

POLICY BRIEF • Green Public Procurement as an Environmental Policy Instrument

Document 1: content and mechanisms of the GPP system · Document 2: package of legislative amendments to five legislative acts and the Rules for the Implementation of Public Procurement · Action 3 of the Action Plan to Government Resolution of the Republic of Kazakhstan No. 1201 of 31.12.2025

To: Ministry of Ecology and Natural Resources of the RK

From: EU SWITCH-Asia Policy Support Component

National Focal Point: NJSC 'International Green Technologies and Investment Projects Center' (IGTIPC)

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Key Message

Problem. Kazakhstan has accumulated 53.6 billion tonnes of industrial waste, yet the state, which annually procures goods, works and services worth KZT 9.6 trillion¹, does not use this purchasing power to create demand for environmentally friendly products. Public procurement covers goods (construction materials, office supplies), services (cleaning, design) and construction works. In construction procurement, environmental requirements exist as a mandatory 'Environmental Protection' section in project documentation. However, they function as a pass/fail threshold: either you comply or you do not. Contractors receive no competitive advantage for higher environmental performance, and therefore have no incentive to invest in green technologies beyond the minimum. The Waste Management Concept (GR No. 1201) directly mandates the development of the secondary raw materials market through green public procurement, i.e. procurement that incentivises the use of environmentally friendly products – but no incentive mechanism exists for this purpose.

Solution. IGTIPC already maintains the Green Technologies Registry. It is proposed to expand it to three levels: technologies, goods, services and works, and to connect it to the goszakup.gov.kz portal. This will cover all categories of public procurement: 'green' goods (e.g. construction materials from recycled waste), services (e.g. cleaning with environmental protocols), engineering works for building design incorporating life-cycle costing, and construction works using construction materials produced from production and consumption waste. A supplier whose products have passed environmental status verification at IGTIPC receives a competitive advantage during bid evaluation: the higher the environmental performance, the greater the advantage. The system is built on a cascade principle: a product is recognised as 'green' only if its production technology has been verified, and a service or work only if it uses verified products. This methodology eliminates false environmental claims. Verification is automatic, via the goszakup.gov.kz portal, without the additional burden on the contracting authority (akimat, ministry).

Action. The immediate step is for MENR to initiate the analysis of waste management legislation (Action 3 of the Action Plan to GR No. 1201, deadline in the 2nd half of 2026). Legislative amendments: in the 1st half of 2027. System launch is possible in 2027–2028. The attached Documents 1 and 2 contain the complete analytical base and a package of amendments to five legislative acts and the Rules for the Implementation of Public Procurement; development from scratch is not required.

¹ According to the briefing by Vice-Minister of Finance D. Kenbeil (SCC, 30.01.2026): the volume of public procurement in 2025 amounted to KZT 9.6 trillion. Source: 'Kazhstanskaya Pravda', 31.01.2026.

1. Problem

Public procurement of construction works does not incentivise the use of environmentally friendly products. Environmental requirements exist at the design stage of construction projects (see the mandatory 'Environmental Protection' section in project documentation), yet at the stage of determining the tender winner these requirements are not taken into account, and all participants are evaluated on price and experience, without consideration of environmental performance. The situation is similar in the procurement of goods and services. The table below details this gap for the construction sector (detailed analysis – Document 1, Section 4):

Criterion	Design stage (project documentation)	Tender award stage (bid evaluation)
Environmental requirements	Present. Mandatory 'Environmental Protection' section in project documentation – pass/fail threshold	No incentive. All participants who pass the threshold are evaluated equally – no incentive to improve environmental performance
Carbon footprint	Present. Considered for major facilities (Category I–II) in the environmental protection section	No incentive. A low carbon footprint provides no advantage during evaluation
Circular economy criteria	Partial. Standards permit the use of secondary raw materials, but there are no mandatory circularity requirements	No incentive. Use of secondary raw materials provides no advantage during evaluation
LCC (life-cycle costing, including environmental externalities)	Partial. The designer may calculate LCC, but this is not mandatory	Not applied. The winner is determined by contract price, not by cost over the entire service life

Risk factors for achieving the Concept goals under GR No. 1201 and their mitigation through the GPP system:

Risk factor	Consequence for the Concept goals	How the GPP system addresses this
Absence of demand for secondary raw materials in public procurement	The potential to integrate up to 15–20 million tonnes of secondary resources annually (Concept, Section 5, Area 2) is not being realised: recycling enterprises see no sales market, and investments in recycling do not pay off.	GPP creates demand through public procurement (KZT 9.6 trillion in 2025, including construction works, which is the largest category). The conditional environmental discount gives a competitive advantage to suppliers using materials from secondary raw materials.
Absence of life-cycle costing (LCC) in public procurement	The current system incentivises the selection of materials with the lowest contract price. Secondary raw materials may be more expensive at the procurement stage. Without accounting for life cycle cost, including operating costs, disposal costs and environmental externalities (CO ₂ emissions, resource depletion), they lose in tenders, and the secondary raw materials market does not develop.	The IGTIPC Green Goods Registry includes a life-cycle costing (LCC) indicator that accounts not only for the contract price, but also for operating costs, disposal costs and environmental consequences (CO ₂ emissions, resource depletion). These data are transmitted to goszakup.gov.kz, and the contracting authority evaluates bids by full cost over the entire service life, not just the purchase price.

Risk factor	Consequence for the Concept goals	How the GPP system addresses this
Risk of unreliable environmental data in the absence of a verification system	If the environmental discount is introduced without verification, tenderers gain the opportunity to declare environmental characteristics without substantiation. Manual verification of environmental status creates the risk of unreliable data. Result: the mechanism loses credibility, and the GPP system is discredited before launch.	Three-tier IGTIPC verification: technology ► product ► service and work. A product is recognised as ‘green’ only if its production technology is verified; a service is recognised only if it uses verified products. IGTIPC registries are automatically connected to the goszakup.gov.kz portal. The contracting authority sees the ‘green’ status of a good, a service or a work automatically; manual verification is not required.

Why it is important to act now: two reasons

Reason 1. The public procurement evaluation system is in its initial phase – the optimal moment for integrating environmental criteria. Analysis (Appendix E to Document 1) shows: the bid evaluation system in public procurement has been in effect since 1 January 2025 and is in its initial phase. It is precisely now that the integration of environmental criteria is possible with minimal effort by supplementing the Rules for the Implementation of Public Procurement (a subordinate regulation not requiring parliamentary consideration). However, this subordinate regulation enters into force after the adoption of legislative amendments establishing the Green Goods and Green Services and Works Registries.

Reason 2. The automatic verification of ‘green’ status is a precondition for launch. The environmental discount operates effectively on the condition that IGTIPC registries are electronically connected to the goszakup.gov.kz portal and the ‘green’ status of a good, service or work is displayed automatically, without additional burden on the contracting authority. This will avoid manual verification of environmental status and associated risks. It is advisable to establish in subordinate regulations that technical readiness of the system is a precondition for introducing the discount.

Context

Kazakhstan has taken steps towards greening its economy: Presidential Decree No. 577 (2013) established the course towards a ‘green’ economy, and the Environmental Code of 2021 introduced the Green Technologies Registry operated by IGTIPC. Other environmental instruments have also been created: environmental product labelling and the Best Available Techniques (BAT) system – environmentally sound technologies for large enterprises. However, none of these instruments is linked to the public procurement system: the presence of a technology in the IGTIPC registry provides no advantage in tender proceedings. The new Law on Public Procurement (No. 106-VIII, effective from 01.01.2025) has for the first time established the concept of ‘sustainable public procurement’ (Art. 3 para. 23), but the mechanism for implementing this principle, namely environmental evaluation criteria, remains to be developed.

2. Legal Basis

The legal basis for introducing GPP is presented as a sequence of five regulatory levels from presidential decrees to the completed analytical base.

Step	Document	Question	Answer for MENR
1	Concept for Transition to a 'Green Economy' (Presidential Decree No. 577, as amended by Presidential Decree No. 568 of 10.06.2024) and National Development Plan until 2029 (Presidential Decree No. 611)	<i>What are the strategic prerequisites?</i>	Decree No. 577: transition to a green economy, including SDG 12 'Responsible Consumption and Production' (Target 12.7, Sustainable public procurement). Decree No. 611: production of goods from secondary raw materials and increasing the level of waste recycling (Section 4.3)
2	Law on Public Procurement No. 106-VIII (Art. 3 para. 23; Art. 5 para. 1 sub-para. 8), effective from 01.01.2025	<i>What does the legislation provide?</i>	The concept of 'sustainable public procurement' (environmental aspects and full life cycle) and the principle of their development are established; environmental criteria in the Rules for the Implementation of Public Procurement remain to be developed
3	Government Resolution of the Republic of Kazakhstan No. 1201 of 31.12.2025 – Waste Management Concept 2026–2030	<i>What is the mandate of MENR, the Ministry of Ecology and Natural Resources of RK?</i>	Mandate. The Concept stipulates: 'It is also important to develop the market for products, secondary raw materials and materials from secondary raw materials – through 'green' public procurement, demand creation, incentivising the substitution of primary resources with secondary ones, and creating a secondary resources market' (Section 5, Area 1). Instrument. Action 3 of the Action Plan (sub-paras 1 and 2) provides for legislative analysis (H2 2026) and preparation of a draft Law (H1 2027), within which GPP may be established in legislation (Document 2, Section 4). Result. According to the Concept, it is possible to create sustainable demand for waste-derived products and ensure the integration of up to 15–20 million tonnes of secondary resources annually into industrial circulation (Section 5, Area 2): the GPP system creates the mechanism for generating this demand. Responsible body: MENR
4	Article 130 of the EC (Environmental Code) of the RK (current edition) and GR No. 576 of 18.08.2022 'On Approval of the Rules for Recognising Technologies as 'Green' Technologies'	<i>What instruments are already in effect?</i>	In effect. Art. 130 of the EC contains five forms of economic incentivisation aimed at supporting producers, including the Green Technologies Registry (IGTIPC, GR No. 576), environmental labelling and the Best Available Techniques (BAT) system. Absent. A procurement-based incentive mechanism is absent: the presence of a technology in the IGTIPC registry does not yet provide an advantage in tender proceedings, and the link between the registry and the goszakup.gov.kz portal has not yet been established. Solution. Documents 1 and 2 propose a mechanism to fill this gap: (1) Green Goods and Green Services and Works Registries; (2) connection of registries to the goszakup.gov.kz portal; (3) an environmental advantage in determining the tender winner.

Step	Document	Question	Answer for MENR
5	Document 1 ('Comprehensive GPP System') and Document 2 ('Legislative Recognition of Public Procurement as an Environmental Policy Instrument'), both developed by the EU SWITCH-Asia Policy Support Component and presented as part of this document package.	What is proposed as a solution?	<p>System. Three-tier verification: green technologies (L1, operational) ► green goods (L2, to be established) ► green services and works (L3, to be established). For construction works, the GVS mechanism (Green Value Share, or the share of green value based on L1 and L2 data).</p> <p>Legislative base. Document 2 (package of amendments to five legislative acts and the Rules for the Implementation of Public Procurement; this may be adapted to the chosen legislative instrument).</p> <p>Readiness. Documents 1 and 2 have been prepared within the established timeframe.</p>

Operational mandate: Action 3 of the Action Plan to GR No. 1201 (sub-paras 1 and 2) with specific planned deadlines and the responsible body (MENR).

No.	Action	Reporting form	Deadline	Responsible body
3 (1)	Analysis of waste management legislation, including subsequent preparation of proposals for unifying regulatory requirements, optimising the distribution of government agency powers, and improving the mechanisms for maintaining and operating the State Waste Cadastre <i>This document package proposes using this action item for the preparation of GPP proposals</i>	Report to the Government Office	H2 2026	MENR, MF, MNE, MJ
3 (2)	Improvement of waste management legislation <i>Draft legislative amendments – Document 2</i>	Draft Law	H1 2027	MENR, MF, MNE, MJ
7	Development of support measures for enterprises using secondary resources in the production of finished goods <i>Document 1 proposes a mechanism for supporting such enterprises through competitive advantage in public procurement</i>	Report to the Government Office	H1 2027	MENR, MF, MFA, MNE, LEBs

3. Proposed Solution

Policy Options and Their Consequences

There are three possible courses of action. Each has specific consequences for the achievement of the Concept goals under GR No. 1201.

Option	What happens	Consequence for the Concept goals under GR No. 1201
Maintaining the status quo	Environmental performance is not considered in determining the tender winner. Public procurement does not create additional demand for secondary raw materials.	The potential to integrate up to 15–20 million tonnes of secondary resources annually (Concept, Section 5, Area 2) is not fully realised.

Option	What happens	Consequence for the Concept goals under GR No. 1201
Conditional environmental discount without verification	The environmental advantage is introduced, but without the IGTPC registry system (technologies ► goods ► services and works) and without automatic connection to goszakup.gov.kz. Verification of the 'green' status of a good, service or work is placed on the contracting authority.	Manual verification of environmental status creates a risk of producing unreliable data. Some discounts may go to goods without verified environmental characteristics (greenwashing risk), and real demand for secondary raw materials does not increase to its full extent.
Cascade system L1►L2►L3 with automatic verification	Cascade verification: IGTPC verifies the technology (L1), products (L2) and services and works (L3). Automatic connection of registries to goszakup.gov.kz is envisaged. The contracting authority sees the 'green' status of a good, service or work without additional actions. Public procurement (KZT 9.6 trillion in 2025) can become a channel for stimulating demand for secondary raw materials.	MENR receives the analytical base to facilitate the achievement of the Concept goals within the established timeframe.

The Action Plan to GR No. 1201 contains action items within which green public procurement may be established. For each of them, Documents 1 and 2 contain the analytical and methodological base.

Action under GR No. 1201	Deadline and reporting form	What has been prepared under SWITCH-Asia PSC	What is needed from MENR
3 (1). Analysis of waste management legislation, including subsequent preparation of proposals for unifying regulatory requirements, optimising the distribution of government agency powers, and improving the mechanisms for maintaining and operating the State Waste Cadastre	H2 2026. Report to the Government Office. Responsible: MENR, MF, MNE, MJ	Document 1 contains legislative analysis and a description of the GPP system. Documents 1 and 2 are the analytical base for the RPCD	Develop the RPCD (Art. 17-1 para. 4 of the Law 'On Legal Acts'). Following the adoption of legislative amendments: jointly with MF, prepare an order introducing environmental criteria into the Rules for the Implementation of Public Procurement
3 (2). Improvement of waste management legislation	H1 2027. Draft Law. Responsible: MENR, MF, MNE, MJ	Document 2 is the basis for the draft Law	Conduct public consultation through ILPI (Institute of Legislation and Policy Information, ≥15 working days), submit to the Interministerial Commission on Legislative Activity, prepare the draft Law

Action under GR No. 1201	Deadline and reporting form	What has been prepared under SWITCH-Asia PSC	What is needed from MENR
7. Development of support measures for enterprises using secondary resources in the production of finished goods	H1 2027. Report to the Government Office. Responsible: MENR, MF, MFA, MNE, LEBs	Document 1 contains a description of the Green Technologies, Goods, Services and Works Registries, the mechanism of environmental advantage in procurement, and the innovation support programme with guaranteed offtake contracts for local executive bodies; collectively, they form a support system for enterprises using secondary resources	Consider support mechanisms for enterprises using secondary resources, based on the analysis in Document 1 (Section 2.2)

3.1 Analysis of Solution Pathways

The RPCD format (Section 3, Appendix 1 to the Rules of Legislative Work, GR No. 907) requires the presentation of proposed solution pathways for the problem described. A detailed comparative analysis of three options across six criteria (category coverage, LCC consideration, protection against unreliable data, burden on the contracting authority, legal instrument, use of existing infrastructure) is presented in Document 2, Section 3. The conclusion of the analysis: Option 3 (cascade system L1►L2►L3) is the only one ensuring coverage of all three categories of public procurement and verification of environmental data through the registry system.

3.2 Content of the Proposed Legislative Amendments (Action 3, sub-para. 2 of GR No. 1201)

The package of legislative amendments (Document 2: amendments to five legislative acts and the Rules for the Implementation of Public Procurement) creates the legal basis for the three-tier verification system. No new body is established – it is proposed to entrust IGTIPC (operator of the L1 registry pursuant to GR No. 576 of 18.08.2022) with maintaining the L2 (goods) and L3 (services and works) registries. Below is the content of the proposed registries:

Lvl.	Registry	What it verifies	Link to public procurement	Status
L1	Green Technologies	Production technology against six criteria of GR No. 576 (purpose, resource efficiency, energy efficiency, waste minimisation, human safety, biodiversity safety)	No direct link to public procurement (technologies are not a procurement item). L1 is the basis for including products in the L2 registry	✓ Operational (IGTIPC, Art. 130 EC, GR No. 576 of 18.08.2022)
L2	Green Goods	Products from L1 technologies. Includes a life cycle costing (LCC) indicator accounting for environmental consequences (CO ₂ emissions, resource depletion)	Competitive advantage during bid evaluation. Good status displayed on goszakup.gov.kz	Proposed for establishment: legislative amendments (Document 2, Section 4). Operator: IGTIPC

Lvl.	Registry	What it verifies	Link to public procurement	Status
L3	Green Services and Works	Services and works for the development of project documentation, in the provision/ execution of which goods from the L2 registry are used and/or environmental methodologies are applied (best available techniques, environmental work execution standards)	Competitive advantage during bid evaluation. Service/work status displayed on goszakup.gov.kz	Proposed for establishment: legislative amendments (Document 2). Operator: IGTIPC
GVS	Construction Works	Share of green materials from the L2 registry in the total materials cost of the contract (as a percentage)	Competitive advantage during bid evaluation, proportional to the share of green materials (GVS indicator)	Proposed for introduction: MF order (subordinate regulation), enters into force after the establishment of the L2 registry

3.3 Support for Enterprises Using Secondary Resources (Action 7 of GR No. 1201)

To populate the L2 registry, enterprises using secondary resources must have the opportunity to verify the environmental status of their products at IGTIPC. Document 1 (Section 3.3) proposes an innovation support programme (pilot mode for the development and testing of new products from secondary raw materials) with grant financing of the R&D stage and guaranteed offtake contracts with local executive bodies.

Conclusion

The analysis shows that the cascade verification system L1►L2►L3 with automatic connection of registries to the goszakup.gov.kz portal is the only option that simultaneously ensures coverage of all public procurement categories with environmental criteria, life-cycle costing (LCC), protection against unreliable data, and no additional burden on the contracting authority. Action 3 of the Action Plan to GR No. 1201 creates the legal framework and specific timelines for implementation. Documents 1 and 2 contain the completed analytical base, methodology and a package of legislative amendments.

4. Recommended Actions

The Concept provides for the justification of the feasibility of developing a separate Law 'On Waste Management' or targeted improvement of existing legislation (GR No. 1201, Section 5, Area 1). Documents 1 and 2 may be used as analytical materials in preparing the Regulatory Policy Consultative Document (RPCD). Document 2 contains a package of amendments to five legislative acts (Environmental Code, Law on Permits and Notifications, Law on Trade, Code on Administrative Offences, Entrepreneurial Code) and the Rules for the Implementation of Public Procurement, which may be adapted to the chosen legislative instrument.

Area	Action	Deadline	Responsible body
<p>① Legislative establishment of the Green Goods and Green Services and Works Registries (Action 3, sub-paras 1 and 2 of GR No. 1201) RPCD (Regulatory Policy Consultative Document) ► Waste Management Law or amendments to the EC</p>	<p>MENR initiates the RPCD (Art. 17-1 para. 4 of the Law 'On Legal Acts'). Public consultation with the participation of NCE 'Atameken' (≥15 working days, ILPI (Institute of Legislation and Policy Information), expert councils) ► Interministerial Commission on Legislative Activity ► draft Waste Management Law or amendments to the EC. Documents 1 and 2 may be used as analytical materials in preparing the RPCD</p>	<p>H2 2026 ► H1 2027</p>	<p>MENR, MF, MNE, MJ</p>
<p>② Technical connection of registries</p>	<p>Connection of IGTIPC registries to the goszakup.gov.kz portal. It is advisable to ensure technical readiness of the system before introducing environmental evaluation criteria. Consider conducting pilot tenders (initiator: MENR jointly with IGTIPC; category: construction works as the largest category of public procurement)</p>	<p>Development of technical specification: Q4 2026; connection: H1 2027 (following the adoption of legislative amendments)</p>	<p>IGTIPC, goszakup.gov.kz portal operator</p>
<p>③ MF Order (subordinate regulation)</p>	<p>Introduction of environmental evaluation criteria into the Rules for the Implementation of Public Procurement: competitive advantage proportional to the share of green materials (GVS indicator). To be prepared following the adoption of legislative amendments establishing the Green Goods and Green Services and Works Registries</p>	<p>Following the adoption of legislative amendments establishing the Green Goods and Green Services and Works Registries</p>	<p>MF (on the initiative of MENR)</p>