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PECULIARITIES OF INTERNATIONAL SOURCES OF ENVIRONMENTAL LAW OF THE REPUBLIC OF KAZAKHSTAN

Abstract. This article discusses the theoretical and practical aspects of the international sources of environmental law and their impact on the development of the national legislation of the Republic of Kazakhstan. These days Kazakhstan is directly involved in the process of international legal cooperation in the field of environmental protection and rational use of natural resources. In this regard, the issues of recognition and adoption at the domestic level of the norms and principles of international environmental and legal cooperation, as well as determining their place in the system of sources of national environmental law, are of particular importance. In the current interconnected and interdependent world, the special role of inter-state regulation of the most pressing problems of mankind is becoming increasingly clear; among these problems directly and indisputably are, first of all, the problems of environmental protection and its preservation for the benefit of present and future generations. The rules developed in the process of such interaction of states, united in an international agreement, cannot act in isolation without interacting with the rules of domestic law. Moreover, such interaction is demonstrated in the allocation of a special category of sources (normative legal acts) of an international character in the general system of sources of domestic law; and the constitutional and legal perception of international agreement norms can be characterized by the recognition of a separate, special preferential position of such norms over the norms of national laws. In conclusion, the author presents theoretical statements, as well as practical recommendations on improving the existing environmental legislation of the Republic of Kazakhstan.

Key words: environmental legislation, sources of law, implementation, norms of international law, national legislation.

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Қазақстан Республикасының экологиялық құқықтың халықаралық қайнар көздерінің ерекшеліктері

Аңдатпа. Ұсынылып отырған мақалада экологиялық құқықтың халықаралық қайнар көздерінің теориялық және практикалық мәселелері және олардың Қазақстан Республикасының ұлттық заңнамасын дамытуға бағытталған әсері талқыланады. Қазіргі кезде Қазақстан қоршаған ортаны қорғау және табиғи ресурстарды ұтымды пайдалану саласында халықаралық-құқықтық ынтымақтастық процесіне қатысуға мүдделі. Осыған байланысты халықаралық деңгейдегі экологиялық құқық нормалары мен қағидалардың ұлттық деңгейде қабылдау және ұлттық құқық көздері жүйесіндегі олардың орнын анықтау мәселелері ерекше маңызға ие. Қазіргі кезде өзара байланысты және өзара тәуелді әлемде адамзаттың ең өзекті мәселелерін мемлекетаралық реттеудің ерекше рөлі айқындала түсуде, ол тікелей және сөзсіз, ең алдымен, қоршаған ортаны қорғау және оны қазіргі және болашақ ұрпақтардың игілігі үшін сақтау проблемаларын қамтиды. Халықаралық шартта біріктірілген мемлекеттер арасындағы осындай өзара іс-қимыл процесінде

құрылған нормалар ішкі құқық нормаларымен өзара әрекеттесусіз оқшау әрекет ете алмайды. Сонымен қатар, мұндай өзара іс-қимыл халықаралық сипаттағы қайнарлардың ерекше санатын (нормативтік құқықтық актілерді) ішкі құқықтың жалпы жүйесінде бөлу кезінде көрінеді, ал халықаралық шарт нормаларын конституциялық және құқықтық қабылдау ұлттық заңдардың нормаларына қарағанда мұндай нормалардың жеке, арнайы преференциялық ережелерін танумен сипатталуы мүмкін. Қорытындылай келе авторлар теориялық ережелерді, сонымен қатар Қазақстан Республикасының қолданыстағы экологиялық заңнамасын жетілдіруге арналған практикалық ұсыныстарды ұсынады.

Түйін сөздер: экологиялық заңдар, құқық қайнар көздері, имплементация, халықаралық құқық нормалары, ұлттық заңнамалары.

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Особенности международных источников экологического права Республики Казахстан

Аннотация. В данной статье рассматриваются теоретические и практические аспекты международных источников экологического права и их влияние на развитие национального законодательства Республики Казахстан. В настоящее время Казахстан непосредственно вовлечен в процесс международно-правового сотрудничества в области охраны окружающей среды и рационального использования природных ресурсов. В связи с этим особое значение приобретают вопросы признания и принятия на внутреннем уровне норм и принципов международного экологического права, а также определения их места в системе источников национального права. В современном взаимосвязанном и взаимозависимом мире все четче проявляется особая роль межгосударственного регулирования наиболее актуальных проблем человечества, к числу которых, непосредственно и бесспорно, можно отнести, прежде всего, проблемы охраны окружающей среды и ее сохранения на благо нынешних и будущих поколений. Создаваемые в процессе такого взаимодействия государств нормы, объединенные в международный договор, не могут действовать изолировано, не взаимодействуя с нормами внутригосударственного права. Более того, такое взаимодействие проявляется в выделении особой категории источников (нормативно-правовых актов) международного характера в общей системе источников внутригосударственного права, а конституционно-правовое восприятие международных договорных норм может характеризоваться признанием обособленного, особого преимущественного положения таких норм над нормами национальных законов. В заключении автор представляет теоретические положения, а также практические рекомендации по совершенствованию действующего экологического законодательства Республики Казахстан.

Ключевые слова: экологическое законодательство, источники права, имплементация, нормы международного права, национальное законодательство.

Introduction

In the current world, the issues of environmental protection and rational use of natural resources are really significant. And the fate of the present and future generations of people will depend on the way humanity will treat these issues, and what measures will be taken to preserve a favorable environment and prevent the predatory use of natural resources. In fact, such concepts as “conservation” and “rational use of natural resources” are sometimes deliberately pushed back in order to achieve, first of all, maximum economic performance and economic benefits. Some human activities characterized by consumer attitudes, primarily towards the environment, have already led to the fact that certain environmental problems arisen as a result of such activities are considered as insoluble or difficult to resolve.

The methodology of the study includes general and individual methods of research and materialistic dialectics, formal and logical, historic and legal, system and analytical, comparative and legal, and specific and sociological research methods. Using this methods give us the possibilities to achive main tasks of the research.

Discussion

In the context of the above-mentioned aspects of problems, the legal regulation of environmental protection and rational use of natural resources is particularly important. The legal systems of almost all countries of the world are characterized by the presence of special and essential sectors – environmental and natural resource law. This is understandable from the standpoint that, firstly, almost all states, one way or another, have faced with the need for legal regulation of relations arising in the use of natural resources, and, secondly, they recognized the special role of legal ecology as part of social ecology, aimed at studying the legal aspects of interaction between society and nature, legal problems of ecology. Today, the principle of the sovereignty of the state over its natural resources requires international environmental law to have science-based conceptualization and a "special" approach in determining the rights and obligations of the states in ensuring environmental security at the international level. On the one hand, the states have the right to pursue their own economic and environmental policies, including the conservation and use of their natural resources, as well as the free management of their natural resources; on the other, obligations and responsibilities have arisen that restrict the freedom of action of the states (Alexidze 1982: 164).

International legal norms, as a rule, impose obligations, first of all, on states, as the main creators of such norms. Such norms may work on the territory of states as well. At the same time, it cannot be stated that such obligations are imposed on the participants of interstate relations through the state. Their impact on these relations, however, is of an indirect nature and is implemented through regulation of international interstate relations (Chernichenko 1974: 44).

Customary international law is a direct source of domestic law if the state does not take explicit measures to ensure that a particular customary rule does not have the power of domestic law. In this case the customary rule may be applied by the courts in judicial proceedings between citizens. International customary law can also restrict the exercise of state power and can equally determine the parameters in which a state can lawfully enact laws. For example, it can define the limits of the jurisdiction of states over persons and territory (Chernichenko 1999: 298).

The goal of legal regulation of interstate relations can be the desire to induce their participants to a certain regulation of intra-state relations, to achieve certain results in the sphere of intra-state relations. However, in many cases, the participants in interstate relations seek to resolve the problems arising between them in the international arena, not having the purpose of specifically achieving any changes in the system of social relations that are formed within the power of each of them (Dahm 1958: 55).

In general, the "law of international treaties" reflects the tension between the requirements of stability and changes. On the one hand, as a rule, its goal is to ensure stability despite changing circumstances. On the other hand, domestic legal systems should also leave room for consideration of subsequent changes in order to ensure constructive respect for the consent of the parties and the definition of its limits. And it is very important to have mechanisms for implementing the norms of international treaties. However, they should not impede the implementation of the sovereignty of any state (Chernichenko 1999: 298).

In a broad sense, the boundaries between national and international law and order can be analyzed from three different perspectives: (i) how the national rule of law understands, accepts and opposes the international legal order; (ii) how the international rule of law understands, accepts and opposes the national supremacy of law; and (iii) how interactions can be understood and evaluated from external angles. The international community has prepared extensive research on the national recognition of international law, including the international supremacy of law (De Mestral, 2015: 298).

Nevertheless, in any case, the implementation of international law does not occur without the implementation of domestic law. This manifests a dialectical connection between the two legal systems (dialectical dualism) (Decision of the Constitutional Council…, 2000). In this case, domestic law must be consistent with international to ensure the implementation of the latter. In this sense, we can talk about the primacy of international law. In other words, the state must either adopt new norms of national law (or individual legal regulations) in order to prevent obligations arising from the norms of international law or individual international legal norms, or to exercise their rights coming from such norms or regulations, or change existing ones, or be sure that its internal law fully meets the mentioned norms and that the activities of the domestic authorities, officials, organisations and citizens will be in line with the implementation of relevant international legal norms, and will be considered

in the international arena as the activity of the state itself in the implementation of international legal norms (Emelyanova 2013: 3).

Thus, it can be concluded that states, by virtue of international law, undertake to fulfil all their international obligations. Defining implementation methods of international obligations relates to the manifestation of state sovereignty and falls within the internal competence of the states themselves. In this regard, it can be concluded that international law requires to be conducted in the domestic law, and the choice of the path and technology remains granted to national law (Hohenveldern 1962: 90). For example, Hohenveldern believes that general international law does not concern the method by which the state fulfils its international obligations. The state may even decide not to establish any general permanent procedure that ensures its internal order is consistent with international law, provided that such a necessary result will be achieved in some way. However, for practical reasons, the state is more than inclined to provide such a procedure (Kanetake 2014: 14).

A significant part in ensuring the environmental security of the country belongs to the law, both at the international and national levels. Unification of the environmental law standards of the Republic of Kazakhstan and foreign countries, recognition of the special role of international environmental agreements are the main guarantors of environmental safety provision. At the same time, in addition to the fact that the Republic has and continues to develop environmental legislation, the status of Kazakhstan as an independent state, a full member of the international community, a subject of international law, and, in this regard, the integration of the Republic into the developing system of international environmental law relations, predetermine the recognition and implementation at the domestic level of special international legal norms and principles for the protection of the environment.

That is, Kazakhstan, by virtue of these provisions, already aims to protect the environment, which is favorable not only for the life and health of man and citizen in the Republic. The case in hand is about the participation of the Republic in the global process of environmental protection for the benefit of all mankind. Thus, we should not be limited only to our own internal environmental problems and, at the same time, the latter cannot always be solved only by our own efforts. Depending on the severity and scale of an environmental problem that has arisen in the Republic of Kazakhstan, its resolution becomes possible through cooperation with other states and specialized international organizations and bodies, which once again confirms the fact that most environmental problems should be recognized as "international", universal.

On the whole, the solidarity in interests in solving many environmental problems, the "transnational" nature of the latter, the active development and refinement of international cooperation of the state on environmental issues, as well as many other related factors, cannot but affect the process of legislative registration of provisions relating to environmental and legal relations at the domestic level. In particular, the environmental law of the Republic of Kazakhstan, so as other branches of Kazakhstan's law have been affected by the expansion of inter-state legal relations of Kazakhstan as an independent entity, the impact of the process and the results of international law-making. At that, it should also be noted that the Constitution of the country, which has the highest legal force on the entire territory of Kazakhstan, recognized as a "law in force" international agreements and other obligations of the Republic (Part 1, Art. 4 of the Constitution), as well as the priority of the norms of international treaties ratified by Kazakhstan in relation to the norms of the national laws (Part 3, Art.4 of the Constitution) (Lapteva 2008: 95).

In confirming the provisions characterizing the close relationship and interdependence of Kazakhstan and international environmental law, as well as the fact that Kazakhstan's further participation in international legal relations in the field of environmental protection will only contribute to the improvement of Kazakhstan's environmental legislation, it is necessary to note the following.

Kazakhstan is an active participant in international environmental cooperation. According to some analysts, more than 30 ratified and equated to them international treaties of the Republic of Kazakhstan are related to environmental issues (Mingazov 1990: 316).

We consider it necessary to note in favor of the relevance of the chosen research topic, that the constitutional and legal recognition and perception of the norms of international treaties and, in particular, international environmental treaties of the Republic of Kazakhstan directly affect the process of transformation of international conventional rules of Kazakhstan in the field of environmental protection into the current environmental legislation. Thus, it can be argued that a special category of international legal sources of environmental law of the Republic of Kazakhstan comes into existence. On the whole, the constitutional recognition of international

obligations as a law in force and the recognition of the primacy of the ratified international legal norms over the norms of the national legislation of the Republic of Kazakhstan, the active participation of Kazakhstan in the international conventional process on environmental protection and, as a result, the impact of international environmental law on the environmental legislation of the Republic, as well as the lack of special research in the Kazakh legal science on the place and role of the international legal norms recognized by Kazakhstan in the general system of sources of environmental law of the Republic, predetermine the relevance of the proposed study.

The general system of sources of environmental law includes the Constitution of the Republic of Kazakhstan; international treaties ratified and otherwise recognized by Kazakhstan; codes, laws; regulatory decrees and orders of the President of the Republic of Kazakhstan; regulatory resolutions and orders of the Government of the Republic of Kazakhstan; regulatory legal acts of ministries and departments; regulatory legal acts of local governments; local regulatory legal acts. The specified system of sources of environmental law of the Republic of Kazakhstan does not include custom (customary norm of law), although custom, as an unwritten rule, in the historical plan of interaction of society and nature played an important role in the regulation and maintenance of environmental management. At the present stage, custom, as a source of environmental law, is also applied, but it is mediated in the established rules of law. In the long run, it may be noted that custom, as a source of national law, takes an insignificant place and acquires a legal character in modern conditions, as a rule, as a result of authorization by certain state bodies, and the level of this authorization determines the level of ordinary norms. In international law and, in particular, in international environmental law, the recognition of a rule established in the practice of inter-state relations as an international legal norm is very often expressed by participants in international communication in a variety of forms and through various bodies. In order to establish the level of a customary rule of international law, it is generally necessary not only for such parties to recognize it as a rule of law, but also for them to recognize its certain level. In fact, the first question comes down to whether this provision is in the category of rules of "jus cogens" or "jus dispositivum" and, herewith, disputes on separate customary norms as belonging to the "jus cogens" category of rules is not excluded.

Within each of these categories of norms, different levels are generally defined. For example, within the framework of jus cogens, the highest place is undoubtedly occupied by the basic principles of international law (Muillerson 1982: 58). Among the jus dispositivum, first there are customary rules of a universal character, then there are particular rules, and then there are customary rules established within specific international organizations.

In this context, we consider it necessary to investigate the features of international legal sources of environmental law of the Republic of Kazakhstan. Thus, they are presented in the form of international treaties and optional acts (decisions, programs, declarations, resolutions), which are not international treaties in their legal content, therefore, do not contain legally binding norms and are adopted by the subjects of international legal relations (states and international organizations).

By their nature, international legal sources of environmental law of the Republic of Kazakhstan could be reasonably divided into mandatory (international treaties entered into force for the Republic of Kazakhstan: for example, the CIS Agreement on cooperation in the field of ecology and environmental protection, 1992) and advisory (subsidiary) – optional declarations (UN Declaration on environmental problems, 1972), resolutions and programs of international organizations and bodies (UN environment Program – UNEP) (Swartz 2014: 34).

According to the constitutional principle that determines the place of an international treaty in the system of the current law of the Republic, the mandatory international legal sources of environmental law can be divided into treaties that take precedence over national laws and regulations and treaties equated in their legal force to the laws and regulations of the Republic of Kazakhstan. The first category includes all international treaties ratified by the Republic of Kazakhstan in the field of environmental protection, and the second – international treaties that have entered into force for the Republic of Kazakhstan in some other way (by signing, approval by the Government of Kazakhstan, accession).

By the range of the parties, the international treaties of the Republic of Kazakhstan in the field of environmental protection can be divided into bilateral (treaties in which participates, on the one hand, the Republic of Kazakhstan, and on the other – a foreign state or a group of states) and multilateral (universal and regional international treaties with the participation of more than two states).

We have previously mentioned the norm of the Constitution of the Republic of Kazakhstan, according to which by the law in force of the Republic are recognized the rules of the Constitution, corresponding laws, other regulatory legal acts, international contractual and other obligations of the Republic as well as regulatory resolutions of the Constitutional Council and the Supreme Court of the Republic (Article 4, Part 1). At that, as already noted, the international treaties ratified by the Republic have priority over its laws and are applied directly, except when it follows from an international treaty that its application requires the publication of a law (Art. 4, Part 3) (The Constitution RK …, 1995). Thus, in cases of disagreement between the current law and a ratified international treaty regulating homogeneous relations or containing similar provisions, which, at the same time, are regulated in a different way, it is such treaties that prevail; and, for example, in cases of judicial proceedings, the court or any party in such proceedings is entitled to refer to such a treaty as a valid normative act that prevails over the relevant law.

We hold that it should be noted that in the current Law of the Republic of Kazakhstan "On Legal Acts" of April 6, 2016 the international treaties of the Republic of Kazakhstan, that is, the treaties (agreements, conventions) already recognized by the Republic of Kazakhstan and, therefore, considered valid and mandatory on the whole territory of the Republic (according to the already mentioned Part 1 of Article 4 of the Constitution of Kazakhstan), are not included in the list of normative legal acts at all, and their place in the general hierarchy of normative legal acts is not defined The Constitution RK …, 1998). It is possible, therefore, to conclude, that the Law "On legal acts" adopted after the entry into force of the Constitution of the Republic of Kazakhstan contradicts the provisions of Article 4 (Parts 1, 3) of the Constitution of the Republic of Kazakhstan. To confirm this and very significant, in our opinion, the gap (discrepancy) in the current legislation, it is necessary to consider some provisions of the Law "on legal acts". To confirm this very significant, in our opinion, gap (discrepancy) in the current legislation, it is necessary to consider some provisions of the Law "On Legal Acts". Thus, according to Article 7 of the Law of the Republic of Kazakhstan "On Legal Acts" all normative legal acts are divided into basic and derivative. The Constitution of the Republic of Kazakhstan has supreme legal force throughout the country. The law stipulates that each of the normative legal acts of the lower level may not contradict the normative legal acts of the higher levels. The normative decisions of the Constitutional Council of the Republic of Kazakhstan, the Supreme Court of the Republic of Kazakhstan and the Central Election Commission of the Republic of Kazakhstan are outside this hierarchy. The hierarchy of regulatory decisions of maslikhats, regulatory legal decisions of akimats and regulatory legal decisions of akims of administrative-territorial units is determined by the Constitution of the Republic of Kazakhstan and the legislative acts on local government. The normative resolutions of the Constitutional Council of the Republic of Kazakhstan are based only on the Constitution of the Republic of Kazakhstan, and all other normative legal acts cannot contradict them. Thus, there is a discrepancy between the Law "On Legal Acts" and the Constitution of the Republic of Kazakhstan regarding the definition of international treaties of the Republic of Kazakhstan and, in particular, the norms of such treaties as valid legal acts. At the same time, as already shown above, the Constitution itself defines the primacy of international law (the primacy of the norms of international treaties ratified by Kazakhstan over the norms of national laws).

In order for the data analysis of the conflicting provisions to be complete, we feel it necessary to consider also a special Resolution of the Constitutional Council of the Republic of Kazakhstan dated October 11, 2000 (No.18/2) – "On the official interpretation of Paragraph 3 of Article 4 of the Constitution of the Republic of Kazakhstan" (The Law About legal acts…., 2016).

As is known, the Constitutional Council of the Republic of Kazakhstan has the right to give official interpretation of the norms of the Constitution (Article 72, Paragraph 4 of the Constitution), and decisions of this state body shall enter into force from the date of their adoption, are binding on the entire territory of the Republic, final and not subject to appeal (Article 74, Paragraph 3 of the Constitution). Thus, the above-mentioned Decision of the Constitutional Council cannot be interpreted ambiguously, is final and official.

The official interpretation by the Constitutional Council of the provision of Article 4 (Paragraph 3) of the Constitution of the Republic of Kazakhstan is as follows. Following this constitutional norm, the Republic of Kazakhstan expresses its consent to the primacy of the signed international treaties over national legislation ratified by the Parliament of the Republic by means of the adoption of the relevant law. From the meaning of the above provision of the Constitution it follows that only international treaties ratified by Kazakhstan may have priority

over the laws of the Republic. The direct application of such international treaties, which have priority over the laws of the Republic, does not mean that they abolish the provisions of existing laws. Priority over laws and direct application of ratified international treaties in the territory of the Republic assume the situational superiority of the norms of such treaties in cases of conflicts with the norms of laws. In other words, such an advantage is possible when conditions arise that fall within the scope of ratified international treaties, unless the treaties themselves require the promulgation of laws for their application.

Following the logic of the regulated issue and in accordance with the Resolution under consideration, international treaties not ratified by Kazakhstan (that is, treaties in respect of which the Republic of Kazakhstan has expressed its consent to be bound by such treaties by signing, approving or acceding to them) do not have such priority. All international treaties concluded by Kazakhstan after the adoption of the 1995 Constitution, which are not subject to ratification, must be implemented to the extent that they do not conflict with the laws of the Republic. In case there is a conflict between them, the parties to the treaties have the possibility, in accordance with The Law on International Treaties, as well as the rules of international law, to resolve them by conciliation procedures (The Law about International Treaties…, 2005).

Some international treaties of the Republic of Kazakhstan concluded before the adoption of the 1995 Constitution took precedence over the laws of the Republic by virtue of the fact that they belonged to the category of agreements, the priority of which was provided for by the 1993 Constitution. Thus, Article 3 of the 1993 Constitution allowed international treaties on human and civil rights and freedoms recognized by the Republic of Kazakhstan to take precedence over its laws (Decision of the Constitutional Council…, 2000). Such acts, in view of the fact that they are already recognized by the Republic of Kazakhstan, have equal legal force with the international treaties of the Republic, which were ratified after the adoption of the 1995 Constitution. That is, such treaties also have priority over the laws of the Republic, as well as other treaties ratified after the adoption of the 1995 Constitution.

As has already been mentioned above, there is a constitutional provision stating that "the Constitution shall have the highest legal force and direct effect throughout the territory of the Republic". According to Paragraph 1 of this article, the international treaties and other obligations of the Republic in accordance with the norms of the Constitution are recognized as the law in force in the Republic of Kazakhstan.

The being considered Resolution of the Constitutional Council of the Republic on these constitutional provisions establishes that international treaties that are not subject to ratification as a condition of entry into force, concluded by the Republic of Kazakhstan before the adoption of the 1995 Constitution, the priority of which is stated in the above legislative acts, are in force and must be duly implemented. That is, these agreements and obligations of Kazakhstan, existing in the new constitutional and legal framework at the same time with the provisions of the Constitution of 1995, are part of the system of law in force in the country.

Conclusion

Summing up this brief study of the theoretical and practical aspects of the international sources of environmental law, the author presenting theoretical and practical recommendations for improving the current environmental legislation of the Republic of Kazakhstan.

International environmental agreements concluded by Kazakhstan in accordance with the Constitution of the Republic in accordance with the procedure established by law, and ratified by the Parliament of the Republic through the adoption of the relevant law shall prevail in the system of sources of environmental law. Yet, this does not mean that an international environmental treaty ratified by Kazakhstan replaces the existing domestic normative act or completely cancels its effect. Such a treaty shall be recognized as a priority in the event of inconsistencies or apparent discrepancies between it (the Treaty) and the relevant domestic act and shall be applicable to the extent that it directly conflicts with domestic law. International environmental treaties of the Republic of Kazakhstan that are not subject to ratification as a condition of entry into force, concluded before the adoption of the 1995 Constitution, are in force and retain priority over the legislation of the Republic, if such priority for these international treaties is directly provided for by the laws of the Republic governing the relevant areas of legal relations.

All existing international environmental agreements of the Republic of Kazakhstan, both possessing and not having priority legal force over the environmental legislation of the Republic, constitute a special category of international legal sources of environmental law of the Republic

of Kazakhstan. According to the legal force, the sources of environmental law of the Republic of Kazakhstan should be divided into:

The Constitution; 2) laws amending and supplementing the Constitution; 3) constitutional laws of the Republic of Kazakhstan;3) codes of the Republic of T; 4) consolidated laws, laws of the Republic of Kazakhstan; 5) international treaties not subject to ratification and not having priority over the laws of the Republic; 6) regulatory resolutions of the Parliament of the Republic of Kazakhstan and its Chambers; 7) regulatory legal decrees of the President of the Republic of Kazakhstan; 7) regulatory legal resolutions of the Government of the Republic of Kazakhstan; 8) subordinate acts.

The main peculiarity of the sources of environmental law of the Republic of Kazakhstan is that the laws of this branch of law do not contradict the constitutional norm on the primacy of ratified international treaties of the Republic, confirm this norm, which clearly demonstrates the close relationship between the norms of national and international environmental legislation. Thus, the inclusion in the national laws of the Republic of norms on the priority of agreements ratified by Kazakhstan in the field of environmental protection, together with the constitutional consolidation of this provision, only confirms the existence of special international legal sources in the general system of sources of environmental law of the Republic of Kazakhstan.

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