

Mr. Chairman. On behalf of the Republic of Azerbaijan, I am taking the floor to make an explanation of position before the action on draft decision VI/II on the Review of Compliance with the Convention, Part III Section A, regarding the Submission made by the Republic of Azerbaijan to the Implementation Committee under the Espoo Convention against Armenia's compliance with its obligations under the Convention with respect to the planned building of nuclear power plant unit in Metsamor, Armenia.

The Republic of Azerbaijan remains concerned over the planned nuclear activity in the area prone to seismic activity and serious risk of natural hazard triggered industrial accident. We are of the view that safety of people and ecological security of the region should not be endangered because of aspiration of the countries to build nuclear energy export capacities. It is with a great concern we take note of the fact that Armenia is non-compliant with its obligation under Article 3.1 of the Convention.

We are of the view that absence of diplomatic relations does not release any Party from the fulfillment of its obligations under the Convention. Claims of late receipt of feedback undermine/contradict to the very essence of the principle of *pacta sunt servanda*, requiring every party to fulfill its obligations in a good faith.

Furthermore, we note with satisfaction the MOP decision that there is a still possibility for Armenia to implement the subsequent steps in the transboundary EIA procedure as the final decision on the construction of the nuclear power plant unit has not been taken yet. Our interest in participation in the EIA procedure remains intact. We look forward to follow up activities of the Implementation Committee, particularly, in light of the recent decision of the Government of Armenia to commence construction works on the new nuclear power plant unit in 2018.

The Republic of Azerbaijan sincerely hopes that the Secretariat of the Convention will retain its ownership and management of this issue and continue providing its valuable services in support of the implementation of the Convention.

We would appreciate if the current statement will be recorded and attached to the MoP report.