

Kazakhstan's Green Economy Law Project

Bill Taylor & Ken Gray

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Shopping Mall in Astana, Kazakhstan



Old Astana (Astana means: "capital." Former name: "White Grave.")



Pierce Atwood's International Law Practice



Afghanistan, Albania, Angola, Argentina, Armenia, **Benin**, Bermuda, Bosnia and Herzegovina , Bulgaria, Canada, Croatia, Egypt, Georgia, Haiti, Hungary, Jamaica, Jordan , Kazakhstan , Kenya, Kosovo, Kyrgyz Republic, Latvia, Lesotho, Liberia, Macedonia, Malaysia, **Malawi**, **Mali**, Moldova, Morocco, **Mozambique**, Nepal, Philippines, Romania, Rwanda, Saudi Arabia, Serbia, South Africa, Sweden, Tajikistan, Tunisia, Turkey , **Turkmenistan**, Ukraine, **Zambia**

Areas of Work

- Energy
- Environmental
- Litigation/international arbitration (e.g., Albania license withdrawal)
- Transactional and M&A work (e.g., privatization)
- Natural gas regulation/restructuring

Kazakhstan Green Economy Project

Client(s):

- ✓ European Bank for Reconstruction
- ✓ The Republic of Kazakhstan

The Attorneys:

- ✓ 4 Pierce Atwood lawyers
- ✓ Askhad Koshkarbayev, Sayat Zholshy & Partners
- ✓ Bayan Abylkairova

Legal Team for Green Economy Law



The Kazakhstan Green Economy Contract for Environmental Work

- PA was doing energy efficiency work in Kazakhstan
- Expanded to drafting a “Green Economy” Law encompassing waste management, air quality, and water management
- Required assistance of local law firm and local lawyers on the ground
- Skills required go beyond legal and business

Fun Facts

1. Ninth largest country in world – largest landlocked country
2. Surrounded by Russia, China, Kyrgyzstan, Uzbekistan, Turkmenistan
3. New country as of 1992, former Soviet Republic – last to declare independence
4. President Nazarbayev - leader since 1992...
5. Few private lawyers before that

More Fun Facts

6. Trade union with Russia
7. Significant mineral wealth
8. “Let’s be prosperous, first”
9. International Expo 2017, Astana, “Future Energy”
10. Predominately Muslim

Green Economy Law Project

- Vision for sustainable economy from President
- Goal: adopt/amend statutes to implement best environmental practices
 - Air – transition from coal
 - Water – quantity & quality
 - Waste – solid waste, recycling
- Reality: extremely ambitious
 - Petroleum-based economy
 - Undeveloped governmental structures
 - Partial environmental law statutes, virtually no rules
 - Corruption
 - Lack of enforcement

Green Economy Law Project

- ✓ Researched international standards
- ✓ Integrated knowledge of US and EU laws
- ✓ Crash course in economy, Kaz law, culture
 - Travel to Kaz
 - Teamed with local lawyers, economist
 - Meetings with government officials and committees, business leaders, environmental NGOs, consultants
- ✓ Ultimately, proposed statutory changes and outline of rules which require adoption of BMPs in air, water and waste sectors

Environmental Issues in Kazakhstan

- ◇ Nuclear contamination
- ◇ Lack of water resources
- ◇ Significant water pollution
- ◇ Open unregulated landfills
- ◇ Coal fired power plants

General International Work Challenges

- Non-traditional rate structures
- Language barriers
- Time zone differences
- Logistics
- Cultural differences
- Reporting requirements
- Need for flexibility/patience/non-traditional project management skills

International Work Rewards

- ◇ Interesting and varied work
- ◇ Travel to unusual places
- ◇ Satisfaction in helping improve economies of emerging markets
- ◇ Cross-cultural exchange (e.g., working with local law firms/experts)



The fun part!

Ski resort above Almaty



ANY
QUESTIONS
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Presenters

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