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Legislative recognition of public procurement as an instrument of environmental policy

Establishing a demand-side mechanism within
the system of economic incentives for activities
aimed at environmental protection

Acknowledgements

This Policy Paper has been developed to support the implementation of the Waste Management Concept for All Types of Waste in the Republic of Kazakhstan for 2026–2030 (Government Resolution (GR) No. 1201 of 31 December 2025) with regard to establishing a legal mechanism for Green Public Procurement (GPP). The document contains the legal rationale and a package of legislative amendments to five legislative acts and the Public Procurement Rules. The amendments provide for the legislative recognition of public procurement as an instrument of environmental policy and the establishment of a cascade verification system for the 'green' status of goods, works and services (L1→L2→L3/GVS).

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Abbreviations and acronyms

BAT	Best available techniques
CAO	Code of Administrative Offences of the Republic of Kazakhstan
CEF	Centre for Electronic Finance (joint stock company)
CIW	Construction and installation works
CSBs	Central state bodies
DED	Design and estimate documentation
DPP	Digital product passport
EC	Environmental code
EoL	End of life (demolition/disposal)
EPR	Extended producer responsibility
ESPR	Ecodesign for sustainable products regulation
EU	European Union
FSC	Forest Stewardship Council
GDP	Gross domestic product
GEN	Global ecolabelling network
GPP	Green Public Procurement
GR	Government resolution
GVS	Green Value Share
GWS	Goods, works, and services
IEP	Integrated environmental permit
IGTIPC	International Green Technologies and Investment Projects Center (non-commercial joint stock company)
ILPI	Institute of Legislation and Legal Information of RK
JSC	Joint stock company
KEITI	Korea Environmental Industry & Technology Institute
KONEPS	Korea ON-line E-Procurement System

KZT	Kazakhstani Tenge
L1	Level 1: Green Technology Registry
L2	Level 2: Green Product Registry
L3	Level 3: Green Services and Works Registry
LCC	Life-cycle costing
LEBs	Local executive bodies
MEAT	Most economically advantageous tender
MENR	Ministry of Ecology and Natural Resources of RK
MIC	Ministry of Industry and Construction of RK
MNE	Ministry of National Economy of RK
MoF	Ministry of Finance of RK
MoJ	Ministry of Justice of RK
MSW	Municipal Solid Waste
NCE	National Chamber of Entrepreneurs 'Atameken'
NJSC	Non-commercial joint-stock company
NLA	Normative legal act
OECD	Organisation for Economic Co-operation and Development
PCP	Pre-commercial Procurement (referred to in this document as 'pilot regulatory regime'; for details see Policy Paper 1, Section 3.3)
RK	Republic of Kazakhstan
RPCD	Regulatory Policy Consultation Document
SAC	Supreme Audit Chamber of RK
SDGs	Sustainable Development Goals
SMBs	Small and medium-sized businesses
SMEs	Small and medium-sized enterprises
SPP	Sustainable Public Procurement
ST RK	National Standard of the Republic of Kazakhstan
TMF	Technogenic mineral formations
UN	United Nations
UNC GWS	Unified Nomenclature of Goods, Works and Services
UNEP	United Nations Environment Programme
VCF	Ventilated curtain façade
WEEE	Waste electrical and electronic equipment

Executive Summary

Context

The volume of public procurement in Kazakhstan in 2025 amounted to KZT 9.6 trillion: construction works (~40%), goods (~20%), and services (~40%). The Law on Public Procurement No. 106-VIII (in force since 1 January 2025) for the first time established the principle of sustainable procurement, including environmental aspects and full life-cycle costing. However, the Public Procurement Rules (MoF Order) do not yet contain environmental criteria: the principle exists, but the mechanism for its implementation does not.

The analysis identifies three gaps impeding the establishment of such a mechanism. The first is institutional: the IGTIPC Green Technology Registry, the ecolabelling system and the Best Available Techniques (BAT) system exist, but are not linked to the goszakup.gov.kz platform. The second is methodological: supplier selection is based on the lowest price; the environmental characteristics of products are not factored into the bid evaluation. The third is verification-related: without a system for confirming environmental claims, any preferences create an opening for unreliable declarations. The three gaps are interrelated and require a unified solution (see Section 3).

Mandate

The Waste Management Concept for All Types of Waste for 2026–2030 (GR No. 1201 of 31 December 2025) [6] contains a direct instruction: market development through Green Public Procurement (GPP). The timelines are established: legislative analysis: second half of 2026; draft Law: first half of 2027. The strategic framework is provided by Presidential Decrees: the Concept for Transition to Green Economy (No. 577) and the National Development Plan until 2029 (No. 611). The GPP mechanism also provides the evidence base for national reporting under SDG indicator 12.7.1 (sustainable public procurement, UNEP).

Solution

The GPP mechanism is built on a cascade verification system for 'green' status comprising three levels: L1 Green Technology Registry (existing IGTIPC instrument, expanded); L2 Green Product Registry; and L3 Green Services and Works Registry. For construction and installation works (CIW), a separate mechanism is provided: the Green Value Share (GVS) scale, using L1 and L2 data. The system is integrated into the goszakup.gov.kz platform. The methodology and criteria for construction materials are contained in Policy Paper 1 [15]; the present document supplements them with a legal framework and a legislative amendment package.

The cascade principle functions as follows: a product is recognised as green only if the technology of its production is registered in L1; a service only if it uses products from L2. The same principle applies to design and estimate documentation (DED) works (for details see Section 3). The assignment of green status at each level is verified by the preceding level as a built-in safeguard against unreliable declarations.

Legislative package

The document contains draft amendments to the Environmental Code, Public Procurement Rules and four laws: On Permits and Notifications, On Regulation of Trade Activities, Code of Administrative Offences (CAO) and Entrepreneurial Code. The procedural roadmap for implementation (from the development of the Regulatory Policy Consultation Document (RPCD) to submission of the draft law to the Mazhilis) and accompanying measures (modernisation of goszakup.gov.kz, training, pilot tenders) are presented in Section 5 (Table 13).

Immediate action

This document may serve as an analytical basis for the Ministry of Ecology and Natural Resources (MENR) in the preparation of the Regulatory Policy Consultation Document (RPCD), the first procedural step towards the legislative establishment of the GPP mechanism. The timelines and procedure are defined in the Action Plan to GR No. 1201 (para. 3, sub-paras. 1–2; for details see Section 5, Table 13).

Section 1. Legal Framework and Regulatory Mandate¹

1.1. Operational basis: Waste Management Concept 2026–2030

The legal basis for Green Public Procurement (GPP) is already established in the current legislation. The Law ‘On Public Procurement’ No. 106-VIII of 1 July 2024 (in force since 1 January 2025) provides for the definition of sustainable public procurement, including environmental aspects and full life-cycle costing (Art. 3, para. 23). The development of sustainable procurement is recognised as one of the fundamental principles of the Law (Art. 5, para. 1, sub-para. 8) [9, 11]. The Law establishes the principle but not the mechanism for its implementation. The details – criteria for evaluating environmental characteristics, linkage with green technology registries, preferences for green products and services, environmental requirements for works – are envisaged at the level of subordinate legislation.

The Waste Management Concept for All Types of Waste in the Republic of Kazakhstan for 2026–2030, approved by Government Resolution (GR) No. 1201 of 31 December 2025, contains specific instructions for the implementation of the sustainable procurement principle established by Law No. 106-VIII. This is the principal normative legal act (NLA) containing direct references to the establishment of the GPP mechanism.

The text of the Concept contains five distinct provisions pointing to the need for a GPP mechanism or creating a regulatory basis for it (see Table 1).

Table 1. Key provisions of the Waste Management Concept for all types of waste relevant to GPP.

No.	Concept provision	Quote / content	Relevance for GPP
1	Most direct reference to GPP	‘...develop the market for products, secondary raw materials and materials from secondary raw materials – through ‘green’ public procurement, demand generation, stimulating the substitution of primary resources with secondary ones, creation of a market for secondary resources’ (Section 5, Direction 2).	Specifies the sustainable procurement principle (Art. 5, para. 1, sub-para. 8 of Law No. 106-VIII) as an operational mandate: GPP, demand generation, substitution of primary resources. The wording is advisory (‘It is also important...’). Nevertheless, para. 3, sub-paras. 1–2 of the Action Plan create a procedural window for implementation (see Table 2).
2	Enshrining GPP in legislation	‘...development of national standards and enshrining ‘green’ procurement in legislation’ (Section 2, para. 2.2 of the Concept (GR No. 1201), sub-section on petroleum waste; one of six measures recommended on the basis of international experience).	Direct reference to the need for legislative formalisation of GPP, and not merely subordinate regulation. Note: the provision is formulated in the context of petroleum waste management as one of the measures drawn from international experience; its extension to the GPP system as a whole is supported by a similar recommendation in Section 5, Direction 2 of the Concept (row 1 of this table).
3	Priority in public procurement for enterprises introducing green technologies	‘...providing enterprises with subsidies, priority in public procurement and access to preferential financing’ (Section 5, Direction 2, sub-section ‘WEEE’ (Waste Electrical and Electronic Equipment)).	Recommends priority (preferences) in public procurement. The ‘green’ status registry system (Section 3) extends this principle to all GPP categories. Note: in the original, this is addressed only to enterprises processing WEEE.

¹ In this document, mandate refers to the totality of legal grounds, strategic directions and operational instructions sufficient for the commencement of legislative work.

No.	Concept provision	Quote / content	Relevance for GPP
4	Diagnosis: the absence of sales markets is the main barrier	'In a market economy the absence of stable sales markets for secondary products is the main obstacle and barrier to the broad involvement of industrial waste in economic circulation' (Section 5, Direction 2, sub-section 'Industrial waste').	GR No. 1201 recognises this problem (in the context of industrial waste). Policy Papers 1 and 2 qualify it as the 'absence of a demand-side mechanism'. GPP is a possible response to this barrier.*
5	Quantitative benchmark: up to 15–20 million tonnes of secondary resources	'Using the above-mentioned examples from world experience, it is possible to form sustainable demand for waste-derived products, ensure the involvement in industrial circulation of up to 15–20 million tonnes of secondary resources annually, and reduce the generation of industrial waste' (Section 5, Direction 2, sub-section 'Industrial waste').	Quantitative assessment of the potential subject to the application of international experience. Public procurement volume – KZT 9.6 trillion (~6% of GDP [21]); regulated procurement overall – ~KZT 29 trillion (~18% of GDP). For reference: the OECD average is ~13% of GDP (OECD Government at a Glance, 2025). Public procurement is a possible channel for generating such demand.**

NB: all text in the 'Quote / content' column has been translated from the Russian original.

* The provision does not contain a direct reference to GPP; the link has been established based on substantive content analysis.

** The provision does not contain a direct reference to public procurement; the link has been established in a similar manner.

In addition to the provisions of the main text, the **Action Plan for the Implementation of the Concept** (annex to GR No. 1201) contains specific measures with designated timelines and responsible executors, directly related to the introduction of GPP (see Table 2).

Table 2. Action Plan measures related to the introduction of GPP

No.	Measure	Form of completion	Timeline	Responsible parties	Link to GPP
3	1) Analysis of legislation in the field of waste management, including the subsequent preparation of proposals for the unification of regulatory requirements, optimisation of the distribution of powers of state bodies, as well as improvement of the mechanisms for maintaining and functioning of the State Waste Cadastre	Information to the Government Office	2 nd half of 2026	MENR, MoF, MNE, MoJ and interested CSBs, LEBs and organisations (by agreement)	The thematic focus of the measure is overall waste management (unification, powers, cadastre). The general framework of the measure – 'analysis of legislation in the field of waste management' – creates a procedural window for the inclusion of GPP issues.* Policy Paper 1 and Policy Paper 2 constitute a ready-made analytical basis.

No.	Measure	Form of completion	Timeline	Responsible parties	Link to GPP
3	2) Improvement of legislation in the field of waste management	Draft Law	1 st half of 2027	MENR, MoF, MNE, MoJ and interested CSBs, LEBs and organisations (by agreement)	Basis for the draft law in the field of waste management. Amendments to the Environmental Code (Block I, Section 4) are directly embedded in the task of para. 3, sub-para. 2 of the Plan to GR No. 1201. Amendments to the Law on Public Procurement and four supporting laws extend beyond its thematic perimeter but are necessary for the operability of the system.
7	Development of measures to support enterprises using secondary resources in the production of finished products	Information to the Government Office	1 st half of 2027	MENR, MoF, MFA, MNE, LEBs	Preferences in public procurement are one of the support instruments.** Note: measure 7 is addressed to a narrow group, namely enterprises using secondary resources; GPP in this Policy Paper covers green products and green services, as well as construction works (through the GVS mechanism). The 'green' status registry system (Section 3) is the implementation mechanism.

* The measure does not contain a direct reference to GPP; the link has been established on the basis of substantive content analysis.

** The measure does not contain a direct reference to public procurement; the link has been established in a similar manner.

Conclusion: The Action Plan for the Implementation of the Concept (annex to GR No. 1201) provides for two measures directly related to GPP. The first is the analysis of legislation and preparation of proposals in the second half of 2026 (para. 3, sub-para. 1). The second is the preparation of a draft Law in the first half of 2027 (para. 3, sub-para. 2). The responsible executors are MENR, MoF, MNE, MoJ and others (see Table 2).

This approach is consistent with international practice: GPP implementation is a cross-sectoral task that extends beyond procurement legislation. In Thailand, for example, GPP was initiated by the Ministry of Environment and integrated into environmental quality management plans in 2007, while the Ministry of Finance joined with a regulatory act only in 2020 [33].

The package of amendments to five laws and the Public Procurement Rules, presented in Section 4, may serve as an analytical and legal basis for MENR in the implementation of the aforementioned Plan measures.²

1.2. Strategic reinforcement: Presidential Decrees and Action Plan

The instructions of the Waste Management Concept (para. 1.1) are reinforced by documents at the strategic and governmental level. Each of them forms the political context and precedents, although none contains a direct instruction on GPP (see Table 3).

2 The structure of this Policy Paper corresponds to the stages of the UNEP SPP Implementation Guidelines [27] methodology: status assessment (Section 2), legal analysis (Section 1), product group prioritisation (Policy Paper 1), market readiness analysis (para. 2.2), policy and action plan development (Sections 3–5).

Table 3. Strategic reinforcement: Documents supporting the GPP rationale

Document	Key provisions	Role in the GPP rationale
Concept for Transition to a Green Economy (Presidential Decree No. 577, 2013, rev. 2024) [1, 5]	Principle 2 (rev. 2024): circular economy. Section I, para. 2 'Rationale': energy efficiency of buildings (270 kWh/m ² versus 100–120 kWh/m ² in Europe). Sub-section 3.3: measures to improve energy efficiency in industry, construction and transport. Sub-section 3.5: increase in waste recycling. Stage 2 (2020–2030): 'transformation of the national economy'.	Strategic vision: defines the direction (circular economy).* Reinforces the rationale but does not create an operational mandate.
National Development Plan of RK until 2029 (Presidential Decree No. 611, 2024) [4]	Section 2.4: 'expansion of the use of offtake contracts in regulated procurement'. Section 4.1: 'regulated procurement will be structured taking into account mechanisms promoting localisation'. Section 4.3: mandatory transition to IEP/ BAT for enterprises of I category.	Precedent and regulatory framework. Section 2.4 mentions regulated procurement as one of the directions for supporting demand for domestic products (offtake contracts). Section 4.1 positions regulated procurement as an incentive for SMEs and localisation. A similar approach is applicable to the environmental agenda.
Action Plan for Transition to a Green Economy for 2024–2030 (GR No. 1019 of 29 November 2024) [2]	103 measures across 9 sections. Measure 103: IGTPC maintains the Green Technology Registry. Measure 50: phased transition to BAT with obtaining IEP for enterprises of I category. Measure 33: energy-efficient construction.	Operational instruments. Creates specific institutions (IGTPC registry, BAT).** GPP closes this incomplete chain.

* The document defines strategic priorities of the green economy without detailing individual instruments.

** The Action Plan focuses on creating the institutional infrastructure of the green economy; linkage with the public procurement system is the next stage.

Principled distinction. The legal rationale for GPP rests on four levels.

- The first is international obligations: SDG 12.7 (indicator 12.7.1 is measured by UNEP every two years) [17].
- The second is the legal foundation: the principle of sustainable procurement established by the Law on Public Procurement.
- The third is the operational basis: the Waste Management Concept (GR No. 1201) with established timelines and responsible executors.
- The fourth is strategic reinforcement: Presidential Decrees (No. 577, No. 611) and the Green Economy Action Plan (GR No. 1019) [2] confirm that GPP fits within the presidential agenda.

The operational basis sets the foundation for concrete actions; strategic reinforcement provides political support (see Table 3).

1.3. Legislative basis: Article 130 of the Environmental Code

Article 130 of the Environmental Code (EC) ('Economic incentives for activities aimed at environmental protection') is the legal basis into which the GPP mechanism is integrated.

The structure of the article contains the basis for the mechanism; at the same time, demand-side instruments (procurement) are not yet represented and may be supplemented (see Table 4).

Table 4. Structure of Article 130 [14] of the EC and direction for supplementation

Para. of Art. 130	Current content	Assessment
Para. 1 (5 sub-paragraphs)	Forms of economic incentives: (1) coefficient 0 for charges upon obtaining IEP; (2) guaranteed purchase of electricity from waste-to-energy; (3) transfer of green technologies; (4) support for green financing; (5) other measures.	Supply-side instruments. All five forms of incentives are aimed at supporting the production of green technologies. A demand-side mechanism through public procurement is not provided for.*
Para. 2 (7 areas)	Definition of 'green technologies' across 7 areas. Sub-para. 7: 'production of construction materials'. Creates the legal basis for the IGTPC Green Technology Registry (verification at the technology level).	Verification at the technology level. Defines 'green technologies' but does not define 'green products' and 'green services'; a mechanism for evaluating the environmental performance of works is absent. On goszakup.gov.kz it is precisely goods, works and services that are procured.
Para. 3	Definitions of green financing, green projects, green bonds, green loans.	Exclusively financial instruments. No link to public procurement.
Para. 2 (paragraphs on the registry and operator)	Green Technology Registry, operator – NJSC IGTPC (operator of the Green Technology Registry under MENR). Technology recognition rules are approved by the Government of RK (GR No. 576 of 18 August 2022).	The IGTPC registry exists and is operational; however, integration with goszakup.gov.kz is absent: the presence of a technology in the registry does not yet provide preferences in procurement.
Gap	Absent: definitions of green products and green services; registries of green products and green services (Section 3); mechanism for environmental evaluation of works – GVS (Section 3); principle of multi-level verification (Section 3); link to the Law on Public Procurement.	It is precisely this gap that is addressed by the amendment package presented in Section 4 of this Policy Paper: new paragraphs of Art. 130, new Articles 130-1, 130-2, 130-3.

* A similar ratio of supply-side and demand-side instruments is noted by UNEP and the World Bank as typical for countries at the stage of establishing a green procurement system.

Related provisions of the EC. Art. 47 of EC No. 400-VI [3, 12] establish a voluntary system of environmental labelling of products, works and services, requiring consideration of all life-cycle aspects. This is the closest functioning institution by function, based on labelling (rather than registry-based verification) and applied on a voluntary basis.

Chapter 8 of the EC (Art. 113–121) defines the system of Best Available Techniques (BAT), conceptually close to the tasks of the Green Technology Registry (environmental verification of production processes). The normative basis for the IGTPC registry is Art. 130, para. 2.

Legislative supplements:

- supplementation of Article 130 of the EC with new paragraphs 4–9: definitions and registries of green products (L2) and green services and works (L3), as well as the GVS mechanism. New Articles 130-1, 130-2 and 130-3 define the competence of the authorised and sectoral bodies and establish the principle of cascade verification;
- supplementation of the Public Procurement Rules (MoF Order) with environmental evaluation criteria on the basis of Law No. 106-VIII. Preferences are provided for green products and services from the L2/L3 registries (conditional bid discount on the competitive price bid), as well as non-price environmental criteria for construction works (through the GVS mechanism).

This approach makes it possible to integrate the regulatory framework (Art. 130 of the EC, the Law on Public Procurement and the Public Procurement Rules) into a comprehensive 'supply and demand' mechanism. The detailed legislative amendment package is presented in Section 4.

1.4. Conclusion of Section 1: Regulatory basis for GPP

The policy logic of the Policy Paper is structured as five steps (see Table 5).

Table 5. Policy logic: from strategy to solution

Step	Document	Question addressed	Answer
1	Presidential Decrees (No. 577, No. 611)	Where are we heading?	Circular economy, energy efficiency, regulated procurement as a localisation instrument
2	Law on Public Procurement No. 106-VIII (Art. 3, para. 23; Art. 5, para. 1, sub-para. 8)	What is the legal basis?	The definition of sustainable procurement (life-cycle and environmental aspects) and the principle of their development are established; the Public Procurement Rules (MoF Order) do not yet contain environmental criteria.
3	Waste Management Concept (GR No. 1201)	What specifically should be done?	Establish the GPP mechanism, enshrine it in legislation, ensure priority in public procurement, 15–20 million tonnes of secondary resources.
4	Article 130 of the EC (current)	What already exists in the law?	Green technologies (IGTIPC registry) and 5 supply-side instruments (Art. 130, para. 1 of the EC). Demand-side instruments (public procurement) are not yet provided for.*
5	Policy Paper 1 and Policy Paper 2 (this document)	How can the gap be filled?	Cascade L1→L2→L3 and amendments to 5 laws and the Public Procurement Rules (Sections 3–4).

* Definitions of green products and green services, as well as the mechanism for evaluating the environmental performance of works, may be introduced through supplements (for details see Table 4).

Policy chain logic

The regulatory basis for GPP is structured on four levels (para. 1.2): from international obligations to the operational instructions of the Government. The Waste Management Concept (GR No. 1201) contains specific instructions: establishment of the GPP mechanism, priority in public procurement, involvement of 15–20 million tonnes of secondary resources (para. 1.1). This Policy Paper contains the cascade verification system (Section 3) and a package of amendments to five laws and the Public Procurement Rules (Section 4). The establishment of the GPP mechanism ensures the fulfilment of the Action Plan measures to GR No. 1201 (para. 3, sub-paras. 1–2).

Section 2 specifies the problem of the existing barriers in the current public procurement system and why their interrelated nature requires a comprehensive approach.

Section 2. Problem Statement: Absence of a Green Public Procurement mechanism

2.1. Scale: potential for integration of the environmental dimension

In 2025, the volume of public procurement of goods, works and services in Kazakhstan amounted to KZT 9.6 trillion. The structure of procurement across the three categories of objects defined by the Law 'On Public Procurement' is presented in Table 6.

Table 6. Scale of public procurement in Kazakhstan (2025) by category

Indicator	Volume	Share	Source
Public procurement (total)	KZT 9.6 trillion	100%	Public analytical module of the public procurement web portal goszakup.gov.kz (Art. 13 of Law No. 106-VIII) – stats.bids.do, 2025
incl. goods	~ KZT 1.9 trillion	~ 20%	–
incl. works (construction)	~ KZT 3.8 trillion	~40%	–
incl. services	~ KZT 3.9 trillion	~ 40%	–
Regulated procurement (total) – public procurement, as well as procurement by quasi-public organisations, subsoil users and natural monopoly entities [16]	~ KZT 29 trillion	–	–
Registered suppliers	> 100 000	–	SWITCH-Asia Detailed Assessment [16]
Environmental criteria in the Public Procurement Rules	Not yet provided for	–	SWITCH-Asia Detailed Assessment [16]

2.2. Supply-side instruments and the potential for establishing a demand-side mechanism

As discussed in Section 1, Kazakhstan has created three institutional instruments directly relevant to the greening of procurement. Their integration with the public procurement system is the subject of the supplements.

IGTIPC Green Technology Registry. In accordance with measure 103 of the Action Plan (GR No. 1019) and Art. 130 of the EC, IGTIPC maintains the National Registry of domestic manufacturers and suppliers of green technologies and equipment. At the same time, as noted by the Detailed Assessment of the Current Status of GPP (SWITCH-Asia, 2024), the regulatory mechanism for taking registry data into account in procurement procedures is at the stage of formation.

Environmental labelling (Art. 47 of EC No. 400-VI). The country has 10 ecolabelling standards, to which 40 companies have joined; 27 product names have received labelling (Global Ecolabelling Network (GEN), 2022). The requirement for accreditation under ISO 17065 – the international standard for Type I (ISO 14024) [25], applied by leading systems (EU Ecolabel, Blue Angel, Nordic Swan, Thailand Green Label), presupposes the existence of accredited certification bodies; the existing accreditation infrastructure in Kazakhstan creates the basis for further development of the system. For international reference: Thailand Green Label covers 126 criteria across over 8,000 certified product models [34]; Malaysia's MyHijau programme covers 40 product groups.

Best Available Techniques (Chapter 8 of EC No. 400-VI, Art. 113–121) [13]. The BAT system functions in the context of environmental permits for enterprises of I category. A mechanism for verifying supplier compliance with BAT requirements within procurement procedures may be developed on the basis of the existing environmental permit system. Table 7 presents supply-side instruments and how they are integrated with the procurement system.

Table 7. Supply-side instruments and their integration with the procurement system

Instrument	Legal basis	Current status	Integration with procurement
IGTIPC Green Technology Registry	Art. 130 of the EC; measure 103 of the Green Economy Action Plan	Operational; maintained by IGTIPC on the basis of GR No. 576 of 18 August 2022	The regulatory mechanism for taking registry data into account in procurement has not yet been established
Environmental labelling	Art. 47 of EC No. 400-VI	10 standards, 40 companies, 27 product names (GEN, 2022) [32]	Voluntary; accreditation requirements under ISO 17065
BAT system	Chapter 8 of the EC, Art. 113–121	Mandatory for I category (IEP)	Integration with goszakup.gov.kz is not yet in place; a mechanism for verifying supplier BAT compliance is not provided for

Scale of the resource base. According to the State Cadastre data (presented by NCE 'Atameken'), as of 1 January 2024 the country had 1,747 registered facilities hosting approximately 55 billion tonnes of technogenic mineral formations (TMF). The largest generator is the metallurgical plant Qarmet (Temirtau): over 750 million tonnes of accumulated slag and beneficiation waste; in 2025, processing reached ~8 million tonnes/year against a target of 10 million tonnes/year by 2028 (memorandum between Qarmet Recycling LLP and NC QazAutoZhol JSC of 31 October 2025 on the use of slag aggregate in road construction).

Government position. The Waste Management Concept 2026–2030 (GR No. 1201) notes this situation:

'In a market economy, the absence of stable sales markets for secondary products is the main obstacle and barrier to the broad involvement of industrial waste in economic circulation. Recycled materials (slag, ash, tailings, gypsum) often do not find a buyer.' (Waste Management Concept, Section 5, Direction 2, sub-section 'Industrial waste'; translated from the Russian original.)

The Concept identifies GPP as one of the solution instruments:

'It is also important to develop the market for products, secondary raw materials and materials from secondary raw materials – through 'green' public procurement, demand generation, stimulating the substitution of primary resources with secondary ones, creation of a market for secondary resources.' (Waste Management Concept, Section 5, Direction 2; translated from Russian original)

2.3. Evaluation model: from lowest price to non-price criteria

The integration of environmental criteria into the current bid evaluation model requires an adaptation of the existing selection mechanism.

Binary approach. According to the OECD review (2019) [35], the evaluation system in Kazakhstan uses a binary approach: bids are assessed for compliance with minimum requirements, after which the winner is determined by the lowest price criterion. The Most Economically Advantageous Tender (MEAT) criterion has not yet been explicitly established. At the same time, the definition of sustainable procurement (Art. 3, para. 23 of Law No. 106-VIII) includes the principle of full life-cycle costing, which creates the legal basis for a transition to non-price criteria.

International context. EU Directive 2014/24/EU [22] establishes MEAT as the default criterion and grants Member States the right to restrict the application of the lowest price. A number of states – Denmark, the Netherlands, France – are expanding the application of non-price criteria. Effective application of LCC requires specialised calculators for each procurement category; EU tools cover lighting, computers, transport. The LCC mechanism was also provided for in the previous Law on Public Procurement (Art. 31-3 No. 434-V [36]), but piloting was limited to individual categories. The subordinate regulatory framework for the implementation of the LCC principle is at the stage of formation.

Price corridor in construction. In the construction sector, anti-dumping regulation (Public Procurement Rules approved by the Order of the Minister of Finance of RK) [18] limits price bids to the range from design and estimate documentation (DED) minus 2%, to DED: the contractor may not offer a price above DED and may not reduce it by more than 2%. Bidders thus offer virtually identical prices. The narrow price corridor objectively creates space for non-price criteria, including environmental indicators; it is precisely this space that allows for the introduction of the GVS mechanism (see Section 3).

2.4. Government programme targets and the role of the GPP mechanism

A number of existing government programmes contain target indicators, the achievement of which may be reinforced by the procurement greening mechanism. Kazakhstan has adopted commitments under SDG 12.7.1 (para. 1.2); the establishment of the GPP mechanism contributes to their fulfilment (see Table 8).

Table 8. Prerequisites for the introduction of the GPP mechanism: target indicators and current status

Area	Target indicator	Current situation	Relevance for GPP
Implementation of GR No. 1201 measures	Plan to GR No. 1201, para. 3, sub-para. 1: legislative analysis (2 nd half of 2026). Para. 3, sub-para. 2: draft Law (1 st half of 2027)	The GPP mechanism is at the development stage; the analytical base (Policy Paper 1 and Policy Paper 2) has been prepared by SWITCH-Asia	GR No. 1201 measures (timelines 2026–2027, responsible party – MENR) provide for specific deliverables and deadlines.
Markets for secondary products	Target indicator 3 of the Concept (GR No. 1201): reduction of the share of industrial waste not involved in secondary circulation by 10% by 2030	‘Absence of stable sales markets is the main barrier’ (Waste Management Concept, Section 5, Direction 2, sub-section ‘Industrial waste’)	Achievement of the target indicator (+10% secondary circulation) presupposes the existence of a demand generation mechanism. Public procurement (KZT 9.6 trillion) is one of the possible demand generation channels (author’s assessment).
Business readiness	Mass transition to green technologies	18.5% of enterprises with targets for energy consumption and emissions (World Bank, WBES 2019)	A government demand signal may stimulate business investment in green technologies. The potential for substitution of primary resources with secondary ones (author’s assessment: 50–100 billion tenge/year) has not yet been realised.
Verification	Protection against greenwashing	Cancellation of eco-discounts (2016–2020)	The effectiveness of new preferences is ensured only with multi-level state verification (Section 3) that excludes declarative but unconfirmed compliance with environmental requirements.

Area	Target indicator	Current situation	Relevance for GPP
Construction sector	Sector modernisation	The SAC audit (August 2024) identified areas for sector improvement: enhancing pricing transparency, updating the regulatory framework, standardising the selection of material suppliers [37].	Construction works (~40% of procurement) constitute the largest segment not covered by environmental verification. The development areas identified by the SAC create the institutional basis for the integration of eco-criteria. The GVS mechanism (Section 3) provides the implementation instrument: a transparent L1→L2→L3 chain standardises supplier selection and ensures the verifiability of environmental requirements.

Timely introduction of the GPP mechanism creates the conditions for the implementation of measures under para. 3, sub-para. 1 and 2 of the Plan to GR No. 1201 within the established timeframe (2026–2027), and also contributes to the achievement of target indicators of the Waste Management Concept regarding the generation of demand for secondary resources.

2.5. Summary: three gaps and prerequisites for a systemic solution

The analysis has identified three interrelated gaps in the integration of environmental criteria into the public procurement system.

Institutional gap. Three supply-side instruments (IGTIPC Green Technology Registry, environmental labelling, BAT system) have been created outside the procurement system (para. 2.2). A mechanism linking registry presence with procurement preferences has not yet been established, and Law No. 106-VIII and the Waste Management Concept (GR No. 1201) create the legal basis for its development and formation.

Methodological gap. The current evaluation model is based on the price criterion (lowest conditional price). Environmental criteria are not yet represented among conditional bid discounts. The principle of sustainable procurement development (Art. 5, para. 1, sub-para. 8 of Law No. 106-VIII) includes full life-cycle costing (Art. 3, para. 23); however, the subordinate regulatory framework for its implementation is in the development stage (para. 2.3).

Verification gap. A system for confirming the environmental characteristics of products (technology → product → service) is a prerequisite for any environmental preferences. Without such a system, preferences cannot be supported by an adequate evidence base.

The interrelated nature of these three gaps justifies a comprehensive approach. The cascade verification system L1→L2→L3, presented in Section 3, has been developed as a unified mechanism covering all three areas.

Section 3. Proposed Solution: Cascade Verification System (L1→L2→L3), integrated into the Public Procurement Platform

Section 2 identified three interrelated gaps in the public procurement system. The first is institutional: existing registries are not linked to goszakup.gov.kz. The second is methodological: environmental criteria are not included in the bid evaluation model. The third is verification-related: the reliability of environmental claims is not ensured.

The interrelated nature of these gaps justifies a single comprehensive solution.

Such a solution is the cascade verification system for 'green' status, integrating three interlinked registries (Technologies → Products → Services and works) and integrated into the public procurement platform. goszakup.gov.kz.

3.1. Three-level structure: L1 (Technologies) → L2 (Products) → L3 (Services)

The system is built on the principle of a mandatory cascade linkage between three levels, where 'green' status at each subsequent level is possible only with confirmation of status at the preceding level.

Table 9. Architecture of cascade verification (L1→L2→L3) and the GVS

System component	Verification object	Evaluation criteria	Cascade linkage
L1: Green Technology Registry	Technologies for the production of goods; protocols and methods for the provision of services; technologies for the execution of works; technological process management systems	Low-carbon development; circular economy; conservation of ecosystems and biodiversity	Legal basis: Art. 130, para. 2 of the EC (existing norm), GR No. 576 of 18 August 2022. Operator: IGTIPC. Operational since 2022
L2: Green Product Registry	Goods from the Unified Nomenclature of Goods, Works and Services (UNC GWS); goods produced using verified technologies L1	Cascade linkage with L1; compliance with safety standards; circularity criteria (secondary raw material content ≥20%, recyclability, EoL-technology in L1)	Mandatory: (A) production technology in L1 (B) secondary recycling technology in L1 (dual certification)
L3: Green Services and Works Registry	Services from UNC GWS (cleaning, hotel, etc.); DED works	Binary evaluation (Yes/No): Services: ≥80–85% of consumables from L2 and protocols from L1 DED: LCC (ISO 15686-5) + circular design (ISO 20887) + L2 materials	Mandatory: Services: (A) consumables in L2 (B) protocols in L1 DED: (A) design protocols in L1 (B) L2 goods in specifications

Green Value Share (GVS): Mechanism for evaluation of construction works	Construction works: separate GVS mechanism (uses L1 and L2 data; L3 influences through DED and engineering)	$GVS = \left(\frac{\sum \text{cost of green L2 materials}}{\text{cost of all materials}} \right) \times 100\%$ An independent mechanism relying on L2 data and technologies from L1	GVS: (A) green construction materials in L2; (B) work execution technologies in L1; L3 influences through two channels: (1) DED designer from L3 incorporates L2 materials in specifications (para. 54(1) of the Rules); (2) engineering services from L3 receive a conditional bid discount in a separate tender (para. 54(3) of the Rules)
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Note: Service evaluation methodology. The target threshold is $\geq 80\text{--}85\%$ of consumables from L2. The initial threshold for the pilot period is $\geq 50\%$ (Policy Paper 1, Provision 2) with gradual increase as the L2 Registry is populated. The approach complements international practice with a quantitative criterion for the share of certified goods. The specific threshold value is established by the Public Procurement Rules.

Works evaluation methodology. For construction works (KZT 3.8 trillion, $\sim 40\%$ of public procurement), instead of a threshold criterion, a graduated Green Value Share (GVS) scale is applied. This is because of the specifics of the sector: a significant share of materials is determined by the DED and may not have green alternatives at the initial stage.

Design and estimate documentation (DED) works. A designer from the L3 Registry, applying environmentally sustainable design protocols (ST RK ISO 20887-2023 [19], ST RK ISO 15686-5-2020 [20]), incorporates ‘green’ goods from L2 into project specifications. Such works are procured through a separate tender (subpara. 1 of para. 54 of the Public Procurement Rules of the MoF RK) and create conditions for a high GVS score for the contractor in the CIW tender.

Engineering services. Green engineering services (technical and designer’s supervision, project management) from L3 are procured through a separate tender (para. 54(3) and para. 90 of the Public Procurement Rules of the MoF RK).

Document delineation. Policy Paper 1 contains the criteria for construction materials and the GVS methodology (formula, environmental discount scale, Appendices A–D). This Policy Paper 2 contains the cascade system and the legislative amendment package.

3.2. Key properties of the system

(1) Cascade traceability. If a service is included in L3 \rightarrow all goods/materials used must be included in L2 \rightarrow all base technologies on the basis of which these goods/materials are produced must be included in L1. Full traceability is ensured at all levels of the value chain. For construction works, the same principle is implemented through a two-channel mechanism:

- (a) in the CIW tender, the contractor is evaluated on the GVS scale (L2 data and L1 technologies);
- (b) in a separate tender for engineering services, companies from L3 receive a conditional bid discount.

Both channels are linked: a designer from L3 incorporates L2 materials into the DED, which raises the contractor’s GVS indicator in the CIW tender.

(2) Structural protection against greenwashing. The cascade model requires the supplier to undergo sequential verification at several interlinked levels.

- Inclusion in L2 is conditional on a verified technology in L1.
- Inclusion in L3 is conditional on verified goods/materials in L2.
- The reliability of environmental claims is ensured by data verification at three interlinked levels.

For construction works, protection against greenwashing is ensured through the two-channel mechanism described in para. 1. Independent verification in both tenders ensures data integrity.

(3) Closed life cycle. Production (L1) → use/operation (L2) → service provision (L3) → end of life (Extended Producer Responsibility, EPR) → cyclical verification back to L1. EPR integration ensures 'dual green certification': production technology and recycling technology.

(4) Scalability. Piloting may cover three types of procurement: goods (furniture, office equipment, hygiene products), services (cleaning, hotel services) and works (construction and installation works). Works are evaluated using the GVS scale; detailed criteria for construction materials are contained in Policy Paper 1.

Expansion occurs through the addition of product categories by means of technical regulations. The target coverage includes all categories of the Unified Nomenclature of Goods, Works and Services (UNC GWS).

(5) Compliance with international trends. The principle of technological traceability embedded in the cascade system is consistent with the latest EU regulatory trend. The Ecodesign for Sustainable Products Regulation (ESPR, (EU) 2024/1781) [23] entered into force on 18 July 2024.

ESPR introduces:

- (a) Digital Product Passport (DPP) with data on composition, carbon footprint, repairability and recycling (DPP registry operational from 19 July 2026);
- (b) mandatory GPP requirements (Art. 65 ESPR), linked to ecodesign criteria – this is the transition of GPP from voluntary to mandatory in the EU.

Priority product groups of ecodesign for sustainable products regulation (ESPR), namely iron/steel, aluminium, textiles, furniture, construction materials, directly overlap with the cascade system.

Thus, the cascade system not only adapts international standards but also lays the foundation for traceability analogous to the digital product passport (DPP).

3.3. The cascade system as an adaptation of the ISO 14024 model for countries establishing a green procurement system

The cascade system is not a rejection of ecolabelling principles but a systemic adaptation of the Type I model (ISO 14024) to the conditions of countries developing a market for green products.

ISO 14024, which is traditional ecolabelling, sets a high entry threshold: a product must simultaneously meet all criteria. International programmes (EU Ecolabel, Blue Angel, Nordic Swan) target the top 10%–30% of the market. In a market with an emerging supply of green products, this may narrow the pool of participants. The cascade system offers a graduated approach: suppliers undergo verification step by step – first technologies (L1), then products (L2), then services (L3).

The cascade system develops this principle through five structural innovations (Table 10). A similar principle of graduation is also applied in the EU's two-level model, covering more than 20 product groups. The basic level defines minimum requirements, while the advanced level defines ambitious requirements based on life-cycle analysis.

Table 10. Five structural innovations of the cascade system compared to ISO 14024

Innovation	ISO 14024	Cascade system	Result
1. Vertical decomposition	Evaluates the product as a whole via multi-criteria certification on a pass/fail basis	Decomposes into stages: L1 – production, L2 – product, L3 – service/DED works; construction works – through GVS	Gradual path for business: phased compliance instead of a single entry threshold
2. Graduated thresholds	Top 10%–30% with a limited base narrows the market to 3–5 importers	Graduated levels of environmental performance with phased increase of requirements as the supplier base grows	Dynamic adaptation: the market grows, feedback prevents shortages

Innovation	ISO 14024	Cascade system	Result
3. Technological traceability	Documentation of processes without a structured database for automated verification	Cascade linkage: product inclusion in L2 is conditional on a technology in L1	Reliability is ensured by verification at several levels simultaneously
4. Service and production integration	Focus on products Services usually separate	Service in L3: ≥80–85% of goods from L2 and protocols from L1. Work: GVS scale (share of materials from L2 and technologies from L1) in the CIW tender; and conditional bid discount for L3 companies in a separate tender for engineering services. L3→DED→GVS: indirect linkage.	Chain verification: technology → product → service (L3), and works (GVS). All three categories of the Law on Public Procurement are covered
5. Single operator	Complex ecosystem Expensive and difficult to manage for developing markets	Single operator model (IGTIPC) for all three registries and the GVS mechanism Unified inclusion procedure	Reduction of transaction costs while maintaining transparency through MENR audit

Thus, the terminology ‘Registry’ is not a rejection of international standards but their adaptation to the legal, institutional and market conditions of Kazakhstan.

3.4. Life-cycle Costing (LCC) as an L3 Registry criterion: the role of the designer in the L3→DED→GVS chain

Life-cycle Costing (LCC) takes into account the costs of acquisition, operation and disposal of products over the entire service life (ISO 15686–5; Art. 68 of EU Directive 2014/24/EU). In the cascade system, LCC is a criterion for the inclusion of design organisations in the L3 Registry (Appendix A, Provision 2 of Policy Paper 1).

A designer applying LCC methodologies (ST RK ISO 15686-5-2020) and circular design (ST RK ISO 20887-2023) incorporates materials from the L2 Registry into DED specifications. Such a designer is included in the L3 Registry and receives a conditional bid discount in the competition for design works. This triggers the L3→DED→GVS chain: a designer from L3 creates the conditions for a high GVS indicator for the contractor in the CIW tender.

A direct LCC calculation for each tender is structurally impossible. This is precisely why LCC is applied at the design level (L3), and GVS aggregates the result at the tender bid level.

For construction materials LCC allows the designer from the L3 Registry to justify the selection of L2 materials in the DED, where the difference between the initial price and the life-cycle cost may be substantial. Example: insulation with a 30-year service life and energy savings (up to ~120 kWh/m²) yields substantially lower LCC than a cheap analogue with a 15–20-year lifespan, despite a higher initial price.

3.5. EPR integration: closing the product life cycle

Extended Producer Responsibility (EPR) is adapted in the cascade system through the requirement of ‘dual green certification’. For the inclusion of a product in L2, the manufacturer must register in L1 both the production technology and the end-of-life management technology (disposal/recycling). The scheme of this cycle is presented in para. 3.2 (property 3).

Additionally, the inclusion of EPR obligations in public procurement contracts is envisaged: the supplier ensures acceptance and recycling of products upon completion of the service life. These obligations are implemented through green contract performance clauses. A similar mechanism is provided for by Art. 70 of Directive 2014/24/EU (for details – para. 4.3). The legal basis is Law on Public Procurement No. 106-VIII,

which delegates the specification of environmental criteria to the Public Procurement Rules. Integration with the national EPR regime is ensured through Chapter 31 of the Environmental Code.

The approach is consistent with the Waste Management Concept (GR No. 1201), which identifies GPP as an instrument for generating demand for secondary resources. The legal basis for the current EPR regime is Art. 386 of the Environmental Code and the EPR Rules (GR No. 763 [6a]). The integration of EPR into the cascade system enables green public procurement to be considered as one of the instruments of state waste management policy.

3.6. Single operator model: IGTPC (content operator) and CEF (technical operator)

The institutional model is built by analogy with the Registry of Kazakhstani Manufacturers (Law No. 188-VIII [10]). The International Green Technologies and Investment Projects Center (IGTPC) acts as content operator by developing criteria, making decisions on inclusion in registries, and verifying cascade linkages between levels. The Centre for Electronic Finance (CEF) performs the functions of technical operator via IT infrastructure and integration with goszakup.gov.kz.

The closest international analogue is the South Korean green procurement system (KEITI/KONEPS, 2005) [28], which integrates the eco-product registry with the electronic procurement platform. However, the Korean system is single-level (product → procurement), without a technological cascade. The L1→L2→L3 cascade model extends this approach by adding technological traceability and verification at the level of services and works.

L2 (goods), L3 (services and DED works) and the GVS mechanism (construction and installation works) are integrated into the public procurement system. L1 (technologies) remains a verification level and is not a procurement object. Inclusion of a product in L2 is carried out on a voluntary basis in the form of certification. The legal basis is the Law on Technical Regulation of the RK (see para. 4.2 for details).

3.7. Illustrative examples: full cascade L1→L2→L3/GVS→goszakup

The system is demonstrated through two examples based on typical parameters of the Kazakhstani market: a cleaning service (L3) and school insulation (GVS). Goods procurement (L1→L2) is a special case of both examples and does not require a separate illustration. The products 'KazInsulate BIO-100' and 'EcoClean' featured in the examples can be procured directly as 'Green product' on goszakup.gov.kz. Thus, the examples cover all three categories of procurement objects.

Example A. Cleaning company (L3 – service)

Step 1. Registration of protocols in L1. The cleaning company registers two protocols in L1: (a) 'Green cleaning protocol' (minimisation of chemicals, optimisation of water consumption, personnel safety); (b) 'Separate collection and waste management protocol' (separation into fractions, efficiency indicator: share of sorted fractions ≥50%, contamination ≤10%). Status: included in L1.

Step 2. Registration of goods in L2. Consumables: (a) 'EcoClean' – cleaning agent produced by a verified technology from L1; (b) biodegradable waste bags produced on the basis of a verified polymer from L1; (c) microfibre cloths manufactured by a verified weaving technology from L1. Status: included in L2.

Step 3. Registration of the service in L3. Cleaning company 'GreenServ KZ': consumables from L2 (over 80% in this example); protocols from L1. Status: included in L3.

Step 4. Participation in the tender (goszakup.gov.kz). 'GreenServ KZ' receives the environmental status 'Green service', a conditional bid discount in bid evaluation, priority in case of equal conditions. Result: competitive advantage.

Example B. School insulation (GVS)

This example demonstrates the application of the cascade approach for construction works (~40% of public procurement).

Step 1. Registration of technologies in L1. Insulation manufacturer ‘KazInsulate’ registers: (a) production technology for mineral wool boards from basalt fibre (low-carbon furnace, secondary raw materials $\geq 30\%$); (b) end-of-life management technology (demolition \rightarrow crushing \rightarrow reuse as aggregate). ‘EcoBuild KZ’ registers: (c) ventilated curtain façade (VCF) technology with minimisation of heat losses. Status: all three are included in L1.

Step 2. Registration of goods in L2. (a) Mineral wool boards ‘KazInsulate BIO-100’ – produced by technology (a) from L1; (b) façade brackets ‘AluFix ZN-200’ – produced using recycled aluminium (production and recycling technologies registered in L1). Economic advantage: LCC of insulation over 30 years is KZT 4,200/m² versus KZT 6,800/m² for a cheap analogue (replacement every 10 years). Status: included in L1.

Step 3a. Tender for DED works (separate procurement). The customer (School No. 47) announces a tender for DED development. Design company ‘GreenDesign KZ’ from the L3 Registry, applying LCC methodology and circular design standards (ISO 20887), receives a conditional bid discount. ‘GreenDesign KZ’ incorporates green materials from L2 (insulation ‘KazInsulate BIO-100’, brackets ‘AluFix ZN-200’) into the DED, determining the contractor’s potential GVS.

Step 3b. Tender for engineering services (separate procurement). The customer announces a tender for designer’s supervision and project management. An engineering company from the L3 Registry receives a conditional bid discount in bid evaluation.

Step 3c. Tender for construction and installation works (separate procurement). Contractor ‘EcoBuild KZ’ forms a bid for the works ‘Façade NVF Insulation’ with a GVS calculation. The bid includes: construction materials from L2 (KazInsulate BIO-100 mineral wool boards, AluFix ZN-200 brackets); construction technology from L1 (NVF with heat loss minimisation). GVS is calculated as the share of the cost of L2 green materials in the total cost of materials.

Step 4. Participation in the tender for insulation of School No. 47 (goszakup.gov.kz). ‘EcoBuild KZ’ with a calculated GVS indicator receives a conditional bid discount in bid evaluation proportional to the GVS score. At the same time, the price corridor from (DED minus 2%) to DED (i.e., bids may not exceed the DED estimate and may not be reduced by more than 2% below it) means that all participants offer virtually identical prices, and the environmental criterion becomes the decisive selection factor. Result: a competitive advantage in the contract award.

Economic effect: LCC of ‘KazInsulate BIO-100’ insulation is 38% lower than a cheap analogue over a 30-year period. The school’s energy consumption decreases from ~ 270 kWh/m² to ~ 120 kWh/m² (energy efficiency benchmark). The use of secondary raw materials ($\geq 30\%$ basalt fibre) contributes to the achievement of the target of 15–20 million tonnes of secondary resources (Waste Management Concept, GR No. 1201).

3.8. Conclusion: a single solution for three challenges

The cascade verification system (L1 \rightarrow L2 \rightarrow L3) constitutes a unified solution for all three challenges identified in Section 2 (see Table 11).

Table 11. The cascade system as a unified solution for three challenges

Problem area	Problem (Section 2)	Solution (cascade system)
Institutional	IGTIPC registries, ecolabelling, BAT are isolated from goszakup.gov.kz	Integration of L2 (goods), L3 (services and DED works) and GVS mechanism (construction works) into goszakup.gov.kz by analogy with the Registry of Kazakhstani Manufacturers model: IGTIPC (content operator) in coordination with CEF (technical operator)
Methodological	Predominance of the ‘lowest price’ criterion; actual non-application of MEAT/LCC	Product verification L2 (cascade linkage with L1, safety, circularity); conditional bid discounts for goods and services from the L2/L3 registries; evaluation of works on the GVS scale within the DED price corridor

Verificational	Cancellation of eco-discounts (2016–2020): private certificates without state verification	Cascade traceability: technology → product (L2) → service (L3) / work (GVS). IGTIPC as a quasi-state verifier. Three levels of verification ensure data reliability
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The package of amendments to five legislative acts and the Public Procurement Rules that are necessary for the legislative establishment of this system in accordance with the Action Plan to GR No. 1201 (para. 3, sub-paras. 1–2) is presented in Section 4.

Section 4. Legislative amendment package

Section 3 presented the cascade verification system (L1→L2→L3) and the mechanism for environmental evaluation of works (GVS). This Section contains a package of amendments to five legislative acts and the Public Procurement Rules necessary for the implementation of the Action Plan to GR No. 1201 (para. 3, subparas. 1–2).

4.1. Structure of the amendment package

The amendment package includes three blocks: Block I (Foundation – Environmental Code), Block II (Application – Public Procurement Rules, MoF Order) and Block III (Support – Four laws). All norms cover three procurement categories: goods, services and works.³ For construction and installation works (CIW) a separate mechanism is applied – GVS.

4.2. Block I: Amendments to the Environmental Code (EC)

4.2.1. New definitions (supplementation of Article 1 of the EC)

To create the legal basis for the cascade system, Article 1 of the EC is supplemented with ten definitions, grouped by cascade levels.

Level L2 – goods:

‘Green Product Registry (L2)’: a state information system containing data on goods produced using ‘green’ technologies, and listed in the Registry ‘green’ technologies (L1), as well as data on their manufacturers.

‘Green products’: goods produced in the Republic of Kazakhstan or abroad using ‘green’ technologies registered in the Green Technology Registry (L1) and meeting environmental criteria established by the rules for the creation and maintenance of the Green Product Registry (L2).

‘Green product manufacturer’: a registered legal entity or natural person, resident or non-resident of the Republic of Kazakhstan, producing goods using ‘green’ technologies registered in the Green Technology Registry (L1).

Level L3 – services and works:

‘Green Services and Works Registry (L3)’: a state information system containing data on: (a) services in the provision of which ‘green’ products from the L2 Registry are used and/or environmentally sustainable service provision protocols are applied; (b) works for the development of design and estimate documentation (DED) performed using environmentally sustainable design protocols and incorporating L2 products into project specifications; and data on their providers and contractors.

‘Green service’: a service provided within the territory of the Republic of Kazakhstan, in the provision of which ‘green’ goods from the L2 Registry are used, and/or those for which environmentally sustainable (resource-efficient, low-carbon and circular) service provision protocols are applied. The service must comply with the environmental criteria established by the rules for the formation and maintenance of the Green Services and Works Registry (L3).

‘Green design and estimate documentation (DED) work’: Design and Estimate Documentation (DED) work performed using environmentally sustainable design protocols and incorporating ‘green’ products from the L2 Registry into design specifications. The work must comply with the environmental criteria established by the rules for the formation and maintenance of the Green Services and Works Registry (L3).

Note on construction works. Construction and installation works (CIW) are not an independent ‘green’ category and do not receive an environmental status. Their environmental evaluation is carried out through the GVS (Green Value Share) mechanism, calculated for a specific tender on the basis of L1 and L2 Registry data. A detailed description of the GVS mechanism is provided in Sections 3.1–3.2 of this document; its

3 In this Section, the terms ‘green’ products and ‘green’ services are placed in quotation marks when citing proposed provisions and without quotation marks when the author’s text is being cited.

legislative basis is established in Art. 130-3 (see para. 4.2.5). Design and estimate documentation (DED) works (para. 54(1) of the MoF Public Procurement Rules), on the contrary, are included in the L3 Registry subject to compliance with criteria: LCC application, circular design and inclusion of L2 materials in DED specifications. This triggers the L3→DED→GVS chain.

'Green service provider': a registered legal entity or natural person, resident or non-resident of the Republic of Kazakhstan, providing 'green' services.

'Contractor for works on the development of project (design and estimate) documentation': a registered legal entity or natural person, resident or non-resident of the Republic of Kazakhstan, performing 'green' works on the development of project (design and estimate) documentation.

Cross-cutting terms:

'Eco-passport of manufacturer/provider/contractor': a document confirming the inclusion of a green product manufacturer, green service provider or contractor for works on the development of project (design and estimate) documentation **within** the corresponding Registry (L2 for goods, L3 for services and DED works). Note: for construction works, environmental characteristics are confirmed by the GVS indicator calculated within the framework of a specific tender.

'Environmentally sustainable protocol': a documented technology, method or procedure for the provision of services and/or the execution of works, aimed at minimising environmental impact, ensuring the rational use of resources (water, energy and materials), reducing polluting emissions, and applying materials and methods with low environmental impact.

4.2.2. Supplementation of Article 130 of the EC with new paragraphs 4–9

Article 130 of the EC is supplemented with six new paragraphs: registry definitions (para. 4), delegation of powers (para. 5), inclusion procedure (para. 6), system functions and reporting (para. 7), state support measures (para. 8), and single operator (para. 9).

Paragraph 4. Registry of 'green' products – a state information system containing data on goods produced using 'green' technologies (registered in the Registry 'green' technologies), with data about their manufacturers.

Registry 'green' services and works – a state information system containing data on services in the provision of which 'green' goods are used and/or environmentally sustainable (resource-efficient, low-carbon and circular) service provision protocols are applied, as well as data on design and estimate documentation (DED) works performed using environmentally sustainable design protocols, and data on their providers and contractors.

Paragraph 5. The Government of the Republic of Kazakhstan instructs the authorised body in the field of environmental protection to approve the rules for the creation and maintenance of the Green Product Registry and the Green Services and Works Registry.

Paragraph 6. Inclusion in the registries is carried out subject to compliance with the environmental conditions established by the rules for the creation and maintenance of registries approved by the authorised body.

Paragraph 7. The Green Product Registry and the Green Services and Works Registry are instruments for: 1) defining the environmental indicators of products, works and services; 2) providing preferences in public procurement; 3) monitoring progress in the fulfilment of obligations to achieve carbon neutrality. Mandatory annual reporting includes: the share of green contracts in the total number and cost of public procurement, environmental effect (reduction of CO₂ emissions, energy consumption, waste), and data for reporting on SDG 12.7.1 (UNEP). The monitoring procedure and reporting forms shall be approved by the authorised body in the field of environmental protection.

Paragraph 8. State support for manufacturers of 'green' products, contractors performing works with a high GVS indicator, and providers of 'green' services is provided proportionally to the level of environmental indicators.

Paragraph 9. The Green Technology Registry, the Green Product Registry and the Green Services and Works Registry are maintained by the green technology operator.

4.2.3. Article 130-1: Competence of the authorised body

Article 130-1 defines five powers of the authorised body in the field of environmental protection (developing Art. 27 of EC No. 400-VI). The authorised body:

1. coordinates the development of environmental criteria for the Green Product Registry and the Green Services and Works Registry;
2. develops and approves: a) rules for the creation and maintenance of the Green Product Registry and the Green Services and Works Registry, b) rules for licensing environmental auditors, c) verification checklists and risk assessment criteria, d) requirements for environmental auditors and the procedure for their attestation;
3. coordinates, through the operator (IGTIPC) and the single operator of the public procurement web portal (JSC 'Centre for Electronic Finance'), the maintenance of registries;
4. exercises state control over the reliability of information contained in the registries; and
5. coordinates the integration of registries into the information systems of state bodies, including the public procurement system.

Note: the evaluation of construction works is carried out by a separate GVS (Green Value Share) mechanism and is not within the competence of this Article.

4.2.4. Article 130-2: Competence of sectoral bodies

Sectoral bodies, in accordance with Section 2 of EC No. 400-VI (Art. 26–30), develop environmental criteria for inclusion in registry rules for 'green' products and 'green' services and works.

For construction works, the authorised body in the field of construction (currently the Ministry of Industry and Construction (MIC)).

Detailed criteria for construction materials are presented in Policy Paper 1.

4.2.5. Article 130-3: Principle of cascade verification

Article 130-3 establishes four principles.

- A. The mandatory requirement of environmental criteria is to ensure the highest achievable level of environmental performance and/or its progressive improvement.
- B. The lowering of established environmental criteria below the previously achieved level is not permitted (non-regression principle).
- C. Inclusion in the registries is carried out on the basis of cascade verification:

For the Green Product Registry (L2) – no changes.

For the Green services and works Registry (L3):

Services: on the basis of a declaration of conformity confirming the use of 'green' products from L2 ($\geq 80-85\%$, specific value – by the Public Procurement Rules) and/or protocols from L1.

Construction and installation works (CIW): on the basis of a declaration of conformity confirming the use of 'green' construction materials from L2 and/or work execution technologies from L1, evaluated on the GVS scale. Note: the engagement of 'green' engineering services from L3 is verified within the framework of a separate tender for engineering services (para. 54(3) and para. 90 of the Public Procurement Rules, MoF RK) and influences the GVS indirectly – through the inclusion of L2 materials in the design and estimate documentation (DED).

Design and estimate documentation (DED) works: on the basis of a declaration of conformity confirming the application of environmentally sustainable protocols design from L1 and inclusion 'green' products from Registry L2 in design specifications.

D. Exclusion from the registries is carried out by decision of the authorised state body. General grounds:

1. expiry of the expert opinion or declaration;
2. invalidation of the expert opinion;
3. non-compliance with environmental criteria;
4. detection of greenwashing (unreliable environmental labelling);
5. liquidation of the manufacturer or provider.

Cascade grounds (if changes affect higher-level registries):

6. for L2 – exclusion of the corresponding green technology from the L1 Registry;
7. for L3 – exclusion from the L2 Registry of the green product used and/or exclusion from the L1 Registry of the protocol (service provision technology) applied.

4.2.6. *Intangible protocols: two grounds for inclusion in L1*

Legal analysis. The current version of Art. 130 is oriented predominantly towards material production technologies; for the inclusion of intangible service provision protocols, two paths are possible:

- **Path A (short-term):** Adopt a broad interpretation of Art. 130 for the first cases of inclusion in L1, starting with protocols that have a direct effect on the use of secondary resources (e.g. cleaning protocol with separate collection and waste management) or on building sustainability (design protocol per ST RK ISO 20887). A broad interpretation may require additional legal justification – this risk is mitigated through the implementation of Path B..
- **Path B (medium-term):** Introduce explicit amendments to Art. 130, so that it unambiguously covers intangible technologies (service provision and process management protocols).

Wording: the definition of green technologies in Article 130 reads as follows: ‘...Under green technologies shall mean environmentally sustainable technologies for the production of goods, the provision of services and the management of processes...’. Supplement the list of sub-paragraphs with a new paragraph: ‘Methods, protocols and systems for the provision of services, execution of works and management of processes, ensuring the minimisation of the use of non-renewable resources, reduction of waste, rational use of water and energy’.

This ensures unambiguous legal coverage of both service protocols (cleaning, hotel) and work execution technologies (e.g. ventilated curtain façades, energy-efficient construction).

Note: In addition to extending the coverage to intangible protocols (Paths A and B), Policy Paper 1 (Appendix A, Provision 6) recommends expanding sub-paragraph 7 of paragraph 2 of Art. 130, or supplementing the list with a new sub-paragraph to cover technologies for recycling consumer waste (MSW) into products for urban infrastructure (polymer-sand tiles, foam glass, rubber tiles, etc.). This expansion is a prerequisite for the Pre-Commercial Procurement (PCP) mechanism and the ‘Green Regulatory Sandbox’ (Policy Paper 1, Section 3.3). Furthermore, it increases the inflow of SME products into the L1→L2→L3 cascade.

4.3. **Block II: supplementation of the Public Procurement Rules with environmental criteria**

Wording for the Public Procurement Rules (MoF Order):

‘In the conduct of public procurement preferences are established for ‘green’ products and ‘green’ services and works, included in the corresponding registries, as well as for works, evaluated on mechanism GVS. Amount preferences depend on the level of environmental characteristics of the product **or service and on the GVS indicator of works**, and are determined by the Public Procurement Rules.’

The wording separates two mechanisms: for goods and services, with preferences through the L2/L3 registries; and for works, with preferences through the GVS scale. This ensures coverage of all three categories of procurement objects (goods, works, services), including construction works (KZT 3.8 trillion, ~40% of public procurement).

LCC and price corridor mechanism: LCC is introduced into the Public Procurement Rules as a criterion for the inclusion of design organisations in the L3 Registry (para. 3.4) and non-price environmental criteria for works within the permissible price range (DED $\pm 2\%$).

International analogue: Article 65 of the EU Ecodesign for Sustainable Products Regulation (ESPR, EU 2024/1781) for the first time establishes mandatory (not voluntary) GPP criteria for certain product groups. This confirms the validity of the transition from voluntary to mandatory environmental preferences in public procurement.

Contract performance conditions. In addition to award criteria (conditional bid discounts, GVS), international practice uses a second instrument, namely green contract performance clauses, and the supplier assumes these obligations after winning the tender. Article 70 of Directive 2014/24/EU establishes a framework provision: contracting authorities may set special contract performance conditions, provided they are linked to the subject matter of the contract and indicated in the procurement documentation. Such conditions may include environmental, social, labour and innovation requirements. Article 70 does not contain a list of specific obligations but provides the legal basis for their inclusion by the contracting authority in each specific contract.

The specific content is determined on the basis of EU GPP Criteria for the corresponding product group and the European Commission guidance [26].

In practice, green contract performance clauses in the EU include:

For goods: delivery in recyclable/minimal packaging; the supplier is obliged to take back products at the end of service life; energy consumption or carbon footprint reporting must be provided.

For services: use of environmentally safe consumable materials; training of personnel in environmental protocols; separate waste collection in service provision.

For construction works: compliance with the construction waste management plan (at least 70% of non-hazardous waste for recycling as per EU Waste Framework Directive 2008/98/EC [24]); use of transport with specified emission standards; monitoring of energy efficiency after commissioning.

Important: Contract performance conditions are obligations that the supplier assumes after the award of the contract, and they are not evaluated during the competitive selection stage (unlike award criteria), but are fixed in the contract. Non-compliance may entail penalties or termination.

The Public Procurement Rules (MoF Order) are supplemented with the requirement that green contract performance clauses be included in public procurement contracts for green products, green services and works with environmental criteria (GVS). The specific list of conditions is established by the rules for the creation and maintenance of registries approved by MENR..

Note on the legal basis. Law 'On Public Procurement' No. 106-VIII [9] is a framework law (29 articles, 14 delegations to the Public Procurement Rules). The current Law already contains a sufficient legal basis for the introduction of environmental criteria without amendments to the Law itself:

1. the definition of sustainable public procurement with environmental aspects and full life-cycle costing (Art. 3, para. 23);
2. the principle of sustainable public procurement development (Art. 5, para. 1, sub-para. 8);
3. the obligation of subordinate acts to comply with the principles of the Law (Art. 5, para. 3);
4. the competence of the authorised body (MoF) to develop and approve NLAs in the field of public procurement (Art. 21, para. 2).

Thus, all environmental criteria (conditional bid discounts for L2/L3, GVS, green contract performance clauses) may be introduced through the Public Procurement Rules (MoF Order); a subordinate instrument that does not require passage through the legislative process via the Mazhilis and Senate. Policy Paper 1 (Appendix A, Provision 4, Note) confirms this position.

Conditional discount for DED contractors

In the conduct of public procurement of DED works (sub-paragraph 1 of paragraph 54 of the Public Procurement Rules), a contractor from the L3 Registry is assigned a conditional bid discount in the evaluation of the competitive price bid. The condition for applying the discount is the application of environmentally sustainable design protocols and the inclusion of 'green' products from the L2 Registry in design specifications. The amount of the conditional discount is established by the Public Procurement Rules (MoF Order).

Conditional discount for providers of green engineering services

In the conducting, or supervision, of public procurement of engineering services for the supervision of CIW (technical and designer's supervision, project management), a potential supplier from the L3 Registry is assigned a conditional bid discount in the evaluation of the competitive price bid. The condition for applying the discount is the application of environmentally sustainable protocols for the provision of engineering services, registered in the L1 Registry. The amount of the conditional discount is established by the Public Procurement Rules (MoF Order).

4.4. Block III: amendments to four laws

4.4.1. Law 'On Permits and Notifications'

Article 28 'Spheres of Licensing' is supplemented with a new sub-paragraph: 'environmental audit for the purpose of inclusion in the registries of green products and green services and works'.

Appendix 1 is supplemented with the following text: 'Licensing of activities in environmental audit for the purpose of inclusion in the registries of 'green' products and 'green' services and works. Licence for conducting activities in environmental audit'.

4.4.2. Law 'On Regulation of Trade Activities'

Article 1 is supplemented with definitions: green goods; manufacturer of 'green' products; green service; provider of 'green' services; green work on development of design and estimate documentation (DED); DED contractor; eco-passport; environmentally sustainable (resource-efficient, low-carbon and circular) protocol for the provision of services. Definitions of green services and environmentally sustainable protocols are also introduced in Art. 1 of the Environmental Code (EC); the mechanism for evaluation of works (GVS) is established in Art. 130 of the EC.

The Law is supplemented with an article on State control: 'State control over compliance with legislation in the field of green products and green services is exercised by the authorised body in the field of environmental protection through conducting unscheduled inspections of the reliability of declared information and compliance with environmental criteria'. Control over compliance with environmental criteria and green services is also exercised through the Environmental Code and the Law on Public Procurement.

4.4.3. Code of Administrative Offences

Updated article title: 'Violation of the procedure for inclusion of 'green' products and 'green' services and works in registries, as well as falsification of GVS data in the evaluation of construction and installation works'.

Paragraph 2: 'Unreliable ecological labelling' refers to the use of an eco-passport where the product, works or services do not comply with the declared environmental characteristics, as well as falsification of the GVS indicator in the evaluation of works.

Mechanism of detection and control. Detection of non-compliance is carried out through three channels:

- 1. Automated verification:** API integration of the goszakup.gov.kz portal with IGTIPC registries (Appendix A, Provision 4 of Policy Paper 1) ensures automated reconciliation of eco-passport data with the L2/L3 registry data at the moment of tender bid submission. Non-compliance blocks the application of the environmental discount.

2. **State control:** the authorised body in the field of environmental protection (MENR) carries out unscheduled inspections of the reliability of information in the registries (para. 4.4.2 of this document, Art. 130-1). Grounds for inspection include market participant appeals, monitoring results, environmental audit data.
3. **Environmental audit:** licensed environmental auditors (para. 4.4.1, Law 'On Permits and Notifications') carry out independent verification of the compliance of goods and services with declared characteristics.

Sanctions for violations (amount of fines) are established in the course of developing the draft law on the basis of standard CAO RK methodology. The appeals mechanism is in accordance with the general procedure for appealing administrative penalties (Chapter 43-1 of the CAO RK).

4.4.4. Entrepreneurial Code

Article 92 (state support for private entrepreneurship) is supplemented with a new paragraph: 'State support for manufacturers of 'green' products and providers of 'green' services and works, as well as contractors performing works with a high GVS indicator, is provided proportionally to the level of environmental indicators, in the procedure determined by the authorised body in the field of environmental protection jointly with the authorised body in the field of entrepreneurship development.'

4.5. Summary table

Table 12. Summary table: five laws and Public Procurement Rules, a unified structure

Nº	Legislative act	Content of amendments (taking into account 'works')	Function in system
1	Environmental Code RK	<p>Definitions (Art. 1): note on GVS for construction works, L3 – 'services and works on development of DED';</p> <p>Registries (Art. 130, sub-para. 4–9): L3 – 'green services and works';</p> <p>Competence (Art. 130-1, 130-2): works.</p> <p>Cascade (Art. 130-3): L3 – services; works on DED; construction-and installation works – through GVS;</p> <p>Intangible protocols (para. 4.2.6): work execution technologies</p>	<p>Legal basis: L2, L3 (services and works on DED), GVS (construction-and installation works) and cascade verification</p>
2	Public Procurement Rules (Order MoF RK)	<p>Supplementation Rules public procurement (Order MoF) on the basis of the principle sustainable procurement (Art. 5, para. 1, sub-para. 8): preferences for green products and services from registries, and also for works, evaluated on GVS;</p> <p>Public Procurement Rules (Order MoF): environmental criteria (LCC (L3), non-price criteria for works, conditional bid discount)</p> <p>Conditional discount for contractors DED from L3 (para. 54(1) Rules) and for engineering services from L3 (para. 54(3) Rules)</p> <p>Conditions environmental performance contract (on model Art. 70 Directive 2014/24/EU)</p>	<p>Operational mechanism: principle sustainable procurement already established in Law (Art. 5, para. 1, sub-para. 8), Public Procurement Rules (Order MoF) add environmental criteria. Linking L2/L3/GVS to goszakup.gov.kz</p>
3	Law 'On Permits and Notifications'	<p>Licensing ecoaudit for registries L2/L3 (services and works on DED)</p>	<p>Verification: ensuring quality data registries</p>

Nº	Legislative act	Content of amendments (taking into account 'works')	Function in system
4	Law 'On Regulation of trade activities'	Definitions green products / services / works on DED, environmental passport; state control on market green products. Note: The Law on Regulation of Trade Activities applies solely with respect to definitions and control over products (the subject of this Law being trade activities, i.e. the purchase and sale of goods). Definitions green services are published in Art. 1 EC; mechanism evaluation of works (GVS) – in Art. 130 EC; control for work and service – through Environmental Code and Law 'On Public Procurement'	Control: extending green product oversight beyond the public procurement system to the general market.
5	Code of Administrative Offences	Fines for false data and unreliable environmental labelling of goods, services and works, as well as falsification of GVS data; exclusion from registry	Liability: ensuring compliance with established requirements
6	Entrepreneurial Code	State support for manufacturers green products and providers of green services and works, as well as contractors with a high GVS score, proportionally to eco-indicators	Incentivisation: state support in supplementation to preferences

4.6. Conclusion of Section 4

The key element of the package is the principle of cascade verification (L1→L2→L3), according to which: goods may be recognised as green only upon the use of green technologies from Registry L1. Services and DED works, only upon the use of green products from L2 and/or protocols from L1. **Works are evaluated in a separate GVS mechanism on the basis of L2 data (construction materials), and technologies execution works from L1. L3 influences through DED and engineering.**

The amendment package constitutes the legal basis for the GPP mechanism, provided for by the Action Plan to GR No. 1201 (para. 3, sub-paras. 1–2). A detailed procedural roadmap for further actions, starting from this point and continuing until the adoption of the law, is presented in [Section 5](#) of this Policy Paper.

Section 5. Further Actions

This section contains a provisional overview of the procedural stages, for reference purposes only, for the legislative establishment of the GPP mechanism, provided for by the Action Plan to GR No. 1201 (para. 3, sub-paras. 1–2). Policy Paper 2 does not claim the status of an RPCD (Art. 1, para. 32-5 of the Law on Legal Acts) [7]. The document was prepared within the framework of the EU SWITCH-Asia Policy Support Component programme (2024–2026) and may be used in the development of the RPCD on an analytical basis. The development of the RPCD and subsequent legislative procedures fall within the competence of MENR (Art. 17-1, para. 4 of the Law on Legal Acts).

5.1. Procedural stages

Table 13. Procedural stages, provided for by the legislation of RK (reference overview)

Step	Procedural stage (under the legislation of RK)	Competent body (under the legislation of RK)	Legal basis	Indicative timelines (under the Plan to GR №1201)
0	Waste Management Concept 2026–2030 (GR №1201): provides for ‘the establishment [of] “green” procurement in legislation’ (Section 2.8); ‘priority in public procurement’ (Section 2.12); and development of the market through ‘green’ public procurement’ (Section 5). Action Plan, para.3, sub-para.1–2	Government of RK	–	31.12.2025
1	Policy Paper 1 and Policy Paper 2 (current document): research and recommendations prepared within the framework of the EU SWITCH-Asia PSC programme	IGTIPC	Art. 17, para. 4 of the Law on Legal Acts (right to submit initiative drafts)	2025–2026
2	Initiation of RPCD development (before the commencement of draft law development – Art. 17-1, para. 4 Law)	MENR	Law on Legal Acts, Art.17-1, para.4	2nd half of 2026
3	Development of the RPCD according to the form of Appendix 1 to the Rules (12 mandatory sections). Policy Paper 1 and Policy Paper 2 may be used as appendices to the RPCD (Rules of Legislative Drafting of the Government of RK).	MENR	Law on Legal Acts, Art.17-1, para.4; Rules, ch.2	2nd half of 2026 – 1st half of 2027
4	Public discussion of the RPCD: publication on the portal (≥15 working days); discussion at NCE ‘Atameken’; expert councils; opinion ILPI	MENR and interested parties	Rules, sub-para.13–16	1st half of 2027
5	Review and approval by the Interministerial Commission on Legislative Drafting	Interministerial Commission	Rules, para.4, sub-para.6	1st half of 2027

Step	Procedural stage (under the legislation of RK)	Competent body (under the legislation of RK)	Legal basis	Indicative timelines (under the Plan to GR №1201)
6	Formation of the working group and development of the draft Law (amendments to 5 laws). Section 4 of this document contains the analytical basis for this stage.	MENR (working group)	Rules, para.4, sub-para.7; para.36 (working group); Art.17-1, para.9. Expert reviews: sub-para.41, 43 (state environmental – Art. 20-1 Law)	1st half of 2027
7	Coordination with state bodies, publication of the draft law on the portal (30 working days), submission to Parliament	MENR → Government → Parliament	Art.17-1, para.11 (coordination); Rules: para.45 (publication of the draft law on the portal 30 working days, including public discussion ≥15 working days), para.41 (scientific expert reviews), para.52 (opinion MoJ), para.51 (package of 16 documents), para.55 (submission to the Government Office), para.4 sub-para.17 (coordination with Presidential Administration), para.4 sub-para.18 (scientific linguistic expert review); Art.29 Law (submission to Mazhilis)	2nd half of 2027

Note: the table systematises the procedural stages, provided for by the current legislation Republic of Kazakhstan (Law on Legal Acts [7], and Rules of Legislative Drafting of the Government of RK [8]). Indicative timelines are provided in accordance with Plan measures to GR №1201. Table 13 is for reference only and does not predefine the decisions of the competent bodies.

Steps 2–5 cover the Regulatory Policy Consultation Document (RPCD) procedure, provided for under Art. 17-1, para. 4 of the Law on Legal Acts, as well as Chapter 2 of the Rules of Legislative Drafting of the Government of RK (GR No. 907). The procedure includes four stages: initiation; development according to the conformity of Appendix 1 to the Rules; public discussion; and review by the Interministerial Commission. The procedure provides for mandatory participation of NCE ‘Atameken’ and expert councils (Art. 17-1, para. 4, sub-para. 2 of the Law).

Indicative timelines are consistent with the Action Plan to GR №1201: para. 3, sub-para. 1 (legislative analysis): the second half of 2026; para. 3, sub-para. 2 (draft Law): the first half of 2027.

Implementation stage (Steps 8–10). Action Plan to GR №1201 covers the legislative stage (Steps 0–7). For effective implementation of the adopted law, it would be appropriate to provide for accompanying measures as well. International experience (programmes GPP in the Republic of Korea, Philippines [30] and Rwanda [31], methodology UNEP) and academic research studies [29] confirm, that institutional capacity of state management is a key success factor.

Three possible implementation measures are envisaged.

- **Step 8 (in parallel with steps 3–7):** modernisation of the goszakup.gov.kz platform through integration of L2/L3 registries, automation of eco-passport verification, and introduction of LCC and GVS calculation (by analogy with the South Korean electronic procurement platform KONEPS). According to international practice, the modernisation of an electronic procurement system takes 12–18 months; therefore, preparatory work should commence in parallel with the legislative stage.

- **Step 9 (approximately the second half of 2027–the first half of 2028):** training and piloting stage, including (a) Preparation of methodological guidelines for procurement specialists on the application of environmental criteria, LCC evaluation and eco-passport verification; (b) Training of procuring organisation staff (the UNEP methodological toolkit on training, deployed in 48 countries, may serve as a methodological foundation); (c) Pilot tenders in 2–3 priority product groups: construction materials (on the basis of Policy Paper 1 criteria), cleaning services, and office paper/IT equipment.
- **Step 10 (from 2028):** formation of the GPP monitoring system: sharing of green contracts, cost volume, and environmental effect. Monitoring data provide the evidence base for assessing the effectiveness of the GPP mechanism and may be used for reporting on SDG indicator 12.7.1 (UNEP).

Content map of the Rules for maintaining the registries L2 and L3

Amendments to Art. 130 of the EC (Section 4) establish the competence of MENR to approve the rules for maintaining the L2 and L3 registries (new para. 5). On the basis of this provision, MENR is to approve a subordinate act, namely 'Rules for maintaining the registries', similar to the current 'Rules for the recognition of green technologies' (GR No. 576 of 18.08.2022), under which IGTIPC already maintains the L1 Registry. Table 14 shows where in the package of analytical documents (Policy Paper 1 and Policy Paper2) the ready-made materials for each element of the future Rules are contained.

Table 14. Content map of the Rules for maintaining the registries L2 and L3

Rules element	Rules L2 (goods)	Rules L3 (services/works)	Source
Legal basis	P. 5 Art. 130 EC (new)	P. 5 Art. 130 EC (new)	PP2, para. 4.2.2
Precedent model	GR №576 (Rules L1)	GR №576 (Rules L1)	Existing NLA
Inclusion criteria	(1) Cascade linkage with L1; (2) safety standards; (3) circularity (≥20%, EoL in L1)	Services: ≥80–85% from L2 + protocols L1. DED: LCC (ISO 15686-5) + ISO 20887 + materials L2	PP1, Provision 5 (L2); PP1, Provision 2 (L3)
Cascade verification	Product → technology L1	Services → goods L2 and/or protocols L1; works on DED → materials L2. Construction and installation works (CIW) – on GVS, outside L3 (§3.2)	PP2, Art. 130–3; PP2, §3.2(1)
Grounds for exclusion	Non-compliance, greenwashing, exclusion technologies from L1	Similarly + exclusion product from L2	PP2, Art. 130-3(D)
Detailed criteria (construction)	20 categories, 49 items	4 criteria for DED (table)	PP1, App. D; PP1, Provision 2
Operator	IGTIPC	IGTIPC	PP2, para. 3.6
API-integration	goszakup.gov.kz ↔ IGTIPC	goszakup.gov.kz ↔ IGTIPC	PP1, Provision 4

5.2. Immediate action

This Policy Paper contains a legal basis (Section 1), a problem statement (Section 2), an architecture of the verification system (Section 3), a legislative amendment package (Section 4), and a procedural roadmap (Section 5). The document may be used as an analytical basis for the preparation of the Regulatory Policy Consultation Document (RPCD), which will be the first procedural step towards the legislative establishment of the GPP mechanism (Step 2, Table 13). The legislative establishment of the GPP mechanism ensures that the fulfillment of the Action Plan measures to GR No. 1201 (para. 3, sub-paras. 1–2) and creates the conditions for the formation of the first verified green public procurement system in Central Asia.

References

1.1. Key normative legal acts

- [1] Presidential Decree No. 577 of 30 May 2013 'Concept for Transition of the Republic of Kazakhstan to a Green Economy' (as amended, 2024).
- [2] GR No. 1019 of 29 November 2024 'Action Plan for Transition to a Green Economy for 2024–2030'.
- [3] Environmental Code of RK No. 400-VI of 2 January 2021.
- [4] Presidential Decree No. 611 of 30 July 2024 'National Development Plan of the Republic of Kazakhstan until 2029'.

1.2. Additional normative legal acts

- [5] Presidential Decree No. 568 of 10 June 2024 'On the Introduction of Amendments to Decree No. 577'.
- [6] GR No. 1201 of 31 December 2025 'Waste Management Concept for All Types of Waste in the Republic of Kazakhstan for 2026–2030'.
- [6a] GR RK No. 763 of 25.10.2021 'On the Approval of the Rules for Implementing Extended Producer Responsibility (EPR) for Manufacturers (Importers)' (as amended by GR No. 502 of 18.07.2022 and No. 966 of 02.11.2023). <https://adilet.zan.kz/rus/docs/P2100000763>
- [7] Law of the Republic of Kazakhstan 'On Legal Acts' No. 480-V of 06.04.2016 (Art.17-1, RPCD).
- [8] Rules of Legislative Drafting of the Government of the Republic of Kazakhstan (GR No. 907 of 29.12.2016, with amendments).
- [9] Law of the Republic of Kazakhstan 'On Public Procurement' No. 106-VIII of 01.07.2024 (entered into force 01.01.2025).
- [10] Law of the Republic of Kazakhstan of 19.05.2025 No. 188-VIII 'On the Determination of the Country of Origin of Goods' (model for the Registry of Kazakhstani Manufacturers).

1.3. Articles of the Environmental Code

- [11] Art. 5 – Principles of environmental legislation.
- [12] Art. 47 – Ecological labelling.
- [13] Art. 113 – Best Available Techniques.
- [14] Art. 130 – Economic incentivisation.

1.4. Accompanying documents

- [15] Policy Paper 1 'Comprehensive GPP System as a Mechanism for the Implementation of the Waste Management Concept of the Republic of Kazakhstan' (February 2026).
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