



## **Practical application of the Draft Law on Environmental Impact and Expertise in the Republic of Azerbaijan in the renewable energy sector**

### **Start-up workshop: SEA scoping and baseline analysis**

**Baku, Azerbaijan, 3 – 4 March 2015**

Prepared by Mr. Martin Smutny, Consultant to the UNECE Secretariat to the Convention on  
Environmental Impact Assessment in a Transboundary Context

## **Workshop report**

March 2015

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## 1. Background

Strategic Environmental Assessment (SEA) effectively promotes sustainable development by mainstreaming environment into economic development at a national and local level. SEA is a well-established, practical and efficient planning and environmental governance tool/system set out in the UNECE Protocol on SEA to the Convention on Environmental Impact Assessment (EIA) in a Transboundary Context. It ensures that development plans in key sectors such as energy, water and waste management with likely significant adverse environmental impacts are efficiently developed taking into account environmental (and health) considerations. SEA, in particular, will allow identification of the most sustainable and cost-effective strategic development alternatives in Azerbaijan for attracting new investments and for improving its environment. SEA also helps strengthen the country's environmental governance through fostering transparency and consultation with relevant stakeholders and the public prior to the approval of plans and programmes. SEA in a transboundary context can also greatly facilitate regional cooperation on environmental matters.

The Republic of Azerbaijan is not yet a Party to the Protocol on Strategic Environmental Assessment (Protocol on SEA) to the Convention on the Environmental Impact Assessment in the Transboundary Context (the Espoo Convention). Despite the increasing recognition of the SEA as a tool for sustainable development in the region, SEA is rarely used in the country. This is due to a number of reasons, including:

- Weak legislative and institutional framework for its application;
- Low level of awareness of SEA and its benefits among public authorities responsible for preparation of the plans and programmes;
- Lack of understanding of the roles and responsibilities of various authorities in the SEA process.

In responses to these challenges and to better prepare for accession to the Convention and its Protocol the Ministry of Ecology and Natural Resources (MENR) is undertaking a number of steps to develop a national EIA and SEA systems in accordance with the Espoo Convention and its Protocol on SEA, including:

- Improving its legislative and institutional framework to fully comply with the Protocol and relevant EU legislation;
- Defining roles and responsibilities of various authorities in the SEA process;
- Building national and local capacities, developing practical experience and national guidelines in application of the SEA procedures in line with the Protocol and relevant EU legislation;
- Raising awareness and common understanding of the benefits of the SEA at national and local levels and in different sectors, including the benefits of public participation and the consultation of relevant authorities.

Since May 2014, the UNECE Secretariat to the Espoo Convention assists the Ministry of Ecology and Natural Resources of Azerbaijan (hereinafter also the 'Ministry') in developing a national environmental assessment system in line with the Convention and its Protocol on SEA within the EU funded programme 'Greening Economies in the Eastern Neighbourhood' (EaP GREEN) in several phases.

The first phase of the programme was carried out from May to October 2014 and included review of legislative and institutional frameworks for the application of SEA and EIA and development of the legislative framework on EIA and SEA (draft Law on EIA and SEA) from January 2015 to April 2015.

The second phase (January 2015 to October 2016) aims to build national capacities in practical application of SEA at the national level through the implementation of a SEA pilot project.

Based on the communication with the representatives of the Ministry of Ecology and Natural Resources of Azerbaijan, the ‘Action Plan on Alternative and Renewable Energy Resources Use’ has been selected for pilot application of the SEA procedure. The SEA pilot was initiated in January 2015 and shall last until October 2015. The overall aim of SEA pilot is to further develop legislation on SEA, build capacities in application of SEA procedures at a national level and to raise awareness of SEA benefits among various national stakeholders. The specific objectives include:

- To provide support in the development of the draft law on SEA
- To test and demonstrate opportunities of practical application of the draft law on SEA based on the implementation of a pilot project
- To provide recommendations for environmental optimisation and modifications of the selected plan/programme, and
- To develop recommendations for further improvement of national legislative and institutional frameworks on SEA in a country.

The SEA pilot started in March 2015 with the initial training workshop on scoping and baseline analysis. The draft overview of the key environmental and health issues related to the Strategy was prepared in April 2015 and presented and discussed at the scoping consultation meeting in May 2015, which was organized back-to-back the training workshop on impacts assessment. The scoping report was elaborated during June – July 2015 followed by further works on impacts assessment and mitigation measures in August – September 2015 (including workshop on these aspects in August 27 – 29, 2015). The draft SEA report (the version in Azerbaijani language can be downloaded [here](#)) will be prepared in November – December 2015 and the final public consultation workshop on the draft Strategy and the draft SEA report will be organized on December 9, 2015 (to be confirmed).

This Report summarizes the proceedings and the results of the the start-up workshop on SEA scoping and baseline analysis, organized in Baku, Azerbaijan, 3 – 4 March 2015.

## **2. Workshop design**

The workshop was designed as an introductory event of the pilot SEA in Azerbaijan. In line with the general objectives of the project, the workshop combined SEA theory with working sessions aiming at producing first inputs to the SEA pilot. Therefore the agenda was intended to serve two main objectives:

- To introduce the SEA concept, its procedural aspects and main analytical stages
- To facilitate discussions generating inputs to the scoping phase of SEA

The workshop was organised by the Ministry of Ecology and Natural Resources (hereinafter also ‘MENR’), the State Agency on Alternative and Renewable Energy Resources (hereinafter also the ‘Agency’), and the United Nations Economic Commission for Europe (UNECE) back to back with the

round-table to discuss the draft law with national stakeholders. The logistical support for the event was provided by the Regional Environmental Center for Caucasus.

The workshop aimed at supporting implementation of the pilot project on application of strategic environmental assessment (SEA) during preparing of the National Strategy on Renewable and Alternative Energy Use (hereinafter also the ‘Strategy’). It was targeted for practitioners who will help develop the SEA system in the Republic of Azerbaijan, environmental experts, energy planners and representatives of the other relevant stakeholders.

The workshop aimed at getting the participants familiar with the key SEA procedural steps and the main SEA benefits. Particular attention was paid to identification of the focus and content of the SEA for the National Renewable Energy Strategy (i.e. scoping) and baseline analysis. Thus, the workshop had been expected to result in:

- identification of the potential environmental and sustainability aspects that can be relevant for the Strategy;
- identification of the stakeholders to be involved in SEA and design of consultation process; and
- an outline of the scoping reports.

To support the SEA theory, a number of case examples in order to facilitate discussions on how shall be the relevant SEA tasks practically implemented within the SEA pilot. The scoping discussion can be regarded as the key component of the workshop, in which the participating experts preliminarily identify relevant environmental and health) issues that shall be addressed further in SEA. The scoping matrix was used to facilitate the scoping discussions and the inputs obtained from the participants have been integrated in the current version of the scoping matrix, which will be a subject of further verification in further phases of SEA.

Furthermore, the last section of the workshop was dedicated to outline the SEA pilot steps in order to follow the procedure as stipulated by the draft SEA Law.

### 3. Summary of outcomes

There are two major outcomes from the workshop:

1. The draft scoping matrix
2. Outline of the SEA procedure and relevant schedule

**Outcome 1:** The overview of the relevant topics to be further considered in SEA is as follows

Relevant topics	Risks and opportunities likely related to the Strategy
Ambient air	<ul style="list-style-type: none"> <li>• Biogas use and composting may effect air quality</li> <li>• Use of organic biomass can lead to increased CO<sub>2</sub> and methane emissions</li> <li>• Odors</li> </ul>
Soil	<ul style="list-style-type: none"> <li>• Land uptake by solar energy</li> </ul>
Water resources	<ul style="list-style-type: none"> <li>• Hydropower development can alter the water regime</li> <li>• Geothermal energy use can affect surface waters</li> <li>• Warm waters release</li> <li>• Use of recycling waters</li> <li>• Sea currents can be affected by offshore wind energy development</li> <li>• Offshore wind energy development can cause sea water pollution during construction period, the same applies for hydropower development and freshwater</li> <li>• Use of water for solar panel washing</li> </ul>
Biodiversity	<ul style="list-style-type: none"> <li>• Migrating birds can affected by solar panels</li> <li>• Wind farms can affect birds and bats</li> <li>• Small hydropower can lead to aquatic diversity decline</li> <li>• Disruption of the stream permeability for fish and aquatic organisms</li> </ul>
Waste management	<ul style="list-style-type: none"> <li>• Insufficient waste management capacities for decommissioning of solar panels</li> <li>• Treatments of lubricants to be used for maintenance</li> </ul>
Climate	<ul style="list-style-type: none"> <li>• Changes in air current due to wind power (Absheron, Baku)</li> </ul>
Climate change	<ul style="list-style-type: none"> <li>• The Strategy should lead to reduction of GHG emissions</li> <li>• Likely consequences of climate change need to be considered – SLR in Caspian Sea, water resources decline, changes in biomass production (due droughts), directions of winds</li> </ul>
Human health	<ul style="list-style-type: none"> <li>• Noise and vibration from wind power installations</li> <li>• Indoor air quality should be improved due to reduced use of open fires and stoves (since alternative energy source will be provided)</li> <li>• Biomass use, waste to energy can lead to air pollution and thus negatively affecting human health</li> <li>• Occupational diseases: Less workers in oil and gas industry</li> </ul>

<b>Relevant topics</b>	<b>Risks and opportunities likely related to the Strategy</b>
Livelihood	<ul style="list-style-type: none"> <li>• Improved energy supply (especially in remote areas)</li> <li>• Provision of independent source of energy</li> <li>• Water regime alternation due to hydropower development may have impacts on fish production, which is important for local communities</li> <li>• New employment opportunities</li> <li>• Improving energy security</li> <li>• Natural disasters: better stability and safety of energy facilities</li> </ul>
Other	<ul style="list-style-type: none"> <li>• Potential conflicts of offshore wind power development with oil and gas industry and fishery sector</li> </ul>

**Outcome 2:** The draft outline of further SEA steps can be summarized as follows:

<b>Time schedule</b>	<b>SEA procedure as outline of the draft SEA Law</b>	<b>Analyses and practical steps</b>	<b>Responsibilities</b>
March – April 2015	Scoping	<ul style="list-style-type: none"> <li>• Preparing scoping report</li> <li>• Submitting the scoping to MENR</li> </ul>	<ul style="list-style-type: none"> <li>• SEA team</li> <li>• Energy Agency</li> </ul>
May 2015		<ul style="list-style-type: none"> <li>• Public consultations on scoping report</li> </ul>	<ul style="list-style-type: none"> <li>• Energy Agency in cooperating with MENR, supported by SEA team</li> </ul>
May 2015		<ul style="list-style-type: none"> <li>• Finalizing scoping report by the end of May</li> <li>• Submitting final scoping report to MENR (mid-June)</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• SEA team (communication with the Energy Agency is important, scoping report should be discussed at the management level within the Agency)</li> <li>• Energy Agency</li> </ul>

May – June 2015 End of June 2015		<ul style="list-style-type: none"> <li>• Issuing ‘declaration of intent’</li> </ul>	<ul style="list-style-type: none"> <li>• MENR</li> </ul>
June – July 2015	Preparing SEA report	<ul style="list-style-type: none"> <li>• Impacts analyses and formulating mitigation measures</li> </ul>	<ul style="list-style-type: none"> <li>• SEA team</li> </ul>
August 2015		<ul style="list-style-type: none"> <li>• Drafting SEA report</li> </ul>	<ul style="list-style-type: none"> <li>• SEA team</li> </ul>
September 2015	Consultations	<ul style="list-style-type: none"> <li>• Consultations on the draft Strategy and SEA report</li> <li>• Integrating inputs from consultations to the draft Strategy and/or SEA report</li> <li>• Submitting report to MENR</li> </ul>	<ul style="list-style-type: none"> <li>• Energy Agency in cooperating with MENR, supported by SEA team</li> <li>• SEA team and Energy Agency</li> <li>• Energy Agency</li> </ul>
October 2015		<ul style="list-style-type: none"> <li>• Environmental examination</li> <li>• Issue of SEA statement</li> </ul>	<ul style="list-style-type: none"> <li>• MENR</li> </ul>



#### **4. Next steps**

Following the results of the workshop, following next steps and tasks can be defined in order to further proceed with the SEA pilot implementation:

- Finalization of the ToRs for the national/local experts (International SEA experts)
- Preparing an outline of the scoping report (International SEA experts)
- Drafting scoping report (national SEA team)

In order to properly reflect the key features of the Strategy, the Energy Agency would optimally share with the SEA team any background analyses carried out as a basis for drafting the Strategy.

## **5. Workshop evaluation**

Workshop participants were provided with evaluation forms to present their feedback to the organizers. In total 21 questionnaires have been collected and analysed. The summary of the results is presented below (for the complete overview of results see Appendix 2).

For further details please see Appendix 2.

## *Annex 1: Workshop agenda*

### **Practical application of the Draft Law on Environmental Impact and Expertize in the Republic of Azerbaijan in the renewable energy sector**

#### **Start-up workshop: SEA scoping and baseline analysis**

**3 – 4 March 2015**

**Baku, Azerbaijan**

**Final Agenda**

#### **Day 1, March 3<sup>rd</sup>, 2015**

**09:00 – 09:30**            **Registration of participants**

**09:30 – 10:00**            **Opening the Meeting**

**Welcome Speech, Mr. Rasim Sattarzade, Head of the Division of Environmental and Nature Protection Policy at the Ministry of Ecology and Natural Resources**

**Welcome Speech, Mr. Rajab Mammadov, Director of Monitoring Department at the State Agency on Alternative and Renewable Energy Resources**

**Introduction of participants**

**10:00 – 10:15**            **Presentation:** Introduction to the UNECE Protocol on Strategic Environmental Assessment (SEA) and the EU funded programme “Greening Economies in the Eastern Neighborhood (EaP GREEN) to support its implementation in Azerbaijan

*Mr. Cristian Olarean, UNECE Secretariat Espoo Convention and its Protocol on SEA*

**10:15 – 11:45**            **Presentation (20 min):** Introduction to SEA

- A brief overview of typical SEA analytical and procedural steps
- Ms. Marina Khotuleva, UNECE international Consultant on SEA*  
*Mr. Martin Smutny, UNECE international Consultant on SEA*

**Discussion (10 min)**

**11:45 – 11:15**            **Presentation (20 min):** Introduction to the SEA Pilot project in Azerbaijan ‘SEA for the National Strategy on use of alternative and renewable energy sources in the Republic of Azerbaijan in 2015 – 2020’

- Approach and methodology for the SEA Pilot project
- Timeline and expected roles of the national stakeholders

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**Discussion (10 min)**

**11:15 – 11:30**

*Coffee break*

**11:30 – 12:00**

**Presentation (20 min):** Introduction to the National strategy on use of alternative and renewable energy sources in the Republic of Azerbaijan in 2015 – 2020'

- Main features of the document, priorities and measures, implementing scheme
- Follow-up planning i.e. preparation of the Energy Action Plan

*Mr. Ramiz Kalbiyev, Deputy Head of Department on Alternative and Renewable Energy Use, the State Agency on Alternative and Renewable Energy Resources*

**Discussion (10 min)**

**12:00 – 12:30**

**Presentation (20 min):** Introduction to scoping steps under the SEA procedure

- Purpose and objectives of the scoping stage, methods and tools, and expected outcomes
- Case examples of scoping
- Scoping process for the SEA Pilot

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**Discussion (10 min)**

**12:30 – 13:30**

*Lunch*

**13:30 – 14:15**

**Presentation (30 min):** Initial overview of the baseline situation

- Main environmental and health challenges in Azerbaijan

*Mr. Fikret Jafarov, SEA Pilot Project Coordinator*

**Discussion (15 min)**

**14:15 – 16:30**

**Scoping consultation**

**Group's discussion:** The participants of the workshop will be divided in small groups in order jointly to:

- Identify key environmental/health issues to be addressed by SEA Pilot

- Development an initial description of specific environmental problems and concerns
- Prepare an overview of the available and additionally required data and information

*Mr. Fikrat Jafarov, SEA Pilot Project Coordinator*

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**16:30 – 17:00**                      **Summary of scoping consultation**

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**17:00**                                      **Closure of the first day meeting**

**Day 2, March 4<sup>th</sup>, 2015**

**09:00 – 09:30**                      **Registration of participants**

**09:30 – 10:00**                      **Presentation (15 min): Scoping Report**

- Reflection of Day 1
- Proposed outline of the Scoping Report

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**Discussion (15 min)**

**10:00 – 11:00**                      **Presentation (30 min): Introduction to SEA baseline analysis**

- Purpose and objectives, link to scoping, methods and tools, expected outcomes,
- Case examples of baseline analysis

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**Group discussion (30 min):** The participants of the workshop will be divided in small groups in order jointly to:

- Develop an outline of the analyses to be performed within the SEA pilot
- Provide suggestion for appropriate tools and methods

- Discuss availability of data to substantiate the analyses, and
- Identify stakeholders to be involved in baseline analysis

*Mr. Fikret Jafarov, SEA Pilot Project Coordinator*

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**11:00 – 11:15**

**Coffee break**

**11:15 – 12:30**

**Presentation (30 min):** Introduction to stakeholders' consultations in SEA

- Main principles of efficient consultations in SEA
- Case examples of stakeholders' consultations in SEA

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**Group discussion (45 min):** The meeting will be divided in small groups moderated by International SEA Consultants and National Experts

- Identification of relevant stakeholders for SEA pilot
- Proposed design of consultation process for SEA pilot

*Mr. Fikret Jafarov, SEA Pilot Project Coordinator*

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**12:30 – 13:30**

**Lunch**

**13:30 – 14:30**

**Presentation (20 min):** Developing the SEA Report

- Purpose of SEA report, main principles of a good SEA Report
- Examples of SEA reports

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**Group discussion (40 min):** The meeting will be divided in small groups moderated by International SEA Consultants and National Experts

- Development of an outline of the SEA Report for the SEA pilot

*Mr. Fikret Jafarov, SEA Pilot Project Coordinator*

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

**14:30 – 14:45**

**Coffee break**

**14:45 – 16:00**

**Presentation (45 min):** Planning further steps in SEA Pilot

- Requirements for the inputs to be obtained from the SEA team and other stakeholders
- Establishing communication lines with the Ministry of Ecology and Natural Resources and the State Agency on Alternative and Renewable Energy Resources
- Legal requirements stipulated by the draft Law on EIA
- Overview of the tasks, division of responsibilities and fine-tuning the SEA pilot process

*Ms. Marina Khotuleva, UNECE international Consultant on SEA*

*Mr. Martin Smutny, UNECE international Consultant on SEA*

### **Discussion (30 min)**

**16:00 – 17:00**

### **Summary of the discussions and closure of the workshop**

*Mr. Rasim Sattarzade, Head of the Division of Environmental and Nature Protection Policy at the Ministry of Ecology and Natural Resources*

*Mr. Rajab Mammadov, Director of Monitoring Department at the State Agency on Alternative and Renewable Energy Resources*

*Mr. Cristian Olarean, UNECE Secretariat Espoo Convention and its Protocol on SEA*

## ***Annex 2: Workshop evaluation***

The results obtained from the participants through the questionnaires are presented below in a structure following the format of the evaluation questionnaires. In total 21 evaluation forms was analysed. Figures indicate number of participants giving particular specific answers.

1. Please, indicate how important and relevant was the workshop topic for you?

1 (not important) - 0                      2 (somewhat important) - 1                      3 (very important) - 20

2. Please, indicate how clear and understandable was the delivery of information for you (mark :)

1 – (not clear) 0;                      2 (clear)                      2                      3 (absolutely clear)                      19

3. What, in your view, was the most useful at the training workshop?

#	Statement	No of participants
1	SEA case studies in different countries/ Practical examples/ combines theory and practice	15
2	Presentation of existing problems	3
3	Identification of interested public	2
4	Group exercises	3
5	Illustrations, training materials, case studies, ideal models, stages etc.	1

4. Which topics you believe it is essential to conduct additional training for you and your colleagues on (please, underline as appropriate)?

Please put a number of participants which indicated that the topic is essential against each of the topics. For example,

- Strategic planning (4 participants);
- Practical application of SEA (10 participants);
- Public Health (3 participants);
- Legislation (5 participants);
- Stakeholder engagement in the strategic planning/SEA process (5 participants)
- Other

5. What forms of support are required for implementation of EIA and SEA?

The following suggestions came from participants:

- 1) Training of specialists in the field, 7 participants mentioned this point;
- 2) Exchange of experience, mentioned by 5 participants;



- 3) Local capacity building, disseminating knowledge and information about SEA, technical support, trainings, discussion of international experience have been mentioned by three participants;
- 4) Also, it has been suggested to create a methodological guide for implementation and technical assistance, etc;

Translated transcripts of the original suggestions made by participants:

Advisory assistance
Assistance in interpretation of data
Technical assistance
Intersectional assistance
Supervising and monitoring assistance of process of collection and interpreting of data
Testing SEA based on strategy of sectorial and /or national level
Exchange of opinions and experience; Visiting a country who has experience in the field;
Exchange of experience with neighbouring countries
Training of specialists in the field;
Elaboration of methodological guide for implementation;
Guiding during the process of SEA
Staff training in SEA conducting
Consultations from EU experts
Practical training of specialists

#### 6. What are your proposals to improve delivery of similar workshops?

As options for improvement for the further workshop, participants mentioned:

- More practical exercises for better understanding and assimilation of information; splitting the specialist based on their experience; elaboration and distribution of more materials with relevant information (methodologies, exercises, useful information, contacts );
- A real SEA study for the interested participants

Translated transcripts of the original suggestions made by participants:

Preparation and distribution of useful materials (methodologies, exercises, contacts)
More information about SEA practice in the EU countries
More detailed training of specialist during the initial phase
Training workshops for specialists to learn more about the practical application of SEA instruments



## *Annex 3: List of Participants*

### List of participants



#### **Practical application of the Draft law on Environmental Impact and Expertize in the Republic of Azerbaijan in the renewable energy sector**

Start-up workshop: SEA scoping and baseline analysis

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**Start Date:** Monday, March 3, 2015

**End Date:** March 4, 2015

**Participants:** 35

**Female participants:** 4

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