







NATIONAL STRATEGIC DOCUMENTS

In 2012, the Government of the Republic of Kazakhstan (hereinafter referred to as the RK) adopted the **Strategy** "Kazakhstan-2050"¹, which determines the directions of long-term economic development in the country. The Strategy includes comprehensive support for entrepreneurship, as well as the development of the production of alternative energies and the implementation of a fundamentally new system for natural resource management.

Strategy 2050 and other strategic program documents have set ambitious goals:

• in the electric power industry: the share of alternative and renewable electricity should reach 50% by 2050;

- in energy efficiency: reducing the energy intensity of GDP at 10% by 2015 and at 25% by 2020 compared to the 2008 baseline;
- on water resources: solving problems related to drinking water supply to the population by 2020 and water supply to agriculture by 2040;
- to raise the productivity of agricultural land 1.5 times by 2020.

To implement the long-term strategy "Kazakhstan-2050", medium-term development plans are being developed. Currently, the main document that defines the tasks for the medium term is the **National Development Plan of the**

country until 2025² (Decree of the President of the RK dated February 15, 2018 No. 636, as amended on February 26, 2021). It reflects the vision for the development of the most important industries and guidelines for improving key policies.

One of the priority identified in the National Development Plan is "Balanced Territorial Development" and related target 7 on "Green" economy and environmental protection

It encompasses the following measures:

- implementation of the best available technologies in accordance with OECD standards in existing industries and the development of "green" technologies;
- preparation of the Concept for low-carbon development of Kazakhstan until 2050:
- implementation of "Waste to energy" technology;
- development of water management, restoration of irrigation and drainage systems, construction of new water facilities (canals, water reservoirs), reconstruction of water pipelines and imple-

- mentation of water conservation measures;
- updating water legislation by encouraging effective water consumption by individuals, farmers and enterprises, and stimulating a closed cycle of water use and treatment at enterprises and housing and utilities level;
- development of an economically efficient tariff policy in terms of water use;
- improvement of forestry development.

In the electric power industry, new sources will be implemented, including facilities for the use of renewable energy sources. The volume of clean energy will double due to the construction of 13 hydroelectric power plants, 34 wind and 12 solar stations. The AIFC platform will be actively involved, instruments for financing "green" projects (in particular, "green" bonds) will be used, and "green" financial instruments will be created.

In May 2013, the "Concept for Kazakhstan's transition to a "green economy" was adopted with ambitious goals on various sectors for a deep systemic transformation and the transition to a "green" economy in the period up to 2050 (table 1.1).

Achievement of goals and targets in the field of water resources is planned through the implementation of measures to save water in agriculture, as well as in industry and utilities sectors, by improving availability and reliability of water resources and developing water resources management policies.

The Concept provides for energy saving and energy efficiency measures in the housing utilities, industry and the transport sector. Key measures include setting of tariffs and financial support, upgrading or replacing old and inefficient boiler-houses, conducting regular energy audits of industrial companies and setting targets to reduce the energy in-

tensity of manufacturing products, developing alternative types of transport and related infrastructure, in particular for electric and gas-fueled vehicles and others.

For the development of the electric power industry, the Concept establishes technical measures for existing power plants, the construction of new thermal power plants, the construction of wind and solar power plants by achieving 10% share of WPPS and SPPs in the total volume of electricity production by 2030, the diversification of energy sources by investing in nuclear energy, and the creation of gas infrastructure in the northern, eastern and southern regions of the country, and the conversion of existing coal-fired CHPPs to gas, primarily in large cities.

With regard to reducing air pollution, it is planned the development and implementation of new standards close to those of the European Union, the modernization and in-

stallation of dust and gas cleaning equipment at generation and industrial facilities, thus carrying out continuous monitoring and control of pollutants emissions and greenhouse gases also for the transport sector.

To achieve the target indicators in waste management, the Concept assumes creation of an agreed system for waste disposal with the provision of a full range of services and comprehensive protection of landscapes, the reduction of the number of landfills with the transition to a widespread use of recycling and re-using of material, as well as the extraction of useful substances and materials to obtain fuel through waste; the development of a circular economy.

Sector	Description of the goal	2020	2030	2050
Water resources	Eliminating water scarcity at the national level	Provide water to the population	Provide water for agriculture (by 2040)	Solve water supply problems once and for all
	Eliminating water scarcity at the basin level	The fastest possible coverage of the deficit by basin as a whole (by 2025)	No scarcity for each basin	
Agriculture	Labor productivity in agriculture	3 times increasing		
	Wheat yield (t / ha)	1.4	2.0	
	Irrigation for water consumption (m3 / t)	450	330	
Energy efficiency	Decreasing in the energy intensity of GDP from the level of 2008	25% (10% by 2015)	30%	50%
Electric power	Share of alternative sources ⁴ in power generation	Solar and wind: at least 3% by 2020	30%	50%
industry	Share of gas-fired power plants in electricity generation	20%5	25% ⁶	30%
	Gasification of regions	Akmola and Karaganda regions	Northern and Eastern regions	
	Reduction in relation to the current level of carbon dioxide emissions in the electric power industry	level in 2012	-15%	-40%
Air pollution	Emissions of sulfur and nitrogen oxides into the environment		European emission level	
Waste disposal	Covering the population with the removal of municipal solid waste		100%	
	Sanitary waste storage		95%	
	Share of recycled waste		40%	50%

Table 1 - Goals and target indicators of the Concept for Kazakhstan's transition to a "green" economy

In accordance with the instruction of the President of the Republic of Kazakhstan K. Tokayev, in 2021 the **National Project "Zhasyl Kazakhstan"** was developed. The project is aimed at creating a favorable living environment for the population and improving the environmental situation in the country.

The document consists of four main axes:

- "Clean Kazakhstan" contributes to the solution of major environmental problems, such as improving the quality of atmospheric air, waste management and preservation of ecosystems of waterways of the country;
- "Rational Kazakhstan" aims at introducing a sustainable use of natural resources. First of all, this concerns water resources and reducing the energy intensity of the economy;
- "Nature" contributes to the conservation of biodiversity and the development of protected natural areas:
- "Future of Ecology" is aimed at the development of environmental education among the population.

Within the framework of waste management, the plan envisaged to increase the disposal of municipal solid waste share from 18% to 34% due to the energy disposal of waste. In addition, it is planned to install more than 8 thousand containers for the separate collection of mer-

cury- containing waste, as well as eco-boxes for medical waste. The creation of sites for the collection of construction and bulky waste is also envisaged. The National Project set also measures for preserving the ecosystems of country's water bodies. Indeed, the second phase of the project include the regulation of the Syrdarya river channel, the preservation of the northern part of the Aral Sea" and measures to restore four lakes: Borovoe, Shchuchye, Kopa, Shalkar. Together with the Ministry of Industry and Infrastructure Development, tasks have been set to reduce energy consumption in public organizations, the household sector, and improve energy efficiency in industrial enterprises.

In order to implement the Paris Agreement, the Ministry of Ecology, Geology and Natural Resources has developed a Doctrine (strategy) to achieve carbon neutrality by 2060⁸. According to the strategy, the government sets the goal of reducing greenhouse gas emissions by 2030 to 230 million tons of CO2-eq. or by 40.5% from the level of 1990 (Kazakhstan's obligations under the Paris Agreement imply a reduction of only 15% to this time) and reach almost zero emissions in 2060. It is assumed that by that period, the country will be able to eliminate 97% of emissions; the remaining 3% will be absorbed by the forest fund or technologies for capturing and storing carbon.



LEGISLATION IN THE FIELD OF WASTE MANAGEMENT

The main regulatory legal acts governing waste management in Kazakhstan, are: the Environmental Code of the Republic of Kazakhstan (EC RK), the Tax Code, the Administrative Code, Government Decrees and other by-laws, as well as technical regulations and standards.

Waste management requirements can be roughly divided into 3 areas:

- 1. General requirements of the Environmental Code for the activities of all industrial enterprises
- 2. General requirements in the field of waste management
- 3. Requirements for the management of selected types of waste



The Environmental Code of the Republic of Kazakhstan (EC RK) - the main regulatory legal act - defines the requirements in the field of waste management is the Environmental Code of the Republic of Kazakhstan dated January 2, 2021, No. 400-VI 3PK (hereinafter- the EC RK), enacted from July 1, 2021. The state environmental policy in the field of waste management is based on the following principles: hierarchy; proximity to the source; responsibility of the waste generator; extended producers (importers) obligations. Regulation of entrepreneurial activities includes the following elements.

1) Environmental assessment (Chapter 7 of the EC RK)

Environmental impact assessment is mandatory for all types of activities listed in Article 65 of the EC RK. These include works on the transfer of water resources between river basins (the volume of water transferred exceeds 100 million m3 per year), dams and intake of surface and groundwater (volume over 10 million m3), installations for wastewater treatment in settlements (30 thousand m3 per day or more). In the area of waste management, the following facilities are included: hazardous waste removal by incineration, chemical treatment or burial on landfill, as well as non-hazardous waste removal by incineration or chemical treatment (over 100 tons per day). The instruction for organizing and conducting environmental assessment was approved by order of the MEGNR dated July 30, 2021 No. 280¹⁰.

2) Environmental regulation (Chapter 5 of the EC RK)

Environmental regulation consists in the establishment of environmental quality standards, target indicators for permissible anthropogenic impact on the environment (limits for the accumulation of waste, limits for waste burial). The methodology for calculating waste accumulation limits and waste burial limits was approved by Order of the MEGNR dated June 22, 2021 No. 206¹¹.

Waste storage limits are established for each specific waste storage site in the territory of industrial facility (I and II groups of environmental hazard, i.e category)¹². Waste storage limits are established in the form of a maximum amount (mass) of waste by their types, allowed for storage in the corresponding storage site. Waste burial limits are established for each specific waste landfill, in the territory of industrial facility (I and II category), in the form of a maximum amount (mass) of waste by their types, permitted for burial at the corresponding landfill. Waste storage limits and waste burial limits are described by operators of industrial facility in the Waste Management Program upon receipt of an environmental permit and are established in the environmental permit for industrial facility. The rules for developing a waste management program were approved by order of the MEGNR dated August 9, 2021 No. 318¹³.

3) Environmental expertise (Chapter 8 of the EC RK)

The Environmental expertise is the determination of the compliance of the enterprise's activities with environmental requirements, as well as determination of the admissibility of the implementation of the planned industrial activity in order to prevent possible adverse effects on the environment and the population. Carrying out activities until a positive conclusion of the state ecological expertise is prohibited. Subjects of state environmental expertise are listed in Article 87 of the EC RK. The state ecological expertise is organized and carried out in accordance with the EC RK and the Rules for the state ecological expertise (order of the acting MEGNR dated August 9, 2021 No. 317)¹⁴.

4) Environmental permits and environmental impact declarations (Chapter 9 of the EC RK)

In accordance with the EC RK, the issuance of integrated environmental permits and environmental impact permits is envisaged. Permits will be issued for industrial facilities of I and II categories.

For industrial facilities of category I, obtaining an integrated environmental permit is mandatory from 2025 and involves the implementation of BAT and an automated monitoring system. Industrial facilities of category II are required to obtain an environmental impact permit. Industrial facilities of the category III will submit a declaration on the

impact on the environment to local executive bodies and, thus, are exempted from obtaining an environmental permit.

The procedure for issuing environmental permits is governed by the Rules for issuing environmental permits, submission of a declaration on environmental impact, as well as forms of environmental impact permits and the procedure for filling them out (Order MEGNR dated August 9, 2021 No. 319). 15

5) Categories of objects that have a negative impact on the environment

Industrial facilities/enterprises are classified as objects that have a negative impact on the environment.

One legal entity may have several industrial facilities of different categories. Some requirements of the Environmental Code are differentiated depending on the category of the industrial facilities.

The definition of the category is carried out in accordance with Annex 2to the EC RK and by order of the MEGNR dated July 13, 2021 No. 246 "On approval of instructions for determining the category of an industrial facility that has a negative impact on the environment" 16.

6) Economic regulation of environmental protection (section 4 of the EC RK)

The types of mechanisms for economic regulation of environmental protection are:

- 1. payment for negative impact on the environment;
- 2. market mechanisms for managing emissions into the environment:
- 3. environmental insurance;
- 4. extended producers (importers) obligations.

7) Licensing of activities in the field of recovery and removal of hazardous waste (Article 336 of the EC RK) and the notification regime of business entities in the field of waste management (Article 337)

Business entities for recycling, neutralization and disposal, including hazardous waste, must obtain a license. A license is not required to carry out waste collection operations. It is also not envisaged to obtain a license for hazardous waste generators who recover, recycle and remove their own hazardous waste. To carry out activities for the recycling of non-hazardous waste, it is enough to submit a notification of the start of activities to the MEGNR of the Republic of Kazakhstan. These requirements do not apply to radioactive waste management activities subject to licensing in accordance with the legislation of the Republic of Kazakhstan in the field of atomic energy use.

Other requirements in the field of waste management (chapters 23-25 of the EC RK)

Waste management companies are obliged to comply with the national waste standards included in the list, which was approved by order of the MEGNR dated September 8, 2021 No. 363-p¹⁷ and submit reports on waste management in the manner estab-

lished by the authorized body in the field of environmental protection.

Certain types of waste lose their waste status and become a finished product or a secondary resource, for example, plastic, polyethylene, polyethylene terephthalate packaging, waste paper (waste paper and cardboard), used glass containers, etc. after recovery operations.

Wastes are divided into hazardous and non-hazardous based on the waste classification (Order of the MEGNR dated August 6, 2021 No. 314)¹⁸. For all types of hazardous waste, passports are drawn up in the prescribed form (Order of the MEGNR dated August 20, 2021 No. 335)¹⁹.

A new concept of waste to energy disposal has been implemented in the EC RK.

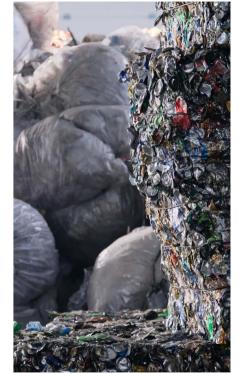
Various types of waste can be subjected to waste to energy disposal, with the exception of the list approved by the order of the MEGPR dated July 30, 2021 No. 275²⁰. This list includes liquid waste, pesticides, persistent organic pollutants and other. The MEG-NR approves the maximum auction prices for electrical energy produced by waste to energy disposal in accordance with the established rules (Resolution of the Government of the RK dated March 12, 2021 No. 134)21. The rules for the formation of the list of energy producing organizations using waste to energy disposal are approved by Order of the MEGNR dated August 10, 2021 No. 321²². Chapter 25 of the EC RK reflects the provi-

Chapter 25 of the EC RK reflects the provisions on landfills. Landfills are classified as

follows: class 1- landfill for hazardous waste; class 2- landfill for non-hazardous waste; class 3- landfill for municipal solid waste. By order of the MEGNR of the Republic of Kazakhstan dated September 7, 2021, No. 361, a list of waste types for burial at landfills of various classes was approved²³, and Article 351 of the EC RK established the types of waste that are prohibited to be disposed at landfills.

Transboundary transportation of hazardous wastes is carried out in accordance with the requirements of the Basel Convention and Article 346 of the EC RK.

To detail and regulate the provisions and requirements for the management of specific and individual types of waste, the EC RK has chapters 26-29, which consider the requirements for the management of mining waste, municipal waste, radioactive waste, as well as certain types of waste.



SWOT ANALYSIS IN WASTE MANAGEMENT SECTOR

Strengths

Weaknesses

- Implementation of BAT (Best Available Technologies) in the field of waste management
- Disposal and recycling of specific types of waste (ash and slag, construction and others)
- Existing potential of waste use for the development of "green" energy
- Potential for the use of secondary resources obtained from municipal solid waste
- Reclamation of waste burial sites
- Lack of effective tools to support business in the waste management sector.
- Underdeveloped collection system, including separate collection of municipal solid waste.
- Lack of a well-developed waste recycling infrastructure (especially, facilities for the collection and recycling of construction, food and other types of waste)
- Lack of regulation of certain waste management processes (for example, incineration) and certain types of waste (construction, ash and slag waste, sludge from wastewater treatment, etc.).
- Low potential of specialists in the field of waste management.

Opportunities

- Adoption of the New Environmental Code, reflecting the world experience in waste management.
- The market is open to potential investors and private funding sources.
- Creation of a regional system for waste recycling (e.g. electronic waste).

- High export of waste to bordering countries due to high waste prices.
- Poor capacity to transport POPs-containing wastes to other countries for processing.
- Insufficient preferences for foreign investors in the waste management sector.

LEGISLATION IN THE FIELD OF WATER RESOURCES MANAGEMENT

The basic documents of the Republic of Kazakhstan in the field of use and protection of water resources are: the **Constitution** (1995)²⁴; the **Water Code** (2003)²⁵; the **Environmental Code** (2021).

Main goals of the water legislation of Kazakhstan are to achieve and maintain a balance between cost of water supply, its sanitation, and its preservation as resource.

State management of use and protection of the water resources is carried out by the authorized body- the **Committee for Water Resources** of the MEGNR and its territorial divisions-Basin Water Management Departments (BWMD). There are eight river basins in Kazakhstan: Balkhash-Alakol, Shu-Talass, Aral-Syrdarya, Ural-Caspian, Tobol-Torgai, Ishim, Irtysh and Nura-Sarysu. Moreover, seven basins are transboundary.



Water Code of the Republic of Kazakhstan, adopted on July 9, 2003, regulates water resources management for a rational use and protection. The Water Code establishes the right to use water bodies, types of water use, including special water use. In addition, it establishes state regulation in the field of water supply and sanitation, requirements for the use of water bodies and water facilities, including for industry and energy, and the procedure for setting water use limits.

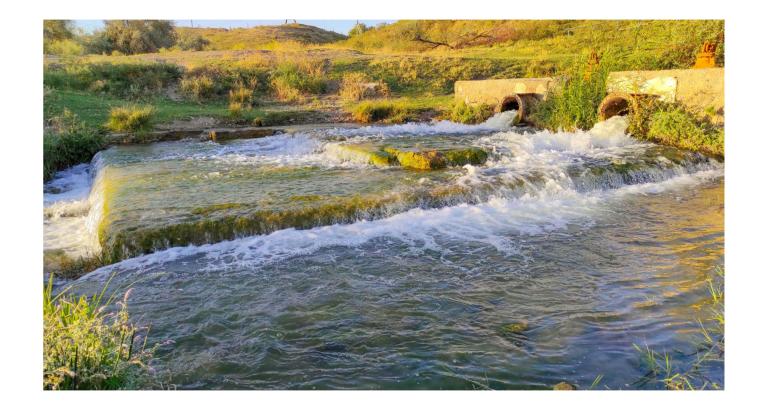
Special water use includes the use of surface and ground water resources directly from a water body, as well as for wastewater discharge. Special water use is carried out on the basis of permissions. Permits for special water use are issued by BWMDs. Permits are issued for the following types of special water use: discharge of waste and other waters into surface water bodies, subsoil, water facilities or terrain; extraction and use of groundwater (withdrawal from 50 m3 per day) and surface water using structures or technical devices.

In the Water Code, much attention is paid to wastewater management issues, which are defined as water generated as a result of human economic activity or in a contaminated area, discharged into natural or artificial water bodies or on the terrain. Wastewater should be treated by a complex of water treatment plants, which are understood as a facilities for mechanical and biological wastewater treatment.

Wastewater can be discharged directly into water bodies or into sewerage systems. Waste water may be discharged into water bodies only if there is a permit for special water use with the condition that it is purified in accordance with the established limits. Wastewater inflow into the drainage systems of settlements is allowed, provided that the wastewater meets the requirements for the content of permissible concentration of harmful substances in them in accordance with the Rules for the intake of wastewater into the drainage systems of settlements (Order of the Ministry of National Economy of the RK dated July 20, 2015 No. 546)²⁶.

The **Environmental Code** (EC RK) deals with the protection of water bodies (section 15). According to the EC RK, in order to protect water bodies from pollution, it is prohibited:

- application of pesticides, fertilizers in the catchment area of water bodies;
- receipt and disposal of waste in water bodies;
- discharge into water bodies of wastewater that has not been treated to the indicators established by the standards for permissible discharges:
- carrying out blasting operations on water bodies in which nuclear and other types of technologies are used, accompanied by the release of radioactive and toxic substances.



SWOT ANALYSIS IN THE FIELD OF WATER RESOURCES MANAGEMENT

Strengths

- State programs for the modernization and development of the water supply and sanitation sector have been adopted and are under implementation.
- Regional (oblast) programs and specific measures have been developed, target indicators for the implementation of program documents have been determined, which characterize a fairly high level of development of the water supply and sanitation sector in the country.
- Measures have been developed to reform, modernize and reconstruct water infrastructure.

- High level of water consumption in agriculture and industry.
- Low use of water-saving technologies in agriculture.
- High volume of irrevocable consumption (about one third of the total water intake) in industry.
- The current water resources management system does not ensure the preservation of aquatic ecosystems.
- The level of the state of water supply and sewerage in rural settlements lags significantly behind the current level in cities.
- Imperfect tariff setting mechanism, lack of investment in infrastructure.
- Imperfection of the institutional system and lack of qualified personnel.

Opportunities

Weaknesses

- Legislation is constantly being improved taking into account the best world practices and local conditions and
- Kazakhstan is an active participant in international cooperation in the field of improving water resources management, development and modernization of water supply and sanitation practices.

- Reduction of water inflow with transboundary rivers
- Low water tariffs, which do not cover the cost of modernizing water supply facilities and wastewater treatment plants
- Lack of short-term loans for water supply facilities and wastewater treatment plants.

LEGISLATION IN THE FIELD OF RENEWABLE ENERGY SOURCES

In the field of the use of renewable energy sources in Kazakhstan, the Law of the RK "On Supporting the Use of Renewable Energy Sources" dated July 4, 2009²⁷ (hereinafter "the **RES Law**") is in force. Among its main legal aspects:

- approval and implementation of the plan for the placement of facilities for the use of renewable energy sources:
- setting fixed tariffs and maximum auction prices;
- providing targeted assistance;
- creation of conditions for training and education of Kazakhstani personnel and conducting scientific research in the field of renewable energy sources.

This law provides investors with a guarantee for the purchase of electric or thermal energy produced by renewable energy sources by the settlement and financial center at a fixed tariff or at an auction price. It also guarantees the connection of a renewable energy facility to the nearest point of electrical or heat networks of an energy transmission organization corresponding to the voltage class or parameters of the heat carrier in the general heat supply network. As part of the implementation of the RES Law, a number of by-laws have been adopted that disclose the provisions of this Law.



The plan for the placement of facilities for the use of renewable energy sources is approved by the Ministry of Energy in accordance with the Rules for the development of the related plan (Order of the Acting Ministry of Energy of the RK dated July 27, 2016 No. 345)²⁸.

The RES Law provides individual consumers with targeted assistance for the purchase of renewable energy installations. These rules are established by Order of the Ministry of Energy dated November 28, 2014 No. 161²⁹. According to the Rules, the state can reimburse part of the costs to individual consumers for the purchase of renewable energy sources installations made in Kazakhstan in the amount of 50% of the cost of installations with a total capacity of not more than 5 kW.

For the purpose of centralized purchase and sale of electrical energy produced by renewable energy facilities, supplied to the electrical grids of the unified electric power system, the Ministry of Energy has appointed the "Financial Settlement Center of Renewable Energy" LLP (hereinafter **FSC**)³⁰. FSC buys electricity generated by renewable energy facilities at fixed rates or at an auction price and sells it to consumers at a tariff to support renewable energy sources. Conditional consumers include energy-producing organizations that use coal, gas, sulfur-containing raw materials, oil products and nuclear fuel.

Fixed rates approved by the Government for 15 years with the possibility of annual indexation and adjustment. In this case, the adjustment will take effect no earlier than 2 years later. Determination of Fixed Tariffs and Marginal Auction Prices is regulated by the Decree of the Government dated March 27, 2014 No. 271 "On Approval of the Rules for Determining Fixed Tariffs"³¹.

Government Decree No. 64531 dated June 12, 2014 determined fixed tariffs for the supply of electricity produced by renewable energy facilities³².

- wind farms, with the exception of the fixed tariff for the Astana EXPO-2017 wind farm project- 22.68 tenge/kWh (0.053 USD/kWh);
- wind power station" Astana EXPO-2017" with a capacity of 100 MW-59.7 tenge/kWh (0.14 USD/kWh);
- photovoltaic converters of solar energy, with the exception of a fixed tariff for solar power plant projects using photovoltaic modules based on Kazakh silicon (Kaz PV) - 34.61 tenge/kWh (0.081 USD/kWh);
- small hydroelectric power plants 16.71 tenge/kWh (0.039 USD/kWh);
- biogas plants- 32.23 tenge/kWh (0.076 USD/kWh).

The maximum auction prices for subsequent auction trades are determined on the results of the previous auction trades at the maximum winning price in accordance with the Order of the Ministry of Energy of the RK dated January 30, 2018 No. 33 (as amended on 03/15/2021) "On approval of the maximum auction prices" Auction prices are indexed once a year on October 1 for inflation.

Order of the Ministry of Energy of the RK No. 251 of July 30, 2021 approved the schedule for the auction of renewable energy sources for 2021³⁴. The total installed capacity put up for auction in 2021 is 200 MW, broken down by type of power plant:

- solar power plants (SPP) 20 MW:
- wind power plants (WPP) 50 MW;
- hydroelectric power plants (HPP) 120 MW;
- biogas power plants (BioES) 10 MW.

Auctions are held in order to select projects for the construction of new facilities for renewable energy sources and determine the auction prices for electric energy produced, taking into account the plan for the location of facilities.

The main goal of the auction mechanism is the selection of the most efficient renewable energy projects and the establishment of market competitive prices for electricity produced by renewable energy facilities. The main tasks of the RES auction system are:

- achievement of target indicators of RES development:
- reducing the influence of the RES sector on the growth of tariffs for end users:
- ensuring the systematic development of the renewable energy sector, taking into account the capabilities of the unified electric power system;
- a transparent procedure for the selection of renewable energy projects.

In accordance with the order of the Ministry of Energy of the RK dated August 7, 2017 No. 280, JSC "Kazakhstan operator of the electric energy and power market" (hereinafter JSC "KOREM")³⁵ was determined as the organizer of the auction. Auction tenders for the selection of renewable energy projects are held on the electronic trading platform of JSC "KOREM": http://www.korem.kz/



The rules for organizing and conducting auctions, including qualification requirements for participants, the content and procedure for filing an application, the procedure for summing up and determining the winners were approved by the Order of the Ministry of Economy of the RK dated December 21 2017 No. 466³⁶. The main criterion for admission to the auction is financial stability. There must be at least 2 participants in the auction, the total volume of applications must be more than 130% of the declared capacity.

To take into account the share of energy production from renewable energy facilities and determine the compliance of energy production volumes from RES with target indicators, Ministry of Energy monitors the use of RES, in accordance with the "Rules for Monitoring the Use of Renewable Energy Sources" (order of the Ministry of Energy dated February 11, 2015 No. 74)³⁷. Based on the monitoring results, a list of currently operating renewable energy facilities is being formed.

Certain issues in the field of renewable energy are also regulated by other legislative acts, such as the **Land Code**³⁸, the **Code of Administrative Offenses**³⁹, as well as legislation regulating the activities of natural monopolies. In particular, when designing and creating a RES facility, an investor should be guided by general rules for building and construction regulation, in view of the fact that the requirements for the construction process of a facility for the production of energy from renewable sources have not been separately developed.

In general, at state level, favorable conditions have been created for the construction and operation of renewable energy facilities, stimulating the production of electric and thermal energy using renewable energy sources, favorable conditions have been created for the effective integration of renewable energy facilities into a single electric power, thermal system and the electric and thermal energy market.

SWOT ANALYSIS OF RENEWABLE ENERGY SECTOR

Strengths

- High potential of renewable energy sources in the country.
- State support for renewable energy sources.
- Implementation of auction tenders for the selection of renewable energy projects.
- Guaranteed "green" energy purchase.
- Development of consulting organizations for investors.
- Tax investment incentives.

Weaknesses

- The sharply continental climate restricts the use of renewable energy sources and increases the construction time of renewable energy facilities.
- The high cost of building renewable energy facilities due to imported materials.
- Low knowledge in the field of renewable energy sources.
- Low tariffs for the purchase of energy obtained from renewable energy facilities.

Opportunities

- Implementation of large renewable energy projects under the "Green" Economy Concept and the Carbon Neutrality Doctrine.
- Using support measures for the RES sector.
- Indexation of project costs in the event of variations of the exchange rate.

- Weather and climatic risks.
- Logistic difficulties in the delivery of raw materials for BioPP.
- Lack of qualified personnel for the design, commissioning and operation of modern renewable energy facilities.

SUPPORT MEASURES FOR SMEs

Government support measures

The main regulatory legal act, which defines measures of state support for private entrepreneurship, is the **Entrepreneurial** 2. **Code**⁴⁰ (hereinafter "the Code"). According to the Code, state support for private entrepreneurship is a set of measures to 3. stimulate the development of private entrepreneurship, to 4. create favorable legal and economic conditions for the implementation of entrepreneurial initiatives in Kazakhstan. 6.

State support for business is carried out in the following areas:

- small and medium business, including social entrepreneurship
- agro-industrial complex and non-agricultural business activities in rural areas
- 3. industrial and innovative activity
- 4. special economic zones and industrial zones
- 5. investment activities
- 6. entrepreneurship of domestic producers of goods
- 7. housing construction
- 8. waste management



Financial support for SMEs is the provision of loans at the expense of budgetary funds, the organization of lending through second-tier banks, national development institutions, subsidizing the interest rate on issued loans, reimbursement and subsidizing of costs and expenses, partial guarantee of loans to private entrepreneurs, etc. Financial support to SMEs from state is carried out by "Damu" - Entrepreneurship Development Fund" JSC, a special fund for the development of entrepreneurship, created by the decision of the Government of the Republic of Kazakhstan, the controlling stake of which belongs to the national management holding Baiterek.

Property support is to provide SMEs with trust or lease of not used for more than one year objects (land, buildings) of state ownership for the organization of production activities and services, with the exception of trade and intermediary activities. SMEs can be transferred free of charge into the ownership of state-owned objects and the land plots they occupy, leased or entrusted after a year from the date of conclusion of the contract.

Infrastructure support is a complex of created or existing organizations that provide general conditions for the functioning and development of private entrepreneurship, including assistance in organizing their own business, providing information in the field of law, marketing, engineering and management, support in providing material, technical, financial and other resources on a commercial basis.

Institutional support is the creation and development of financial institutions for the support and development of private entrepreneurship, research institutes under government agencies.

Information support is carried out by organizing training seminars and scientific and practical conferences on the development of private entrepreneurship, organizing foreign internships, distributing methodological manuals, information bulletins on the practice of private entrepreneurship, the market for new technologies, training managers for organizing training for small enterprises in the regions, etc.

The authorized body for state support and protection of entrepreneurship is the Ministry of National Economy of the Republic of Kazakhstan. In order to support private business entities, the State Program for Support and Development of Business "Business Road Map-2025" (hereinafter referred to as the Program)⁴¹ has been developed. The implementation of the Program is aimed at the development of regional private entrepreneurship and the development of competitiveness. The implementation of the Program is carried out by the "Damu" Entrepreneurship Development Fund". Appendix 2 to the Program defines the list of priority sectors of the economy, which can take part in the Program.

Direction	Financial / non-financial support measures
Supporting small businesses, including	subsidizing part of the interest rate on loans / financial leasing agreements of banks / development banks / leasing companies;
micro-entrepreneurship	subsidizing part of the markup on goods and part of the lease payment that make up the income of Islamic banks.
Sectoral support for entrepreneurs /	subsidizing the interest rate on loans / financial leasing agreements of banks / development bank / leasing companies;
subjects of industrial and innovative	subsidizing a part of the markup on goods and part of the lease payment that make up the income of Islamic banks;
activities. Within the framework of	subsidizing the coupon rate on bonds issued by business entities;
the second direction of the Program,	partial guaranteeing for loans from banks / development bank;
projects of entrepreneurs are being	provision of government grants;
implemented in priority sectors of the	development of industrial infrastructure;
economy.	creation of industrial zones.
Provision of non-financial measures	consultation of government support measures delivered by the "Business Nasihat" organization;
to support entrepreneurship	consultation of the conditions for doing business in the member states of the Eurasian Economic Union;
	basic training for entrepreneurship development;
	advanced training of specialists and top managers;
	providing service support for running an existing business;
	providing advice on obtaining permits and technical conditions;
	engaging of external consultants on the implementation of new management methods, production technologies, increasing productivity and energy saving of
	enterprises;
	technological development of enterprises;
	establishing business ties with foreign partners

Table 2 - Existing support measures according to the "Business Road Map-2025"

Support measures of development institutions

The business support system in Kazakhstan includes a wide range of organizations, national institutions and various instruments:

- JSC "Damu Entrepreneurship Development Fund" works on support and development of SMEs.
- JSC "National Company Kazakh Invest" works on attracting foreign investment in priority sectors of the economy and on comprehensive support to investment projects.
- JSC "Kazakhstan Center for Industry and Export Qazindustry" is a single operator for increasing labor productivity, technological development, local content and export promotion.
- Development Bank of Kazakhstan support for large business.
 Providing long-term loans for industrial and infrastructure investment projects, and export operations that have a significant positive socio-economic impact.
- JSC "Export Insurance Company KazakhExport" supports for the growth of exports of non-primary goods, works, services in priority sectors of the economy and the formation of the practice of financial, insurance and non-financial support of Kazakhstani enterprises.
- Kazakhstan Project Preparation Fund LLP consulting support for infrastructure projects, development of pre-project docu-

mentation (business plans, draft PPP contracts, etc.), consulting support of projects.

For the SME sector, the main national development institution is JSC "Damu Entrepreneurship Development Fund" (hereinafter referred to as "Fund"). The main function is to promote the qualitative development of private entrepreneurship in Kazakhstan by providing financial and non-financial support to the SME sector.

The main support instruments of the Fund for SMEs:

- financing under lending programs through second-tier banks, microfinance organizations, leasing companies and other legal entities
- subsidizing interest rates on loans
- loan guarantee
- consulting support and project support

The Fund is represented in all regions of Kazakhstan. The regional network consists of 17 branches in all regional centers, as well as in the cities of Nur-Sultan, Almaty, Shymkent, Semey. In addition, the infrastructure for supporting entrepreneurs is represented by 18 Entrepreneurship Service Centers, 14 Mobile Entrepreneurship Support Centers.

Since 2015, Fund has been a financial agent implementing and monitoring financial support within the framework of the Business Support and Development Program "Business Road Map 2025".

In order to expand the mechanisms for supporting SMEs, the Fund in 2020 began to implement the following instruments: Islamic Finance Program, Issue of "green bonds", Portfolio guarantee and subsidies for small and micro businesses.

Also, the Fund and the United Nations Development Program in Kazakhstan signed an agreement within the framework of the project "Reducing the risks of investing in renewable energy projects", aimed at stimulating and assisting in the development of renewable energy projects. Within the framework of the signed agreement, the Fund is issuing "green" bonds the stock exchange of the Astana International Financial Center, in order to finance further renewable energy projects. Funds from bonds will be directed to banks and microfinance organizations to finance green projects for SMEs.



JSC National Company "Kazakh Invest" was created to promote sustainable socio-economic development of Kazakhstan by attracting foreign investment in priority sectors of the economy and provide comprehensive support of investment projects. Kazakh Invest is authorized to implement measures of state support for industrial and innovative activities in the field of attracting investments.

The company is a single point of access to the system for the provision of public services, which includes support for investors in the form of investment preferences, the issuance of various permits and approvals required for the implementation and further operation of investment projects.

The main functions of Kazakh Invest are:

- support of investment projects from idea to implementation;
- consultation and support in obtaining public services;
- support in obtaining possible subsidies and state support;
- assistance in signing an investment contract with the Ministry of Foreign Affairs of the Republic of Kazakhstan;
- visa support;
- preparation of information and analytical materials on industries and legislation;
- meetings with central and local executive bodies at all levels;

- search for partners for joint implementation of investment projects;
- post-investment support.

Investors can be provided with the following types of preferences:

- exemption of imports from customs duties and VAT,
- tax preferences (CIT, land and property tax)
- state grant in-kind.

More detailed information about these preferences is provided in section "Existing preferences for foreign investors" of this report.

JSC "Kazakhstan Center of Industry and Export Qazindustry" is a single operator for increasing labor productivity, technological development, local content and export promotion. The mission of Qazindustry is to strengthen the competitiveness of the manufacturing industry in international markets by promoting exports, supporting efficient manufacturers.

The main tools of support from Qazindustry:

 Reimbursement of costs for increasing the competence of the enterprise. Within this framework, professional training, retraining or advanced training of engineering and technical personnel, production personnel, top managers including those abroad, are supported to increase labor productivity or technological development. The duration of training for production personnel and top managers is no more than 1 month, with advanced training of engineering and technical personnel, production personnel, top managers - no more than 3 months. It is possible to attract a foreign worker under an employment contract in order to improve the technological process and increase the efficiency of the organization of production. The amount of cost reimbursement is 40%, but not more than 30 million tenge per year (68,000 USD).

2. Reimbursement of costs for improving technological processes. Within the framework of this measure, the optimization of the general functioning of the enterprise is supported. This include: costs of conducting a technological audit, energy audit, attracting consulting in the field of information technology, improve the functioning of the company's management system; development of industrial design of manufactured products; preparation of an engineering concept and solution, search for new designs, technologies, equipment and determination of technical implementation. It is also possible to reimburse the costs for the provision, support and management of production processes, including equipment installation or equipment installation supervi-

- sion, equipment commissioning, virtual equipment commissioning, engineering and design development. Besides, digital and virtual engineering of development, production of prototypes and/or digital modeling of objects, maintenance of equipment, industrial testing of products are supported. The amount of cost reimbursement is 40%, but not more than 60 million tenge per year (136,000 USD).
- Reimbursement of costs for improving the efficiency of production organization, the amount of cost reimbursement is 40% but not more than 60 million tenge per year (136,000 USD).
- 4. Reimbursement of costs for the development or examination of a comprehensive plan for an industrial and innovative project. Development and/or examination of a feasibility study for a project, the amount of cost reimbursement is 40%, but not more than 60 million tenge per year (136,000 USD).

SWOT ANALYSIS IN THE FIELD OF SUPPORT FOR SMEs

Strengths

- SMEs are one of the main target of state support (financial, infrastructural, institutional and information support).
- A system of support for private entrepreneurship has been created, which includes various organizations, national development institutions and instruments.
- In order to support private business entities, the State Program for Support and Development of Business "Business Road Map-2025" has been developed.
- Systems have been created to attract and use investments, including foreign ones
- There are centers for the organization of training, retraining and advanced training of SME personnel.

Weaknesses

- The multiplicity of development institutions that provide support, and the difficulty for SMEs to work with them.
- The complexity of paperwork for obtaining preferences, grants, subsidies, etc.
- Low awareness of existing support measures.
- Lack of collateral for SMEs to receive loans from banks.

Opportunities

- Obtaining financing under lending programs through second-tier banks, microfinance organizations, leasing companies and other legal entities.
- Subsidizing interest rates on loans, partial guarantees for loans from banks / development bank.
- Obtaining advisory support for foreign investors.

- Changes in national investment policy.
- Rapid change in exchange rates.
- Restrictions on contacts with investors and businesses due to the pandemic.
- Language barrier (most entrepreneurs do not speak English).

EXISTING PREFERENCES FOR FOREIGN INVESTORS

Attracting foreign investment plays a key role in the development of the state, therefore, from the first days of independence, Kazakhstan set itself the task of attracting investors through the constant improvement of the investment climate and the creation of favorable and unique conditions.

Today, there are such consultative and advisory bodies as the Council of Foreign Investors under the President of the RK, the Council for Improving the Investment Climate under the Prime Minister, the Coordination Council for Attracting Investments under the Government, the Kazakhstan-Euro-

pean Dialogue Platform, as well as the Investment Ombudsman represented by the Prime Minister. These institutional platforms allow us to consider problematic issues of investors and take systemic measures to resolve them.

The Entrepreneurial Code defines the legal and economic foundations for stimulating investment, guaranteeing the protection of investors' rights, defining measures of state support for investments. According to the Code, an investor are individuals and legal entities making investments in the RK. A large investor is understood as an individual or legal entity making investments in the RK over USD 13 million⁴².

Investors have the right to invest in any enterprises and types of business activities. Investment preferences are provided when a legal entity implements an investment project for the types of activities included in the List of Priority Activities, approved by the Government of the RK. The list includes collection, treatment and distribution of water, collection of hazardous waste, treatment and removal of non-hazardous waste, disposal of sorted materials, excluding the recycling of waste and scrap of ferrous and non-ferrous metals.

The purpose of state support for investments is to create a favorable investment climate for the development of the economy and stimulate investments in the creation of new, expansion and renovation of existing industries using modern technologies, advanced training of Kazakh personnel, as well as environmental protection. State support for investments consists in the provision of state preferences, provided to investors on the basis of an investment contract concluded between the Investment Committee of the Ministry of Foreign Affairs of the RK and a legal entity of the RK mplementing an investment project.

Investment project:

• investments in the creation of new, expansion and (or) renovation of existing industries, including public-private partnership projects, concession projects.

Investment priority project:

- creation of new industries with investments in the construction of new production facilities (factory, plant, workshop), in the amount of at least 13 million USD;
- expansion and renewal of existing production facilities with investments in renovation, reconstruction, modernization of existing production facilities in the amount of at least 33 million USD.

Special investment project

 investment project implemented (being implemented) by a legal entity of the Republic of Kazakhstan located in a special economic zone or an owner of a free warehouse in accordance with the customs legislation of the Republic of Kazakhstan, or acquired from a participant in a special economic zone or implemented by a legal entity of the Republic of Kazakhstan that has entered into an agreement on the industrial assembly of motor vehicles funds. In accordance with the Entrepreneurial Code, a legal entity, including those with foreign participation, implementing an investment project in priority activities, is provided with the following incentives:

For the investment project:

- exemption from customs duties
- exemption from value added tax on the import of raw materials and materials within the framework of an investment contract
- state grant in-kind (land plots, buildings, structures, machinery and equipment and other).

For the investment priority project:

- exemption from customs duties
- state grant in-kind
- tax preferences (for companies investing at least USD 13 million):
 on the creation of new industries (CIT 10 years, land tax -10
 years, property tax-8 years); for the expansion and (or) renovation of existing production facilities (CIT 3 years for enterprises investing at least 33 million USD).

For special investment projects:

 exemption from customs duties taxes in accordance with the tax legislation of the Republic of Kazakhstan. In accordance with Article 290 of the Entrepreneur Code, **tax preferences** are provided to legal entities in the manner and under the conditions stipulated by the Tax Code of the RK.

For investment priority projects following are provided:

- reduction of the amount of the calculated CIT by 100%:
- applying a coefficient of 0 to land tax rates;
- calculation of property tax at a rate of 0% to the tax base;

For investment projects

exemption from value added tax (VAT) on imports of raw materials and materials within the framework of an investment contract are provided with the exception of investment priority projects.

For special investment projects

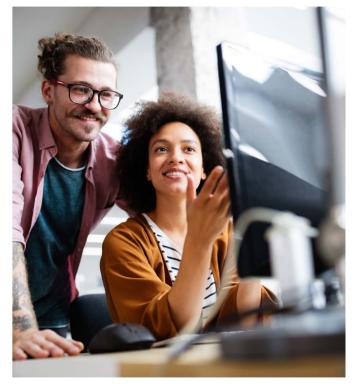
 exemption of imports of raw materials and materials from value added tax, are provided within the framework of a special investment contract in accordance with the tax legislation

Exemption from customs duties on import is the only type of investment preference that can be provided for all three types of investment projects. A legal entity of the RK implementing an investment project under an investment contract is exempt from customs duties when

importing raw materials and materials, technological equipment, components and spare parts for it. Exemption from customs duties is granted for the duration of the investment contract, but not more than 5 years from the date of registration of the investment contract.

State grants in-kind are property of the RK, transferred for temporary free use or provided on the basis of the right of temporary free land use to a legal entity of the RK for the implementation of an investment project with subsequent free transfer into ownership or land use. The following can be transferred as state grants in-kind: land plots, buildings, structures, machinery and equipment, computers, measuring and control devices and devices, vehicles (except for cars), production and household equipment.

The maximum size of such a grant is no more than 30% of the volume of investments in fixed assets of a legal entity of the Republic of Kazakhstan. To obtain investment benefits, a Kazakh legal entity sends to the Ministry of Foreign Affairs of the Republic of Kazakhstan an application for the provision of investment incentives and documents confirming the applicant's compliance with the established requirements.



SWOT ANALYSIS OF PREFERENCES FOR FOREIGN INVESTORS

Strengths

- Investors are provided with protection of rights and interests, which are provided by the Constitution, the Entrepreneurial Code and other regulatory legal acts, as well as ratified international treaties.
- There are consultative and advisory bodies to support investors and consider all issues
- Legal and economic foundations for stimulating investment have been formed, measures and instruments of state support for investment have been identified.

Weaknesses

- Investment preferences are provided to legal entities of the Republic of Kazakhstan established in accordance with the requirements of the legislation.

Opportunities

- Centralized form of assistance to investors- the "one window" principle. Minimizing the participation of investors in the collection and preparation of documents and limiting their direct contact with government agencies.
- Kazakhstan implements a policy of "openness" for all foreign investors.

- A foreign legal entity is not provided with preferences.
- In case of non-fulfillment or improper fulfillment of obligations by the investor, the legal entity of the Republic of Kazakhstan that has entered into an investment contract pays the amount of taxes and customs duties that have not been paid as a result of investment preferences provided under the investment contract.

CONCLUSIONS

Ensuring environmental safety and the development of alternative energy in Kazakhstan are the most important tasks of government bodies, business and other stakeholders.Much attention is paid to these issues at the highest level of government. Thus, the adopted long-term development strategy of the country "Kazakhstan-2050" and the National Development Plan until 2025 set priorities for the development of renewable energy sources, the implementation of the BATs, the implementation of Waste-to-Energy projects, rational water consumption and others.

The concept for Kazakhstan's transition to a "green economy" sets ambitious goals and targets until 2050 in the field of water resources, agriculture, energy efficiency and electricity, air pollution and waste management.

National Project «Zhasyl Kazakhstan», adopted in October 2021, also confirms the government's commitment and intention to implement specific measures to reduce air pollution, implementation separate waste collection, increase the share of recycling municipal solid waste, industrial waste, agricultural and medical waste, eliminations of historical pollution. National Project also provides for measures in relation to energy efficiency, increasing the area of specially protected natural areas, and improving environmental culture.

From the point of view of the implementation of low-carbon policy, it is important to develop the Doctrine (strategy) of low-carbon development of Kazakhstan until 2060.

Analysis of legislation in the field of waste management, water resources and renewable energy sources and a SWOT analysis allowed to identify key legislative norms and requirements for the implementation of enterprises' activities and development opportunities in these areas. Among other things they include the creation of a regional system for waste recycling (for example, electronic waste), the implementation of technologies for water conservation at industrial, municipal and agricultural sector, the creation of domestic production and technologies in the field of renewable energy, and more.

Analysis of support measures for small and medium-sized enterprises shows that Kazakhstan pays great attention to the development of small and medium-sized businesses. Various support institutions have been created in the country. Priority activities include collection, treatment and distribution of water, collection of hazardous waste, treatment and

removal of non-hazardous waste, disposal of sorted materials, excluding the recycling of waste and scrap of ferrous and non-ferrous metals. This means that these areas can receive significant incentives.

Thus, Kazakhstan is pursuing a policy of improving the investment climate and creating conditions for the implementation of various projects in the field of waste management, water resources, renewable energy sources, taking into account the best international practices.

NOTE

https://adilet.zan.kz/rus/docs/K1200002050 https://adilet.zan.kz/rus/docs/U1800000636 https://adilet.zan.kz/rus/docs/U1300000577 Solar power plants, wind power plants, hydroelectric power plants, nuclear power plants With the conversion of thermal power plants in the largest cities to gas in the presence of available gas volumes and an acceptable gas price With the conversion of thermal power plants in the largest cities to gas in the presence of available gas volumes and an acceptable gas price https://www.akorda.kz/ru/ob-utverzhdenii-perechnya-nacionalnyh-proektov-1391918 (at the moment, the document is not published in open sources) https://legalacts.egov.kz/npa/view?id=11488215 https://adilet.zan.kz/rus/docs/K2100000400 https://adilet.zan.kz/rus/docs/V2100023809 https://adilet.zan.kz/rus/docs/V2100023235 In the Environmental Code of the Republic of Kazakhstan, enterprises are classified as objects of I-IV hazardous groups, depending on the negative impact on the environment (from significant to minimal impact). https://adilet.zan.kz/rus/docs/V2100023917 https://adilet.zan.kz/rus/docs/V2100023918 https://adilet.zan.kz/rus/docs/V2100023928 https://adilet.zan.kz/rus/docs/V2100023538

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         Hereinafter, recalculations in USD are made based on the established MCI rates and the market dollar rate
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This document includes an overview of the national strategic documents of the Republic of Kazakhstan and the main regulatory legal acts governing waste management, water resources, the implementation of renewable energy sources, as well as information on measures of state support for small and medium-sized businesses and investment activities in Kazakhstan. The review was developed on the basis of regulatory legal acts and regulatory technical documents of the Republic of Kazakhstan, which can be found on the Internet resources of information and legal systems at the following links: http://adilet.zan. kz/, https://prg.kz/, http://online.zakon.kz/.

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