

Economic Commission for Europe
Meeting of the Parties to the Convention
on Environmental Impact Assessment
in a Transboundary Context

Meeting of the Parties to the Convention
on Environmental Impact Assessment in
a Transboundary Context serving as the
Meeting of the Parties to the Protocol on
Strategic Environmental Assessment

**Working Group on Environmental Impact Assessment
and Strategic Environmental Assessment**

Seventh meeting

Geneva, 28–30 May 2018

Item 3 of the provisional agenda

Compliance and implementation

**Draft decision IS/1c on compliance by Azerbaijan with its
obligations under the Convention with regard to its national
legislation**

Proposal by the Implementation Committee¹

This note presents draft decision IS/1c of the Meeting of the Parties to the Convention at its intermediary session (Geneva, 5–7 February 2019) on compliance by Azerbaijan with its obligations under the Convention with regard to its national legislation. As mandated by the Meeting of the Parties at its seventh session (Minsk, 13–16 June 2017), the Implementation Committee prepared the draft decision based on its review of the relevant paragraphs of draft decision VII/2 and taking into account the progress made before, during and after the seventh session. As suggested by the delegation of Ukraine in June 2017, the Committee decided to present the general and the country specific draft decisions in separate documents to facilitate their subsequent consideration and adoption by the Meeting of the Parties.

The Chair of the Committee will present the draft decision for information to the Working Group on Environmental Impact Assessment and Strategic Environmental Assessment. The delegates may wish to present their views on the draft.

The Committee will finalize the draft decision at its forty-second session (Geneva, 11–14 September 2018) prior to its submission for consideration and adoption by the Meeting of the Parties to the Convention at its intermediary session.

¹ The present decision relates to an Implementation Committee initiative (reference EIA/IC/CI/2). More information on Committee initiatives can be found at <http://www.unece.org/environmental-policy/conventions/environmental-assessment/areas-of-work/review-of-compliance/committee-initiative.html>.

The Meeting of the Parties,

Recalling article 11, paragraph 2, and article 14 bis of the Convention on Environmental Impact Assessment in a Transboundary Context (Espoo Convention),

Recalling also its decision V/4, paragraphs 31–32,² and its decision VI/2, paragraphs 38–44,³ concerning compliance by Azerbaijan with regard to its national legislation for the implementation of the Convention,

Recalling further its decision at its seventh session (Minsk, 13–16 June 2017) to finalize its deliberations on the review of compliance with the Convention at an intermediary session, based on a revised draft decision to be prepared by the Implementation Committee and taking into account the work carried out and progress achieved before and during the seventh session,⁴

Having considered paragraphs 30–35 concerning Azerbaijan in the report on the activities of the Implementation Committee to the Meeting of the Parties to the Convention at its seventh session⁵ and the reports of the Committee on its thirty-ninth,⁶ fortieth⁷, forty-first⁸ and [forty-second sessions,⁹]

Acknowledging the technical advice provided by the secretariat to the Government of Azerbaijan to assist the country in bringing its legislation into line with the provisions of the Convention and the Protocol on Strategic Environmental Assessment, further to decision VI/2, paragraph 44,

[*Recalling* its decision IS/1 on the review of compliance with the Convention adopted at the intermediary session,]

1. *Notes* the information received from the Government of Azerbaijan since the sixth session of the Meeting of the Parties (Geneva, 2–5 June 2014);
2. *Expresses concern* that, despite steps taken since the sixth Meeting of the Parties, the Government of Azerbaijan failed to implement the requests addressed to it in decision VI/2 (paras. 41-43);
3. *Notes* with regret that the technical advice offered to the Government of Azerbaijan was not used effectively enough to enact relevant legislation on the implementation of the Convention;
4. *Urges* the Government of Azerbaijan to adopt the draft law and the secondary regulations in line with all technical advice provided, without delay, and to regularly report to the Committee on the progress made;
5. *Requests* the Committee to continue its initiative concerning Azerbaijan based on a profound suspicion of non-compliance with article 2, paragraph 2, of the Convention, and to report to the Meeting of the Parties to the Convention at its eighth session on compliance by Azerbaijan with the Convention;

2 See ECE/MP.EIA/15.

3 See ECE/MP.EIA/20/Add.1-ECE/MP.EIA/SEA/4/Add.1.

4 See ECE/MP.EIA/23-ECE/MP.EIA/SEA/7, para. 27. See also draft decision VII/2 (ECE/MP.EIA/2017/8).

5 ECE/MP.EIA/2017/4-ECE/MP.EIA/SEA/2017/4.

6 ECE/MP.EIA/IC/2017/4, paras. 32-35.

7 ECE/MP.EIA/IC/2017/6, paras. 13-18.

8 ECE/MP.EIA/IC/2018/2, paras. 15-19.

9 ECE/MP.EIA/2018/4, paras. [...]

6. *Also requests* the Committee to assess circumstances affecting the effectiveness of the technical advice provided to the Government of Azerbaijan, including the organizational structure put in place by the Government to make use of such technical advice, and invites the secretariat to make available to the Committee all information needed to this end.
