

**Kyrgyz Republic Law on Environmental Protection**  
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[Law of Republic of Kyrgyzstan on Environmental Protection, signed by President A. Akayev of Republic of Kyrgyzstan in Bishkek on 17 April 1991]

[Text] The increasingly strong impact of human activity on nature and the increasing exploitation of natural resources have made it necessary for the state to take measures to secure the intelligent use of these resources with a view to the needs of present and future generations and to create a habitat meeting man's physical and spiritual requirements.

This law will set forth the necessary fundamentals of legislation to preserve natural and environmental conditions and guarantee the intelligent use of natural resources.

**Subdivision I. General Provisions**

**Section 1. Environmental Protection Laws of Republic of Kyrgyzstan**

Relations in the sphere of environmental protection and the intelligent use of natural resources will be regulated by this law and by other statutes of the Republic of Kyrgyzstan enacted in accordance with this law and will represent a constituent and prominent element of republic policy on national economic management.

**Section 2. Environmental Objects of Protection**

The land and its soil, underground resources, water, flora and fauna, atmosphere, other natural objects, complexes, and ecological systems, and the earth's climate and ozone layer will be protected from pollution, damage, depletion, destruction, elimination, and other negative effects.

**Section 3. Basic Principles of Environmental Protection**

The basic principles of environmental protection are the following:

- the guarantee of citizens' actual rights to a favorable environment;
- the priority of environmental protection over other types of activity;
- the need to pay for the use of natural resources;
- the preservation of the stability and normal functioning of the biosphere and its ecological systems;

the intelligent use of natural resources with a view to the needs of present and future generations;

the scientifically sound coordination of the ecological, economic and social interests of society;

the publication of decisions on environmental issues and close contact with public organizations and the population;

the coordination of regional, republic, interrepublic, and international interests in the sphere of environmental protection;

the observance of the requirements of environmental laws and liability for violations of these laws.

**Section 4. Interrelations of Republic of Kyrgyzstan with the USSR and Other Sovereign Republics of the USSR in the Sphere of Environmental Protection**

The interrelations of the Republic of Kyrgyzstan with the USSR and other sovereign republics of the USSR in the sphere of environmental protection will be regulated by the union treaty and by special agreements and treaties with the USSR and other sovereign republics of the USSR.

**Section 5. Authority of the Supreme Soviet of Republic of Kyrgyzstan in Regulating Relations in the Sphere of Environmental Protection**

The Supreme Soviet of the Republic of Kyrgyzstan will set environmental policy, approve the basic guidelines of environmental protection, establish the collection procedure and maximum amounts of payment for the use of natural resources, and define payment privileges.

**Section 6. Authority of the President of the Republic of Kyrgyzstan in the Sphere of Environmental Protection**

The authority of the president of the Republic of Kyrgyzstan in the sphere of environmental protection will extend to the following:

- the establishment of special rules of natural resource use;
- the announcement and establishment of the boundaries and status of ecological emergency and ecological disaster zones;
- the approval of the procedure for the collection and use of environmental protection funds.

**Section 7. Authority of the Cabinet of Ministers of the Republic of Kyrgyzstan in the Sphere of Environmental Protection**

The Cabinet of Ministers of the Republic of Kyrgyzstan will take charge of the following areas of environmental protection:

the management, coordination, and supervision of the activities of specially authorized state environmental protection agencies and the conservation activity of

ministries, departments, associations, enterprises, establishments, and organizations, irrespective of forms of ownership and methods of economic operation (hereafter referred to as "enterprises");

the supervision of the monitoring and regulation of the use of natural resources throughout the republic;

the elaboration of the collection procedure and maximum amounts of payment for the use of natural resources and payment privileges and their submission to the Supreme Soviet of the Republic of Kyrgyzstan for its approval;

the organization of the elaboration, approval, funding, implementation, and supervision of republic and inter-regional environmental protection programs and plans;

the organization of natural resource surveys;

the approval of ecological safety standards and the limits and standards of natural resource use;

the approval of statutes on state environmental control by the Republic of Kyrgyzstan and state ecological appraisals by the Republic of Kyrgyzstan;

the approval of statutes on specially authorized state environmental protection agencies;

the making of decisions to suspend or stop work on earlier plans and programs for the development and distribution of productive forces, land reclamation, the use of chemicals in agriculture, and other decisions if this work will have an adverse effect on the environment;

the choice of locations for sites for the decontamination and burial of unutilized toxic and radioactive waste;

the settlement of disputes pertaining to environmental issues not under the jurisdiction of local soviets of people's deputies, specially authorized state environmental protection agencies, state arbitration boards, or the courts;

the organization of the ecological education and training of citizens;

the organization of international cooperation.

#### Section 8. Authority of Local Soviets of People's Deputies in Regulating Relations in the Sphere of Environmental Protection

Local soviets of people's deputies will be in charge of the following areas in the regulating relations in environmental protection:

the exercise of state environmental control;

the coordination of the activities of administrative bodies and enterprises in the sphere of environmental protection;

the planning and funding of environmental measures and investigative projects, project planning, scientific research, and experimental design;

the allocation of natural resources for ownership, use, and lease (the conclusion of contracts and the issuance and registration of permits) in accordance with the laws of the Republic of Kyrgyzstan and the registration of contracts for the recycling of natural resources;

the termination of the right to use natural resources or lease them;

participation in the organization and material, technical, and financial support of resource surveys and the restoration of land, water, and forest resources, as well as recreational resources, flora and fauna, and mineral resources;

the establishment of standard payments for the use of natural resources and for the dumping and emission of pollutants and the disposal of waste in the environment, and the collection and use of these payments;

the organization of the elaboration and implementation of regional programs of environmental protection and the intelligent use of natural resources;

the regulation of regional subleases;

the approval of the location of sites for the decontamination and burial of unutilized toxic and radioactive waste and the choice of locations for the disposal of other waste;

the publicizing of ecological information and of ecological education and training;

the resolution of other environmental issues within the territory under the soviet's jurisdiction.

The specific powers of local soviets of people's deputies on various levels in the sphere of environmental protection will be defined in laws of the Republic of Kyrgyzstan.

Local soviets of people's deputies will be liable for the non-observance of environmental laws.

#### Section 9. Authority of Specially Authorized State Environmental Protection Agencies

The authority of specially authorized state environmental protection agencies will be defined in statutes approved by the Cabinet of Ministers of the Republic of Kyrgyzstan.

#### Section 10. Rights and Obligations of Users of Natural Resources

The user of natural resources will have the following rights:

to use natural resources for the purposes for which they have been allotted to him;

to use natural resources according to the established procedure for other needs securing the attainment of the main goal;

to use other natural properties of resources without any detriment to the environment;

to recycle natural resources in cases stipulated by law;

to establish various restrictions for other organizations and individuals;

to demand compensation for losses incurred as a result of lawful or unlawful actions, with the exception of cases in which natural resource use rights are terminated or amended as a penalty for a legal offense;

to demand the restoration of infringed rights.

The user of natural resources will be obligated to do the following:

to use natural resources intelligently for the purposes for which they have been allotted to him;

to monitor the observance of recycling laws by users of natural resources;

to not violate the rights and legal interests of other users of natural resources;

to observe requirements and restrictions on the use, protection, preservation, and restoration of natural resources;

to maintain structures, installations, and territories, belonging to him by rights of ownership or administration and connected with the use of natural resources, in a state not jeopardizing natural surroundings.

Other rights and obligations of users of natural resources may be stipulated in laws of the Republic of Kyrgyzstan.

#### **Subdivision II. Economic Measures To Secure Environmental Protection**

##### **Section 11. Economic Mechanism of Environmental Protection**

The economic mechanism of environmental protection will envisage the following:

the economically sound division of regional and sectorial interests in the ownership, use, and disposition of natural resources;

the establishment of standard payments for the use of natural resources, the dumping and emission of pollutants, physical and other harmful influences, and the disposal of waste in the environment;

the institution of a special system of taxes for the use of ecologically harmful technology and other environmentally hazardous activity;

compensation for environmental damage and the institution of measures to restore favorable environmental conditions;

the granting of tax, credit, price, and other privileges to users of natural resources for the incorporation of waste-free, low-waste, and resource-conserving technology and for other effective conservation measures;

the offer of financial incentives to labor collectives and employees of enterprises and to citizens for positive results in environmental protection work;

antimonopoly policy in the use of natural resources;

the creation of environmental protection funds;

the economic protection of endangered territories and objects.

Other economic measures for the protection of the environment may be stipulated in laws of the Republic of Kyrgyzstan and decisions of soviets of people's deputies.

##### **Section 12. Planning of Environmental Protection Measures**

Environmental protection measures will be envisaged in interrepublic, republic, sectorial, and territorial programs and plans for the development and distribution of productive forces, regional plans, plans for the use of natural resources, short- and long-range plans for the production and financial activities of enterprises, and special ecological programs.

The planning of conservation measures will be carried out with the participation and under the supervision of local soviets of people's deputies, the State Committee of the Republic of Kyrgyzstan for Environmental Protection and its agencies, and other specially authorized state agencies.

##### **Section 13. Financing of Environmental Protection Measures**

Environmental protection measures will be financed by:

local, republic, and union budgets;

local and republic environmental protection funds;

bank credit;

enterprise funds, contributions from citizens, and other sources.

##### **Section 14. Environmental Protection Funds**

Local, republic, and public environmental protection funds and natural resource user funds will be established to finance measures for environmental protection, the reproduction of natural resources, the recovery of environmental losses, environmental cleanup operations following accidents and disasters, compensation for damages, and unforeseen expenditures.

The procedure for the formation and use of local and republic environmental protection funds will be defined by the president of the Republic of Kyrgyzstan.

Public environmental protection funds will consist of contributions from citizens, public organizations, and other sources. The procedure for the formation and use of these funds will be defined in statutes approved by public organizations.

The environmental protection funds of natural resource users will consist of contributions from users of natural resources, and the procedure for their use will be defined in contracts between them.

### Subdivision III. Technical-Normative and Metrological Bases of Environmental Protection

#### Section 15. Technical-Normative and Metrological Bases of Natural Resource Protection and Use

A single set of technical-normative and metrological standards, serving as a basis for the ecological requirements limiting the maximum environmental impact of production and other activity, will be established for the protection and intelligent use of natural resources.

The technical-normative and metrological bases will include standards, rules, provisions, instructions, and other normative documents on the protection and use of natural resources and ecological standards.

The technical-normative and metrological requirements of environmental protection must agree with international standards, conventions, and agreements signed by the USSR and the Republic of Kyrgyzstan and the latest world scientific, technical, and technological achievements in this field.

The technical-normative and metrological requirements of environmental protection will be elaborated and approved according to the procedure defined by the Cabinet of Ministers of the Republic of Kyrgyzstan.

#### Section 16. Ecological Requirements Governing the Location, Design, Construction, Remodeling, Start-Up, Operation, and Liquidation of Enterprises, Installations, and Other Objects

The location, design, construction, remodeling, enlargement, and retooling of enterprises, agricultural production units, installations, and military and other objects, their start-up, operation, and liquidation must meet ecological safety requirements and envisage compensation for losses and environmental protection measures.

Plans for economic and other activity must contain information on environmental impact evaluations, which will be conducted by the client.

The start-up of facilities before all ecological requirements have been satisfied and before the environmental measures envisaged in plans for the construction,

enlargement, remodeling, or retooling of these facilities have been completed will be prohibited.

#### Section 17. Ecological Requirements Governing the Handling of Radioactive and Hazardous Chemical Substances

Enterprises and citizens must observe ecological requirements in the production, storage, shipment, use, decontamination, and burial of radioactive and hazardous chemical substances, observe the standards governing their use, and take measures to prevent and eliminate the harmful effects of their use on the environment.

The storage and burial of unutilized toxic and radioactive waste in the Republic of Kyrgyzstan and the transport of this waste to the Republic of Kyrgyzstan from other parts of the USSR and from abroad for the purpose of its storage or burial in the republic will be prohibited.

#### Section 18. Protection of Environment From Uncontrolled and Hazardous Chemical and Biological Effects

Enterprises must secure the ecologically safe production (or creation), storage (or maintenance), acclimatization and reaclimatization, shipment, use, destruction, decontamination, and burial of microorganisms, animals, plants, and substances and plan and carry out measures to prevent accidents and disasters and to avert and eliminate the effects of hazardous chemical and biological influences on the environment.

#### Section 19. Protection of Environment from Influence of Technogenic Noise, Vibration, and Other Harmful Physical Effects

Local soviets of people's deputies, enterprises, and citizens must take the necessary measures to prevent and eliminate technogenic noise, vibration, electromagnetic and radioactive radiation, and other harmful physical effects on the environment in excess of standard limits.

#### Section 20. Protection of the Environment From Pollution by Industrial, Household, and Other Waste

Ministries, departments, enterprises, and citizens must take effective measures to reduce the formation, decontaminate, process, utilize, and dispose of industrial, household, and other waste.

The indiscriminate disposal of waste in natural surroundings will be prohibited.

The disposal of unutilized hazardous waste, including radioactive waste with a high level of radiation, within or near cities and other populated communities, in bodies of water, in health resorts, medical treatment zones, and recreational areas, and in other restricted locations will be prohibited.

#### Section 21. Observance of Technical-Normative and Metrological Requirements of Environmental Protection

The activities of enterprises and citizens failing to observe the technical-normative and metrological requirements stipulated in this subdivision of the law may be suspended, restricted, or prohibited by local soviets of people's deputies and environmental agencies according to the procedure specified in laws of the Republic of Kyrgyzstan until the violations have been rectified.

#### Subdivision IV. State Ecological Appraisals

##### Section 22. Purpose and Procedure of State Ecological Appraisals

State ecological appraisals will be conducted for the following purposes:

to determine the ecological hazards of projected and ongoing economic and other activity and the adequacy and validity of environmental protection measures stipulated in project plans;

to assess the correspondence of plans for economic and other activity to the requirements of environmental protection laws.

State ecological appraisals will be conducted by state environmental protection agencies on the basis of the principles of legality, scientific validity, thoroughness, independence, and openness.

Experts, including foreign experts, and representatives of the public and the scientific and technical community may be invited to participate in state ecological appraisals.

The state ecological appraisal will be conducted according to the procedure defined in the statute on state ecological appraisals approved by the Cabinet of Ministers of the Republic of Kyrgyzstan.

##### Section 23. Objects of State Ecological Appraisals

The following will be subject to state ecological appraisal:

draft plans, basic guidelines, and proposals on the distribution of productive forces, proposals on the use of the natural resources of the republic, oblasts, cities, rayons, and branches of the national economy in state plans and programs, other pre-planning, pre-draft, and draft documents on the development of economic and other activity (technical and economic substantiation and estimates), and plans for the construction (or remodeling, enlargement, and retooling) and liquidation of national economic enterprises, facilities, and complexes, including joint ventures with foreign firms within the territory of the Republic of Kyrgyzstan;

drafts of procedural, technical-normative, and normative-legal documents pertaining to the use of natural resources and economic activity;

documents on the development of new technical equipment, technology, materials, and substances, including those purchased abroad, and other documentation;

products produced in the republic or shipped into the republic;

the ecological status of individual regions, locations, and objects.

##### Section 24. Report of State Ecological Appraisal Commission

The report of the state ecological appraisal commission must be considered by the agency making the administrative decision prior to its implementation.

The financing of plans for all types of economic activity will be accessible to the client only in the presence of a positive report by a state ecological appraisal commission. The implementation of a plan subject to state ecological appraisal without a positive report by the expert commission will be prohibited.

#### Subdivision V. State Environmental Control

##### Section 25. Purpose of State Environmental Control

The purpose of state environmental control will consist of securing the observance of the requirements of environmental laws by all ministries and departments, by enterprises, and by citizens.

##### Section 26. Agencies Exercising State Environmental Control

State environmental control will be exercised by soviets of people's deputies and specially authorized state environmental protection agencies in accordance with the statute on state environmental control in the Republic of Kyrgyzstan, approved by the Cabinet of Ministers of the Republic of Kyrgyzstan.

The decisions of state environmental control agencies of the Republic of Kyrgyzstan will be binding.

Soviets of people's deputies and state environmental protection agencies of the Republic of Kyrgyzstan will be authorized to obtain information about environmental protection, the use of natural resources, and the state of the environment for free and without restriction from ministries, departments, enterprises, and citizens, including data on research findings.

##### Section 27. Environmental Monitoring

Environmental monitoring will be part of state environmental control.

The structure, content, and procedure of state monitoring will be established by the Cabinet of Ministers of the Republic of Kyrgyzstan.

##### Section 28. Accountability of Environmental Protection Agencies

Environmental protection agencies and their officials will be held accountable for their decisions in accordance with the laws of the Republic of Kyrgyzstan.

#### Subdivision VI. Ecological Emergencies

##### Section 29. Prevention of Accidents and Elimination of Their Harmful Ecological Effects

During the planning, operation, and liquidation of economic and other facilities, measures must be planned and taken to prevent accidents and eliminate their harmful ecological effects.

In the case of accidents and ecological emergencies, enterprises must begin cleanup operations without delay in accordance with their own plans of action in ecological emergencies and notify state agencies and the population in accordance with a duly approved program.

##### Section 30. Ecological Emergency and Ecological Disaster Zones

Zones of ecological emergencies or ecological disasters, their boundaries, and their status will be declared in an ukase by the president of the Republic of Kyrgyzstan, and in some cases in an ukase by the president of the USSR at the republic's request.

Cleanup operations in ecological emergency or ecological disaster zones will be financed by the funds of the enterprises responsible for the emergency and by special funds from local, republic, and union budgets, environmental protection funds, and other sources.

#### Subdivision VII. Natural Territories and Objects Under Special Protection, and Protection of the Atmosphere, Climate, and Ozone Layer

##### Section 31. Natural Territories and Objects Under Special Protection

The natural territories and objects under special protection are biospheric and other state preserves, reservations, national, natural-history, and memorial parks, game refuges, natural monuments, botanical and zoological gardens, arboretums, and animals and plants belonging to the endangered species listed in the Red Book of the International Environmental Protection Union, the Red Book of the USSR, and the Red Book of the Republic of Kyrgyzstan. Other categories of natural territories and objects under special protection may be specified in decisions of local soviets of people's deputies.

The procedure for assigning special protection to natural territories and objects will be defined in laws of the Republic of Kyrgyzstan.

The procedure for keeping the Red Book of the Republic of Kyrgyzstan will be defined by the Cabinet of Ministers of the Republic of Kyrgyzstan.

##### Section 32. Protection of Atmosphere, Climate, and Ozone Layer

The protection of the atmosphere, climate, and ozone layer of the earth from ecologically dangerous changes will be secured by the following:

the organization of a network for the observation, calculation, and monitoring of changes in the chemical composition of the atmosphere, climate, and ozone layer under the influence of economic activity and other processes;

the establishment and observance of standard limits on the dumping and emission of harmful substances and of physical and other influences affecting the chemical composition of the atmosphere, climate, and ozone layer of the earth;

the reduction and complete cessation of the production and use, in the national economy and the home, of chemical substances harming the ozone layer of the earth;

the reduction of emissions of gases creating the greenhouse effect;

the assignment of responsibility for violations of requirements for the protection of the atmosphere, climate, and ozone layer of the earth.

The list of chemical substances and industrial waste with a harmful effect on the atmosphere and ozone layer will be approved by the Cabinet of Ministers of the Republic of Kyrgyzstan.

#### Subdivision VIII. Right of Citizens to a Favorable Environment and Their Participation in Environmental Protection

##### Section 33. Right of Citizens to a Favorable Environment

Each citizen will have the right to an environment beneficial to his own life and the health of future generations.

This right will be secured by the following:

the institution of state measures to maintain, restore, and improve the state of the environment;

the obligation of ministries, departments, enterprises, and citizens to observe environmental laws, take technical, technological, and other measures to prevent the negative effects of economic and other activity on the environment, and strictly observe environmental requirements during the planning and distribution of productive forces and the construction, operation, and liquidation of national economic and other facilities;

the exercise of state environmental control to enforce environmental laws;

the participation of public organizations and citizens in environmental protection activity;

the assignment of responsibility for violations of environmental laws;

the compensation of citizens in the established manner for damages to their health and property as a result of environmental pollution;

the acquisition of information about the state of the environment and scheduled projects;

the state's provision of the population with free means of individual and group protection and means of monitoring the state of the environment and the necessities of life (including food) in ecological emergencies.

#### Section 34. Rights and Obligations of Citizens in the Sphere of Environmental Protection

Citizens will have the following rights:

to commune with nature and make use of its gifts if this does not harm nature and the user of natural resources. In the case of natural territories and objects under special protection, this right will be governed by statutes on these territories and objects;

to participate in the discussion of draft laws and other documents pertaining to environmental protection and decisions with a potential effect on the environment and to conduct public ecological appraisals;

to participate in environmental protection measures and to contribute their own funds and labor for the preservation and augmentation of natural resources;

to unite in public organizations for the protection of the environment;

to receive ecological education and training;

to address environmental issues in letters, complaints, statements, and proposals;

to request and receive timely, complete, and accurate information about the state of the environment and protection measures;

to sue enterprises and citizens for damages to health and property as a result of adverse effects on the environment.

Citizens will be obligated to take care of nature, protect its resources, and observe environmental requirements.

The procedure for exercising the rights and obligations of citizens in the sphere of environmental protection will be established in laws of the Republic of Kyrgyzstan.

#### Section 35. Prerogatives of Public Organizations

Public organizations and associations will have the following rights:

to draw up conservation programs and publicize them in the news media and to encourage voluntary participation by citizens in conservation efforts;

to use their own funds and the contributions of members of public organizations to protect and reproduce natural resources, preserve and improve the environment, to take part in inspections conducted by state environmental protection agencies of the environmental plans and measures of enterprises and citizens and request authorized state agencies to conduct these inspections, and to create public funds for environmental protection and use them for conservation measures;

to request state ecological appraisals of decisions on the location, construction, and operation of facilities or on the limitation, suspension, or termination (or respecialization) of their activities and to take part in the work of the expert groups or conduct independent ecological appraisals with the aid of specialists, including foreign experts;

to obtain current, complete, and accurate information about the state of the environment, sources of pollution, and basic guidelines, programs, and measures for environmental protection;

to petition courts or arbitration boards for compensation for damages to nature and to the health and property of citizens and the property of public organizations resulting from violations of environmental laws.

Public organizations will conduct environmental protection activity in accordance with their charters and existing laws.

#### Section 36. Guarantees of Rights of Citizens and Public Organizations in the Sphere of Environmental Protection

The state will guarantee citizens and public organizations taking action to protect the environment the opportunity to exercise the rights granted to them by existing environmental laws.

Soviets of people's deputies, state environmental protection agencies, and other state agencies must give citizens and public organizations all-round assistance in their conservation activity, consider their proposals on the improvement of the environment and the intelligent use of natural resources, and invite citizens and public organizations to participate in the resolution of environmental issues.

#### Subdivision IX. Education and Training in Environmental Protection and Scientific Research

##### Section 37. Education and Training in Environmental Protection

To increase the ecological awareness of the public and enhance the professional training of specialists, comprehensive general education and training in environmental protection will be instituted in pre-school establishments and schools along with professional training and advanced training for specialists in secondary specialized and higher academic institutions.

The fundamentals of environmental protection will be taught as a required course in all secondary specialized and higher academic institutions, irrespective of their fields of specialization.

The heads of ministries and departments, enterprise managers, and other officials and specialists connected with the operation of facilities having an adverse effect on the environment must acquire the necessary knowledge of environmental protection.

Environmental protection agencies, public education departments, other state agencies, public organizations, and the news media will disseminate information about environmental protection and publicize conservation laws.

#### Section 38. Scientific Research in Environmental Protection

Basic and applied scientific research projects in fields pertaining to the scientifically sound protection of nature and use of natural resources will be assigned priority.

Research in the following fields will be conducted for the scientific support of environmental protection:

the elaboration of the scientific basis of state environmental policy, the development of progressive low-waste and waste-free technological processes and modern equipment securing the ecologically safe operation of industrial, transport, agricultural, and other enterprises, installations, and facilities;

the economically effective, intelligent, and resource-saving use of natural resources;

the development of means and systems for monitoring the state of the environment, production control, and the safe and accident-free operation of equipment;

the determination of the permissible environmental impact of human activity and the study of the processes occurring in the environment under the influence of man's economic activity;

the elaboration of methods to prevent, reduce, or eliminate the after-effects of negative influences on the environment;

the restoration of the necessary qualities of the environment;

the elaboration of conservation standards and technical-normative environmental documents.

#### Subdivision X. Settlement of Disputes in the Sphere of Environmental Protection. Liability for Violations of Environmental Laws

##### Section 39. Procedure for Settling Disputes in the Sphere of Environmental Protection

Disputes concerning environmental issues and property disputes connected with violations of environmental

laws will be settled by local soviets of people's deputies, specially authorized state environmental protection agencies, a state arbitration board, or a court in accordance with their jurisdiction. Disputes not within their jurisdiction will be settled by the Cabinet of Ministers of the Republic of Kyrgyzstan.

The disputes of enterprises of the Republic of Kyrgyzstan with enterprises in another union republic in connection with environmental issues will be investigated by a commission made up of equal numbers of representatives from the union republics concerned. If the commission cannot agree on a ruling, the dispute will be investigated according to the procedure established in the union treaty.

##### Section 40. Liability for Violations of Environmental Laws

Disciplinary, civil, administrative, and criminal liability in accordance with the laws of the Republic of Kyrgyzstan will be borne by individuals guilty of the following offenses:

the violation of the requirements of standards, provisions, rules, instructions, and other technical-normative documents on environmental protection;

the nonfulfillment of the requirements of state ecological appraisals;

the violation of ecological requirements during the planning, location, design, construction, remodeling, start-up, operation, and liquidation of enterprises, installations, mobile equipment, and other objects;

the dumping of polluted sewage or emission of pollutants into the environment and the unauthorized disposal of waste with harmful physical and other effects on the environment in cases in which disposal permits are required by law;

the use of natural resources over and above established limits, without a permit, or after the expiration of a permit;

the failure to observe limits on pollution, the dumping or emission of pollutants in the environment, and physical and other harmful effects on the environment;

the failure to take measures to eliminate the after-effects of harmful influences on the environment;

the nonuse or misuse of installations, equipment, instruments, and tools for environmental protection purposes;

delays in the construction of environmental protection facilities;

the failure to comply with the instructions of agencies exercising state environmental control;



the liquidation of environmental installations and facilities without the permission of state environmental protection agencies;

the violation of environmental requirements during the storage, shipment, use, decontamination, and disposal of industrial, household, and other waste;

the violation of ecological requirements in the handling of radioactive and hazardous chemical substances;

the refusal to submit current, complete, and accurate information or the submission of false information about the state of the environment and the use of natural resources, as well as information about sources of pollution, the concealment of facts and data on the disposal of waste and on the excessive industrial dumping or emission of pollutants and other offenses with harmful ecological consequences.

Liability for violations of other requirements of environmental laws may also be established in laws of the Republic of Kyrgyzstan.

Liability for these offenses will not exclude liability for violations of land, water, and forestry laws, laws on

mineral resources, laws on the protection of the atmosphere and of flora and fauna, and other laws.

Enterprises and citizens must redress the damages they have caused as a result of violations of environmental laws according to the procedure and in the amounts stipulated in laws of the Republic of Kyrgyzstan.

#### Subdivision XI. International Relations in Environmental Protection

##### Section 41. Rights and Obligations of Foreign Corporate Entities and Physical Persons and Stateless Individuals

The provisions of this law and other environmental laws will extend to foreign corporate entities and physical persons and to stateless individuals unless laws of the Republic of Kyrgyzstan stipulate otherwise.

##### Section 42. International Agreements in the Sphere of Environmental Protection

If international agreements contain provisions contrary to those in the environmental laws of the Republic of Kyrgyzstan, the provisions of the international agreements will apply, with the exception of cases in which requirements are stricter in the Republic of Kyrgyzstan.