**SYLLABUS**

**Fall semester 2023-2024 academic years**

**on the educational program “7M042 – Issues in the Development of Water Legislation"**

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| **Discipline’s code** | **Discipline’s title** | **Independent work of students (IWS)** | **Number of credits** | | | | | **Number of credits** | **Independent work of student with teacher (IWST)** |
| **Lectures (L)** | **Practical training (PT)** | | **Laboratory (Lab)** | |
| **MKEP**  **5206** | Issues in the Development of Water Legislation" | 98 | 15 | 30 | | - | | 5 | 7 |
| **Academic course information** | | | | | | | | | |
| **Form of education** | **Type of course** | **Types of lectures** | | | **Types of practical training** | | **Form of final control**  oral exam | | |
| Full-time | Industry | Classic, Problem, analytical lecture | | | Problem solving, situational tasks, TOR, OUT OF | |
| Lecturer | Candidate of Legal Sciences of Customs, Financial and Environmental Law Toktybekov Temir Abikenovich  Seminar-Acting Professor of Customs, Financial and Environmental Law Toktybekov Temir Abikenovich. | | | | | |  | | |
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| **Aim of course** | **Expected Learning Outcomes (LO)\***  As a result of studying the discipline the undergraduate will be able to: | **Indicators of LO achievement (ID)**  (for each LO at least 2 indicators) |
|  | 1. To demonstrate an understanding of the content of the concept Issues in the Development of Water Legislation" | 1.1. To argue the specifics of the legal regulation of marine and energy relations in the field of ensuring environmental safety at the international and national levels.  1.2 Determine the place and role of norms in the field of legal provision of environmental safety in marine and energy relations in the legal system.  1.3 To argue the specifics of the  legal consolidation of all the  institutions of ensuring environmental safety. . |
| 2. To differentiate the methods of analysis of the legal provision of environmental safety on the basis of a critical assessment of their effectiveness for the proposal of a set of measures in the field of marine and energy relations | 2.1.Apply methods of analyzing the conditions for the application of environmental safety standards in marine and energy relations.  2.2 Interpret the conditions for the application of certain norms regulating maritime and energy relations in order to ensure environmental safety.  2.3 Analyze the specifics of the legislative consolidation of norms in the field of environmental safety in various practical situations. |
| 3. To analyze and identify the specifics of state regulation of marine and energy relations in order to ensure environmental safety. | 3.1. Classify the methods of state regulation of marine and energy relations in order to ensure environmental safety.  3.2 Compare the methods of state regulation of marine and energy relations in order to ensure environmental safety.  3.3 Identify the similarities and differences of state regulation and management of marine and energy relations in order to ensure environmental safety and the basis for the application of these methods |
| 4 Make recommendations on ensuring the effective application of legislation in the field of environmental safety in the field of marine and energy relations | 4.1.Develop measures to ensure legislation in the field of environmental safety in marine and energy relations.  4.2 Explain the reasons for the violation of legislation in the field of environmental safety in marine and energy relations.and their elimination.  4.3 Develop plans to improve the enforcement of legislation in the field of ensuring environmental safety in marine and energy relations. |
| 5. To evaluate the practice of legal regulation in the field of marine and energy relations in order to ensure environmental safety based on the analysis of international and national legislation and the development of specific proposals for improving the practice of its application. | 5.1 To substantiate the need for the application of legal mechanisms for regulating marine and energy relations in the field of ensuring environmental safety.  5.2 Evaluate the experience of foreign countries in regulating marine and energy relations in the field of ensuring environmental safety.  5.3 Assess the possibility of applying the positive experience of foreign countries in the regulation of marine and energy relations in the field of environmental safety. |
| **Prerequisites** | EPRK 2222 Environmental GPRK2204 R law of RK Civil law of RK (General part), GPRK3206 Civil law of Kazakhstan (Special part) | |
| **Post requisites** | PEB3408 Environmental Safety Law | |
| **Information resources \*\*** | **Literature:**   1. 1. Water Code of the Republic of Kazakhstan dated July 9, 2003, No. 481 (as amended and supplemented as of December 28, 2018). 2. On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding Subsoil Use. Law of the Republic of Kazakhstan dated December 27, 2017, No. 126-VI. 3. Law of the Republic of Kazakhstan “On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding the Reduction of Permitting Documents and Simplification of Permitting Procedures” (as amended and supplemented as of January 1, 2019). 4. Law of the Republic of Kazakhstan “On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding the Delimitation of Powers between State Authorities” (as amended and supplemented as of January 1, 2019). 5. Law of the Republic of Kazakhstan dated May 4, 2018, No. 151-VI “On Amendments and Additions to Certain Legislative Acts of the Republic of Kazakhstan Regarding the Regulation of Land Relations.” 6. On Amending the Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 8, 2015, No. 6-4/1072 “On Approving the Standard of State Service ‘Subsidization of the Cost of Water Supply Services to Agricultural Producers.’” 7. Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 2, 2015, No. 19-2/1054 “On Approving the Rules Defining Criteria for Classifying Dams as Declarable and the Rules for Developing a Dam Safety Declaration.” 8. Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 8, 2015, No. 6-4/1072 “On Approving the Standard of State Service ‘Subsidization of the Cost of Water Supply Services to Agricultural Producers.’” 9. Joint Order of the Minister of Agriculture of the Republic of Kazakhstan dated December 25, 2015, No. 19-2/1131 and the Minister of National Economy of the Republic of Kazakhstan dated December 28, 2015, No. 809 “On Approving the Criteria for Risk Assessment and the Checklist in the Field of Water Fund Use and Protection, and Dam Safety.”   Order of the Acting Minister of Agriculture of the Republic of Kazakhstan dated March 18, 2016, No. 127 “On Approving the Standard of State Service ‘Sealing of Water Metering Devices Installed on Structures or Devices for Water Intake or Discharge by Physical and Legal Entities Engaged in Special Water Use.’  **Internet resources:**  Internet resources (at least 3-5)  1. http://elibrary.kaznu.kz/ru | |

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| **Academic policy of the course in the context of university moral and ethical values** | **Academic Behavior Rules:**  All students are required to register for the MOOC. The deadlines for completing the modules of the online course must be strictly observed in accordance with the schedule for studying the discipline. Leave in case of current MOOC or SPOC courses.  **ATTENTION!** Failure to meet deadlines results in loss of points! The deadline for each task is indicated in the calendar (schedule) for the implementation of the content of the training course, as well as in the MOOC. Leave in case of current MOOC or SPOC courses.  **Academic values:**  - Practical trainings/laboratories, IWS should be independent, creative.  - Plagiarism, forgery, cheating at all stages of control are unacceptable.  - Students with disabilities can receive counseling at e-mail Yerkinbayeva67@gmail.com. |
| **Evaluation and attestation policy** | **Criteria-based evaluation:**  assessment of learning outcomes in relation to descriptors (verification of the formation of competencies in midterm control and exams).  **Summative evaluation:** assessment of work activity in an audience (at a webinar); assessment of the completed task. |

**CALENDAR (SCHEDULE) THE IMPLEMENTATION OF THE COURSE CONTENT:**

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| week | Topic name | Number of hours | Max.  score |
| **Module 1**  **General provisions of the legal support of environmental safety in the field of marine and energy relations** | | | |
| 1 | **Lec 1.** **Fundamentals of Water Law:** Concept and brief history of water law development. Water legislation and water relations. Constitutional norms on water relations. International sources of water law. Principles of water legislation. Structure of the water code of the Republic of Kazakhstan. Other laws and sub-legal acts in the field of water relations. |  |  |
| 1 | **Sem 1.** Discuss the concept of legal support Water legislation and water relations. Constitutional norms on water relations. International sources of water law. Principles of water legislation. Structure of the water code of the Republic of Kazakhstan. Other laws and sub-legal acts in the field of water relations. |  | 8 |
| 2 | **Sources of water law:** Concept and characteristics of sources of water law. Constitutional foundations of water law. Laws as sources of water law. Sub-legal normative acts as sources of water law. The role of judicial practice in regulating water relations. |  |  |
| 2 | **Sem 2.** To discuss the sources of international legal and foreign regulation of ensuring environmental safety in the field of marine and energy relations Constitutional foundations of water law. Laws as sources of water law. Sub-legal normative acts as sources of water law. The role of judicial practice in regulating water relations. |  | 8 |
| 2 | IWST 1. Consultation on the implementation of IWS1 on the topic: Analysis of the Concept and brief history of water law development. Water legislation and water relations. Constitutional norms on water relations. International sources of water law. Principles of water legislation. |  |  |
| 3 | **Lec 3.** **Water relations and ownership of water objects:** Water relations. Concept of ownership rights to water. Procedures for water use. Water use agreements. Decisions on the provision of water objects for use |  |  |
| 3 | **Sem 3.** Concept of ownership rights to water. Procedures for water use. Water use agreements. Decisions on the provision of water objects for use |  | 8 |
| 3 | **SIW 1.** Topic, Concept of ownership rights to water. Procedures for water use. Water use agreements. Decisions on the provision of water objects for use |  | 30 |
| 4 | **Lec 4.** **Functions and powers of water management authorities:** General characteristics of water management authorities. State accounting of water resources. Control in the field of water use and protection. Basin agreements and councils, other basin management methods. |  |  |
| 4 | **Sem 4.** To discuss the problems general characteristics of water management authorities. State accounting of water resources. Control in the field of water use and protection. Basin agreements and councils, other basin management methods. |  | 8 |
|  | **IWST 2. Colloquium.** The Basel Convention on the Control of Transboundary |  | 30 |
| 5 | **Lec 5.** The diversity of water bodies and their primary uses**:** The legal regime governing various types of water bodies. The legal regime of maritime waters. |  |  |
| 5 | **Sem 5.** Discussion of the problems of water bodies and their primary **uses:** The legal regime governing various types of water bodies. The legal regime of maritime waters. |  | 8 |
| **Module 2**  **Legal instruments for ensuring environmental safety in the field of marine and energy relations** | | | |
| 6 | **Lec 6.** **Primary uses of water bodies:** Purposeful utilization and methods of safeguarding water bodies. Potable and domestic water supply. Hydrotechnical construction and land reclamation. Transportation and timber rafting. The significance of concessions in water management. |  |  |
| 6 | **Sem 6.** Discuss the legal regulation purposeful utilization and methods of safeguarding water bodies. Potable and domestic water supply. Hydrotechnical construction and land reclamation. Transportation and timber rafting. The significance of concessions in water management |  | 8 |
| 7 | **Lec 7.** Legal protection of urban and suburban water bodies |  |  |
| 7 | **Sem 7.** Discuss the legal protection of urban and suburban water bodies |  | 8 |
| 7 | IWST 3. Consultation on the implementation of the IWS 2.  the legal protection of urban and suburban water bodies |  |  |
|  | **LEVEL CONTROL 1** |  | **100** |
| 8 | **Lec 8.** Legal Framework for the Economic Mechanism of Payment for the Use, Restoration, and Protection of Water **Bodies:** The concept and principles of the economic mechanism for payment related to the use, restoration, and protection of water bodies. Sources of legal regulation for the economic mechanism of water use payments. The concept of payment for water use. Components of the economic mechanism of payment |  |  |
| 8 | **Sem 8.** The concept and principles of the economic mechanism for payment related to the use, restoration, and protection of water bodies. Sources of legal regulation for the economic mechanism of water use payments. The concept of payment for water use. Components of the economic mechanism of payment |  | 8 |
| 8 | **IWS 2.** **Topic, type of task. Discussion of the mechanism of compensation for environmental damage** |  | 30 |
| 9 | **Lec 9.** Legal Protection of Water Bodies: The concept of legal protection of water bodies.Legal protection of water bodies against pollution, contamination, and depletion.Legal measures for the protection of water bodies during the siting, design, construction, and operation of industrial and other facilities.Legal protection of groundwater resources. |  |  |
| 9 | **Sem 9.** The content of legal protection of water bodies against pollution, contamination, and depletion.Legal measures for the protection of water bodies during the siting, design, construction, and operation of industrial and other facilities.Legal protection of groundwater resources. |  | 8 |
| 10 | **Lec 10** To study the features of the legal water Use Rights Related to Water Consumption: The concept and types of water use related to water consumption. The right to use water bodies for potable, domestic, and other public needs. The right to use water bodies for medical, spa, and wellness purposes. The right to use water bodies for agricultural and forestry activities. |  |  |
| 10 | **Sem 10.** To disclose the legal regulation of the concept and types of water use related to water consumption. The right to use water bodies for potable, domestic, and other public needs. The right to use water bodies for medical, spa, and wellness purposes. The right to use water bodies for agricultural and forestry activities. |  | 8 |
| 10 | **IWST 4. Colloquium (test, test, project, essay, situational task, etc.). Topic, type of task.**  **Solving cases** |  | 30 |
|  | **Module 3 The international cooperation in the field of ensuring environmental safety in the field of marine and energy relations** |  |  |
| 11 | **Lec 11** Water Use Rights Not Related to Water Consumption: The concept and types of water use rights not associated with water consumption. The right to use water bodies for hydroenergy purposes. The right to use water bodies for hunting management. The right to use water bodies for transportation and timber rafting. The right to use water bodies for the discharge of wastewater and drainage. |  |  |
| 11 | **Sem 11.** To discuss the specifics of environmental and the right to use water bodies for hydroenergy purposes. The right to use water bodies for hunting management. The right to use water bodies for transportation and timber rafting. The right to use water bodies for the discharge of wastewater and drainage. |  | 8 |
| 12 | **Lec 12**  Legal Regime of Particularly Protected Water Bodies of International Significance: The concept and types of particularly protected water bodies of international significance. Normative-legal acts regulating the regime of particularly protected water bodies of international significance. International treaties concerning particularly protected water bodies of international significance. |  |  |
| 12 | **Sem 12.** To discuss the concept and types of particularly protected water bodies of international significance. Normative-legal acts regulating the regime of particularly protected water bodies of international significance. International treaties concerning particularly protected water bodies of international significance. |  | 8 |
| 12 | IWST 5. Consultation on the implementation of the IWS 3. |  |  |
| 13 | **Lec 13** Legal Liability for Violations of Water Legislation: The concept of legal liability and the grounds for its application. Criminal and administrative liability Civil (property) liability. Disciplinary liability. |  |  |
| 13 | **Sem 13**. To discuss the specifics of the concept of legal liability and the grounds for its application. Criminal and administrative liability Civil (property) liability. Disciplinary liability. |  | 8 |
| 13 | IWS 3. Topic, type of task. The Convention on the Conservation of Biodiversity |  | 30 |
| 14 | **Lec 14** Foreign Water Law: The CIS and Baltic States. The relationship between water legislation in CIS countries and other branches of law. International river law in CIS countries. The legal institution of water fund land under the legislation of CIS countries. |  |  |
| 14 | **Sem 14**. The relationship between water legislation in CIS countries and other branches of law. International river law in CIS countries. The legal institution of water fund land under the legislation of CIS countries. |  | 8 |
|  | IWST 6. Colloquium (test, test, project, essay, situational task, etc.). Topic, type of task. Judicial practice of applying environmental legislation. |  | 30 |
| 15 | **Lec 15** Water Legislation of Neighboring and Distant Foreign Countries: Water legislation in the Baltic States. European countries. Water legislation in the United States. Canada. The United Kingdom. Australia. China. |  |  |
| 15 | **Sem 15.** Water legislation in the Baltic States. European countries. Water legislation in the United States. Canada. The United Kingdom. Australia. China. |  | 8 |
| 15 | IWST 7. Consultation on examination issues |  |  |
|  | LEVEL CONTROL 2 |  | **100** |

**Dean Akhatov U.A**

**Head of Department Kuanalieva GA**

**Lecturer Toktybekov.T.A.**