserved fund and natural ecological systems;

4) the use of Protected areas for the purposes of science, culture, enlightenment, education, and tourism;

5) paid use of Protected areas;

- 6) liability for violation of the legislation of the Republic of Kazakhstan in the sphere of Protected areas;
- 7) participation of physical and juridical persons in solving problems in the sphere of Protected areas;
- 8) availability of information in the sphere of Protected areas;
- 9) international cooperation in the sphere of Protected areas.

Article 4. Objects of legal relations in the sphere of Protected areas

Subjects of relations in the sphere of Protected areas shall be natural complexes, including lands of Protected areas and objects of the state natural-preserved fund situated within lands of this and other categories.

Article 5. Subjects of legal relations in the sphere of Protected areas

Subjects of legal relations in the sphere of Protected areas shall be physical and juridical persons, and also state authorities within the scope of their competence established by laws of the Republic of Kazakhstan.

Chapter 2. STATE MANAGEMENT AND CONTROL IN THE SPHERE OF PROTECTED AREAS

Article 6. System of state authorities involved in the management of Protected areas

The State shall manage Protected areas through the Government of the Republic of Kazakhstan, an authorized body, central executive bodies, which are in charge of Protected areas, and regional (cities of the republican importance, capitals) representative and executive authorities within the scope of their competence established by the present Law and other legislative acts of the Republic of Kazakhstan.

Article 7. Scope of Competence of the Government of the Republic of Kazakhstan

The scope of competence of the Government of the Republic of Kazakhstan in the sphere of Protected areas includes:

- 1) development of primary directions of the government policy in the sphere of Protected areas;
- 2) the right to possess, use, and dispose Protected areas and objects of the state natural-preserved fund of the republican importance;
- 3) designation of the authorized body in the sphere of Protected areas;
Subclause 4 was amended as per [Law of the Republic of Kazakhstan № 213-III as of 09.01.07. \(see the previous edition\)](#)
- 4) adoption of:
 - list** of Protected areas of the republican importance;
 - list** of objects of the state natural-preserved fund of the republican importance;
 - program** of development of the system of Protected areas and ecological networks as submitted by the authorized body;

regulations for leasing land areas within the territory of the state national natural parks for regulated tourism and recreational activities;

order of keeping the state cadastre of Protected areas;

procedure of tendering for construction of tourist and recreational facilities within the Protected areas;

borders and orders of protection of the state natural monuments of the republican significance;

list of international and governmental organizations and funds, providing grants for preservation of biological variety and development of Protected areas;

5) provision and exclusion of land areas, including by means of buy-out, from lands of all categories in cases connected with creation and widening of Protected areas of the republican importance;

6) creation and widening of Protected areas of the republican importance;

7) international cooperation in the sphere of Protected areas.

Article 8. Competence of the Authorized Body

The scope of competence of the **Authorized Body** includes the following:

1) coordination of state authorities' activities in the sphere of Protected areas;

2) implementation of the state policy in the sphere of Protected areas;

3) submission of the list of objects of Protected areas of the republican importance to the Government of the Republic of Kazakhstan for approval;

4) introduction of proposals for creation and widening of Protected areas of the republican importance;

5) development and approval of normative legal acts in the sphere of Protected areas;

6) approval of:

tariff rates for the services rendered by the Protected areas of the republican importance, registered as legal entities;

order of development of draft natural-scientific and feasibility studies for creation and widening of Protected areas;

on the basis of the positive conclusion of the State Environmental Expertise Committee — of natural-scientific and feasibility studies for creation and widening of Protected areas and coordination of natural-scientific and feasibility studies for creation and widening of Protected areas of the local importance;

projects on correction of functional zoning of Protected areas of the republican importance in case of positive opinion of the State Environmental Expertise Committee;

procedure for development and registration (re-registration) of passports of Protected areas of the republican and local;

procedure for development of the nature preservation organization management plan;

symbols (emblem and flag) of the nature preservation organization and the **procedure** for the development and use of the nature preservation institution's symbols;

rules for visiting Protected areas by physical persons;

7) consideration of central and local executive authorities' reports concerning the condition, guard, protection, use, and financing of Protected areas, which they are in charge of;

8) development of the program for development of the Protected areas system and ecological network;

9) organization of development of natural-scientific and feasibility studies for creation and widening of Protected areas of the republican importance, which it is in charge of;

10) organization of development and approval of plans of management of the Protected areas, which it is in charge of;

11) governance of the Protected areas, which it is in charge of; ensuring the protection, preservation, and restoration thereof, including scientific research conducted therein;

12) management of scientific research works within the Protected areas of the republican importance;

13) keeping of the state cadastre of the Protected areas;

14) coordination of the list of objects of the state natural-preserved fund as submitted by regional (cities of the republican importance, capitals) executive authorities;

15) state control of the condition, guard, protection, and use of Protected areas and objects of the state natural-preserved fund;

16) development and approval of **patterns of the uniform (without shoulder straps), wearing order and rates of the uniform provision** to the state inspectors of nature preservation institutions;

17) coordination of the general schemes of organization of the territory of the Republic of Kazakhstan, inter-regional schemes of territorial development, integral urban planning schemes and other urban-planning documentation, touching upon the ecological corridors' areas;

18) international cooperation in the sphere of the Protected areas.

Article 9. Scope of Competence of the Central Executive Authorities Responsible for the Protected Areas

The central executive authorities who are in charge of Protected areas, within the scope of their competence, shall:

1) prepare and submit proposals regarding the list of objects of the state natural-preserved fund, Protected areas and ecological networks development programs to the Authorized Body;

2) organize, following the procedure established by the legislation of the Republic of Kazakhstan, the development of natural scientific and feasibility studies for creation and widening of Protected areas, which they are in charge of, ensuring the possibility of the state ecological expertise with subsequent submitting these studies for the Authorized Body's approval;

3) in coordination with the Authorized Body approve passports of Protected areas, which they are in charge of, and register the passports with the Authorized Body;

- 4) organize the development of and approve, under approval of the Authorized Body, plans of management of Protected areas;
- 5) manage the Protected areas, which they are in charge of, ensuring the protection, protection and restoration thereof along with scientific researches conducted therein;
- 6) participate in keeping the state cadastre of the Protected areas;
- 7) exercise state control of the protection regime, protection and use of Protected areas and objects of the state natural-preserved fund, which they are in charge of.

Article 10. Competence of Regional (cities of the republican importance, the capitals) Representative and Executive Authorities

1. Regional (cities of the republican importance, the capitals) representative authorities, within the scope of their competence, shall:

1) approve the expenditure for creation and functioning of Protected areas of the local importance within the local budgets;

2) hear reports of heads of executive authorities regarding the condition and activities of the Protected areas of the local importance, which they are in charge of, including the issues of preservation of objects of the state natural-preserved fund.

2. Regional (cities of the republican importance, the capitals) executive authorities, within the scope of their competence, shall:

1) submit proposals to the Authorized Body, regarding the list of objects of the state natural-preserved fund of the republican importance, the program for development of the Protected areas and ecological networks system, creation and widening of Protected areas of republican and local importance;

2) arrange for development and ensure carrying out expert examination by the State Environmental Expert Committee of the natural-scientific and feasibility studies for creation and widening of Protected areas of the local importance;

3) approve, as agreed upon with the Authorized Body, the list of objects of the state natural-preserved fund of the local importance, natural-scientific and feasibility studies for creation and widening of Protected areas of the local importance;

4) take decisions, under the Authorized Body' approval, on creating and widening of Protected areas of the local importance;

5) approve, as agreed upon with the Authorized Body, the projects on correction of functional zoning of Protected areas of the local importance in case of positive opinion of the State Environmental Expertise Committee;

6) develop and approve, as agreed upon with the Authorized Body, plans of management of Protected areas, which they are in charge of, ensuring the protection, protection and restoration thereof along with scientific researches conducted therein;

7) approve tariff rates for the services rendered by the Protected areas of the local importance, registered as legal entities;

8) participate in keeping the state cadastre of the Protected areas;

9) approve, as agreed with the Authorized Body, passports of the Protected areas, which they are in charge of, and submit the passports for registration with the Authorized Body;

10) take decisions on reserving lands in order to create Protected areas;

11) take decisions on establishment of guarded zones of Protected areas of all types with imposing restrictions within these zones upon any activities affecting the conditions of ecological systems within these territories, ecological corridors and their security and use orders;

12) exercise the state control of the protection regime, protection and use of Protected areas and objects of the state natural-preserved fund, which they are in charge of;

13) approve borders and orders of protection of the state natural monuments of the local significance, as proposed by the Authorized Body.

Article 11. State Control in the Sphere of Protected Areas

1. State control in the sphere of Protected areas shall ensure that physical and juridical persons as well as state authorities observe the legislation of the Republic of Kazakhstan in the sphere of Protected areas.

2. Observation of environmental requirements in the sphere of the protection, reproduction and use of the state natural-preserved fund shall be ensured by the authorized state body in the sphere of environmental protection.

Chapter 3. RIGHTS AND OBLIGATIONS OF PHYSICAL PERSONS AND LEGAL ENTITIES IN THE SPHERE OF PROTECTED AREAS

Article 12. Rights and Obligations of Physical Persons in the Sphere of Protected Areas

1. Physical persons shall have the right to:

1) use Protected areas, following the **procedure**, established by the Authorized Body;

2) submit proposals to the Authorized Body, regarding Protected areas;

3) participate jointly with conservation organizations in arrangements on protection, restoration and use of the state natural-preserved fund;

4) establish funds whose activities would be focused on development of Protected areas and participate in their activities in accordance with the legislation of the Republic of Kazakhstan;

5) require and obtain from the relevant state authorities necessary information relating to the condition and functioning of Protected areas and ecological networks.

2. Physical persons shall observe the legislation of the Republic of Kazakhstan in the sphere of Protected areas.

Article 13. Rights and Obligations of Juridical Persons

1. Juridical persons shall have the right to:

1) submit proposals to the Authorized Body and participate in preparation of the list of objects of the state natural-preserved fund, Protected areas system development programs, natural-scientific and feasibility studies for creation and widening of Protected areas, development of normative legal acts in the sphere of Protected areas;

2) carry out the public ecological expert examination of programs and projects in the sphere of Protected areas and ecological networks, following the procedure established by the legislation of the Republic of Kazakhstan;

3) participate, under the agreement with conservation organizations, in arrangements for protection, restoration and use of the state natural-preserved fund;

4) establish funds purposed at providing non-repayable financial aid for the development of Protected areas in accordance with the legislation of the Republic of Kazakhstan and participate in activities and management thereof;

5) require and obtain from the relevant state authorities necessary information relating to functioning, protection, and use of Protected areas and ecological networks;

6) participate in the work of scientific-technical councils of Protected areas.

2. Juridical persons, whose activity is focused on the development of Protected areas and specializing in provision of grants and rendering financial and technical assistance aimed at development of Protected areas, shall be included in the **list** of non-government organizations and funds that provide grants, determined by the Government of the Republic of Kazakhstan.

3. Juridical persons shall act in accordance with the legislation of the Republic of Kazakhstan.

Chapter 4. ORGANIZATION OF PROTECTED AREAS

Article 14. Categories and types of Protected areas

1. Depending on the significance of objects of the natural-preserved fund, Protected areas shall be referred to the categories of the republican or the local importance.

2. Depending on the purposes of creation and the protection order, the Protected areas of the republican importance shall be categorized as follows:

- 1) State Wilderness Areas;
- 2) state national natural parks;
- 3) state natural reserves;
- 4) state zoological gardens;
- 5) state botanic gardens;
- 6) state dendrological gardens;
- 7) state natural monuments;
- 8) state natural preserves;
- 9) state preserved areas.

3. Depending on the purposes of creation and the protection order, the Protected areas of the local importance shall be categorized as follows:

- 1) state regional natural parks;

- 2) state zoological gardens;
- 3) state botanic gardens;
- 4) state dendrological gardens;
- 5) state natural monuments;
- 6) state natural preserves.

4. Legislative acts of the Republic of Kazakhstan can provide for other types of Protected areas.

5. Protected areas shall be referred to ones of the republican importance by the Government of the Republic of Kazakhstan as advised by the Authorized Body; to ones of the local importance — by regional (city of the republican importance, capitals) executive authorities as agreed with the Authorized Body.

6. Downgrade of a Protected area registered as a legal entity shall be allowed in case of partial or full lost of its special value and unique character as a result of a man-made or natural disaster.

Decisions concerning up- or downgrade of a Protected area registered as a legal entity shall be taken on the basis of the positive conclusion of the State Environmental Expertise Committee toward the natural scientific study:

- 1) regarding a Protected of the republican importance — by the Government of the Republic of Kazakhstan as advised by the Authorized Body;
- 2) regarding a Protected of the local importance — by the regional (cities of the republican importance, capital) executive body as agreed with the Authorized Body.

Article 15. Legal Status of Preservation Institutions

1. State wilderness areas, state national natural parks, state natural reserves, state regional natural parks shall be registered as state institutions and to be deemed legal entities.

2. Land areas shall be possessed by nature preservation institutions by the right of permanent land tenure.

3. Buildings and facilities, historical, culture and other immovable property within Protected areas shall be possessed by nature preservation institutions by the right of operational management.

4. A nature preservation institution may be reorganized in accordance with the **civil legislation** of the Republic of Kazakhstan.

Article 16. Legal status of the nature conservation organizations registered as state enterprise

1. State zoological gardens, state botanic gardens and state dendrological gardens shall be registered as state enterprises and to be deemed legal entities.

2. Land areas shall be possessed by conservation organizations by the right of permanent land tenure.

3. Buildings and facilities, historical, culture and other immovable property within Protected areas shall be possessed by conservation organizations by the right of economic control or operational management.

4. Conservation organizations registered as state enterprises shall be held liable for their obligations with money being at their disposal.

Levy of execution on the rest of conservation organizations' property shall not be allowed.

5. A conservation organization registered as state enterprise may be reorganized in accordance with the **civil legislation** of the Republic of Kazakhstan.

Article 17. Legal status of particularly protected areas which are not registered as legal entity

1. State natural monuments, state natural wilderness areas and state preserved areas shall have no status of legal entity and to be deemed as being under the guardianship of the state.

The right for operational management of the state-owned immovable property located within a Protected area which is not registered as legal entity shall be transferred to the nature protection institution or forest conservation institution within the scope of which this particularly protected area is assigned.

2. State wilderness areas and state preserved areas shall be excluded from the list of Protected areas of the republican or local importance in case state natural preserves, state national natural parks, state natural reserves or state regional natural parks are created on the basis thereof.

Article 18. Protective zones of the State Wilderness Areas, state national natural parks, state natural reserves and state regional natural parks

1. In order to ensure special protection against adverse external impact, protective zones shall be established around the State Wilderness Areas, state national natural parks, state natural reserves and state regional natural parks within which any activities, having negative influence upon the condition and restoration of ecological systems of these Protected areas and objects of the state natural-preserved fund located within such areas shall be prohibited or restricted.

2. Sizes, borders, order types and the order of ecosystem exploitation within protective zones of the State Wilderness Areas, state national natural parks, state natural reserves and state regional natural parks shall be determined as per natural-scientific and feasibility studies for the creation thereof and established by decisions of regional (cities of the republican importance, capital) executive authorities in accordance with the present Law **the Land Code** of the Republic of Kazakhstan.

At that the width of the protective zone to be established along the borders of land owners and land users or along the natural geographical lines and marked afield with special signs shall be not less than 2 kilometers.

Article 19. Symbols of Conservation Organizations

1. Conservation organizations have their own symbols (emblem and flag).

2. Conservation organizations shall have the exclusive right to use their symbols and permit physical and juridical persons to use the symbols on a paid basis.

See [Rules](#) of development and use of nature preservation institutions' symbols.

Article 20. Creation and widening of Protected areas

1. Decisions on creation or widening of a Protected area shall be taken on the basis of natural-scientific and feasibility studies in case of positive opinion of the ecological expertise.

Projects of natural-scientific and feasibility studies for creation or widening of Protected areas shall be developed in two stages by specialized scientific (scientific research) and design (design and exploration) organizations, following the procedure established by the Authorized Body.

2. At the first stage the natural-scientific substantiation shall be developed, concerning creation and widening of a Protected area (hereinafter — natural-scientific substantiation) that shall determine the following:

1) unique character, significance and representativeness of natural complexes of the territory under consideration and objects of the natural-preserved fund located thereon;

2) assessment of the social and economic conditions existing on the territory under consideration;

3) state of ecological systems and objects of the natural-preserved fund on the territory under consideration, risks, threats for preservation and arrangements for protection, restoration, and use thereof;

4) recommended category and type of the Protected area;

5) recommended borders, areas, functional zones and protection and utilization orders.

3. At the second stage, on the basis of the natural-scientific substantiation agreed with and approved by the Authorized Body, the feasibility study shall be developed for creation or widening of the Protected area (hereinafter — feasibility study), including:

1) land-use plan of the Protected area that shall include the description of its borders, coordinates, categories and areas of land users' and land owners' lands to be bought (being bought) as part of the Protected area, categories and areas of land users' and land owners' lands to be included in the Protected area without withdrawal and the protective zone's borders and area;

2) expenses relating to the buy-out of lands from land owners and land users and (or) cover of losses caused by withdrawal thereof, restriction of economic activities within protective zones and in cases of creation of Protected areas without withdrawal of lands;

3) expenses for construction of the infrastructure and maintenance of the Protected area, arrangements for protection and restoration of objects of the state natural-preserved fund;

4) functional zoning of the territory, type of the protection regime and conditions for regulated use of natural complexes for the touristic, recreational and

economic purposes, within the established functional zones with establishment of the recreational load rates;

5) the project of layout of the Protected area and its infrastructure (general plan for infrastructure development): nature trails, viewing points, bivouac glades, parking places, camping sites, encampments, hotels, motels, tourist bases, catering, trade, and other cultural and accommodation facilities, pipelines, power transmission and communication lines and roads, considering the development of eco-tourism.

4. Feasibility study shall be agreed with land owners, land users, regional (city of the republican importance, capital) executive authorities, local representative offices of the Authorized Body in the sphere of land management and approved, following the procedure established by the present Law.

Article 21. Protected Areas System and Ecological Networks Development Programs

1. Protected areas system and ecological networks development programs shall be the basic documents establishing the stages planned by the State for development of the Protected areas and ecological networks system up to the level of their optimal area within each natural zone on the basis of ecological networks' formation and functional principles.

2. Protected areas system and ecological networks development programs shall be developed by the Authorized Body, considering nature preservation programs and involving specialized scientific (scientific research) and design (design and exploration) organizations, taking into account propositions of the interested state authorities, physical and juridical persons, including public associations.

See the Protected Areas System Development [Program](#) of the Republic of Kazakhstan for the years 2007 - 2009.

Article 22. Lands of Protected Areas

1. The following lands shall be referred to the category of lands included Protected areas: State Wilderness Areas, state national natural parks, state natural reserves, state regional natural parks, state zoological gardens, state dendrological gardens and state natural monuments.

2. While creating State Wilderness Areas, state national natural parks, state natural reserves, state regional natural parks, state zoological gardens, state dendrological gardens and state natural monuments, the relevant lands areas shall be included in the category of lands of Protected areas by withdrawal thereof from land owners and land users.

3. Land areas of the state protected areas and state wildlife refuges, protective areas of State Wilderness Areas, state national natural parks, state regional national parks, state natural reserves shall be allotted among other categories of lands without withdrawal thereof from land owners and land users.

Within the area of state protected areas and state wildlife refuges any restrictions upon any activities affecting the state and restoration of ecological systems of these Protected areas and objects of the state natural-preserved fund

shall be imposed by encumbering land users' and land owners' lands and recorded in the land-use documentation.

4. Decisions concerning the categorization of land areas as Protected area shall be taken by:

1) regarding a Protected of the republican importance — by the Government of the Republic of Kazakhstan as advised by the Authorized Body;

2) regarding a Protected of the local importance — by the regional (city of the republican importance, capital) executive body as agreed with the Authorized Body.

In case of creation of the state regional natural park within the territory of the state forest fund, the decision concerning the categorization of the land area as a Protected area shall be taken by the regional (city of the republican importance, capital) executive body on the basis of the resolution of the Government of the Republic of Kazakhstan concerning the re-categorization of lands of the state forest fund.

5. Land areas for creation and widening of State Wilderness Areas, state national natural parks, state natural reserves, state regional natural parks, state zoological gardens, state dendrological gardens and state natural monuments shall be withdrawn in accordance with the **Land Code** of the Republic of Kazakhstan, the property being withdrawn from the owner in accordance with the civil legislation of the Republic of Kazakhstan in case of termination of the ownership rights.

6. Natural complexes of the Protected areas shall be fully or partially withdrawn from economic activities for a certain term or at will and used, considering their special ecological, scientific, historical, cultural and recreational importance, on the paid basis, following the procedure established by the present Law.

Article 23. Legal Status of Lands of Protected Areas

1. Lands of Protected areas and land areas of other categories, occupied for objects of the state natural-preserved fund, shall be deemed state-owned and not subject to privatization.

2. Lands of Protected areas cannot be withdrawn and re-categorized.

3. Within Protected areas shall be forbidden any activity not conforming to its designated purpose.

Article 24. Reservation of lands for creation and widening of Protected areas

1. In accordance with the Protected areas system and ecological networks development programs and approved natural-scientific substantiations, regional (city of the republican importance, capital) executive bodies shall make decisions on reservation of land areas intended for creation and widening of Protected areas of the republican and local importance, following the **procedure** established by the Government of the Republic of Kazakhstan.

2. Lands for the purposes of Protected areas shall be reserved without withdrawal of lands from land owners and land users.

Before the reserved lands are included in Protected areas, they shall be used by the former land owners or state or non-state land users and may be transferred to physical persons or legal entities for temporary use, following the procedure established by the legislation of the Republic of Kazakhstan.

3. Economy activities of land owners and land users within the territory reserved may be restricted for the purposes of preservation of objects of the state natural-preserved fund before the decision on creation or widening of Protected areas is taken. At that the land owners and land users shall have the right for compensation of agricultural and forestry losses caused by the restriction of economic activities within the land areas reserved.

4. The losses incurred by land owners and land users as a result of restriction of economic activities within the land areas reserved and intended for creation or widening of Protected areas shall be compensated as per the budget legislation of the Republic of Kazakhstan.

5. While creating or widening Protected areas within cities the lands shall be reserved either considering the properly approved general plans or by making appropriate changes and amendments in the current general plans, town-planning schedules and the state basic town-planning cadastre.

Article 25. Passport of the Protected Area

1. State authorities, responsible for Protected areas, shall provide each such territory with a passport and register it with the authorized body.

Each copy of the registered passport shall be deemed original.

2. The passport of a Protected area shall contain the following information:

- 1) name, type and category of the Protected area;
- 2) title, number and date of the state authority's act by which the Protected areas was created or widened;
- 3) name of the state authority responsible for the Protected area;
- 4) name of organization responsible for protection of a Protected area which is not registered as a legal entity;
- 5) location of the Protected area with a map showing tourist infrastructure, geographical coordinates, description of borders, its and protective zone areas;
- 6) list of objects of the state natural-preserved fund and their quantitative and qualitative characteristics;
- 7) functional zones of the Protected area, protection orders, information about users and owners of adjacent lands, their obligations and encumbrances as regards ecosystem exploitation within the protective zone;
- 8) permitted and forbidden types of activities and restrictions on some types of activity within Protected areas;
- 9) visiting rules, work schedule, recreational load.

3. The passport of a conservation organization shall be kept by the conservation organization, state authority which is in charge of this conservation organization, and the Authorized Body.

Passports of the state natural monuments, state natural refuges, state preserved areas shall be kept in the organization responsible for protection of that Protected area, state authority being in charge of this organization and the Authorized Body.

4. In case of any changes in the designated purpose, reorganization or widening of the Protected area, its passport shall be re-registered.

See [Rules](#) for development and registration (re-registration) of passports of Protected areas of the republican and local importance.

Article 26. Conservation Organization Management Plan

1. Conservation organizations shall act as per the management plan to be approved by the state authority which they are in charge of in case of positive conclusion of the State Environmental Expertise Committee.

The management plan shall be developed for five years in accordance with the **rules**, approved by the authorized body.

2. The conservation organization management plan shall include:

1) analysis of changes in natural and social and economic conditions for the previous period;

2) assessment of the conservation organization's activities for the previous period;

3) arrangements for each type of nature preservation, eco-educational, scientific, tourist, recreational and restricted economy activities of the conservation organization for the subsequent period;

4) for Protected areas created on state forestry fund areas – section where the due diligence shall be made regarding the run of forestry economy and forestry use for the previous period and arrangements for protection, reproduction and maintenance of these forest areas shall be developed for the subsequent period;

5) mechanisms for implementation of the management plan by perfection of the management structure, legal base, personnel policy, cooperation with local population and local executive and representative authorities.

3. The conservation organization management plan shall be ensured by the state authority which is in charge of this organization.

Article 27. State Cadastre of Protected Areas

1. State cadastre of Protected areas shall contain a system of information about the legal status, location, sizes and borders, geographical coordinates of these areas, qualitative and quantitative characteristics of objects of the state natural-preserved fund, ecological, scientific, historical, cultural, recreational significance, protection orders, designated purposes and permitted types of activity.

2. Data of the state cadastre of Protected areas shall be the basis for the Protected areas system, ecological networking and used when planning expedient land use and regional production forces distribution, considering preservation of biological variety and unique landscapes.

See [Rules](#) for keeping the state cadastre of Protected areas in the Republic of Kazakhstan.

Chapter 5. PRESERVATION OF PROTECTED AREAS, LEGAL STATUS OF THE STATE INSPECTORS OF PROTECTION SERVICES OF PROTECTED AREAS

Article 28. Protection Order Types for Protected Areas

Depending on the type and functional zoning the following types of protection order shall be established throughout the whole particularly protected area or its particularly reserved zones and areas:

1) reservation order – absolute prohibition of any economic and other activities affecting the natural state of natural complexes and objects of the state natural-reserved fund;

2) refuge order – absolute prohibition or seasonal restriction of some economic and other activities for a certain period or without time limitation;

3) order of regulated economic activities, allowing restricted use of natural complexes and land users' and land owners' traditional economic activities, using techniques that do not affect natural complexes and objects of the state natural-reserved fund.

Article 29. Protection and guarding of Protected areas

1. For the purposes of prevention of detrimental influence upon the environment, guarding and protection measures may be taken within the Protected areas.

2. Guarding shall be understood as follows:

1) area patrolling, including the same using ground and air transport facilities, in order to suppress violations of the legislation of the Republic of Kazakhstan in the sphere of Protected areas;

2) prevention, detection and liquidation of fires;

3) protection of waters against pollution and exhaustion.

3. Protection shall be understood as follows:

1) prevention and liquidation of detrimental influence of waters;

2) protection of plants, timely detection of struggle with focuses of sects and forest diseases, sanitary and other types of felling (roads construction, glades, fireproof breaks);

3) ensuring sanitary and epidemic health of local population, veterinary monitoring, animal population regulation in order to prevent epidemics and epizooty;

4) prevention against soil erosion.

4. Fires shall be prevented, detected and extinguished in conformance to the requirements of normative legal acts of the Republic of Kazakhstan in the sphere of fire safety.

5. Protection shall be arranged for, considering the protection order of Protected areas and under approval of central executive authorities, which are in charge of these areas.

Article 30. Restoration of the state natural-reserved fund within particularly protected areas

1. For the purposes of restoration of the state natural-preserved fund the following arrangements may be carried out within Protected areas:

- 1) recultivation of previously damaged lands;
- 2) maintenance of favorable conditions of water bodies;
- 3) reproduction of forests and forest planting in order to prevent erosion and improvement of the environmental situation;
- 4) parturiating, breeding and restoration of rare and endangered animals and plants.

2. restoration arrangements within particularly protected areas shall be carried out, considering the protection order, on the basis of recommendations of the appropriate scientific organizations, as agreed with the Authorized Body.

Article 31. Protection of natural complexes and objects of the state natural-preserved fund of conservation organizations

1. Protection of natural complexes and objects of the state natural-preserved fund shall be carried out by the state inspectors of nature protection services.

2. Heads of conservation organizations and their deputies shall be, at the same time, Chief State Inspectors and Deputy Chief State Inspectors on protection of Protected areas.

Chiefs of conservation organizations' departments shall be senior state inspectors, and specialists of these departments shall be state inspectors of conservation organizations.

Qualifying requirements to the officials, specified in this article, shall be established by the legislation of the Republic of Kazakhstan.

Article 32 shall be deemed effective from January 1, 2007

Article 32. Protection of natural complexes, and objects of the state natural-preserved fund, state natural monuments, state natural refuges, and state protected areas;

1. Protection of natural complexes, and objects of the state natural-preserved fund, state natural monuments, state natural refuges, and state protected areas, situated within the territory of the state forest fund and territories adjacent thereto, shall be carried out by the state forest protection services and by the state inspectors of the nature protection institutions.

2. Protection of the state natural monuments, state, state natural refuges, and state protected areas shall be assigned to nature protection institutions by resolutions of the Authorized Body and regional (city of the republican importance, capital) executive authorities within the scope of their competence.

Article 33. State Inspectors of Nature Protection Institutions

1. State Inspectors of nature protection institutions within their territories and protective zones shall have the right to:

1) require persons being within the protected territories to produce proper permissions for staying within such territories;

2) have free access to any facilities of physical and juridical persons located within the territory of nature protection institution or the protective area thereof in order to check observation of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, protection, reproduction and utilization of fauna, and the forest legislation of the Republic of Kazakhstan;

3) suspend activities of physical and juridical persons in case of detection of violations of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan;

4) file claims with the court in case of detection of violations of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan, concerning termination or prohibition of physical or juridical persons' activities in accordance with the legislations of the Republic of Kazakhstan;

5) evaluate the damages caused as a result of violations of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan, and, on the basis thereof, claim for damages to be paid by the guilty persons on the voluntary basis, or file the claim with the court;

6) draw up the state inspectors' acts and send the materials to the relevant authorities for taking measures in case of detection of violations of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan;

7) detain persons within Protected areas who violated the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan and deliver such persons to law enforcement authorities;

8) stop transport and floating facilities within particularly protected areas, their protective zones, and examine them;

9) confiscate firearms and illegally obtained products and equipment by means of which these illegal products were obtained with transport and floating facilities from the persons who violated the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan, following the procedure established by the legislation of the Republic of Kazakhstan;

10) store, carrying and use of special equipment and government-issue weapons, following the procedure established by the legislation of the Republic of Kazakhstan;

11) wearing of the uniform (without shoulder straps) following the procedure established by the legislation of the Republic of Kazakhstan.

2. Actions (non-act) and decisions of the state inspectors of nature protection institutions may be claimed in higher authorities and in the court.

3. The state inspectors of nature protection institutions shall be provided with the uniform (without shoulder straps), special equipment and government-issue weapons, following the procedure established by the legislation of the Republic of Kazakhstan.

4. The state inspectors of nature protection institutions shall draw up the following acts, in accordance with the scope of their competence:

- 1) Examination Act;
- 2) Administrative Violation Report;
- 3) prescription to eliminate violations of requirements of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan;

4) warrant on:

Bringing to administrative liability in case of detection of violations of the legislation of the Republic of Kazakhstan in the sphere of Protected areas, reproduction and utilization of fauna, and forest legislation of the Republic of Kazakhstan;

Confiscation of firearms, equipment used for obtaining illegal products, transport and floating facilities for temporary storage until the judicial decision is rendered.

Chapter 6. FINANCING SYSTEM FOR PROTECTED AREAS

Article 34. Sources of Financing of Protected Areas

Protected Areas shall be financed using:

- 1) funds from the state budget;
- 2) nature protection institutions' funds;
- 3) grants, Protected areas development funds, voluntary contributions and donations of physical and juridical persons.

Article 35. Financing of the arrangements for financing and maintenance of the nature protection institutions

Such arrangements shall be financed from the state budget funds allocated for the development and maintenance of nature protection institutions at as follows:

- 1) development of development programs for the Protected areas system and ecological networks, natural scientific substantiations and feasibility studies for creation and extension of these areas;
- 2) payment of damages caused to land owners and land users as a result of withdrawal of their lands when creating or widening Protected areas and reservation of lands for creation and extension of these areas;
- 3) payment of damages caused by the restriction of economic activities of land owners and land users within protective zones of Protected areas;
- 4) keeping the state cadastre of Protected areas, lists of objects of the state naturally-preserved fund ;
- 5) works on natural allotment of borders of Protected area and its protective zone;

- 6) construction and reconstruction of administrative, scientific, informational, educational, tourist and recreational facilities;
- 7) personnel;
- 8) guarding, protection and restoration of state natural-preserve fund;
- 9) eco-educational, scientific, training, tourist and recreational activities.

Article 36. Financing of development and maintenance of conservation organizations, registered as state enterprise

Financing of development and maintenance of conservation organizations, registered as state enterprise, shall be arranged for following the procedure established by the legislation of the Republic of Kazakhstan.

Article 37. Financing of protection and restoration of objects of the state natural-preserve fund of particularly protected areas which are not registered as legal entity

Financing of protection and restoration of objects of the state natural-preserve fund of particularly protected areas which are not registered as legal entity shall be arranged for through the conservations organizations being in charge of these areas, and state forestry institutions at the cost of budget funds allocated for these purposes.

Article 38. Funds of Nature Protection Institutions

1. Depending on their activities and protection order, funds of nature protection institutions shall be formed by realization of the following goods (works, services) which are not included in their principal activities:

1) rendering paid services to physical and juridical persons when they are using natural complexes of Protected areas for tourist and recreational purposes, including:

nature trails, viewing points, bivouac glades, parking places, camping sites, encampments, hotels, motels, tourist bases, catering, trade, and other cultural and accommodation facilities managed by Protected areas, or places for deployment thereof; services on pipelining, power transmission and communication lines and roads (except for the common use roads) construction within the Protected area; provision of tourist equipment;

services on amateur (sport) fishing and hunt;

services of guides, interpreters; services on arrangement of filming, video filming, and photography when visiting and studying objects of the state natural-preserved fund, natural, historical and cultural inheritance, nature museums and pet's corners;

services on sanitary purification and development of areas and facilities provided for using as well as services on development and arrangement of green spaces on other organizations' territories;

services on production of products for catering objects;

transport services;

2) incomes obtained from the limited economic activities, including:

- souvenir production;
 - sales of intermediate cut and other cut products and products of woods processing thereafter;
 - side forest use and products of processing thereof;
 - raise of planting material for landscaping of populated areas;
 - incomes from sales of goods produced in the process of limited economic activities, creation of protective and greenery plantations outside the particularly protected areas;
 - growing of fish planting material;
 - production of products and services rendering under joint activity agreements concluded with physical and juridical persons for tourist, recreational and limited economic purposes;
 - 3) payments for the use of symbols of Protected areas;
 - 4) profits from production printed, souvenir and other replicated products;
 - 5) voluntary contributions and donations of physical and juridical persons.
2. Funds gained from sales by nature preservation organizations of goods (works, services) shall be used in accordance with the budget legislation of the Republic of Kazakhstan.
3. In order to gain profits from the activities listed in clause 1 of the present article, the nature preservation institutions may participate in competitions for government procurements.

SECTION 2. PECULIARITIES OF MANAGEMENT, PROTECTION, AND FUNCTIONING OF SPECIFIC TYPES OF PROTECTED AREAS, OBJECTS OF THE STATE NATURAL-OBSERVED FUND AND PARTICULARLY PROTECTED AREAS INCLUDED IN THE ECOLOGICAL NETWORK

Chapter 7. STATE WILDERNESS AREAS

Article 39. Notion and Primary Activities of State Wilderness Areas

1. State Wilderness Area shall be a Protected area registered as nature conservation and scientific institution created in order to ensure conservation and research on its territory of natural processes and events, flora and fauna, and separate species of plants and animals, typical and unique ecological systems and restoration thereof.
2. Primary activities of State Wilderness Areas include:
- 1) implementation of the order of protection and restoration of the biological variety of the State Wilderness Area and its protective zone;
 - 2) organization and implementation of scientific researches for study and monitoring of ecological systems, state natural-preserved fund, including keeping the Nature Chronicles;
 - 3) eco-educational activities;

4) participation in the state environmental expertise examination of projects and layouts of economic and other objects, which can produce negative effect upon ecological systems of the State Wilderness Area;

5) regulation of utilization of the State Wilderness Area and its protective zone for eco-educational, scientific and limited tourist purposes.

Article 40. Protection Regime of State Wilderness Areas

1. Throughout the whole territory of State Wilderness Areas the reservation regime shall be established under which the following shall be forbidden:

1) actions resulting in changing the hydrological conditions of the area;

2) construction of buildings, facilities, pipelines, power transmission lines and other communications and objects, which are not connected with functioning of the State Wilderness Area;

3) exploration and mining operations;

4) causing damage to the soil landscape, destruction of mineral and rock outcrops;

5) all types of forest exploitation, including sanitary felling and forest tending cuts, utilization of food, medicinal, and technical plants, flowers, seed, grass cutting, herbing and other types of flora utilization damaging the green cover;

6) hunt and fishing except for amateur fishing permitted for the needs of local population dwelling within the protective zone of a State Wilderness Area within specially allotted areas, following the procedure established by the Authorized Body;

7) capture and destruction of animals, causing damage to their living environment;

8) introduction of new species of animals and plants, any arrangements purposed at increasing the population of separate species of animals in excess of the allowed as per the natural capacity of the area;

9) collection of collection materials except formation of collections of the State Wilderness Area;

10) application of chemical and biological methods of struggle against sects, diseases of animals and plants and regulation of animals population;

11) pass of domestic animals;

12) noise and other acoustic artificial effects exceeding **the rates**, established by the Authorized Body in the sphere of environment preservation;

13) activities able to entail changes in the natural appearance of the landscaped under protection or damage to ecological systems stability or a threat to conservation and reproduction of particularly valuable natural resources.

2. Land and air operations in order to prevent and extinguish forest and steppe fires.

3. Staying of physical persons within the territory of the State Wilderness Area shall be allowed in case he (she) has permissive documents available except the staff of State Wilderness Areas and officials of state authorities which are in charge of the State Wilderness Areas.

4. In order to ensure access to places revered by representatives of this or that religion (pilgrimages), situated within the state wildlife area, the administration of such an area, as agreed with the relevant confession, may allow free group visiting of such places or an approach thereto, under escort of the state inspectors.

Article 41. Research Order

1. Scientific activities in State Wilderness Areas shall be implemented by means of stationary systematic observations in order to study natural complexes and objects of the state natural-preserved fund, natural process monitoring, including the Nature Chronicles, and development of scientific basics and methods of conservation of biological variety, restoration of ecological systems and objects of the state natural-preserved fund.

2. For the purposes of scientific activities within State Wilderness Areas, scientific subdivisions shall be arranged for and act within wilderness areas that shall be provided with all necessary premises and equipment.

3. In addition to scientific research provided for by clause 1 of the present article, scientific subdivisions of State Wilderness Areas shall conduct research as provided for in the scientific-research work schedule approved by the Authorized Body as agreed with the central executive authority which is in charge of scientific and technical activities.

4. Other scientific organizations and individual scientists may conduct scientific studies within State Wilderness Areas, as agreed with the authorized body.

5. For the purposes of consideration and approval of research plans, researchers' reports, the scientific-technical councils composed of researchers and specialists from other organizations shall be organized in State Wilderness Areas.

6. Storage of scientific funds of State Wilderness Areas shall be not subject to time limitation.

7. State wilderness areas shall have the right to publish their own scientific works.

8. Scientific works within the territory of State Wilderness Areas shall be planned and run without cruel research methods resulting in troubling, suffering and death of animals and destruction of plants, including rare and endangered species.

Article 42. Eco-educational activity of Wilderness Areas

1. Eco-educational activity of Wilderness Areas shall be performed with the following purposes:

1) ensuring the population's support for the idea of reservation areas as a necessary condition for implementation by wilderness areas of their functions in the sphere of preservation of biological variety;

2) ecological culture formation and development.

2. For the purposes of eco-educational arrangements, museums, expositions, demonstration sites and other objects may be organized within the Wilderness Areas.

3. Creation of excursion paths and routes for the purposes of regulated tourism shall be allowed within specially allocated areas which shall not include especially valuable ecological systems within the Wilderness Areas, following the **procedure** established by the Authorized Body.

4. For the purposes of eco-educational arrangements the Wilderness Areas may invite specialists and public associations.

Article 43. Special Conditions of Protective Areas of the Wilderness Areas

1. The following shall be prohibited within the Wilderness Areas:

- 1) establishment of new and extension of existing settlements;
- 2) accommodation, designing, construction and operation of objects, introduction of new technologies having detrimental effect upon ecological systems of the Wilderness Areas;
- 3) intensive farming and foresting, using chemicals toxic for flora and fauna;
- 4) waste disposal, pollutant releases to atmosphere, water bodies, or on relief;
- 5) mining operations;
- 6) amateur (sport) and commercial hunting;
- 7) burial of radioactive materials and industrial wastes;
- 8) activities capable to change the hydrological conditions of ecological systems of the state wilderness area (construction of dams, hydrotechnical facilities and other objects stopping or impeding natural water flowing);
- 9) introduction of alien wild animals and plants;
- 10) any other activity capable to produce detrimental effect upon ecological systems of the Wilderness Area.

2. Within the territory of protective zones of the Wilderness Areas different types of economic activities having no detrimental effects upon conditions of ecological systems of the Wilderness Area shall be allowed:

- 1) forestry activities;
- 2) traditional land use, including herbing and grass cutting and other activities in order to ensure long-term integrity and invulnerability of biological variety;
- 3) tourism and recreational activity;
- 4) utilization of mineral waters, balneal and climatic resources;
- 5) commercial and amateur (sport) fishing;
- 6) ground and air operations for forest and steppe fire fighting;
- 7) artificial revegetation;
- 8) restoration of forest and other plant complexes;
- 9) restoration of wild animals' habitat and population;
- 10) use of lands as tourists camping areas, nurseries for artificial propagation, raising and breeding of endemic, rare and endangered species of plants and animals as well as for construction of service buildings (cordons) for accommodation of the staff of the Wilderness Areas and furnishing them with service allotments.

3. Within protective zones of the Wilderness Areas in the process of activities specified in clause 2 of the present article the arrangements for preservation of habitat and propagation conditions of flora and fauna, migration routes, and animals concentration areas shall be provided for and implemented along with

ensuring the integrity of areas, representing especial value in terms of living conditions, and other objects of the state natural-preserved fund.

4. Restrictions upon land owners' and land users' activity within protective zones of the Wilderness Areas shall be established by decisions of regional (city of the republican importance, capital) executive authorities.

Chapter 8. STATE NATIONAL WILDLIFE PARKS AND STATE REGIONAL WILDLIFE PARKS

Article 44. Definition and primary activity of the state national natural parks

1. The state national natural park shall be a specially protected wildlife area registered as nature preservation and scientific institution and intended for conservation of biological and landscape variety and use especially valuable unique nature complexes and objects of the state natural-preserved fund for the purposes of nature conservation, ecological education, science, tourism and recreation.

2. Primary activities of the state national natural parks include the following:

1) preservation of natural complexes, unique and pattern wildlife areas, objects of the state natural-preserved fund, natural, historical and cultural inheritance;

2) ensuring of the protection regime of state national natural parks and its protective area;

3) ecological education;

4) development of scientific methods for preservation of the biological variety;

5) monitoring of ecological systems and separate natural objects under the Nature Chronicle program;

6) restoration of damaged natural complexes, objects of the state natural-preserved fund, natural, historical and cultural inheritance;

7) regulation of the use of the state national natural park and its protective zone for the purposes of ecological education, science, tourism, recreation and limited economic activities.

Article 45. Zoning, conditions of protection and use of the territory of state national natural parks

1. The following zones shall be arranged for within the territory of state national natural parks:

1) reservation zone;

2) ecological stabilization zone;

3) zone of tourism and recreational activity;

4) zone of limited economic activity.

2. Within the reservation zone any types of economic and recreational activity shall be prohibited and the reservation regime as stated in **clause 1, Article 40** of the present Law.

3. Within the ecological stabilization zone the reservation regime shall be established, prohibiting economic and recreational activities except regulated

ecological tourism and arrangements for the restoration of damaged natural complexes and objects of the state natural-preserved fund.

4. The tourism and recreational activity zone shall be classed as ones for regulated short- and long-term resting of visitors of the national natural park.

Within the tourism and recreational activity zone the protection regime shall be established, ensuring preservation of the natural complexes and objects of the state natural-preserved fund, where regulated use for the purposes of tourism and recreation (except hunting) shall be allowed, including arranging for tourist routes, trails, bivouacs, and viewing points, taking into account the recreational load rates.

5. Within the limited economic activity zone administrative facilities shall be located, economic activities which are necessary for ensuring protection and operation of the national natural park, visitors servicing, including arrangement of amateur (sport) hunt and fishing shall be run along with construction and operation of recreation centers, hotels, camping sites, museums and other service objects.

6. Protection and restoration arrangements shall be implemented within the national park area as per the management plan thereof.

7. Scientific and eco-educational activities within national parks shall be arranged, following the procedure established by **articles 41 and 42** of the present Law.

Article 46. Peculiarities of the tourist and recreational activities of the national natural parks

1. Regulated tourism and recreation shall be arranged for within the state national natural parks in accordance with the **regulations**, approved by the Authorized Body and provided that the license for tourist operations is available, by:

1) state national natural parks directly;

2) legal entities on the basis of a permit issued by the nature preservation organization and (or) agreements, concluded with the state national natural parks. The permits and (or) agreements stated above shall be agreed with the state authorities being in charge of the state national natural parks.

2. For the purposes of regulated tourism and recreation, the state national natural parks shall have the right to provide land areas, either with operational infrastructure or for the construction thereof, within the zones of tourism, recreation and limited economic activities, to physical and juridical persons on the basis of lease agreements, in accordance with the General Infrastructure Development Plan.

The Land Lease Agreement shall be registered with the relevant state authority, as required by the legislation of the Republic of Kazakhstan.

3. The order of leasing of land areas within the state national natural parks for the purposes of regulated tourism and recreation shall be established by the **regulations** to be approved by the Government of the Republic of Kazakhstan.

Article 47. Specific character of the limited economic activity of the state national natural parks

1. The state national natural parks shall allow the following activities within the zone of limited economic activity:

- 1) side forest use (limited herbing, red deer breeding, grass cutting, amateur collection of mushrooms, fruits and berries);
- 2) growing of planting material of trees, bush, medicinal grasses and other plants;
- 3) sanitary felling, cleaning cutting except increment felling, and processing of the timber produced;
- 4) production of souvenirs and handicraft products;
- 5) growing of young fish and local commercial fish;
- 6) migratory beekeeping, using mobile bee pavilions;
- 7) amateur (sport) hunt and fishing.

2. Limited economic activity of the state national natural parks shall be performed, considering preservation and restoration of objects of the national natural-preserved fund and under properly issued permissions of the state authorities which are in charge of these parks.

Article 48. Protection regime of protective zones of national natural parks

1. Within the protective zone of the state national natural park:

- 1) the main types of traditional economic activities of land users, ensuring stable utilization of natural resources shall be allowed;
- 2) ecosystem exploitation and economic activity of the types producing detrimental effect upon the ecological systems of the state national natural park, specified by **clauses 1-3, article 43** of the present Law shall be prohibited or limited.

2. Restrictions upon land users' and land owners' economic activities within the protective zone of the state national natural park shall be established and imposed by decisions of regional (city of the republican importance, capital) executive authorities in accordance with the present Law.

Article 49. State National Regional Natural Parks

The State National Regional Natural Park shall be an analog of the state national natural park with the regime, established for the state national natural park, with the same tasks, but referred to the Protected area of the local importance, registered as nature conservation and scientific organization.

Chapter 9. STATE WILDLIFE RESERVES

Article 50. Definition, Primary Activities and Zoning of the State Wildlife Reserves

1. The state natural reserve shall be a particularly protected wildlife area registered as nature conservation and scientific organization containing land and water ecological systems, intended for protection restoration and maintenance of

biological variety of natural complexes and natural and historical objects relating thereto.

2. The primary activity of the state wildlife reserves shall include the following:

1) conservation and restoration of biological and landscape variety of ecological systems;

2) ensuring of the protection regime of the state wildlife reserve;

3) maintenance of stable development of the territory on the basis of the economic principle of natural resources utilization;

4) arrangement of research and monitoring operations for the purposes of protection and stable development of the territory, and ecological education as well;

5) regulation of the use of the state wildlife reserve's territory and its protective area for the eco-educational, scientific, recreational, tourist, and limited economic activity purposes.

3. Territory of the state wildlife reserve shall be subdivided into zones with different protection and utilization regimes:

1) reservation conditions zone (hereinafter — core zone) — the core zone intended for the long-term conservation of genetic resources, biological variety, ecological systems and landscapes with sufficient sizes for such purposes;

2) buffer zone — the area used for ecologically oriented economic activity and stable reproduction of biological resources.

Article 51. Regime of the reservation conditions zone of the state wildlife reserve

1. Within the reservation conditions zone of the state wildlife reserve scientific researches and monitoring of the environment shall be performed, including keeping the Nature Chronicles, along with eco-educational arrangements.

2. Within the reservation conditions zone of the state wildlife reserve any economic and recreational activities shall be prohibited under the reservation conditions established, which shall be corresponding to the protection regime of the state wilderness area, as provided for in **clause 1, article 40** of the present Law.

Article 52. Regime of the buffer zone of the state wildlife reserve

1. Within the buffer zone of the state wildlife reserve different forms of regulated and limited economic activities may be implemented in case of absence of any detrimental effect upon ecological systems of the core zone:

1) scientific research and organization of training centers;

2) monitoring of environmental conditions and changes in ecological systems;

3) forestry, fire arrangements and protection of woodlands;

4) traditional land use within the limits of ensuring long-term integrity and invulnerability of biological variety of the core zone and stability of ecological systems of the state natural reserve on the whole;

5) enlarged arrangements for restoration of biological and landscape variety and natural ecological systems;

6) tourism and recreation regulated according to recreational load, specified by the rules for visiting Protected areas by physical persons;
7) utilization of mineral waters and treatment resources;
8) ecological education, implementation of training programs, organization of demonstration sites and management of environmentally sound use of natural resources.

2. Within the buffer zone of the state wildlife reserve any activity capable to produce negative effect upon ecological system of the core zone shall be prohibited, particularly:

- 1) establishment of new settlements;
- 2) location and operation of industrial objects;
- 3) construction and operation of production facilities;
- 4) exploration and mining operations;
- 5) final felling operations;
- 6) introduction of new species of plants and animals;
- 7) actions changing the hydrological conditions of the core and buffer zones;
- 8) other activities capable to affect the ecological system of the core zone.

3. Within the state wildlife reserves eco-educational, scientific, tourist, and recreational activities shall be implemented as required in **articles 41, 42 and 46** of the present Law.

Article 53. Conditions of protective zones of the state wildlife reserves

1. Within the protective zone of state wildlife reserves:

1) the main types of land users' traditional economic activities ensuring stable utilization of natural resources shall be allowed;

2) ecosystem exploitation and economic activity of the types producing detrimental effect upon the ecological systems of the state wildlife reserve specified by **clauses 1-3, article 43** of the present Law shall be prohibited or limited.

2. Restrictions upon land users' and land owners' economic activities within the protective zone of the state wildlife reserve shall be established and imposed by decisions of regional (city of the republican importance, capital) executive authorities in accordance with the present Law.

Chapter 10. STATE ZOOLOGICAL GARDENS

Article 54. Definition and primary activities of the State Zoological Garden

1. The State Zoological Garden shall be a Protected area registered as nature conservation and scientific organization intended for educational, cultural, scientific and nature protection activities, genetic pool conservation and breeding of typical, rare, and endangered animals under artificial conditions.

2. The primary activity of the state zoological gardens shall include the development of scientific fundamentals of preservation, reproduction and use of Kazakhstani animal world and development of Kazakhstani fauna resources being of the universal importance.

Article 55. Zoning and Specific Character of Protection of The State Zoological Gardens

1. The following zones shall be provided for within the State Zoological Reserve:

- 1) exposition area — for husbandry and breeding of animals, and observation by visitors;
- 2) scientific area — for scientific research;
- 3) public area — for servicing of visitors;
- 4) administrative and production area.

2. Any actions not relating to the tasks of the State Zoological Gardens that may result in death of animals being cared for therein shall be prohibited.

Article 56. Breeding of animals in the State Zoological Gardens

1. State Zoological Gardens shall form and ensure preservation of the animals collection formed of representatives of domestic and world fauna.

2. State zoological parks shall, within the procedure established, carry out animals import-export and exchange operations with other similar organizations, subject to the legislation of the Republic of Kazakhstan.

3. Veterinary and zootechny services and nurseries shall be provided for in the state zoological gardens in order to breed rare and endangered species.

Article 57. Specific Character of the Use of the State Zoological Gardens

1. The State Zoological Gardens shall be used for scientific, cultural, and educational purposes.

2. In the State Zoological Gardens scientific research shall be conducted in the sphere of maintenance and breeding of animals in captivity or under semi-wild conditions, including the animals entered in the Red Book of the Republic of Kazakhstan.

3. The State Zoological Gardens shall have the right to create scientific data banks, funds, museums, lecture halls, libraries and archives, publish scientific, popular scientific and other literature concerning these organizations' activities.

4. The State Zoological Gardens shall have the right to have part-time farms, workshops, pet shops and other objects necessary for economic activities corresponding to the profile of these organizations, but not relating to their primary activities.

Chapter 11. STATE BOTANIC GARDENS

Article 58. Definition and Primary Activity of the State Botanic Garden

1. The State Botanic Garden shall be a Protected area registered as nature conservation and scientific organization intended for conducting scientific research and developments in the field of protection, reproduction and utilization of flora, including rare and endangered plants.

2. The primary activity of the state zoological gardens shall include the development of scientific fundamentals of preservation, reproduction and use of Kazakhstani vegetable world and development of Kazakhstani flora resources being of the universal importance.

Article 59. Zoning and special character of protection of the state botanic gardens

1. The following zones shall be provided for within the state botanic gardens:
 - 1) exposition area — for cultivation of plants and visitors;
 - 2) scientific area — for scientific research and preservation of plants' genetic collections;
 - 3) public area — for servicing visitors;
 - 4) area for administrative, production and economic activities.
2. Any actions not relating to the tasks of the State Zoological Gardens that may result in death of plants being cultivated therein shall be prohibited.

Article 60. Cultivation of plants in the state botanic gardens

1. State Botanic Gardens shall form and ensure preservation of the plants collection formed of representatives of domestic and world flora representatives.
2. State botanic gardens shall carry out plants import-export and exchange operations with other botanic organizations, subject to the legislation of the Republic of Kazakhstan.
3. The State Botanic Gardens shall have their own collecting and experimental areas, herbariums, nurseries and seed stocks.

Article 61. Specials Character of the Use of the State Botanic Gardens

1. The State Botanic Gardens shall be used for the scientific, cultural and educational purposes, as per the procedure established.
2. In the State Botanic Gardens scientific research shall be conducted in the sphere of introduction and selection of the wild, cultivated, domestic and world flora as well as study, preservation and efficient utilization of the Kazakhstani vegetable world.

Scientific researches in the field of formation, preservation, and use of the plant collections shall be conducted on the basis of the State's orders ensuring cultivation of the collection funds.
3. The State Botanic Gardens shall have the right to create scientific data banks, funds, museums, lecture halls, libraries and archives, publish scientific, popular scientific and other literature concerning these organizations' activities.
4. The State Botanic Gardens shall have the right to create economic experimental bases for testing the recommended introduced plants and reproductions thereof with the purpose of introducing in forest husbandry, horticulture, agriculture and other economy branches.
5. The State Botanic Gardens shall have the right to part-time farms, workshops, specialized plant shops and other objects necessary for economic

activities corresponding to the profile of these organizations, but not relating to their primary activities.

Chapter 12. STATE DENDROLOGICAL GARDENS

Article 62. Definition and Primary Activity of the State Dendrological Garden

1. The State Dendrological Garden shall be a Protected area registered as nature conservation and scientific organization with the protection regimes established for each zone, intended for protection, reproduction and utilization of wood and shrub species.

2. The primary activity of the state dendrological gardens shall include the development of scientific fundamentals of preservation, reproduction and use of Kazakhstani lignosa and development of Kazakhstani flora resources being of the universal importance.

Article 63. Zoning and the Specific Character of the State Dendrological Gardens

1. Within the State Dendrological Gardens the same zones shall be provided for as in the State Botanic Gardens, specified in **article 59** of the present Law.

2. The State Dendrological Gardens shall be used for the scientific, cultural and educational purposes as per the same procedure and under the same conditions as provided for by **article 61** of the present Law.

Chapter 13. STATE NATURAL MONUMENTS

Article 64. Definition of the State Natural Monument

The state natural monument shall be a particularly protected area including separate unique, unrecoverable, economically, scientifically, culturally and esthetically valuable natural complexes as well as artificial and natural objects referred to objects of the state natural-preserved fund.

Article 65. State Natural Monument Creation Procedure

1. Depending on their importance, separate types of objects of the state natural-preserved fund and natural complexes shall be declared the state natural monuments of the republican or local importance.

2. Borders and protection conditions of the state natural monuments of the republican importance shall be approved by the Government of the Republic of Kazakhstan; the same of the state natural monuments of the local importance — by the regional (city of the republican importance, capital) executive authorities as advised by the Authorized Body.

3. The state natural monuments of the republican importance shall be transferred to persons for protection, upon whose responsibility these are assigned, by the Authorized Body, and the same of the local importance – by the regional

(city of the republican importance, capital) executive authorities who had taken decisions regarding organization thereof.

4. The state natural monuments situated within the territory of the state wilderness areas, state national natural parks, state regional natural parks and other types of Protected areas shall be deemed parts thereof.

Article 66. Protection conditions of the state natural monuments

1. Within the territories of the state natural monuments the reservation conditions shall be established that corresponds to the protection regime of the state wilderness areas, any activities affecting the state natural monument being prohibited.

2. State natural monuments shall be protected in accordance with **article 32** of the present Law.

Chapter 14. STATE WILDLIFE REFUGES

Article 67. Definition and types of the State Wildlife Refuge

1. The State Wildlife Refuge shall be a particularly protected area with the protection regime or regulated economic conditions, intended for preservation and reproduction of one or more objects of the state natural-preserved fund.

2. According to their function, state natural refuges may be grouped as follows:

1) integral refuges — preservation and restoration of particularly valuable natural complexes;

2) biological (botanic, zoological) — preservation and restoration of valuable rare and endangered plants and animals;

3) paleontological — preservation of fossils and complexes thereof;

4) hydrological (marsh, lacustrine, riverine) — preservation of hydrological valuable objects and complexes of water-marsh areas;

5) geomorphologic — preservation of rare and unique natural relief forms;

6) geological and mineralogical — preservation of rare geological and mineralogical formations;

7) soil — preservation of typical and rare types of soils.

Article 68. Peculiarities of Creation of the State Natural Refuges

1. State Wildlife Refuges may be created on lands of all categories without withdrawal thereof from land owners and land users.

The land owners or land users shall ensure the right of limited intended use of the land area within which the State Wildlife Refuge is located.

Restrictions upon land users' and land owners' economic activities within the state national natural park shall be established and imposed by decisions of regional (city of the republican importance, capital) executive authorities, following the procedure established the **Land Code** of the Republic of Kazakhstan.

2. The State Wildlife Refuges shall be created:

1) with no fixed term — without time limitation;

2) for a long term — for more than 10 years;

3) for a short term — for less than 10 years.

3. Conservation organizations, state forest husbandry institutions being in charge of the State Wildlife Refuges shall arrange for protection and restoration of objects of the state natural-preserved fund located therein by means of special protection services as per **article 32** of the present Law.

Article 69. Specific Character of the protection and utilization conditions of the State Wildlife Refuges

1. Any activity being a threat to preservation of objects of the state natural-preserved fund or worsening the reproduction thereof shall be prohibited, including:

1) within integral wildlife refuges — economic activities being a threat to preservation of natural complexes, introduction of alien species of plants and animals;

2) within zoological wildlife refuges — hunting, fishing, any type of procurement of wild animals, introduction of alien species of plants and animals, destruction of nests, holes, lairs and other dwelling places, collection of eggs and other actions capable to cause the death of animals;

3) within botanic refuges — herbing, grass cutting, all types of felling, collection of flowers, roots, plants' tubers and bulbs, laying fires, movement of motor vehicles out of existing roads, introduction of alien species of plants and animals, and other actions capable to cause destruction of or damage to vegetation;

4) within hydrogeological state wildlife refuges — mining of stone, gravel, sand, and other mineral resources, destruction of caves, excavation and other operations capable to cause changes in the natural hydrogeological conditions, exploration and scientific researches connected with damage to or destruction of natural complexes of the state wildlife refuge.

2. Specific characters of protection conditions of state wildlife refuges shall be specified by the passport.

3. State Wildlife Refuges may be used for the purposes of science, eco-education, tourism, recreation and limited economic activity.

Land owners and land users shall have the right to implement their economic activities, observing the restrictions established.

Chapter 15. STATE PRESERVED AREAS

Article 70. Definition, Objectives and Tasks of the State Preserved Area

The state preserved area shall be a Protected area with differentiated types of protection regime, intended for preservation and restoration of objects of the state natural-preserved area and biological variety within land and water areas reserved as state wilderness areas, national natural parks, and state natural reserves.

Article 71. Creation of State Preserved Areas

1. State reserved areas can be declared within areas of all categories without withdrawal thereof from land users.

2. Land owners and land users shall ensure the right of limited intended use of the land area within which the state preserved area is located.

Article 72. Specific character of protection and utilization of the state preserved areas

1. Within the state preserved areas all activities of any type shall be prohibited in case such activities can cause changes in the natural appearance of protected landscapes or damage to ecological systems stability or be a threat to preservation and reproduction of particularly valuable natural resources.

2. Within the state preserved areas, areas with reservation and protection conditions shall be provided for as well as areas with regulated economic activities.

3. State preserved areas may be used for all purposes specified for Protected areas, considering the specific character of their protection regime.

4. Restrictions upon the economic activity of land owners and land users within state preserved areas shall be established by the legislation of the Republic of Kazakhstan.

5. Conservation organizations, state forest husbandry institutions being in charge of the State Preserved Areas shall arrange for protection and restoration of objects of the state natural-preserved fund located therein by means of special protection services as per **article 32** of the present Law.

Clause 6 was amended as per [Law of the RK as of 09.01.07 № 213-III](#) ([see prev. rev.](#))

6. Within state reserved areas geological study and exploration operations shall be allowed, as approved by the Authorized Body, considering special ecological requirements established by the **Environmental Code** of the Republic of Kazakhstan.

Mining operations shall be allowed under exceptional circumstances only on a decision taken by the Government of the Republic of Kazakhstan, as advised by the Authorized Body for research and utilization of subsoil, agreed with the Authorized Body, considering special environmental requirements approved by the Government of the Republic of Kazakhstan, as advised by the Authorized Body for environment protection.

Article 73. State Preserved Area in the Northern Part of the Caspian Sea

1. The water area of the eastern part of North Caspiy with mouths of the Volga river (within the Republic of Kazakhstan) and the Ural river shall be deemed included in the state preserved area in the northern part of the Caspian Sea intended for preservation of fish reserves and ensuring optimal living and natural reproduction conditions of sturgeon and other valuable fish species.

Clause 2 was amended as per [Law of the RK as of 09.01.07 № 213-III](#) ([see prev. rev.](#))

2. Within the state preserved area in the northern part of the Caspian Sea opportunities for development of fish industry, water transport, prospecting for

and production of hydrocarbons shall be ensured, considering special requirements established by the **Environmental Code** of the Republic of Kazakhstan.

Chapter 16. OBJECTS OF THE STATE NATURAL PRESERVED FUND

Article 74. Particularly Valuable Plantations of the State Forest Fund

1. Particularly valuable plantations of the state forest fund shall include particularly valuable forest areas, areas of tugai and orohylile forests that can be either included in the Protected areas, or in the following categories of particularly protected forest areas:

- 1) scientifically significant forest areas, including forest genetic reserves;
- 2) nut production areas;
- 3) orohylile forests.

2. Within the areas of particularly valuable plantations of the state forest fund the reservation conditions and protection regime shall be established as per the present Law and the **forest legislation** of the Republic of Kazakhstan.

Article 75. Water and Marsh Areas of the International Importance

1. Water and marsh areas of the international importance shall be natural and artificial and natural water bodies, including offshore zones serving as reservations of a significant aggregate of rare, vulnerable or endangered species or subspecies of plants or animals, primarily migrating water birds representing an international resource.

2. The water and marsh areas of the international importance shall be included in the list of Protected areas.

3. Within the water and marsh areas of the international importance the reservation conditions and the protection regime or the conditions of regulated economic activities shall be established to ensure protection and restoration of water birds' dwelling places.

Article 76. Unique Natural Water Objects or Parts Thereof

1. Unique natural water objects or parts thereof shall include seas, rivers, lakes, glaciers and other surface water objects or parts thereof which have a special ecological, scientific, historical, cultural, and recreational importance.

2. Depending on their importance, the unique water objects or parts thereof shall be included in the list of the Protected areas of the republican or local importance, and within their borders separate types of Protected areas may be created.

3. Within the unique water objects or parts thereof the reservation conditions and the protection regime, or the conditions of regulated economic activities shall be established, ensuring the protection thereof in accordance with the present Law and the water legislation of the Republic of Kazakhstan.

Article 77. Ecologically, Scientifically, Historically, Culturally and Recreationally Valuable Subsoil Sections

1. Ecologically, scientifically, historically, culturally and recreationally valuable subsoil sections shall include:

1) geological objects — natural and artificial outcrops where key or typical sections, typical tectonic structures, rare rocks and minerals, meteorites or flora and fauna fossils are represented;

2) geomorphologic objects — terraces, flood lands, caves, ravines, canyons, water falls and other types of relief illustrating the relief formation processes and especially valuable for tourism purposes;

3) hydrogeological objects — underground waters and risings thereof with unique and rare properties;

4) subsoil sections with cave painting, ancient mine roadways and other subsoil use objects having historical, archeological and ethnographic importance.

2. Within ecologically, scientifically, historically, culturally and recreationally valuable subsoil sections any activities being a threat to geological, geomorphologic, and hydrogeological objects of the state natural-preserved fund shall be prohibited under the legislation of the Republic of Kazakhstan.

Article 78. Rare and Endangered Species of Animals and Plants

1. **The List of Rare and Endangered Species** shall be approved by the Government of the Republic of Kazakhstan.

2. Rare and endangered species shall be protected by the State. Physical persons and legal entities shall be obliged to make a provision for the protection thereof.

3. Any action (inaction) that can result in death, decrease of population, or damage to the habitat of rare and endangered animals and plants shall not be allowed.

4. Capture and collection of rare and endangered animals and plants in order to restore their population shall be allowed in exceptional circumstances only, upon the decision of the Government of the Republic of Kazakhstan, for breeding in specialized nurseries and subsequent making them free (transmission to) within their habitat.

Article 79. Scientifically and (or) historically important one-off objects of the fauna

1. Scientifically and (or) historically and culturally important single objects of the fauna shall include one-off specimens in the habitat or under artificial conditions and (or) isolated groups of trees, bushes, herbaceous plants with unique properties (origin, life period, shape and sizes of the stem, coma, size of flowers, fruits and seed, etc), representing scientific, historic or cultural value.

2. The unique scientifically, historically or culturally significant single objects of the flora shall be defined as objects of the state natural-preserved fund in the process of land, forest or town development operations.

3. The unique scientifically, historically or culturally significant single objects of the flora shall be under protection of the State. Physical persons and legal entities shall be obliged to make a provision for the protection of the unique

scientifically, historically or culturally significant single objects of the flora, which have been declared the objects of the state natural-preserved fund.

Chapter 17. ECOLOGICAL NETWORK ELEMENTS RELATING TO THE SYSTEM OF PROTECTED AREAS

Article 80. Definition of the ecological network elements relating to the system of Protected areas

1. Ecological network elements shall be natural complexes representing the aggregate of spatially connected land and water areas as well as air space above them, which, by the state of their ecological systems and their location, are connected with the system of Protected areas and ensure the stability of natural and cultural landscapes as well as preservation of biological variety within the territory of Kazakhstan.

2. Ecological system elements shall include lands used for recreational and health-improving purposes, protective zones of Protected areas, ecological corridors, the state forest fund, water protection zones, stripes of water objects and other protected areas of wildlife objects, including hunting areas.

3. Order of establishment and utilization of lands used for recreational and health-improving purposes, the state forest fund, water protection zones, stripes of water objects, hunting areas, and fishery water bodies shall be regulated by the special legislation of the Republic of Kazakhstan.

Article 81. Ecological Corridors

1. Ecological corridors shall be established for the purposes of spatial connections between Protected areas and other elements of the ecological network for the purposes of preservation of objects of the state natural-preserved fund, biological variety, protection of the natural ways of migration of animals and propagation of plants dwelling within the Protected areas.

2. Within the ecological corridors the regulated activity regime shall be established, ensuring preservation of wild animals within their temporary habitats, migration paths as well as integrity of wild plants habitat.

3. Borders and areas of ecological corridors, protection conditions shall be established by the regional (city of the republican importance, capital) executive bodies as advised by the Authorized Body.

4. The general area management scheme of the Republic of Kazakhstan, interregional territory development schedules, comprehensive town-planning schemes and other town-planning documentation touching upon areas of ecological corridors shall be agreed with the Authorized Body.

Chapter 18. FINAL PROVISIONS

Article 82. Repayment of damages caused as a result of violation of the legislation of the Republic of Kazakhstan in the sphere of Protected areas

Physical persons and legal entities who caused damage to Protected areas and objects of the state natural preserved fund shall be obliged to repay the damages to nature conservation organizations in accordance with the legislation of the Republic of Kazakhstan in full, at the amount of expenses spent for restoration of the Protected area, taking into account the losses incurred.

Article 83. Liability for violation of the legislation of the Republic of Kazakhstan in the sphere of Protected areas

Persons who have been found guilty in violation of the legislation of the Republic of Kazakhstan in the sphere of Protected areas shall incur liability in accordance with **laws** of the Republic of Kazakhstan.

Article 84. International Cooperation in the Sphere of Protected Areas

International cooperation in the sphere of Protected areas shall be implemented in accordance with the legislation of the Republic of Kazakhstan and international treaties ratified by the Republic of Kazakhstan.

Article 85. Introduction of the present Law into effect

1. The present Law shall be deemed effective upon official **publication** thereof; with the exception that **article 32** shall be deemed effective from January 1, 2007.

2. The **Law** of the Republic of Kazakhstan as of July 15, 1997 «Protected Areas» shall be deemed null and void (Bulletin of the Parliament of the Republic of Kazakhstan, 1997, № 17-18, p. 215; 1999, № 11, p. 357; 2001, № 3, p. 20; № 24, p. 338; 2004, № 10, p. 57; № 23, p. 142; 2006, № 3, p. 22).

**President of the
Republic of Kazakhstan
N. NAZARBAYEV**

Astana, Akorda, July 7, 2006
№ 175-III 3PK