

Unedited

Decision IS/1c on compliance by Azerbaijan with its obligations under the Convention in respect of its national legislation

As adopted by the Meeting of the Parties to the Convention on Environmental Impact Assessment in a Transboundary Context, at its intermediary session (Geneva, 5–7 February 2019)

The Meeting of the Parties to the Convention,

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

Recalling also its decisions V/4, paragraphs 31–32,¹ and VI/2, paragraphs 38–44,² concerning compliance by Azerbaijan with regard to its national legislation for the implementation of the Convention,

Recalling further its decision at its seventh session 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,³

Having considered the sections concerning Azerbaijan in the report on the activities of the Implementation Committee to the Meeting of the Parties to the Convention at its seventh session⁴ and in the reports of the Committee on its thirty-ninth,⁵ fortieth⁶, forty-first⁷ and forty-second sessions,⁸

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 paragraph 44 of decision VI/2,

Recalling its decision IS/1 on general issues of compliance with the Convention adopted at the intermediary session,

1. *Notes* the information received from and the steps taken by the Government of Azerbaijan since the sixth session of the Meeting of the Parties (Geneva, 2–5 June 2014);
2. *Welcomes* the entry into force on 17 July 2018 of the Law on Environmental Impact Assessment, which provides a general legislative framework for environmental impact assessment in Azerbaijan;

¹ See ECE/MP.EIA/15.

² See ECE/MP.EIA/20/Add.1-ECE/MP.EIA/SEA/4/Add.1, paras. 38–44.

³ See ECE/MP.EIA/23-ECE/MP.EIA/SEA/7, para. 27. See also draft decision VII/2 (ECE/MP.EIA/2017/8).

⁴ ECE/MP.EIA/2017/4-ECE/MP.EIA/SEA/2017/4, paras. 30–35.

⁵ ECE/MP.EIA/IC/2017/4, paras. 32–35.

⁶ ECE/MP.EIA/IC/2017/6, paras. 13–18.

⁷ ECE/MP.EIA/IC/2018/2, paras. 15–19.

⁸ ECE/MP.EIA/IC/2018/4, paras. 14–18.

3. *Notes* some deficiencies and discrepancies in the Law with respect to the Convention;
 4. *Also notes* that the secondary legislation, including the detailed procedure for implementing the Convention, has not yet been adopted;
 5. *Regrets* that, despite steps taken since the sixth session of the Meeting of the Parties, the Government of Azerbaijan has still not fully implemented the requests addressed to it in paragraphs 41 and 42 of decision VI/2, and that the State Party therefore remains in non-compliance with article 2, paragraph 2, of the Convention;
 6. *Urges* the Government of Azerbaijan to ensure, as soon as possible, that its environmental impact assessment legislation fully complies with the Convention;
 7. *Requests* the Government of Azerbaijan to report regularly to the Implementation Committee on the progress made in bringing its legislation into conformity with the Convention;
 8. *Also requests* the Government of Azerbaijan to provide the Implementation Committee with the official English translation of the relevant laws and the adopted secondary legislation upon their entry into force;
 9. *Requests* the Implementation Committee to evaluate the compliance of the environmental impact assessment legislation of Azerbaijan with the Convention and the progress made by the Government of Azerbaijan in that regard and to report thereon to the Meeting of the Parties at its eighth session.
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